



Land Use

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BOARD OF COUNTY COMMISSIONERS

October 19, 2017
11:00 A.M.

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

PUBLIC HEARING

MORNING SESSION – 11:00 A.M.

DOCKET BVCP-15-0001: Request for Minor Service Area Adjustment for Knollwood

County Staff: Steven Giang, Planner 1
Nicole Wobus, Long Range Planning and Policy Manager

AGENDA

- 1) Staff presentation
- 2) BOCC questions of staff
- 3) Public comment
- 4) BOCC discussion and recommendation

INTRODUCTION

As part of the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update, the City of Boulder is requesting a minor adjustment to the service area boundary (a change from Area III – Rural Preservation to Area II) for the Knollwood subdivision. Under the recently adopted amendment procedures for the BVCP, a minor service area adjustment is a referral item for Boulder County. This cover memo includes brief background information along with draft county staff comments for the referral response. A comprehensive staff report with more detailed information on the request, prepared by City of Boulder staff, is included as Attachment A.

Action Requested: Staff requests BOCC input for draft county referral comments to the City of Boulder regarding the proposed minor service area adjustment for the Knollwood subdivision.

BACKGROUND

This request was initiated following amendments made to the blue line in Nov. 2016. The blue line is an element of the City of Boulder charter that has been a fundamental growth management tool for the city and county for over 50 years. Since the blue line charter amendment was passed in 1959, city water service may not be provided to areas west of the line, historically above 5,750 feet, to preserve the mountain backdrop.

As a result of changes in the blue line approved as part of a ballot measure in Nov. 2016, the blue line is now located west of the 51 parcels (including 48 developed single-family houses) that make up the Knollwood subdivision. The subdivision is currently in Boulder County, within Area III of the

BVCP. Area III is the portion of the BVCP planning area intended for rural preservation, and not intended to receive urban services. In contrast, Area II is part of City of Boulder Service Area, and is eligible for future annexation and provision of urban services. Therefore, changing the Knollwood subdivision from Area III to Area II would bring it into alignment with the neighborhood’s recent eligibility for water service resulting from the shift in the blue line location.¹

As described in Attachment A, Knollwood is a substantially developed subdivision that receives sewer service from the city of Boulder. Knollwood is not connected to city water; the Knollwood Metropolitan District currently provides water service for the neighborhood. If annexation occurs in the future, the current water infrastructure would need to be upgraded to city standards and the residents would be responsible for the cost of these upgrades. Switching to the city’s water system is only necessary if annexation occurs.

DRAFT COUNTY COMMENTS

The county supports the city’s proposed map change, as the proposed change meets the criteria in the BVCP amendment procedures for a minor service area adjustment. Specifically, the proposed map change forms a logical service area boundary; is compatible with the surrounding area and comprehensive plan; and would result in no known negative impacts. Additionally, there is a minimal effect on land use growth projections, service provisions or capital improvements program, and the timing is appropriate.

The county concurs with the points made in the city staff report. In addition, county staff wishes to highlight the following points:

1. Following the blue line changes, moving the Knollwood subdivision from Area III to Area II is consistent with the core values and policies of the BVCP. The Knollwood neighborhood is an existing development on the western edge of the city adjacent to urban development in Area I, and already receives urban service (sewer) from the city. Furthermore, the neighborhood is a county enclave surrounded by city jurisdiction. Therefore, the change aligns with BVCP core values and policies that emphasize the importance of maintaining a compact urban form and logical service area boundary (see BVCP Core Values and Policy Section 1- Intergovernmental Cooperation and Growth Management, and Section 2- Built Environment). It is speculated that Knollwood was not originally given an Area II designation because it was west of the blue line at that time, making the land

BVCP Area I, II, III Definitions

(source: BVCP policy 1.12)

The Boulder Valley Planning Area is divided into three major areas:

Area I is the area within the City of Boulder that has adequate urban facilities and services and is expected to continue to accommodate urban development.

Area II is the area now under county jurisdiction where annexation to the city can be considered consistent with policies - 1.07 Adapting to Limits on Physical Expansion, 1.09 Growth Requirements and 1.16 Annexation. New urban development may only occur coincident with the availability of adequate facilities and services. Master plans project the provision of services to this area within the planning period.

Area III is the remaining area in the Boulder Valley, generally under county jurisdiction. Area III is divided into the Area III-Rural Preservation Area, where the city and county intend to preserve existing rural land uses and character and the Area III-Planning Reserve Area, where the city and county intend to maintain the option of future Service Area expansion. (See Area I, II, III Map)

¹ This request does not include annexation. Changing the planning area simply allows for the opportunity to annex in the future if residents wish to do so.

previously ineligible for water service. Now that the blue line location has changed, a change from Area III to Area II is consistent with the neighborhood's current eligibility for city water service.

2. The residents of Knollwood would benefit from having access to full urban services in order to provide for adequate health and safety. Knollwood's location at the wildland urban interface puts it at risk of wildfires. Having access to city water service will help bolster the neighborhood's ability to remain safe in case of a wildfire. The county also recommends that properties within the Knollwood neighborhood take steps to mitigate wildfire risks.
3. Knollwood is already a fully developed subdivision with existing access to urban services. The proposed change in planning area will not affect the existing character of the Knollwood subdivision or adjacent subdivisions, and it will not increase the development intensity of the neighborhood. Therefore, the change is consistent with the Built Environment-related policies of the BVCP (see BVCP Policy Section 2).

ACTION REQUESTED

Staff requests BOCC input on the draft county comments presented in this memo. The comments support approval of the proposed area change for the Knollwood neighborhood, as the proposed change meets the criteria for a minor adjustment to the service area boundary outlined in the BVCP amendment procedures, and is consistent with BVCP goals and policies. Staff welcomes any additional input to inform the county's comments on this matter.

NEXT STEPS

Staff will submit the county's comments to the City of Boulder in time for the City Planning Board meeting at 6:00 p.m. on Oct. 19, 2017 in the Council Chambers, 1777 Broadway Street.

ATTACHMENTS

- A. Excerpt from City of Boulder Knollwood Staff Report (A1-A7)

Knollwood

Request Summary

- Requester: City of Boulder
- Type of Request: Minor Adjustment to the Service Area Boundary - Service Area Expansion (Area III to Area II)
- Brief Description of Request:
Change from Area III- Rural Preservation to Area II for the Knollwood neighborhood
- Approval Required: Two-Body (City Council, Planning Board)

Existing Conditions

- BVCP Land Use: Very Low Density Residential (VLR)
- Zoning (County): Suburban Residential (SR)
- Acreage of Site: Approximately 28.4
- Number of Parcels/Units: 51 parcels, 48 developed single-family houses

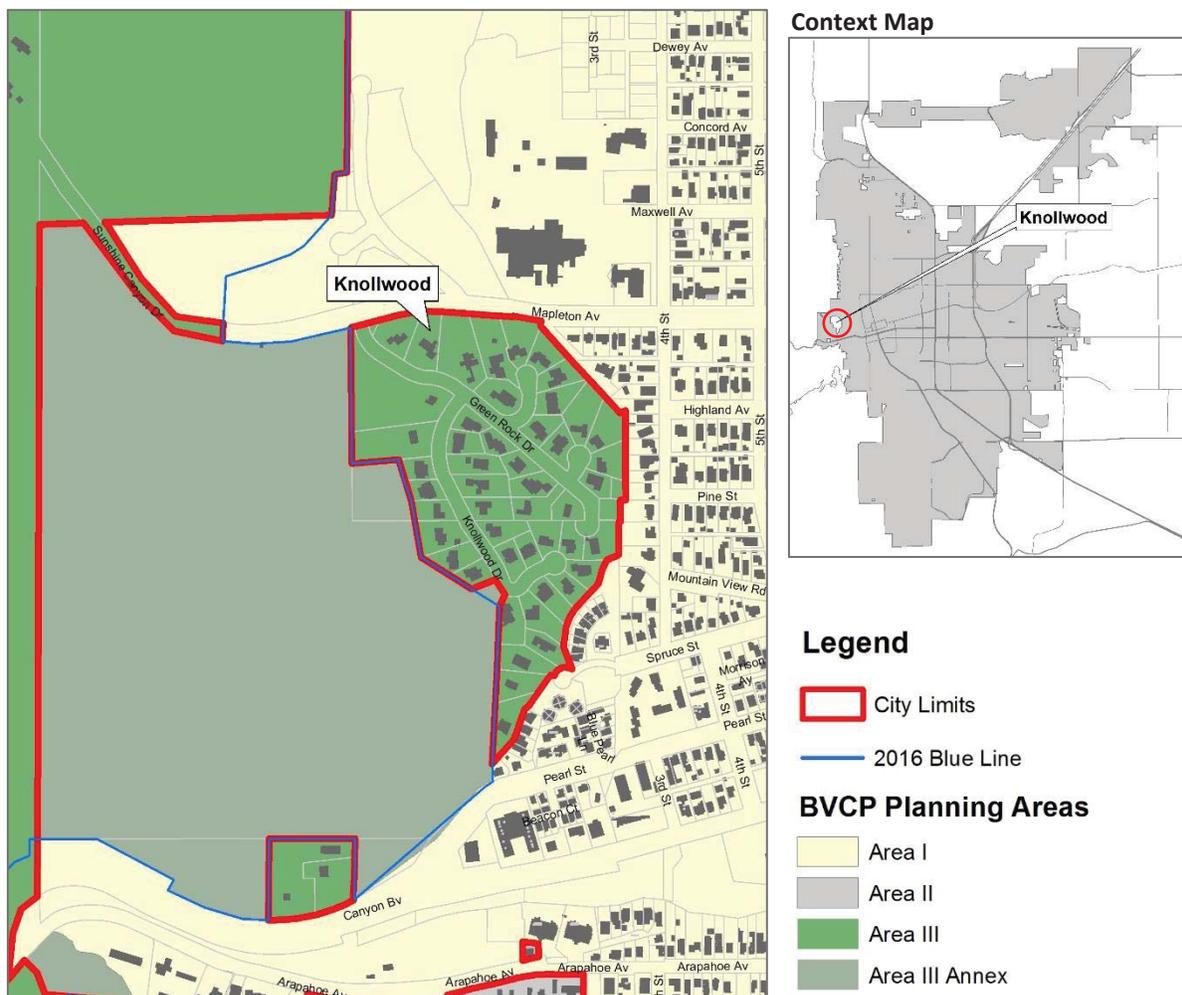


Figure 1: BVCP Planning Areas

PROPOSAL & RECOMMENDATION

As a final step of the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update, the city is requesting a minor adjustment to the Service Area boundary (a change from Area III- Rural Preservation to Area II) for the Knollwood neighborhood. This proposal would bring Knollwood, a substantially developed low density residential neighborhood approximately 28.4 acres in size, into Area II.

This request was initiated by the city in response to 1) the amendments made to the city's blue line and approved by voters in Nov. 2016 and 2) health and safety concerns. The blue line was amended to include Knollwood below the line, indicating the city's intent to include it in the city Service Area (Area I & II) in the future. Although Knollwood already receives city sewer services, they do not have access to city water and instead, operate a private water system through the Knollwood Metropolitan District. Moving into Area II would make Knollwood consistent with the policies and intention of the blue line amendments, make the neighborhood compatible with BVCP Policy 1.16.b (actively pursue annexation of properties along the western boundary below the blue line), and make the neighborhood eligible for water services in the future. Additionally, connecting Knollwood to city water would allow the neighborhood to respond more quickly in the instance of a fire or other disaster where city services are needed.

Staff recommends approval of the proposed area change for the Knollwood neighborhood from Area III- Rural Preservation to Area II since the proposed change meets the criteria as outlined in the Boulder Valley Comprehensive Plan for a minor adjustment to the Service Area boundary (see analysis section).

SITE DESCRIPTION AND SURROUNDING CONTEXT

Knollwood is a County enclave located near the western edge of the city between Pearl Street and Mapleton Avenue/Sunshine Canyon Drive (see Figure 2). The Knollwood neighborhood was first platted in 1965 with the 1st Addition being added in 1966, 2nd Addition in 1968, and 2nd Replat in 1999.

The area proposed for change is approximately 28.4 acres and includes 51 parcels: 48 parcels are developed with single-family homes (one per parcel); one is the site of the main pump house for the neighborhood; and two parcels are owned by adjacent property owners of parcels in Area I (to remain undeveloped). Knollwood is in unincorporated Boulder County and designated as BVCP Planning Area III- Rural Preservation, an area where the city and county intend to preserve the existing rural land uses and character. However, Knollwood's current condition as a substantially developed neighborhood is no longer consistent with the Area III-Rural Preservation description and is more aligned with the description for Area II (area now under county jurisdiction where annexation to the city can be considered consistent with plan policies).



Figure 2: Context Map

City Services

Knollwood is a substantially developed neighborhood that receives sewer service from the city of Boulder, however, Knollwood is not connected to city water (see Figure 3 & 4). Residents in Knollwood are part of the Knollwood Metropolitan District, a special taxing district that funds the management of the water system for the neighborhood. If Knollwood decides to annex in the future, the current water infrastructure would need to be upgraded to city standards and the residents would be responsible for the cost of these upgrades. However, Knollwood can continue to provide water through the Knollwood Metropolitan District even if the neighborhood is moved into Area II. Switching to the city’s water system is only necessary if residents choose to annex in the future.



Figure 4: Existing Sewer Service



Figure 3: Existing Water Service Area

Environmental Conditions

Sunshine Creek (intermittent stream) runs along the east boundary of the Knollwood neighborhood. As a result, 15 of the parcels located along the east boundary have a portion of their property within the 100-year flood zone and the city’s high hazard flood zone (see Figure 5). Two of the lots in the flood zone are vacant, but the other 13 lots in the flood zone are developed with single-family homes.

There are no wetlands located in Knollwood, however, the entire neighborhood is identified to have geologic development constraints (potential mass movement, consolidation potential constraint).



Figure 5: Flood Zones

Land Use & Zoning

The BVCP Land Use Map has identified Knollwood as Very Low Density Residential (see Figure 6). The surrounding properties to the east are predominantly designated low density residential (LR) with some medium (MR) and mixed density (MXR) residential to the southeast. The property to the west is city-owned open space (OS-A).

The existing zoning for the Knollwood neighborhood is Suburban Residential (County). All properties surrounding Knollwood are located inside the city limits, making Knollwood a County enclave. Knollwood is surrounded by Area I properties to the north, east, and south, and Area III– Annexed properties to the west (see Figure 1).

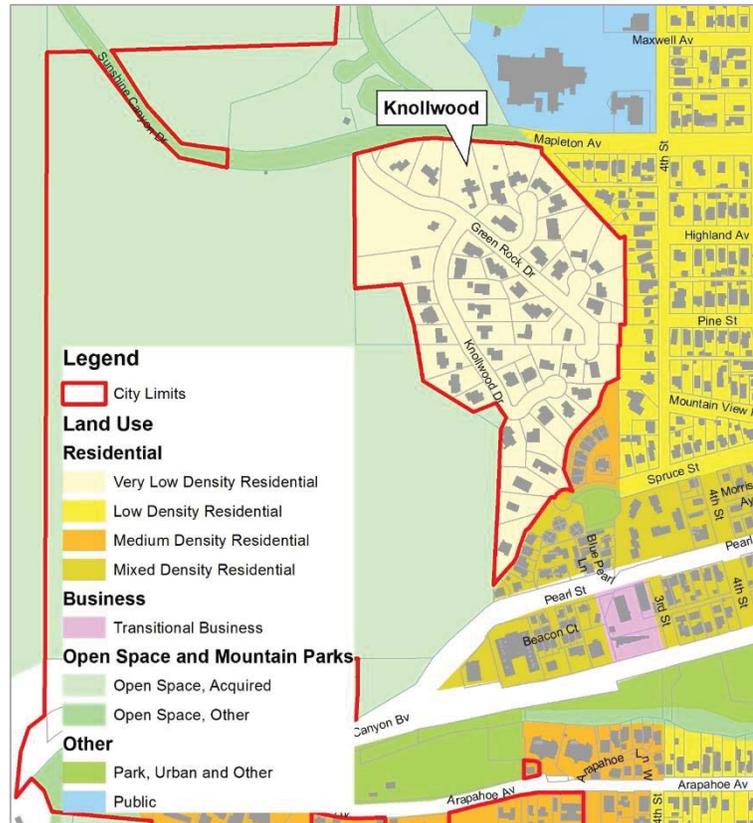


Figure 6: BVCP Land Use

Transportation

The neighborhood has a soft surface multi-use path extending from Green Rock Drive south to Spruce Street. This connects Knollwood to the nearby designated bike routes along 4th Street to the east, and Spruce Street, Pearl Street, and the Boulder Creek Path to the South. The 205 bus runs along Pearl Street, one block south of the neighborhood, with a bus stop at Pearl and 3rd Street.

NOTIFICATION & COMMUNITY INPUT

An official notification letter was mailed to all property owners in the Knollwood neighborhood on September 18, 2017. The letter provided information and a map of the proposed changes, steps in the approval process, dates and times for the public hearings, and contact information for city and county staff. This information was also provided on the city's website (<https://bouldercolorado.gov/planning/bvcp-planning-area-map-amendments>). City and County staff also held open office hours on Wednesday September 27 from 3:00-5:00PM at the Park Central building to discuss the proposed changes in person, however, no residents attended.

City staff received feedback from several residents which included:

- One phone call (questions only, no feedback)
- Three emails – two property owners sent letters in support, one opposed (see **Appendix C** for full email text)

Staff has also met with representative from the Knollwood Metropolitan District to discuss the annexation process, options for connecting to the city's water system, and the associated costs. These meetings were for informational purposes only.

ANALYSIS

Revisions to the BVCP Planning Area I, II, III Map are guided by the Amendment Procedures in Appendix B of the Boulder Valley Comprehensive Plan. The request to change Knollwood from Area III-Rural Preservation to Area II is categorized as a minor adjustment to the Service Area and requires two-body approval (Planning Board and City Council). The County does not have the option to call-up this request since the call-up provision does not apply to enclaves or properties along the western edge of the service area below the blue line (BVCP Appendix B, Referral & Call-up Process).

Minor adjustments to the Service Area boundary (Area III- Rural Preservation to Area II) is a small, incremental Service Area expansion that creates more logical Service Area boundary. Changes in designation of land from Area III to Area II may be approved as a minor Service Area adjustment based on the criteria listed in Sec. A.2.a.i of the BVCP Amendment Procedures and outlined below.

Applicability

- a) Maximum size: The total size of the area must be no larger than ten acres. Residential areas larger than 10 acres may be considered if the area consists of substantially developed properties below the blue line along the western edge of the Service Area.

The Knollwood neighborhood is larger than 10 acres, however, it is a residential area that consists of substantially developed properties located below the blue line (as of Nov. 2016) along the western edge of the Service Area. As a result, it meets the criteria for parcels over 10 acres in size to be considered for a minor Service Area adjustment.

- b) Minimum contiguity: The area must have a minimum contiguity with the existing Service Area of at least 1/6 of the total perimeter of the area.

Because the Knollwood neighborhood is surrounded by the city limits, it demonstrates 100 percent contiguity of its perimeter with city limits, and therefore meets the requirement for 1/6 contiguity with the existing Service Area. Additionally, the north, east and south boundaries of the Knollwood neighborhood are contiguous with Area I properties that currently receive city water and sewer service.

Criteria

- a) Logical Service Area boundary. The resulting Service Area boundary must provide a more logical Service Area boundary (Area III/II), as determined by factors such as more efficient service provision, a more identifiable edge to the urbanized area or neighborhood, a more functional boundary based on property ownership parcel lines or defining natural features.

Knollwood is completely surrounded by city limits and because it is in Area III, it is not currently within the city's Service Area boundary. Knollwood residents are currently connected to the city's sewer service, making the neighborhood a logical extension of the Service Area boundary (Area I& II). Additionally, Knollwood was moved below the blue line in Nov. 2016, which means the property is now located in an area eligible to receive city water services and therefore eligible to be located within the Service Area boundary. The neighborhood is an established residential neighborhood, and its inclusion in the Service Area would create a more logical Service Area boundary.

- b) Compatibility with the surrounding area and the comprehensive plan: The proposed change of Area III to II must be compatible with the surrounding area as well as on balance, the policies and overall intent of the comprehensive plan.

Changing the Planning Area designation for the Knollwood neighborhood to Area II is consistent with the surrounding area. Knollwood is currently a county neighborhood adjacent to Area I (residential and mixed-use) properties to the north, east and south and Area III-Annexed (open space) properties to the west.

The change would also be consistent with the policies and overall intent of the comprehensive plan. Changing the designation to Area II would allow for future annexation which is consistent with BVCP Policy 1.16 Annexation, which states “the city will actively pursue annexation of county enclaves”. Additionally, Knollwood was moved below the blue line in Nov. 2016 and, therefore, changing the designation for the neighborhood to Area II would be consistent with the intent to include Knollwood in the Service Area boundary (Area I & II). Finally, Area III designation is reserved for rural land uses and areas intended to remain in county jurisdiction that would not efficiently be served by city services. Since Knollwood is already developed and receives city sewer service, Area II designation is more appropriate for this area.

- c) No major negative impacts: It must be demonstrated that no major negative impacts on transportation, environment, services, facilities, or budget will result from an expansion of the Service Area.

Moving Knollwood from Area III to Area II will have no major negative impacts on transportation, environment, services, facilities, or budget. The Knollwood neighborhood has already been developed as a low-density residential neighborhood with 51 parcels (48 developed, 1 for a pump house, and 2 vacant with no future development potential), and will remain a low-density neighborhood in the future. Knollwood is surrounded by city-annexed land on all sides. Therefore, extending services to this neighborhood will not have a significant impact on city services. A preliminary analysis of any future annexation of the area indicates that water system replacement and street replacement may be necessary, consistent with BVCP Policy 1.16 – Annexation and Policy 1.22 (Growth to Pay Fair Share of New Facility Costs).

- d) Minimal effect on land use and growth projections: The proposed change of Area III to II does not materially affect the land use and growth projections that were the basis of the Comprehensive Plan.

The Comprehensive Plan Land Use Designation Map categorizes this area as Very Low Density residential, so the existing state of neighborhood is anticipated to stay the same in the future and will not materially affect the land use and growth projections of the BVCP.

- e) Minimal effect on service provision: The proposed change of Area III to II does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area of the City of Boulder.

The proposed change to Area II will not affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area. Knollwood already receives city sewer services, and the neighborhood will continue to manage their own water district until they decide to annex. At that time, the homeowners will be responsible for the cost of

upgrades and connection to the city's water system, consistent with city annexation policies 1.17 (Assimilation of Special District Facilities and Services) and 1.18 (Provision of Urban Services in the Boulder Valley).

- f) Minimal effect on the city's Capital Improvements Program: The proposed Area III to II change does not materially affect the adopted Capital Improvements Program of the city of Boulder.

The proposed change does not affect the adopted Capital Improvements Program.

- g) Appropriate timing: The proposed Area III to II change will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area expansion.

Timing for the proposed change is appropriate and will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area. The Knollwood neighborhood is already substantially developed with single-family houses. There are only two vacant lots, both of which do not have future development potential due to their location in the 100-year and high hazard flood zones. The only development anticipated to take place in the neighborhood would be renovation of the existing 48 single-family houses. This request is being made as a part of implementing the blue line changes that brought Knollwood below the blue line, indicating intent and eligibility to include the neighborhood in the Service Area boundary.