



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION AGENDA

January 20, 2016
Afternoon Session – 3:00 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 3:00 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**
Approval of the **December 16, 2015** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**
Informational Item - Public Testimony Will Not Be Taken
3. **Docket SU-15-0004: COMMNET TELECOMMUNICATIONS TOWER SU/SSDP**
Request: Special Use Review for a 65' tall telecommunications tower.
Location: At 2700 Lake Eldora Ski Road, directly north of the Eldora Ski area and approximately 2.3 miles west of the intersection of Eldora Road and Lake Eldora Ski Road, in Section 21, Township 1S, Range 73W.
Zoning: Forestry (F) Zoning District
Applicant: Tom Walker, Commnet Four Corners, LLC
Property Owner: Anne Smith, Energy Resources Technology Land Et Al
Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.
Public testimony will be taken
(Staff Planner: [Michelle Hoshide](#))
Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1118

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: January 20, 2016
TIME: 3:00 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 3:00 P.M.

Docket SU-15-0004: COMMNET TELECOMMUNICATIONS TOWER SU/SSDP

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Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: January 6, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **January 6, 2016**.

PERRY LOVE

Agent

Subscribed and sworn to before me this *6th* day of January, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account #220246
Ad #5662829
Fee \$23.62

MELISSA L NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: January 20, 2016
TIME: 3:00 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 1325 Pearl Street

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AFTERNOON SESSION - 3:00 P.M.

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ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call
January 6, 2016-5662829



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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION JOINT SPECIAL SESSION AGENDA

January 26, 2016

Joint Special Session – 5:00 P.M.

**(Joint Board of County Commissioners and Planning Commission Public
Hearing, followed by Planning Commission discussion and action)**

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

PUBLIC HEARING

JOINT SPECIAL SESSION – 5:00 P.M.

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

Public Hearing for the Board of County Commissioners and Planning Commission to consider Land Use Change Requests in Area II and III of the Boulder Valley Comprehensive Plan as part of the 2015 Boulder Valley Comprehensive Plan Major Five Year Update.

Action Requested (by Planning Commission only): Discussion, motions and decisions on each request; forwarded to the Board of County Commissioners.

Public Testimony Will Be Taken

(Staff: Peter Fogg – Senior Planner, Steven Giang – Planner I, Boulder County Land Use; Lesli Ellis – Comprehensive Plan Manager, Courtland Hyser – Senior Planner, City of Boulder)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>

ADJOURNED

Detailed information regarding these items, including maps and legal descriptions, is available for public examination on the Boulder County Land Use website at <http://www.bouldercounty.org/lu> or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.

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**PUBLIC HEARING
BOULDER COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
AND PLANNING COMMISSION**

DATE: January 26, 2016
TIME: 5:00 p.m. (Joint Board of County Commissioners and Planning Commission Public Hearing, followed by Planning Commission discussion and action)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that a public hearing will be held by the Board of County Commissioners and the Planning Commission at the time and place specified above. All persons interested in the following item(s) are requested to attend such hearing and aid the Commissioners in their consideration.

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

Public Hearing for the Board of County Commissioners and Planning Commission to consider Land Use Change Requests in Area II and III of the Boulder Valley Comprehensive Plan as part of the 2015 Boulder Valley Comprehensive Plan Major Five Year Update. Public testimony will be taken. *Action Requested (by Planning Commission only): Discussion, motions and decisions on each request; forwarded to the Board of County Commissioners.*

**PUBLIC MEETING
BOULDER COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

DATE: January 27, 2016
TIME: 11:00 a.m.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that a public meeting will be held by the Board of County Commissioners at the time and place specified above. All persons interested in the following item(s) are requested to attend such meeting.

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

Public Meeting for the Board of County Commissioners to review and take action on the January 26, 2016 decisions by the Planning Commission on the Area II and III Land Use Change Requests as part of the 2015 Boulder Valley Comprehensive Plan Major Five Year Update. No additional public testimony will be taken on January 27, 2016. *Action Requested: Discussion, motions and decisions on each request as forwarded by Planning Commission.*

Proposed text and supporting materials are available for public examination at the Boulder County Land Use Department, 2045 13th Street, Boulder, Colorado (303-441-3930).

Free Parking in the City of Boulder CAGID lots is available for Board of County Commissioners' hearing participants. See the staff at the lobby desk for city parking vouchers.

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Please note that the County Commissioners' agenda is subject to change. To receive updates to the agenda, please subscribe to the ***Boulder County Commissioners' Agenda*** (BOCCAGENDA) list at <http://www.bouldercounty.org/gov/media/pages/listserv.aspx>

Published: December 31, 2015 – Daily Times-Call

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

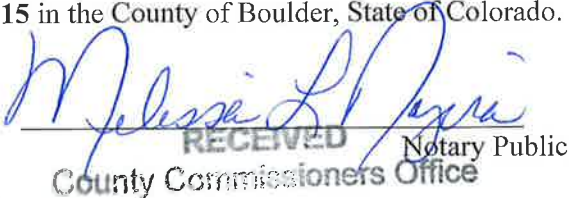
I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **December 31, 2015**.



Agent

Subscribed and sworn to before me this 31st day of **December, 2015** in the County of Boulder, State of Colorado.



RECEIVED
Notary Public
County Commissioners Office

Account #100496
Ad #5662756
Fee \$37.24

JAN 07 2016

REC'D BY

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

2500	Public Notice	2500	Public Notice
PUBLIC HEARING BOULDER COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION			
DATE: January 26, 2016 TIME: 5:00 p.m. (Joint Board of County Commissioners and Planning Commission Public Hearing, followed by Planning Commission discussion and action) PLACE: Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 1325 Pearl Street			
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Published: Longmont Times-Call December 31, 2015 - 5662756			



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BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION JOINT SPECIAL SESSION AGENDA

January 26, 2016

Joint Special Session – 5:00 P.M.

**(Joint Board of County Commissioners and Planning Commission Public
Hearing, followed by Planning Commission discussion and action)**

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

{ Approved on February 17, 2016 }

PUBLIC HEARING

JOINT SPECIAL SESSION – 5:00 PM

On Tuesday, January 26, 2016, the Board of County Commissioners held a joint special session with the Boulder County Planning Commission, convening at 5:00 p.m. and adjourning at 11:33 p.m.

County Commissioners Present: Cindy Domenico, Deb Gardner, and Elise Jones.

Commissioners Present: Doug Young (Chair), Michael Baker, Ben Blaugrund, Daniel Hilton, Leah Martinsson, and Pat Shanks.

Commissioners Excused: Natalie Feinberg-Lopez and Lieschen Gargano

Boulder County Staff Present: Dale Case, Kathy Parker, Abby Shannon, Ron Stewart, Willa Williford, Richard Hackett, Michelle Krezek, Meredith Lanning, Jerremie Smith, Nicole Wobus, Steven Giang, and Therese Glowacki.

City of Boulder Staff Present: Lesli Ellis, Susan Richstone, Jean Gatza, Courtland Hyser, Jeff Hirt, Caitlin Zacharias, and Joe Castro.

Interested Other(s): 120-130

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

The Board of County Commissioners held a joint public hearing on January 26, 2016, with the Boulder County Planning Commission to consider the 5-year Major Update to the Boulder Valley Comprehensive Plan (BVCP-15-0001).

Abby Shannon (Senior Planner), Leslie Ellis (Comprehensive Planning Manager), Courtland Hyser (Senior Planner), and Caitlin Zacharias (Associate Planner), presented the planning foundations work, procedures, and process for the 5 year major update of the BVCP. In addition, staff outlined the publically-initiated policy and land use map changes. Staff recommended FURTHER CONSIDERATION AND ANALYSIS of certain properties and policies as outlined in the staff recommendation, dated January 26, 2016.

PUBLIC HEARING OPENED

SPEAKERS: Scott Holwick – 515 Kimbark; Paul Heffron – 1465 Sierra Drive; Tamara Layman – 300 S 68th Street; Kari Palazzari – 377 Elk Trail; Bob Crifasi – 3257 Hawthorn Hollow; Warren Smadbeck – 2885 Grand Lake Drive; Dianna Smadbeck – 2885 Grand Lake Drive; Pat D’Esposito, Jr – 1348 Cherryvale Road; Judith Renfroe – PO Box 17100; Ali Gidfar – 4383 Apple Court; Andrea (AJ) Grant – 4384 Apple Court; Jeffrey Alexander – 2801 Jay Road; Shawn Berry – 3024 Palo Parkway; Paul Strupp – 4192 Amber Place; Robyn Kube – 4160 Amber Place; Wyley Hodgson – 2823 Jay Road; Natalie Aanerud – 7097 Jay Road; Richard Lopez – 4450 Arapahoe Avenue; Jeff McWhirter – 5435 Illini Way; Jeff Rifkin – 210 Cimmaron Way; Jeff Schaich – 140 Manhattan Drive; Virginia Anderson – Manhattan Drive; Carol Atkinson – 255 Cimmaron Way; Debra Flora – 5492 Pueblo Place; Mireille Key – 74 Ontario Court; Jim Johnson – 130 Manhattan Drive; Christine Rubin – 5355 Kewanee Drive; Steve Meyer – 5482 Pueblo Place; Scott Ortman – 5478 Omaha Place; Ron Craig – 260 Cimmaron Way; Gary Myre – 3175 11th Street.

At this time the Commissioners took a twelve-minute break.

Sara Toole – *address not provided*; Willa Williford – 2567 Vine Place; Glen Segrue – 6500 E Arapahoe; Brian Lay – 4555 Tally Ho Trail; Mike Chirapolos – 1221 Pearl Street; Gwyneth Aten – *address not provided*; Mark George – 4661 Tally Ho Court; Mike Smith – 4596 Tally Ho Trail; Jacqueline Muller – 639 Mapleton; Dan Droled – *address not provided*; Susan Lambert – 4696 Quail Creek Lane; Myrna Besley – 4587 Tally Ho Trail; Karen Looney – 6495 Kalua Road #201; Martin Streim – 4659 Tally Ho Trail; Jeff Cohen – 4746 Quail Lake Creek Lane; Juliet Gopinath – 4555 Tally Ho Trail; John Callis – 6835 Twin Lakes Road; Dave Stevenson – 4537 Starboard Court; Lauren Kovsky – 6394 Twin Lakes Road; Gordon McCurry – 1200 Albion Road; Caroline Hogue – 4493 Sandpiper Circle; Joyce Jenkins – 4848 Brandon Creek Drive; Ken Beitel – 4410 Ludlow Street; Angela Agnes Green – 4895 Twin Lakes Road; Patrick Madden – 4686 Tally Ho Trail; Dennis Dickson – 4715 Tally Ho Court; Rolf Munson – 4554 Starboard Drive; Valerie Callis – *address not provided*; Dan Thomas – 36495 Peak to Peak Highway; Donna George – 4661 Tally Ho Trail; Frank Karash – 421 Tally Ho Court; Dinah McKay – 4695 Portside Way; Kristin Bjornsen – 4818 Brandon Creek Drive; Milan Sefcik – 4809 Brandon Creek Drive; Laura Kinder – 66 Nightshade; Lisa Sundell – 4697 Tally Ho Court; Nancy Thompson – 4685 Tally Ho Court; Edwina Salazar – 303 Atwood Street; Samantha Ricklefs 4590 Starboard Drive; Kelley Dickson – 4715 Tally Ho Court; Nick Altomare – 4317 Butler Circle; John Hartnagle – 10361 Newcombe Street; Carol Affleck 2500 Hoover Road; Jeremy Durham – 1372 Balsam Avenue; Deb Prenger – 4572 Starboard Drive; John Evans – 837 29th Street #32; Leslie Ewy – 1022 Willow Place; Jeff Hayas – 4828 Twin Lakes Road #10; Suzan Delucia – 86 Mineola; Will Toor – 3032 10th Street; Scott Dickson – 4875 Durham Street; Paulina Hewett – 2865 Jay Road; Debbie Ramirez – 1065 Tantra Park Circle; Steven Whitehead – 6521 Barnacle Street; Joe McClure – 4535 Beachcomber; Amy Strombotney – 8502 Stirrup Court

PUBLIC HEARING CLOSED

86 At this time staff responded to questions from the Planning Commission and Board of County
88 Commissioners. Immediately following staff response, the County Commissioners exited the Hearing
Room to allow the Planning Commission to deliberate and make a recommendation.

90 *At this time the County Commissioners were excused and the Planning Commission took a ten-minute
92 break.*

Meeting Resumed

94 The Planning Commissioners discussed request 38 (0, 2300, 2321 Yarmouth Avenue, 4756 28th
96 Street, and 4815 N 26th Street); requests 29 and 30 (2801 Jay Road); request 24 (2975 3rd Street);
98 requests 26 and 27 (3000 N 63rd Street and 6650 Valmont Road); request 32 (5399 Kewanee Drive
and 5697 South Boulder Road); and requests 34-37 (6655 and 6500 Twin Lakes Road and 0 Kalua
Road).

100 Planning Commission took the following action:
102

104 **MOTION 1: Ben Blaugrund MOVED that the Boulder County Planning Commission**
RECOMMEND REQUEST 38 of BVCP-15-0001 MOVE FORWARD
106 **FOR FURTHER ANALYSIS, and the official record of the Docket**
before the Commission with its staff comments, public testimony, and
108 **Commission discussion/action.**

110 **Motion 1 failed for lack of a Second.**

112 **MOTION 2: Doug Young MOVED that the Boulder County Planning Commission**
RECOMMEND REQUEST 32 of BVCP-15-0001 NOT MOVE
114 **FORWARD FOR FURTHER ANALYSIS and the official record of the**
116 **Docket before the Commission with its staff comments, public testimony,**
and Commission discussion/action.

118 **SECOND: Ben Blaugrund**

120 VOTE:	<u>YES</u>	<u>NO</u>
	Doug Young	Michael Baker
122	Dan Hilton	Pat Shanks
	Ben Blaugrund	
124	Leah Martinsson	

126 **Motion 2 PASSED. {4 to 2}**
128

130 **MOTION 3: Leah Martinsson MOVED that the Boulder County PLANNING**
COMMISSION RECOMMENDS REQUEST 35 of BVCP-15-0001
132 **MOVE FORWARD FOR FURTHER ANALYSIS and the official**
134 **record of the Docket before the Commission with its staff comments,**
public testimony, and Commission discussion/action.

136 **SECOND: Dan Hilton**

138 VOTE:	<u>YES</u>	<u>NO</u>
	Doug Young	Ben Blaugrund

140 Dan Hilton Pat Shanks
142 Michael Baker
142 Leah Martinsson

144 **Motion 3 PASSED. {4 to 2}**

146

148 **MOTION 4:** Leah Martinsson MOVED that the Boulder County PLANNING
150 COMMISSION RECOMMENDS REQUEST 36 of BVCP-15-0001
152 MOVE FORWARD FOR FURTHER ANALYSIS and the official
record of the Docket before the Commission with its staff comments,
public testimony, and Commission discussion/action.

154 **SECOND:** Ben Blaugrund

156 **VOTE:** YES NO
Doug Young [none]
158 Dan Hilton
Michael Baker
160 Leah Martinsson
Ben Blaugrund
162 Pat Shanks

164 **Motion 4 PASSED. {6 to 0}**

166

168 **MOTION 5:** Leah Martinsson MOVED that the Boulder County PLANNING
170 COMMISSION RECOMMENDS REQUEST 37 of BVCP-15-0001 NOT
172 MOVE FORWARD FOR FURTHER ANALYSIS and the official
record of the Docket before the Commission with its staff comments,
public testimony, and Commission discussion/action.

174 **SECOND:** Dan Hilton

176 **VOTE:** YES NO
Doug Young Pat Shanks
178 Dan Hilton Ben Blaugrund
Michael Baker
180 Leah Martinsson

182

184 **Motion 5 PASSED. {4 to 2}**

186

188 **MOTION 6:** Leah Martinsson MOVED that the Boulder County PLANNING
COMMISSION RECOMMENDS REQUEST 25, 26, 29, and 30 of
190 BVCP-15-0001 MOVE FORWARD FOR FURTHER ANALYSIS and
the official record of the Docket before the Commission with its staff
192 comments, public testimony, and Commission discussion/action.

194 **SECOND:** Pat Shanks

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226 The meeting adjourned at 11:33.

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



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BOULDER COUNTY PLANNING COMMISSION AGENDA

February 17, 2016
Afternoon Session – 2:00 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 2:00 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**
Approval of the *December 16, 2015* and *January 26, 2016* Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**
Informational Item - Public Testimony Will Not Be Taken
3. **Docket SU-15-0005: POSTLE PROPERTIES V LLC Multiple Principal Uses SU/SSDP**
Request: Special Use and Site Specific Development Plan for the conversion of an existing two story, 6,794sf office building to house both a restaurant and office. The first floor of the office building is proposed to be converted to a restaurant. The second floor will be retained as professional office space. The total occupancy load of building is proposed at a maximum of 173 persons.
Location: At 7916 Niwot Road, Lot 1 of Cottonwood Park Square, approximately at the southeast corner of N. 79th Street and Niwot Road, in Section 31, T2N, R69W.
Zoning: Business (B) Zoning District
Applicant: James and Anne Postle, Postle Properties V, LLC
Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.
Public testimony will be taken
(Staff Planner: [Michelle Hoshide](#))
Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1142
4. **Docket SU-15-0007: CITY OF BOULDER BETASSO WATER TREATMENT FACILITY SU/SSDP**
Request: Special Use and Site Specific Development Plan for modifications the City of Boulder Betasso Water Treatment Facility consisting of the retrofit of existing potable water treatment processes and facilities, including the addition of 20, 823 sq. ft. of additional floor area. The improvements are being undertaken to

maintain a reliable rated treatment capacity of 40 million gallon per day (mgd) and maintain the rated hydraulic capacity of 50 mgd.

Location: Parcels 146134000006, 146133000008, and 146134000008, at the terminus of Betasso Road approximately 0.7 miles east of Sugarloaf Road, in Sections 33 and 34, Township 1N, Range 71W.

Zoning: Forestry (F) Zoning District

Applicant: Steve Buckbee, City of Boulder Department of Public Works

Agent: Brian Daw

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.

Public testimony will be taken

(Staff Planner: [Hannah Hippely](#))

Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1154

5. Docket Z-15-0001: Boulder County Rezoning

Request: Rezoning of two parcels, totaling 323.12 acres from municipal zoning to county designated Agricultural (A) zoning.

Location: At 2500 N 119th Street and 2601 East County Line Road, approximately, 2,700 feet north of Arapahoe Road between County Line Road and N. 119th Street, in Section 25, T1N, R69.

Zoning: Currently unzoned due to disconnection from the Town of Erie

Applicant: Boulder County

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.

Public testimony will be taken

(Staff Planner: [Michelle Hoshide](#))

Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1158

ADJOURNED

PLANNING COMMISSION ANNUAL DINNER AT 5:30 P.M.

At Walnut Brewery (located at 1123 Walnut Street, Boulder).

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION **REVISED AGENDA**

February 17, 2016
Afternoon Session – 2:00 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 2:00 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**
Approval of the *December 16, 2015* and *January 26, 2016* Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**
Informational Item - Public Testimony Will Not Be Taken
3. **Docket SU-15-0005: POSTLE PROPERTIES V LLC Multiple Principal Uses SU/SSDP**
Request: Special Use and Site Specific Development Plan for the conversion of an existing two story, 6,794sf office building to house both a restaurant and office. The first floor of the office building is proposed to be converted to a restaurant. The second floor will be retained as professional office space. The total occupancy load of building is proposed at a maximum of 173 persons.
Location: At 7916 Niwot Road, Lot 1 of Cottonwood Park Square, approximately at the southeast corner of N. 79th Street and Niwot Road, in Section 31, T2N, R69W.
Zoning: Business (B) Zoning District
Applicant: James and Anne Postle, Postle Properties V, LLC
Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.
Public testimony will be taken
(Staff Planner: [Michelle Hoshide](#))
Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1142
4. **Docket SU-15-0007/LE-16-0001: CITY OF BOULDER BETASSO WATER TREATMENT FACILITY SU/SSDP/LE**
Request: Combined Location and Extent review and Special Use and Site Specific Development Plan for modifications the City of Boulder Betasso Water Treatment Facility consisting of the retrofit of existing potable water treatment processes and facilities, including the addition of 20, 823 sq. ft. of additional floor area. The improvements are being undertaken to maintain a reliable rated

treatment capacity of 40 million gallon per day (mgd) and maintain the rated hydraulic capacity of 50 mgd.

Location: Parcels 146134000006, 146133000008, and 146134000008, at the terminus of Betasso Road approximately 0.7 miles east of Sugarloaf Road, in Sections 33 and 34, Township 1N, Range 71W.

Zoning: Forestry (F) Zoning District

Applicant: Steve Buckbee, City of Boulder Department of Public Works

Agent: Brian Daw

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.

Public testimony will be taken
(Staff Planner: [Hannah Hippely](#))

Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1154

5. Docket Z-15-0001: Boulder County Rezoning

Request: Rezoning of two parcels, totaling 323.12 acres from municipal zoning to county designated Agricultural (A) zoning.

Location: At 2500 N 119th Street and 2601 East County Line Road, approximately, 2,700 feet north of Arapahoe Road between County Line Road and N. 119th Street, in Section 25, T1N, R69.

Zoning: Currently unzoned due to disconnection from the Town of Erie

Applicant: Boulder County

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.

Public testimony will be taken
(Staff Planner: [Michelle Hoshide](#))

Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1158

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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: February 17, 2016
TIME: 2:00 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 2:00 P.M.

Docket SU-15-0005: POSTLE PROPERTIES V LLC Multiple Principal Uses SU/SSDP

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Docket Z-15-0001: Boulder County Rezoning

Rezoning of two parcels, totaling 323.12 acres from municipal zoning to county designated Agricultural (A) zoning, by Boulder County, in accordance with the Boulder County Land Use Code. The parcel is currently unzoned due to disconnection from the Town of Erie, at 2500 N 119th Street and 2601 East County Line Road, approximately, 2,700 feet north of Arapahoe Road between County Line Road and N. 119th Street, in Section 25, T1N, R69. *Action Requested: Recommendation to*

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Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: February 5, 2016-- Daily Times-Call

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Land Use

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Published: February 9, 2016-- Daily Times-Call

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **February 5, 2016**.

TEERY LOVE

Agent

Subscribed and sworn to before me this *5th* day of **February, 2016** in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account # 220246
Ad #5664580
Fee \$44.44

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: February 17, 2016
TIME: 2:00 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 1325 Pearl Street

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AFTERNOON SESSION - 2:00 P.M.

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AFFIDAVIT OF PUBLICATION

RECEIVED
County Commissioners Office

TIMES-CALL

FEB 11 2016

State of Colorado
County of Boulder

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The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **February 9, 2016**.

JERRY COLE

Agent

Subscribed and sworn to before me this *9th* day of February, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account #100496
Ad #5664814
Fee \$45.65

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

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BOULDER COUNTY PLANNING COMMISSION

MINUTES

February 17, 2016

AFTERNOON SESSION – 2:00 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved on March 16, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 2:00 PM

On Wednesday, February 17, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 2:03 p.m. and adjourning at 4:26 p.m.

Commissioners Present: Natalie Feinberg-Lopez (Acting Chair), Michael Baker, Lieschen Gargano, Daniel Hilton, Leah Martinsson, Pat Shanks, and Doug Young.

Commissioners Excused: Ben Blaugrund

Staff Present: Dale Case, Rick Hackett, Hannah Hippely, Michelle Hoshide, Meredith Lanning, Kathy Parker, Kim Sanchez, Abby Shannon, and Ron West.

Others: 15-20

MINUTES

MOTION: Leah Martinsson **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from December 16, 2015 and January 26, 2016 as written.

SECOND: Pat Shanks

VOTE: Motion **PASSED** {5 to 0} Abstained: Natalie Feinberg-Lopez for the January 26, 2016 minutes and Lieschen Gargano for both.

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

30 Nicole Wobus, Long Range Planning Manager, gave a brief update on the Boulder Valley
32 Comprehensive Plan update process.

34 *Commissioner Young arrived during the presentation for the following docket.*

Docket SU-15-0005: POSTLE PROPERTIES V LLC Multiple Principal Uses SU/SSDP

36 Michelle Hoshide, Planner II, presented the application for James and Anne Postle, Postle
38 Properties V, LLC, Special Use and Site Specific Development Plan for the conversion of an
40 existing two story, 6,794 square foot office building to house both a restaurant and office. The first
42 floor of the office building is proposed to be converted to a restaurant. The second floor will be
44 retained as professional office space. The total occupancy load of building is proposed at a
maximum of 173 persons. The proposed project is located in the Business (B) Zoning District, at
7916 Niwot Road, Lot 1 of Cottonwood Park Square, approximately at the southeast corner of N.
79th Street and Niwot Road, in Section 31, T2N, R69W. Staff recommended APPROVAL as
outlined in the staff recommendation, dated February 17, 2016.

46 **SPEAKERS:** Anne Postle (Applicant) – 290 Second Ave., Niwot

48 **PUBLIC HEARING OPENED**

50 **SPEAKERS:** Julie Ankenbrandt – 7922 Meadow Lake Road; Tim Wise – 7370 Pebble Court;
52 Harris Faberman – 1236 Chinook Way; Danny Lindau – 8548 Strawberry Lane;
Bruce Warren – 7321 Dry Creek Road; Chuck Kliber – 8206 Sawtooth Lane

54 **PUBLIC HEARING CLOSED**

56 **MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission
58 **CONDITIONALLY APPROVE** and recommend that the Board of
County Commissioners **CONDITIONAL APPROVAL** of **SU-15-0005:**
60 **POSTLE PROPERTIES V LLC Multiple Principal Uses SU/SSDP,**
subject to the six (6) conditions listed in the staff recommendation, with
modifications to condition number three.

62 **SECOND:** Leah Martinsson

64 **CONDITIONS OF APPROVAL**

- 66 1. The Applicant shall provide a Development Agreement, for review and approval by
County staff, prior to the issuance of any permits by the Boulder County Land Use
68 Department and prior to the recordation of said agreement.
- 70 2. The Applicant is subject to all applicable County Building Division requirements for a
building permit.
- 72 3. Prior to the issuance of a certificate of occupancy, the applicant shall install alternative
74 transportation measures, including bike racks and electric charging station or install
wiring or obtain a binding commitment for installation of one in the immediate area
76 prior to the certificate of occupancy. The Transportation Demand Management plan for
providing these options shall be reviewed and approved prior to the issuance of a
78 building permit.

- 80 4. Prior to the issuance of a building permit for the project, the applicant shall demonstrate
82 that adequate services meeting the requirements of Left Hand Water District and Niwot
Sanitation have been provided.
- 84 5. Prior to the issuance of any building permits, a vegetation replacement plan with the
86 current conditions of the existing vegetation shall be submitted and approved.
- 88 6. The Applicant shall be subject to the terms, conditions and commitments of record and
in the file for Docket SU-15-0005: Postle Properties V LLC Multiple Principal Uses
SU/SSDP.

90

VOTE: Motion PASSED Unanimously {7 to 0}

92

Docket SU-15-0007/LE-16-0001: City of Boulder Betasso Water Treatment Facility

94 Hannah Hippely, Senior Planner, presented the application for Steve Buckbee, City of Boulder
Department of Public Works, for a combined Location and Extent review (LE-16-0001) and
96 Special Use and Site Specific Development Plan for modifications the City of Boulder Betasso
Water Treatment Facility consisting of the retrofit of existing potable water treatment processes
98 and facilities, including the addition of 20, 823 sq. ft. of additional floor area. The improvements
are being undertaken to maintain a reliable rated treatment capacity of 40 million gallon per day
100 (mgd) and maintain the rated hydraulic capacity of 50 mgd. The proposed project is located in the
Forestry (F) Zoning District, at parcels 146134000006, 146133000008, and 146134000008, at the
102 terminus of Betasso Road approximately 0.7 miles east of Sugarloaf Road, in Sections 33 and 34,
Township 1N, Range 71W. Staff recommended CONDITIONAL APPROVAL as outlined in the
104 staff recommendation, dated February 17, 2016.

106 **SPEAKERS:** Brian Daw (Agent) – 1670 Broadway, Ste. 3400; Steve Buckbee (Applicant) – 1739
Broadway.

108

PUBLIC HEARING OPENED

110

SPEAKERS: None.

112

PUBLIC HEARING CLOSED

114

MOTION: Lieschen Gargano MOVED that the Boulder County Planning
116 **Commission CONDITIONALLY APPROVE and recommend that the**
118 **Board of County Commissioners CONDITIONAL APPROVAL of SU-**
15-0007/LE-16-0001: City of Boulder Betasso Water Treatment Facility,
120 **subject to the eleven (11) conditions listed in the staff recommendation**
including the edit, made by staff, to condition number seven:

122

SECOND: Pat Shanks

124

CONDITIONS OF APPROVAL

- 126 1. The Applicant shall provide a Development Agreement, for review and approval by
County staff, prior to the issuance of any permits by the Boulder County Land Use
Department and prior to the recordation of said agreement.

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2. The applicant shall obtain a stormwater permit from the Colorado Department of Public Health and Environment, a copy of this permit shall be provided as part of the building permit application.
3. A site lighting plan, including all lighting locations and cut sheets for fixtures shall be developed by the applicant and must be reviewed and approved by Land Use prior to recordation of a development agreement. This plan shall bring the site into full compliance with lighting standards over a period of no more than three years. The approved lighting plan shall be included as an exhibit to the development agreement.
4. The Applicant is subject to all applicable County Building Division requirements for a building permit.
5. The exterior colors to be used on the site should be selected so as to assist the development in blending with the environment rather than being a focal point. Colors shall be reviewed and approved by the Land Use Department prior to the issuance of any building permits, or if building permits are not required, the colors shall be reviewed and approved before construction commences.
6. A Re-vegetation and Weed Control Plan is required that includes: native grass species to be used with seed application rates, an explanation of the treatment of existing topsoils, mapping of disturbance sites, and silt fence locations down slope of disturbed areas. The mapping of county-listed, noxious weed species on the parcel is also necessary, with their intended control techniques specified. The Scotch thistle is particularly important to eradicate since it is rare in the foothills/mountains. This plan shall be submitted for review and approval by Land Use prior to the issuance of a building permit. Erosion control measures shall also be implemented prior to commencement of construction downslope and parallel to contours for all disturbed areas including staging areas.
7. The Applicant shall comply with the list of requirements found in the Transportation Department referral response dated January 25, 2016, including but not limited to establishment of a haul route, implementation of traffic control and traffic management plans, use of vehicle tracking and sweeping, documentation and restoration of road conditions, and a limitation on construction hauling and delivery hours to 8:30 A.M. to 4:00 P.M.
8. A Wildfire Mitigation Plan for the facility shall be created which will describe the wildfire mitigation requirements to be implemented. This plan shall be reviewed and approved by the Land Use Department. ***Prior to issuance of any permits or removal of any trees***, an assessment and defensible space and emergency vehicle access marking shall be completed.
9. ***Before footings or foundation are poured***, the defensible space and emergency vehicle access of the plan must be implemented and inspected by the Boulder County Land Use Department. All trees marked for removal must be cut and all slash, cuttings, and debris must be removed and/or properly disposed.
10. ***At the time of final inspection***, the Wildfire Mitigation Plan is to be fully implemented and inspected. Ground surfaces within three feet of the structure must be covered with a non- combustible ground cover over a weed barrier material.

11. The Applicant shall be subject to the terms, conditions and commitments of record and in the file for Docket SU-15-0007/LE-16-0001: CITY OF BOULDER BETASSO WATER TREATMENT FACILITY SU/SSDP.

VOTE: Motion PASSED Unanimously {7 to 0}

Docket Z-15-0001: Boulder County Rezoning

Michelle Hoshide, Planner II, presented the application for Boulder County, to request zoning of two parcels, totaling 323.12 acres currently without zoning to Agricultural (A) zoning. The parcels are located at 2500 N 119th Street and 2601 East County Line Road, approximately, 2,700 feet north of Arapahoe Road between County Line Road and N. 119th Street, in Section 25, T1N, R69. Staff recommended CONDITIONAL APPROVAL as outlined in the staff recommendation, dated February 17, 2016.

PUBLIC HEARING OPENED

SPEAKERS: Aaron Harber (Property Owner) – 2500 N. 119th Street.

PUBLIC HEARING CLOSED

MOTION: Leah Martinsson MOVED that the Boulder County Planning Commission APPROVE and recommend that the Board of County Commissioners APPROVAL of Z-15-0001: Boulder County Rezoning, subject to the staff recommendation dated February 17, 2016:

SECOND: Lieschen Gargano

VOTE: Motion PASSED Unanimously {7 to 0}

ADJOURNED

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



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION AGENDA

March 16, 2016
Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**
Approval of the *February 17, 2016* Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**
Informational Item - Public Testimony Will Not Be Taken
3. **Docket V-16-0001: BOULDER HEIGHTS 3 Vacation**
Request: Request for the vacation of approximately half of the cul-de-sac measuring approximately 150'x75' right-of-way to correct existing encroachments.
Location: At 276 Forrest Lane, Lot 32 of Boulder Heights 3, approximately 1,250 feet west of the intersection of Deer Trail, Sentinel Rock Lane and Forrest Drive, in Section 04, T1N, R71W.
Zoning: Forestry (F) Zoning District
Applicant: Ann Blonston and David Glosser
Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.
Public testimony will be taken
(Staff Planner: [Michelle Hoshide](#))
Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1181

Approximate start time of DC-16-0002 is 3:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

4. **Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations**
Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use.
Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.
Public testimony will be taken

(Staff Planner: [Bryan Harding](#))

Docket Webpage: www.bouldercounty.org/property/build/pages/lucodeupdatedc160002.aspx

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: March 16, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket V-16-0001: BOULDER HEIGHTS 3 Vacation

Request for the vacation of approximately half of the cul-de-sac measuring approximately 150'x75' right-of-way to correct existing encroachments, by Ann Blonston and David Glosser, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 276 Forrest Lane, Lot 32 of Boulder Heights 3, approximately 1,250 feet west of the intersection of Deer Trail, Sentinel Rock Lane and Forrest Drive, in Section 04, T1N, R71W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

Approximate start time of DC-16-0002 is 3:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use. *Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.* Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

PC Public Notice

March 16, 2016

Page - 2 -

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: March 2, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **March 2, 2016**.

TEARRY CONF

Agent

Subscribed and sworn to before me this 3rd day of **March, 2016** in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account #220246
Ad #5666157
Fee \$32.83

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: March 16, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room,
Third Floor, Boulder County
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

Docket V-16-0001: BOULDER HEIGHTS 3 Vacation

Request for the vacation of approximately half of the cul-de-sac measuring approximately 150'x75' right-of-way to correct existing encroachments, by Ann Blonston and David Glosser, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 276 Forrest Lane, Lot 32 of Boulder Heights 3, approximately 1,250 feet west of the intersection of Deer Trail, Sentinel Rock Lane and Forrest Drive, in Section 04, T1N, R71W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

Approximate start time of DC-16-0002 is 3:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use. Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing. Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call
March 2, 2016-5666157



Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION

MINUTES

March 16, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved on April 20, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, March 16, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 1:32 p.m. and adjourning at 5:53 p.m.

Commissioners Present: Doug Young (Chair), Michael Baker, Ben Blaugrund, Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, and Pat Shanks.

Commissioners Excused: Leah Martinsson

Staff Present: Dale Case, Peter Fogg, Liz Graves, Rick Hackett, Hannah Hippely, Meredith Lanning, Michelle McNamara, Kathy Parker, Ben Pearlman, Kim Sanchez, Abby Shannon, and Ron West.

Others: 35-40

MINUTES

MOTION: Pat Shanks **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from February 17, 2016 as amended.

SECOND: Natalie Feinberg-Lopez

VOTE: Motion **PASSED** {6 to 0} Abstained: Ben Blaugrund

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

Peter Fogg, Long Range Senior Planner, gave a brief update on the Boulder Valley Comprehensive Plan update process.

32 Ben Pearlman, County Attorney and Kim Sanchez, Chief Planner gave an update on their efforts at
34 the recent Governor's Task Force Rulemaking hearings on large-scale oil and gas facilities.

Docket V-16-0001: BOULDER HEIGHTS 3 Vacation

36 Michelle McNamara, Planner II, presented the application for Ann Blonston and David Glosser,
38 Request for the vacation of approximately half of the cul-de-sac measuring approximately 150'x75'
40 right-of-way to correct existing encroachments. The proposed project is located in the Forestry (F)
42 Zoning District, at 276 Forrest Lane, Lot 32 of Boulder Heights 3, approximately 1,250 feet west
of the intersection of Deer Trail, Sentinel Rock Lane and Forrest Drive, in Section 04, T1N,
R71W. Staff recommended CONDITIONAL APPROVAL as outlined in the staff
recommendation, dated March 16, 2016.

44 **SPEAKERS:** Ann Blonston (Applicant) – 276 Forrest Lane

46 **PUBLIC HEARING OPENED**

48 **SPEAKERS:** None.

50 **PUBLIC HEARING CLOSED**

52 **MOTION:** Pat Shanks MOVED that the Boulder County Planning Commission
54 **CONDITIONALLY APPROVE and recommend that the Board of**
County Commissioners CONDITIONAL APPROVAL of V-16-0001:
56 **BOULDER HEIGHTS 3 Vacation, subject to the six (6) conditions listed**
in the staff recommendation including the edit, made by staff, to
condition number one:

58 **SECOND:** Lieschen Gargano

60 **Friendly Amendment:** Commissioner Blaugrund asked to correct the docket number
62 listed in the motion.

64 **CONDITIONS OF APPROVAL**

- 66 1. The approved vacation shall only incorporate the area recommended to be vacated by
68 Boulder County Transportation Department and further described in staffs presentation
from the public hearing.
- 70 2. After all other post-approval requirements for a vacation are complete; Land Use staff
72 shall record the Board of County Commissioners' resolution approving this vacation with
the County Clerk and Recorder's Office within **one year** after the date of the Board's
74 adoption of the resolution. This vacation approval shall not be considered to be final or
effective until this recordation occurs, and shall expire if recordation does not occur
within the required **one year**.
- 76 3. Prior to the recordation of the vacation resolution, the existing 100 sq. ft. shed shall be
78 moved, if necessary, to meet the required 15 foot front yard Forestry zoning setback. If
the shed is within 20% of the required setback, a setback survey shall be required.

- 80 4. Prior to the recordation of the vacation resolution, the existing six foot utility easement
82 shall be relocated to incorporate the existing Xcel utilities in the area. Xcel must approve
any proposed utility easements.
- 84 5. Prior to the recordation of the vacation resolution, a wildfire mitigation plan shall be
86 approved the Boulder County Wildfire Mitigation Team.
- 88 6. The Applicants shall be subject to the terms, conditions, and commitments of record and
in the file for **Docket V-16-0001: BOULDER HEIGHTS 3 Vacation.**
- 90 7. Prior to the recordation of the vacation resolution, a wildfire mitigation plan shall be
92 approved the Boulder County Wildfire Mitigation Team.
- 94 8. The Applicants shall be subject to the terms, conditions, and commitments of record and
in the file for **Docket V-16-0001: BOULDER HEIGHTS 3 Vacation.**

96 **VOTE: Motion PASSED Unanimously {7 to 0}**

98

<p><u>Docket DC-16-0002: Proposed Land Use Code Text Amendments to Marijuana Processing and Cultivation Regulations</u></p>
--

100 Bryan Harding, Senior Planner, presented the proposed text amendments to Article 4 and Article 18
102 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as
a Residential Accessory Use. Staff recommended that the Boulder County Planning
Commission APPROVE and recommend to the Board of County Commissioners APPROVAL of
104 Docket DC-16-0002 as outlined in the staff recommendation and addendum, dated March 16, 2016.

106 **PUBLIC HEARING OPENED**

108 **SPEAKERS:** Michael Mussler – 536 Hurricane Hill Drive; John Benson – 1905 Linden Drive;
Duke Snyder – 289 Deer Trail Circle; R. Allen Saville – 1579 Linden Drive; Brian
110 Wahlert – 25 Alpine Way; Stephen Zanowick – 755 Bow Mountain Road; Kate
Wilson – 721 West Coach Road; Fred Wolf – 168 Alder Lane; Jim Eyster – 50
112 Wildwood Lane; Richard Hlasnicek – 197 Skytrail Road; Alex Green – 785
Fourmile; Kathleen Chippi – PO Box 1794; Lee Sutherland - 12368 N 75th Street;
114 3250; Shawn Coleman – Oneal Circle; Joyce Coleson - 54 Wildwood Lane; Tim
Green - 4654 Whiterock Circle; Bret Gibson - 1740 Four Mile Canyon; Jan Mussler
116 – 536 Hurricane Hill.

118 **PUBLIC HEARING CLOSED**

120 *Commissioners Gargano and Blaugrund left prior to the motion for this docket.*

122 **MOTION: Pat Shanks MOVED that the Boulder County Planning Commission**
124 **TABLE Docket DC-16-0002: Text Amendments to Article 4 and Article**
18 of the Boulder County Land Use Code to address the cultivation and
126 **processing of marijuana as a Residential Accessory Use, until the April**
20, 2016 Planning Commission meeting for further discussion to
128 **consider additional items and detail requested from Land Use staff.**
These items include:

- 130 • Possibilities for allowing caregiver growing in residential areas and what conflicts or opportunities this might present
- 132 • Additional information on proposed prohibitions on extraction technologies and methods, and whether such limitations are necessary
- 134 • Summary of plant count limits in other jurisdictions in Colorado including local jurisdictions
- 136 • Additional possibilities for enhanced enforcement of existing marijuana cultivation regulations
- 138 • More information regarding hazards and threats associated with marijuana cultivation in multi-family structures
- 140 • Suggestions for implementing a tiered approach to additional requirements or oversight that could be implemented if more than 6 plants per parcel are allowed such
- 142 as building permit requirements or registration.
- 144 • Additional community input from health and safety stakeholders as well as the caregiver, patient and medical marijuana community
- 146 • Revised proposed language to clarify that processing of marijuana is limited to those plants grown on the property
- 148 • Suggestions for education options for growers such as building permit requirements, health and safety threats, etc.

SECOND: Natalie Feinberg-Lopez

VOTE: Motion PASSED Unanimously. {5 to 0}

ADJOURNED

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



Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

**BOULDER COUNTY PLANNING COMMISSION and PARKS &
OPEN SPACE ADVISORY COMMITTEE
JOINT STUDY SESSION NOTICE**

April 13, 2016
Joint Study Session – 5:30 P.M.

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

JOINT STUDY SESSION WITHOUT PUBLIC TESTIMONY

JOINT STUDY SESSION – 5:30 P.M.

**BCCP-15-0001: Joint Study Session: Planning Commission and Parks and Open Space
Advisory Committee**

The purpose of this session is to gather input from the Planning Commission (PC) and Parks and Open Space Advisory Committee (POSAC) on the DRAFT update of the Boulder County Comprehensive Plan Open Space Element. PC and POSAC will each hold a public hearing at a later date.

Discussion Item – No Action Requested: Public testimony will not be taken.

Presenters:

Boulder County Parks and Open Space Department – Tina Nielsen, Special Projects Manager; Jesse Rounds, Natural Resource Planner; Ernst Streng, Natural Resource Planner

Boulder County Land Use Department– Pete Fogg, Steven Giang, Nicole Wobus, members of the Long Range Planning and Policy Team



Land Use

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**PUBLIC MEETING
BOULDER COUNTY, COLORADO
PLANNING COMMISSION and PARKS & OPEN SPACE ADVISORY COMMITTEE**

DATE: April 13, 2016
TIME: 5:30 P.M. (Joint Study Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that a public meeting will be held by the Boulder County Planning Commission and the Parks & Open Space Advisory Committee at the time and place specified above. All persons interested in the following item are requested to attend such meeting.

JOINT STUDY SESSION – 5:30 P.M.

Docket BCCP-15-0001: Joint Study Session: Planning Commission and Parks and Open Space Advisory Committee

The purpose of this session is to gather input from the Planning Commission (PC) and Parks and Open Space Advisory Committee (POSAC) on the DRAFT update of the Boulder County Comprehensive Plan Open Space Element. PC and POSAC will each hold a public hearing at a later date. *Discussion Item – No Action Requested: Public testimony will not be taken.*

ADJOURNED

Detailed information regarding this item is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441- 3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: March 30, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **March 30, 2016**.



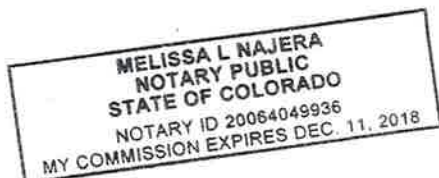
Agent

Subscribed and sworn to before me this 14th day of **September, 2016** in the County of Boulder, State of Colorado.



Notary Public

Account #220246
Ad #5667804
Fee \$22.82



PUBLIC MEETING BOULDER COUNTY, COLORADO PLANNING COMMISSION and PARKS & OPEN SPACE ADVISORY COMMITTEE

DATE: April 13, 2016
TIME: 5:30 P.M. (Joint Study Session)
PLACE: Commissioners Hearing Room,
Third Floor, Boulder County
Courthouse, 1325 Pearl Street

Notice is hereby given that a public meeting will be held by the Boulder County Planning Commission and the Parks & Open Space Advisory Committee at the time and place specified above. All persons interested in the following item are requested to attend such meeting.

JOINT STUDY SESSION - 5:30 P.M.

Docket BCCP-15-0001: Joint Study Session: Planning Commission and Parks and Open Space Advisory Committee

The purpose of this session is to gather input from the Planning Commission (PC) and Parks and Open Space Advisory Committee (POSAC) on the DRAFT update of the Boulder County Comprehensive Plan Open Space Element. PC and POSAC will each hold a public hearing at a later date. *Discussion Item - No Action Requested: Public testimony will not be taken.*

ADJOURNED

Detailed information regarding this item is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441 3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441 3525 at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call
March 30, 2016-5667804

**BOULDER COUNTY PLANNING COMMISSION and PARKS &
OPEN SPACE ADVISORY COMMITTEE
JOINT SESSION NOTICE**

April 13, 2016
Joint Session – 5:30 P.M.

1325 Pearl Street, Commissioners Hearing Room

{Approved on June 15, 2016}

1. JOINT SESSION WITHOUT PUBLIC TESTIMONY

Land Use Docket Webpage: <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx>

On Wednesday, April 13, 2016, the Boulder County Planning Commission hosted a joint session with the Parks and Open Space Advisory Committee, convening at 5:30 p.m. and adjourning at 8:25 p.m.

Boulder County Planning Commission members present: Doug Young (chair), Daniel Hilton, Natalie Lopez, Lieschen Gargano, W.C. Pat Shanks, Leah Martinsson, Michael Baker

Parks and Open Space Advisory Board members present: Eric Hozempa (chair), Cathy Comstock, Sue Cass, John Nibarger, Scott Miller, Jenn Archuleta

10 PC and POSAC Members Excused: Ben Blaugrund (PC) and James Mapes (POSAC)

Staff Presenters:

12 Boulder County Parks and Open Space Department: Tina Nielsen, Jesse Rounds, and Ernst Streng,
members of the Open Space Elements Update Team

14 Boulder County Land Use Department: Pete Fogg, Nicole Wobus, members of the Long Range
Planning and Policy Team

16 Additional Staff Present:

Parks and Open Space: Jeff Moline, Therese Glowacki, Al Hardy, Ron Stewart

18 Land Use: Steven Giang, Rick Hackett, Ron West, Dale Case

20 Planning Commission (PC) met with the Parks and Open Space Advisory Committee (POSAC) to
discuss the DRAFT update to the Open Space Element of the Boulder County Comprehensive Plan
22 (BCCP). The DRAFT Open Space Element (Goals and Policies) was presented by staff. The map is
on a separate track and will be presented at a later date.

24 PC and POSAC members asked questions, discussed the draft document, and offered suggested changes and additions for staff to address moving forward. Some of the key topics discussed included:

- 1) the distinction between open space land owned by Parks and Open Space as opposed to open space more broadly;
- 2) clarification of open space values;
- 3) a need to ensure preservation of historic resources;
- 4) the appropriate document for addressing the role of dogs on county owned open space;
- 5) removing duplication of policies more appropriately addressed in other elements of the BCCP (e.g., streamside corridors);

- 34 6) clarifying the role and definition of open roadside corridors (scenic corridors);
- 7) addressing appropriate use of “protection,” “conservation,” “preservation”;
- 8) clarification of “stakeholders”;
- 36 9) additional suggestions related to language preferences.

38 Staff will update the draft revised element and plans to bring the new draft for consideration and adoption to POSAC in June and PC in July. Both of these hearings will include an opportunity for public comment.

40 *Discussion Item – No Action Taken*

42 *The official recording for this meeting will be archived with the Boulder County Planning Commission records.*



Parks and Open Space

5201 St. Vrain Road • Longmont, Colorado 80503
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PLANNING COMMISSION PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING JOINT STUDY SESSION

DATE: Wednesday, April 13, 2016
TIME: 5:30 pm
PLACE: Commissioners' Hearing Room, 3rd Floor, Boulder County Courthouse,
1325 Pearl Street, Boulder, CO

*Note: a light supper will be provided for PC and POSAC members
at 5 p.m. in the Dickie Lee Hullinghorst meeting room, 3rd Floor*

AGENDA

Suggested Timetable:

5:30 p.m. **Joint Study Session to discuss and provide input on the Draft Open Space Goals, Policies & Map Element of the Boulder County Comprehensive Plan**

Staff Presentation: Overview, Goals, Policies, Narrative, Map
Parks and Open Space Presenters: Tina Nielsen, Jesse Rounds, Ernst Strenge
Land Use Presenters: Pete Fogg, Steven Giang, Nicole Wobus

Questions and Discussion from PC and POSAC

8:00 p.m. **Adjourn**

Available staff memos & related materials for this meeting may be viewed on this web page:
<http://www.bouldercounty.org/property/build/pages/bccp150001.aspx>



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JOINT STUDY SESSION BOULDER COUNTY PLANNING COMMISSION PARKS AND OPEN SPACE ADVISORY COMMITTEE

No public testimony will be taken

TO: Parks & Open Space Advisory Committee

DATE: Wednesday, April 13, 2016, 5:30 p.m.

LOCATION: Commissioners Hearing Room, 3rd floor Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Boulder County Comprehensive Plan Open Space Element Update

PRESENTERS:

Boulder County Parks and Open Space Department: Tina Nielsen, Jesse Rounds, Ernst Streng, members of the Open Space Element Update Team

Boulder County Land Use Department: Pete Fogg, Steven Giang, Nicole Wobus, members of the Long Range Planning and Policy Team

ACTION REQUESTED: Study session, no formal action requested.

Introduction

The purpose of this study session is for Planning Commissioners and POSAC members to discuss and provide feedback to staff on the draft Open Space Goals, Policies and Map Element (OSE) of the Boulder County Comprehensive Plan (BCCP).

BCCP Update Process

In 2010, Land Use staff began a process of updating all the elements of the BCCP, and the Planning Commission adopted guiding principles. To date, the Transportation, Cultural Resources, and Environmental Resources Elements have been updated and approved by Planning Commission. Parks and Open Space staff members were heavily involved in the update of the Environmental Resources Element (ERE), adopted by the planning commission in June 2013. Consistent with the guiding principles for BCCP updates, the ERE update streamlined the element, decreasing the number of policies from 67 to 19. Parks and Open Space and Land Use staff have applied a similar approach during the update of the OSE. The Comprehensive Plan, including information about the update process, is available at <http://www.bouldercounty.org/property/build/pages/bccpupdate.aspx>.

OSE Update Process to Date

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

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

The staff team developed a new framework for policies:

Current Policy Framework	Proposed Policy Framework
<ul style="list-style-type: none">• Acquisition• Resource Management• Scenic Area & Open Corridor Protection• Recreation Use• Rural Character Preservation & Community Buffering• Trails• Public/Private Partnerships• Public Decision Making	<ul style="list-style-type: none">• Value• Conserve• Steward• Engage• Collaborate

This proposed framework provides the basis for the reworked set of five goals. Each goal then has a set of policies relating to that goal. The proposed draft narrative is included as Attachment A, Draft Open Space Goals, Policies, & Maps Element. Attachment B, Review Guide: Open Space Element Goals & Policies Update, maps the relation between the existing and proposed goals and policies, along with explanatory notes and some discussion questions for the study session.

The following is a brief summary of the proposed changes:

Narrative changes:

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

Goal Changes (Attachment B, page 1):

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

Policy Changes (Attachment B, pages 2-10):

- Reorganize policies according to goals and framework
- Update, broaden and/or reframe policy language
- Keep a few references to specific programs, only where necessary to reflect the relationship with the Sales Tax Resolution
- Reduce the number of policies from 49 to 29 by eliminating redundancies and references to programs
- Attachment B includes some discussion questions for the joint study session

Map Changes: Map approval is on a separate track, and updates will be brought to the Planning Commission and POSAC at a future date. *Attachment B: Review Guide* includes notes about some issues relating to the Open Space Plan Map. Issues to be addressed include:

- Remove “Proposed Open Space” designation
- Change name from “County Open Space Plan” to “County Open Space Map”

- Revisit the “Open Corridor, Streamside” and “Open Corridor, Roadside” designations: land use staff is considering how best to establish and incorporate a set of criteria to guide the selection of scenic corridors. Staff is also considering how best to incorporate performance measures which would allow some flexibility to apply to roadways outside mapped corridors but that are still found to have scenic views worthy of protection. Staff is reviewing best practices from other jurisdictions, but would also appreciate guidance from PC and POSAC members.

Public Process to date

April 23, 2015: Parks and Open Space Advisory Committee Hearing

June 17, 2015: Planning Commission Hearing

July 28, 2015: Public Open House (see Attachment C for summary of comments received)

Next Steps

Staff will incorporate feedback from this joint study session, and come back to each Committee in separate public hearings with an updated draft document. Once POSAC and PC have indicated that they are satisfied with the document, staff will bring the draft to the BOCC for their input, then return to PC for final approval.

Requested Action

Staff requests that Planning Commissioners and POSAC members provide comments, questions and input to the draft Open Space Goals, Policy and Map Element of the Boulder County Comprehensive Plan.

ATTACHMENTS

Packet available at <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx>

- A. DRAFT Open Space Goals, Policies and Map narrative
- B. Review Guide: Open Space Element Goals & Policies Update
- C. Summary of Public Comments from Open House, July 28, 2015
- D. Current Open Space, Goals, Policies and Maps Element

ATTACHMENT A

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

(Outline for drafting and reviewing purposes)

- I. Purpose of the Open Space Element**
- II. Boulder County Open Space Program**
 - a. Origins and Evolution of the Program**
 - b. Definitions of Open Space and Passive Recreation**
 - c. Acquisitions**
 - d. Management Framework**
- III. Goals and Policies**

I. Purpose of the Open Space Element

Situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County is blessed with tremendous geological and biological diversity and extraordinary beauty. This natural heritage helps form the foundation for the quality of life appreciated by so many residents. The Open Space Element Goals, Policies and Map lay out the vision for preserving, enjoying and understanding the land and the values it supports. The 2016 update of the Open Space Element of the Boulder County Comprehensive Plan reflects the history and evolution of the Parks and Open Space Department, and strives to provide guidance for the future.

II. Boulder County Open Space Program

a. Origins and Evolution of the Program

The idea of a county open space program was initiated in the mid-1960s by Boulder County citizens who were interested in parks and recreation needs of the unincorporated area and in "preserving open space land in the face of rapid county development" (*Boulder County Comprehensive Plan*, 1978, History of Open Space Program). In 1968 the Board of County Commissioners appointed an "official" citizens group, the Parks and Open Space Advisory Committee (POSAC), to help formulate a plan for preserving open space. This was at a time when Boulder County's 741 square miles were home to a population of fewer than 130,000 people. The 2015 population was approximately 319,400. The Boulder County Parks and Open Space Department was formally designated as of January 1, 1975, initially overseeing several properties amounting to approximately 85 acres.

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

Sidebar: Timeline of Significant Milestones

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

Sidebar: Sales Tax Resolutions

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

b. Definitions of Open Space and Passive Recreation

Within the context of the Boulder County Comprehensive Plan, open space is defined as

- Lands intentionally protected from development to conserve the rural character of the unincorporated county, including lands and waters of significant agricultural, cultural, environmental, open space, recreational, and scenic value.

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

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

c. Acquisitions

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

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

Boulder County has been a leader in establishing a regional vision for open space preservation, working with local communities to identify where rural preservation is appropriate, and likewise, where urban development is desired. This work has resulted in a series of inter-governmental agreements, and Boulder County has purchased a number of properties jointly 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 (Policy 5.03).

[Reference Comprehensive Development Map in Map Section]

Boulder County uses a variety of methods to preserve open space, including acquisitions of fee simple title, conservation easements, trail easements and leases, as well as transfers of development rights and credits, public land dedications and intergovernmental agreements.

Sidebar: Acquisition tools

The county employs different methods depending on the situation.

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

d. Management Framework

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

Text box: What's in a word? Preserve v. Conserve: "Preserve" is defined as keeping something in its original state, whereas "Conserve" is to use or manage wisely, so in the Open Space element policies "conserve" is used for working landscapes such as agricultural properties, while "preserve" is used for broader policies.

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

IV. Goals and Policies

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

- OS 1.01. Boulder County supports all conservation efforts that uphold open space values.
- OS 1.02. Boulder County shall use its Parks and Open Space Department as an important tool for preserving the county's open space values.
- OS 1.03. Open space values, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.
 - OS1.03.01. To the extent possible, the county shall protect views from scenic corridors shown in the Open Space Map. The county may preserve these scenic corridors by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.
 - OS1.03.02. Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.
- OS 1.04. The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails and necessary public access to those areas where appropriate.

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

- OS2.01. Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.
- OS2.02. Boulder County considers open space values when acquiring an interest in real property rights, including the following, in no particular order:
 - a. Establish and preserve community buffers and scenic corridors.
 - b. Conserve lands or features designated in other Boulder County Comprehensive Plan Elements.
 - c. Protect and conserve agricultural lands, especially agricultural lands of local, statewide, and national importance.
 - d. Protect and manage water resources, including agricultural water and in-stream flows.
 - e. Create and establish public access on open space properties and trail linkages between properties.

- f. Protect and restore native plants, wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.
 - g. Protect and restore historic and cultural resources.
 - h. Enlarge existing open space properties and protections.
- OS2.03. Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.

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

- OS 3.01. Boulder County prepares management plans and policies as appropriate for open space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.
- OS 3.02. Plans and policies are based on sound planning practices, public input, and desired future conditions.
- OS 3.03. Through planning and management, Boulder County balances the protection and preservation of significant resources with passive, sustainable, and enjoyable public uses that connect the public to their environment
- OS 3.04. Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground management of open space resources utilizing current knowledge, latest science, best technologies and practices.
- OS 3.05. Boulder County will provide appropriate improvements that serve the approved open space functions of the property while maintaining the rural and natural character.
- OS 3.05.01. Recreational facilities shall be designed and maintained to provide an exceptional user experience, be sustainable, and avoid or minimize impacts to significant resources.
 - OS 3.05.02. Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.
 - OS 3.05.03. Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.
 - OS 3.05.04. Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.
 - OS 3.05.05. Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.
 - OS 3.05.06. Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.

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

- OS 4.01. The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.
- OS 4.02. Boulder County shall promote awareness and stewardship of the county's open space resources and recreational opportunities through a variety of communication methods and programs designed to reach a broad spectrum of people, visitors, stakeholders, organizations, and businesses.
- OS 4.03. Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.
- OS 4.04. Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.
 - OS 4.04.01. Open space land acquisitions, the capital improvement plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.

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

- OS 5.01. Boulder County shall collaborate with businesses, organizations, stakeholders, volunteers, property owners, and partners to promote the county's open space values.
- OS 5.02. Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.
- OS 5.03. Boulder County shall annually solicit input from municipalities and stakeholders on open space preservation and trail priorities.
- OS 5.04. Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.

ATTACHMENT B

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

PROPOSED Open Space Goals	Staff Notes	EXISTING Open Space Goals	Staff Notes
Goal 1. Boulder County values and preserves open space for its contribution to an exceptional quality of life.	Value	C.1 Provision should be made for open space to protect and enhance the quality of life and enjoyment of the environment.	<ul style="list-style-type: none"> • Updated language in Goal 1
Goal 2. Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value	Conserve	C.2 Parks, open space, and recreation facilities should be encouraged throughout the county and should be integrated whenever suitable with public facilities. The county will assume only those financial responsibilities for public development as provided under Open Space Policy OS 4.02.	<ul style="list-style-type: none"> • Not explicitly represented in new goals • Concept is addressed in OS 1.01
Goal 3. Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.	Steward	C.3 Open space shall be used as a means of preserving the rural character of the unincorporated county and as a means of protecting from development those areas which have significant environmental, scenic or cultural value.	<ul style="list-style-type: none"> • Updated language in Goal 2
Goal 4. Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.	Engage	C.4 A county-wide trail system shall be promoted to serve transportation and recreation purposes.	<ul style="list-style-type: none"> • Not explicitly represented in new goals • Policy 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.
Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values.	Collaborate	C.5 The private sector, non-county agencies, and other governmental jurisdictions should be encouraged to participate in open space preservation and trails development in Boulder County.	<ul style="list-style-type: none"> • Broaden and update language in Goal 5

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

Goal 1. [VALUE] Boulder County values and preserves open space for its contribution to an exceptional quality of life.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion Questions
OS 1.01 Boulder County supports all conservation efforts that uphold open space values.		<ul style="list-style-type: none"> • New overarching policy concept 	
OS 1.02 Boulder County shall utilize its Open Space program as an important tool for preserving the county's open space values.	OS 5.05 The county shall use its open space program as one means of achieving its environmental resources and cultural preservation goals.	Also addressed in ERE: ER 1.06 Boulder County shall use its open space program as one means of achieving its goals for protecting environmental resources.	
OS 1.03 Open space values, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.	OS 1.02 The county shall not deny development or other land use applications, otherwise in compliance with the land use regulations, solely because of the open space designation. However, in reviewing development or other land use applications, the county shall consider the open space values and other characteristics which contribute to the open and rural character of unincorporated Boulder County.	<ul style="list-style-type: none"> • Propose to delete "Proposed Open Space" from County Open Space Plan map, making first sentence obsolete. <u>Rationale</u>: most of the properties so designated have been acquired. • Update language 	NOTE: Further discussion to come regarding County Open Space Plan map. Map approval is on a separate track.
OS 1.03.01 To the extent possible, the county shall protect views from scenic corridors shown in the Open Space Map. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.	OS 3.03 To the extent possible, the county shall protect scenic corridors along highways and mountain road systems. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process or, by acquisition.	<ul style="list-style-type: none"> • LU staff is considering how best to establish and incorporate a set of criteria to guide the selection of scenic corridors, and how best to incorporate performance measures to allow some flexibility to apply to roadways outside mapped corridors but that are still found to have scenic views we want to protect 	
OS 1.03.02 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.	OS 3.04 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.	<ul style="list-style-type: none"> • Addressed in Environmental Resources Element http://www.bouldercounty.org/doc/landuse/bccp-ere-goals.pdf • ERE Goal B.6 Boulder County shall continue to protect prominent natural landmarks and other unique scenic, visual and aesthetic resources in the county. • ER 1.03 Scenic vistas shall be preserved as much as possible in their natural state. 	Natural Landmarks and scenic areas are addressed in ERE Goal B, is this redundancy desired?
OS 1.04 The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails, and necessary public access to those areas where appropriate	OS 4.01 The Boulder County Land Use Code shall provide for land dedications of parks and open space and necessary public access to those areas where appropriate. OS 6.07 Where appropriate, trails should be incorporated into and provided by new development and linked to established trails, if possible.	<ul style="list-style-type: none"> • Incorporate "trails" from existing OS 6.07 into existing OS 4.01 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

Goal 2. [CONSERVE] Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion Questions
OS 2.01 Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.	OS 1.01 It is recognized that the acquisition of an interest in open space lands must be based on the long term implementation of the county's overall open space plan, in which prioritization of need and available revenues must be considered. From time to time, applications for various land use decisions which contemplate development are expected to be made for privately owned lands which have been designated as open space on the Open Space Plan Map of the Boulder County Comprehensive Plan. In such cases, it will be the responsibility of the county to make decisions with regard to the possible acquisition of an interest in such lands in a timely manner. In the event a decision to acquire whatever public interest the county may desire is not made with reason diligently, applicants shall be entitled to have their applications processed and considered as any other similar applications, not involving open space, would be.	<ul style="list-style-type: none"> Policy 1.01 as currently worded is obsolete, and represents a different time with different conditions. Delete "Proposed Open Space" designation from County Open Space Plan map. <u>Rationale</u>: most of the properties so designated have been acquired. 	NOTE: Further discussion to come regarding County Open Space Plan map. Map approval is on a separate track.
OS 2.01	OS 1.03 When seeking to acquire whatever interest the county may desire in lands designated as open space, the county will negotiate in good faith with the property owners involved. The power of eminent domain shall be used only in exceptional cases, when obviously necessary to protect the public interest.	<ul style="list-style-type: none"> The power of eminent domain has never been used; the reference is not necessary. Concept is covered in OS 2.01 "appropriate real estate methods" 	Agree with removing reference to eminent domain?
OS 2.02 Boulder County considers open space values when acquiring an interest in real property rights, including the following, in no particular order:		<ul style="list-style-type: none"> Expands on Goal 2 theme by enumerating the open space values in one policy Staff feels it is important to explicitly state there is no hierarchy of values. 	Agree with stating general acquisition priorities in a goal statement and enumerate in the policy?
a. Establish and preserve community buffers and scenic corridors.	OS 5.01 Boulder County shall, in consultation with affected municipalities, utilize open space to physically buffer Community Service Areas, for the purpose of ensuring community identity and preventing urban sprawl.	<ul style="list-style-type: none"> Identify all the various open space values in one policy 	
b. Conserve lands or features designated in other Boulder County Comprehensive Plan Elements.	OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map,	<ul style="list-style-type: none"> Designated areas are also covered in the Environmental Resource Element 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

	historic and archaeological sites, and significant agricultural land.		
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion Questions
c. Protect and conserve agricultural lands, especially agricultural lands of local, statewide, and national importance.	OS 5.04 The county shall use its open space acquisition program to preserve agricultural lands of local, statewide, and national importance. Where possible, purchase of conservation easements, purchase of development rights, or lease-back arrangements should be used to encourage family farm operations.	<ul style="list-style-type: none"> • Broaden language • 2nd sentence reflects current and historic real estate acquisition practice; covered in OS 2.01 	
d. Protect and manage water resources, including agricultural water and in-stream flows	OS 3.01 Where necessary to protect water resources and/or riparian habitat the county shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The county may preserve these open corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.	<ul style="list-style-type: none"> • Broaden language • Specific acquisition methods covered in OS 2.01 	
e. Create and establish public access on open space properties and trail linkages between properties	OS 3.02 Where appropriate the county shall continue to acquire parcels of land or right-of-way easements to provide linkages between public lands.	<ul style="list-style-type: none"> • Broaden language 	
f. Protect and restore native plants, wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.	OS 2.02 Significant natural communities, rare plant sites, wetlands, and vegetation, such as willow carrs, should be conserved and preserved.	<ul style="list-style-type: none"> • Reframe and broaden language 	
g. Protect and restore historic and cultural resources.	OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map, historic and archaeological sites, and significant agricultural land.	<ul style="list-style-type: none"> • Call out historic and cultural resources explicitly • Also referenced in Environmental Resources Element 	
h. Enlarge existing open space properties and protections.		<ul style="list-style-type: none"> • New policy concept 	
OS 2.03 Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.		<ul style="list-style-type: none"> • New policy concept • Addresses activities such as utility right of way requests, oil & gas extraction 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

Goal 3. [STEWARD] Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion Questions
OS 3.01 Boulder County prepares management plans and policies as appropriate for Open Space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.	OS 2.03 The county shall provide management plans and the means for the implementation of said plans for all open space areas that have been acquired by or dedicated to the county.	<ul style="list-style-type: none"> Update language 	
OS 3.02 Plans and policies are based on sound planning practices, public input, and desired future conditions.	OS 2.03.02 Management of county open space lands shall consider the regional context of ecosystems and adjacent land uses.	<ul style="list-style-type: none"> Broaden to encapsulate the idea of balance amongst uses and protection Considering regional context is a sound planning practice 	
OS 3.03 Through planning and management, Boulder County balances the protection and preservation of significant resources with providing passive, sustainable, and enjoyable public uses that connect the public to their environment.	OS 2.03.01 The foremost management objective of individual open space lands shall follow directly from the purposes for which the land was acquired. OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography, or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.	<ul style="list-style-type: none"> Management objectives include acquisition purpose, but take many other factors into account These examples are covered in the narrative under definition of passive recreation, and more broadly in OS 3.03 	"Purposes for which land was acquired" concept is not included in current proposed policies
OS 3.04 Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground management of open space resources utilizing current knowledge, latest science, best technologies and practices.		<ul style="list-style-type: none"> New policy concept: Introduces the concept of adaptive management through monitoring and evaluating 	
OS 3.05 Boulder County will provide appropriate improvements that serve the approved open space functions of the property while maintaining the rural and natural character.	OS 4.03 Recreational use of county open space land may be permitted where such use is consistent with the management plan for the property and does not adversely impact natural and cultural resources or other management objectives of the property.	<ul style="list-style-type: none"> Reframe concept Broaden language so applies to more than recreation 	
OS 3.05.01 Recreational facilities shall be designed and maintained to provide an exceptional user experience, be sustainable, and avoid or minimize impacts to significant resources.	OS 6.01 Trails and trailheads shall be planned, designed, and constructed to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and associated wildlife	<ul style="list-style-type: none"> Broaden language Eliminate specific examples 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

	habitats. Riparian areas proposed for preservation but for which trail development is inappropriate include: 1) Boulder Creek between 55th Street and U.S. Highway 287, 2) St. Vrain Creek west of Airport Road, 3) Left Hand Creek west of State Highway 119, and 4) Rock Creek west of McCaslin Boulevard. OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography, or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.	<ul style="list-style-type: none"> • Includes maintenance concept 	
OS 3.05.02 Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.	OS 6.04 Trails shall provide for pedestrian, equestrian, bicycle, and/or other non-motorized uses, where each is warranted. Incompatible uses shall be appropriately separated.	<ul style="list-style-type: none"> • Broaden language • Separation of incompatible uses is one of many factors considered in property management plans 	
OS 3.05.03 Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.	OS 6.05 Special consideration shall be given to pedestrian, equestrian, bicycle, and/or other uses of road rights-of-way during the design and construction of road improvements.	<ul style="list-style-type: none"> • Reframe and broaden language 	
OS 3.05.04 Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.	OS 4.02 Except as the county may establish a regional park, such as the Boulder County Fairgrounds, or other similar facilities, the county will provide only a minimum level of maintenance or development on park land.	<ul style="list-style-type: none"> • Reframe • Maintenance is covered in OS 3.05.01 	
OS 3.05.05 Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.		<ul style="list-style-type: none"> • New: explicitly call out agricultural improvements 	
OS 3.05.06 Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.		<ul style="list-style-type: none"> • New: explicitly call out historical and cultural improvements 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

Goal 4. [ENGAGE] Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion
OS 4.01 The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.	OS 8.02 Purchases of land for open space require approval by the Board of County Commissioners after public hearing and after review and recommendation of the Parks and Open Space Advisory Committee.	<ul style="list-style-type: none"> Existing OSE has narrative reference to POSAC in history but no policy statement Builds foundation for OS 8.02 	
OS 4.02 Boulder County shall promote awareness and stewardship of the county's open space resources and recreational opportunities through a variety of communication methods and programs designed to reach a broad spectrum of people, visitors, stakeholders, organizations, and businesses.	OS 2.04 The county, through its Parks and Open Space Department, shall provide appropriate educational services for the public which increase public awareness of the county's irreplaceable and renewable resources and the management techniques appropriate for their protection, preservation, and conservation.	<ul style="list-style-type: none"> Fits with Engage better than Resource Management Update language 	
OS 4.03 Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.	OS 2.04.02 The Parks and Open Space Department shall seek to meet the needs of diverse populations in the county by providing information and programming to accommodate special groups such as disabled persons, young people, senior citizens, and Spanish-speaking citizens.	<ul style="list-style-type: none"> Fits with Engage better than Resource Management Update language 	
OS 4.04 Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.	OS 8.03 In developing management plans for open space areas, Parks and Open Space staff shall solicit public participation of interested individuals, community organizations, adjacent landowners and the Parks and Open Space Advisory Committee. Plans shall be reviewed by the Parks and Open Space Advisory Committee, including public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	<ul style="list-style-type: none"> Broaden language 	
OS 4.04.01 Open space land acquisitions, the capital improvement plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.	OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	<ul style="list-style-type: none"> Broaden but keep CIP reference; it is in the 1993 ballot language Local government collaboration covered in OS 5.03 	Agree with keeping CIP reference?
	OS 8.04 Significant changes to overall management direction or techniques shall be presented to the Parks and Open Space Advisory Committee and/or the Board of County Commissioners, with opportunity for public comment before a decision is made.	<ul style="list-style-type: none"> "significant changes" not explicitly called out in draft policies Covered in OS 3.01 & OS 4.04 	Call out "significant changes?"

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

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

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion
OS 5.01 Boulder County shall collaborate with businesses, organizations, stakeholders, volunteers, property owners, and partners to promote the county's open space values.	<p>OS 7.01 The county shall consider for possible acquisition those lands within the county which are owned and may be disposed of by other governmental agencies.</p> <p>OS 7.03 The county shall cooperate with the owners of privately owned open space, including conservation easements, to protect their interests from public trespass.</p> <p>OS 7.04 The county, through the Parks and Open Space Department, shall work with foundations, trusts, developers, ditch and utility companies, and others from the private and public sectors in furtherance of the county's open space objectives by encouraging land donations and dedication and multiple use of easements and by providing and informing the public of incentives for preservation.</p>	<ul style="list-style-type: none"> Combine the concepts of OS 7.01, 7.03 and 7.04 into one collaboration policy 	
OS 5.02 Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.	OS 7.02 The county may promote and participate in partnership projects with the communities in the county for open space acquisition and trails development outside of community service areas.	<ul style="list-style-type: none"> Broaden language 	
OS 5.03 Boulder County shall annually solicit input from municipalities and stakeholders on open space preservation and trail priorities.	OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	<ul style="list-style-type: none"> Engage: Broaden to encompass public process in decision making in OS 4.04 Collaborate: Local government collaboration addressed in OS 5.03 	
OS 5.04 Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.	OS 6.02 Adverse effects on private lands shall be minimized insofar as possible by trail and trailhead placement, posting of rules and signs against trespassing, installation of containing fences where critical, and any other appropriate measures.	<ul style="list-style-type: none"> Reframe and broaden language 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

Programmatic Existing Policies			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion
	OS 2.03.03 Management of individual open space lands, including those under agricultural leases, shall follow good stewardship practices and other techniques that protect and preserve natural and cultural resources.	<ul style="list-style-type: none"> • Covered in OS 3.01, OS 3.03 and OS 3.04 	
	OS 2.05 The county, through its Weed Management Program, shall discourage the introduction of exotic or undesirable plants and shall work to eradicate existing infestations through the use of Integrated Weed Management throughout the county on private and public lands.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 3.01 - OS 3.04 	
	OS 2.04.01 The Parks and Open Space Department shall cooperate with schools and non-profit organizations in the county to provide environmental education activities which increase awareness, understanding, appreciation, and support for stewardship of the natural and cultural resources on open space.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.02 	
	OS 2.04.03 The Parks and Open Space Department shall develop and disseminate information through publications, exhibits, and other media on the uniqueness, importance, and appropriate stewardship and management of open space areas in the county.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.02 and OS 4.03 	
	OS 2.04.04 The Parks and Open Space Department shall utilize trained volunteers, cooperating groups, and private individuals to assist in the delivery of environmental education and interpretive services.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.03 	
	OS 4.06 Private dedication or development of parks, open space or recreational facilities shall, to the extent subject to public review, be reviewed by the Parks and Open Space Advisory Committee, and where appropriate, the Planning Commission, for recommendation to the Board of County Commissioners.	<ul style="list-style-type: none"> • Not necessary; addressed as part of the development review and referral process stipulated in the code 	
	OS 4.03.02 (misabeled as 4.03.01) Accessibility for special populations such as disabled persons, young people, senior citizens, and Spanish-speaking people shall be addressed on a system-wide basis.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.02 	
	OS 4.04 Requests for special uses or events on county open space shall be evaluated for their impacts to natural and cultural resources as well as other management objectives and maintenance considerations.	<ul style="list-style-type: none"> • Programmatic • Addressed in Open Space Rules and Regulations 	
	OS 4.05 Any development of regional county facilities or of county park or open space land shall be based on a plan approved by the County Commissioners after review by the Parks and Open Space Advisory Committee.	<ul style="list-style-type: none"> • Regional facilities covered in OS 3.05.04 • Public process covered in OS 	

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PC & POSAC Study Session, April 13, 2016

		4.04 and OS 5.02	
	OS 4.07 In neighborhoods where residents desire more open space and park and recreation facilities than the county provides, the county shall cooperate in the formation of special taxing districts for open space and park and recreation facilities.	<ul style="list-style-type: none"> • Overly prescriptive and not appropriate for comp plan policy 	
	OS 5.02 The county shall utilize Intergovernmental Agreements with one or more municipalities to encourage the preservation of open space lands and the protection of the rural and open character of the unincorporated parts of Boulder County.	<ul style="list-style-type: none"> • Covered in OS 5.02 	
	OS 5.03 The county shall encourage use of Transfer of Development Rights (TDR) to preserve and protect rural character, open space, scenic features, and environmental resources.	<ul style="list-style-type: none"> • Programmatic, covered in OS 2.01 	
	OS 6.03 The County shall acquire trail rights-of-way through purchase, lease, donation or dedication from any public or private entity. When appropriate and beneficial, existing roads and right-of-way will be used.	<ul style="list-style-type: none"> • Programmatic, covered in OS 2.01 	
	OS 6.06 The county shall work through the Consortium of Cities to assure linkage of municipal and county trails and connections between communities.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 2.01 (e) and OS 5.02 	
	OS 6.08 Trails constructed by the county Parks and Open Space Department shall be soft-surface except where necessary to prevent erosion and/or other resource damage.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 3.05.01 	

	Name	Organization	Date	E-mail	Comments
1	Doug Young	BC Planning Commission	7/28/2015	DougInBoulder@gmail.com	<p>I really really like the simplification and clarity of this draft update.</p> <p>I look forward to seeing the OSE Overview or Preamble that will introduce this element. (I suspect we, PC, will be very interested in this.)</p> <p>"Open Space Values" are mentioned in at least 4 places but never defined. Also "approved open space functions" and "desired future conditions" and "management goals"</p> <p>I don't get any sense of vision from the update so far. Maybe this will be in the Overview?</p> <p>Also, objectives? How will we know how we're doing?</p>
2	unknown	comment at public meeting	7/28/2015		add collaborate with other county agencies (Transportation, Land Use, etc.)
3	unknown	comment at public meeting	7/28/2015		Codify the names of the department's resource policies (i.e. Forestry, CE, Water, Visitor Use, Grassland and Shrubland, Wildlife, Cropland, etc.) in the OSE
4	unknown	comment at public meeting	7/28/2015		We mention that the OSE will take us into the next 20 years and allow us to deal with changes, but where are new approaches addressed in OSE. How will we handle new challenges (e.g. climate change) if OSE is not changing with new goals and policies
5	unknown	comment at public meeting	7/28/2015		How are IGAs handled?
6	unknown	comment at public meeting	7/28/2015		What is definition of "passive recreation"?
7	Larry Quinn		8/1/2015	l.quinn@usa.net	<p>As a 34 year resident of Boulder County near Lyons, I want to express my extreme dissatisfaction with the process used by Boulder County to set the Primary Planning Areas of the IGA between Boulder County and the Town of Lyons. The IGA of 2012 set these PPAs with no consultation of the county residents affected by the new designation. The PPA itself conflicted with the Town of Lyons Comp Plan and county conservation easements in the PPA. Now it has been determined that roads in the former Meadow Park Fruit farms have no legal status or legal right of ways. This shows a complete lack of adequate due diligence on the IGA as well as the lack of consultation of affected residents. Most of us in the South St Vrain PPA have been residents for many decades yet no one in the town or county had the decency to even inform us of the new PPA designation. We seem to have no representation at the county level to even hear our ideas or concerns. I tried to be a member of a Mountain Area Advisory Council a few years ago but the county did not want to hear what was said, so the MACC just dissolved.</p>
8	Mike	Boulder	8/17/2015	mtnbikemike@gmail.com	<p>To: Tina Nielsen, Planner, BCPOS</p> <p>From: Boulder Mountainbike Alliance</p> <p>Subject: Boulder County Comprehensive Plan Open Space Element</p> <p>First and foremost, the Boulder Mountainbike Alliance (BMA) thanks Boulder County Parks and Open Space (BCPOS) staff for the continued positive developments occurring on trails throughout Boulder County. Staff, through their actions, have demonstrated that sustainable trails can be fun and provide a quality user experience while managing significant user pressure.</p>

	Name	Organization	Date	E-mail	Comments
					<p>We are pleased to participate in the rewrite of the Boulder County Comp Plan Open Space Element (OSE). We engaged into this process with no small amount of trepidation; the current version was full of edicts (BCPOS will do x), but after the presentation of the rewrite, we feel a lot better about the approach staff has taken to this effort.</p> <p>BMA supports this document; we approve of its content and structure, with a few suggested modifications.</p> <p>The July 28 presentation made it clear that the issues our organization is concerned about will be addressed during the Visitor Use Policy development. Please keep BMA in the loop for public input when the time comes. We understand the OSE is aspirational, the policies strategic, and individual management plans tactical.</p> <p>We have only two comments regarding the content of the OSE:</p> <p>4.01 Policies should be included. It is clear that the role of policy documents has a significant role in future Open Space Management processes.</p> <p>The role of POSAC. While this is not directly spoken to in the OSE, it has been our observation that the role of POSAC has been rather passive over time. The amount of influence POSAC has over BCPOS is minimal, and the real power is left with the Boulder County Commissioners. We believe granting POSAC more authority over BCPOS policy and tactical decisions would be more meaningful to the public at large and attract better committee members. At least two BMA members who previously served on POSAC quit in large part because they felt that they were “rubber stamping” staff recommendations. This is not a valuable use of time for intelligent and committed members of the public who also have family and career commitments.</p> <p>Once again, BMA thanks BCPOS staff for creating fun and sustainable recreation opportunities on our public lands. Thank you for the opportunity to comment on this document.</p> <p>Mike Barrow Advocacy Director Boulder Mountainbike Alliance</p>



Boulder County Comprehensive Plan

OPEN SPACE

Goals, Policies, & Maps Element

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 1968 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 750 square miles were home to a population of fewer than 130,000 people. The 1995 population was almost 260,000.

AMENDMENT STATUS

Goals & Policies	Associated Maps	Background Element
Amended 7/17/96	Amended 7/17/96	Amended 7/17/96

Through POSAC’s neighborhood meetings and citizen surveys, by 1974 “approximately 10,000 citizens of Boulder County had expressed an interest and concern for open space” (BCCP, 1978). As a result of this interest, the committee recommended that the County Commissioners create a department of parks and open space to refine and implement this citizens’ open space program. In January 1975 the Parks and Open Space Department became a reality, with the additional charge of conducting nature programs on county open space and park land. Parks, dedicated to the county as part of subdivisions, and Bald Mountain Scenic Area, which the county began leasing from the State Board of Land Commissioners in 1973, were transferred to the new department for management and maintenance.

The mid-1970s brought the first major county open space purchases, both the result of the landowner’s desire to have the land preserved in a single parcel: in 1975, Ernie Betasso’s ranch (now called Betasso Preserve)—773 acres approximately six miles west of Boulder off Sugarloaf Road; two years later the 2,566-acre Walker Ranch on Flagstaff Road.

In 1978 the *Boulder County Comprehensive Plan* was adopted, and it included goals and policies for preserving open space, protecting environmental resources (including both natural and cultural resources) and developing a county-wide trail system. Areas that citizens thought were most important to be preserved as open space for future generations were shown on a map, which together with the goals and policies formed the open space plan. The designation of “proposed open space” on that map (and subsequent maps) is not a zoning category, and development of any designated area is determined by the applicable zoning. The implementation of the open space plan has been based both on private cooperation and on the county’s financial ability to acquire an interest in these lands.

Boulder County’s Parks & Open Space Advisory Board was formed in 1968 - a time when open space planning was just in its infancy.



By the beginning of 1998 the county open space program comprised more than 52,000 acres of preserved land scattered throughout the county, along with 70 miles of trails. The majority of this land is open for public use; the remainder is under agricultural lease or conservation easements which do not include public access. Most of the properties are well-suited to passive recreation (recreation development is limited to trails, parking areas/trailheads, picnic areas/shelters, outhouses, and simple boat docks or fishing piers where necessary).

Definition and Functions of Open Space

Within the context of the *Boulder County Comprehensive Plan*, open space is defined as:

- Those lands referred to in the *Boulder County Comprehensive Plan*, as being intentionally left free from future development, and in which it has been determined that it is, or may in the future be, within the public interest to acquire an interest in order to assure their protection.

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

- Outdoor activities that create opportunities for independence, closeness to nature, and a high degree of interaction with the natural environment and which require no organization, rules of play, facilities, or the installation of equipment, other than those which may be necessary to protect the natural environment.

The setting for passive recreation is a predominantly natural appearing environment of moderate to large size. There is a moderate probability of experiencing isolation from the sights and sounds of

other humans. Interaction between visitors is low, and evidence of others ranges from minimal to common. Motorized use is prohibited.

The functions of open space remain much as they were envisioned by the citizens whose efforts fostered the program:

- Urban shaping between or around municipalities or community service areas, and buffer zones between residential and non-residential development;
- Preservation of: critical ecosystems; natural areas; scenic vistas and areas; fish and wildlife habitats; natural resources and landmarks; outdoor recreation areas; cultural, historic and archaeological areas; linkages and trails; access to public lakes, streams and other useable open space lands; and scenic and stream or highway corridors;
- Conservation of natural resources, including but not limited to forest lands, range lands, agricultural lands, aquifer recharge areas and surface water;
- Protection of designated areas of environmental concern, generally in multiple ownership, where several different preservation methods (including other governmental bodies' participation or private ownership) may need to be utilized; these lands will not be considered for control by the county open space program provided sufficient evidence exists that these lands are to be preserved in a natural state.

Methods of Open Space Preservation/Acquisition

Boulder County has used a variety of mechanisms to preserve open space and prime agricultural land. These include:

Open space provides buffers between communities and helps protect natural resources.

- **Subdivision Dedication**

When land in the unincorporated area of the county is subdivided for development, the developer must dedicate land or pay cash-in-lieu of dedication (at the county's choice) for parks. The amount of the land dedication is determined by a population-based formula, and the amount of land is usually small. The dedication requirement does little to preserve open space but works well to provide corridors for future trails and for protecting riparian habitat along streams.

- **Transfer of Development Rights (TDR)**

The *Boulder County Land Use Code* permits subdivisions using transfers of residential development rights from one parcel to another. There are eligibility criteria for the sending site (including desirability for open space preservation) and different criteria for the receiving site. If the transfer is approved, the county is granted a conservation easement in perpetuity on the sending site(s). A major objective of the TDR is preserving open space.

- **Purchase of Fee Interest In Land**

Most of the county's open space has been acquired by this method. Acquiring the fee interest means obtaining full ownership.

- **Purchase of Land Without Development Rights**

The seller retains the residential development rights for later transfer, or sale and transfer, to another property where the development can occur. The purchase price of the land is then much less than it would be if the development rights remained attached to the land being purchased by the county. The county can also purchase fee interest in a TDR sending site, after the TDR development is platted on the receiving site, when public ownership of the land rather than just a conservation easement would be advanta-

geous, perhaps for some passive recreational use.

- **Purchase of a Conservation Easement (also called the purchase of development rights)**

Where public ownership of the land itself is not essential to the public interest, the county may acquire an interest through a deed of conservation easement in gross. Conservation easements usually serve two primary purposes: to reduce the amount of development that can occur on the property and/or to assure that the property and its environmental, cultural and/or open space values are preserved and managed to meet a public policy objective. A conservation easement is tailored to the specific property to be covered, runs with the land in perpetuity unless otherwise provided in the deed of easement, leaves the land in private ownership, and usually does not permit public access. Conservation easements are especially well-suited to preserving prime agricultural land.

- **Bargain Sale**

This is merely a purchase in which a landowner sells property to the county at a price below the fair market value. The purchase can be either fee interest or a conservation easement. Usually the landowner can take a tax deduction (treated like a charitable contribution) for the difference between the fair market value, as determined by a certified appraisal, and the sale price.

- **Purchase of Land With Lease-back**

As part of the land purchase contract the county agrees to lease the land back to the seller for a specified time for continuation of farming.

- **Donation of Fee Interest or Conservation Easement**

In this case the landowner donates land or deeds a conservation easement to the county and uses the value of the

A major objective of the Transferable Development Rights program is the preservation of open space.

donation as a tax deduction.

- **Intergovernmental Transfers (lease or patent)**

The county leases 108 acres from the State Board of Land Commissioners (the agency overseeing land which generates state revenue for schools) and has also acquired approximately 1,500 acres from BLM, with several other applications in process.

- **Intergovernmental Cooperation**

The county works cooperatively with cities on open space preservation near city boundaries. Some of these efforts have resulted in joint purchase of open space by a city (or cities) and the county. Additionally, the county has worked with some of the cities to develop intergovernmental agreements (IGAs) for master plans of future land uses in areas of the county near the participating municipalities. An IGA may have an open space preservation component, or it may simply identify where annexation and urban development will occur during the term of the agreement (usually 15-20 years) and which lands will remain part of unincorporated Boulder County.

Open Space Funding

Through the end of 1993, funds for open space acquisition came from two sources: the county property tax and the state lottery. The 1992 and 1993 fall elections added new sources, which have increased the amount of money available for open space.

The property tax funds which support open space acquisition are subject to annual appropriation by the Board of County Commissioners and, until 1994, usually provided approximately 90% of the total funds available for open space purchases. The open space acquisition budget from property tax revenue is roughly \$4,000,000; additional funds are

budgeted for open space operations, maintenance and trail construction.

Lottery funds comprised the balance of the funds previously available for acquisition. The state distributes these funds quarterly to local governments. The amount received varies from year to year, depending on the level of participation in the lottery. Boulder County's share of the lottery in 1995 was \$417,000.

In 1992, Colorado voters passed a constitutional amendment phasing in, by the end of 1998, the distribution of all net lottery proceeds to parks, open space, and wildlife habitat purposes (a large percentage had previously been used for state capital construction projects, such as prisons). Called Great Outdoors Colorado (GOCO), this redesignation of lottery funds will increase the amount of money available to local governments for open space, through both an increase of the current per capita distribution and new local grant programs for open space.

On November 2, 1993, voters of Boulder County passed a 0.25% sales tax and use tax to expand the county's existing open space program. The tax became effective January 1, 1994 and in that year produced almost \$5.9 million; 1995 receipts were more than \$6.6. In 1994 the county issued \$36 million in open space sales tax revenue bonds (the county is obligated to use only the 0.25% sales tax revenue proceeds to repay the bonds). With all of those bond proceeds spent and the sales and use tax proceeds exceeding revenue projections, the county went to the voters again in November 1995 for permission to issue limited tax general obligation bonds (the county has pledged the \$4,000,000 property tax funds appropriated annually for open space acquisition, or any other revenue legally available without increasing taxes — such as sales tax revenue not needed for payments on the 1994 series bonds — for repayment of these bonds). The voters approved, and \$35 million in bonds were sold in January 1996. The

The Open Space program is funded through a combination of sources, including property tax, sales tax, & lottery funds.

county expects to expend those funds for open space purchases by the end of 1996.

After annual bond payments on the 1994 series from sales and use tax revenue and on the 1996 series from the property funds appropriated for open space purchases, and after deducting purchases under existing option contracts, the county expects to have approximately \$3,000,000 to apply to new purchases in 1997. That figure will increase in subsequent years as existing option contracts are completed and as sales and use tax revenue grows (for the past ten years sales tax proceeds have grown an average of 6% per annum).

Operating and maintenance costs of the open space program continue to be funded from the property tax.

Open Space Policies

● Acquisition

OS 1.01 It is recognized that the acquisition of an interest in open space lands must be based on the long term implementation of the county's overall open space plan, in which prioritization of need and available revenues must be considered. From time to time, applications for various land use decisions which contemplate development are expected to be made for privately owned lands which have been designated as open space on the Open Space Plan Map of the *Boulder County Comprehensive Plan*. In such cases, it will be the responsibility of the county to make decisions with regard to the possible acquisition of an interest in such lands in a timely manner. In the event a decision to acquire whatever public interest the county may desire is not made with reasonable promptness and pursued

diligently, applicants shall be entitled to have their applications processed and considered as any other similar applications, not involving open space, would be.

OS 1.02 The county shall not deny development or other land use applications, otherwise in compliance with the land use regulations, solely because of the open space designation. However, in reviewing development or other land use applications, the county shall consider the open space values and other characteristics which contribute to the open and rural character of unincorporated Boulder County.

OS 1.03 When seeking to acquire whatever interest the county may desire in lands designated as open space, the county will negotiate in good faith with the property owners involved. The power of eminent domain shall be used only in exceptional cases, when obviously necessary to protect the public interest.

The county shall prepare management plans for all open space areas that have been acquired.

● Resource Management

OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map, historic and archaeological sites, and significant agricultural land.

OS 2.02 Significant natural communities, rare plant sites, wetlands, and other important stands of

<p>The Open Space Department organizes education activities to help citizens learn about the value of open space preservation.</p>	<p>vegetation, such as willow carrs, should be conserved and preserved.</p> <p>OS 2.03 The county shall provide management plans and the means for the implementation of said plans for all open space areas that have been acquired by or dedicated to the county.</p> <p>OS 2.03.01 The foremost management objectives of individual open space lands shall follow directly from the purposes for which the land was acquired.</p> <p>OS 2.03.02 Management of county open space lands shall consider the regional context of ecosystems and adjacent land uses.</p> <p>OS 2.03.03 Management of individual open space lands, including those under agricultural leases, shall follow good stewardship practices and other techniques that protect and preserve natural and cultural resources.</p> <p>OS 2.04 The county, through its Parks and Open Space Department, shall provide appropriate educational services for the public which increase public awareness of the county's irreplaceable and renewable resources and the management techniques appropriate for their protection, preservation, and conservation.</p> <p>OS 2.04.01 The Parks and Open Space Department shall cooperate with schools and non-profit organizations in the county to provide environmental</p>	<p>education activities which increase awareness, understanding, appreciation, and support for stewardship of the natural and cultural resources on open space.</p> <p>OS 2.04.02 The Parks and Open Space Department shall seek to meet the needs of diverse populations in the county by providing information and programming to accommodate special groups such as disabled persons, young people, senior citizens, and Spanish-speaking citizens.</p> <p>OS 2.04.03 The Parks and Open Space Department shall develop and disseminate information through publications, exhibits, and other media on the uniqueness, importance, and appropriate stewardship and management of open space areas in the county.</p> <p>OS 2.04.04 The Parks and Open Space Department shall utilize trained volunteers, cooperating groups, and private individuals to assist in the delivery of environmental education and interpretive services.</p> <p>OS 2.05 The county, through its Weed Management Program, shall discourage the introduction of exotic or undesirable plants and shall work to eradicate existing infestations though the use of Integrated Weed Management throughout the county on private and public lands.</p>
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● Scenic Area and Open Corridor Protection

- OS 3.01 Where necessary to protect water resources and/or riparian habitat the county shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The county may preserve these open corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.
- OS 3.02 Where appropriate the county shall continue to acquire parcels of land or right-of-way easements to provide linkages between public lands.
- OS 3.03 To the extent possible, the county shall protect scenic corridors along highways and mountain road systems. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process or, by acquisition.
- OS 3.04 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.

● Recreational Use

- OS 4.01 The *Boulder County Land Use Code* shall provide for land dedications of parks and open space and necessary public

access to those areas where appropriate.

- OS 4.02 Except as the county may establish a regional park, such as the Boulder County Fairgrounds, or other similar facilities, the county will provide only a minimum level of maintenance or development on park land (consistent with policy OS 2.03).

- OS 4.03 Recreational use of county open space land may be permitted where such use is consistent with the management plan for the property and does not adversely impact natural and cultural resources or other management objectives of the property.

- OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.

- OS 4.03.01 Accessibility for special populations such as disabled persons, young people, senior citizens, and Spanish-speaking people shall be addressed on a system-wide basis.

- OS 4.04 Requests for special uses or events on county open space shall be evaluated for their impacts to natural and cultural resources as well as other management objectives and maintenance considerations.

- OS 4.05 Any development of regional county facilities or of county

Recreational use of county open space land shall be "passive" in nature.

	park or open space land shall be based on a plan approved by the County Commissioners after review by the Parks and Open Space Advisory Committee.	environmental resources.
	OS 4.06 Private dedication or development of parks, open space or recreational facilities shall, to the extent subject to public review, be reviewed by the Parks and Open Space Advisory Committee, and where appropriate, the Planning Commission, for recommendation to the Board of County Commissioners.	OS 5.04 The county shall use its open space acquisition program to preserve agricultural lands of local, statewide, and national importance. Where possible, purchase of conservation easements, purchase of development rights, or lease-back arrangements should be used to encourage family farm operations.
	OS 4.07 In neighborhoods where residents desire more open space and park and recreation facilities than the county provides, the county shall cooperate in the formation of special taxing districts for open space and park and recreation facilities.	OS 5.05 The county shall use its open space program as one means of achieving its environmental resources and cultural preservation goals.
Intergovernmental Agreements are often utilized to encourage the preservation of open lands.	<ul style="list-style-type: none"> ● Rural Character Preservation and Community Buffering 	<ul style="list-style-type: none"> ● Trails
	OS 5.01 Boulder County shall, in consultation with affected municipalities, utilize open space to physically buffer Community Service Areas, for the purpose of ensuring community identity and preventing urban sprawl.	OS 6.01 Trails and trailheads shall be planned, designed, and constructed to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and associated wildlife habitats. Riparian areas proposed for preservation but for which trail development is inappropriate include: 1) Boulder Creek between 55th Street and U.S. Highway 287, 2) St. Vrain Creek west of Airport Road, 3) Left Hand Creek west of State Highway 119, and 4) Rock Creek west of McCaslin Boulevard.
	OS 5.02 The county shall utilize Intergovernmental Agreements with one or more municipalities to encourage the preservation of open space lands and the protection of the rural and open character of the unincorporated parts of Boulder County.	OS 6.02 Adverse effects on private lands shall be minimized insofar as possible by trail and trailhead placement, posting of rules and signs against trespassing, installation of containing fences where critical, and any other appropriate measures.
	OS 5.03 The county shall encourage use of Transfer of Development Rights (TDR) to preserve and protect rural character, open space, scenic features, and	OS 6.03 The county shall acquire trail rights-of-way through purchase,

lease, donation or dedication from any public or private entity. When appropriate and beneficial, existing roads and rights-of-way will be used.

OS 6.04 Trails shall provide for pedestrian, equestrian, bicycle, and/or other non-motorized uses, where each is warranted. Incompatible uses shall be appropriately separated.

OS 6.05 Special consideration shall be given to pedestrian, equestrian, bicycle, and/or other uses of road rights-of-way during the design and construction of road improvements.

OS 6.06 The county shall work through the Consortium of Cities to assure linkage of municipal and county trails and connections between communities.

OS 6.07 Where appropriate, trails should be incorporated into and provided by new development and linked to established trails, if possible.

OS 6.08 Trails constructed by the county Parks and Open Space Department shall be soft-surface except where necessary to prevent erosion and/or other resource damage.

● Public/Private Partnerships

OS 7.01 The county shall consider for possible acquisition those lands within the county which are owned and may be disposed of by other governmental agencies.

OS 7.02 The county may promote and participate in partnership projects with the communities in the county for open space

acquisition and trails development outside of community service areas.

OS 7.03 The county shall cooperate with the owners of privately owned open space, including conservation easements, to protect their interests from public trespass.

OS 7.04 The county, through the Parks and Open Space Department, shall work with foundations, trusts, developers, ditch and utility companies, and others from the private and public sectors in furtherance of the county's open space objectives by encouraging land donations and dedication and multiple use of easements and by providing and informing the public of incentives for preservation.

● Public Decision Making

OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.

OS 8.02 Purchases of land for open space require approval by the Board of County Commissioners after public hearing and after review and recommendation of the Parks and Open Space Advisory Committee.

Management plans for open space properties are developed through a public hearing process.

The Parks
and Open
Space Advisory
Committee helps
guide management
decisions for
parcels
acquired by
the county.

OS 8.03 In developing management plans for open space areas, Parks and Open Space staff shall solicit public participation of interested individuals, community organizations, adjacent landowners and the Parks and Open Space Advisory Committee. Plans shall be reviewed by the Parks and Open Space Advisory Committee, including public comment, and recommended for adoption after public hearing by the Board of County Commissioners.

OS 8.04 Significant changes to overall management direction or techniques shall be presented to the Parks and Open Space Advisory Committee and/or the Board of County Commissioners, with opportunity for public comment before a decision is made.



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION AGENDA

April 20, 2016

Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. **NOMINATION OF OFFICERS**
Chair, Vice-Chair, and Second Vice-Chair
2. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**
Approval of the *March 16, 2016* Planning Commission Minutes.
3. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**
Informational Item - Public Testimony Will Not Be Taken
4. **Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations**
Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use.
Action Requested: Table to May Planning Commission hearing. Staff update only at this time
Public testimony will not be taken
(Staff Planner: [Bryan Harding](#))
Docket Webpage:
<http://www.bouldercounty.org/property/build/pages/lucodeupdatedc160002.aspx>
5. **Docket V-16-0003: MARRON Vacation**
Request: Request for a vacation of the alley located between the parcels.
Location: At parcels 158321216004, 158321216005, 158321216007, and 158321227002, in the Eldora townsite, south of and adjacent to Eldorado Avenue and north of Middle Boulder Creek approximately .010 miles east of 6th Avenue, in Section 21, T1S, R73W.
Zoning: Forestry (F) Zoning District
Applicants: Bruce and Ann Marron
Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.
Public testimony will be taken
(Staff Planner: [Matthew Thompson](#))
Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1207

Approximate start time of SU-15-0001 is 2:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

6. **Docket SU-15-0001: COLORADO REAL ESTATE HOLDINGS, LLC SU-SSDP**

Request: Special Use Review and Site Specific Development Plan request to amend an existing Special Use Review (SU-84-12) in order to allow a Marijuana Establishment (Retail and Personal Service Facility Use) to be located onsite.

Location: At 6924 N 79th Street, Lot 5 Cottonwood Park Square, approximately 0.12 miles south of the intersection of N 79th Street and Niwot Road, east of and immediately adjacent to N 79th St, in Section 31, Township 2N, Range 69

Zoning: Business (B) Zoning District

Applicant: Colorado Real Estate Holdings, LLC

Action Requested: *Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken
(Staff Planner: [Hannah Hippely](#))

Docket Webpage: www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=991

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: April 20, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use. *Action Requested: Table to May Planning Commission hearing. Staff update only at this time.* Public testimony will not be taken.

Docket V-16-0003: MARRON Vacation

Request for a vacation of the alley located between the parcels, by Bruce and Ann Marron, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at parcels 158321216004, 158321216005, 158321216007, and 158321227002, in the Eldora townsite, south of and adjacent to Eldorado Avenue and north of Middle Boulder Creek approximately .010 miles east of 6th Avenue, in Section 21, T1S, R73W.

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

Approximate start time of SU-15-0001 is 2:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

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ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: April 6, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **April 6, 2016**.

PERRY LOVE

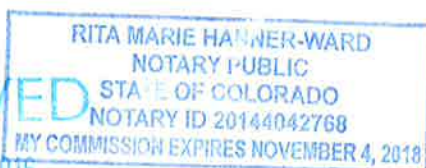
Agent

Subscribed and sworn to before me this *6th* day of
April, 2016 in the County of Boulder, State of Colorado.

Rmthward

Notary Public

ACCOUNT # 220246
AD # 5668310
FEE \$39.64



APR 12 2016

BOULDER COUNTY
LAND USE

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: April 20, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third
Floor, Boulder County Courthouse,
1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use. Action Requested: Table to May Planning Commission hearing. Staff update only at this time. Public testimony will not be taken.

Docket V-16-0003: MARRON Vacation

Request for a vacation of the alley located between the parcels, by Bruce and Ann Marron, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at parcels 158321216004, 158321216005, 158321216007, and 158321227002, in the Eldora township, south of and adjacent to Eldorado Avenue and north of Middle Boulder Creek approximately .010 miles east of 8th Avenue, in Section 21, T1S, R73W.

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

Approximate start time of SU-15-0001 is 2:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

Docket SU-15-0001: COLORADO REAL ESTATE HOLDINGS, LLC SU-SSDP

Special Use Review and Site Specific Development Plan request to amend an existing Special Use Review (SU-84-12) in order to allow a Marijuana Establishment (Retail and Personal Service Facility Use) to be located onsite, by Colorado Real Estate Holdings, LLC, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 6924 N 79th Street, Lot 5 Cottonwood Park Square, approximately 0.12 miles south of the intersection of N 79th Street and Nwot Road, east of and immediately adjacent to N 79th St, in Section 31, Township 2N, Range 69. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call
April 6, 2016-5668310



Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION

MINUTES

April 20, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved May 18, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, April 20, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 1:36 p.m. and adjourning at 7:46 p.m.

Commissioners Present: Michael Baker, Ann Goldfarb, Daniel Hilton, Leah Martinsson, Pat Shanks, and Doug Young.

Commissioners Excused: Ben Blaugrund, Natalie Feinberg-Lopez, Lieschen Gargano

Staff Present: Dale Case, Pete Fogg, Steven Giang, Rick Hackett, Bryan Harding, Hannah Hippely, Alicia Lombardi, Kathy Parker, Kim Sanchez, Matt Thompson, Ron West, and Nicole Wobus.

Others: 5-10

NOMINATION OF OFFICERS

Pat Shanks nominated **Natalie Feinberg-Lopez as Chair** of the Planning Commission. Doug Young seconded.

Pat Shanks nominated **Doug Young for Vice Chair**. Dan Hilton seconded.

Doug Young nominated **Dan Hilton for Second Vice Chair**. Leah Martinsson seconded.

VOTE: 6-0

MINUTES

MOTION: Pat Shanks MOVED that the Boulder County Planning

32 Commission **APPROVE** the Minutes from March 16, 2016 as written.

34 **SECOND: Dan Hilton**

36 **VOTE: Motion PASSED {4 to 0} Abstained: 2 (Martinsson, Goldfarb)**

38

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

40 Peter Fogg, Senior Long Range Planner, gave a brief update on the Boulder Valley Comprehensive
42 Plan 2015 Major Update process. Of special note, there will be an open community event, “Shaping
44 Choices for the BVCP Update” on Wednesday, May 11th from 3:30 – 7:30 PM in and around the
Main Boulder Public Library. Information about the event can be found
at **www.BoulderValleyCompPlan.net**

46

48

**Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and
Cultivation Regulations**

50

52 Bryan Harding requested to table Docket DC-16-0002: Proposed LUC Text Amendments to
54 Marijuana Processing and Cultivation Regulations, to May 18, 2016 to provide additional time for
staff to respond to information requests made by the Planning Commission at the March 16, 2016
hearing.

56

58 **MOTION: Pat Shanks MOVED that the Boulder County Planning Commission
TABLE Docket DC-16-0002: Proposed LUC Text Amendments to
Marijuana Processing and Cultivation Regulations, to May 18, 2016.**

60

62 **SECOND: Leah Martinsson**

64 **VOTE: Motion PASSED Unanimously {6 to 0}**

Docket V-16-0003: MARRON Vacation

66 Matt Thompson, Planner II, presented the application for Bruce and Ann Marron, a combined docket
68 including the vacation of the alley located between the parcels and a subdivision exemption for the
combination of the four parcels and the vacated area of alley into one legal building lot, a request to
70 vacate a 219 foot by 18 foot portion of the alley between 4th Street and 5th street south of Eldorado
Avenue, which is located between the subject parcels, at 424 Eldorado Avenue and including a
portion of Lots 3-7, Block 17, within the Eldora Townsite, south of and adjacent to Eldorado Avenue
72 and north of Middle Boulder Creek approximately 0.010 miles east of 6th Street, Section 21,
Township 1S, and Range 73, in the Forestry (F) Zoning District.

74

Staff recommended **CONDITIONAL APPROVAL** as outlined in the staff recommendation, dated

76 April 13, 2016.

78 **SPEAKERS:** Ann Marron (applicant/property owner) – 321 E. Platte Ave., Fort Morgan, CO

80 **PUBLIC HEARING OPENED**

82 **SPEAKERS:** None.

84 **PUBLIC HEARING CLOSED**

86 **MOTION:** Leah Martinsson **MOVED** that the Boulder County Planning
88 **Commission APPROVE** and recommend to the Board of County
Commissioners **APPROVAL V-16-0003: MARRON Vacation**, subject to
conditions 1-2 of the staff recommendation dated April 13, 2016.

90

SECOND: Pat Shanks

92

CONDITIONS OF APPROVAL

- 94 1. The applicants shall meet all the post approval requirements for this vacation as
96 well as the associated subdivision exemption concurrently. This resolution and
associated documents, including the staff reviewed and approved deed for 424
98 Eldorado Avenue to reflect the new parcel boundaries shall be recorded within one year
of the date of the Board of County Commissioners' resolution approving this docket.
This vacation approval shall not be considered final or effective until this
100 recordation occurs, and recordation shall not occur unless the associated
subdivision exemption (SE-16-0007) is also granted. Finally, this vacation
102 approval shall expire if recordation does not occur within the required one-year
timeframe (unless an extension is granted).
- 104 2. Prior to the recordation of the Resolution effectuating this approval, the applicants shall
106 establish a utility easement over the vacated alleyway area in order to satisfy the
easement requirements of Xcel Energy and ensure that future utility needs can be met.
108 This easement shall be reviewed and approved by both Land Use and Xcel Energy before
it is recorded with the County Clerk and Recorder's Office.

110

VOTE: **Motion PASSED Unanimously {6 to 0}**

112

<u>Docket SU-15-0001: COLORADO REAL ESTATE HOLDINGS, LLC SU-SSDP</u>

114

116 Hannah Hippely, Senior Planner, presented the application for Colorado Real Estate Holdings,
LLC, c/o Ernest Craumer, a Special Use Review and Site Specific Development Plan request to
118 amend an existing Special Use Review (SU-84-12) in order to allow a Marijuana Establishment
(Retail and Personal Service Facility Use) to be located onsite, at 6924 N 79th Street, Lot 5
120 Cottonwood Park Square, approximately 0.12 miles south of the intersection of N 79th Street and
Niwt Road, east of and immediately adjacent to N 79th St, in Section 31, Township 2N, Range
69, in the Business (B) Zoning District. Staff recommended **CONDITIONAL APPROVAL** as
122 outlined in the staff recommendation, dated April 13, 2016.

124 **SPEAKERS:** Ernest Craumer (Applicant) – 35 Duncan Drive, Greenwich, CT;
Michael Bosma, Rubicon Development – 1035 Pearl St #205, Boulder CO 80302

126 Leonard Thomas, Urban West Studios– 1300-c, Yellow Pine Avenue, Boulder CO
127 80304

128

PUBLIC HEARING OPENED

130

131 **SPEAKERS:** Diane Zimmermann – 7172 Gold Nugget Dr.; Alan Weimer – 6967 Springhill Dr.;
132 Robert Rilling – 7176 Burgundy Dr.; Laurie Adams – 7911 Countryside Dr. #134
133 and 136; Ann May – 6786 North 79th St. #2; Jessica Iler – 7218 Cardinal Ln.;
134 Leonard Sitongia – 7309 Pebble Ct.; Christine Guzy – 7309 Pebble Ct.; Cindy Butler
135 – 7988 James Ct.; Ann Mills – 1504 Willow Brook Dr.; Lars Soderholm – 7257
136 Timothy Pl.; Herb Chamory – 7096 Johnson Cr.; Sheryl Bellinger – 8573 Monte
137 Vista Ave.; Richard Quigley – 2005 Sundnce Dr.; Orin Hargraves – 7933 Countyside
138 Dr. #129; Don Altman – 1035 Pearl St. #205; Aaron Shaw – 2852 Kalmia Ave. Apt.
139 203; Paul Schafer – 7725 Manila Pl.; Julie Baldwin – 7746 Nikau Dr.; Donna
140 Blondeau – 7624 Nikau Dr.; Bob Bankston – 8427 Pawnee Ln.; Audrey Lenger –
141 8409 Pawnee Ln.; Alexandra and Skylar Hodell – 7147 Dry Creek Ct.; Jennifer
142 Uhland – 7958 Centre Bridge Dr.; Lance Goff – 7314 North 83rd St.; Benjamin Goff
143 – 7314 North 83rd St.; Madeline Goff – 7314 North 83rd St.; Lisa Taylor – 7314 North
144 83rd St.; Erin Klau – 8600 Skyland Dr.; Nancy H. Grothus – 8311 Sawtooth Ln.;
145 Neda Leonard – 6733 Niwot Hills Dr.; Ira Star 6646 – Apache Ct.; Mary Kirkher –
146 6622 Cheyenne Ct.; Deborah Reed Fowler – 6700 Paiute Ave.; Jackie Noel – 8356
147 Pawnee Ln.

148

Pooled Time Speakers:

149 David Limbach – 7137 Gold Nugget Dr., time donated by Katherine Koehler – 8884
150 Morton Rd.
151 Linda Herring – 6715 Niwot Hills Dr., time donated by Jill Gossett – 8903 Walker
152 Rd.
153 Dick Piland – 7205 Gold Nugget Dr., time donated by Dixie Piland – 7205 Gold
154 Nugget Dr.
155 Pat Murphy – 9051 Comanche Rd., time donated by Leslie Brumfield – 7153 Elm St;
156 Brian Harper – 5516 Baca Cr.; Jim Brumfield – 615 Main St.
157 Lew Harstead – 2521 Broadway Suite A, time donated by Ron Brumfield – 7153 Elm
158 St., and David Westerly – 7122 Elm. St.
159 Julie Ankerbrandt – 7922 Meadow Lake Rd., time donated by Lance Lachney – 7922
160 Meadow Lake Rd. and Ralph Butler – 7988 James Ct.
161 Anthony Santelli – 8622 Skyland Dr., time donated by Linda Chameroy – 7096
162 Johnson Ln., and Felicia Santelli – 8622 Skyland Dr.
163 Tom Sesnic – 8083 Meadow Lake Rd., time donated by Kay Ingrahm – 8446
164 Greenwood.
165 Janet Michels – 5419 Indian Summer Ct., time donated by Bernadine Brumfield –
166 615 Main St., and John Michels – 5419 Indian Summer Ct.
167 Dia Kline – 7933 Countryside Dr. #127, time donated by Mark Wegers – 3328
168 Federal Blvd.
169 Steve Romano – 8647 Apache Ct., time donated by Gerri Davis – 8647 Apache Ct.,
170 and Madeline Simons – 6786 North 69th St.
171 Chuck Klueber – 8206 Sawtooth Ln., time donated by John Mendez – 1665 South
172 Pitkin.
173 Betsy Franko – 7224 Timothy Pl., time donated by Michael Franko – 7224 Timothy
174 Pl., and Barbara Rilling – 7176 Burgundy Dr.

175

PUBLIC HEARING CLOSED

176

177 **MOTION:** Pat Shanks **MOVED that the Boulder County Planning Commission**
178 **APPROVE and recommend to the Board of County Commissioners**
179 **APPROVAL of SU-15-0001: COLORADO REAL ESTATE**
180

HOLDINGS, LLC SU-SSDP, subject to conditions 1-12 of the staff recommendation dated April 13, 2016 and an additional condition which limits the hours of operation to 10:00 a.m. to 7:00 p.m.

SECOND: Leah Martinsson

CONDITIONS OF APPROVAL

1. The Applicant shall provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
2. Operating hours shall be restricted to 10 a.m. to 7 p.m.
3. A building permit shall be required for the change of use and remodeling and a new certificate of occupancy shall be issued prior to operation of the proposed retail store. Parking areas and bicycling parking shall meet the Multimodal Transportation Standards, which will be evaluated and implemented during the building permit process.
4. Lot 5 shall be limited to the Floor Area currently existing on the property, the exact Floor Area on the property will be determined through the required building permit review process.
5. During the building permit review the applicant shall be required to demonstrate that the applicable setbacks will be complied with.
6. The shed is located within the east side yard setback shall be removed prior to recordation of the development agreement; a deconstruction permit for the shed is required.
7. A lighting plan, which includes all exterior lighting locations and cut sheets for those fixtures, must be reviewed and approved by Land Use prior to recordation of a development agreement; the approved lighting plan shall be included as an exhibit to the development agreement. No exterior or site lighting shall be permitted at the south side of the site. The approved plan shall be fully implemented prior to issuance of a certificate of occupancy.
8. A sign permit for each sign will be required, during the sign permit review staff will evaluate the final sign proposals to ensure they complies with the County sign requirements applicable in the B zone district.
9. A total of 12 parking spaces are required for the proposed Retail and Personal Service Use, 10 spaces shall be maintained on the site. Proposed changes which more fully or intensively utilize the building may require more parking and have other substantially different impacts thus any changes in the retail operations which occupy this building shall be reviewed to determine if the change is substantial.

- 230 10. Prior to recordation of the development agreement, the applicant shall demonstrate
that Xcel has accepted the revisions as adequately addressing the identified conflict.
- 232 11. Prior to the recordation of the development agreement, that applicant's stated
234 transportation demand management programs shall be fully detailed in the
development agreement. All physical improvements shall be installed before the
issuance of a certificate of occupancy will be issued.
- 236 12. The Landscaping Plan shall be incorporated into the development agreement as an
238 exhibit. The plan shall be fully implemented prior to the issuance of a certificate of
occupancy and maintained throughout the life of the facility.
- 240 13. The Applicant shall be subject to the terms, conditions and commitments of record
242 and in the file for Docket SU-15-0001: Colorado Real Estate Holdings SU/SSDP.

244

246 **VOTE: Motion PASSED Unanimously {6 to 0}**

248

ADJOURNED

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

250



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA

May 18, 2016

Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**
Approval of the *April 20, 2016* Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**
Informational Item - Public Testimony Will Not Be Taken
3. **Docket V-16-0004: STEPPERUD Vacation**
Request: Request for the vacation of the alley, which splits the subject parcel, measuring approximately 12 feet by 25 feet on the east third of the property and approximately 6 feet by 50 feet along the western two thirds of the subject parcel.
Location: Approximately one-quarter mile southwest of the intersection of 6th St. and Eldorado Ave. in the Eldora townsite
Zoning: Forestry (F) Zoning District
Applicants: Lorentz Carr Stepperud and Erik Stepperud
(Staff Planner: Molly Molter)

Approximate start time of DC-16-0002 is 2:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

4. **Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations**
Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use.
Public testimony will be taken for the limited purpose of considering new information
(Staff Planner: Bryan Harding)
Docket Webpage:
<http://www.bouldercounty.org/property/build/pages/lucodeupdatedc160002.aspx>

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: May 18, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket V-16-0004: STEPPERUD Vacation

Request for the vacation of the alley, which splits the subject parcel, measuring approximately 12 feet by 25 feet on the east third of the property and approximately 6 feet by 50 feet along the western two thirds of the subject parcel by Lorentz Carr Stepperud and Erik Stepperud, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 775 Bryan Avenue, Approximately one-quarter mile southwest of the intersection of 6th St. and Eldorado Ave. in the Eldora townsite, in Section 21, T1S, R73W. Public testimony will be taken.

Approximate start time of DC-16-0002 is 2:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use. Public testimony will be taken for the limited purpose of considering new information..

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

PC Public Notice

May 18, 2016

Page - 2 -

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: May 4, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated May 4, 2016.

HARRY COVE

Agent

Subscribed and sworn to before me this *4th* day of
May, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

ACCOUNT # 220246
AD # 5670311
FEE \$30.83

MELISSA L NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: May 18, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third
Floor, Boulder County Courthouse,
1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

Docket V-16-0004: STEPPERUD Vacation

Request for the vacation of the alley, which splits the subject parcel, measuring approximately 12 feet by 25 feet on the east third of the property and approximately 8 feet by 50 feet along the western two thirds of the subject parcel by Lorentz Carr Stepperud and Erik Stepperud, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 775 Bryan Avenue, Approximately one-quarter mile southwest of the intersection of 6th St. and Eldorado Ave. in the Eldora townsite, in Section 21, T1S, R73W. Public testimony will be taken.

Approximate start time of DC-16-0002 is 2:00 p.m. We sincerely value everyone's time and make every effort to project the timing of agenda items. However, the length of time each item takes is quite situational and issue dependent and can't always be accurately guessed so please be aware that this docket may begin sooner or later, depending on the timing of the items before it.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

Text Amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address the cultivation and processing of marijuana as a Residential Accessory Use. Public testimony will be taken for the limited purpose of considering new information.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published Longmont Times-Call
May 4, 2016 - 5670311



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BOULDER COUNTY PLANNING COMMISSION

MINUTES

May 18, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved June 15, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, May 18, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 1:33 p.m. and adjourning at 4:16 p.m.

Commissioners Present: Michael Baker, Ben Blaugrund, Lieschen Gargano, Ann Goldfarb, Daniel Hilton, Leah Martinsson, and Pat Shanks.

Commissioners Excused: Natalie Feinberg-Lopez, Doug Young.

Staff Present: Pete Fogg, Steven Giang, Rick Hackett, Bryan Harding, David Hughes Joe Malinowski, Molly Molter, Kathy Parker, Kim Sanchez, Kathy Sandoval, and Ron West.

Others: 20-30

MINUTES

MOTION: Leah Martinsson MOVED that the Boulder County Planning Commission APPROVE the Minutes from April 20, 2016 as written.

SECOND: Pat Shanks

VOTE: Motion PASSED {6 to 0} Abstained: 1 (Blaugrund)

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

Peter Fogg, Senior Long Range Planner, gave a brief update on the Boulder Valley Comprehensive Plan 2015 Major Update process.

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Docket V-16-0004: STEPPERUD Vacation

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Molly Molter, Planner II, presented the application for Lorentz Carr Stepperud and Erik Stepperud, Request for the vacation of the alley, which splits the subject parcel, measuring approximately 12 feet by 25 feet on the east third of the property and approximately 6 feet by 50 feet along the western two thirds of the subject parcel. The proposed project is located in the Forestry (F) Zoning District, at 775 Bryan Ave, approximately one-quarter mile southwest of the intersection of 6th St. and Eldorado Ave. in the Eldora townsite, in Section 21, T1S, R73W. Staff recommended CONDITIONAL APPROVAL as outlined in the staff recommendation, dated May 18, 2016.

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SPEAKERS: Rudolph Stepperud (father of applicants)

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PUBLIC HEARING OPENED

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SPEAKERS: Paul Rock – 985 Bryan Ave., Matt Phillips – 175 South 7th

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PUBLIC HEARING CLOSED

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MOTION: Pat Shanks MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of Docket V-16-0004: STEPPERUD Vacation, subject to conditions listed in the staff recommendation dated May 18, 2016.

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SECOND: Leah Martinsson

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CONDITIONS OF APPROVAL

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1. The applicants shall meet all of the post approval requirements for this vacation. The resolution and staff reviewed and approved deed which reflects the new parcel boundaries shall be recorded within one year of the date of the Board of County Commissioners' resolution approving this docket. This vacation approval shall not be considered final or effective until this recordation occurs. Finally, this vacation approval shall expire if recordation does not occur within the required one year timeframe (unless an extension is granted).

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2. The final inspection and approval of the OWTS, including a building permit for the electrical on the vault alarm, shall be completed prior to recordation of the final documents effectuating this vacation.

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VOTE: Motion PASSED 6 to 1, with Ben Blaugrund dissenting.

Docket DC-16-0002: Proposed LUC Text Amendments to Marijuana Processing and Cultivation Regulations

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Bryan Harding, Senior Planner, presented staff's findings regarding nine supplemental information requests made by Planning Commission at the March 16, 2016 hearing as well as revised proposed text amendments to Article 4 and Article 18 of the Boulder County Land Use Code Text to address

the cultivation and processing of marijuana as a Residential Accessory Use. Staff recommended that the Boulder County Planning Commission APPROVE and recommend to the Board of County Commissioners APPROVAL of Docket DC-16-0002 as outlined in the staff recommendation and addendum, dated May 18, 2016.

SPEAKERS:

PUBLIC HEARING OPENED

Public testimony was taken for the limited purpose of considering new information.

SPEAKERS: Duke Snyder – 289 Deer Trail Cr.; Brian Whalert – 25 Alpine Way; Jim Eyster – 50 Wildwood Ln.; John Benson – 615 Glenwood Dr. with time donated by Kathy Eyster – 50 Wildwood Ln; Ryan Hurley – 230 South 30th St., Michael Stark – 936 Kelly Rd.; Danielle Heinrichs – 7382 Glacier View Rd.; Shawn Murphy – 7388 Glacier View Rd.; JJ Birmingham – 124 Fir Lane; Kathleen Chippi – Magnolia Star Route; Joyce Colson – 54 Wildwood Ln.

PUBLIC HEARING CLOSED

MOTION: Leah Martinsson MOVED that the Boulder County Planning Commission approve and recommend that the Board of County Commissioners approve Docket DC-16-0002: Proposed Boulder County Land Use Code Text Amendments to Article 4 and 18 to address the cultivation and processing of marijuana as a Residential Accessory Use as set forth in the staff recommendation.

SECOND: Lieschen Gargano

VOTE: Motion PASSED Unanimously 7 to 0.

ADJOURNED

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



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA

June 15, 2016

Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

- a. Approval of the *May 18, 2016* Planning Commission Minutes.
- b. Approval of the *April 13, 2016* Planning Commission/POSAC Joint Study Session Minutes re: Update to BCCP Open Space Element

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Docket V-16-0005: SHOCKLEY AND TYLER VACATION

Request: Request for the vacation of 15' by 76' portion of the existing alley.
Location: At 215 Eldorado Avenue, approximately 75 feet west of the intersection of Washington Trl. and Eldorado Ave., in Section 21, T1S, R73W.
Zoning: Forestry (F) Zoning District
Applicants: Cameron Tyler & Jessica Shockley
(Staff Planner: Michelle McNamara)

4. BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Summary and Process

Staff will provide an update to Planning Commission on the Boulder Valley Comprehensive Plan (BVCP) Major Five Year Update – Phase 3 activities and next steps. Staff will address the full range of topics presented to City decision makers at a recent City Council-Planning Board Study Session, and will seek feedback on topics of greatest relevance to the County. Topics for discussion will include activities of focus for Phase 3 of the update (i.e., policy integration and land use map changes) as well as broader areas of focus for the update (i.e., vision and core values; climate, energy and resilience; future jobs: housing balance; affordable and diverse housing; planning areas; and CU South land use designation analysis process). Staff presentation and discussion only; no public comment or decision will be taken.
(County Staff Planners: Pete Fogg / Nicole Wobus; City Staff Planner: Lesli Ellis)

5. DC-16-0001: Text Amendments to Article 13-Sign

Text Amendments to Article 13, regulating the number, type, location, physical dimensions, and design of signs in Boulder County. Public Testimony will be taken.

(Staff Planner: Kathy Sandoval)

6. DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public Testimony will be taken.

(Transportation Staff: Varda Blum)

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: June 15, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

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Docket DC-16-0001: Text Amendments to Article 13-Sign

Text Amendments to Article 13, regulating the number, type, location physical dimensions, and design of signs in Boulder County. Public testimony will be taken.

BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Summary and Process

Staff will provide an update to Planning Commission on the Boulder Valley Comprehensive Plan (BVCP) Major Five Year Update – Phase 3 activities and next steps. Staff will address the full range of topics presented to City decision makers at a recent City Council-Planning Board Study Session, and will seek feedback on topics of greatest relevance to the County. Topics for discussion will include activities of focus for Phase 3 of the update (i.e., policy integration and land use map changes) as well as broader areas of focus for the update (i.e., vision and core values; climate, energy and resilience; future jobs: housing balance; affordable and diverse housing; planning areas; and CU South land use designation analysis process). Staff presentation and discussion only; no public comment or decision will be taken.

DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public Testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

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Published: June 1, 2016-- Daily Times-Call

G:\Boards & Commissions\Minutes & Agendas\BOA-PC 2016\pc1606pno.DOC

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **June 1, 2016**.

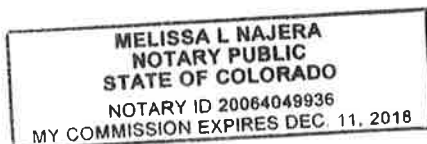
HERBY LOWE

Agent

Subscribed and sworn to before me this *1st* day of
June, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account #220246
Ad #5672218
Fee \$36.84



PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: June 15, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third
Floor, Boulder County Courthouse,
1325 Pearl Street

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Text Amendments to Article 13, regulating the number, type, location physical dimensions, and design of signs in Boulder County. Public testimony will be taken.

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DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public Testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published Longmont Times-Call June 1, 2016
- 56712218



Land Use

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BOULDER COUNTY PLANNING COMMISSION

MINUTES
June 15, 2016

AFTERNOON SESSION – 1:30 PM

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

{Approved on August 17, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, June 15, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 1:31 p.m. and adjourning at 4:10 p.m.

Commissioners Present: Michael Baker, Ben Blaugrund, Natalie Feinberg-Lopez, Daniel Hilton, Leah Martinsson, and Doug Young.

Commissioners Excused: Lieschen Gargano, Ann Goldfarb, Pat Shanks.

Staff Present: Varda Blum, Ryan Carroll, Pete Fogg, Steven Giang, Rick Hackett, David Hughes, Brian James, Julie McKay, Michelle McNamara, Kathy Parker, Kim Sanchez, Kathy Sandoval, Ron West, and Nicole Wobus.

Others: Lesli Ellis, City of Boulder

Public: 15-20 people

MINUTES

MOTION: Leah Martinsson MOVED that the Boulder County Planning Commission APPROVE the Minutes from May 18, 2016 as written.

SECOND: Dan Hilton

VOTE: Motion PASSED {5 to 0} Abstained: 1

MOTION: Leah Martinsson MOVED that the Boulder County Planning Commission APPROVE the Minutes from April 13, 2016 as written.

SECOND: Doug Young

VOTE: Motion PASSED {6 to 0}

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

Kim Sanchez, Chief Planner, gave a brief update on the County's oil and gas moratorium (former moratorium rescinded, new 6-month moratorium passed). Noted that staff plans on scheduling special sessions for the proposed regulation changes to our adopted oil and gas regulations with the Planning Commission in September and October.

Docket V-16-0005: SHOCKLEY AND TYLER VACATION

Michelle McNamara, Planner II, presented the application for Jessica Shockley & Cameron Tyler, request for the vacation of 15' by 76' portion of the right-of-way. The proposed project is located in the Forestry (F) Zoning District, at 215 Eldorado Avenue, approximately 75 feet west of the intersection of Washington Trail and Eldorado Avenue, in Section 21, T1S, R73W. Staff recommended CONDITIONAL APPROVAL as outlined in the staff recommendation, dated June 15, 2016.

SPEAKERS: Applicant did not speak

PUBLIC HEARING OPENED

SPEAKERS: No one spoke from the public

PUBLIC HEARING CLOSED

MOTION: Commissioner Blaugrund MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of Docket V-16-0005: SHOCKLEY AND TYLER VACATION, subject to conditions listed in the staff recommendation dated June 15, 2016.

SECOND: Commissioner Gargano

CONDITIONS OF APPROVAL

1. The applicants shall meet all the post approval requirements within one year after the date of the Board of County Commissioners' resolution approving this vacation. This resolution and associated documents shall also be recorded by Land Use Staff with the County Clerk and Recorder's Office within this one-year time-frame. This vacation approval shall not be considered final or effective until this recordation. Finally, this vacation approval shall expire if recordation does not occur within the required one-year timeframe (unless an extension is granted).
2. Prior to the recordation of the Resolution and deeds effectuating this approval, the applicants shall provide to the Land Use Department either an established utility easement over the vacated roadway or receive a letter from Xcel stating a utility easement is not necessary.

3. The subject parcel shall not have building permits or future permitted development withheld due to the encroachment of 201 Eldorado Avenue.

VOTE: Motion PASSED 7 to 0, with 0 dissenting.

BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Summary and Process

Nicole Wobus, Long Range Planning and Policy Manager, introduced Lesli Ellis, the City of Boulder's Comprehensive Planning Manager, who presented a summary of the status and next steps of the Boulder Valley Comprehensive Plan major five year update process. The presentation addressed topics including: outcomes from past public engagement efforts and plans for future public engagement, the schedule of upcoming activities of focus for Phase 3 of the update (i.e., policy integration and land use map changes) as well as broader areas of focus for the update (i.e., vision and core values; climate, energy and resilience; future jobs: housing balance; affordable and diverse housing; planning areas; and CU South land use designation analysis process). Planning Commission members asked questions and provided feedback on the following topics: current status of industrial mixed use development; feedback received through public engagement efforts; Boulder's jobs-housing balance including how it compares to other similar communities, and its relationship to affordable housing; the role of resilience in the updated Plan; and support and encouragement for staff adherence to the Plan's core values, data-driven analysis, inclusion of metrics in the updated Plan, and taking an inventive approach to address planning challenges.

SPEAKERS: None

STUDY SESSION ONLY, NO PUBLIC HEARING

DC-16-0001: Text Amendments to Article 13-Sign

Kathy Sandoval, Planner II, presented the proposed text amendment to Article 13 of the Boulder County Land Use Code Text to address content neutrality of signs in the sign code. Staff recommended that the Boulder County Planning Commission APPROVE and recommend to the Board of County Commissioners APPROVAL of Docket DC-16-0001 as outlined in the staff recommendation, dated June 15, 2016.

PUBLIC HEARING OPENED

SPEAKERS: None

PUBLIC HEARING CLOSED

MOTION: Ben Blaugrund MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of DC-16-0001: Text Amendments to Article 13-Sign, as outlined in the staff recommendation dated June 15, 2016.

SECOND: Leah Martinsson

VOTE: Motion PASSED Unanimously {6 to 0}

DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Varda Blum, Floodplain Manager, presented the proposed text amendments to Article 4-400 and related provisions of the Code in Article 3 (Processes) and Article 18 (Definitions) of the Boulder County Land Use Code Text to create transparent processes for use of best available data, clarifying existing regulations, making changes necessary to meet FEMA and CWCBC minimum requirements, and associated changes to allow County staff to better protect the health, safety, and welfare of the residents and visitors and recommend the Commissioners either schedule a second hearing or, if appropriate, the APPROVAL of Docket DC-15-0004 as outlined in the staff report dated June 15, 2016.

PUBLIC HEARING OPENED

SPEAKERS: Cathy McGovern - 11 Logan Mill Road; John Brown – 7950 N. 81st St.; Donna George - 4661 Tallyho Court; Bret Gibson – Fourmile Fire Chief

PUBLIC HEARING CLOSED

MOTION: Leah Martinsson MOVED that the Boulder County Planning Commission TABLE Docket DC-15-0004 Proposed Boulder County Land Use Code Text Amendments to Floodplain Regulations and related provisions until the August 2016 Planning Commission meeting for further discussion.

SECOND: Ben Blaugrund

VOTE: Motion PASSED Unanimously (6:0)

ADJOURNED

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



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA

August 17, 2016

Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *June 15, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Docket V-16-0006: FAVALORO FLESHER VACATION

Request: Request for vacation of 30' by 152' right-of-way known as Aspen Rd. between the two subject parcels.

Location: At 364 Pinecliff Road & 340 Pinecliff Road, south and adjacent to Pinecliff Road and north of South Boulder Creek approximately 0.12 miles east of the intersection of Coal Creek Canyon Drive and Pinecliff Road, in Section 27, T1S, R72W.

Zoning: Forestry (F) Zoning District

Applicants: Carol Favaloro and Hervey & Kristie Flesher

Agents: Dennis Miller
Elizabeth Poole

(Staff Planner: Matt Thompson)

4. Docket SI-15-0001: Lafayette Water Supply and Transmission Improvement Project

Request: Areas and Activities of State Interest (1041) for the upgrade of the water systems for the City of Lafayette. A 5.8 mile reuse (non-potable) pipeline from the City's Wastewater Reclamation Facility to the Goose Haven Reservoir Complex. Two segments of potable water transmission line, referred to as the Orange Zone Pipeline: segment one (1.4 miles) extends from the existing 4 million gallon buried concrete water storage tank to an existing pipeline at 95th Street; segment two (1.3 miles) extends from intersection of 95th Street and Arapahoe Road east to the US 287 and Arapahoe Road intersection.

Location: The reuse pipeline runs approximately 100 feet north of Baseline Road running from East County Line road west to the west side of Hwy 287 where approximately 2500 feet west of the highway the pipeline turns north and runs north to terminate at the east side of Goose Haven Reservoir Complex. The potable water transmission extends from the Baseline water treatment plant east

south of Baseline Road then north at Applewood Drive along the recreation path to a point where it turns east to run along the north edge of the Indian Peaks Golf Course south of Red Deer Trail then extending to an existing pipeline in 95th Street. An additional segment which extends from the north west corner of the intersection of 95th Street and Arapahoe Road east to a point approximately 1250 ft. from the intersection of Hwy 287 and Arapahoe Road, in Sections 22, 27, 32, 33, 36, of Range 69, Township 1N, and Sections 05, 06, Range 1S, Township 69.

Zoning: Rural Residential (RR) and Agricultural (A) Zoning Districts
Applicant: Brad Dallam, City of Lafayette
Agent: Leigh Rouse, ERO Resources Corporation
(Staff Planner: Matt Thompson)

5. Docket DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public Testimony will be taken.
(Transportation Staff: Varda Blum)

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



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BOULDER COUNTY PLANNING COMMISSION AGENDA **REVISED AGENDA**

August 17, 2016
Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *June 15, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

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

Staff from the Parks and Open Space (POS) and Land Use Departments will present a proposed updated Boulder County Comprehensive Plan Open Space Element. The proposed update reflects input from Parks and Open Space Advisory Committee (POSAC) and Planning Commission (PC) provided at a study session on April 13, as well as additional feedback from POSAC on June 23. Staff seeks feedback on the proposed updated narrative, as well as a draft updated Open Space Element map which includes preliminary scenic roadway corridor mapping. Informational item only; no public comment or decision will be taken.

(Staff Planners: Boulder County Parks and Open Space Department – Tina Nielsen, Special Projects Manager; Jesse Rounds, Natural Resource Planner; Ernst Strenge, Natural Resource Planner; Boulder County Land Use Department– Nicole Wobus, Steven Giang, members of the Long Range Planning and Policy Team)

4. Docket V-16-0006: FAVALORO FLESHER VACATION

Request: Request for vacation of 30' by 152' right-of-way known as Aspen Rd. between the two subject parcels.

Location: At 364 Pinecliff Road & 340 Pinecliff Road, south and adjacent to Pinecliff Road and north of South Boulder Creek approximately 0.12 miles east of the intersection of Coal Creek Canyon Drive and Pinecliff Road, in Section 27, T1S, R72W.

Zoning: Forestry (F) Zoning District

Applicants: Carol Favaloro and Hervey & Kristie Flesher

Agents: Dennis Miller
Elizabeth Poole

(Staff Planner: Matt Thompson)

5. Docket SI-15-0001: Lafayette Water Supply and Transmission Improvement Project

Request: Areas and Activities of State Interest (1041) for the upgrade of the water systems for the City of Lafayette. A 5.8 mile reuse (non-potable) pipeline from the City's Wastewater Reclamation Facility to the Goose Haven Reservoir Complex. Two segments of potable water transmission line, referred to as the Orange Zone Pipeline: segment one (1.4 miles) extends from the existing 4 million gallon buried concrete water storage tank to an existing pipeline at 95th Street; segment two (1.3 miles) extends from intersection of 95th Street and Arapahoe Road east to the US 287 and Arapahoe Road intersection.

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Zoning: Rural Residential (RR) and Agricultural (A) Zoning Districts

Applicant: Brad Dallam, City of Lafayette

Agent: Leigh Rouse, ERO Resources Corporation
(Staff Planner: Matt Thompson)

6. Docket DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public Testimony will be taken.
(Transportation Staff: Varda Blum)

ADJOURNED

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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: August 17, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket V-16-0006: FAVALORO FLESHER VACATION

Request for vacation of 30' by 152' right-of-way known as Aspen Rd. between the two subject parcels, by Carol Favaloro and Hervey & Kristie Flesher, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 364 Pinecliff Road & 340 Pinecliff Road, south and adjacent to Pinecliff Road and north of South Boulder Creek approximately 0.12 miles east of the intersection of Coal Creek Canyon Drive and Pinecliff Road, in Section 27, T1S, R72W.

Docket SI-15-0001: Lafayette Water Supply and Transmission Improvement Project

Request for Areas and Activities of State Interest (1041) for the upgrade of the water systems for the City of Lafayette. Project includes a 5.8 mile reuse (non-potable) pipeline from the City's Wastewater Reclamation Facility to the Goose Haven Reservoir Complex and two segments of potable water transmission line, referred to as the Orange Zone Pipeline. Segment one (1.4 miles) extends from the existing 4 million gallon buried concrete water storage tank to an existing pipeline at 95th Street, and segment two (1.3 miles) extends from intersection of 95th Street and Arapahoe Road east to the US 287 and Arapahoe Road intersection. The project is proposed by Brad Dallam, City of Lafayette, in accordance with the Boulder County Land Use Code. The proposed project is located in the Rural Residential (RR) and Agricultural (A) Zoning Districts. The reuse pipeline runs approximately 100 feet north of Baseline Road running from East County Line road west to the west side of Hwy 287 where approximately 2500 feet west of the highway the pipeline turns north and runs north to terminate at the east side of Goose Haven Reservoir Complex. The potable water transmission extends from the Baseline water treatment plant east south of Baseline Road then north at Applewood Drive along the recreation path to a point where it turns east to run along the north edge of the Indian Peaks Golf Course south of Red Deer Trail then extending to an existing pipeline in 95th Street. An additional segment which extends from the north west corner of the intersection of 95th Street and Arapahoe Road east to a point approximately 1250 ft. from the intersection of Hwy 287 and Arapahoe Road, in Sections 22, 27, 32, 33, 36, of Range 69, Township 1N, and Sections 05, 06, Range 1S, Township 69.

Docket DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in

Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public testimony will be taken.

<p style="text-align: center;">ADJOURNED</p>

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Published: August 3, 2016-- Daily Times-Call



Land Use

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PUBLIC HEARING - AMENDED BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: August 17, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

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

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<p>ADJOURNED</p>

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Published: August 5, 2016-- Daily Times-Call

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **August 3, 2016**.

TERRY COVE

Agent

Subscribed and sworn to before me this 3rd day of
August, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera

Notary Public

ACCOUNT # 220246
AD # 5676648
FEE \$43.64

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: August 17, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room,
Third Floor, Boulder County
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

Docket V-16-0006: FAVALORO FLESHER VACATION

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Docket DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published Longmont Times-Call August 3, 2016 - 5676648

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated August 5, 2016.

HERVEY COVE

Agent

Subscribed and sworn to before me this ^{5th} day of
August, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

ACCOUNT # 220246
AD # 5676837
FEE \$50.85

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING - AMENDED BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: August 17, 2016
TIME: 1:30 P.M. (Afternoon Session)
PLACE: Commissioners Hearing Room, Third
Floor, Boulder County Courthouse,
1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

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

Staff from the Parks and Open Space (POS) and Land Use Departments will present a proposed updated Boulder County Comprehensive Plan Open Space Element. The proposed update reflects input from Parks and Open Space Advisory Committee (POSAC) and Planning Commission (PC) provided at a study session on April 13, as well as additional feedback from POSAC on June 23. Staff seeks feedback on the proposed updated narrative, as well as a draft updated Open Space Element map which includes preliminary scenic roadway corridor mapping. Informational item only; no public comment or decision will be taken.

Docket V-16-0006: FAVALORO FLESHER VACATION

Request for vacation of 30' by 152' right-of-way known as Aspen Rd. between the two subject parcels, by Carol Favaloro and Hervey & Kristie Fleisher, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 364 Pinecliff Road & 340 Pinecliff Road, south and adjacent to Pinecliff Road and north of South Boulder Creek approximately 0.12 miles east of the intersection of Coal Creek Canyon Drive and Pinecliff Road, in Section 27, T1S, R72W.

Docket SI-15-0001: Lafayette Water Supply and Transmission Improvement Project

Request for Areas and Activities of State Interest (1041) for the Upgrade of the water systems for the City of Lafayette. Project includes a 5.8 mile reuse (non-potable) pipeline from the City's Wastewater Reclamation Facility to the Goose Haven Reservoir Complex and two segments of potable water transmission line, referred to as the Orange Zone Pipeline. Segment one (1.4 miles) extends from the existing 4 million gallon buried concrete water storage tank to an existing pipeline at 95th Street, and segment two (1.3 miles) extends from intersection of 95th Street and Arapahoe Road east to the US 287 and Arapahoe Road intersection. The project is proposed by Brad Dallam, City of Lafayette, in accordance with the Boulder County Land Use Code. The proposed project is located in the Rural Residential (RR) and Agricultural (A) Zoning Districts. The reuse pipeline runs approximately 100 feet north of Baseline Road running from East County Line road west to the west side of Hwy 287 where approximately 2500 feet west of the highway the pipeline turns north and runs north to terminate at the east side of Goose Haven Reservoir Complex. The potable water transmission extends from the Baseline water treatment plant east south of Baseline Road then north at Applewood Drive along the recreation path to a point where it turns east to run along the north edge of the Indian Peaks Golf Course south of Red Deer Trail then extending to an existing pipeline in 95th Street. An additional segment which extends from the north west corner of the intersection of 95th Street and Arapahoe Road east to a point approximately 1250 ft. from the intersection of Hwy 287 and Arapahoe Road, in Sections 22, 27, 32, 33, 36, of Range 69, Township 1N, and Sections 05, 06, Range 1S, Township 69.

Docket DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Proposed Land Use Code text amendments to amend the County's floodplain regulations, codified in Articles 4-400 et seq., and related provision of the Code in Article 3 (Processes), Article 4 (Zoning), and Article 18 (Definitions). Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published Longmont Times-Call August 5, 2016 - 5676837



Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION

MINUTES

August 17, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved on September 21, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, August 17, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 1:35p.m. and adjourning at 5:17p.m.

Commissioners Present: Ann Goldfarb, Lieschen Gargano, Ben Blaugrund, Natalie Feinberg Lopez, Doug Young, Michael Baker.

Commissioners Excused: Dan Hilton, W.C. Pat Shanks, Leah Martinsson

Staff Present: Kim Sanchez, Rick Hackett, Tina Nielsen (POS), Therese Glowacki (POS), Nicole Wobus, David Haines, Steven Giang, Anna Milner, Amy Oeth, Ron West (POS), Kathy Parker, George Gerstle (Transportation).

Others: 15-20

MINUTES

MOTION: Doug Young MOVED that the Boulder County Planning Commission APPROVE the Minutes from June 15, 2016 as written.

SECOND: Ben Blaugrund

VOTE: Motion PASSED {5 to 0}

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

Kim Sanchez, Chief Planner in the Land Use Department, noted that staff is working on the draft of the oil and gas regulations but the schedule has shifted and the first Planning Commission where

these regulations will be heard will be in mid-October. Kim will send an email to the Planning Commissioners with dates and roll call to ensure a quorum.

Kim also introduced our new Administrative Lead Technician, Anna Milner.

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

Tina Nielsen of the Parks and Open Space Department presented a summary of the draft updated Boulder County Comprehensive Plan Open Space Element, reviewing the draft updated narrative, goals, and policies. Planning Commission members asked questions about passive recreation definition and stakeholders. Planning Commission members provided feedback on a staff question regarding POSAC's proposed new policy OS 5.03.01, indicating agreement with staff assessment that it is unnecessarily restrictive and might have unintended implications. Nicole Wobus of the Land Use Department presented an overview of the map update, including mapping of scenic roadway corridors. David Haines, Land Use GIS manager, presented the methodology and preliminary outcomes from scenic roadway corridor mapping. Planning Commission members asked questions and provided feedback on topics including: implications of the scenic roadway corridor designations, and ways in which Land Use staff use the current equivalent designation ("open corridor-roadside"); potential consequences of being overly restrictive when applying a scenic roadway corridor designation; and the advantages and disadvantages of various components of the initial draft criteria. Kim Sanchez, Chief Planner for the Land Use Department, provided input regarding current practices for view mitigation during the development review process. This was a discussion item only, with no public testimony or decision.

Next steps include: presentation to Board of County Commissioners on Aug. 25 for feedback and suggestions, referral to planning and open space agencies, and presentation and public hearing at the Sept. 21 Planning Commission meeting, in anticipation of final approval.

Staff:

Tina Nielsen
Nicole Wobus
David Haines

Docket V-16-0006: FAVALORO FLESHER VACATION

Matthew Thompson, planner from the Land Use Department, made a presentation on the request for vacation of a 30' by 152' right-of-way known as Aspen Rd. between the two subject parcels, by Carol Favaloro and Hervey & Kristi Flesher, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 364 and 340 Pinecliff Road, south and adjacent to Pinecliff Road and north of South Boulder Creek approximately 0.12 miles east of the intersection of Coal Creek Canyon Drive and Pinecliff Road. Aspen Road was never developed or maintained by Boulder County and is currently improved with grass sod, trees and a fence by the Fleshers as owners of the property located at 340 Pinecliff Road. The previous owner of 340 Pinecliff Road began landscaping improvements and added a fence the western one-half (approximately) of Aspen Road since the mid 1960's when the property was purchased by Milford Flesher and Geraldine Flesher, the parents of applicants Hervey S. Flesher and Kristi K. Flesher.

RECOMMENDATION

The Land Use staff finds that this application can meet the criteria for a Vacation and therefore recommends that the Planning Commission recommend that the Board of County Commissioners **Conditionally Approve Docket V-16-0006: Favaloro Flesher Vacation** with the following conditions:

1. The applicants shall meet all the post approval requirements within one year after the date of the Board of County Commissioners' resolution approving this vacation. This resolution and the staff reviewed and approved deeds for 340 and 364 Pinecliff Road that reflect the new parcel boundaries shall be recorded in the real property records of the Boulder County Clerk and Recorder. This vacation approval shall not be considered final or effective until recording occurs. Finally, this vacation approval shall expire if recording does not occur within the required one-year timeframe.
2. Prior to recording the Resolution effectuating this approval, the owners of 340 Pinecliff Road will obtain a building permit for the unpermitted shed that has electric utilities extended to it.

SPEAKERS: Tom Wolf– 717 17th Street, Suite 2800, Denver, CO, Attorney for Carol Favaloro

PUBLIC HEARING OPENED

SPEAKERS: Tom Wolf – 717 17th Street, Suite 2800, Denver, CO, Attorney for Carol Favaloro
Tom Wolf (representing Carol Favaloro) made a short presentation. He expressed Carol Favaloro's desire to move her property line out to the centerline of Aspen Road right-of-way since it has never been used as a road. Also, he noted the neighboring property has a fence down the middle of the right-of-way, now owned by Hervey and Kristi Flesher.

PUBLIC HEARING CLOSED

MOTION: Ben Blaugrund **MOVED** that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend that the Board of County Commissioners **CONDITIONALLY APPROVE** **Docket V-16-0006: Favaloro Flesher Vacation** subject to the two conditions in the staff recommendation packet.

SECOND: Lieschen Gargano

VOTE: Motion **PASSED** Unanimously {6:0}

Docket SI-15-0001: Lafayette Water Supply And Transmission Improvement Project

Matthew Thompson, planner from the Land Use Department made a presentation on the Lafayette Water Supply and Transmission Project. Areas and Activities of State Interest (1041) review of proposal to upgrade of the water and wastewater systems for the City of Lafayette. Proposed is a 5.8-mile reuse (non-potable) pipeline from the City's Wastewater Reclamation Facility to the Goose Haven Reservoir Complex. The portion of the reuse pipeline that is within unincorporated Boulder County is 3.63 miles or 19,166 feet. Also proposed are two segments of potable water transmission line, referred to as the Orange Zone Pipeline. Segment one (1.4 miles) extends from the existing 4 million gallon buried concrete water storage tank to an existing pipeline at 95th Street. Segment two

(1.3 miles) extends from intersection of 95th Street and Arapahoe Road east to the US 287 and Arapahoe Road intersection. Approximately 0.73 mile or 3,854 feet of segment one is within unincorporated Boulder County, and 0.39 mile or 2,059 feet of segment two are within unincorporated Boulder County. The City of Lafayette is proposing a water reuse and potable water transmission project to improve and enhance the City's overall water system. Lafayette is proposing to build a combined pipeline project that is considered an activity of state interest by Boulder County and for which the City is seeking a 1041 permit from Boulder County. Construction of the proposed project falls under Boulder County's designated activities of state interest because it is part of a municipal water supply, partially located in unincorporated portions of Boulder County and would be located partly on land that is owned or managed for open space. Approval of the application will help Boulder County's ability to irrigate agricultural open space properties in the vicinity of the pipeline and will enable Boulder County to receive augmentation water the county needs for the Kenosha Ponds open space property. Paragraph 6 of the "Intergovernmental Agreement Between The City of Lafayette and The County of Boulder", dated July 2, 2013 ("IGA") and attached to the application as Appendix A, states that Boulder County will work with the City of Lafayette and take all reasonable steps to accommodate the City of Lafayette's desire that the 1041 permit not expire before the City of Lafayette is prepared to construct the pipeline. It also states that the City of Lafayette has the right to unilaterally terminate the IGA if the county denies the 1041 application, conditions the application in ways that are not acceptable to the City of Lafayette, or unduly delays the application, or if the City of Lafayette is unable to obtain all other permits required to build the pipeline. Lafayette is requesting the 1041 permit for an extended period of up to 15 years, because the exact timing of construction is currently unknown.

SPEAKERS: Brad Dallam – 1290 S. Public Road, City of Lafayette

PUBLIC HEARING OPENED

SPEAKERS: Frank Schwartz – 10461 Isabelle Road and 10503 Isabelle Road; Mr. Schwartz expressed support for the project in general. Although he did have concerns that untreated water would not be put into the ditch behind his property. (Staff notes the water will have been treated at the Lafayette Waste Water Reclamation Facility).

PUBLIC HEARING CLOSED

MOTION: Lieschen Gargano **MOVED** that Planning Commission recommend to the Board of County Commissioners **CONDITIONAL APPROVAL** of **SI-15-0001: Lafayette Water Supply and Transmission Improvement Project** subject to the 25 conditions as recommended by staff.

SECOND: Ben Blaugrund

VOTE: Motion **PASSED** Unanimously {6:0}

Docket DC-15-0004: Proposed LUC Text Amendments to floodplain regulations and related provisions

Varda Blum, Floodplain Manager, presented on changes made since the first Planning Commission hearing on June 15, 2016 to the proposed text amendments to Article 4-400 and related provisions of the Code in 4-800, Article 3 (Processes) and Article 18 (Definitions) of the Boulder County Land Use Code. Changes to FO District provisions within the code are being proposed to create transparent processes for use of new flood hazard studies and best available data, clarify existing regulations,

184 meet FEMA and CWCB minimum requirements for floodplain management, and other changes to
186 allow County staff to better protect the health, safety, and welfare of the residents of and visitors to
the unincorporated areas of Boulder County. Varda also clarified for the Commission and the public
188 in attendance that no proposed changes to the FO District maps are included with this code text
amendment, and explained minor edits made since the Planning Commission documents were posted
on August 10th.

190 Varda then presented an overview of outreach efforts performed by the County since June 15 hearing,
192 as a result of comments made at that hearing, and included discussion on some of the major comment
topics and the County's responses to certain comments received since the June hearing. There were
194 some comments on proposed text changes and new FO District requirements, but many comments
were on existing FO District requirements.

196 Varda acknowledged that existing requirements, including Substantial Improvement criteria and
198 guidance, can be considered under a separate code text amendment effort.

200 Varda recommended that Planning Commission recommend that the Board of County Commissioners
adopt the floodplain code text amendments proposed in Docket DC-15-0004, as outlined in the staff
202 report dated August 17, 2016 (with supplemental errata sheet).

204 **STAFF PRESENTATION CONCLUDED**

206 Question from the Board (Ben Blaugrund): How does the comment letter received today align with
comments received since last hearing?

208 Varda responded to the Board's question.

210 **PUBLIC HEARING OPENED**

212 **SPEAKERS:**

214 Chris Wiorek – 7955 Oxford Road (81st and Oxford); Mr. Wiorek lauded the County's efforts to
216 coordinate with the watershed groups and the public. His focus turned to the
Substantial Improvement language in the proposed text, and appreciated the
218 willingness of the County to look closer at Substantial Improvement requirements
moving forward. Mr. Wiorek main comment before he ran out of time was that
220 cumulative tracking of Substantial Improvements is costly to homeowners, especially
when everything over \$1,000 must count.

222 John M. Brown – 7950 N. 81ST Street; Mr. Brown offered copies of the Lower Lefthand Watershed
224 Association (LLWA) position paper dated 8/17/2016 to the Commission and to the
public. LLWA proposes to PC that PC NOT recommend that BOCC adopt the code
226 changes, based on the factors laid out in the position paper. Mr. Brown did commend
County staff on their attempts to work with members of the public to answer
228 questions and consider comments on the proposed text amendments. Mr. Brown's
main comment at the podium was that the scale at which humans do work within the
230 stream corridor should not and does not affect what may occur during a large flood
event.

232 Terry Parrish – 15720 Parrish Rd, Berthoud (Boulder County). Mr. Parrish acknowledged changes to
234 the floodplain as a result of the flood, but cautioned that floodplains can get smaller
(not only larger) over time. Mr. Parrish's comments focused on OWTS regulations
236 through the Public Health Department. He felt that OWTS, even in the floodplain,

should be handled by PH, and took issue with the new OWTS requirements. Mr. Parrish also asked for section correlation between existing and proposed code.

PUBLIC HEARING CLOSED

STAFF RESPONSE

Varda and Ryan took turns addressing comments and questions posed by the public.

Concerning OWTS: Some OWTS regulation is new, but many aspects (especially for replacement systems) exist in current code in section 4-403(D).

Concerning Substantial Improvements: We agree that we can and should look closer at the Substantial Improvement requirements in the near future.

Concerning scalability: As a participant in FEMA's National Flood Insurance Program, we must require permits for all development in the floodplain; however, we understand the burden on the public and on County staff to process permits for very minor projects. The reason for the creation of the General FDP in the proposed text amendments was to do just that- provide permit coverage for minor projects with minimal to no burden on the public or county staff.

ADDITIONAL COMMENTS FROM PLANNING COMMISSION:

Planning Commission generally approved of the amount of public outreach performed by County Staff following the June hearing, and thought that the outreach was successful in capturing public comment and making text edits accordingly; however, Ben Blaugrund thought that the LLWA position paper received today gives exactly the opposite opinion. The commission agreed that there is a fine balance between satisfying completely both constituents and FEMA. Lieschen Gargano noted that many of the bigger issues, some which are raised by LLWA in their position paper, require much further and deeper discussion. She also asked if staff feels that the proposed text amendments will alleviate any previous concerns about the public's ability to understand FO District requirements.

STAFF RESPONSE

Varda thanked the public for their continued involvement in the process. Staff agreed that certain topics, like Substantial Improvement requirements, require further discussion and potential changes to code requirements. Staff is willing to take on these efforts, but at a later point in time. Staff acknowledges that the Land Use Code in general, and specifically the FO District provisions, is difficult to understand for individual property owners. The proposed text amendments will certainly help property owners, but many times will require that a professional read and interpret the code for a particular project. Further, the proposed text amendments have added a requirement for a Pre-Application Conference for floodplain development, meant to assist property owners with identifying which requirements apply to them.

FURTHER DISCUSSION

Ben Blaugrund, Planning Commission: Noted that staff made good efforts to solicit public comment, and asked the County Attorney's office if the Commission can approve the text amendments with the caveat that changes get made prior to BOCC. The Attorney's office (Ben Doyle) responded that some minor edits are OK, but substantive changes would need to come back to Planning Commission.

290 George Gerstle, Boulder County Director of Transportation: Acknowledged that Floodplain
292 regulations are incredibly complex, and noted that a major component of these text amendments was
to 'Focus on what matters', and noted that the current proposed text provides more certainty for
floodplain management and development requirements than we've ever had before.

294 Doug Young, Planning Commission: Admitted that this text amendment is the most complex PC has
had to deal with in some time. Staff has shown good balance of expedience, thoroughness, and public
296 inclusion. At the June hearing, Planning Commission and Staff promised to take more time and be
more inclusive. He thought of the June version of the proposed text amendments as a Beta version.
298 The version being recommended for approval today is release 1.0. Version 1.1 is necessary and will
be coming. Doug also mentioned that he takes issue with some comments in LLWA letter. He
300 summarized with the fact that as we gain a better understanding of flood potential, development in
mountain canyons is going to be more complex, more expensive, and more difficult as a result of
302 natural hazards, and that there is a grieving process associated with those challenges.

304 **MOTION:** Doug Young MOVED that the Boulder County Planning Commission
APPROVE AND RECOMMEND Docket DC-15-0004 Proposed Boulder
306 County Land Use Code Text Amendments to Floodplain Regulations
and related provisions and certify the docket for action to the BOCC.

308 **SECOND:** Ben Blaugrund

310 **VOTE:** Motion PASSED Unanimously {6:0}

312

ADJOURNED

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

314



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION JOINT SPECIAL SESSION AGENDA

August 30, 2016

Joint Special Session – 4:00 P.M.

**(Joint Board of County Commissioners and Planning Commission Public
Hearing)**

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

PUBLIC HEARING

JOINT SPECIAL SESSION – 4:00 P.M.

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

Public Hearing for the Board of County Commissioners and Planning Commission to consider staff recommendations and public comment related to three Land Use Change Requests in Area II and III of the Boulder Valley Comprehensive Plan. The requests are being considered as part of the 2015 Boulder Valley Comprehensive Plan Major Five Year Update. The agenda includes requests for Land Use Changes at: 3261 3rd Street, 2801 Jay Road and 6655 and 6500 Twin Lakes Rd., 0 Kalua Rd. Public testimony will be taken, but no decisions will be made on August 30. Decisions will be made at the following meetings: Planning Commission, September 21, 1:30 p.m.; Board of County Commissioners, September 27, 3:30 p.m. These meetings will also take place at the Boulder County Courthouse, and will be noticed separately.

(Staff: Dale Case - Land Use Director, Boulder County; Nicole Wobus - Long Range Planning and Policy Manager, Boulder County Land Use; Pete Fogg - Senior Planner, Boulder County Land Use; Steven Giang - Planner I, Boulder County Land Use; David Driskell - Executive Director, City of Boulder Planning, Housing + Sustainability (PH+S); Susan Richstone - Deputy Director for Planning (City of Boulder PH+S); Lesli Ellis - Comprehensive Planning Manager (City of Boulder PH+S); Jay Sugnet - Senior Planner (City of Boulder PH+S); Jean Gatzka - Senior Planner (City of Boulder PH+S); Caitlin Zacharias - Associate Planner (City of Boulder PH+S))

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>

ADJOURNED

Detailed information regarding these items, including maps and legal descriptions, is available for public examination on the Boulder County Land Use website at <http://www.bouldercounty.org/lu> or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING BOULDER COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION

DATE: August 30, 2016
TIME: 4:00 p.m. (Joint Board of County Commissioners and Planning Commission Public Hearing; No action taken)
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that a public hearing will be held by the Board of County Commissioners and the Planning Commission at the time and place specified above. All persons interested in the following item are requested to attend such hearing and aid the Commissioners in their consideration.

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

Public Hearing for the Board of County Commissioners and Planning Commission to consider staff recommendations and public comment related to three Land Use Change Requests in Area II and III of the Boulder Valley Comprehensive Plan. The requests are being considered as part of the 2015 Boulder Valley Comprehensive Plan Major Five Year Update. The agenda includes requests for Land Use Changes at: 3261 3rd Street, 2801 Jay Road and 6655 and 6500 Twin Lakes Rd., 0 Kalua Rd. Public testimony will be taken, but no decisions will be made on August 30. Decisions will be made at the following meetings: Planning Commission, September 21, 1:30 p.m.; Board of County Commissioners, September 27, 3:30 p.m. These meetings will also take place at the Boulder County Courthouse, and will be noticed separately.

Supporting materials will be available for public examination one week prior to the hearings at <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>, and at the Boulder County Land Use Department, 2045 13th Street, Boulder, Colorado (303-441-3930). The online signup for Public Hearing is available at <http://bit.ly/BVCP2016>.

Free Parking in the City of Boulder CAGID lots is available for Board of County Commissioners' hearing participants. See the staff at the lobby desk for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Please note that the County Commissioners' agenda is subject to change. To receive updates to the agenda, please subscribe to the **Boulder County Commissioners' Agenda** (BOCCAGENDA) list at <http://www.bouldercounty.org/gov/media/pages/listserv.aspx>

Published: August 16, 2016 – Daily Times-Call

AFFIDAVIT OF PUBLICATION

TIMES-CALL

RECEIVED
County Commissioners Office

AUG 23 2016

REC'D BY
TIME

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **August 16, 2016**.

TEPRICONE

Agent

Subscribed and sworn to before me this 16th day of **August, 2016** in the County of Boulder, State of Colorado.

Rita Marie Hannek

Notary Public



FEE \$29.23

ACCOUNT # 100496

AD # 5677469

PUBLIC HEARING BOULDER COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION

DATE: August 30, 2016

TIME: 3:00 p.m. (Joint Board of County Commissioners and Planning Commission Public Hearing; No action taken)

PLACE: Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 325 Pearl Street

Notice is hereby given that a public hearing will be held by the Board of County Commissioners and the Planning Commission at the time and place specified above. All persons interested in the following item are requested to attend such hearing and aid the Commissioners in their consideration.

Docket 3VCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

Public hearing for the Board of County Commissioners and Planning Commission to consider staff recommendations and public comment related to three Land Use Change Requests in Area II and III of the Boulder Valley Comprehensive Plan. The requests are being considered as part of the 2015 Boulder Valley Comprehensive Plan Major Five Year Update. The agenda includes requests for Land Use Changes at: 3261 3rd Street, 2801 Jay Road and 6655 and 6500 Twin Lakes Rd., 0 Kalua Rd. Public testimony will be taken, but no decisions will be made on August 30. Decisions will be made at the following meetings: Planning Commission, September 21, 1:30 p.m.; Board of County Commissioners, September 27, 3:30 p.m. These meetings will also take place at the Boulder County Courthouse, and will be noticed separately.

Supporting materials will be available for public examination one week prior to the hearings at <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>, and at the Boulder County Land Use Department, 2045 13th Street, Boulder, Colorado 803 441 3930. The online sign up for Public Hearing is available at <http://bit.ly/BVCP2016>.

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Published: Longmont Times-Call August 16, 2016 - 5677469



BOARD OF COUNTY COMMISSIONERS
AGENDA
TUESDAY, AUGUST 30, 2016

- 9:00 a.m.** CLERK & RECORDER'S OFFICE
Public Hearing: Update on the 2016 Election and Presentation on 2017 Required Election Voting Equipment.
ACTION REQUESTED: Information Only
- 10:30 a.m.** BUSINESS MEETING (see separate agenda)
- 11:00 a.m.** DEPARTMENT OF HOUSING AND HUMAN SERVICES
Monthly public hearings with the Board of County Commissioners sitting as
1. The Board of Human Services;
2. The Housing Authority Board.
ACTION REQUESTED: Information Only
- 1:00 p.m.** Commissioners attend the kick-off event for the Enterprise Resource Planning Discovery Project.
- 4:00 p.m.** LAND USE DEPARTMENT
Joint Public Hearing: County Commissioners and Planning Commission
Docket BVCP-15-0001 2015 Boulder Valley Comprehensive Plan Major Five Year Update; Staff recommendations and public comment related to three Land Use Change requests in Areas II & III of the Boulder Valley Comprehensive Plan, including 3261 3rd Street, 2801 Jay Road & 6655 and 6500 Twin Lakes Road, and 0 Kalua Road.

PUBLIC COMMENTS

The online signup for Individual Speakers and First Time speakers is available at
<http://bit.ly/BVCP2016>.

ACTION REQUESTED

Information Only. No decisions will be made on at this public hearing.
Planning Commission will make their decisions September 21 (1:30 p.m.)
and County Commissioners September 27 (3:30 p.m.)
There will be no further public comments taken September 21 & 27.

OTHER MATTERS UNTIL OFFICIALLY ADJOURNED

This agenda is subject to change. Please call ahead to confirm an item of interest (303-441-3500).
Meetings are held in the 3rd Floor Hearing Room, Boulder County Courthouse, 1325 Pearl Street, Boulder,
unless otherwise noted. The Hullinghorst Room and Small Conference Room are on the 3rd Floor, Courthouse.

Public comments are taken at meetings designated as Public Hearings.
For special assistance, please contact our ADA Coordinator (303-441-3525) at least 48 hours in advance.



Land Use

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**BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS AND
PLANNING COMMISSION
JOINT SPECIAL SESSION
MINUTES**

August 30, 2016
4:00 P.M.

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

PUBLIC HEARING

JOINT SPECIAL SESSION – 4:00 PM

On Tuesday, August 30, 2016, the Board of County Commissioners held a joint special session with the Boulder County Planning Commission, convening at 4:04 p.m. and adjourning at 10:48 p.m.

County Commissioners Present: Elise Jones, Deb Gardner, Cindy Domenico,

Planning Commissioners Present: Natalie Feinberg Lopez (Chair), Doug Young (Vice Chair), Michael Baker, Ann Goldfarb, Daniel Hilton, Leah Martinsson (recused from 2801 Jay Rd. Item), W.C. Pat Shanks.

Commissioners Excused: Lieschen Gargano, Ben Blaugrund

Boulder County Staff Present: Dale Case, Pete Fogg, Kathy Parker, Kim Sanchez, Anna Milner, Ron Stewart, Richard Hackett, Michelle Krezek, Amy Oeth, Jerremie Smith, Nicole Wobus, Steven Giang, Therese Glowacki, Norrie Boyd, Frank Alexander, Ian Swallow, Mike Thomas

City of Boulder Staff Present: Jay Sugnet, Caitlin Zacharias, Lesli Ellis, Susan Richstone

Interested Other(s): 120-130

Docket BVCP-15-0001: 2015 Boulder Valley Comprehensive Plan Major Five Year Update

The Board of County Commissioners held a joint public hearing on August 30, 2016. Staff and requestors made presentations, and Commissioners heard public comment related to three public land use change requests in Areas II & III of the Boulder Valley Comprehensive Plan (BVCP), including 3261 3rd Street (Request #25), 2801 Jay Road (Request #29) & 6655 and 6500 Twin Lakes Road, and 0 Kalua Road (Requests #35 and 36).

Boulder County staff member, Pete Fogg, presented an overview of the BVCP public land use change request process, including the schedule of decisions for these requests, future hearings and public

comment period, public hearing sign-up process and schedule, and additional considerations related to the BVCP and the land use change request process. Jay Sugnet, with the City of Boulder Planning, Housing & Sustainability Department, presented additional overview information related to consideration of the land use change requests.

3rd Street Parcel (Request #25)

City of Boulder Planning, Housing & Sustainability staff member Caitlin Zacharias presented staff's recommendation related to 3261 3rd Street.

REQUESTORS:

Ed Byrne (250 Arapahoe Avenue, attorney representing 3261 3rd Street request)
provided comments on behalf of the requestor.

PUBLIC HEARING OPENED

SPEAKERS: NONE

PUBLIC HEARING CLOSED

2801 Jay Road (Request #29)

Leah Martinsson excused herself from the room as she recused herself from this item.

Jay Sugnet – City of Boulder staff presented staff's recommendation related to 2801 Jay Road.

REQUESTOR SPEAKERS:

Benita Durand, representing Fulton Hill Property for 2801 Jay Rd. Request
Jeff Dawson, Studio Hill Architecture

PUBLIC HEARING OPENED

SPEAKERS:

David Rose, 4134 Stone Place, Boulder
Diana Karowe, 2825 Jay Rd., Boulder
Heidi Potter, 1712 Pearl St., Boulder attorney representing Diana Karowe, Byron &
Paulina Hewett, and Andrea Grant
Paulina Hewett, 2865 Jay Rd., Boulder
AJ Grant, 4384 Apple Ct., Boulder

At this time the County Commissioners took a short break (02:44:20).

Robyn Kube, 4160 Amber Place, Boulder
Matthew Karowe, 2825 Jay Rd., Boulder

PUBLIC HEARING CLOSED

6655 and 6500 Twin Lakes Road, and 0 Kalua Road (Requests #35 and #36)

84 Jay Sugnet – City of Boulder staff presented staff’s recommendation related to the Twin Lakes
86 parcels.

REQUESTOR (#35) SPEAKERS:

88 Norrie Boyd, Boulder County Housing Authority (BCHA)
Glen Segrue, Boulder Valley School District
90 Keith Hidalgo, Fellsburg, Holt and Ullevig, Wildlife Consultant to BCHA
Kevin Maddoux, Fellsburg, Holt and Ullevig, Wildlife Consultant to BCHA
92 Jere Strickland – Martinez Associates, GeoTech engineer for BCHA

REQUESTOR (#36) SPEAKERS:

94 Dave Rechberger, 4581 Tally Ho Trail, Chairman, TLAG
96

PUBLIC HEARING OPENED

SPEAKERS:

100 Laura Kinder, 66 Nightshade Dr., Boulder
102 Tina Mueh, 1695 Quince Ave., Boulder
Karen Rabin, 4636 Tally Ho Trail
104 Eliberto Mendoza, 1713 Spruce Ave., Longmont
Michael Block, 2444 9th St., Boulder
106 Deborah Prenger, 4572 Starboard Dr., Gunbarrel
Julie Baxter, 1255 W. 7th Ave. Drive, Broomfield
108 Pat Heinz-Pribyl, 1803 Gallagher Lane, Louisville
Anne Tapp, Exec. Director, Safehouse Progressive Alliance for Non-violence
110 Laurel Herndon, 520 Sky Trail
Tracey Bernett, 7772 Crestview Lane
112 Betsey Martens, Exec. Director, Boulder Housing Partners
Alexandra Niehaus, 4557 Starboard Dr., Boulder
114 Jason McRoy, Housing and Human Services Department
Elizabeth Blakley, 719 Dounce St., Lafayette
116 Kathy Johnston, 455 N. Burlington Ave., Lafayette
Odie Youngblood, 455 N. Burlington Ave., Lafayette
118 Connie Grosshans, 455 N. Burlington, Ave., Lafayette
Will Toor, 3032 10th St., Boulder
120 Evalee Demery, 455 N. Burlington Ave., Lafayette
Julie Piller, 301 Geneseo St., Lafayette
122 Angela Lanci-Macris, Housing and Human Services Department
Bridget Gordon, 7057 Indian Peaks Trail, Gunbarrel
124 Sarah Buss, 9249 Rogers Rd.
Carmen Baran, 6190 Old Brompton Rd.
126 Kimberly Gibbs, 7468 Mt. Sherman Rd.
Jan Trussell, 125 S. 36th St., Boulder
128 Holly Rogin, 2841 21st St., Boulder
Jeffrey Flynn, 1440 King Ave., Boulder
130 Daphne McCabe, 3848 17th St., Boulder
Kevin Sipple, P.O. Box 244, Eldorado Springs
132 Lori McClean, Boulder County Public Health
Steven Albers, 5116 Williams Fork Trail
134 Jerry George, 4733 Tally Ho Court, Boulder
Mark George, 4661 Tally Ho Court, Boulder
136 Mike Smith, 4596 Tally Ho Trail, Boulder
Laura Bloom, 5920 Gunbarrel Ave., Boulder
138 Miho Shido, 6783 Idylwild Ct., Boulder
Bill Brown, 6783 Idylwild Ct., Boulder

140 Marlena Rich, 4838 Brandon Creek Dr., Boulder
Scott Dixon, 4875 Durham St., Boulder
142 Kristin Bjornsen, 4818 Brandon Creek Dr., Boulder
Chris O'Brien, 6474 Kalua Rd., Boulder
144 Myrna Besley, 4587 Tally Ho Trail, Boulder
Tom Kuhne, 4350 Pali Way, Boulder
146 Judith Falco, 6505 Kalua Rd., Boulder
Rick Adams, 4803 Brandon Creek Drive, Boulder
148 Suzan Yoshida, 4446 Galley Ct., Boulder
Susan Bailhache, 6858 Bugle Court, Boulder
150 Juliet Gopinath, 4555 Tally Ho Trail, Boulder
Jessica Hartung, 5408 Idylwild Trail, Suite A, Boulder
152 Gordon Golding, 3000 Dover Drive, Boulder
Ken Beitel, 2410 Ludlow St, Boulder
154 Beverly Biama, 4492 Sandpiper Circle, Boulder
Matthew Hawkins, 9310 Gunbarrel Ridge Rd., Boulder County
156 Gordon McCurry, 1200 Albion Rd., Boulder
Gary Urling, 2240 17th St., Boulder
158 Jesse Manno, 4554 Beachcomber Ct., Boulder
Maribai Negel, 6678 Drew Ranch Lane, Boulder
160 Rolf Munson, 4554 Starboard Dr., Boulder
Leslie Middleton, 4498 Applewood Court, Boulder
162 Richard Rossiter, 4614 Starboard Dr., Boulder
Mike Chiropolos, 1221 Pearl Street, Suite 11, Boulder
164 Lynn Yarmey, 4446 Driftwood Place, Boulder
Rashi Raj, 863 14th St., Boulder
166 Brian Lay, 4555 Tally Ho Trail, Boulder
Paul Maxon, 6849 Idylwild Court, Boulder
168 Michelle Ross, 4462 Driftwood Pl., Boulder
Jyotsna Raj, 863 14th St., Boulder
170 Susan Lambert, 4696 Coil Creek Lane, Boulder
Donna George, 4661 Tally Ho Court, Boulder
172 Lisa Sundell, 4697 Tally Ho Court, Boulder
John O'Dea, 4704 Hampshire St., Boulder
174 Jeffrey Cohen, 6610 Gunpark Drive, Boulder
Patrick Madden, 4686 Tally Ho Court, Boulder
176 Adam Pastula, 8130 Kincross Dr., Boulder
Chuck Wibby, 4569 South Meadow Dr., Boulder
178 Gwen Dooley, 750 Spruce, Boulder
Jennifer Murphy, 4447 Galley Court, Boulder
180 Hal Halstein, Palo Parkway
Nikki Munson, 4554 Starboard Dr., Boulder
182 Deanne Sammond, 7484 Old Post Rd., Boulder
Cindy Kraft, 6549 Barnacle St., Boulder
184 Timothy Cunningham, 4368 Park Court, Boulder
Harihar Rajaram, 4547 Tally Ho Trail, Boulder
186 Vijaya Subramanian, 4547 Tally Ho Trail, Boulder
Stephen Whitehead, 6521 Barnacle Street, Boulder
188 Sonia Smith, 4522 Sandpiper Court, Boulder
Samantha Ricklefs, 4590 Starboard Dr.
190 Kristin Aldretti, 6824 Idylwild Ct., Boulder
Paul Danish, 2130 10th Avenue, Longmont
192 Frank Karash, 4721 Tally Ho Court, Boulder
Annie Brook, 4425 Driftwood Place, Boulder
194 Peter Williams, 6755 Harvest Rd., Boulder
Amy Strombotne, 8502 Stirrup Ct., Boulder County

196 Frances Schilling, 2909 Basil Place, Superior
Robert O'Dea, 7774 Durham Circle, Boulder
198 Gwynneth Aten, 4870 Twin Lakes Rd., Boulder
200 Brock Riggins, 5862 N. Orchard Creek Circle, Boulder

202 **PUBLIC HEARING CLOSED**

ADJOURNED

204

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



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BOULDER COUNTY PLANNING COMMISSION AGENDA

September 21, 2016
Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *August 17, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Land Use Designation Change Requests

Planning Commission will deliberate and decide on public requests for land use designation changes submitted as part of the Boulder Valley Comprehensive Plan Five Year Major Update. The requests are for land use designation changes at 3261 3rd Street (Request #25), 2801 Jay Road (Request #29), and 6655 and 6500 Twin Lakes Rd., 0 Kalua Rd. (Requests #35 and #36). The decisions follow a joint Planning Commission-Board of County Commissioners public hearing on these matters that took place on August 30. (*Action requested: Decision. No public testimony will be taken.*)

(Staff: Dale Case - Land Use Director, Boulder County; Nicole Wobus - Long Range Planning and Policy Manager, Boulder County Land Use; Pete Fogg - Senior Planner, Boulder County Land Use; Steven Giang - Planner I, Boulder County Land Use; David Driskell - Executive Director, City of Boulder Planning, Housing + Sustainability (PH+S); Susan Richstone - Deputy Director for Planning (City of Boulder PH+S); Lesli Ellis - Comprehensive Planning Manager (City of Boulder PH+S); Jay Sugnet - Senior Planner (City of Boulder PH+S); Jean Gatza - Senior Planner (City of Boulder PH+S); Caitlin Zacharias - Associate Planner (City of Boulder PH+S))

4. Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

Staff will review the policy update process underway as part of the Boulder Valley Comprehensive Plan Five Year Major Update, and will highlight key items proposed for revision. Planning Commission members will have an opportunity to ask questions of staff, discuss topics of interest, and provide recommendations for changes to the current proposed policy updates. (*Discussion item only. No public testimony will be taken.*)

(Staff: Nicole Wobus and Amy Oeth, Land Use Department)

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

Land Use and Parks and Open Space staff will present the recommended update to the Boulder County Comprehensive Plan Open Space Element. Planning Commission previously reviewed this matter at a June 2015 meeting, at a joint study session with the Parks and Open Space Advisory Committee in April 2016, and as part of a staff update at the August 2016 Planning Commission meeting. (*Action requested: Decision. Public testimony will be taken.*)
(Staff: Nicole Wobus, Land Use Department; Tina Nielsen, Parks and Open Space Department)

6. Docket DC-16-0003 Storm Drainage Criteria Manual Update

The Boulder County Transportation Department, with the help of an engineering consultant, has prepared an updated Storm Drainage Criteria Manual for adoption. The updated manual will repeal and replace the county's first manual, published in 1984. Changes in stormwater criteria, practices, and regulations over time necessitated a revision. The updated manual intends to address the great majority of design elements, site characteristics, and regulatory conditions that may be involved in drainage design projects across the county. It also intends to provide clear guidance and criteria that will expedite the review and approval process for various county applications. This will require text amendments to the Boulder County Land Use Code Text to include references to the updated manual and noting that it will be the authoritative reference for drainage. (*Action requested: Recommendation to Board of County Commissioners. Public testimony will be taken.*)
(Staff: Dave Webster, Transportation Department)

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



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BOULDER COUNTY PLANNING COMMISSION AGENDA **REVISED**

September 21, 2016
Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *August 17, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

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(Staff: Dale Case - Land Use Director, Boulder County; Nicole Wobus - Long Range Planning and Policy Manager, Boulder County Land Use; Pete Fogg - Senior Planner, Boulder County Land Use; Steven Giang - Planner I, Boulder County Land Use; David Driskell - Executive Director, City of Boulder Planning, Housing + Sustainability (PH+S); Susan Richstone - Deputy Director for Planning (City of Boulder PH+S); Lesli Ellis - Comprehensive Planning Manager (City of Boulder PH+S); Jay Sugnet - Senior Planner (City of Boulder PH+S); Jean Gatza - Senior Planner (City of Boulder PH+S); Caitlin Zacharias - Associate Planner (City of Boulder PH+S))

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(Staff: Nicole Wobus and Amy Oeth, Land Use Department)

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

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(Staff: Nicole Wobus, Land Use Department; Tina Nielsen, Parks and Open Space Department)

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(Staff: Dave Webster, Transportation Department)

ADJOURNED

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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: September 21, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Land Use Designation Change Requests

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and noting that it will be the authoritative reference for drainage. (*Action requested: Recommendation to Board of County Commissioners. Public testimony will be taken.*)

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: September 7, 2016-- Daily Times-Call

G:\Boards & Commissions\PC\PC Agendas & Minutes\PC 2016\pc1609pno

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **September 7, 2016**.

THEORY LOVE

Agent

Subscribed and sworn to before me this *7th* day of **September, 2016** in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account #220246
Ad #5679105
Fee \$44.84

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: September 21, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room, Third
Floor, Boulder County Courthouse,
1325 Pearl Street

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ADJOURNED

Detailed Information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.



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BOULDER COUNTY PLANNING COMMISSION

MINUTES

September 21, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved November 16, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, September 21, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at 1:32 p.m. and adjourning at 5:26 p.m.

Commissioners Present: Ann Goldfarb, Lieschen Gargano, Natalie Feinberg Lopez, Doug Young, Michael Baker, Dan Hilton, W.C. Pat Shanks, Leah Martinsson

Note: Natalie Feinberg Lopez, Planning Commission Chair, excused herself from the meeting at approximately 4:00 due to another commitment

Commissioners Excused: Ben Blaugrund

Staff Present: Kim Sanchez, Pete Fogg, Anna Milner, Steven Giang, Nicole Wobus, Dale Case, Amy Oeth, Rick Hackett, Therese Glowacki (Parks & Open Space), Mike Thomas (Transportation), Kathy Parker (County Attorney), Norrie Boyd, Ian Swallow and Frank Alexander (Housing & Human Services)

Others: 85-100

MINUTES

MOTION: Ann Goldfarb **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from August 17, 2016 as amended.

SECOND: Michael Baker

VOTE: Motion **PASSED** {5 to 0} Abstained: Leah Martinsson, Lieschen Gargano, and Pat Shanks

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

None

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Land Use Designation Change Requests

This agenda item was a continuation of a joint Planning Commission – Board of County Commissioners hearing that took place on August 30. A comprehensive summary of the discussion and outcomes of the September 21 Planning Commission meeting were prepared by staff and are available upon request. Planning Commission’s decisions on these requests was the first in a series of decisions by four bodies (Boulder County Planning Commission, Board of County Commissioners, City Planning Board, and City Council). Staff shared the detailed summary of meeting discussion and outcomes with the other three decision making bodies. In addition to county staff noted in these minutes, a number of City of Boulder staff were also present (see listing of speakers).

The meeting began with Pete Fogg providing a status summary of the process for considering public requests for BVCP land use designation changes. Kathy Parker, Boulder County Assistant Attorney, addressed a variety of procedural and legal questions related to the land use change requests being considered. A memo dated September 26, 2016 provides a summary of Ms. Parker’s comments.

Regarding 3261 3rd Street (Request #25), Planning Commissioners were supportive of the staff recommendation. Due to Blue Line amendments by the City of Boulder, it was recognized that a comprehensive review of potential changes in Area II/III mapping would take place for this property as well as approximately a dozen other properties if a November ballot measure to shift the Blue Line is approved.

The Planning Commissioners then deliberated on 2801 Jay Road (Request #29). Topics discussed included road infrastructure ownership and access to the site; whether available land use designation options could accommodate small commercial uses such as a coffee shop; whether the site’s distance from services is appropriate for affordable housing development; and compatibility of proposed development on the site with the density of the surrounding area. The motion to approve staff’s recommendation was accompanied by the following language: “With a strong recommendation to the other three bodies that the focus of this development be on family housing and density kept below 10 units per acre.”

There was robust discussion of the Twin Lakes requests (Request #35 and 36). Discussion topics included the significance of the Area II designation; the history of the Boulder Valley School District (BVSD) and Boulder County Housing Authority (BCHA) parcels, as well as an adjacent trail corridor; proximity to services, parks and open space; wildlife and potential locations for a wildlife corridor; significance of the Environmental Preservation designation; the need for affordable housing in the community; the city’s Cash-in-Lieu program; the ability to restrict affordable housing to BVSD employees; BCHA and BVSD’s plans for

development on the parcels; the role of a BVCP land use designation change within the broader process of potential development on the sites; availability of other sites for potential affordable housing development; the Twin Lakes Stakeholder Group Process and the community dialogue that has taken place around these requests.

The motion to approve staff's recommendation was accompanied by the following language, "We recommend that future bodies ensure that the Guiding Principles that were developed in the stakeholder process [Twin Lakes Stakeholder Group] are honored and that future development of the property, in particular, ensures that wildlife values and appropriate corridors are established."

SPEAKERS: [This agenda item was a continuation of an August 30 public hearing that included presentations by requestors, as well as public testimony. Therefore, no additional presentations were made at this meeting. Rather, Planning Commission called on staff from a variety of county and city departments, as well as requestors, to answer specific questions.]

Request #25: Ed Byrne-250 Arapahoe Ave, Ste 300 (representative for requestor); Chris Meschuck (City of Boulder Planning, Housing + Sustainability); Caitlin Zacharias (City of Boulder Planning, Housing + Sustainability); Kathy Parker (Assistant Boulder County Attorney)

Request #29: Mike Thomas (Boulder County Transportation); Chris Meschuck (City of Boulder Planning, Housing + Sustainability); Jay Sugnet (City of Boulder Planning, Housing + Sustainability); Pete Fogg (Boulder County Land Use); Nicole Wobus (Boulder County Land Use); Kathy Parker (Assistant Boulder County Attorney)

Requests #35 and 36: Therese Glowacki (Boulder County Parks and Open Space); Jay Sugnet (City of Boulder Planning, Housing + Sustainability); Pete Fogg (Boulder County Land Use); Nicole Wobus (Boulder County Land Use); Dave Rechberger - 4581 Tally Ho Trail (representative of Request #36, Twin Lakes Action Group President); Kristin Bjornsen - 4818 Brandon Creek Drive (representative of Request #36, Twin Lakes Action Group Board member); Frank Alexander (Boulder County Housing Authority); Norrie Boyd (Boulder County Housing Authority); Ian Swallow (Boulder County Housing Authority); Glen Segreue (Boulder Valley School District); Keith Hidalgo (Fellsburg, Holt and Ullevig, Wildlife consultant to Boulder County Housing Authority)

MOTION: Pat Shanks MOVED that the Boulder County Planning Commission APPROVE the Land Use Change Request for 3261 3rd Street.

SECOND: Lieschen Gargano

VOTE: Motion PASSED {8 to 0}

MOTION: Doug Young MOVED that the Boulder County Planning Commission APPROVE the Land Use Change Request for 2801 Jay Road.

RECOMMENDATION: "With a strong recommendation to the other three bodies that the focus of this development be on family housing and density kept below 10 units per acre."

SECOND: Daniel Hilton



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA

October 19, 2016

Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *August 30, 2016* Joint Planning Commission/Board of County Commissioners Hearing Minutes and *September 21, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Docket DC-16-0003 Storm Drainage Criteria Manual Update

The Boulder County Transportation Department, with the help of an engineering consultant, has prepared an updated Storm Drainage Criteria Manual for adoption. The updated manual will repeal and replace the county's first manual, published in 1984. Changes in stormwater criteria, practices, and regulations over time necessitated a revision. The updated manual intends to address the great majority of design elements, site characteristics, and regulatory conditions that may be involved in drainage design projects across the county. It also intends to provide clear guidance and criteria that will expedite the review and approval process for various county applications. This will require text amendments to the Boulder County Land Use Code Text to include references to the updated manual and noting that it will be the authoritative reference for drainage. *Action requested: Recommendation to BOCC. Public testimony will be taken.*

(Staff: Dave Webster, Transportation Department)

Docket Webpage:

<http://www.bouldercounty.org/property/build/pages/lucodeupdatedc160003.aspx>

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

Land Use and Parks and Open Space staff will present the recommended update to the Boulder County Comprehensive Plan Open Space Element. Planning Commission previously reviewed this matter at a June 2015 meeting, at a joint study session with the Parks and Open Space Advisory Committee in April 2016, and as part of a staff update at the August 2016 Planning Commission meeting. *Action requested: Decision. Public testimony will be taken.*

(Staff: Nicole Wobus, Land Use Department; Tina Nielsen, Parks and Open Space Department)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx>

5. Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

Staff will review the policy update process underway as part of the Boulder Valley Comprehensive Plan Five Year Major Update, and will highlight key items proposed for revision. Planning Commission members will have an opportunity to ask questions of staff, discuss topics of interest, and provide recommendations for changes to the current proposed policy updates. *Discussion item only. No public testimony will be taken.*

(Staff: Nicole Wobus and Amy Oeth, Land Use Department)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>

6. Docket DC-15-0003: Proposed Boulder County Land Use Code Amendments to Article 4 and Article 18 regarding firing ranges

Staff will present proposed text amendments to Articles 4 and 18 of the Boulder County Land Use Code. The proposed changes include provisions to improve health and safety protections related to use of land for firing ranges. *Action requested: Recommendation to BOCC. Public testimony will be taken.*

(Staff: Dale Case and Amy Oeth, Land Use Department)

Docket Webpage:

<http://www.bouldercounty.org/property/build/pages/lucodeupdatedc150003.aspx>

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA **REVISED AGENDA**

October 19, 2016
Afternoon Session – 1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *August 30, 2016* Joint Planning Commission/Board of County Commissioners Hearing Minutes and *September 21, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Discussion of Request for Reconsideration of Planning Commission Decision Received from Members of the Public

Request from members of the public that Planning Commission reconsider its September 21, 2016 decision to change the land use map designation for the parcels at 6655 Twin Lakes Road, 6500 Twin Lakes Road, and 0 Kahlua Road. Staff will provide information about the request. *No public testimony will be taken.*

(Staff: Dale Case, Land Use Department)

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(Staff: Dave Webster, Transportation Department)

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(Staff: Nicole Wobus, Land Use Department; Tina Nielsen, Parks and Open Space Department)

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(Staff: Nicole Wobus and Amy Oeth, Land Use Department)

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(Staff: Dale Case and Amy Oeth, Land Use Department)

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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: October 19, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

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Published: October 5, 2016-- Daily Times-Call



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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING - AMENDED BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: October 19, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Discussion of Request for Reconsideration of Planning Commission Decision Received from Members of the Public

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<p>ADJOURNED</p>

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Published: October 18, 2016-- Daily Times-Call

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **October 5th, 2016**.

TERRY LOVE

Agent

Subscribed and sworn to before me this 5th day of October, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

Account # 220246
Ad # 5681100
Fee \$38.44

MELISSA L NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: October 19, 2016
TIME: 1:30 P.M.

PLACE: Commissioners' Hearing Room,
Third Floor of the Boulder County
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

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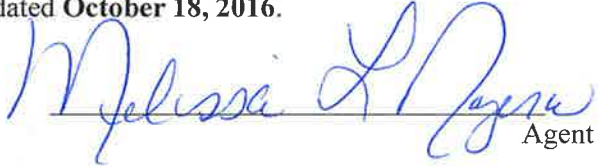
AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published ... the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **October 18, 2016**.


Agent

Subscribed and sworn to before me this 18th day of **October, 2016** in the County of Boulder, State of Colorado.


Notary Public

Account # 220246
Ad # 5681942
Fee \$46.05



PUBLIC HEARING - AMENDED BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: October 19, 2016
TIME: 1:30 P.M.

PLACE: Commissioners Hearing Room, Third
Floor, Boulder County Courthouse,
1325 Pearl Street

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Published Longmont Times-Call October 18, 2016 - 5681942



Land Use

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BOULDER COUNTY PLANNING COMMISSION

MINUTES

October 19, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved November 16, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, October 19, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 1:35 p.m. and adjourning at approximately 6:32 p.m.

Commissioners Present: Ann Goldfarb, Natalie Feinberg Lopez, Doug Young, Michael Baker, Dan Hilton, W.C. Pat Shanks, Ben Blaugrund

Commissioners Excused: Lieschen Gargano, Leah Martinsson

Staff Present: Kim Sanchez, Kathy Parker (County Attorney), Anna Milner, Steven Giang, Nicole Wobus, Dale Case, Amy Oeth, Rick Hackett, Garry Sanfacon, Dave Webster (Transportation)

Others: 70-80

MINUTES

MOTION: Doug Young MOVED that the Boulder County Planning Commission APPROVE the Minutes from August 30, 2016 joint hearing of the Planning Commission and Board of County Commissioners.

SECOND: Ann Goldfarb

VOTE: Motion PASSED {6 to 0} Abstained: Ben Blaugrund

Doug Young requested that staff make two changes to the Minutes for the September 21, 2016 Planning Commission meeting. He requested changes, specifically to Line 126, to note that Leah Martinsson excused herself from approximately 2:35 and returned at 3:15pm. That change will bracket the time she was out of the room. He also requested a change to Line 139 to indicate that the vote was done by roll call.

34 Pat Shanks requested a change to Line 54 where it states that “PC was supportive because it would
36 not result in additional units of density.” He did not recall having a discussion on that topic and
38 requested changing the line to read “Planning Commission was supportive of the staff
recommendation.”

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

40 None

**Discussion of Request for Reconsideration of Planning Commission Decision Received from
Members of the Public**

42 Planning Commission (PC) discussed whether to reconsider its September 21, 2016 decision to
44 change the land use map designation for the parcels at 6655 Twin Lakes Road, 6500 Twin Lakes
46 Road, and 0 Kahlua Road as part of the Boulder Valley Comprehensive Plan (BVCP) Five Year
Major Update process. This discussion was in response to a request from members of the public.

48 **Ann Goldfarb put forward a motion to enter into an EXECUTIVE SESSION** to discuss recently
received material she believed warranted legal advice. **Michael Baker seconded that motion. The**
50 **motion failed {4 to 3}.**

52 Land Use Director, Dale Case, presented staff’s recommendation that PC take no action on the
request to reconsider, citing the existence of no standards for reconsideration, policy reasons
54 indicating that PC should not open the door to citizen-requested or self-initiated reconsideration of its
decisions, and the fact that a review by staff found that the concerns presented by the public did not
56 warrant reconsideration of the decision. Specifically, Mr. Case noted the many hours of public
testimony and discussion by PC on the matter, and that a quorum of PC members had voted on the
58 matter. Mr. Case also noted that staff has reviewed the procedural complaints and found no
deficiencies that would compromise the integrity of PC’s decision or of the BVCP process.

60 Commissioners asked questions regarding legal and procedural matters. Assistant County Attorney
62 Kathy Parker and Mr. Case responded to the questions. The agenda item moved to discussion. Topics
discussed included the unique circumstances of the decision (specifically, Natalie Feinberg-Lopez
64 leaving the September 21 meeting after stating her opposition to staff’s recommendation for a land
use designation change), and perceived pressure by the county attorney to move ahead with a
66 decision. A Planning Commissioner also noted presence of new information (not specified) that some
Planning Commissioners believe warrant a new public hearing.

68
70 The Planning Commission entered an **EXECUTIVE SESSION following a motion by Doug
Young, a second by Ann Goldfarb, and a vote of five to two.**

72 Discussion continued following the Executive Session. Discussion topics included whether all nine
Planning Commissioners should be present at a reconsideration meeting, the concept of a quorum
74 (noting that rules specifying a quorum obviate the need for presence of all nine members), whether or
not a precedent would be set by reconsidering the decision, and the decision being part of the four-
76 body review for the BVCP as rationale for not rushing to an outcome.

78 Other points raised by Planning Commissioners included concerns about transparency, a preference
for reconsideration to be as focused as possible, a belief that grounds for reconsideration should be

limited only to significant changes in facts, the fact that a quorum of Planning Commissioners had already voted on the matter, and new information related to the matter. A Planning Commissioner noted that new information included having been made aware that some speakers were substituted after the initial list of speakers was established for the August 30 meeting, as well as learning that some members of the Twin Lakes Action Group were turned away or could not speak because of the late timing of their speaking position. The Planning Commissioner also noted that PC members were told they should not speak to members of the Twin Lakes Action Group, while the Board of County Commissioners was not limited from speaking with the group. The Planning Commissioner explained that his vote against approval of the staff recommendation at the last meeting was because he wanted to see a significant (i.e., greater than 10 feet wide) wildlife corridor established, with an Environmental Preservation designation, to link the Twin Lakes Open Space to Area III lands to the south.

Ms. Goldfarb made a motion to vote to reconsider the PC decision made on September 21 regarding the Land Use map designation changes to parcels at 6655 Twin Lakes Road, 6500 Twin Lakes Road and 0 Kalua Road. A recommendation was made to make as much effort as possible to schedule the reconsideration meeting for a date when all nine members of the PC can be present. The vote was five to one in favor of the reconsideration, with Mr. Blaugrund abstaining. A Planning Commissioner stated his understanding that Land Use staff would publicly notice and hold another public hearing on the docket item that would allow for public comment as well as for staff and requestors to respond to new information.

MOTION: Ann Goldfarb MOVED that the Boulder County Planning Commission enter into an EXECUTIVE SESSION.

SECOND: Michael Baker

VOTE: Motion FAILED {4 to 3}

MOTION: Doug Young MOVED that the Boulder County Planning Commission enter into an EXECUTIVE SESSION.

SECOND: Ann Goldfarb

VOTE: Motion PASSED {5 to 2}

MOTION: Ann Goldfarb MOVED that the Planning Commission vote to reconsider the Planning Commission decision made on September 21 regarding the Land Use map designation changes to parcels at 6655 Twin Lakes Road, 6500 Twin Lakes Road and 0 Kalua Road.

SECOND: W.C. Pat Shanks

VOTE: Motion PASSED {5 to 1} Abstained: Ben Blaugrund

<p><u>Docket DC-16-0003 Storm Drainage Criteria Manual Update</u></p>
--

Dave Webster, Water Resources and Projects Engineer, presented the updated Storm Drainage Criteria Manual (SDCM) to the Planning Commission and companion text amendments to the Land Use Code. He noted the Board of County Commissioners, at their September 20, 2016 Business Meeting, had given authorization of the docket to draft amendments to the Land Use Code. He highlighted the proposed changes to the SDCM and text amendments.

132 Dave recognized the project team and stakeholder process that worked on developing the updated
134 manual. He also introduced the project manager from the engineering consultant, Jessica “Jessie”
136 Nolle from the firm RESPEC. He presented on what the SDCM, how it is used and why an update
was necessary. He then presented key highlights of several sections in the SDCM.

138 Finally, Dave presented recent proposed edits (not included in the commission’s packets) from the
Saint Vrain and Left Hand Water Conservancy District (SVLHWCD), noting they had come in as a
late stakeholder with a desire to clarify practices and criteria involving raw water ditches, irrigation,
140 dams, reservoirs, detention storages and ground water handling.

142 Dave recommended that Planning Commission approve and recommend to the Board of County
Commissioners approval of Docket DC-16-0003 and certify the Docket for action to the Board of
144 County Commissioners as outlined in the staff report dated October 19, 2016. He added that a motion
to approve the Docket should include the edits from the SVLHWCD as presented and discussed.

146

STAFF PRESENTATION CONCLUDED

148

QUESTIONS AND COMMENTS FROM THE BOARD

150

152 W.C. Pat Shanks, Planning Commission inquired if links to the Urban Storm Drainage Criteria
Manual (USDCM) as referenced in Section 105 and the Design Exception Request Form as
referenced in Section 109 be provided in the Manual? Staff responded this will be done.

154 Commissioner Shanks also noted the policy statement under 305 is confusing and inquired if staff
could provide further explanation. Staff answered the question to Commissioner Shanks’ satisfaction
156 and agreed that an edit for clarity would be considered for the final draft.

158 Doug Young, Planning Commission, asked how the policy language in Section 302 works with
Master Planning described in staff’s presentation. Staff answered the question to Commissioner
160 Young’s satisfaction. Commissioner Young also inquired how the requirement to provide full
spectrum detention applies to a single family residence homeowner. Staff referred to the list of
162 exemptions in Section 1203 and answered the question to Commissioner Young’s satisfaction.

164 Natalie Feinberg Lopez, Planning Commission, inquired whether the county’s experience with the
2013 Flood goes beyond the limits of Urban Drainage’s Urban Storm Drainage Criteria Manual. Staff
166 answered the question to Commissioner Feinberg Lopez’ satisfaction. Commissioner Feinberg Lopez
also inquired how the water quality section seeks compliance with industrial zoned sites. Staff
168 answered the question to Commissioner Feinberg Lopez’ satisfaction.

170 W.C. Pat Shanks, Planning Commission, requested that the last sentence of the policy statement in
Section 307 remove the words, “where feasible”? Staff noted the recommended edit and
172 acknowledged that it could be removed. Commissioner Shanks also noted, as a general comment,
Section 400 includes too much use of “should be” and instead should be revised to “must” or “shall”.
174 Staff acknowledged Commissioner Shanks’ request and noted that these changes would be made.

PUBLIC HEARING OPENED

178 **SPEAKERS:** None

PUBLIC HEARING CLOSED

FURTHER DISCUSSION FROM THE BOARD

184 Commissioners Young, Feinberg Lopez and Shanks complimented the project team and noted the
186 document was well written and easy to read.

188 **MOTION:** **Doug Young MOVED that the Boulder County Planning Commission**
190 **APPROVE AND RECOMMEND Docket DC-16-0003 Storm Drainage**
192 **Criteria Manual Update with accepted edits proposed by the Saint Vrain**
 and Left Hand Water Conservancy District, text amendments to the
 Land Use Code and related provisions and certify the docket for action
 to the BOCC.

194 **SECOND:** **Ben Blaugrund**

196 **VOTE:** **Motion PASSED Unanimously {7 to 0}**

<p><u>Docket BCCP-15-0001: Boulder County Comprehensive Plan Open Space Element Update</u></p>

198 Tina Nielsen of the Parks and Open Space Department presented the latest version of the narrative
200 and policy component of the Boulder County Comprehensive Plan (BCCP) Open Space Element
202 (OSE) Update (BCCP-15-0001) with a request for approval. Nicole Wobus presented a an update on
204 mapping efforts for the OSE Update, and noted plans for a more comprehensive discussion and
206 review of the mapping component of the OSE Update at the November Planning Commission
208 meeting. The Planning Commissioners deliberated on the policy updates and asked questions about
210 the mapping efforts. Topics discussed included proposed goals for the OSE, including the role of
212 conserving agricultural land; potential for conflicting policies (e.g., with regard to trails); clarification
214 of use of the terms ‘values and functions’ and a request for inclusion of definitions of those terms in
the next draft; clarification that the purpose of new policy 3.06.07 is to address infrastructure built to
restore natural functions; updates to the Scenic Roadway Corridor designation approach; and the role
of cultural resource criteria in the Scenic Roadway Corridor mapping methodology. The Planning
Commission expressed interest in having another opportunity to review the next iteration of changes
to the narrative, goals, and policy element so that approval of the entire element could be approved as
one package.

PUBLIC HEARING OPENED

216 **SPEAKERS:** Dinah McKay – 4695 Portside Way Boulder, CO 80301 - Ms. McKay expressed
218 concern about the Twin Lakes open space and impacts of potential development. She
220 recommended that consideration be given to the value of open space in the area of the
Twin Lakes open space.

PUBLIC HEARING CLOSED

224 **MOTION:** **Pat Shanks MOVED that the Boulder County Planning Commission**
226 **TABLE docket BCCP-15-0001 Boulder County Comprehensive Plan**
228 **update until items from the discussion have been incorporated and so**
 Planning Commission can consider this document along with the
 corridor maps.

230 **SECOND:** **Doug Young**

232 **VOTE:** **Motion PASSED {7 to 0}**

234

Docket DC-15-0003: Proposed Boulder County Land Use Code Amendments to Article 4 and Article 18 regarding firing ranges

236 Amy Oeth, Land Use Planner II, presented the proposed code amendments to Article 4 and Article 18
238 of the Boulder County Land Use Code regarding firing ranges. She also went over the reasons for the
240 amendments. The staff report for this agenda item also provides the proposed code amendment,
242 referral process and comments, and staff recommendation. Two minor formatting corrections in the
memo were noted. Staff recommended that the Boulder County Planning Commission recommend to
the Board of County Commissioners APPROVAL of Docket DC-15-0003 as outlined in the staff
recommendation dated October 19, 2016.

244 **PUBLIC HEARING OPENED**

246 **SPEAKERS:** Cary Ludtke – 2817 Shoshone Trail, Lafayette, CO; David Pinkow – 2815
Heidelberg Drive, Boulder, CO and 19354 State Hwy. 7, CO pooled time with Chet
248 Kamin – 18673 State Hwy. 7, Allenspark, CO; Doug McKenna – 1140 Linden Ave,
Boulder, CO and 47517 State Hwy. 72, Ward, CO – pooled with Andrew McKenna
250 – 740 Willowbrook Road, Boulder, CO, and Judith Houlding – 1140 Linden Ave,
Boulder, CO; Lane David – 445 Horan Ave., Eldora, CO; Jane Lewenthal – 454
252 Nightshade Drive, Boulder, CO; Dennis Rodgers – 1319 Venice Street, Longmont,
CO

254

PUBLIC HEARING CLOSED

256

PLANNING COMMISSION DISCUSSION

258

260 **SPEAKERS:** The following Boulder County Land Use staff answered questions from the
commissioners: Dale Case, Garry Sanfacon, and Amy Oeth.

262 **SUMMARY:** The Planning Commissioners discussed the amendment and issues that were brought to
their attention by the public. The topics discussed included appropriate noise levels; setback distances
264 and the origin point for measuring setbacks; firing distance versus firing power; conservation
easements; special review process; supervision requirements; existing ranges and nonconforming
266 uses; availability of viable locations; risk of forest fires and mitigation; banning dispersed shooting;
environmental and safety impacts of dispersed shooting; safety concerns due to the number of people
268 in the mountains and questioning if shooting should be permitted; Northern Front Range Recreational
Sport Shooting Management Partnership's progress on closing areas to dispersed shooting, locating
270 sites in each county, and implementing education strategies; Boulder County's preliminary status in
locating a site; conflicts between recreational uses; availability of indoor ranges; enforcement;
272 potential future agreements between Boulder County and the U.S. Forest Service; U.S. Forest
Service's plans to close areas to dispersed shooting; and the possibility of excluding Forestry zoning
274 from the regulation.

276 **MOTION:** Ben Blaugrund MOVED to recommend to the Board of Boulder County
Commissioners exclude shooting ranges on Boulder County public
278 property.

280 **SECOND:** There was NO second, motion FAILED

282 **MOTION:** **Ben Blaugrund MOVED to recommend the Board of County**
284 **Commissioners APPROVE Docket DC-15-0003: Proposed Boulder**
286 **County Land Use Code Amendments to Article 4 and Article 18**
288 **regarding firing ranges and encourage the County Commissioner to 1)**
290 **also look at the idea of having supervision added and 2) consider the**
292 **idea of prohibiting shooting ranges in the forestry district and certify**
294 **the docket for action to the Board which certification includes the**
296 **approved text of the docket and the official record of the docket before**
 the Commission with the staff comments, public testimony and
 Commission discussion/action.

292 **SECOND:** **Michael Baker**

294 **VOTE:** **Motion PASSED Unanimously {7 to 0}**

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

298 Planning Commission requested to table this item due to the length of the meeting. Nicole Wobus
300 provided an overview of timing considerations related to the BVCP policy updates, and noted that she
 will email an updated BVCP schedule to Planning Commissioners.

302 **MOTION:** **Michael Baker MOVED to table the discussion to the next available**
304 **date.**

306 **SECOND:** **Natalie Feinberg Lopez**

308 **VOTE:** **Motion PASSED Unanimously {7 to 0}**

ADJOURNED

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

310



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION AGENDA

November 16, 2016

1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *October 19, 2016* and *revised September 21, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Docket DC-16-0005: Proposed Boulder County Land Use Code Text Amendments related to Article 4-802.B.3.a of the Site Plan Review regulations

Land Use Code text amendment to amend Article 4-802.B.3.a, which specifies the allowable timeline to restore a damaged or destroyed structure without Site Plan Review. *Action requested: Recommendation to BOCC.* Public testimony will be taken.

(Staff: Kim Sanchez, Land Use Department)

4. Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

Staff will review the policy update process underway as part of the Boulder Valley Comprehensive Plan Five Year Major Update, and will highlight key items proposed for revision. *Action requested: Direction and feedback.* Public testimony will be taken.

(Staff: Nicole Wobus and Amy Oeth, Land Use Department)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>

5. Docket BCCP-15-0001: Boulder County Comprehensive Plan Open Space Element Update - discussion of Scenic Roadway Corridor mapping approach

Review proposed approach to mapping scenic roadway corridors on the Boulder County Comprehensive Plan Open Space Element map. Planning Commission previously reviewed this and related Open Space Element Update matters at a June 2015 meeting, at a joint study session with the Parks and Open Space Advisory Committee in April 2016, and as part of the August 2016 and October 2016 Planning Commission meetings. *Action requested: Direction and feedback.* Public testimony will be taken.

(Staff: Nicole Wobus and David Haines, Land Use Department)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx>

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: November 16, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket DC-16-0005: Proposed Boulder County Land Use Code Text Amendments related to Article 4-802.B.3.a of the Site Plan Review regulations

Land Use Code text amendment to amend Article 4-802.B.3.a, which specifies the allowable timeline to restore a damaged or destroyed structure without Site Plan Review. *Action requested:* *Recommendation to BOCC.* Public testimony will be taken.

Docket BCCP-15-0001: Boulder County Comprehensive Plan Open Space Element Update - discussion of Scenic Roadway Corridor mapping approach

Update to the Boulder County Comprehensive Plan Open Space Element. Planning Commission previously reviewed this matter at a June 2015 meeting, at a joint study session with the Parks and Open Space Advisory Committee in April 2016, and as part of a staff update at the August 2016 Planning Commission meeting. *Action requested:* *Direction and feedback.* Public testimony will be taken.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

Staff will review the policy update process underway as part of the Boulder Valley Comprehensive Plan Five Year Major Update, and will highlight key items proposed for revision. *Action requested:* *Direction and feedback.* Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: November 2, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **November 2, 2016**.

HEPPEY COVE

Agent

Subscribed and sworn to before me this 10th day of
November, 2016 in the County of Boulder, State of Colorado.

Melissa L. Najera
Notary Public

ACCOUNT # 1050753
AD # 1220133
FEE \$49.59

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: November 16, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room,
Third Floor, Boulder County
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

Docket DC-16-0005: Proposed Boulder County Land Use Code Text Amendments related to Article 4-802.B.3.a of the Site Plan Review regulations

Land Use Code text amendment to amend Article 4-802.B.3.a, which specifies the allowable timeline to restore a damaged or destroyed structure without Site Plan Review. Action requested: Recommendation to BOCC. Public testimony will be taken.

Docket BCCP-15-0001: Boulder County Comprehensive Plan Open Space Element Update - discussion of Scenic Roadway Corridor mapping approach

Update to the Boulder County Comprehensive Plan Open Space Element. Planning Commission previously reviewed this matter at a June 2015 meeting, at a joint study session with the Parks and Open Space Advisory Committee in April 2016, and as part of a staff update at the August 2016 Planning Commission meeting. Action requested: Direction and feedback. Public testimony will be taken.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

Staff will review the policy update process underway as part of the Boulder Valley Comprehensive Plan Five Year Major Update, and will highlight key items proposed for revision. Action requested: Direction and feedback. Public testimony will be taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landuse/dockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published Longmont Times-Call November 2, 2016 - 0001220133



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BOULDER COUNTY PLANNING COMMISSION

MINUTES

November 16, 2016

AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,
County Courthouse, Boulder

{Approved December 21, 2016}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, November 16, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 1:37 p.m. and adjourning at approximately 5:06 p.m.

Commissioners Present: Ann Goldfarb, Natalie Feinberg Lopez, Dan Hilton, W.C. Pat Shanks, Ben Blaugrund, Leah Martinsson

Note: Leah Martinsson excused herself at 4:52 p.m.

Commissioners Excused: Lieschen Gargano, Doug Young, Michael Baker

Staff Present: Kim Sanchez, Kathy Parker (County Attorney), Anna Milner, Steven Giang, Summer Frederick, Nicole Wobus, Dale Case, Amy Oeth, Rick Hackett, David Haines

Others: 15-20

MINUTES

MOTION: W.C. Pat Shanks MOVED that the Boulder County Planning Commission APPROVE the Minutes from October 19, 2016 as written.

SECOND: Dan Hilton

VOTE: Motion PASSED {5 to 0} Abstained: Leah Martinsson

MOTION: Ann Goldfarb MOVED that the Boulder County Planning Commission APPROVE the revised Minutes from September 21, 2016 as amended.

SECOND: Leah Martinsson

34 **VOTE: Motion PASSED {5 to 0} Abstained: Ben Blaugrund**

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

36 Kim Sanchez, Chief Planner, provided an update on Docket DC-16-0004 Amendments to Oil and Gas
38 Development Regulations and the Board of County Commissioners Public Hearing on November 15,
 2016.

40 Nicole Wobus, Long Range Planning and Policy Manager, provided an update on the anticipated
42 schedule for Planning Commission's review of Boulder Valley Comprehensive Plan (BVCP)-related
 topics through May, 2017. The schedule included plans for reconsideration of the land use
44 designation change requests for the Twin Lakes parcels (Requests #35 and #36) to take place as part
 of the regularly scheduled Planning Commission meeting on January 18, 2017. Planning Commission
46 members voted 4 to 2 in favor of including both written and oral testimony.

**Docket DC-16-0005: Proposed Boulder County Land Use Code Text Amendments related to
Article 4-802.B.3.a of the Site Plan Review regulations**

48 Kim Sanchez, Chief Planner, presented proposed text amendments to the Site Plan Review
50 regulations to extend the timeline to rebuild a damaged or destroyed structure after a natural disaster
 without Site Plan Review. These text amendments propose to extend the 6-month timeline to rebuild
52 without Site Plan Review to one-year and delete the provision specifying that the restoration must be
 completed within one year. In light of what the County has learned through our experiences after the
54 Fourmile Fire, the 2013 Flood Event, and most recently the Cold Springs Fire, staff believes the
 proposed changes will assist homeowners who are recovering after a natural disaster and relieve them
56 of some of the timing pressures they face.

58 **PUBLIC HEARING OPENED**

60 **SPEAKERS:** None

62 **PUBLIC HEARING CLOSED**

64 **MOTION:** Leah Martinsson

66 **SECOND:** Ann Goldfarb

68 **VOTE:** **APPROVE AND RECOMMEND TO THE BOARD OF COUNTY**
70 **COMMISSIONERS APPROVAL** of Docket DC-16-0005: Proposed
 Boulder County Land Use Code Text Amendments related to Article 4-
72 802.B.3.a of the Site Plan Review regulations.

74 **Motion PASSED {6 to 0}**

76

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Update

Nicole Wobus, Long Range Planning and Policy Manager, and Lesli Ellis, City of Boulder Comprehensive Planning Manager, provided a summary of the status of policy update work, the process moving forward, and the role of the policy updates within the broader BVCP Major Update. Ms. Wobus reviewed Planning Commission's role and presented a summary of updates made thus far, as well as public comments relating to the policy sections that were the subject of discussion: Sections 1 (Core Values), 3 (Natural Environment), 8 (Community Well-Being) and 9 (Food and Agriculture).

Staff asked for direction on a few specific policies. Regarding Policy 3.13 (Integrated Pest Management), Planning Commission requested that staff develop language that makes it clear the county is not "encouraging" use of pesticides (i.e., revising the latest text that reads "encourage responsible use of pesticides"), and apply the same language in other relevant policies (e.g., 9.02, Local Food Production). The latest text was intended to reflect that the county has state regulatory obligations to manage weeds, and cannot "discourage" use of pesticides in all cases. Planning Commission articulated that policy 3.25 (Water Resource Planning and Acquisition) should be tied into the other policy sections and it should be made clear that the city wants to manage water resources in a way that will provide the maximum benefit to all other BVCP goals while ensuring that the city can still provide water to its customers.

PUBLIC HEARING OPENED

SPEAKERS: Jeffrey Cohen-6610 Gunpark Drive; Donna George-4661 Tally Ho Court; Kristin Bjornsen-4818 Brandon Creek Drive; Jessica Hartung-6868 Twin Lakes Road; Karen Hollweg-4440 Greenbriar Blvd. (Pooled with Pat Billig, Dave Kunz, Allyn Feinberg, Ray Bridge), John O'Dea – 4704 Hampshire

PUBLIC HEARING CLOSED

DISCUSSION

Planning Commission asked questions of staff following up on several points raised in public comments related to procedural items. Commissioners inquired why Planning Commission was instructed not to meet with members of the public regarding the Twin Lakes land use designation change requests. Kathy Parker explained that while it is not illegal to do so, the recommendation was based on issues of fairness and transparency. Meeting with one group would mean that Planning Commissioners should make themselves available to meet with all groups, which could present time constraints for the volunteer Commissioners.

A Commissioner recognized the public's concern about public comments not being heard or acted on by staff, and noted it is not her experience that staff dismisses public comments. Staff provided further background on efforts to gather and communicate input from stakeholders, including the Twin Lakes Stakeholder Group process, open houses and forums, and posting of public comments on the docket webpage. Some commissioners also inquired about the possibility of having a general open comments session at the start of meetings, and receiving direct emails with comments from the public. Assistant County Attorney, Kathy Parker, explained that the bylaws do not prohibit it but the current system was developed in response to previous Planning Commissioner preferences, and to respect their time as volunteers. If there is a shift in procedures care would need to be taken to keep docket records together. Dale Case, Land Use Director, suggested addressing a variety of procedural issues through a possible committee process during the next year.

128 Topics discussed regarding the policy updates included: strengthening the language in the Core
130 Values section to address how decisions with conflicting policies are made; how soil sequestration
132 relates to open space land and environmental preservation; pesticide use; preference for the “Natural
134 Environment” title for section 3; encouraging staff to look closely at the detailed suggestions made by
136 the group of five members of the public who provided detailed suggested text edits for Section 3, and
138 guidance for Section 8; adding more language for protecting natural areas that could be impacted by
trails and not allowing social trails to turn into real trails; and a strong preference for keeping the
policy sections divided as they currently are instead of the proposed combinations. Jeff Moline,
Agricultural Resources Manager for the Parks and Open Space Department, assisted in responding to
Planning Commission questions.

**Docket BCCP-15-0001: Boulder County Comprehensive Plan, Open Space Element
Update - discussion of Scenic Roadway Corridor mapping approach**

140 Nicole Wobus, Long Range Planning Manager, and David Haines, Land Use GIS Manager/Business
142 Analyst, presented updates on the process for mapping Scenic Roadway Corridors, and requested
144 Planning Commission’s feedback on the proposed approach and criteria. Topics covered during the
146 presentation included: the scope of the mapping exercise, scenic mapping criteria and method for
designation, evolution of the Scenic Roadway Corridor process to date, and whether or not an annual
update is necessary, and next steps.

148 **PUBLIC HEARING OPENED**

150 **SPEAKERS:** No public comment was received.

152 **PUBLIC HEARING CLOSED**

154 **DISCUSSION**

156 Topics discussed included: whether or not impassable roads should be included on this map; the
158 potential impacts for using the word “scenic” in the title for the map, and whether an alternate name
might be more appropriate; the possibility of tracking which criteria contribute to scenic designation
for a particular stretch of road; and the ideal percentage of road that should be classified as scenic.
160 Nicole Wobus and David Haines responded to questions.

162 Overall, Planning Commission found that there is good potential for the proposed data-driven
164 approach. However, they would like staff to return with more information and revised mapping
after revisiting the purpose of the designation. They would like staff to compare the new mapping
to previous “Open Corridor-Roadside” designated roads, and provide maps showing which roads,
166 and the percentage of eligible roads, would be designated under different scoring threshold options.

ADJOURNED

168

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

170



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BOULDER COUNTY PLANNING COMMISSION AGENDA

December 21, 2016

1:30 P.M.

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

PUBLIC HEARING

AFTERNOON SESSION – 1:30 P.M.

1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the *November 16, 2016* Planning Commission Minutes.

2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will Not Be Taken

3. Docket SU-16-0003: SCI Colorado Funeral Services

Request: Special Use Review for the enlargement of the existing cemetery area known as Mountain View Memorial Park and the future addition of mausoleums and cremation gardens.

Location: At 3016 Kalmia Avenue, approximately northwest of the intersection of Foothills Pkwy and Diagonal Hwy, in Section 20, Township 1N, Range 70W.

Zoning: Multi-Family (MF) & Rural Residential (RR) Zoning Districts

Owner: Mountain View Cemetery Inc.

Applicant: SCI Colorado Funeral Services

Agent: Jason Buechler & Michael Green

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.

Public Testimony Will be Taken

(Staff Planner: Michelle McNamara, Planner II)

Docket Webpage:

<http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1401>

4. Docket BVCP-15-0001: Boulder Valley Comprehensive Plan General Updates

Staff will review the latest schedule and provide general status updates for the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update. In particular, staff will present information and field questions related to: Planning Commission reconsideration schedule for the Twin Lakes parcels, CU South Land Use change deliberation schedule and status, Trails Map and related policy discussion, the status of the second community survey, and job and housing balance scenarios which are the focus of community forums taking place through early 2017.

No Public Testimony Will be Taken

(Staff Planners: Nicole Wobus-Long Range Planning Manager, Amy Oeth-Planner II, Boulder County Land Use; Lesli Ellis- Comprehensive Planning Manager, City of Boulder)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>

5. Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Updates

At the December 21 Planning Commission meeting, staff will continue the November discussion of BVCP policy updates, with a focus on sections 4 (Energy and Climate), 5 (Economy), and 6 (Transportation). Staff will also provide an update on Section 7 (Housing), as well as sections discussed at the November Planning Commission meeting. Planning Commission is scheduled to discuss and provide feedback following public testimony.

Public Testimony Will be Taken

(Staff Planners: Nicole Wobus-Long Range Planning Manager, Amy Oeth-Planner II, Boulder County Land Use; Lesli Ellis- Comprehensive Planning Manager, City of Boulder)

Docket Webpage: <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx>

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: December 21, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION – 1:30 P.M.

Docket SU-16-0003: SCI Colorado Funeral Services

Special Use Review for the enlargement of the existing cemetery area known as Mountain View Memorial Park and the future addition of mausoleums and cremation gardens, by SCI Colorado Funeral Services d/b/a Mountain View Memorial Park and Mountain View Cemetery, Inc., in accordance with the Boulder County Land Use Code. The proposed project is located in the Multi-Family (MF) & Rural Residential (RR) Zoning Districts, at 3016 Kalmia Avenue, approximately northwest of the intersection of Foothills Pkwy and Diagonal Hwy, in Section 20, Township 1N, Range 70W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public Testimony Will be Taken.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan General Updates

Staff will review the latest schedule and provide general status updates for the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update. In particular, staff will present information and field questions related to: Planning Commission reconsideration schedule for the Twin Lakes parcels, CU South Land Use change deliberation schedule and status, Trails Map and related policy discussion, the status of the second community survey, and job and housing balance scenarios which are the focus of community forums taking place through early 2017. No Public Testimony Will be Taken.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Updates

At the December 21 Planning Commission meeting, staff will continue the November discussion of BVCP policy updates, with a focus on sections 4 (Energy and Climate), 5 (Economy), and 6 (Transportation). Staff will also provide an update on Section 7 (Housing), as well as sections discussed at the November Planning Commission meeting. Planning Commission is scheduled to discuss and provide feedback following public testimony. Public Testimony Will be Taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: December 7, 2016-- Daily Times-Call

AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

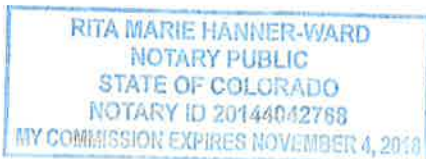
The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper for the period of 1 insertion; and that the publication of said notice was in the issue of said newspaper dated **December 7, 2016**.


Agent

Subscribed and sworn to before me this 7th day of
December, 2016 in the County of Boulder, State of Colorado.


Notary Public

ACCOUNT #: 1050753
AD # 1238491
FEE \$60.61



PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: December 21, 2016
TIME: 1:30 P.M.
PLACE: Commissioners Hearing Room,
Third Floor, Boulder County Court-
house, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

AFTERNOON SESSION - 1:30 P.M.

Docket SU-16-0003: SCI Colorado Funeral Services

Special Use Review for the enlargement of the existing cemetery area known as Mountain View Memorial Park and the future addition of mausoleums and cremation gardens, by SCI Colorado Funeral Services d/b/a Mountain View Memorial Park and Mountain View Cemetery, Inc., in accordance with the Boulder County Land Use Code. The proposed project is located in the Multi-Family (MF) & Rural Residential (RR) Zoning Districts, at 3016 Kalmia Avenue, approximately northwest of the intersection of Foothills Pkwy and Diagonal Hwy, in Section 20, Township 1N, Range 70W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public Testimony Will be Taken.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan General Updates

Staff will review the latest schedule and provide general status updates for the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update. In particular, staff will present information and field questions related to: Planning Commission reconsideration schedule for the Twin Lakes parcels, CU South Land Use change deliberation schedule and status, Trails Map and related policy discussion, the status of the second community survey, and job and housing balance scenarios which are the focus of community forums taking place through early 2017. No Public Testimony Will be Taken.

Docket BVCP-15-0001: Boulder Valley Comprehensive Plan Policy Updates

At the December 21 Planning Commission meeting, staff will continue the November discussion of BVCP policy updates, with a focus on sections 4 (Energy and Climate), 5 (Economy), and 6 (Transportation). Staff will also provide an update on Section 7 (Housing), as well as sections discussed at the November Planning Commission meeting. Planning Commission is scheduled to discuss and provide feedback following public testimony. Public Testimony Will be Taken.

ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call December 7, 2016 -0001238491



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BOULDER COUNTY PLANNING COMMISSION

MINUTES

December 21, 2016

AFTERNOON SESSION – 1:30 PM

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

{Approved on January 18, 2017}

PUBLIC HEARING

AFTERNOON SESSION – 1:30 PM

On Wednesday, December 21, 2016, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 1:32 p.m. and adjourning at approximately 3:50 p.m.

Commissioners Present: Ann Goldfarb, Natalie Feinberg Lopez, Dan Hilton, W.C. Pat Shanks, Ben Blaugrund, Leah Martinsson, Doug Young, Michael Baker

Commissioner Excused: Lieschen Gargano

Staff Present: Summer Frederick, Michelle McNamara, Kathy Parker (County Attorney), Anna Milner, Steven Giang, Nicole Wobus, Dale Case, Amy Oeth, Rick Hackett

Others: 15

MINUTES

MOTION: Leah Martinsson **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from November 16, 2016 as written.

SECOND: W.C. Pat Shanks

VOTE: Motion **PASSED** {6 to 0} Abstained: Michael Baker and Doug Young

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

Nicole Wobus, Long Range Planning and Policy Manager, provided an update on Boulder County Comprehensive Plan (BCCP), specifically the Solid Waste Element update to the BCCP.

Docket SU-16-0003: SCI Colorado Funeral Services

Michelle McNamara, Planner II, presented the application for SCI Colorado Funeral Services d/b/a Mountain View Memorial Park and Mountain View Cemetery, Inc. Special Use Review for the enlargement of the existing cemetery area known as Mountain View Memorial Park and the future addition of mausoleums and cremation gardens. The proposed project is located in the Multi-Family (MF) & Rural Residential (RR) Zoning Districts, at 3016 Kalmia Avenue, approximately northwest of the intersection of Foothills Pkwy and Diagonal Hwy, in Section 20, Township 1N, Range 70W.

Staff recommended CONDITIONAL APPROVAL as outlined in the staff recommendation, dated December 21, 2016.

PUBLIC HEARING OPENED

SPEAKERS: None

PUBLIC HEARING CLOSED

MOTION: Leah Martinsson **MOVED** that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend to the Board of County Commissioners **CONDITIONAL APPROVAL** of **Docket SU-16-0003: SCI Colorado Funeral Services** subject to the six (6) conditions listed in the staff recommendation.

SECOND: Ben Blaugrund

CONDITIONS OF APPROVAL

1. The Applicant shall provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
2. The Applicant is subject to all applicable County Building Safety and Inspection Services Team requirements for a building permit.
3. Prior to the issuance of any building permits the applicant shall submit a proposed route for materials to be brought onto and hauled off the subject property. In addition, a traffic control plan to govern operations during all construction projects shall be submitted as required in the Transportation Department's referral comments dated November 28, 2016. These referral comments shall also be added to the Development Agreement.
4. Prior to the issuance of a building permit for the project, the applicant shall demonstrate that the existing structures are adequately serviced by an On-Site Waste Water System (OWTS) meeting the requirements of Boulder County Public Health.
5. Prior to the issuance of any building permits, a vegetation replacement plan with the current conditions of the existing vegetation shall be submitted and approved.
6. The Applicant shall be subject to the terms, conditions and commitments of record and in the file for Docket SU-16-0003: SCI Colorado Funeral Services Special Use Review.

130 and a commissioner looking closely at the detailed recommendations in the public comments on page D-77 of the staff report.

132 Further discussion included: the trails map; appreciation for receiving information on the land use
134 designations and a desire for what can be done to encourage small houses on smaller lots; and a need
136 to reference neighborhood/subcommunity planning. In regard to the jobs: housing scenarios, several
138 of the planning commissioners requested setting metrics. In addition, the scenario discussion
included: how to map the scenarios; general support for scenario D; interest in learning more about
work-force housing ideas; how often to measure job growth; and a request to consider the carbon
footprint of each scenario.

ADJOURNED

140

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

142