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Adam Swetlik
Mark Wallach
Bob Yates
Mary Young



Council Chambers
1777 Broadway
Boulder, CO 80302
August 25, 2020
6:00 PM

City Manager
Jane Brautigam

City Attorney
Thomas A. Carr

Acting City Clerk
Pam Davis

STUDY SESSION BOULDER CITY COUNCIL

Update on Phase 2 of the Community Benefit Project	90 min
Update on Phase 2 of the Use Standards and Table Project	90 min
Matters Regarding Policing: Update regarding Police Department Strategic Action Progress, and Discussion of Police Master Plan Process and Subcommittee Appointments	60 min

4:00 Hours

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COVER SHEET

MEETING DATE

August 25, 2020

STUDY SESSION ITEM

Update on Phase 2 of the Community Benefit Project

PRIMARY STAFF CONTACT

Karl Guiler, Senior Planner

BRIEF HISTORY OF ITEM

An update on Phase 2 of the Community Benefit project was provided to City Council near the beginning of the COVID-19 crisis in April. There was mixed reaction from the council at that meeting on whether the project should move forward as previously envisioned and a check in was requested for Q3 once the city had a better idea of the impacts of the pandemic. City Council met to discuss work program items in May, including code changes, and requested that Community Benefit and other code changes move forward per their previously calendared schedules. This check in would be opportunity for staff to update the council on the more refined options for Community Benefits (i.e., below market rate commercial, spaces for the arts, and human/social services), including ideas for updates to the Site Review criteria, zoning analysis relative to Appendix J, results of public feedback, and potentially any economic studies/recommendations on the progress of the project.

ATTACHMENTS:

Description

- ▣ **Update on Phase 2 Community Benefit Project FINAL**



STUDY SESSION MEMORANDUM

TO: Mayor and Members of City Council

FROM: Jane S. Brautigam, City Manager
Mary Ann Weideman, Interim Director, Planning/Assistant City Manager
Charles Ferro, Development Review Manager, Planning
Karl Guiler, Senior Planner/ Code Amendment Specialist
Phil Kleisler, Senior Planner

DATE: August 25, 2020

SUBJECT: Community Benefit Phase 2 Study Session

EXECUTIVE SUMMARY

The purpose of this item is to update City Council and to receive feedback on the progress of Phase 2 of the Community Benefit project. Phase 2 of the Community Benefit project is currently in the community engagement phase.

On Oct. 29, 2019, City Council adopted [Ordinance 8359](#), which established new Site Review criteria requiring community benefit in the form of additional permanently affordable housing requirements above by-right standards for proposals for buildings over the zoning district height limit (typically over 35-feet through the height modification process). The council did not agree with the board motion. The new criteria, created as part of the Community Benefit Phase 1 project (focus on permanently affordable housing), would only apply to developments where floor area is proposed above the zoning district height limit in a fourth or fifth story (e.g., “bonus floor area”) up to a maximum height of 55-feet.

Staff is now working on Phase 2 of the Community Benefit project. An update was provided to City Council on April 14, 2020 where the council narrowed the community benefit list to the uses listed below and the project was prioritized at a discussion of council on May 19, 2020:

Phase 2 Community Benefit uses-

- Below market rate rent commercial
- Space for arts and cultural uses
- Human / social services

Since the spring 2020 discussions on the project, staff has also moved forward with refining the uses above, updating the Site Review criteria and implementing the community engagement plan. Background on the foundational scope, goals and objectives of the project etc. is found in **Attachment A** and recent history on the project is included below. **Attachment B** contains an engagement handout on the scope of Phase 2 of the project and **Attachment C** contains results of the Be Heard Boulder questionnaire on the project approaches and options. **Attachments D, E, and F** contain public comments on the community benefit options listed above.

At the April 2020 discussion on the project, City Council requested that the project return to council in Quarter 3 of 2020 for an update and more discussion. Staff is seeking direction from council on the questions regarding the options listed below before moving forward with ordinance preparation, economic analysis, zoning district analysis for Appendix J (the map the shows where height modifications may be requested) and additional community engagement.

KEY ISSUES IDENTIFIED

- Definitions and approaches to adding Phase 2 Community Benefit uses: Below market rate rent commercial, space for art and cultural uses and human / social services
- Duration and penalty fees for Community Benefit uses
- Approaches to updates to the Site Review criteria
- Community engagement feedback on the Community Benefit project

QUESTIONS FOR CITY COUNCIL

1. Does the City Council agree with the Table 1 staff recommendations for adding **below market rate rent commercial** as community benefit use? Should the Department of Community Vitality provide recommendations on how well the use meets the definition? To encourage more small local business, should additional restrictions on tenant space size, tenant space width, or on national franchises be applied?
2. Does the City Council agree with the Table 2 staff recommendations for adding **arts and cultural uses** as community benefit use? Should the Arts Commission provide recommendations on how well the use meets the definition?
3. Does the City Council agree with the Table 3 staff recommendations for adding **human / social service uses** as a community benefit use? Should Department of Human Services and Initiatives provide recommendations on how well the use meets the definition? Should uses related to Food & Nutrition, Health & Well Being be included on the list? Should all the uses in this category be non-profit to qualify?
4. **Minimum duration:** Should community benefit uses be required by agreements to be in operation for a set period of time (e.g., 10 years, 20 years) or should they be required in perpetuity like permanently affordable housing?
5. **Penalty fees:** For community benefit uses that cease operation after approval, should a penalty fee be required until a use of equal benefit is established?

6. **Site Review criteria:** Does the City Council agree with the staff Table 5 staff recommendations for updating the Site Review criteria?

BACKGROUND

For the foundational elements and discussions on the Community Benefit project from 2018, including the Purpose, Why and Problem Statements and guiding Boulder Valley Comprehensive Plan (BVCP) policies established at the Sept. 2018 study session, please see **Attachment A**. This background section will cover the progress of the project from late 2019 up to now.

Completion of Community Benefit Phase 1

On Oct. 29, 2019, City Council adopted [Ordinance 8359](#), which established new Site Review criteria requiring community benefit in the form of additional permanently affordable housing requirements above by-right standards for proposals for buildings over the zoning district height limit (typically over 35-feet through the height modification process). The new criteria, created as part of the Community Benefit Phase 1 project (focus on permanently affordable housing), would only apply to developments where floor area is proposed above the zoning district height limit in a fourth or fifth story (e.g., “bonus floor area”) up to a maximum height of 55-feet.

The permanently affordable housing requirement could be met through provision of on-site affordable units or through in lieu fees for residential projects or an increased commercial linkage fee for non-residential projects as applied to any “bonus floor area” approved according to the regulations. Council also amended the land use code map that specifies where height modifications may be requested (i.e., Appendix J – Areas Where Height Modifications May Be Considered) by adding the Residential High – 3 (RH-3) zoning districts and the area subject to the Alpine Balsam area plan. These regulations became effective Jan. 1, 2020 and can be reviewed in the packet [here](#). (see page 189 of the packet). Council also approved extending the Appendix J map sunset date to May 31, 2021. Staff’s goal is to complete the project by the sunset date.

Staff is currently in Phase 2 of the Community Benefit project, which includes consideration of additional community benefits in exchange for additional height and/or density in projects. These benefits, initially identified through Phase 1 and discussed in detail during a council study session in September 2018 (see page 227 of packet [here](#)). Phase 2 also includes updating the city’s Site Review criteria to be more in line with city policies, and to make the criteria more streamlined and make development review processes more predictable for developers, neighbors, review bodies and staff.

Progress in 2020

Update to City Council

An update on the Community Benefit project was presented to City Council on April 14, 2020. The memorandum from that date can be viewed [here](#) (see page 118). At that meeting, staff shared the scope of Phase 2 of the project, an updated community engagement plan, and considerations for the project moving forward.

Because of the COVID-19 pandemic and impacts to the city economy, council reception to the project moving forward was mixed. Some council members found the project important and one which should move forward to help the community with needed uses while others expressed concerns about layering on new requirements on projects, businesses etc. in light of the economic uncertainties. The council also felt that the scope of the project should be narrowed to the following community benefit options:

- Below market rate rent commercial
- Space for arts and cultural uses
- Human / social services

The three community benefit uses above are often interrelated and linked to the ever-growing cost of leasing commercial tenant spaces. Outreach from Phase 1 indicated that these uses are finding it more and more difficult to establish or stay in Boulder and drives some uses outside the city. Restricting tenant lease rates in some form as part of a height modification could reduce rent and increase the possibility for any of the three uses above.

Despite concerns about moving forward with the benefit listed above, the council was supportive of the Site Review criteria component of the project advancing as the updates to the criteria may be beneficial to the business community with greater levels of predictability and simplification of the code.

P&DS Work Plan Discussion

On May 19, 2020, City Council discussed Planning and Development Services (P&DS) work plan item prioritization recognizing the new fiscal realities for the city. The memorandum from that meeting can be found [here](#) (see page 119). Staff presented all the top P&DS work plan items to the council with different options for each including financial adjustments and even options to not proceed. At this meeting, City Council found that the Community Benefit project, with the scope and community engagement plan discussed above, should proceed on its original pre-pandemic schedule of moving towards completion by the fourth quarter of 2020 or the first quarter of 2021, as feasible, with assistance from the economic consultant. This study session is being conducted to get further direction on the project and also because council requested that staff return with an update on this project in the third quarter of 2020 at the work plan discussion.

Economic consultation on the options

The economic consultant, Keyser Marston Associates, had done the economic analysis on Phase 1 of the project and had recommended that, to keep costs lower and in light of recent economic uncertainty, prior assumptions in the analysis would be used so that any new community benefits would be analyzed in an “apples to apples” comparison to the adopted permanently affordable housing option adopted in 2019. Following the pandemic, any adopted regulations as part of Phase 2 and economic studies could be re-assessed for adjustments to adapt the changes to any adjusted market realities. Staff has thus, moved forward with working with KMA on the project.

An economic analysis is currently being done on the options and will be prepared in advance of any ordinance adoption on the project. More specifically, KMA will be recommending how much each community benefit use would need to be included in a project to be equivalent or

more than the permanently affordable housing option, the overall feasibility of the options, if the in lieu fees would need to be adjusted with the addition of new community benefit options and what penalty fees may need to be should a community benefit use cease to operate and not be replaced. KMA will also be evaluating a zone by zone analysis prepared by staff to help inform City Council's decision on the Appendix J, the map that specifies where height modifications may be requested.

Refinement of Community Benefit options

Staff has continued to study defining each of the new three community benefits. If adopted, each benefit would need to be well defined so that it is clear that a developer is meeting the baseline community needs with the inclusion of the use. This has to be balanced with not defining each community benefit use too rigidly that there is no flexibility with the Community Benefit program. Staff has been working with Community Vitality staff on the 'below market rate rent commercial space' option, with the Arts Commission and City Office of Arts and Culture on 'space for the arts and cultural uses' option and Boulder County's Human Service Alliance (HSA) and Human Services city staff on 'human / social service uses' option. The 'Analysis' section below contains the results of this refinement as well as options moving forward.

Community Engagement

Following the update to council in April, staff has moved forward with implementing the community engagement plan and has prepared updated engagement materials for posting on the city's website found [here](#).

In light of the COVID-19 outbreak, staff has continued to develop outreach materials and questions for the public for feedback, but has shifted more to an online platform. Staff's approach has been to get the word out to people online first with questionnaires and online engagement opportunities and then go out in person when circumstances improve. This is being done by updating current code change website and outreach handouts, providing online presentations of the projects and what feedback the city would like, and using the Be Heard Boulder format for getting input. At present is it not clear when in person engagement could commence.

Since the last check in with council on May 19, 2020, staff has also formed a Site Review Focus Group and Neighborhood Representative Focus Group to review and discuss the project. The first group is largely composed of design professionals who are familiar with the criteria and Site Review process and that have worked on Site Review projects (see **Attachment G**). The second group is comprised of neighborhood representatives from throughout the city that was assembled with the help of the city's Communications and Engagement Department (see **Attachment H**). Both groups have advised on what types of updates should be made to the Site Review criteria as well as their thoughts on the community benefit options. Staff has also reached out to the Boulder Chamber of Commerce, Better Boulder, and Plan Boulder and has met with the Human Services Alliance and members of the art community on the options.

On July 27, 2020, staff held an online community information session on all of the in process code amendments projects and answered questions and directed people to questionnaires on the Community Benefit project at the city's Be Heard Boulder website (www.beheardboulder.org).

Community and Planning newsletters, a segment on Inside Boulder, and use of social media informed people of the session and the updated city websites on all the code changes.

Be Heard Boulder questionnaire: The Be Heard Boulder online questionnaire opened on July 6, 2020, and as of August 12th there have been 149 respondents to the questionnaire. The content was visited by nearly 400 persons. The questionnaire will be open through the end of August. Below are some of the highlights of the questionnaire responses thus far. Please see **Attachment C** for the questionnaire report. A high level summary follows:

- At the time of the Planning Board packet, approximately half of the respondents agreed that community benefit in the form of affordable commercial space, space for arts and cultural uses, or social service uses would be appropriate to permit buildings over the zoning district height limit. 38% of the respondents did not agree. This is consistent with split seen in previous responses during Phase 1 of the project. However, between August 4th and August 12th, this number has shifted to more than 60% not agreeing that community benefits justify any type of height modification. Only 25% supported the option for allowing height modifications with community benefits incorporated into a project.
- Over 70% of respondents disagreed that existing interim measures that restrict where height modifications are permitted should be lifted, once more stringent community benefit requirements are put in place meaning the existing restrictive map should stay as is and should not be expanded or repealed.
- The majority of respondents agreed that if height modifications were permitted that additional requirements (nearly 100 responses each) should apply to buildings that exceed the by-right height limit:
 - Special protection for important public view corridors
 - High-quality building materials
 - Limits on building widths
 - Larger upper floor setbacks or limits on upper floor sizes.
- Nearly 70% of the respondents were in support of updating the Site Review Criteria to be less subjective and more predictable, with nearly 20% indicating they did not think the criteria should be updated in such a way.
- Regarding what “view protection” means in the context of the Site Review Criteria
 - The most selected option (88 respondents) was “No buildings over the zoning district height limit should be permitted anywhere in the city.”
 - 66 respondents (the most selected option) chose “Important public view corridors should be identified and mapped from public spaces and any proposal in such corridors must demonstrate that the height of any buildings maintain important public views”
- View to be protected included views to / from public open spaces, the Flatirons, as well as Pearl Street Mall, and 29th Street & Arapahoe were indicated for preservation of views among others.

Summaries of the community engagement are found within the ‘Analysis’ section below and within **Attachments G and H**.

Appendix J map considerations

Appendix J is a map in the land use code that specifies where height modifications may be requested. The map was originally adopted as an interim measure by council in 2015 until the Community Benefit project was adopted. The sunset date applied to the map has been extended twice – once in 2018 and again in 2019 when Ordinance 8359 was adopted. The question of how to address the map will need to occur by the time of final adoption. In general, the options (to be considered later) are:

1. Keep Appendix J as it is in perpetuity;
2. Modify Appendix J (expand where it applies);
3. Remove Appendix J entirely (apply Community Benefit program citywide); and
4. Apply Phase 2 of the program, analyze the efficacy of the program and determine what to do with Appendix J at a later time.

Staff is developing a zone by zone analysis of the pros and cons of applying allowable height modifications to other areas of the city to help inform future council decisions on whether to amend, remove or maintain the current Appendix J map.

ANALYSIS

Based on City Council’s recent direction on the project, staff has moved forward with the following scope, as amended, to address council direction:

SCOPE FOR PHASE 2 COMMUNITY BENEFIT PROJECT

Phase 2 Project Focus:

- Continue analyzing the following community benefits for integration into the land use code as options to be added to the codified requirements for permanently affordable housing for buildings over the height limit:
 - Below Market Rate Commercial (*emphasis*)
 - Space for the Arts
 - Human Services

Case Studies for Below Market Rate Commercial:

- Continue analyzing how restrictive covenants, like 30Pearl, could be applied as a requirement for height modification projects or other projects requesting additional floor area or density where such requests may be allowed and if directed, explore an in-lieu fee option for below market commercial
- Continue analyzing other case studies that limit the size and/or frontages of commercial spaces to encourage more local, affordable spaces
- Continue analyzing restrictions on national chains like New York or San Francisco for possible integration into the community benefit option for below market commercial

Appendix J land use map:

- Develop a zone by zone analysis of the pros and cons of applying allowable height modifications to other areas of the city to help inform future council decisions on whether to amend, remove or maintain the current Appendix J map

Site Review criteria update:

- Proceed with analyzing updates to the criteria that:

- Create more consistency with the BVCP with an emphasis on energy and resiliency
- Foster higher-quality design outcomes
- Include more clarity and simplification in application
- Result in more predictability for applicants, neighbors and staff
- Add more clarity to the criteria view protection from important public views (e.g., views of the mountains from public places like parks, plazas etc.)

Updated Community Engagement Plan/Timeline:

- Move forward with the plan, public outreach strategy (as amended by COVID-19 realities) and timeline found in **Attachment A** with the goal of completing the project by the fourth quarter of 2020 or first quarter of 2021 and no later than May 31, 2021.

In this section staff will discuss the following topics and requests direction on the options herein:

Table 1 - Community Benefit - Below Market Rate Rent Commercial	
BVCP policy guidance & goals of the project	<p><u>Guiding BVCP Policies:</u></p> <ul style="list-style-type: none"> ➤ 1.11 Enhanced Community Benefit ➤ 2.35 Building Height <p><u>Adopted Goals and Objectives for the project:</u></p> <ul style="list-style-type: none"> ● Determine the type and amount of community benefits that would be provided to achieve increased intensity, building height or zone district changes. ● Identify incentives to address the community economic, social and environmental objectives of the comprehensive plan. ● Clearly specify the required triggers for community benefit and identify how (or if) the benefits would be maintained in perpetuity. ● Determine additional design standards for projects requesting a height modification. ● Identify other aspects of the Site Review criteria to further city goals and create more predictability in projects.
Ideas for definition	<ul style="list-style-type: none"> ● A specified amount of any building proposed to be over the height limit (or over maximum floor area) would need to be reserved for commercial or retail uses or non-profit organizations ● The space would be deed restricted to a reduced percentage of the market rate rent to ensure a greater level of affordability (for example, it could be 70% or 75% or some other percentage of the market rate determined by an economic analysis) ● Further, this percentage could be adjusted over time following periodic economic analysis to ensure that the community benefit uses continue to be feasible and incentivized for taller buildings ● To encourage smaller, locally owned type business, the city is looking at restricting non-local, national franchises, tenant space sizes and tenant

	<p>widths (e.g., 3,000 square feet and 30 feet respectively), with some flexibility if the nature of the use would conflict with these limits</p> <ul style="list-style-type: none">• The majority of space used for below market rate rent commercial space may be on the ground floor facing a street and may include window glazing requirements to make the uses visible and to contribute to a walkable, pedestrian friendly streetscape.		
Summary of community feedback on ideas	<p>Staff is currently in the community engagement phase on Community Benefit and plans to meet with the Boulder Chamber of Commerce and Better Boulder on the potential options. Staff has also offered to present to PLAN Boulder. Materials on the potential options have been distributed for review to these groups. Previous correspondence from the Chamber of Commerce has expressed concern about adding new community benefit options finding that the economic analysis for the Phase 1 option (i.e., permanently affordable housing) inaccurate and not providing real incentives. There are also concerns about adding new regulations at this time due to the economic impact of the pandemic. The Site Review Focus Group, discussed below, also felt that any housing, market rate or affordable, should be considered a community benefit in Boulder.</p> <p><u>Be Heard Boulder questionnaire:</u> At the time of the Planning Board packet, approximately half of the respondents agreed that community benefit in the form of affordable commercial space, space for arts and cultural uses, or social service uses would be appropriate to permit buildings over the zoning district height limit. 38% of the respondents did not agree. This is consistent with split seen in previous responses during Phase 1 of the project. However, between August 4th and August 12th, this number has shifted to more than 60% not agreeing that community benefits justify any type of height modification. Only 25% supported the option for allowing height modifications with community benefits incorporated into a project.</p> <p><u>Site Review and Neighborhood Focus Groups feedback:</u> See Table 5.</p>		
Options <i>Staff recommended option to the right with explanation below</i>		Yes	No
Option 1-A	Create option as a subset of Site Review criteria?	✓	
Option 2-B	Set a minimum amount at least equivalent to Phase 1 benefit (e.g., permanently affordable housing)?	✓	
Option 1-C	Have Community Vitality evaluate the below market rate rent commercial use for consistency with the definition?	✓	
Option 1-C	Require agreement?	✓	
Option 1-D	Minimum duration of the use?	✓	
Option 1-E	In lieu option?	✓	
Option 1-F	Penalty fee?	✓	
Option 1-G	Do not proceed?		✓
Option 1-H	Restrict square footage of each tenant (i.e., 3,000 square feet)?	✓	
Option 1-I	Restrict tenant frontage width (i.e., 30 feet)?		✓

Option 1-J	Define national franchises and prohibit like New York, San Francisco, and Telluride, CO?		✓
Staff Recommendation			
<p>Staff is analyzing how regulations could be written to incentivize more below market rate rent commercial in the city through this proposed process. The goal is to also create commercial or retail spaces that are conducive to small local business or minority owner or women owners, similar to what was done by agreement at 30Pearl. The agreement was voluntary so the uses could be clearly specified; however, as new regulations, further legal analysis is necessary to see how the code language would avoid being in violation of state or federal law.</p> <p>Based on the analysis and feedback thus far, staff is recommending the use be define as specified above, and potentially be required in perpetuity through a special agreement. Non-profit uses would also have to be specially defined. If the community benefit use ceased to operate, it would require a Site Review Amendment to change out the use to something that it at least an equivalent of community benefit. Otherwise, after a specified period of time, a penalty fee would apply. In lieu fees would apply as adopted in Phase 1. (Options 1-A through 1-F above)</p> <p>To keep the business conducive to small local business, staff suggests a maximum of 3,000 square feet per tenant (Option 1-H). Some flexibility could be included in the code language if a particular use did not fit into that limitation. Staff is not recommending restrictions on the tenant widths as done in San Francisco and New York at this time and is hesitant about restricting national franchises as they may exclude some woman or minority owned businesses. Staff is also hesitant to add too many limitations at this time considering the economic circumstances of 2020. (Options 1-I and 1-J)</p>			

Table 2- Community Benefit – <i>Space for Arts and Cultural Uses</i>	
BVCP policy guidance & goals of the project	See Table 1
Ideas for definition	<ul style="list-style-type: none"> • Visual art studios, maker spaces, or education spaces with accessory sales operated by the local art community • Performing arts studios, practice spaces, education spaces, or community dance halls, with accessory sales operated by the local art community • Visual art galleries or co-ops operated by the local art community with accessory sales • Performing arts venues, concert halls, or black box theaters operated by the local art community with accessory sales • Amphitheaters, sculpture parks, outdoor spaces conducive to murals and art in public places, or other outdoor arts venues with management by a nonprofit. • Video, film, and digital arts studios, education spaces, interactive experiences, art cinemas, and immersive arts venues operated by the local art community with accessory sales

	<ul style="list-style-type: none">• Art or cultural uses that contribute to the growth and vitality of the community or any locally designated arts districts		
Summary of community feedback on ideas	<p>Staff has coordinated with the city Office of Arts and Culture and the Arts Commission on the approaches discussed above and has presented the options below to the Boulder Arts Matrix and the Professional Arts Forum. The information has also been disseminated in a newsletter to the local arts community for feedback.</p> <p>In general, feedback from the arts community has been positive regarding the approaches discussed in this section. Suggestions for other types of arts to be encompassed in the definition have been incorporated into the list above. Some comments were for the concept of community benefit, but against tall buildings that block views. One comment suggested art museums be added, but staff believes that could fall into the umbrella of categories in the list.</p> <p>The Boulder Arts Matrix supported the list, but felt that it should go further in securing affordable housing for local artists, should better support the creation of local arts districts and that the city should take a larger role in fostering productive, creative and mutually beneficial partnerships between artists and developers before applications come in. They also found that a special subcommittee of Planning officials and local arts representatives should be the ones providing recommendations on the value of the arts and cultural space vis-à-vis the Arts Commission. Specific comments from members of the arts community are found in Attachment E below.</p> <p><u>Be Heard Boulder questionnaire</u>: See Table 1.</p> <p><u>Site Review and Neighborhood Focus Groups feedback</u>: See Table 5.</p>		
Options <i>Staff recommended option to the right with explanation below</i>		Yes	No
Option 2-A	Create option as a subset of Site Review criteria?	✓	
Option 2-B	Set a minimum amount at least equivalent to Phase 1 benefit (e.g., permanently affordable housing)?	✓	
Option 2-C	Have Arts Commission provide a recommendation on the consistency of the use with the definition?	✓	
Option 2-C	Require agreement?	✓	
Option 2-D	Minimum duration of the use?	✓	
Option 2-E	In lieu option?	✓	
Option 2-F	Penalty fee?	✓	
Option 2-G	Do not proceed?		✓
Staff Recommendation			
Staff is recommending that space for the arts and cultural uses be added as a community benefit option to the Site Review criteria in the same section as previously drafted for permanently affordable housing. The amount would be determined by an economic study to be as equivalent as possible to the benefit created for permanently affordable housing. This includes all the options listed above with the exception of Option 2-G.			

Prior to submittal of an application a developer would have to work with the local arts community on their needs and design a project that reserves a specified amount of floor area in a building proposal over the height limit to include spaces for arts and cultural uses.

The space would have to meet the specifications for what is considered “space for the arts and cultural uses” as defined in the new code language and would be designed with the arts community needs in mind. Staff is recommending that the City of Boulder Arts Commission review proposals prior to Planning Board and make a recommendation to staff and Planning Board about whether the use is indeed a benefit to the community as a local arts or cultural use.

The specifications of the use (e.g., size, operating characteristics) would be put into an agreement that the developer would need to commit to ensuring that the community benefit continues. The use could be required to continue with the building for a period of 10 years, 20 years or in perpetuity. Staff’s recommendation on the duration of all the community benefit uses and penalty fees is listed below Table 3.

Table 3- Community Benefit – *Human / Social Services*

BVCP policy guidance & goals of the project	See Table 1
Ideas for definition	<p>High rents are putting pressure on human and social service uses to consider moving to locations outside the city of Boulder making provision of these services to the local population more difficult. This process is evaluating human and social service uses as an option to incentive retaining such uses within the city limits. The following uses are being considered:</p> <ul style="list-style-type: none"> ✓ Custodial care facilities ✓ Daycare centers ✓ Day shelters ✓ Emergency shelters ✓ Essential service facilities ✓ Group home facilities ✓ Non-profit health care facilities ✓ Nursing care facilities that accept Medicaid for at least a set percentage of beds ✓ Overnight shelters ✓ Residential care facilities ✓ Transitional housing ✓ Family resource centers ✓ Services for underserved populations (e.g., developmental disabilities, food pantries)

	✓ Any other non-profit or government facility that the applicant demonstrates serves a special population that the review authority agrees is a community benefit meeting the intent of this section		
Summary of community feedback on ideas	<p>Staff has coordinated with the city Department of Human Services and Initiatives and the Boulder County Human Services Alliance (HSA) on the approaches discussed above. HSA has been very helpful in communicating with its members and preparing surveys to get feedback on the proposed options.</p> <p>Attachment F contains answers to questions posed to the HSA membership. Most of the responses were positive toward the approach of incorporating human/social services uses as a community benefit uses. Some felt the list did not include their particular type of use and felt it needed to be refine more. Staff has updated the list to include “services for special populations (e.g., development disabilities, food pantries)”. Two questions posed to council are whether uses related to Food & Nutrition, Health & Well Being should be included on the list and whether all the uses in this list should be non-profit? Human Services found that the list should not necessarily be limited to non-profits as there might be some small local businesses that provide human services that would be beneficial.</p> <p><u>Be Heard Boulder questionnaire</u>: See Table 1.</p> <p><u>Site Review and Neighborhood Focus Groups feedback</u>: See Table 5.</p>		
Options <i>Staff recommended option to the right with explanation below</i>		Yes	No
Option 3-A	Create option as a subset of Site Review criteria?	✓	
Option 3-B	Set a minimum amount at least equivalent to Phase 1 benefit (e.g., permanently affordable housing)?	✓	
Option 3-C	Have Human Services provide a recommendation on the value of the proposed human / social service use?		✓
Option 3-C	Require agreement?	✓	
Option 3-D	Minimum duration of the use?	✓	
Option 3-E	In lieu option?	✓	
Option 3-F	Penalty fee?	✓	
Option 3-G	Restrict to non-profit uses?		✓
Option 3-H	Do not proceed?		✓
Staff Recommendation			
<p>Staff is recommending that human / social uses be added as a community benefit option to the Site Review criteria in the same section as previously drafted for permanently affordable housing. The amount would be determined by an economic study to be as equivalent as possible to the benefit created for permanently affordable housing. This includes all the options listed above with the exception of Option 3-C, 3-G and 3-H.</p> <p>Staff is recommending against limited to non-profits only (Option 3-G) based on the advice of Human Services that notes that some small, local, for-profit businesses may provide such services and they should not be excluded. There may have to be some criteria that are worked</p>			

into the code to ensure that such businesses are not a large national, non-local business to capture the uses that would be meet community needs. It's possible as well that such a business could fall under the community benefit options in Table 1.

The space would have to meet the specifications for what is considered "human and social service uses" as defined in the new code language. Staff is not recommending that the City of Boulder Human Services staff review proposals prior to Planning Board and make a recommendation on their advice that this could appear as favoritism. Rather, a set of minimum standards should be included in the code to ensure that such a use meets the definition in the code. Staff will be working with Human Services staff on what these criteria might be if this option moves forward.

The specifications of the use (e.g., size, operating characteristics) would be put into an agreement that the developer would need to commit to ensuring that the community benefit continues. The use could be required to continue with the building for a period of 10 years, 20 years or in perpetuity. Staff's recommendation on the duration of all the community benefit uses and penalty fees is listed below Table 3.

Staff recommendation on the duration of community benefit uses and penalty fees

To be equivalent to the benefit of permanently affordable housing, staff recommends that these uses be required in perpetuity and that a penalty fee be required for any community benefit use that ceases to operate. The penalty fee would apply until a Site Review Amendment is completed and a new replacement community benefit use is established.

Table 4 – Appendix J, Height Modification Eligibility Map Considerations			
BVCP policy guidance & goals of the project	See Table 1		
Ideas for updates	See options below		
Summary of community feedback on ideas	<p><u>Be Heard Boulder questionnaire</u>: Over 70% of respondents disagreed that existing interim measures that restrict where height modifications are permitted should be lifted, once more stringent community benefit requirements are put in place meaning the existing restrictive map should stay as is and should not be expanded or repealed.</p> <p><u>Site Review and Neighborhood Focus Groups feedback</u>: See Table 5.</p>		
Options <i>Staff recommended option to the right with explanation below</i>		Yes	No
Option 4-A	Keep Appendix J as it currently is		
Option 4-B	Modify Appendix J to expand areas of eligibility		
Option 4-C	Revoke Appendix J and allow Community Benefit program to apply city wide		

Option 4-D	Apply Phase 2 of the program, analyze the efficacy of the program and determine what to do with Appendix J at a later time.		
Staff Recommendation			
No recommendation at this time. Staff is developing the analysis to present to City Council at a later date.			

Table 5 – Site Review criteria update	
BVCP policy guidance & goals of the project	See Table 1
Ideas for updates	<ul style="list-style-type: none"> • Emphasize criteria that result in projects that address important city policies on design, environmental protection, and resiliency • Reorganize the criteria into a more top-down approach starting with policies compliance down to more detailed aspects like building design. The intent being that they would logically take the applicant and the reviewer through the site review in a clear way and not leave any major, important, site-design-altering criteria to the very end where the entire site needs to be redesigned. • Simplify the criteria by reducing the length through eliminating redundant criteria (e.g., environmental preservation, open space, parking design, landscaping) and combining criteria that already have similar themes/goals • Remove unnecessarily complicated criteria that don't accomplish design excellence or overlap with other code sections or are rarely implemented (e.g., energy efficiency, BR-1 floor area bonus standards) • Add more specificity to the criteria to make them less subjective, more prescriptive and measurable, where appropriate, and more predictable (e.g., noise mitigation, energy standards, building materials)
Summary of community feedback on ideas	<p><u>Site Review Focus Group</u>: Staff has convened a Site Review Focus Group of local design professionals and citizens of Boulder that have provided feedback on the ideas listed above as well as specific feedback for changes that would meet the goals of the project. The individuals were chosen based on their experience with working with the criteria. The following questions were posed to the group:</p> <ul style="list-style-type: none"> ○ <i>What has been your experience working with the Site Review criteria?</i> ○ <i>What has worked well? What has not work well?</i> ○ <i>Do you generally agree with the staff recommended ideas for changes?</i> ○ <i>Do you agree or disagree that the criteria should be made more prescriptive (more black and white) rather than subjective (subject to degrees of compliance)?</i>

- *What changes would you suggested to make the criteria better meet city goals, make criteria more simple and easy to understand, and make the outcome of project more predictable?*

The group largely agreed that the current Site Review criteria are subjective which can lead to unpredictable results and a lot of risk for developers. There were some that preferred the flexibility that the subjective criteria offered while others preferred more black and white standards like the Form-Based Code (FBC) because expectations were more clear. There was a range of support for this issue with some being concerned that if the criteria were too black and white, there would be less design creativity. As the discussion moved to be more specifically on each criterion, some found that some areas of the Site Review criteria should be made more prescriptive (e.g., BVCP) and other areas should remain more subjective (e.g., open space design, parking design). Some areas like “landscaping” were not found to require many changes and some criteria were recommended for removal (e.g., compliance with BVCP policies, criteria on density of surrounding area or economic feasibility) due to vagueness or redundancy (e.g., environmental preservation which shows up in three places). It was felt that some BVCP policies should be more directly implemented in specific criteria rather than a broad-brush criterion on complying with the BVCP. Some criteria were considered outdated and should be updated (e.g., open space, circulation) to reflect current values on shared spaces between cars and people and less suburban driven design. The discussion on the ‘Building Design’ and ‘Land Use Intensity Modification’ criteria indicated consensus that certain criteria were vague, redundant and often not used and thus, should be removed to simplify the criteria. On the matter of whether the building design criteria should be more black and white versus subjective, the group was initially in disagreement, but after discussing the FBC, came to some consensus that some FBC standards on the public realm, building materials and common sense design elements could be integrated into the Site Review criteria to increase the level of predictability. The group also generally agreed with the staff ideas for changes in addition to their suggestions. Summaries of the focus group meetings can be found in **Attachment G**.

Neighborhood Representative Focus Group: The Department of Communication and Engagement assisted with assembling neighborhood representatives from a number of different neighborhoods of Boulder (e.g., around downtown, University Hill, Martin Acres, Gunbarrel, Iris Hollow etc.). The group discussed all the aspects of the Community Benefit project including questions similar to the Be Heard Boulder questionnaire discuss below:

- *Do you agree that the three community benefits being analyzed in Phase 2 are appropriate to permit buildings over the zoning district height limit?*

- *Should the map where height modifications are permitted be modified to include more areas, be revoked to permit height modifications citywide, or maintained as is?*
- *Should additional design requirements apply to taller buildings?*
- *Should the Site Review criteria be updated to be more prescriptive rather than subjective?*
- *What does view protection mean to you?*

Some on the group felt that no more buildings over the height limit should be permitted. Others felt that some areas of the city may be appropriate to allow taller buildings (e.g., Opportunity Zone, Diagonal Plaza, East Boulder away from existing residential uses, industrial zones etc.) if additional requirements related to design and community benefit were applied. Most supported the community benefit options of Phase 2, but felt that other benefits should be included (e.g., net zero, mixed-use, transportation improvements, greenspace, publicly accessible rooftops etc.). Most of the group expressed support for the benefits, but some found that allowing additional housing and intensity is concerning because Boulder is getting over-built and too congested. There was some frustration that development was being forced on residents.

There was near consensus on adding new requirements to taller buildings, such as building width maximums or higher quality design requirements. There was also consensus on making the Site Review criteria more prescriptive and predictable, but similar to the Site Review Focus Group, that there may need to be some criteria that are black and white and others that remain subjective dependent on the criteria's intent.

View protection was supported by the group, but the degree of protection ranged from citywide to specific areas or view corridors. More detailed comments from the group can be reviewed in **Attachment H**.

Be Heard Boulder questionnaire:

- Nearly 70% of the respondents were in support of updating the Site Review Criteria to be less subjective and more predictable, with nearly 20% indicating they did not think the criteria should be updated in such a way.
- Regarding what “view protection” means in the context of the Site Review Criteria
 - The most selected option (88 respondents) was “No buildings over the zoning district height limit should be permitted anywhere in the city.”
 - 66 respondents (the most selected option) chose “Important public view corridors should be identified and mapped from public spaces and any proposal in such corridors must demonstrate that the height of any buildings maintain important public views”

	<ul style="list-style-type: none"> View to be protected included views to / from public open spaces, the Flatirons, as well as Pearl Street Mall, and 29th Street & Arapahoe were indicated for preservation of views among others. 		
Options <i>Staff recommended option to the right with explanation below</i>		Yes	No
Option 5-A	Implement the ideas above?	✓	
Option 5-B	Simplify BVCP criteria by removing references to all BVCP policies, on balance?	✓	
Option 5-C	Remove vague criteria regarding density and economic feasibility?	✓	
Option 5-C	Update “Circulation” criteria to reflect more contemporary design patterns of shared spaces?	✓	
Option 5-E	Remove criteria re: “ <i>minimize and mitigate energy conservation...</i> ”?	✓	
Option 5-F	Address view protections?	✓	
Option 5-G	Add FBC type regulations on street level detailing and treatments?	✓	
Option 5-H	Building material minimums?	✓	
Option 5-I	Transparency/fenestration minimums?	✓	
Option 5-J	Building length maximums?	✓	
Option 5-K	Upper floor requirements?		✓
Staff Recommendation			
<p>As there is consensus from both groups on improving the Site Review criteria, staff recommends that work continue on redrafting the criteria to be more simplified, more prescriptive where it makes sense, and with some new requirements that are borrow from successful elements of the Form-Based Code (FBC) regulations as baseline design expectations (e.g., building materials, building widths, detailing at ground level to improve the public realm etc.). Removing vague criteria and reducing redundancy would also be a big part of the changes. View protection appears to be important to many and thus, revisiting how to address views is recommended in the criteria update. This aspect is more complicated and may need to be deferred to a later date after view corridors are identified and mapped. Either way, staff is recommending moving forward with specific drafting of criteria to address the points raised by the focus groups and to accomplish the objectives of the project.</p>			

QUESTIONS FOR CITY COUNCIL

1. Does the City Council agree with the Table 1 staff recommendations for adding **below market rate rent commercial** as community benefit use? Should the Department of Community Vitality provide recommendations on how well the use meets the definition? To encourage more small local business, should additional restrictions on tenant space size, tenant space width, or on national franchises be applied?
2. Does the City Council agree with the Table 2 staff recommendations for adding **arts and cultural uses** as community benefit use? Should the Arts Commission provide recommendations on how well the use meets the definition?
3. Does the City Council agree with the Table 3 staff recommendations for adding **human / social service uses** as a community benefit use? Should Department of Human Services and Initiatives provide recommendations on how well the use meets the definition? Should uses related to Food & Nutrition, Health & Well Being be included on the list? Should all the uses in this category be non-profit to qualify?
4. **Minimum duration:** Should community benefit uses be required by agreements to be in operation for a set period of time (e.g., 10 years, 20 years) or should they be required in perpetuity like permanently affordable housing?
5. **Penalty fees:** For community benefit uses that cease operation after approval, should a penalty fee be required until a use of equal benefit is established?
6. **Site Review criteria:** Does the City Council agree with the staff Table 5 staff recommendations for updating the Site Review criteria?

NEXT STEPS

Dependent on the direction from City Council, staff intends to move forward with preparation of draft ordinance, economic analysis of the community benefit options, zoning district analysis for Appendix J (the map that shows where height modifications may be requested) and additional community engagement. Staff plans to bring forward an ordinance for consideration in either Quarter 4 2020 or Quarter 1 2021.

ATTACHMENTS

Attachment A- Background

Attachment B- Handout on the Community Benefits Phase 2 project

Attachment C- Be Heard Boulder questionnaire results

Attachment D- Handout on below market rate rent commercial and associated public comments

Attachment E- Handout on space for arts and cultural uses and associated public comments

Attachment F- Handout on human and social services and associated public comments

Attachment G- Summary notes from the Site Review Focus Group

Attachment H- Summary notes from Neighborhood Representative Focus Group

BACKGROUND

Commencement of Community Benefit project

The Community Benefit project commenced in 2018 following moving forward with specific Boulder Valley Comprehensive Plan (BVCP) implementation measures that were agreed upon by council in late 2017. Prior to focusing on permanently affordable housing as part of Phase 1 of the project in 2019 (discussed below), a study session was held with City Council on Sept. 25, 2018 (see page 227 of packet [here](#)) where council agreed with the stated purpose statement, goals and objectives and outreach approach for the broader project. City Council at that time requested that staff move forward with the broader list of identified community benefits. This foundational information as well as the guiding BVCP policies are listed below for reference:

Community Benefit code change project

Project Why Statement

A community benefits program has been discussed as one tool to ensure that new growth and development contribute positively to the community's quality of life. While higher quality of development is often attained through the [Site Review](#) process, in recent years community sentiment has expressed that more specific community benefits in exchange for additional height, intensity or density should be required.

Project Purpose Statement

Consistent with Boulder Valley Comprehensive Plan (BVCP) policies developed and adopted in 2017 (see below), update the land use code to create regulations and incentives for obtaining certain community benefits when considering height modifications requests and/or additional floor area or density requests.

Problem/Issue Statement

Under code standards prior to October 2019 (described below), applicants could request height modifications to build above the zoning district height limit (typically 35-feet or 38-feet) through the Site Review process without any specific requirements for Community Benefit. Further, prior to the adoption of Ordinance 8028 and Ordinance 8172, requests for height modifications could be made anywhere in the city. Such requests could be granted by the Planning Board if the Site Review criteria were met. Other than the open space requirements below and criteria related to compatibility and proportional height compared to other nearby buildings, no specific design, or community benefit requirements beyond the standard requirements for Site Review were required as part of height modification requests.

Open Space requirements (Section 9-9-11, B.R.C. 1981):

- *Buildings under 35 feet in height must provide 10% of the land area as useable open space;*
- *Buildings 35 to 45 feet in height must provide 15% of the land area as useable open space, and*
- *Buildings greater than 45 feet in height must provide 20% of the land area as useable open space*

Process requirements (Section 9-2-14(g)(3), B.R.C. 1981):

- *Requests over by-right height of a zoning district must be reviewed under Site Review, must meet the detailed Site Review criteria to be approved, and are reviewed by the Planning Board.*

Site Review criteria (Section 9-2-14(h)(2)(F), B.R.C. 1981) related to compatibility and height:

- (i) *The building height, mass, scale, orientation, architecture and configuration are compatible with the existing character of the area or the character established by adopted design guidelines or plans for the area;*
- (ii) *The height of buildings is in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans or design guidelines for the immediate area;*

There are some in the community that have found that height modification requests should require additional design requirements that improve the appearance and compatibility of taller buildings and/or include benefit to the community in exchange for the additional intensity granted. This sentiment is reflected in the following Boulder Valley Comprehensive Plan (BVCP) policies relative to community benefit, building height and permanently affordable housing:

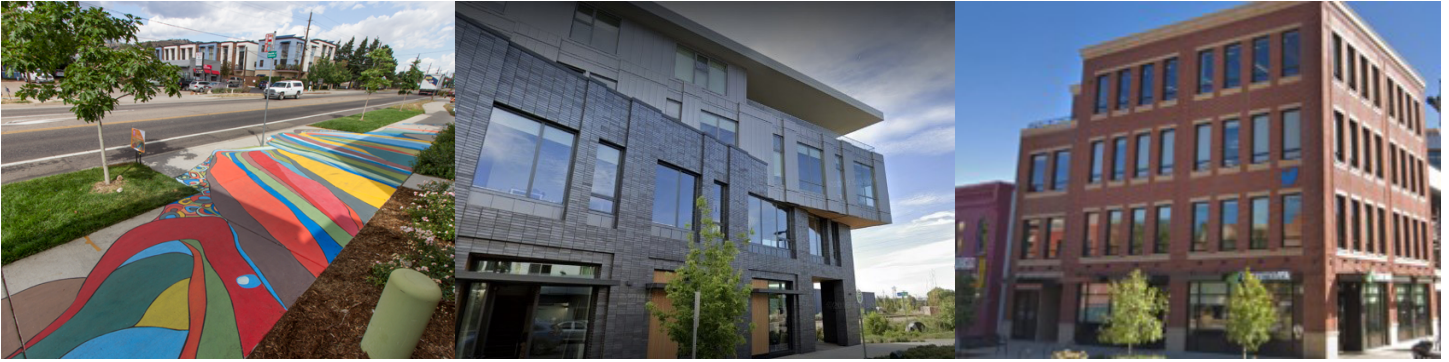
Guiding BVCP Policies

1.11 Enhanced Community Benefit: For land use or zoning district changes that result in increases in the density or intensity of development beyond what is permitted by the underlying zoning or for added height that increases intensity, the city will develop regulations and incentives so that the new development provides benefits to the community beyond those otherwise required by the underlying zoning. Any incentives are intended to address the community economic, social and environmental objectives of the comprehensive plan. Community objectives include without limitation affordable housing, affordable commercial space, spaces for the arts, community gathering space, public art, land for parks, open space, environmental protection or restoration, outdoor spaces and other identified social needs and services. Community objectives also may be identified through other planning or policymaking efforts of the city.

2.35 Building Height. The city will review and update site review regulations to provide clear guidance on height and intensity of land uses and to address relationship of building height to aesthetics and view protection. The city will consider additional height (up to the City Charter 55-foot height limit) as an incentive in exchange for community benefits that further other community objectives such as the provision of permanently affordable housing (as described in Policy 1.11).

7.11 Permanently Affordable Housing for Additional Intensity. The city will develop regulations and policies to ensure that when additional intensity is provided through changes to zoning, a larger proportion of the additional development potential for the residential use will be permanently affordable housing for low, moderate and middle-income households.

COMMUNITY BENEFITS PHASE 2



What is the **Community Benefits Project?**

A suite of *additional* regulations and incentives that result in specific community benefits with certain development projects, like...

Types of Community Benefits:

-  Affordable Housing (Phase 1 adopted Oct. 2019)
-  Below Market-Rate Rent Commercial Space (Phase 2 Emphasis)
-  Arts & Culture
-  Environmentally Enhanced Design
-  Social Needs

Building Height Example:

Three stories allowed in most areas of the city.



Some areas or types of projects could request an additional 1-2 stories in exchange for providing community benefits.



Stay Informed

www.bouldercolorado.gov/planning/community-benefit-project

Contacts:

Karl Guiler, guilerk@bouldercolorado.gov,
303-441-4236

Shannon Moeller, moellers@bouldercolorado.gov,
303-441-3137

Review other Land Use Code Amendment Projects:

www.bouldercolorado.gov/plan-develop/code-amendment-projects

Project Background

Why?

A community benefits program has been discussed as one tool to ensure that new growth and development contribute positively to the community's quality of life. While higher quality of development is often attained through the [Site Review](#) process, in recent years community sentiment has expressed that more specific community benefits in exchange for additional height, intensity or density should be required.

Purpose

Consistent with Boulder Valley Comprehensive Plan (BVCP) policies developed and adopted in 2017 (see page 3), update the land use code to create regulations and incentives for obtaining certain community benefits when considering height modifications requests and/or additional floor area or density requests.

Project Scope *(What sections of the Land Use Code may change?)*

- o Code changes to Section 9-2-14, "Site Review", B.R.C. 1981 that:
 - ▶ Expand the Community Benefit program by adding new land use intensity modification criteria for community benefits beyond permanently affordable housing.
 - ▶ Revise criteria to be more prescriptive to increase the level of predictability in projects in terms of form, design and intensity and to better achieve BVCP goals of sustainability and resiliency.
 - ▶ Add design standards that address taller, larger buildings and avoid impacts to identified public view corridors.
- o Consider updates to, or repeal of, the *Appendix J map*.

What will this project aim to do?

- ▶ Determine the type and amount of community benefits that would be provided to achieve increased intensity, building height or zone district changes.
- ▶ Identify incentives to address the community economic, social and environmental objectives of the comprehensive plan.
- ▶ Clearly specify the required triggers for community benefit and identify how (or if) the benefits would be maintained in perpetuity.
- ▶ Determine additional design standards for projects requesting a height modification.

Program Eligibility

✓ Additional Building Height

Requests for a four- or five-story building when the zoning district only allows three. The height would not exceed 55 feet in any case.

✓ Additional Floor Area

Floor area is the total square footage of all the floors of a structure or building. The Floor Area Ratio is a measure of the intensity – how large a building can be relative to the land size (floor area divided by the lot size).

We will explore if projects can achieve a higher floor area ratio in exchange for community benefits.

✓ Additional Density

Require community benefits for projects that request more density (housing units per acre) than permitted by the underlying zoning district.

✓ Certain Rezoning

Require community benefits for projects requesting a rezoning to a zone that allows higher density or intensity.

Completed Q4 2019

Phase 1

WE ARE HERE!

Phase 2: Expand the Community Benefits program

2019

2020 Quarter 1

2020 Quarter 2

Additional affordable housing required

Community Outreach

Option Development

and Public Feedback

Community Benefits Phase 2 Focus

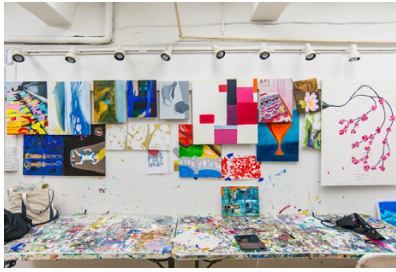
What Community Benefits are being explored?

Below Market Rate Rent Commercial

A voluntary agreement to establish a maximum rent rate of 75%, for example, of the market rate rent for local, independent and small businesses, and non-profit organizations.

Arts & Culture

Affordable space for arts-related uses like art studios, arts and cultural retail sales and live-work units.



Environmentally Enhanced Design

Require net zero buildings that are designed to consume less energy than what is produced on site.

Social Needs

Require a minimum square footage of space allotted for social services uses (e.g., day cares, health clinics, senior services)



What has been completed so far?

- ▶ Community Benefit Phase 1 was completed on Oct. 29, 2019, when City Council adopted an ordinance adding new Site Review criteria requiring additional permanently affordable housing requirements for proposals requesting floor area above a zoning district height limit up to 55-feet in any fourth or fifth story.
- ▶ [Appendix J](#), the map that specifies where height modifications may be requested was kept in effect, but was updated by council to include the [Alpine-Balsam Area Plan](#) area and the Residential High – 3 (RH-3) zoning district with a new sunset date of May 31, 2021 (see page 4).

BVCP Guiding Policies

1.11 Enhanced Community Benefit:

For land use or zoning district changes that result in increases in the density or intensity of development beyond what is permitted by the underlying zoning or for added height that increases intensity, the city will develop regulations and incentives so that the new development provides benefits to the community beyond those otherwise required by the underlying zoning. Any incentives are intended to address the community economic, social and environmental objectives of the comprehensive plan. Community objectives include without limitation affordable housing, affordable commercial space, spaces for the arts, community gathering space, public art, land for parks, open space, environmental protection or restoration, outdoor spaces and other identified social needs and services. Community objectives also may be identified through other planning or policymaking efforts of the city.

Visit the project webpage for additional policy and background information:

www.bouldercolorado.gov/planning/community-benefit-project

to include other community goals and site review criteria.

Quarter 3

Council Feedback
(1) Update on Phase 2 Community Benefit Project
Preferred Option Development and Public feedback

Quarter 4

Council Consideration, Public Hearings, and Ordinance drafting

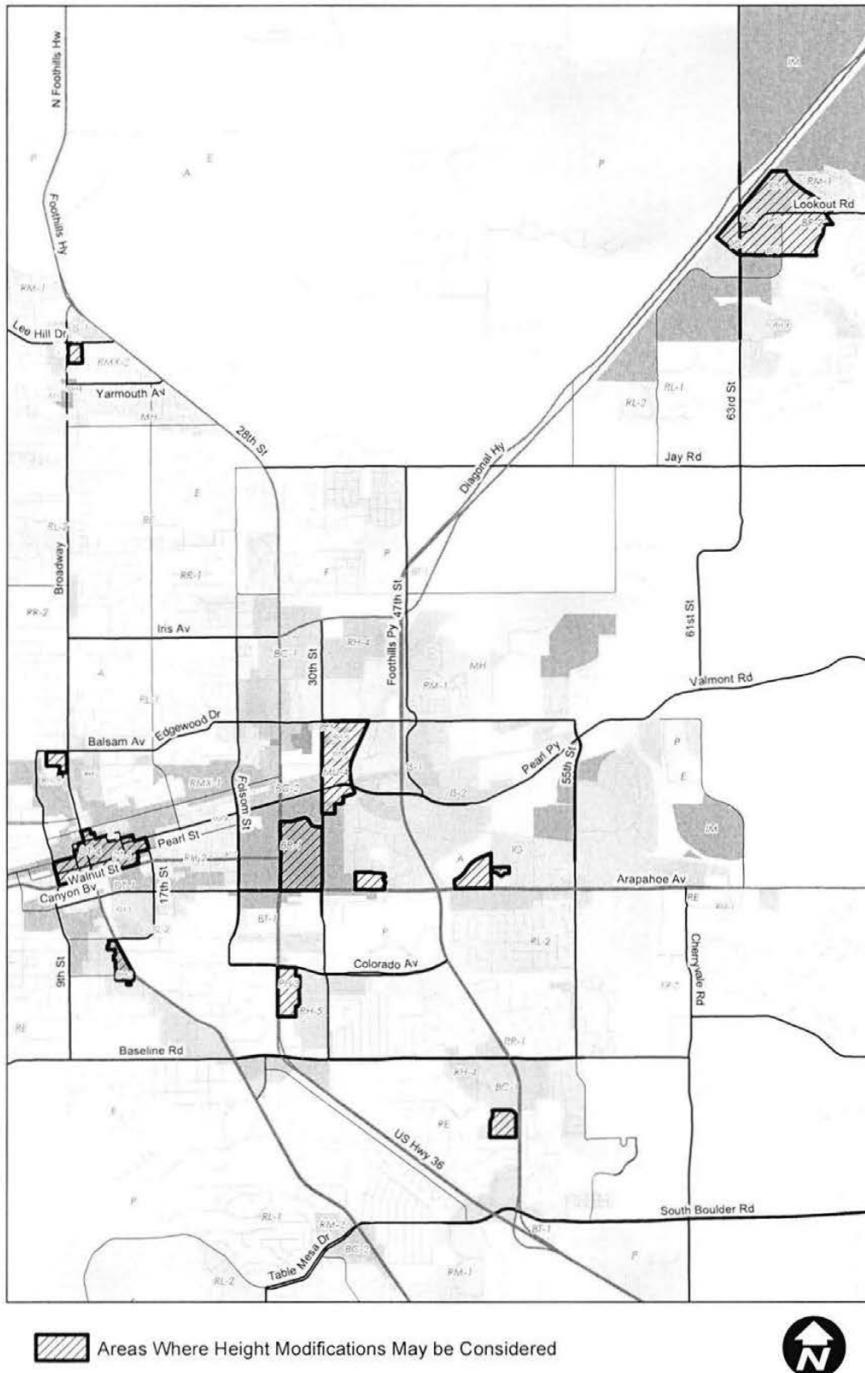
Adoption of Phase 2 Community Benefits



Other Considerations

Appendix J Map

[Appendix J](#), is the map in the land use code that specifies where height modifications may be requested. It was originally adopted as an interim measure by City Council in 2015 until the Community Benefit project concluded. The sunset dates applied to the map has been extended twice – with the current sunset date set at May 31, 2021. Staff will be looking at whether the city should remove the map, amend the map or keep it as it is as part of this process.



Site Review Criteria Update

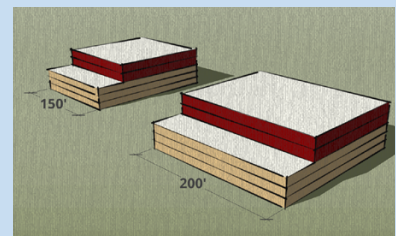
Planning staff is also looking at updating the detailed Site Review criteria that apply to larger development projects in the city to:

- ▶ Better achieve BVCP policies, particularly related to design, energy use and resiliency
- ▶ Create a greater level of predictability
- ▶ Increase the level of simplicity and reduce redundancy

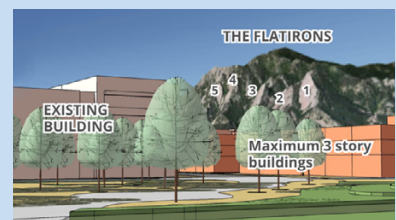
Staff is also looking at additional design requirements applied to taller buildings for enhanced compatibility and reducing impact to important public view corridors.



Higher quality building design for taller buildings



Upper floor or building length limits



Protect important view corridors

Community Benefit Phase 2 Questionnaire

SURVEY RESPONSE REPORT

13 July 2020 - 11 August 2020

PROJECT NAME:

Community Benefit Phase 2

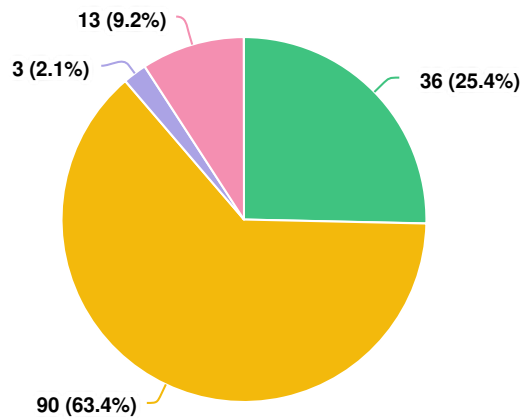




SURVEY QUESTIONS

Community Benefit Phase 2 Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q1 | Do you agree that community benefit in the form of affordable commercial space (locally owned businesses or non-profits), space for arts and cultural uses or social service uses (e.g., child care, senior care) is appropriate to permit buildings over a zoning district height limit (typically over 35-feet, but no taller than 55-feet)?

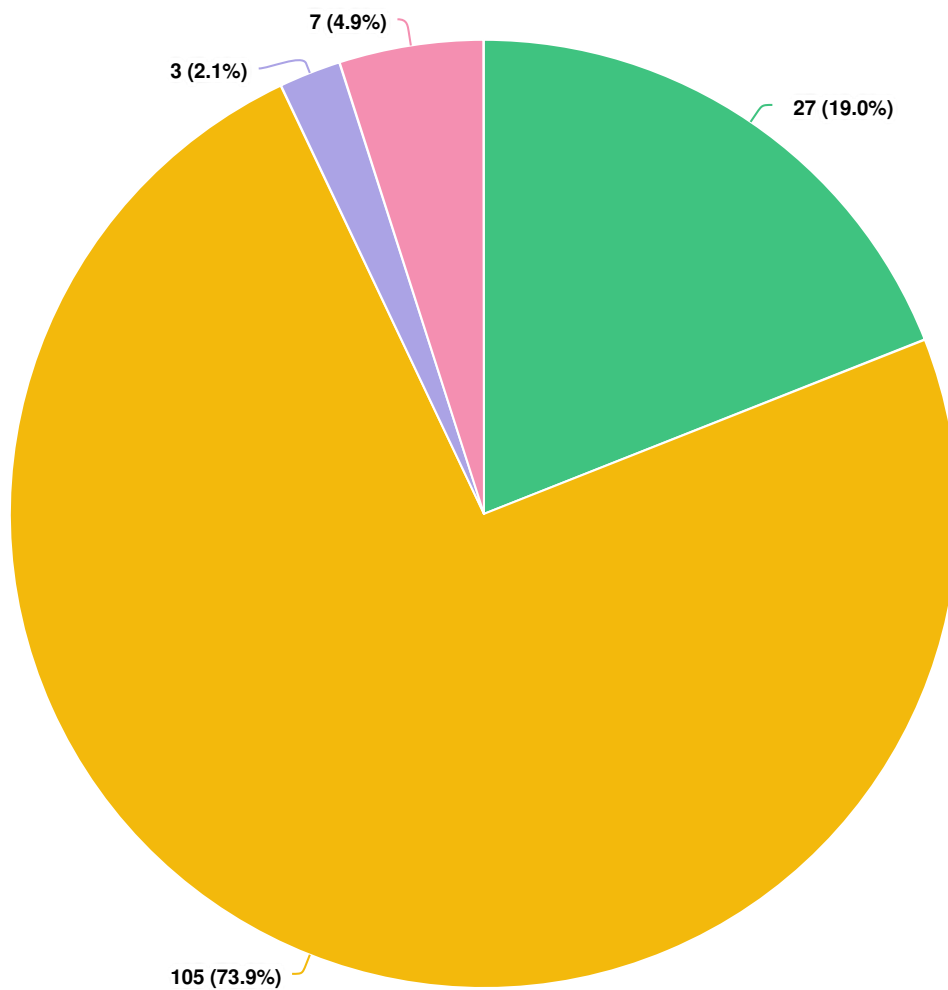
**Question options**

● Yes ● No ● Undecided ● Other (please specify)

Mandatory Question (142 response(s))

Question type: Radio Button Question

Q2 | With some exceptions, height modifications are only permitted in limited areas of the city (e.g., downtown, Boulder Junction etc.). This limitation on where height modifications could be requested was only meant as an interim measure until community benefit requirements were added to the land use code. Do you agree that the restrictions on where height modifications are permitted should be lifted (i.e., allowed city wide) once more stringent community benefit requirements are put in place?



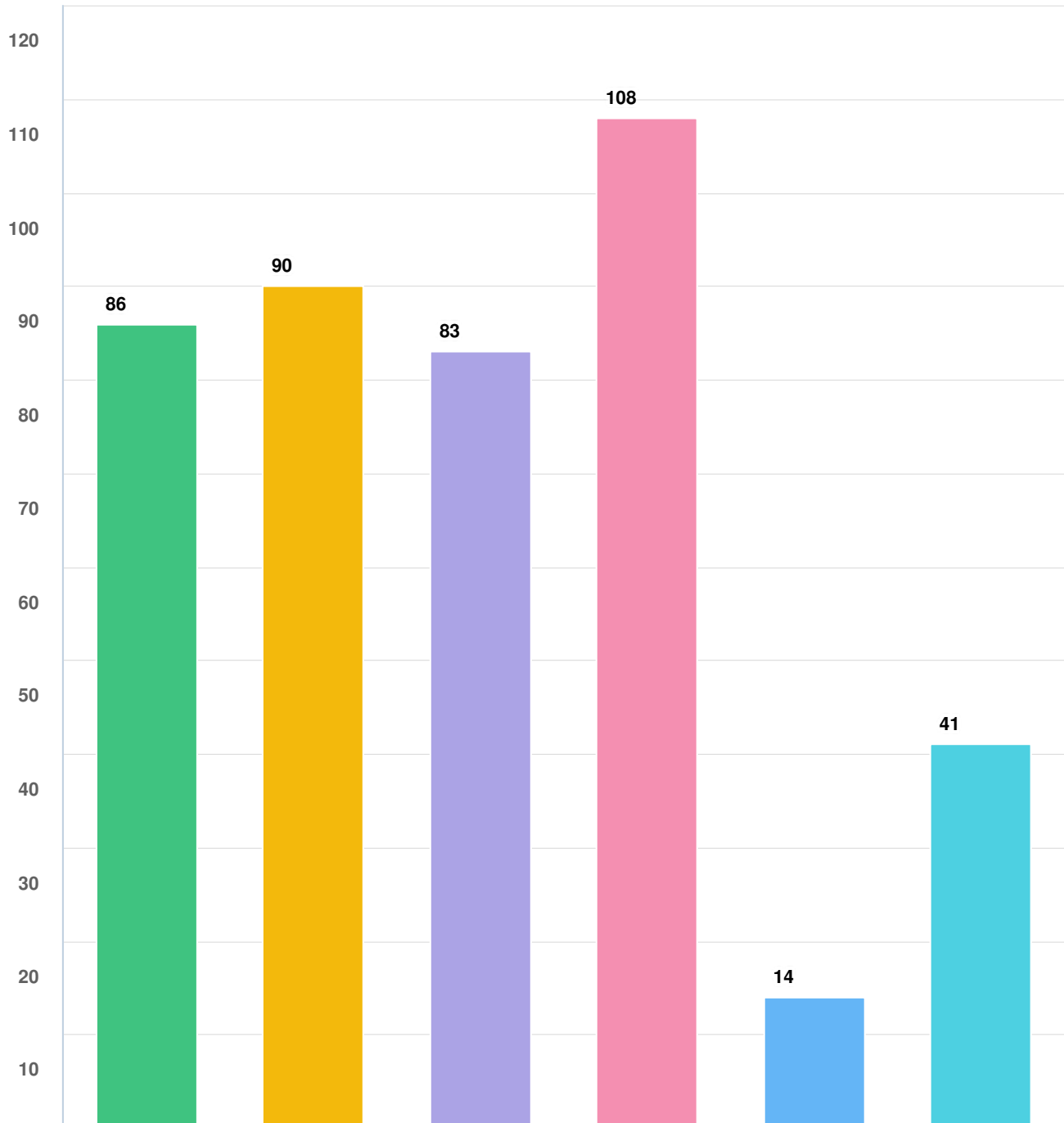
Question options

☒ Yes
 ☒ No
 ☐ Undecided
 ☐ Other (please specify)

Mandatory Question (142 response(s))

Question type: Radio Button Question

Q3 All buildings over the height limit are subject to consistency with the Site Review criteria and require Planning Board approval. The criteria require higher quality site and building design than “by-right” projects. What additional requirements do you think should apply to buildings over 35-feet, but no taller than 55-feet? Select ALL that you agree with:



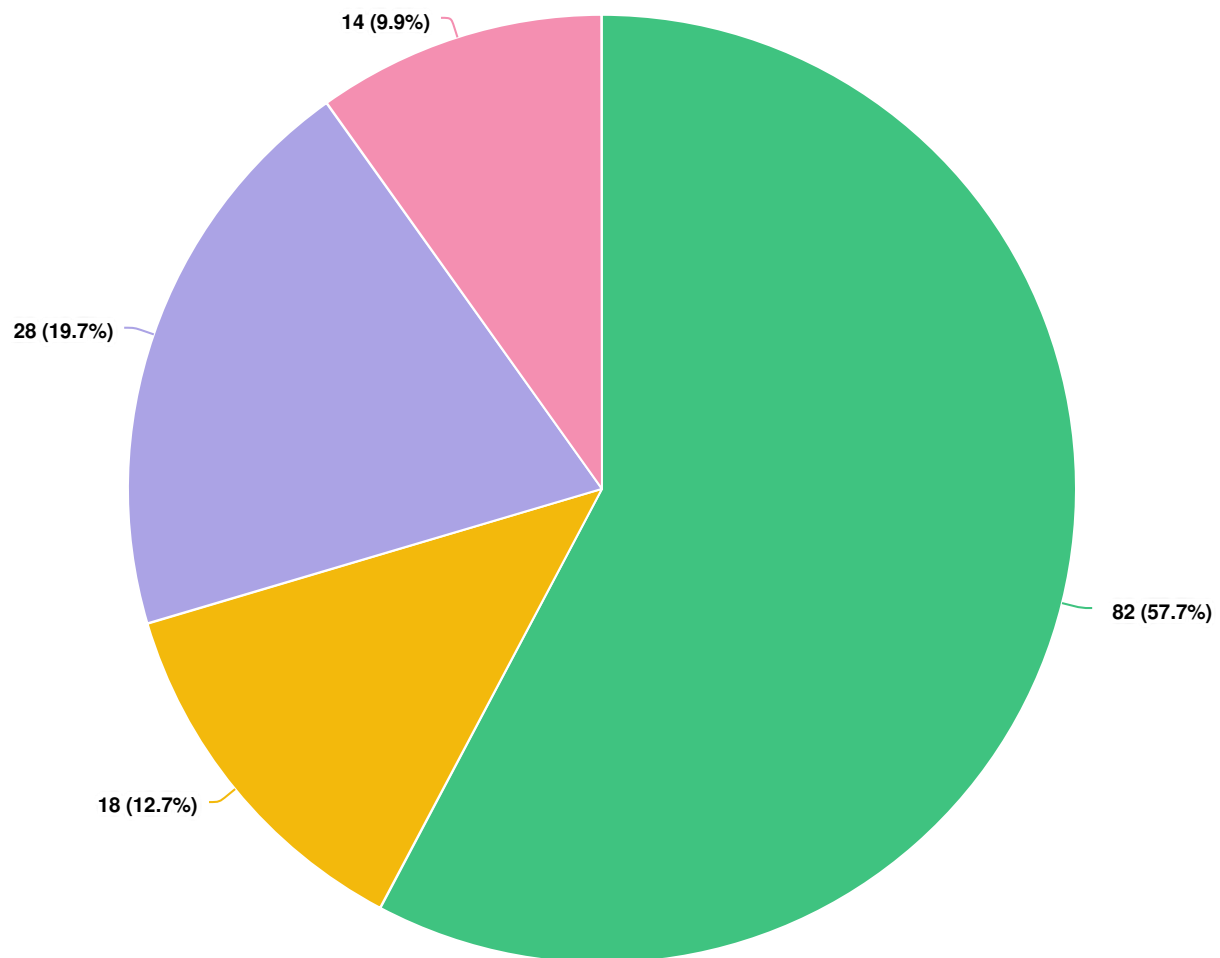
Question options

- High quality building materials (e.g., brick, stone, wood)
 ● Limitations on building widths to not have block long buildings
- Larger upper floor setbacks or limitations on upper floor sizes
 ● Special protection for important public view corridors
- No additional requirements should be added
 ● Other (please specify)

Mandatory Question (142 response(s))

Question type: Checkbox Question

- Q4** | Larger projects, including those seeking height modifications, require consistency with the detailed Site Review criteria of Section 9-2-14(h), B.R.C. 1981. The criteria have been criticized by neighbors and developers alike for being too subjective and resulting in projects that are not necessarily predictable or more consistent with city policies. Do you think the criteria should be updated to be less subjective, more predictable (e.g., more "black and white" as to whether a requirement is met or not)?

**Question options**

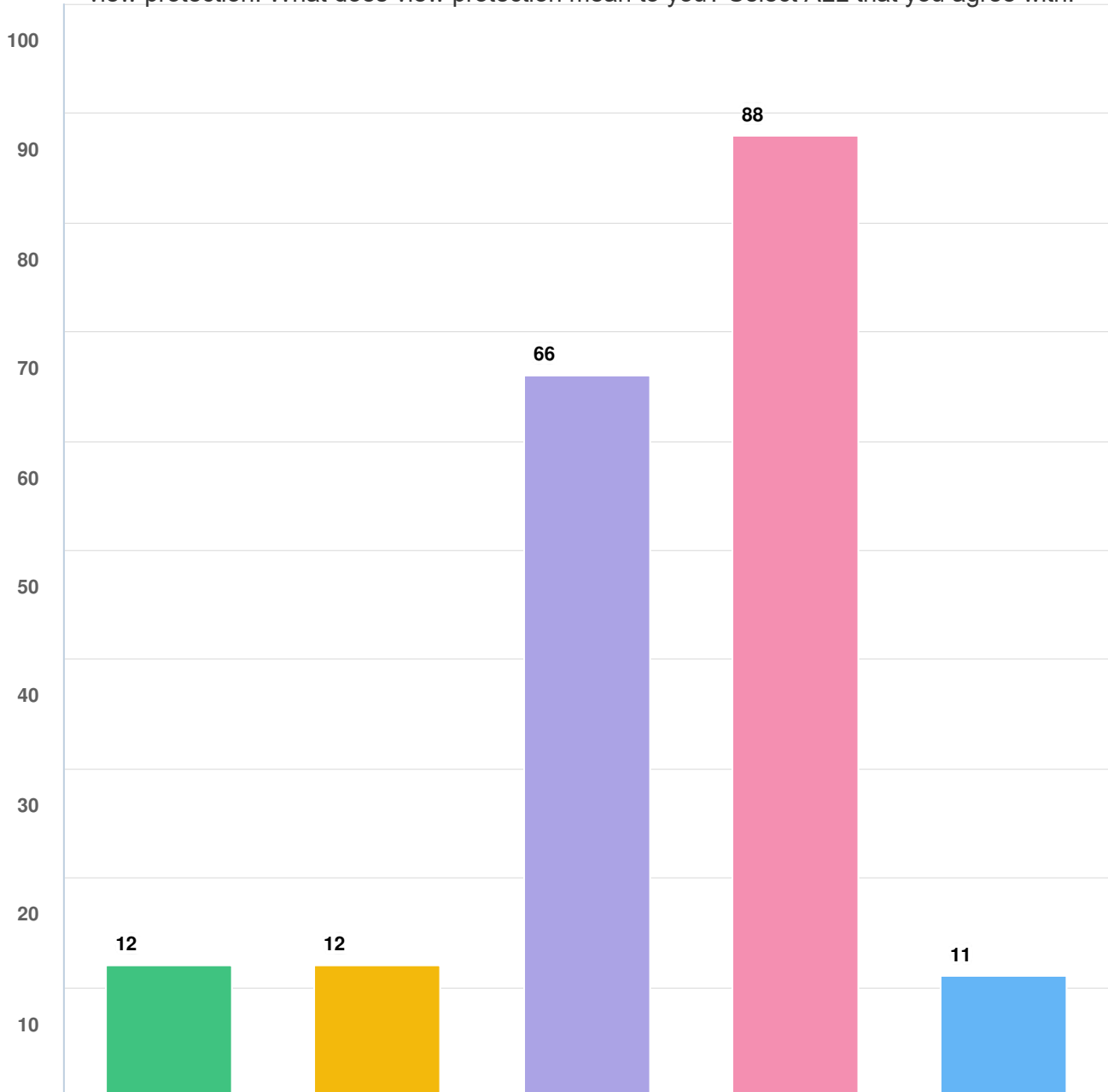
● Yes ● No ● Undecided ● Other (please specify)

Mandatory Question (142 response(s))
Question type: Radio Button Question

Community Benefit Phase 2 Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q5

Boulder's Comprehensive Plan supports updating regulations to address the relationship between buildings built over zoning district height limits and view protection. Presently there are Site Review criteria related to building height and view protection, but they are not specific or explicit. Any buildings over the zoning district height limit requires Planning Board review and approval of a Site Review height modification and this process will not change. However, updates to the Site Review criteria may result in regulations/criteria more specific related to view protection. What does view protection mean to you? Select ALL that you agree with:



Question options

- There should be no new or specific view protection restrictions/criteria on building's over the zoning district height limit.
- Only buildings in specific areas of the city that are found to have lesser impact on views should be permitted and such requests to build above the zoning district height limit should have no specific requirements related to view protection.
- Important public view corridors should be identified and mapped from public spaces and any proposal in such corridors must demonstrate that the height of any buildings maintain important public views.
- No buildings over the zoning district height limit should be permitted anywhere in the city. ● Other (please specify)

Mandatory Question (142 response(s))

Question type: Checkbox Question

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Q6 | What areas or public view corridors should be protected in the city?

Ann Moss

7/17/2020 02:10 PM

Right now it seems many special view corridors are from parking lots. Hopefully as these areas develop they can become quality open spaces while still having room for 55' buildings. It's about wholistic site planning.

SADDAS

7/20/2020 06:53 PM

Mountains should be easily visible from everywhere.

Banyan

7/21/2020 03:37 PM

All

Els2155

7/21/2020 03:43 PM

In general I feel areas closer to the mountains should be more protected. Additionally, there are views from parks throughout the city that should be protected along with the Boulder Creek corridor.

laura80304

7/21/2020 04:00 PM

Views from public spaces, like North Boulder Park

mws

7/21/2020 09:27 PM

Pearl street, hill, twenty ninth st, Broadway, canyon, Arapahoe

dwensign

7/22/2020 10:24 AM

Foothills views are always a great public benefit, especially when there are city parks and active streetscapes with views. However, that doesn't mean that we can see the foothills from everywhere...clearly there are areas appropriate for height to 55.

jayargloster

7/22/2020 05:43 PM

None.

JoeUser

7/22/2020 11:18 PM

Pearl Street, 29th Street Mall, Canyon

Tarim

7/23/2020 08:34 AM

Just a limited number. Mostly the commercial areas in downtown, Crossroads Mall, Boulder Junction, and possibly the Table Mesa shopping area.

Lindsay

7/23/2020 03:05 PM

The landscape of boulder has sadly continued to shift in ways we cannot undue. Far to many views are already obstructed with the massive number of new structures that are built up to the height limit. All areas and views should be protected.

Marja Duggan

7/23/2020 05:57 PM

View of the mountains, and downtown areas.

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Beth Isacke 7/24/2020 10:44 AM	wish CU hadn't built Athletic buildings that now hog views....can CU cooperate?
Marge 7/24/2020 02:32 PM	all everywhere
Lolo 7/25/2020 09:01 AM	This is hard, but I really like being able to see the front range and think it should not be blocked by a bunch of high rise buildings from anywhere in the city.
shaquettay 7/25/2020 12:02 PM	All public spaces, zero private spaces. Have the courage to tell individual nimby homeowners to shove it, but protect the public interest.
ddirks 7/25/2020 02:13 PM	It seems like any place the city thinks is a good place for people to congregate outdoors should be a candidate for protection. Parks, schools, the Pearl Street Mall (too late!), pedestrian paths, etc.
judy 7/26/2020 10:40 PM	All. Every view corridor affects something, whether a neighborhood, large or small, or an entry way to the City.
Lieschen 7/27/2020 11:08 AM	West pearl, west of Broadway, coming down the hill from nobo esp on 19th and on Broadway
Colorado Hiker 7/27/2020 06:14 PM	All residential neighborhoods, downtown.
Anthony Sant Elia 7/27/2020 07:15 PM	West of Folsom
Jessicab721 7/27/2020 07:33 PM	ALL!
Jorge 7/27/2020 07:44 PM	All
Dorsey Delavigne 7/28/2020 08:49 AM	Any and all
scottholton 7/28/2020 09:25 AM	Views from open space.
niceberg_ahead 7/28/2020 12:54 PM	"single-family" neighborhoods should alway be protected.
sallyeckert 7/28/2020 01:55 PM	Any view on the west side of Broadway is subject to review.

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RoselleGeorge

7/29/2020 05:44 AM

All

bolderboulder

7/29/2020 03:47 PM

views to the west from Broadway, views to south from Pearl Street

L Arts

7/31/2020 11:10 AM

I've lived in big cities. There's no reason to turn downtown into tall buildings that obscure the mountains--that's the whole charm of the downtown area. I want to see the mountains from 30th to the canyon. What happens farther east isn't an issue.

elemdoubleu

8/01/2020 05:18 PM

Views from public spaces like parks

Elene

8/02/2020 08:56 AM

view of the flatirons

CBrock

8/03/2020 09:20 AM

Views from parks and other pedestrian oriented spaces. Driving viewpoints should not be explicitly mapped or protected.

MapletonHill

8/05/2020 05:39 PM

Flatirons, Flagstaff and Mt Sanitas views especially west of 28th Street where these views are close and spectacular but easily obstructed by buildings over 35 ft. The north and south entriesvti the City on Broadway where views are disappearing esp N Bdw

BoulderLow

8/06/2020 06:43 AM

Everywhere wesy of 28th St!

Lisa

8/06/2020 04:28 PM

all areas

EmilyReynolds

8/08/2020 10:27 AM

Everything west of 30th Street

james martin

8/08/2020 02:41 PM

360 degrees of views should be protected.

TAbrownL

8/08/2020 03:43 PM

All remaining (though these are much fewer since the monstrosities that have been built.

Cs

8/08/2020 04:42 PM

Flatirons, Sanitas, Elorado, Haystack to name a few

mizlizhanson

8/09/2020 08:49 PM

Needs to be analyzed; areas of downtown, from major streets/intersections

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Kaem0749 8/10/2020 10:11 AM	All buildings west of Folsom should be kept lower. A bit more leniency might be allowed in eastern part of city.
nicko 8/10/2020 10:11 AM	Boulder
c2 8/10/2020 10:14 AM	From NCAR north beyond where the star is located
Mary M Harrold 8/10/2020 10:15 AM	The Flatiron views were cut off from the downtown area by the Daily Camera building and the building on the SW corner of Walnut and 9th. No more of this.
mhubs 8/10/2020 10:15 AM	Views along Broadway of Sanitas and Flatirons, views around North Boulder Park, views from Pearl and Walnut of Flat Irons
marc 8/10/2020 10:18 AM	Downtown especialy.
Cristóbal 8/10/2020 10:21 AM	all
EmcC 8/10/2020 10:30 AM	Flatirons
bouldergreen 8/10/2020 10:33 AM	everywhere.
Mountain_Ry 8/10/2020 10:38 AM	Views west to the Foothills need to be protected. Streets such as Broadway, 28th and 30th have all had there views west to the foothills limited or eliminated by buildings that are too tall.
J Hudson 8/10/2020 10:42 AM	ALL
Creussco 8/10/2020 10:48 AM	Ideal Market and Community plaza from Broadway, as these are landmarks to Boulder residents. Boulder views of Flatirons in general should be protected.
Nancy Kornblum 8/10/2020 10:51 AM	Too many to identify
KR 8/10/2020 10:52 AM	As many as possonle
FliAngler 8/10/2020 10:59 AM	Seeing the mountains from downtown.

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mariac 8/10/2020 11:00 AM	Old North Boulder Neighborhood and all neighborhoods West of 28th St
Brentdaily 8/10/2020 11:11 AM	Views toward flatirons, Back range
Dan Miller 8/10/2020 11:12 AM	The remaining Flatiron and Front Range downtown views should be preserved as much as possible.
Colorado26 8/10/2020 11:19 AM	All views of the flatirons and the open space and mountains
Kerschner 8/10/2020 11:20 AM	Anything view towards the flatirons / foothills should be protected
jessicatwerp 8/10/2020 11:25 AM	Views from downtown to the Flatirons, from South Boulder (east of the Table Mesa Shopping Center) to Green Mountain & Bear Peak
swimmare25 8/10/2020 11:26 AM	ALL OF THEM!
theothertexan 8/10/2020 11:30 AM	I don't think we should build above 3 stories West of Broadway. We need to protect views of the Flatirons and foothills.
dogwalker 8/10/2020 11:33 AM	Views of our biggest asset- the Flatirons- and its related cousins on both sides makes up our open space backdrop. Any building over 35 feet west of 28th should be very carefully vetted and views W, NW, SW from 28th should be carefully mapped
Robert 8/10/2020 11:34 AM	All, if a cost-benefit analysis was actually performed, there is very little apparent benefit to squeezing such a small group of additional outsiders into our small town but that congestion, noise and view impairment has a dramatic effect on us here.
preserve-the-character 8/10/2020 01:00 PM	Anything west of Folsom.
RES2155 8/10/2020 01:20 PM	all
paulbdoc 8/10/2020 01:45 PM	All current areas with open view of the mountains
Gfred 8/10/2020 02:49 PM	All views

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Ellie 8/10/2020 03:23 PM	Foothills, Solar sunshade
jay1 8/10/2020 03:27 PM	Any view of the Flatirons
Gail S. 8/10/2020 04:07 PM	All
cg 8/10/2020 04:48 PM	all - people living in poverty are most impacted by these buildings but would benefit most from being able to see a sense of place, nature etc.
Jan.S 8/10/2020 05:37 PM	All areas from Foothills Parkway west would be ideal Realistically maybe West of Folsom
Michellej 8/10/2020 06:52 PM	Everywhere west of foothills
Thurman Geary 8/10/2020 07:03 PM	Everything west of 30th street should be evaluated for disruption of the views toward the front range and flatirons.
Detlef 8/10/2020 07:20 PM	historic, scenic, university area, important architecture, canyon and creek area, parks
Erin K 8/10/2020 07:27 PM	All.
MichaelGaeta 8/10/2020 07:57 PM	The whole city.
Kinguthke 8/10/2020 08:04 PM	Downtown
AEAK 8/10/2020 08:09 PM	All, the entire city - too much has already been negatively impacted
Chris Halteman 8/10/2020 08:34 PM	Any veiws of the Flatirons should be protected from as many locations as possible. That is what makes this town unique through out the world.
evergreen 8/10/2020 08:41 PM	All property west of Broadway (perhaps even 19th Street in the Central Boulder core).
David Silver 8/10/2020 09:26 PM	Downtown, Mapleton Hill, North Boulder Park, Chautauqua for starters...

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Mjmortimer 8/10/2020 09:30 PM	See earlier comments.
MarcM 8/10/2020 09:45 PM	Everything west of foothills parkway from Table Mesa to Highway 36
drjean 8/11/2020 07:02 AM	All
Pam 8/11/2020 12:41 PM	Everywhere! Specifically, when the old Boulder Community Hospital site is developed, the building heights should be lower than they were -- that's an important view corridor for the heart of Boulder. Also, nothing taller downtown or at Table Mesa...
amylouwho 8/11/2020 03:05 PM	Views of the Flat Irons should be preserved from this point forward.
SusanP 8/11/2020 03:35 PM	EVERY corridor, entry point and neighborhood that gives us ALL (not just the people who live in the building), access to the views of nature that surround us and define us as a beautiful mountain town.
Patty Dance 8/11/2020 04:00 PM	Whatever is left after turning 30th street into a corridor, downtown, 28th Street, all along the foothills
Patti Gassaway 8/11/2020 05:53 PM	Downtown Mall area, the Hill, North and South and East residential areas.
oragoldman 8/11/2020 07:02 PM	Flatirons and foothills
Richarde 8/11/2020 08:18 PM	Please leave Historic Boulder alone. If these tall buildings must be built, allow them east of 28th.
Hamfam 8/11/2020 08:54 PM	Flatiron views
BoulderResident 8/11/2020 09:07 PM	Consider more setbacks of buildings. Trees bordering streets. The new buildingS along Pearl St. East of 19th and along 30th look like you are in a valley. Some are too high and almost continuous. Traffic is also getting bad due to high number.
MA 8/11/2020 10:31 PM	This is a difficult question to interpret...More explanation is necessary...therefore....All views should be protected in Boulder...

Optional question (98 response(s), 44 skipped)

Question type: Single Line Question

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Q7 | What other comments or ideas on this topic would you like to share?

Ann Moss

7/17/2020 02:10 PM

Space for the Arts is critical to include as a community benefit! Thank you!

SADDAS

7/20/2020 06:53 PM

Dislike linking this building to affordable housing. Better zoning would open up lots of already built commercial buildings for entry level housing, condos, tiny homes centers. Any building, however should provide for easy access to groceries, schools, day cares. And easy transportation. What is reasonable distance for mom with two little ones to carry multiple bags of groceries.

Banyan

7/21/2020 03:37 PM

This continues to be a slippery slope. More density has not created affordability. You are just creating density in a small city not large enough to EVER meet demand

Els2155

7/21/2020 03:43 PM

I think the mapping of view corridors would be a great move forward, and as I stated above having different height/view requirements on a per-neighborhood or area-by/area basis sounds quite sensible to me.

harmsalt

7/21/2020 07:30 PM

Reduce the existing requirements on height.

dwensign

7/22/2020 10:24 AM

Appendix J should be retired on schedule next year. Consideration of projects up to 55 ft. should not be subject to this temporary limitation once we have this ordinance in place. There are already people who don't realize this was supposed to be temporary, and it will become harder and harder to get rid of this the longer it is in place.

LetsFicks

7/22/2020 04:56 PM

Currently Boulder basically does not allow any development: you can't build out, you can't build up, and you can't densify. this is completely unsustainable, hurts the environment, discriminates against lower income people, and increases traffic. Ideally we should allow all buildings to be a bit taller, certainly by-right within a mile of downtown, and we should make any design requirements clear and precise. that way developers can submit directly to the city planning office, a plan reviewer can check off whether they've met the clear requirements, and they can get their permit in a timely and cost-effective manner. Design and planning boards are subjective and are often just tools to prevent city growth. I've watched those planning board meetings and the board is full of some of the most nimby-ish, pro-segregation bullshit i've ever seen. Boulder has a massive housing deficit. Lower income and elderly community members are being driven from their homes. 100,000 people commute into boulder every day, mostly by single occupancy vehicle, and that greatly increases traffic and pollution in a city that professes to care about the environment. Think how much good could be done, both for the planet and for social equity, if even half of those workers were able to live IN Boulder. I appreciate you reaching out for feedback, but this shouldn't just be about what the wealthy, white, older home owners in boulder want (mostly out of a desire to protect their sacred housing values and 'neighborhood

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character'). It's about how to make Boulder a wonderful city for all the people who want to live here but can't, for all the people who will want to move here in the coming years but won't be able to find housing, for all those students who might want to stay but won't be able to afford to do so. Frankly, all those wealthy existing home owners will also benefit as many of the projects they've long lusted after such as rail-service, bike super-highways, 15 minute neighborhoods, etc. will all become possible with greater density. It's just the right thing to do.

jayargloster

7/22/2020 05:43 PM

Boulder's homelessness crisis is the result of restrictions on development leading to a severe housing shortage. This cost needs to be considered when adding or keeping any restrictions to new development. Every unit of housing not built due to restrictions or excessive process is another family on the street.

JoeUser

7/22/2020 11:18 PM

Allowing variances to building heights beyond current restrictions would permanently ruin the visual aesthetic that makes Boulder unique, and ruin the views that are intrinsic to the character of this city, solely to increase density to further ruin the quality of life with urbanization for the sake of urbanization (and commercial real estate profits.)

Tarim

7/23/2020 08:34 AM

In general, I think greater density is both inevitable and desirable, unless we want to try and preserve Boulder as an enclave for the wealthy. Greater density is not going to be popular with many current residents. I support trying to make neighborhoods a walkable and bike friendly mixture of shopping and residences.

Jeff Wormer

7/23/2020 02:40 PM

If this is allowed it rolls back everything done in the past to protect views and a quality of life in Boulder. Boulder county has grown way too much recently and the growth is not sustainable. Boulder has grown at the rate of younger denver suburbs. Affordable housing should only be worked into the existing housing and new projects within the existing framework and not the excuse to change these restrictions by pulling on the heartstrings of the emotional. All the redevelopment is what is increasing cost and running lower income people out of time. If the city cared it would have told google no thanks and to go build the campus in an area in need of wealth and jobs. It wouldn't have allowed thirtieth street redevelopment that resulted in metal shops leaving and rents increasing. The fact that this is being consider off the guise of affordable housing is upsetting and ridiculous.

Lindsay

7/23/2020 03:05 PM

Please consider that the decisions made now are, for the most part, irreversible. I am all for affordable housing, but we can't continue to build more and more buildings and ignore the impacts on views, the environment, and the citizens that live here. Continuing to make decisions that look at affordable housing, and affordable housing only, is bad for Boulder. Please start looking at the broader impact of these decisions--e.g., no more mountains view, crowded trails that cannot sustain the usage, pollution, air quality, traffic, etc. Packing more and more people into taller buildings and continuing to increase the density is not sustainable. Please start looking at

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the bigger picture and the future impact of the current decisions being made. Developers do not have the city's best interest in mind - but the city should. Let's continue to figure out ways to provide affordable housing that do not irreversibly destroy the city. Thank you.

Marja Duggan

7/23/2020 05:57 PM

Keep the density down in Boulder.

Beth Isacke

7/24/2020 10:44 AM

I get that new priorities may give rise to new heights but really feel 55 feet should stick in MOST cases.

stonesthrow

7/24/2020 02:03 PM

The #1 community benefit we should focus on is providing housing, particularly affordable or middle-income housing. All other benefits should be secondary to that.

Marge

7/24/2020 02:32 PM

Building heights next to multi-use paths should be set back a long way and limited to 1 to 2 stories

shaquettay

7/25/2020 12:02 PM

I have some background knowledge in this topic, so I was okay, but this project is likely very difficult to read for a layperson. You should run all the information you are about to publish on this website through Readwise.

judy

7/26/2020 10:40 PM

We have grown large enough. More height merely allows more growth. We are focusing far too much on finding reasons to allow more growth, more floor area, more people. If this continues there will be no reason that the entire city cannot be built to 55 feet as long as there is some general use we like there initially. It is getting a little absurd.

Kara Mertz

7/27/2020 06:07 AM

I fully support height modifications permitted with design standards to address apparent "bulk" to accommodate art and culture in addition to affordable housing. I think the human services community benefits should be addressed in different ways...because neighbors will disguise racism and bias as a fight about height mods. The CC has to be stronger about siting health and human services facilities...and have no associated "favors" in exchange. (art and culture facilities are different, unfortunately)

Jessicab721

7/27/2020 07:33 PM

Stop the growth! If you want skyscrapers and overcrowding, move to Denver. Protect Boulder's uniqueness. Our infrastructure cannot support the out of control building.

Jorge

7/27/2020 07:44 PM

We should maya in height limits as they are now. Further we should limit the development of office to avoid more jobs housing imbalance

Dorsey Delavigne

7/28/2020 08:49 AM

Folks have bought homes in single family neighborhoods and this effort seems to be to overturn that concept into multi person rooming houses.

scottholton

7/28/2020 09:25 AM

This project has some fatal flaws -- both Phase 1 and Phase 2. Additional height is not at all a sufficient motivator to provide any of these proposed Community Benefits (of Phase 2) nor for Affordable Housing (in Phase 1).

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Height does not bring the developer any additional financial benefit. I'll say it again: Height does not bring the developer any additional financial benefit. Density in the form of additional rentable or sellable square footage would bring sufficient additional revenue to then justify community benefits such as affordable housing or community-oriented space or amenities. Furthermore, if we are serious about new projects as the catalyst for providing new and additional affordable housing, Phase 1 should be modified to 1) discount any affordable housing dwelling units or square footage against a project's density/intensity calculation, and 2) projects with a certain minimum amount of affordable housing should receive a priority review for permits or site review and be eligible for a guaranteed expedited review period. This would attract affordable housing development, encourage a greater amount of affordability on site in all new projects, reduce required local subsidy to create affordable housing, and instead allow the city to utilize its zoning authority to effectively provide such subsidy. The same strategy could be applied to Phase 2. It is not too late to do this and I would highly encourage staff and council to reconsider the path that it is on for this important program and consider these recommendations instead to meet our community's goals. Thank you.

niceberg_ahead

7/28/2020 12:54 PM

1) Low- to mid-level income family neighborhoods should always be protected and maintained as a way to support the immense undertaking of both working and raising children in Boulder. 2) Families with minor children should never have to compete with priced-per-bedroom rental situations, because we can't. 3) A healthy and vibrant neighborhood includes resident homeowners, long-term renters, and single-year renters. 4) My family came from high-density ownership and is now living in a single-family neighborhood of modest 1000-1200sq ft homes. We were miserable in high-density multi-unit housing and we would likely leave Boulder before being willing to live like that again.

sallyeckert

7/28/2020 01:55 PM

The success of community benefit hinges on the transparent relationship and communications between the community, the developer and the city.

Rosellegeorge

7/29/2020 05:44 AM

Restrict building sizes and heights, encourage small retail and office buildings.

janburton

7/31/2020 06:54 AM

We must finally understand that all of our restrictions have increased costs and forced important non-profits, small businesses, and artists out of the city. Please get creative and be brave.

mlRobles

7/31/2020 10:04 AM

i think the greatest community benefit will always refer to a holistic and intelligent design process. when desires are put out there independent of their context, they become nothing but small memories of what is possible.

L Arts

7/31/2020 11:10 AM

Can we agree on a saturation point for massive development? There is no "building your way to affordability." Just look at every big city across the country--increasingly they aren't able to provide affordable housing no matter how much gets built. Between VRBO, AirBNB, and properties purchased for

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short-term rentals and the basic greed of developers who want to reap their ROI in 2 years, nothing is affordable without some form of rent control. Developers aren't in it to help the community; they're in it to make money. Given all the in and out commuting, I'd prefer to see us making every single development from here on out one that caters to low-income and middle income people without asking them to squeeze into 450 sq. feet to achieve a rent they can pay!

elemdoubleu

8/01/2020 05:18 PM

Compact development is in alignment with our city goals of walkable 15 minute neighborhoods. The 55 foot height limit approved by Boulder voters is in alignment with that goal of compact development, while the 35 foot limit hinders that goal by making it harder to build 4 or 5 stories-which is completely reasonable and could help us fill missing middle housing. This project is using Staff time that could be used elsewhere to help us achieve our goals.

Gary Sprung

8/03/2020 04:46 AM

Affordable housing and community diversity come first, in my value system. i don't want >55 feet, but the current restriction to 35 feet is much too tight and guaranteed to raise the price of property.

MapletonHill

8/05/2020 05:39 PM

Views are one of the reasons we all live in Boulder. I strongly support affordable housing but would like to see it developed in 3 story buildings East of 28th St. Tall buildings are out of place in the historic area to the west and block treasured views. East of 28th, 3 story buildings will not block views due to the shallower angle to the mountains from that area It's a physical reality that buildings west of 28th of the same height will block more views than if they were farther East.

BoulderLow

8/06/2020 06:43 AM

Views are one of the reasons we all live in Boulder. I strongly support affordable housing but would like to see it developed in 3 story buildings east of 28th St. Tall buildings are out of place in the historic area to the west and block treasured views. East of 28th, 3 story buildings will not block views due to the shallower angle to the mountains from that area It's a physical reality that buildings west of 28th of the same height will block more views than if they were farther East. In addition, in this age of Covid, I believe we should NOT be making Boulder more dense and offer more living in less space!

KatForColorado

8/06/2020 10:33 AM

Keep our restrictions. There are plenty of places to build right now. For example, expand to the east where there is less density.

BenWoolf

8/06/2020 12:34 PM

The process to improve the quality of buildings in Boulder should be streamlined. Too often the City oversight process and impact fees adds too much cost and complexity to the development process making design and high quality materials be sacrificed. The City should better understand the development process, and how developers create pro formas to finance their project.

Lisa

8/06/2020 04:28 PM

Too many large, ugly buildings are being built in Boulder. The structures are getting really massive in areas that were once attractive...downtown Boulder, esp. The friendly small town feel is permanently gone. If I were younger, I

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	would leave the area permanently. What Boulder was noted for (friendly ambience, small town feel, protected neighborhoods, streets that were not packed with cars, etc. gone, gone, gone) Too many people, too little space which is open in the skies and on the ground. Greed rules--\$ money talks and the City officials have not stood up to special interests, developers nor have they listened to homeowners and residents.
EmilyReynolds 8/08/2020 10:27 AM	I feel like residents' desires are seldom part of the picture. The gross overdevelopment of Boulder is a continual, ongoing detriment. If planners and developers really cared about our town, they wouldn't be destroying views, cramming into every possible space to build, allowing huge, ugly buildings and eliminating other aspects that make this town special. I hate that Boulder is the #1 real estate target in the country for the sixth year in a row. It's abhorrent that so many take advantage of this. I'd love to see fewer exceptions to the rules. Or how about NO exceptions to the rules? "Community benefit" is a vague term, and developers haven't followed through with affordable housing. Rules need to be tightened, not loosened!
james martin 8/08/2020 02:41 PM	There are too many 55' Buildings in town in total. I would support no additional 55' buildings.
TAbrownL 8/08/2020 03:43 PM	Boulder has been nearly ruined by higher and more dense development. These buildings are abominations.
Cs 8/08/2020 04:42 PM	Every building over 35' should be net zero energy with no natural gas consumption. Full stop. (Actually all new commercial development should meet that).
mizlizhanson 8/09/2020 08:49 PM	Please remove the Appendix J map and allow height modifications to be considered with new, less subjective site review criteria. Building height over 55 feet (charter change) should be allowed in certain areas (e.g. East Boulder).
wseltzer 8/10/2020 10:03 AM	Boulder is overpopulated and crowded. I am opposed to increasing density at this time. And, I am not interested in submitting to the wishes of developers who will take their short-term profits and leave the residents of Boulder with future problems to resolve from increased density.
Kaem0749 8/10/2020 10:11 AM	Code should allow for slight height modification if the building is designed with more historical sloped rooflines, the extent of the height modification directly related to the roof pitch. The cubism, flat-roof LEGO box architecture popping up everywhere is destroying Boulder's traditional, and more thoughtful, neighborhood appeal. A good part of this is the result of trying to pack more stories into the 35-foot limitation.
c2 8/10/2020 10:14 AM	Two things: (1) If affordable housing is as important as we say it is then it can never be traded away. It should have to be built out and not allow developers to "pay their way" out of that. It is a serious misnomer to talk about inclusive housing and then not include it. I would say though - are planners "speaking" for commuters assuming they want to live in Boulder? Have they considered

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all of the other higher costs in Boulder (groceries, child care, taxes) that might still be a barrier? Have they considered cultural negatives in the push to move folks other than higher paid white collar workers here? (2) Having been to Portland, Seattle and numerous other cities that the Council and others seem to want to emulate I strongly oppose tall buildings in Boulder. In those other cities, as I walk down the "canyon" of taller walls and look at the same architectural approaches that apparently need to be used to make these work well I feel no sense of identity of that city or its people and lifestyle. There is no character or soul to those corridors. Boulder is a vibrant city with personality and so much to offer. It often seems that City Council, management and planners are afraid to step up and demand more creativity and design excellence when considering projects. It seems so much of the new development projects, commercial and condos, are large square of rectangular boxes with more "boxes" incorporated into the external design features. BORING! Does anyone have a concept for Boulder design that would reflect our surroundings? In the southern coastal cities construction design contracts can require a design that reflects specifically identified coastal building elements. Why are we afraid to demand better designs and better materials in construction? Developers will still come.

Mary M Harrold

8/10/2020 10:15 AM

Every new building--especially our paved-over downtown area should be required to leave room for landscaping--trees, shrubs, grass give us more oxygen and some relief from summer heat.

marc

8/10/2020 10:18 AM

In general, the city council, city planners, et. al. should stop and re-think this issue in a rigorous way before shortsightedly selling off Boulder's birthright for a mess of pottage.

Leo

8/10/2020 10:28 AM

Avoid at all costs any development such as, for example: The south side of Pearl between 10th and 11th streets. A massive wall of buildings that cast shadows on the street, and give a feeling of being hemmed in. The west side of 30th north of Pearl. Again, massive buildings, close to the curb, cutting you off from your surroundings. The whole development on Pearl St, west of 30th is an abomination! Many other similar examples in Boulder.

EmcC

8/10/2020 10:30 AM

Boulder has gotten too big recently- we have buildings going up everywhere and we don't even know what the consequences are yet. Also- a lot of the new buildings are not very attractive (just my opinion)

bouldergreen

8/10/2020 10:33 AM

be boulder.

Mountain_Ry

8/10/2020 10:38 AM

I think a lot of the buildings that have been built recently have been poorly designed. The buildings on 30th (apartments near 28th street mall) are a good example. This isn't true for all buildings, but a lot shouldn't have been allowed to have been built by the city.

J Hudson

8/10/2020 10:42 AM

Please stop allowing over the height limits anywhere in our beautiful city.

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<p>Creussco</p> <p>8/10/2020 10:48 AM</p>	<p>Taller buildings boxes to street will significantly change Boulder and should not be allowed. Ideal Market and Community plaza are recognized as landmarks in the Boulder community.</p>
<p>Mike Smith</p> <p>8/10/2020 10:51 AM</p>	<p>One used to be able to walk much of the Pearl Street Mall and still see the Flatirons. That has largely been destroyed as have views from various intersections near the city core (e.g., Canyon & 17th). Those views should be protected.</p>
<p>Nancy Kornblum</p> <p>8/10/2020 10:51 AM</p>	<p>I'm highly suspicious of this process. Please keep it as transparent as possible. Thanks.</p>
<p>KR</p> <p>8/10/2020 10:52 AM</p>	<p>Please please please stop ruining our beloved boulder.</p>
<p>mariac</p> <p>8/10/2020 11:00 AM</p>	<p>Please do not ruin the beauty of Boulder's natural skyline</p>
<p>Brentdaily</p> <p>8/10/2020 11:11 AM</p>	<p>There's no need for boulder to be a city. A reasonably sized town can make sure with buildings that don't block viewsheds for hundreds of feet behind them.</p>
<p>Selden61</p> <p>8/10/2020 11:19 AM</p>	<p>Keep the promises made decades ago. Seems Boulders leader are always willing to change rules for big corps with the letter G. Whats next, sell off open space to the biggest bidder? Go above Blue Line?</p>
<p>swimmare25</p> <p>8/10/2020 11:26 AM</p>	<p>no amount of money should be able to influence what builders can do. we need STRICT regulations in place to maintain the beauty of our town, otherwise we are selling out to the highest bidder and becoming like any other city. what makes Boulder unique is the mountain views and cozy community feel - WITHOUT high-rise buildings</p>
<p>theothertexan</p> <p>8/10/2020 11:30 AM</p>	<p>Easing height restrictions is the pathway to becoming exactly like every other city. With it will come more traffic and density without corresponding growth of support infrastructure.</p>
<p>Robert</p> <p>8/10/2020 11:34 AM</p>	<p>Why the City cannot provide specific cost-benefit analysis on any significant development or zoning variances so that informed decisions can be made on actually identified goals vs. these nebulous aspirations, like "this will reduce carbon, make Boulder affordable, make people abandon their cars in favor of public transportation" etc etc. Many of us long-time citizens are starting to think that the reason this isn't done is the City knows these cost-benefit analyses would show these projects do little relatively little except make particular groups feel good about their efforts and enrich real estate owners, brokers and developers. Is it really asking too much for actual goals to be identified and then provide data as to whether those goals will actually be attained by a particular undertaking?</p>
<p>FredR</p> <p>8/10/2020 12:11 PM</p>	<p>The City should enforce conditions which were part of prior approvals but which are often ignored after a building is constructed.</p>

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preserve-the-character

8/10/2020 01:00 PM

I am distressed by the sudden uptick in height exceptions, any located west of Folsom, the most coveted area of our town, both for views and historically, a reminder of how quaint Boulder used to be, and lack of setbacks resulting in a feeling of being towered over.

paulbdoc

8/10/2020 01:45 PM

DO NOT FIX WHAT AIN'T BROKE. Do not change current height restrictions!!!

Gfred

8/10/2020 02:49 PM

Rules are rules. Simplify the regulations and give no variances.

Ellie

8/10/2020 03:23 PM

Several new developments are so close to sidewalk level (Balsam at Broadway, Valmont, the current Armory site being built). The mass at that point is intrusive and non pedestrian friendly. Where is the green spaces, the welcoming space of openness? Bigger is not better!

Dxjones

8/10/2020 03:37 PM

Boulder's traffic is out of control and people are going to keep driving personal vehicles. Boulder needs to stop building additional apartment/condo buildings until solutions can be found.

cg

8/10/2020 04:48 PM

Please adhere to the 35' height limit in all instances.

Michellej

8/10/2020 06:52 PM

We are not adding anything to the community by building every square inch. Affordable housing needs? I'm sorry but when I walk through these areas, the cars are all newer than 5 years old and most are VERY expensive suburbs and Toyota's, young people, under the age of 45, don't work in this town, maybe 20 hours per week, that's why they are poor. Boulderites have always needed to pay 1/3 of their income for housing, not 1/4. This is because we provide plenty of free activities unlike most cities where you must pay for entertainment. I'm tired of my town turning into a cement parking lot. Environmentalists? Ha!

Thurman Geary

8/10/2020 07:03 PM

Given the process and potential view and neighborhood negative impacts of the future development of the hospital site, I am not encouraged to believe that you will take any of the public feedback from this survey into account in developing the new height and development review guidelines. Boulder is long past the tipping point to protect the quality of life factors that made it so desirable. This town has become the Palo Alto of the Rockies. Keep up the good work and the next stop will be a copy of your favorite city Portland.

Detlef

8/10/2020 07:20 PM

guard against overcrowding and preserve Boulder character

MichaelGaeta

8/10/2020 07:57 PM

These variances are short sighted, detrimental to quality of life, and would do far more harm than good. Getting over the "more is better" idea in Boulder is important, or you ruin what makes it attractive as a place to live.

Chris Halteman

I wish our City Government and Developers would come to grips with the

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8/10/2020 08:34 PM

understanding that we live in a unique place that has committed to create a boundary line around the city and a height restriction. These are things that voters approve of. Stop trying to find ways around this. If you still need to build taller, bigger, more crowded buildings then you should look outside of Boulder. Fort Collins is very pro development as are many communities in north Denver.

David Silver

8/10/2020 09:26 PM

"Community benefit" is a broad term whose meaning can be stretched, justified, or even possibly changed by developers after a permit is granted or a 55' structure has been built. We need strict city monitoring and enforcement to avoid being taken advantage of by dishonest developers.

Mjmortimer

8/10/2020 09:30 PM

It's very difficult for me to see an opinion piece written in the local paper from someone who moved here 6 months ago who thinks that we should change our laws so she can have a place to live, and if we don't do that, we are racist. On the other hand, I have lived in the city of Boulder and in unincorporated Boulder County for 42 years and I'm equally concerned about inadequate housing opportunities for families, university affiliated staff and students, teachers and other middle class workers. Boulder suffers from "if you build it, they will come" syndrome, and its tremendous desirability now attracts people from all over the country and world, and many of these people can and will pay any price to live here. Boulder housing has always been more expensive than any other Front Range community, but now the entire stock of affordable neighborhoods that once existed when we moved here in 1978 (parts of Table Mesa, Martin Acres, etc.) are no longer "affordable" In any sense of the word. Clearly, we need to find viable ways of addressing the housing deficit, but the problem I see is that in trying to solve the "affordable housing problem" in the ways and numbers that certain groups are proposing, we will end up destroying the very essence of Boulder that so many people have worked to create.

MarcM

8/10/2020 09:45 PM

Boulder needs to slow down growth, honor our height restriction policy, stop people for using the creek as their bathroom, stop people from camping and protect the citizens from harmful transients.

drjean

8/11/2020 07:02 AM

I have been in Boulder for almost 50 years, and it's losing what little charm it had left with the horrendous project at 30th/Pearl and others. I am especially concerned with plans for the old Boulder Community Hospital campus. CU, of course, doesn't pay any attention to restrictions, but to the extent possible should not be allowed to build giant buildings in South Boulder as they're planning.

Patti Gassaway

8/11/2020 05:53 PM

I would like to see evidence that Opinions of citizens of Boulder that differ from City Council 's Opinions have an effect on what happens here. That is, some projects STOP.

Richarde

8/11/2020 08:18 PM

One cannot escape the feeling that some person (or persons) on the planning commission have become enamored of the notion of introducing urban density to Boulder- even in areas where it is truly inappropriate and would completely ruin the integrity of the neighborhoods. Why? The notion that we

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BoulderResident

8/11/2020 09:07 PM

can house every person from outlying towns who work in Boulder is unrealistic and detrimental to the basic character of our town. Our fervent wish is that we might go back to the light rail plan and restrict the building of buildings over 35 feet to west of 28th St. Otherwise, we risk allowing misplaced enthusiasm and greed to ruin our beautiful and truly unique city.

Having been in Boulder for nearly 50 years, recent commercial and residential growth has grown exponentially. I understand city incentives for fees and taxes and developer incentives for profits, but show me the 10, 20 and 30 year plan.

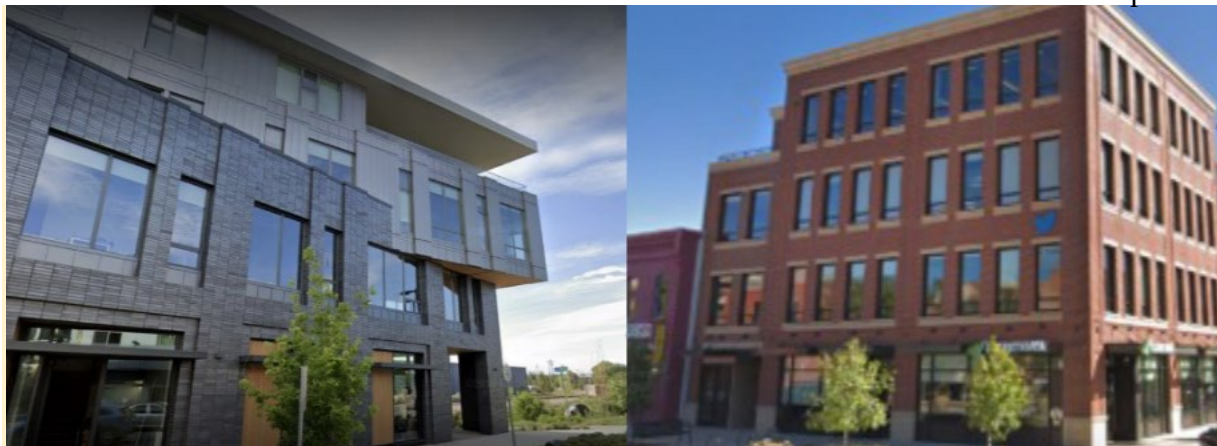
MA

8/11/2020 10:31 PM

It would have been respectful to give further information about some of the questions...Question 5...this is a hot one... This one is also confusing...There should be no new or specific view protection restrictions/criteria on building's over the zoning district height limit. Is this a present condition or something to potentially adopt?

Optional question (81 response(s), 61 skipped)

Question type: Essay Question



Summary of Community Benefit Phase 2 approaches

Below Market Rate Rent Commercial Space

In 2019, the city added **permanently affordable housing** as a community benefit option that would apply to buildings that add a 4th or 5th story over the zoning district height limit (no taller than the city charter limit of 55 feet). Such projects still have to receive Planning Board approval at a public hearing of a Site Review Height Modification. This was considered Phase 1 of the Community Benefit project.

Phase 2 is to analyze additional options for Community Benefit as related to requests for 4th or 5th story buildings over the zoning district height limit. City Council has reviewed several options and has directed staff to focus on the following three community benefit options:

- Below market rate commercial space
- Space for arts and cultural uses
- Human/social services

This handout will focus on **below market rate rent commercial space** and approaches to how this could work.

We look forward to your feedback.

Community Benefit option – Below Market Rate Rent Commercial Space

Where would it be?

It would be a component of a building that is over a zoning district height limit (typically a 4 or 5 story building) or potentially a building built over a floor area maximum of zoning district. Right now, requests to build over a zoning district height limit are restricted to several areas of the city (e.g., downtown, the Hill, Boulder Valley Regional Center etc.). City Council may change this to make the allowance to request a height modification city wide.

How much would there be?

At present, we do not know. It could be an amount that is equal to the amount of bonus floor area (floor area that is in a 4th or 5th story or above a floor area maximum) or it may be more or less than this. An economic analysis is being done to advise how much this use would be equivalent to the benefit provided by the Phase 1 option, permanently affordable housing.

What is being considered for below market rate rent commercial space?

- A specified amount of any building proposed to be over the height limit (or over maximum floor area) would need to be reserved for local small businesses, minority or women-owned businesses, or non-profit organizations
- The space would be deed restricted to a reduced percentage of the market rate rent to ensure a greater level of affordability (for example, it could be 70% or 75% or some other percentage of the market rate determined by an economic analysis)
- Further, this percentage could be adjusted over time following periodic economic analysis to ensure that the community benefit uses continue to be feasible and incentivized for taller buildings
- To encourage smaller, locally owned type business, the city is looking at restricting tenant space sizes and tenant widths (e.g., 3,000 square feet and 30 feet respectively), with some flexibility if the nature of the use would conflict with these limits
- The majority of space used for below market rate rent commercial space may be on the ground floor facing a street and may include window glazing requirements to make the uses visible and to contribute to a walkable, pedestrian friendly streetscape

How would this work?

A developer and architect would design a building, proposed over the height limit, to include a specified amount of floor area reserved for below market rate rent commercial space. The space would have to meet the specifications for what is considered “below market rate rent commercial space” and would be designed for certain types of eligible tenants. The potential regulations pertaining to below market rate rent commercial would be similar to what was applied to the 30th and Pearl development project, where a restrictive covenant was applied to the project to meet requirements for restricted rent to encourage more independent, local, small, a minority or women-owned, or non-profit businesses or organizations.

Similar to the covenant discussed above, the specifications of the use (e.g., size, operating characteristics) would be put into an agreement that the developer would need to commit to ensuring that the community benefit continues. City Council will need to specify if the use should be for the duration of the project or for a set period of time (e.g., 10 years, 20 years etc.). Staff is looking at a penalty fee that could apply to projects that do not find an equivalent community benefit to occupy the space if the use ceases to operate and another eligible community benefit use is not in the space.

Questions for you.

- 1. Do you agree with this approach to below market rate rent commercial space as a community benefit option?**
- 2. What suggestions do you have to help incentivize such uses?**
- 3. What other feedback do you have?**

Send any comments to Karl Guiler at guilerk@bouldercolorado.gov.

Please also consider visiting the Community Benefit questionnaire on Be Heard Boulder at:

www.beheardboulder.org



Summary of Community Benefit Phase 2 approaches Art & Cultural Uses

In 2019, the city added **permanently affordable housing** as a community benefit option that would apply to buildings that add a 4th or 5th story over the zoning district height limit (no taller than the city charter limit of 55 feet). Such projects still have to receive Planning Board approval at a public hearing of a Site Review Height Modification. This was considered Phase 1 of the Community Benefit project.

Phase 2 is to analyze additional options for Community Benefit as related to requests for 4th or 5th story buildings over the zoning district height limit. City Council has reviewed several options and has directed staff to focus on the following three community benefit options:

- Below market rate commercial space
- Space for arts and cultural uses
- Human/social services

This handout will focus on **space for arts and cultural uses** and approaches to how this could work.

We look forward to your feedback.

Community Benefit option – Space for Arts & Cultural Uses

Where would it be?

It would be a component of a building that is over a zoning district height limit (typically a 4 or 5 story building) or potentially a building built over a floor area maximum of zoning district. Right now, requests to build over a zoning district height limit are restricted to several areas of the city (e.g., downtown, the Hill, Boulder Valley Regional Center etc.). City Council may change this to make the allowance to request a height modification city wide.

How much would there be?

At present, we do not know. It could be an amount that is equal to the amount of bonus floor area (floor area that is in a 4th or 5th story or above a floor area maximum) or it may be more or less than this. An economic analysis is being done to advise how much this use would be equivalent to the benefit provided by the Phase 1 option, permanently affordable housing.

What type of arts uses are being considered?

- Visual art studios, maker spaces, or education spaces with accessory sales operated by the local art community
- Performing arts studios, practice spaces, education spaces, or community dance halls, with accessory sales operated by the local art community
- Visual art galleries or co-ops operated by the local art community with accessory sales
- Performing arts venues, concert halls, or black box theaters operated by the local art community with accessory sales
- Amphitheaters, sculpture parks, or other outdoor arts venues with management by nonprofit or for profit businesses based in the local art community with accessory sales
- Video, film, and digital arts studios, education spaces, interactive experiences, art cinemas, and immersive arts venues operated by the local art community with accessory sales
- Art or cultural uses that contribute to the growth and vitality of any locally designated arts districts

How would this work?

A developer would work with the local arts community and dependent on the amount necessary to qualify per code, would reserve a specified amount of floor area in a building proposal over the height limit to include spaces for arts and cultural uses.

The space would have to meet the specifications for what is considered “space for arts and cultural uses” and would be designed with the local arts community needs in mind. Staff is currently considering a step in the process that would require the City of Boulder Arts Commission to review the proposal and make a recommendation to staff and Planning Board about whether the use is indeed a benefit to the community as a local arts or cultural use.

The specifications of the use (e.g., size, operating characteristics) would be put into an agreement that the developer would need to commit to ensuring that the community benefit continues. City Council will need to specify if the use should be for the duration of the project or for a set period of time (e.g., 10 years, 20 years etc.). Staff is looking at a penalty fee that could apply to projects that do not find an equivalent community benefit to occupy the space if the use ceases to operate and another eligible community benefit use is not in the space.

Questions for you.

1. Do you agree with this approach to space for arts and cultural uses as a community benefit option?
2. Does the list of art related use capture uses that would be of benefit to the local art community? Is there anything missing?
3. What other feedback or suggestions do you have?

Send any comments to Karl Guiler at guilerk@bouldercolorado.gov.

Please also consider visiting the Community Benefit questionnaire on Be Heard Boulder at:

www.beheardboulder.org



Summary of Community Benefit Phase 2 approaches

Human / Social Service Uses

In 2019, the city added **permanently affordable housing** as a community benefit option that would apply to buildings that add a 4th or 5th story over the zoning district height limit (no taller than the city charter limit of 55 feet). Such projects still have to receive Planning Board approval at a public hearing of a Site Review Height Modification. This was considered Phase 1 of the Community Benefit project.

Phase 2 is to analyze additional options for Community Benefit as related to requests for 4th or 5th story buildings over the zoning district height limit. City Council has reviewed several options and has directed staff to focus on the following three community benefit options:

- Below market rate commercial space
- Space for arts and cultural uses
- Human/social services

This handout will focus on **human / social service uses** and approaches to how this could work.

We look forward to your feedback.

Community Benefit option – Human / Social Service Uses

Where would it be?

It would be a component of a building that is over a zoning district height limit (typically a 4 or 5 story building) or potentially a building built over a floor area maximum of zoning district. Right now, requests to build over a zoning district height limit are restricted to several areas of the city (e.g., downtown, the Hill, Boulder Valley Regional Center etc.). City Council may change this to make the allowance to request a height modification city wide.

How much would there be?

At present, we do not know. It could be an amount that is equal to the amount of bonus floor area (floor area that is in a 4th or 5th story or above a floor area maximum) or it may be more or less than this. An economic analysis is being done to advise how much this use would be equivalent to the benefit provided by the Phase 1 option, permanently affordable housing.

What is being considered for human / social service uses?

High rents are putting pressure on human and social service uses to consider moving to locations outside the city of Boulder making provision of these services to the local population more difficult. This process is evaluating human and social service uses as an option to incentive retaining such uses within the city limits. The following uses are being considered:

- ✓ Custodial care facilities
- ✓ Daycare centers
- ✓ Day shelters
- ✓ Emergency shelters
- ✓ Essential service facilities
- ✓ Group home facilities
- ✓ Non-profit health care facilities
- ✓ Non-profit nursing care facilities that accept Medicare for at least ?? beds
- ✓ Overnight shelters
- ✓ Residential care facilities
- ✓ Transitional housing
- ✓ Family resource centers
- ✓ Services for special populations (e.g., developmental disabilities, food pantries)
- ✓ Any other non-profit or government facility that the applicant demonstrates serves a special population that the review authority agrees is a community benefit meeting the intent of this section

How would this work?

A developer and architect would design a building, proposed over the height limit, to include a specified amount of floor area reserved for human and social service space. The space would have to meet the specifications for what is considered a “human and social service use” and would be designed for the needs of the specific use.

The specifications of the use (e.g., size, operating characteristics) would be put into an agreement that the developer would need to commit to ensuring that the community benefit continues. City Council will need to specify if the use should be for the duration of the project or for a set period of time (e.g., 10 years, 20 years etc.). Staff is looking at a penalty fee that could apply to projects that do not find an equivalent community benefit to occupy the space if the use ceases to operate and another eligible community benefit use is not in the space.

Questions for you.

1. Do you agree with this approach human or social service uses as a community benefit option?
2. What suggestions do you have to help incentivize such uses?
3. What other feedback do you have?

Send any comments to Karl Guiler at guilerk@bouldercolorado.gov.

Please also consider visiting the Community Benefit questionnaire on Be Heard Boulder at:

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Focus Group Notes

5-22-2020

Attendees: **6 design professionals, one BHP rep, one Chamber rep and one member of the public**

Staff: Karl Guiler, Shannon Moeller, Jay Sugnet

Karl Guiler gave an overview of the history of Site Review, issues with the process and implementation of the criteria (refer to email). Possible changes including reorganizing, simplifying, removing redundancy, removing irrelevant criteria, and possibly making some criteria more prescriptive.

Introductions of staff and attendees.

Purpose of the Focus Group is for staff to listen to experiences of those that have worked with the Site Review criteria and get ideas for updating criteria.

Comments:

- Could be a good idea to discuss the purpose (flexibility? control?) and the meanings to different people.

1. What has been your experience working with the Site Review criteria? Purpose?

- Broad brush, are criteria met? Does the project have merit? Landscape plan has become very detailed and should pull back up to broad level.
- Has had Planner and applicant roles. Wording is very malleable and mushy, can be bent/interpreted. Good to have flexibility but can be way too malleable as it exists now.
- Fundamental question: discretion or not? If you meet criteria, you get something... Criteria are so open-ended and criteria can be mutually exclusive. FBC takes away discretion and removes the unknowns. Work load has become so massive that applicant does not want any changes at the time of Planning Board. Site Review has gotten very detailed. Should be only 50% construction level documents. Go back to level of detail like Steel Yards. There is a lot of risk with Site Review applications.
- Agrees that there are too many criteria in Site Review and not all necessary. Inflexibility with Minor Mods (could be a separate discussion). Once a Site Review is approved it has to be built exactly as approved.
- Agrees that Site Review requires a lot of cost and time and should be more efficient. Refer to Team Tipton discussion/feedback.
- Supports Site Reviews for inclusion of public feedback. Purpose can be to get public input on larger or more impactful projects, need to weigh competing goals. From an equity standpoint, make it more deterministic/clearer/more objective, Site Review used less often (unusual circumstances or situations). People in the know are a lot more familiar with the process have more privilege and excludes those that are less familiar with the process, cost is impediment to those with less resources. Prefer to be less commonly used. Flexibility through Minor Mods

becomes problematic if things change from renderings presented at site review (“promise” vs a possibility).

- Have to pick someone familiar with Site Review / BHP often has to rely on the consultants on the Site Review process / FBC. 30/Pearl FBC worked well and was faster process than Site Review. Time is money and the project resulted in attractive buildings. Preference for more prescriptive standards.
- The difficulty of the process results in the “privilege” of the group of people that have managed to get projects through the process. Not clear that the process results in a better project? Has not resulted in better designs. Requirements have increased drastically since 1990s. Process or product hard to agree on due to lack of agreement on important items.
- Creativity gets lost in demands in Site Review (will not take risks to do something innovative). FBC takes away risks because everyone has already agreed to the desired outcome. Creativity is lost in FBC Reviews, but you know what you’re getting into. FBC may be more expensive based on the detail, but the outcome is better. Site Review also crushes creativity.
- FBC is more expensive, but is still discretionary. Should not be discretionary.
- Site Review is frustrating due to the repeated comments after every review. Would be expensive to develop FBC across entire town.

Karl: Original plan for FBC Reviews was to have it not be discretionary. After seeing how 30/Pearl looks, staff could recommend that the call-up provision be removed.

- Minor Mods / Amendments – need to talk about considering whether criteria should not apply at the amendment stage (hard to comply at the time of amendment for exiting Site Reviews).
- Lack of full comments on first review makes for an unreliable process. Staff trying to tailor comments to PB/CC wants/needs causes issues.

2. What has worked well? What has not worked well?

- I know what to expect (based on experience). Level of detail has increased, # of resubmittals has increased (not ever getting out of the process).
- Like categories of Site Review like landscaping, parking etc. (explain to a client, makes sense). Building design category has gotten too long (too many criteria). Too many, too repetitive, don’t fit every project. Don’t keep adding.
- 5 years the discussion has focused on quantity rather than quality. So much focus on mass, sq. ft. has removed focus on look and feel of buildings. Depends a lot on personal relationships between applicant, board, etc. Process needs to be strong enough to not rely on people. Criteria need to be strong and clear (e.g. how to create a great street).

Karl: Will come back to more specific discussion of terms like “human scale” and “pedestrian friendly,” etc.

- Staff is helpful and knowledge has been a strength. That is built on relationships. Those that are new and lack relationships don’t have the knowledge and resources (haves vs. have nots, etc.). Council values small independent businesses but process is easier to navigate for larger out-of-

state businesses and chains. Reduce costs and scale processes. Tenant finishes, signs, etc get caught in net.

- Speaking as an advocate. Site Review process is more transparent, democratic and accessible for public input than other processes. Can give input, well noticed, people really listen, relatively obvious how to make voice heard. Other processes are very opaque and not able to take input.
- Pros – allows for flexibility which is needed for projects that don't fit the mold, can allow for innovation. Cons – only works for large scale projects, can there be other scales of review that would allow for projects at other scales? Cons – very expensive for small businesses and non-profits, not predictable. Concept Review – positive to get a sense of where the project is going.
- Cons – hard for new blood to learn and navigate system.
- Pros – allows for neighborhood input which otherwise would not exist (may or may not benefit project but benefits those who want to comment). Allowing for flexibility in situations where it is called for (setbacks, scale, etc.). Height has become a fixation. Cons – same as above. Neighborhood comments become overwhelming. Need to vet neighborhood input earlier in the process (?) so that we can get through it. Call-up consideration (1 member of the public) can be very burdensome with too much risk.
- Bizarrely low threshold for call-ups – agreed.
- Above a certain threshold (size) if Site Review – you will ask for as much as possible. Site Review depends a lot on the area of town and public comments. Inherently challenging.
- A lot of process challenges still exist (beyond just the criteria). Process issues could be a sub-topic of the conversation.

Karl: Q3 – could float the idea of process changes, open to suggestions.

- Process changes get talked about a lot but not on work plan. Could possibly go hand-in-hand.
- Expectation management – what is approved at Site Review is built no matter what (staff, applicant, Planning Board). Impossible to meet. Reject surety, create more quality.
- Makes sense but also need explanation to public about what is the level of surety? What might change, what won't change? Set expectations that something can change, or certain things can change.

Karl: Some areas without area plans – what can we put in criteria to make people more comfortable with outcomes.

- Feeling that process is fair is important. Different from what is “promised” or expected.
- What defines “fair”? Often people want to have you just go away.
- Agree and explain that's not how it works; general form and bulk not going to change, landscaping, materiality may change... convey to people which elements may change. (Changes AFTER site review.)
- Agree that there needs to be protection against value removal after approval.
- Too much design up front... with no guarantee as to outcome.

Karl: Question 3 / 4, then process, Minor Mod/Minor Amendment. Move question 4 before question 3. Specific suggestions welcome. Another meeting for question 5. In the next 2-3 weeks. Feel free to mark up and send around criteria with thoughts and comments.

Focus Group Notes

6-12-2020

Attendees: **4 design professionals, one member of the Chamber and one member of the public**

Staff: Karl Guiler, Shannon Moeller, Jay Sugnet

Karl Guiler gave an overview of staff's review of the site review criteria and possible changes:

What ideas do we have to make changes?

Staff has gone through the criteria and identified the following types of changes that could be pursued:

- **Emphasize** criteria that result in projects that address important city policies on design, environmental protection, and resiliency
- **Reorganize** the criteria into a more top-down approach starting with policies compliance down to more detailed aspects like building design. The intent being that they would logically take the applicant and the reviewer through the site review in a clear way and not leave any major, important, site-design-altering criteria to the very end where the entire site needs to be redesigned.
- **Simplify** the criteria by reducing the length through eliminating redundant criteria (e.g., environmental preservation, open space, parking design, landscaping) and combining criteria that already have similar themes/goals
- **Remove** unnecessarily complicated criteria that don't accomplish design excellence or overlap with other code sections or are rarely implemented (e.g., energy efficiency, BR-1 floor area bonus standards)
- **Add** more specificity to the criteria to make them less subjective, more prescriptive and measurable, where appropriate, and more predictable (e.g., noise mitigation, energy standards, building materials)

1. Do you generally agree with the staff ideas for changes to the Site Review criteria?

- BR-1 is not used b/c it is so hard to get the density and height that is needed. 1-4 are right on. There are so many criteria that you have to pick and choose. It is scattershot now. Figure out what are the main points to focus on (maybe not resiliency). Reorganizing needs to happen. Sustainability, street design, etc. So much easier to understand. Simplifying is important, removing unnecessary parts (pole height, etc.). Adding more criteria makes him nervous. Emphasize that community benefit is already within the criteria. Zoning standards should already implement the BVCP without creating more criteria. Having to go back to BVCP for every project is very difficult-pull into criteria instead.

- list is good. Level of detail required by staff is too much at Site Review (construction document level).
- list is good. See key drivers of BVCP in chat. Inclusive and diverse community, innovation, public spaces, economy. Criteria can be used in lots of different ways to serve different perspectives for and against a project – hone in on top choices. (Ends up arguing against affordable housing by talking about nature and views, etc.) People aren't arguing about site design anymore.



“On balance, does this reflect the goals of BVCP...” Very subjective, impossible goal, narrow down to selected ones. Pick 10 or 11 top BVCP considerations to focus on.

- Some criteria have too many words ((f)(v) Projects are designed to human scale...) Remove extra words. Specific additional criteria for parking, etc. are easier to use and are less subjective, more specific. Clarify words like “minimize” – becomes subjective. Why do we have a criteria for lighting if we also have a specific lighting code? Pick battles that are concerns for the community and result in a better project.
- Site Review is not being used in keeping with the “purpose” statement (e.g. you have to do it if you are over a certain size); need to align how it is being used with a selected purpose. Housing affordability is #1 priority in the city. Conflict between having to meet criteria and BVCP policies. Agree with simplifying process and level of detail required; equity issue with the amount of resources available for people to get through the process. Process so complex, only well-funded, expert developers or applicants can do the process. Not equitable.
- When reorganizing criteria, go back to “purpose” of site review.
- Agree with others. Conceptually, yes agree with staff proposal. But want to see draft of criteria and check back and get more input at every step of the way. Agree to revising criteria to become more prescriptive.
- Discussion regarding costs of site review (paper costs), etc. stifling creativity, hopes, dreams, and business ideas and/or requiring help from the development community. Hundreds of thousands of dollars. \$250,000 minimum for Site Review, \$300,000-\$400,000 for Technical Documents.
- Consider looking at who are site review applicants, and how Site Review Amendments are being addressed (they are for more specific changes or only for specific area of the site).
- Criteria are not used to improve the project, just to argue for or against the project. Important to focus on “purpose” and list of things. The purpose “assumes” that there is a project and how it will be designed in an improved way—the criteria is not a “go” “no-go” conversation. Look at 9-2-14(a) make sure criteria support that “purpose.”

2. Do you agree or disagree that the criteria should be made more prescriptive (black and white standards) rather than subjective (subject to degrees compliance)?

- FBC is extremely prescriptive and a relatively straightforward and eliminated bulk and scale conversation; but can stifle creativity and devil's in the details. If things are overly prescriptive, you don't have “flexibility and innovation.”

- Agree with previous commenter. How do we determine the FBC across the city? Difficult process. Predictability is a good thing.
- It was discussed that a better question might be “what criteria could be made more prescriptive”?
- Parking could be made more prescriptive, shading/shadowing is already in the code (removing things that are already in the code is a good start), addressing confusing language, criterion related to housing (mix, etc.).
- The Code is prescriptive, but Site Review criteria need to be subjective yet straightforward. Can be clear, specific, and subjective. There are so many types of projects that go through site review where subjective criteria are needed.
- Clear (possibly quantitative) about what we want to achieve, not about how we want to achieve it. May not be possible for all criteria. Projects are not particularly creative due to needing to get through the public process (can’t take chance someone will object to project). Worst possible world is subjectivity AND no creativity. Don’t need to go to extent of FBC. Discussed example of creativity in Portland and simpler review process.
- Could add a criteria to specifically support creativity, innovation.
- “Is that approvable?” becomes a major question for worried clients. Conversation devolves into “how much” and “where” instead of about merits of design. Criteria and board are focused on other issues, other than design.
- If we could agree on “what” outcome we want to achieve, and leave the “how” up to the applicant. It will be difficult to agree on “what” the desired outcome is.
- Discussed example of a community benefit that was suggested by an applicant to contribute to a city need but was not able to be considered as a community benefit.
- Difficulty in quantifying “innovation” and getting to that point when people are fixated on other issues.
- We rely heavily on “compatibility” and “consistency” with surroundings, “its good if you look like everyone around you.” Need more direction on big picture issues. “Be the same. “Status quo.”
- If the purpose is to be changed, that could be a very difficult process. There is an equity issue with making a neighborhood “compatible” with itself – better to consider equity, sustainability, etc.
- “Equity” would need to be defined, e.g. being harmed by a new development vs. not being able to attain housing.
- One of the major policies is a welcoming community and need to look at criteria through that lens – should be one of higher priorities. Avoid pitting existing residents against housing for next generation. Certain “go” “no-go” items and avoid squabbling about other issues.
- Point system could be intriguing to put prescriptive nature on something, and criteria could still be subjective.
- Red/yellow/green, threshold criteria (top 5 goals). Allow projects to rise up that serve community.
- Points system would be a big change. Sick of hearing prejudiced comments from public during reviews (rent vs. own, “those people,” etc.). Anti-discriminatory criteria could be added.
- Staff review and interpretation could be another discussion.

For next meeting:

Focus of the next meeting will be to go through individual criteria and any that can be made more prescriptive.

Consider looking at other communities for examples of highlighting community values.

3. What changes would you suggest to:

1) better meet city goals? (e.g., affordable housing, environmental conservation, resiliency etc.),

2) make the criteria more simple and easy to understand?, and

3) make the outcome of projects more predictable?

Focus Group Notes

7-9-2020

Attendees: Two design professionals, one BHP rep and one member of the public

Staff: Karl Guiler, Shannon Moeller

(h) Criteria for Review: No site review application shall be approved unless the approving agency finds that:

(1) Boulder Valley Comprehensive Plan:

- Anyone can pick and choose policies, so this does not create predictability. However, it can draw attention to important policies that need to be implemented. This section can be “weaponized” to use one or two policies to oppose a project.
- Other criteria are more specific, BVCP section is not, can lead to contentious environment.
- Fundamental problem is that the BVCP does not prioritize any one policy; this can’t be solved through this process. Comprehensive Plan policies should already be applied through zoning and area plans, and should have been implemented through those and should (in theory) not need to be re-litigated through Site Review.

It was discussed that the BVCP policies are often implemented through area plans and design guidelines which projects need to meet.

It was discussed that this section could be simplified to refer to the BVCP land use map, area plans, and design guidelines, rather than generically references BVCP policies. Consistency with zoning is discussed.

It was discussed that the criterion related to density is vague and does not seem equitable, and doesn’t seem to be often used.

It was discussed that the criterion related to economic feasibility never seems to be used and doesn’t make a difference on a project.

(2) Site Design:

(A) Open Space:

- Some seem more applicable to green-field, suburban style development, rather than infill which is what Boulder experiences today.

It was discussed that it is good to have private open spaces, but should it be required for all unit types?

- Agreed that it would be OK if some of the open space standards are subjective and are intended to have applicant demonstrate that they've thought about how to create a good space. #2 (specific) move to bottom; #4 (subjective, general intent) should be moved up.
- Agree that there could be a mix of subjective and prescriptive standards.
- Subjectivity leads to multiple rounds of review which is a loss of time and money, different answers at different times and/or from Planning Board increases risk and unpredictability. Having a limit to the subjectivity would be helpful.
- Process (having a conversation instead of ping-ponging through the reviews) could be improved to reduce number of reviews.
- Because site review applies to some many types and sizes of projects, keep in mind that we want to have criteria apply to all types of projects.
- Consider removing criterion related to "recreational" open space and place in something like the zoning code.
- Criteria related to open space for mixed-use developments seems redundant.
- Care should be taken to maintain access to all users (residential and non-residential), if the criteria is kept. Consider simplifying or removing.
- This could negatively impact projects that cannot provide access to all users; e.g. affordable housing mixed with non-residential uses may not all be able to share the same open space.

(c) Landscaping

It was discussed that this section does not seem to be too problematic, however there were not any landscape architects present in the discussion.

The language related to "in excess" is vague. The interpretation of this criterion was discussed. What is "in excess"? When is this met?

Item (ii) seems to be redundant and appears elsewhere in the standards.

(d) Circulation

- (ii) Potential conflicts with vehicles are minimized—this is referring to 1970s design principles and we've moved on from that. Discussed language regarding "optimizing safety" would allow for designs like woonerfs, etc.
- Need to look at in a comprehensive way with the transportation engineers involved.
- Agree that some criteria are outdated and seem too basic.
- Suggest referencing Transportation Master Plan, Vision Zero Goals, and others.
- Need to look at holistically rather than whether or not it just meets the Design and Construction Standards.
- (vi) "On site-facilities for linkages..." criterion is vague, it was discussed what it means? Could be anything from a bike path, bus stop, on-site sidewalk, etc. Reword to make it clearer.

(e) Parking

- (iii) ... “reduce visual impact on the project” ... what does that mean?
- So many of these criteria seem redundant.
- Criteria is vague, maybe refer to how it is reviewed, e.g. screening and photometric standards.
- (i) Criterion separating people and cars prevents sharing of uses (e.g. basketball hoop on parking area). Prevention of using space for both cars and open spaces can be short-sided and might be outdated.
- (i) and (ii) are in conflict with each other. Combine and see how they can work together.
- Consider looking at projects that went through Site Review and how any proposed criteria would affect those projects. Example of Walnut Hollow.

Focus Group Notes

8-4-2020

Attendees: 4 design professionals, one BHP rep, one Chamber rep and one member of the public

Staff: Karl Guiler, Jay Sugnet

The discussion continued from the July 9th meeting focused on the Site Review criteria within the scope of the following question:

What changes would you suggest to:

- 1) better meet city goals? (e.g., affordable housing, environmental conservation, resiliency etc.),*
- 2) make the criteria more simple and easy to understand?, and*
- 3) make the outcome of projects more predictable?*

In the interest of saving space in this summary, subsections of the Site Review criteria below are excluded, but may be referenced in comments.

Section 9-2-14:

(h) Criteria for Review: No site review application shall be approved unless the approving agency finds that:

(F) Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area:

- Zoning should specify height allowances, not the criteria
- Consider specific bulk restrictions for projects at zone boundaries (mandatory step downs) instead of leaving it to subjectivity in the criteria; however, it is a dangerous game to make the criteria prescriptive. Focus should be on whether the building works at the street level or not
- This is why we have a Planning Board
- Respectfully disagrees. Advocate of the prescriptive standards of the FBC. PB has no architects. Likes the FBC as some of the requirements are what should architects should do anyway to create good projects. Also, likes that the FBC allows staff to modify certain requirements without board approval.
- Fair point, we have to be clear as you cannot always count on the sophistication of review bodies.
- Likes the predictability in projects as long as the intent is clear and the standards bring out that intent.
- Intrigued by the FBC
- Still nervous about FBC type standards. Basic guidelines could be helpful
- The board should have a certain composition (e.g., architect, attorney, citizen at large). Worried about how politics impacts good design.

- Commonsense FBC standards could apply and should focus on the public realm, such as horizontal element requirement between first and second floor, base details on the first floor. Agrees that stucco should not be pervasively used and material changes should occur in interior corners. Agrees that the Planning Board is more focused on *How Much?* Over *How Good?* Not against incorporating some FBC type standards as criteria.
- FBC is not cheap, but it is certainly better – buildings are pretty – supports FBC type standards
- Subsection (F)(vii) is confusing
- Agrees. (vii) should be in the zoning and removed from the criteria
- Housing criteria should be like RMX-2 standards on housing diversity, not vague standard
- (F)(viii) on noise between units should be struck as it is already addressed by the Building code
(F)(x) should be removed as well as it is addressed by the lighting code; (xi) is redundant and could be removed and (xii) is already in the energy code and could be struck. Consider adding “minimizes transportation impacts on the environment”.
- Housing, whether market rate or not, should be added as a community benefit
- As should Solar, Care Share, etc. Instead of (F)(xiii), use FBC like standard although there may have to be some discretion for the different character found around the city. (xiv) could be removed because it is irrelevant.
- There is nothing wrong with hardie plank.
- Not entirely...hardie plank has to be done right such as appropriately address edges and corners
- (F)(xv) seems like it’s aimed at Hogan Pancost...remove.
- There is no problem with (F)(xvi), but it may need to be re-written to be simpler. Shouldn’t it say between Area I and II and not Area II and III?

(G) Solar Siting and Construction: For the purpose of ensuring the maximum potential for utilization of solar energy in the City, all applicants for residential site reviews shall place streets, lots, open spaces and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

- There is a fundamental tension between solar and planning principals. Consider removing this section entirely.
- The criteria are contradictory and vague.

(H) Additional Criteria for Poles Above the Permitted Height: No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

No comments

(I) Land Use Intensity Modifications:

- Why have an extra section that just repeats requirements elsewhere in the code?
- These standards should be in the Intensity section and not in the criteria. Plus, the BR-1 lot area per dwelling unit requirement makes all these standards infeasible anyway.
- Agrees that these standards are either redundant or below elsewhere in the code.

- Much of these criteria were thrown into the code after subsection (F) and were not tested. They are not like the other criteria.

(L) Additional Criteria for Parking Reductions: The off-street parking requirements of Section 9-9-6, "Parking Standards," B.R.C. 1981, may be modified as follows:

- Subsection (a) is problematic because if you provide parking it will inherently increase the need for vehicles.
- Finds the parking reduction criteria to be the most useful and clear of the criteria. These have largely worked well.
- The section is still not clear about what is "adequate" parking.
- Change "probable" to "planned"?

(M) Additional Criteria for Off-Site Parking: The parking required under Section 9-9-6, "Parking Standards," B.R.C. 1981, may be located on a separate lot if the following conditions are met:

- Why does (ii) require the same zoning districts? It should allow sharing across zoning districts.
- Agrees. Remove this zoning district limitation.
- These criteria don't seem like Site Review criteria and should be taken out.
- Requiring singular ownership is too limiting. Wouldn't this restrict property sales in the future?
- Agrees. Should be allowance for shared parking agreements.
- Maybe remove this section, but add new criteria that encourages "innovations in parking" such as managed parking, agreements etc.

Focus Group Notes

8-5-2020

Attendees are neighborhood representatives from different parks of the city, around downtown, Gunbarrel, Martin Acres, Iris Hollow, University Hill etc.

Staff: Karl Guiler, Jay Sugnet

Staff provided an update and overview of the Community Benefit project including the benefits being analyzed and the work being done to update the Site Review criteria.

The group was asked similar questions to those posted in the Be Heard Boulder questionnaire:

- 1. Do you agree that community benefit in the form of affordable commercial space (locally owned businesses or non-profits), space for arts and cultural uses or social service uses (e.g., child care, senior care) is appropriate to permit buildings over a zoning district height limit (typically over 35-feet, but no taller than 55-feet)?**
 - Not in support of taller buildings
 - Depends on where
 - Agrees – we should prioritize redevelopment and reuse of existing buildings. The city should be the one providing benefits to the city.
 - Likes the mixed-use component. Opportunities for mixed-use should be integrated with the 15-minute neighborhood discussion – we need to be careful that this project isn't just a developer benefit.
 - Agrees with commenter that we should be reuse existing spaces – most people think we are overbuilding and that development is being forced on people.
 - Doesn't feel super strongly – but supports new regulations for CB of buildings exceeding zoning limits.
 - Not a fan of taller buildings – Boulder keeps growing and the level of services is going down – Boulder is becoming too crowded at rec centers, dog parks – the city should charge more for growth to pay for maintaining services – we have lower levels of service than surrounding communities now. Supports affordable housing, but the addition of housing will make things worse – Strongly supports ways to get more affordable commercial or retail – prices in Boulder have risen dramatically and this drives affordable businesses away – people are going to surrounding communities for cheaper food and to get away from congestion.
 - The community benefit list looks good and could justify height modifications.
- 2. With some exceptions, height modifications are only permitted in limited areas of the city (e.g., downtown, Boulder Junction etc.). This limitation on where height modifications could be requested was only meant as an interim measure until community benefit requirements were added to the land use code. Do you agree that the restrictions on where height**

modifications are permitted should be lifted (i.e., allowed city wide) once more stringent community benefit requirements are put in place?

- Some areas shouldn't be on the map due to impact to views.
- Would like to not see taller buildings, but recognizes things may change. Perhaps some areas could not have tall buildings but other areas of the city where there are not view impacts could have taller buildings in the future.
- Doesn't support in lieu fee option – benefits should be on site. If we allow in lieu fees for the new benefits, where is the money going to go?
- For specific locations, it may be appropriate like areas with subcommunity or area plans – but allowing it citywide doesn't make sense.
- Add the Opportunity Zone to the areas where height modifications could occur – Diagonal Plaza, East Boulder, 55th and other areas that have low impact to existing residential uses. Also consider large, underutilized parking areas and faith-based community properties.
- Some light industrial or commercial areas may be appropriate. The height regulations may have made sense at the time, but do not necessarily make sense now.
- Why doesn't Community Benefit apply to the first 3 floors? Height modifications should not be required to make a good city. Not crazy about taller buildings downtown, but there are lots of precedents there, so keeping it downtown may be ok. No more viewsheds should be diminished. The current map should be maintained and not expanded. Most people moved to Boulder to get away from congestion and not to see additional density.
- If adopted as interim, it seems like a good idea to modify the map to add areas that are appropriate.

3. All buildings over the height limit are subject to consistency with the Site Review criteria and require Planning Board approval. The criteria require higher quality site and building design than “by-right” projects. What additional requirements do you think should apply to buildings over 35-feet, but no taller than 55-feet?

- Let's change how we build things, supportive of building width restrictions
- There should be more requirements on public safety, transportation improvements, water retention, creative sharing of uses (times), bundled parking, mixed-use and walkability.
- Net zero should be part of the community benefit list – indifferent on building materials, defers to the experts on that
- We should look at other cities – we are too reliant on trends – just learn from what has worked in other cities and apply here. Buildings in Boulder are too blocky.
- Yes, to additional requirements.

4. Larger projects, including those seeking height modifications, require consistency with the detailed [Site Review criteria of Section 9-2-14\(h\), B.R.C. 1981](#). The criteria have been criticized by neighbors and developers alike for being too subjective and resulting in projects that are not necessarily predictable or more consistent with city policies. Do you think the criteria should be updated to be less subjective, more predictable (e.g., more black and white as to whether a requirement is met or not)?

- The answer is not mutually exclusive – there should be a more nuanced review – some black and white where it makes sense and if you are outside of the intent, perhaps more discretionary.
- Supports more black and white standards – it would take less time and would be more clear path.
- Agrees with first commenter – you have to be adaptable – some could be concrete and others more context sensitive.
- Defers to architects – Greenspace is enormously important – Diagonal Plaza will need good open space – Open space is necessary for quality of life.
- Yes, they should be more prescriptive – Today they feel arbitrary. Board makes rulings based on their gut, instinct and not clear criteria – They should be more concrete. Define exactly what affordable commercial is and what the lease rate is. Despite this, does not support removing public hearing requirements from Site Reviews.
- Architects should be able to do what they like from a design standpoint so not every thing looks the same, but good to have guidelines. Good with having a more standardized review with some prescriptive standards.

5. **Boulder's Comprehensive Plan supports updating regulations to address the relationship between buildings built over zoning district height limits and view protection. Presently there are Site Review criteria related to building height and view protection, but they are not specific or explicit. Any buildings over the zoning district height limit requires Planning Board review and approval of a Site Review height modification and this process will not change. However, updates to the Site Review criteria may result in regulations/criteria more specific related to view protection. What does view protection mean to you?**

- We should protect the whole city from view impacts
- City needs to be clear about expectations – Require solar off-sets for impact to solar access – emphasis on views of the Flatirons (south and west)
- You have to be flexible – protect some views
- Views to the north front range are also important -rents are charged dramatically different dependent on views – most important views should be from residential properties – financial loss can occur if someone's view is impacted -Restaurants with views should also be protected – they are a big draw – access to light is also important in new development.
- Why doesn't 29th Street have more roof top decks? The views are great from there. Make use of building rooftops and allow public accessibility.
- Very cautious about viewsheds – there will always be someone to the east who will lose their view.
- Impact on views depends on what the property is being used for. How good is the benefit? If it is good community benefit, impact to views may be a good trade off. Some view protection makes sense, but generally would rather not see new view restrictions.



COVER SHEET

MEETING DATE

August 25, 2020

STUDY SESSION ITEM

Update on Phase 2 of the Use Standards and Table Project

PRIMARY STAFF CONTACT

Karl Guiler, Senior Planner

BRIEF HISTORY OF ITEM

Phase 1 of the project included the adopted code amendments to the Use Table including changes to address zoning districts in the opportunity zone. Phase 2 aims to align the Use Table and Standards to the [Boulder Valley Comprehensive Plan](#) - potential to revise the Use Table categories and Standards to further implement the community's policies and goals; and Streamline and update the Use Table and Standards to correct discrepancies and make the Land Use Code more readily understandable. The study session is an update the council on the status of the project, the results of the subcommittee work and recommendations, and summaries of public feedback to date.

ATTACHMENTS:

Description

- ▣ **Update on Phase 2 Use Standards and Table Project**



STUDY SESSION MEMORANDUM

TO: Mayor and Members of City Council

FROM: Jane S. Brautigam, City Manager
Mary Ann Weideman, Interim Director, Planning/Assistant City Manager
Charles Ferro, Development Review Manager, Planning
Karl Guiler, Senior Planner/ Code Amendment Specialist
Andrew Collins, Planner II / Code Amendment Specialist

DATE: August 25, 2020

SUBJECT: Use Table & Standards Phase 2 Study Session

EXECUTIVE SUMMARY

The purpose of this item is to update City Council and to receive feedback on the progress of Phase 2 of the Use Standards and Table project. Phase 2 of the Use Standards and Table project is currently in the community engagement phase.

The project seeks to bring the Use Standards and Table into greater alignment with the [Boulder Valley Comprehensive Plan \(BVCP\) policies](#) and the city's priorities, especially those related to encouraging 15-minute neighborhoods and a diversity of walkable neighborhood centers. Phase 2 commenced in November 2019, following the adoption of Phase 1 Use Table and Standards ordinances that were an outcome of the Opportunity Zone program (please see the Background section of this memo for a description of Phase One of this project).

At the [May 28, 2019 City Council study session](#), council confirmed that a key priority for the project moving forward was to consider fostering 15-minute neighborhoods in-line with the BVCP policies. [A video link of the study session is available online here](#). The project subcommittee, comprised of three Planning Board members, have held 14 subcommittee meetings during Phase 2 providing direction on the Phase 2 overarching goals, conducting deep-dive discussions considering updates to use categories, and informing the community engagement plan and online questionnaire for the project. A summary of the subcommittee project goals, areas of consideration and deep-dive discussions is found within **Attachment A**, and the subcommittee meeting notes are found in **Attachment B**. A summary of public feedback received thus far from the Be Heard Boulder project questionnaire is found in **Attachment C**.

QUESTIONS FOR CITY COUNCIL

Do you agree with, disagree with, and/or have other feedback on updating the Use Table and Standards of the Land Use Code to accomplish the following considerations?

1. Allow a greater diversity of uses in the Neighborhoods Center areas as identified in the BVCP to better serve community needs? These areas are typically zoned Business - Commercial (BC) and comprised of older, suburban shopping centers.
 - a. If so, what uses and elements are important to have in a neighborhood center areas to serve residents daily needs?
2. Allow limited circumstances of walkable and compatible mix of uses (such as small-scale cafes or corner stores) to foster 15-minute neighborhoods in typically homogenous neighborhoods, in appropriate locations?
 - a. If so, should additional use standard criteria and/or zoning restrictions apply to ensure compatibility with surrounding uses?
3. To what degree should additional uses (such as residential, retail, or restaurants) be allowed in light industrial areas, in order to foster mixed-use, walkable neighborhoods, while protecting and minimizing disruption to existing industrial uses?
 - a. If so, should additional use standard criteria and/or zoning restrictions apply to protect and minimize disruption to existing industrial uses?
4. Allow greater flexibility for creative uses such as live/work units, artist studios, home occupations, and galleries, and small-scale performance venues citywide?
 - a. Are there other uses that should have greater flexibility citywide?
5. Streamline the Use Table to simplify similar use categories?
 - a. Consolidate the existing six office use categories from six down to a smaller number of office use categories?
 - b. Consolidate and simplify the existing restaurant use categories?
6. What other comments and ideas do you have for updating and improving the Use Table and Standards?
7. As some of these changes may impact a variety of residential, commercial and industrial neighborhoods, what type of additional community engagement is suggested to receive feedback on the new ideas for mixed-use discussed above?

BACKGROUND

In its 2018 Annual Letter to City Council, the Planning Board identified ‘Use Tables and associated code revisions’ as a priority item for Land Use Code updates. The Planning Board appointed a subcommittee comprised of three Planning Board members, who guide the project and make recommendations on potential changes to the Use Table and associated standards of the Land Use Code. Council also included the project in their work plan for 2018 / 2019, and has carried it forward into 2020.

Chapter 9-6, “Use Standards” of the Land Use Code describes what uses are allowed in the city’s zoning districts. The Schedule of Permitted Uses ([Section 9-6-1](#)) includes the

Use Table which lists the uses that are permitted, conditionally permitted, prohibited, or which may be permitted through Use Review pursuant to applicable regulations of the Land Use Code, across the city's zoning districts. The remainder of Chapter 9-6, "Use Standards" (Sections 9-6-2 through 9-6-9) contains the specific use standards which apply to various uses, whether conditionally or as otherwise required, as noted in the Use Table and specific use standards sections. The scope of the project focuses on the entirety of Chapter 9-6 as described above, as well as ancillary sections, such as [Chapter 9-16, "Definitions"](#), as may be necessary.

The approved project *Why* and *Purpose* statements as well as the broad goals of the project are found below.

Project Why Statement

The Land Use Code's Chapter 9-6, "Use Standards" may be out of alignment with the intent of the Boulder Valley Comprehensive Plan (BVCP) goals, policies and land use designations, and may not be achieving desired development and community outcomes.

Project Purpose Statement

Bring Chapter 9-6, "Use Standards" of the Land Use Code, into greater alignment with the BVCP policies and the city's priorities, to better enable desired development outcomes throughout the city and to more effectively support the goals and outcomes of the BVCP and as expressed in the scope statement.

Initial Project Goals

- Align the Use Table and permitted uses with the BVCP goals, policies and land use designations.
- Simplify the Use Table and streamline the regulations where possible, making the Use Standards & Table more understandable and legible.
- Create more predictability and certainty in Chapter 9-6 Use Standards of the Land Use Code .
- Identify any community-desired land use gaps in the Use Standards & Table, and better enable the desired land uses in the identified neighborhoods as well as in commercial and industrial districts.

The project's scope does not include form, bulk, or intensity regulations (e.g. setbacks, building height, or floor area) found within other sections of the Land Use Code.

Project Objectives approved by the subcommittee in 2018 and reconfirmed in Dec. 2019.

- Update the Use Standards and Use Table to meet community needs and desired land uses
- Identify opportunities for mixed use that can help provide services to residents and needed housing/services/uses to non-residential and industrial areas

- Consider changes to the Use Review criteria that would better serve city goals (e.g., walkability, site design)
- Consider changes to the Use Standards & Table that would incentivize a diversity of housing types.
- Consider more flexibility for non-impactful retail uses for home occupations and live/work, such as selling one's art
- Consider Mobile Home Parks and their evolution to affordable fixed-foundation buildings, and how it may intersect with the Use Standards & Table.
- Allow more retail/active uses in the Public (P) zones.
- Allow second floor residential in light-industrial zones.
- Increase the diversity of uses found in neighborhood centers, both existing and new.
- Identify community desired land uses.
- Consider how the Use Table project is beneficial, complements and intersects with other planning efforts, such as Community Benefits/East Boulder Subcommunity Plan implementation.

Completion of Use Table and Standards Phase 1

On Oct. 29, 2019 City Council adopted Ordinance 8337 to update the Use Tables to be more consistent with the Boulder Valley Comprehensive Plan (BVCP) for zoning districts within the federally designated Opportunity Zone (O.Z.) (Census Tract 122.03). The focus of the Phase 1 changes followed BVCP goals of reducing non-residential capacity through restricting office, incentivizing residential in appropriate locations (preferably permanently affordable housing) and protecting and creating more opportunities for retail. While the changes reference the O.Z., the changes applied to the respective zoning districts city wide. The [Oct. 29, 2019 memo and ordinances](#) can be found online. Relatedly, City Council also adopted Ordinance 8358 that created an O.Z. overlay district prohibiting demolition of attached dwelling units in Federal Census Tract 122.03 for the period the tract is a qualified O.Z. Visit the [Opportunity Zone program webpage](#) for additional information.

Progress in 2020

Focus of Phase 2

Following completions of Phase 1, staff continued work with the Planning Board subcommittee based on the foundational scope of the project discussed above and further explored changes that would better align the Use Table of the land use code with the BVCP.

The [BVCP](#) includes policies to create more mixed-use neighborhoods in appropriate locations and foster more walkable neighborhoods where people live, work and play. The Use Table and Standards project aims to align the use standards of the city's Land Use Code with the BVCP and explore updated land uses in the code. The project also seeks to streamline regulations and create more predictability and certainty in the code. At the [May 28, 2019 City Council study session](#), council confirmed that a key priority for the project moving forward was to consider fostering 15-minute neighborhoods in-line with the BVCP policies.

The most relevant BVCP Policies guiding this phase of the project are listed below:

KEY BVCP POLICIES

2.14 Mix of Complementary Land Uses

The city and county will strongly encourage, consistent with other land use policies, a variety of land uses in new developments. In existing neighborhoods, a mix of land use types, housing sizes and lot sizes may be possible if properly mitigated and respectful of neighborhood character. Wherever land uses are mixed, careful design will be required to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.

2.19 Neighborhood Centers

Neighborhood centers often contain the economic, social and cultural opportunities that allow neighborhoods to thrive and for people to come together. The city will encourage neighborhood centers to provide pedestrian-friendly and welcoming environments with a mix of land uses. The city acknowledges and respects the diversity of character and needs of its neighborhood centers and will pursue area planning efforts to support evolution of these centers to become mixed-use places and strive to accomplish the guiding principles noted below.

Note: See the [BVCP](#) page 43 for the additional guiding principles.

2.24 Commitment to a Walkable & Accessible City

The city will promote the development of a walkable and accessible city by designing neighborhoods and mixed-use business areas to provide easy and safe access by foot, bike and transit to places such as neighborhood centers, community facilities, transit stops or centers and shared public spaces and amenities (i.e., 15-minute neighborhoods). The city will consider additional neighborhood centers or small mixed-use retail areas where appropriate and supported by the neighbors they would serve. In some cases, the definition of mixed use and scale and character will be achieved through area planning.

Planning Board Subcommittee, Community Engagement & Timeline

Staff has conducted 14 meetings with the Planning Board subcommittee since the inception of Phase 2, all of which were publicly noticed, including email notification to individuals interested in the project. Each meeting included a public comment period where comments are received and help inform the discussion of the subcommittee and add further ideas and thoughts for consideration. A summary of the meetings including the public comments is included in **Attachment B**. The meetings shifted to online virtual meetings (open and noticed to the public) midstream due to the Covid-19 pandemic.

In addition, an online public information session was held on July 27th, consisting of a presentation by staff on the code amendment projects (including the Use Table and Standards Phase 2), with a question and answer session for the public to receive more information, and directing the community to provide feedback via an online questionnaire. In light of the COVID-19 outbreak, staff has developed outreach materials and the online questionnaire for the public's feedback, shifting to the city's online platform BeHeardBoulder.org. Both the engagement plan and online questionnaire were

informed by the subcommittee’s feedback (as well as the public who have attended the subcommittee meetings). The questionnaire opened-up for public responses on July 20th and is currently scheduled to be open through the end of August, and is focused around key questions and topics identified by the subcommittee. The questionnaire was organized around the Phase 2 overarching goals:

- I. Supporting mixed-use neighborhood centers (or string-of-pearls),
- II. Encouraging 15-minute neighborhoods, and
- III. Incorporating structural changes to streamline the Use Table.

Please see the *Analysis* section of this memo and **Attachment C** for a report-out on the initial Use Table & Standards Phase 2 online questionnaire as of August 11, 2020.

The feedback received from the questionnaire will inform the option development, along with feedback from City Council and Planning Board. A Matters Item discussion with Planning Board is also scheduled for August 20, 2020. A second round of public feedback will be available on options as we move toward specific recommended changes to the Use Table & Standards in Fall 2020. Subsequently draft recommendations will then be created for public comment, Planning Board recommendations, and City Council consideration. A virtual open-house, or should circumstances improve (and with the public’s and staff’s safety in-mind) an in-person open house, would also be conducted on the draft ordinance and recommendations.



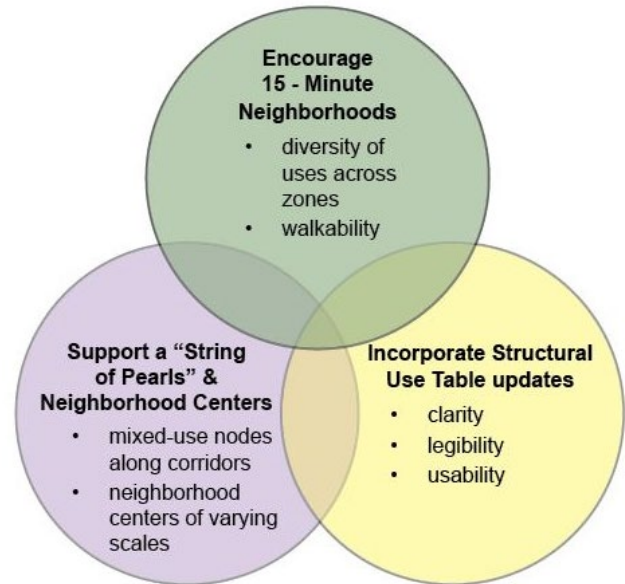
ANALYSIS

Overarching Phase 2 Project Goals

The progress with the Planning Board subcommittee resulted in the following refined overarching goals for Phase 2 as approved the subcommittee in December 2019:

See **Attachment A** for more detail.

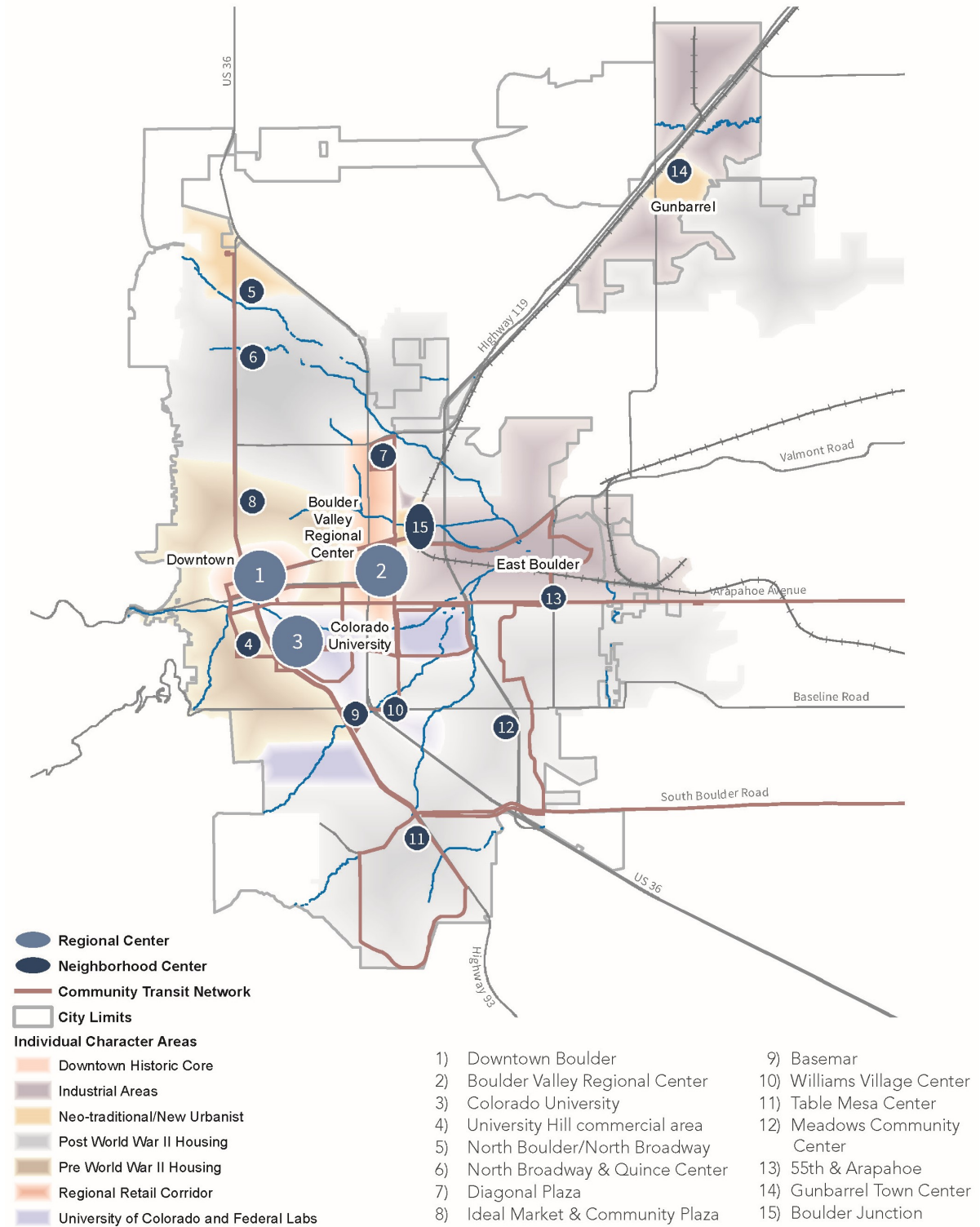
- ❖ Support a “String of Pearls” consisting of mixed-use nodes along corridors, and support walkable neighborhood centers of varying scales.
- ❖ Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist.
- ❖ Incorporate administrative and structural updates to the Use Table and Standards for clarity, legibility, and usability.



The three goals noted above have been the common themes that have framed the subcommittee discussion and deep-dives into the Use Table and Standards during Phase 2 of the project. A summary of the subcommittee’s ideas and discussion for further consideration and potential areas of change is include as **Attachment A**. During the course of the process other topics outside the scope of the project were also discussed, and are included in the summary as “Parking Lot” items, potential future work plan items for City Council and Planning Board to consider. The subcommittee reached broad consensus on many ideas and topics including the goals above, and disagreed on others, as noted in the **Attachment A** summary. In all cases the subcommittee and staff recognize that the initial ideas and considerations require the public to weigh-in and provide additional feedback. Topics of interests centered around these three overarching themes.

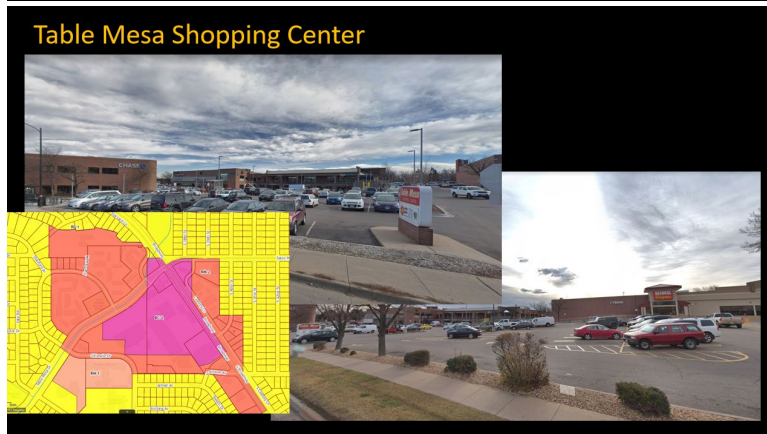
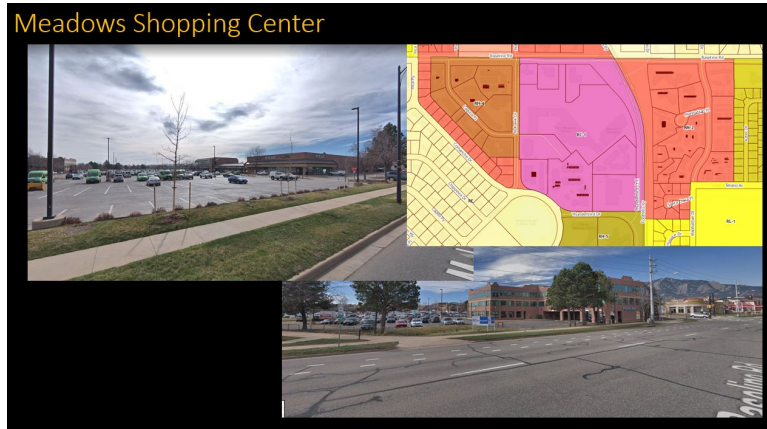
I. Support a String of Pearls and Neighborhood Centers

A primary goal of the project is to support a “string of pearls” consisting of mixed-use nodes along corridors, and support walkable neighborhood centers of varying scales. As part of the project’s considerations, the subcommittee has identified neighborhood centers within the city that could better function as mixed-use centers for their respective surrounding neighborhoods, providing daily services and needs, aligning with the policies of the BVCP. These areas typically include some Business zoned areas, for example the Table Mesa Shopping Center or in Gunbarrel along Lookout and Spine roads.



City Structures Map with neighborhood centers, page 36 of the BVCP.

Existing Neighborhood Center examples:



II. Encourage 15-Minute Neighborhoods

A primary goal of the project is to encourage 15-minute neighborhoods through use standards and table changes in all types of districts. The project is considering potential use standard changes in residential, commercial or industrial neighborhoods to enable people greater access to neighborhood serving uses (basic, day-to-day needs) within a 15-minute walk of people's homes or workplaces. This concept is called a 15-minute neighborhood, and seeks to encourage a diversity of uses across zones and supported by walkable access.

Example Imagery of Uses:

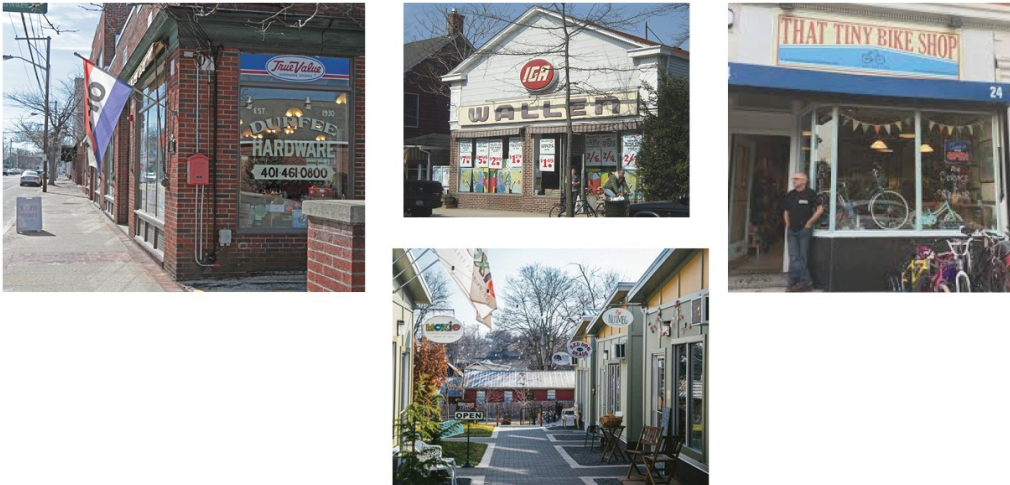
Local Examples: coffee shops, restaurants, and commercial uses in contextually appropriate buildings



Live / Work spaces



Small-scale grocers, hardware store, personal services, offices



Residential Uses



single-family homes and cottages



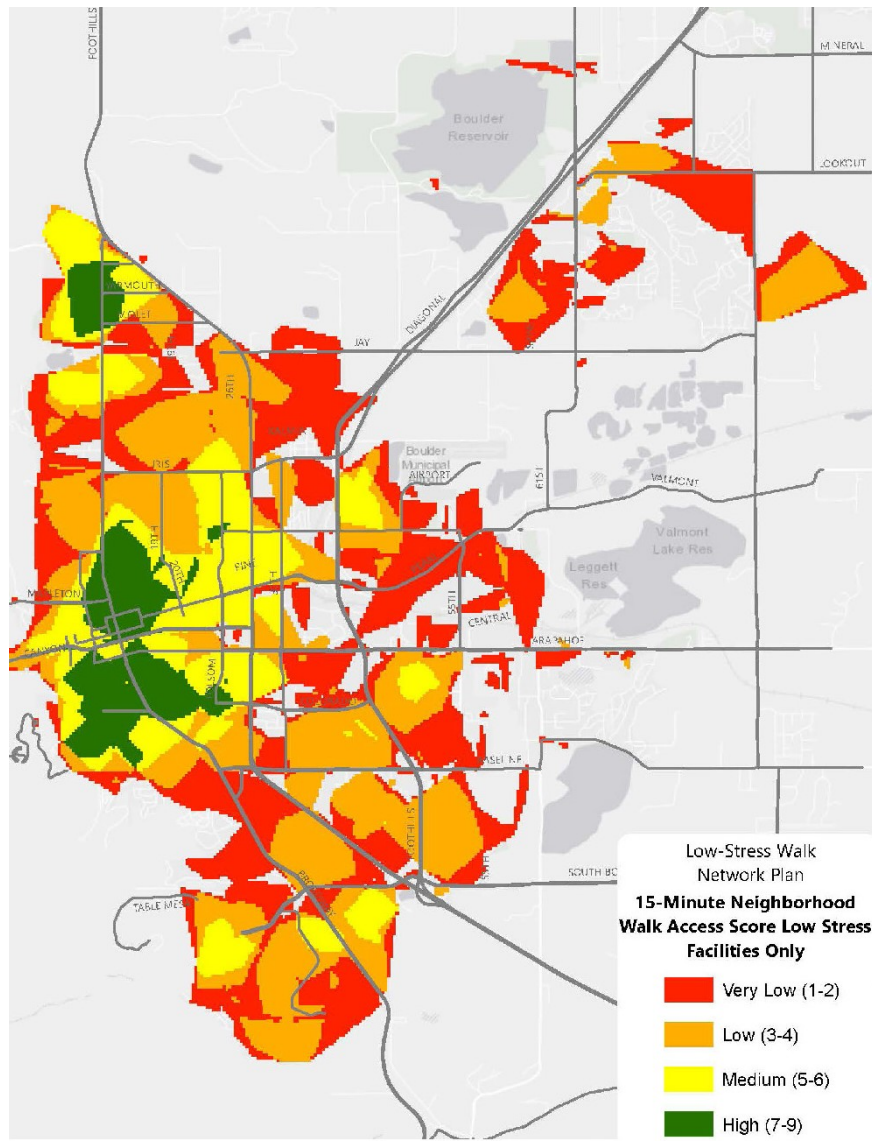
duplexes/triplexes and townhomes



apartments / condos



15-Minute Neighborhood Assessment Low Stress Facilities Only, Fig. 13 from the city's 2019 [Low-Stress Walk and Bike Network Plan](#).



III. Incorporate Structural Use Table Updates

A primary goal of project is to consider improving the [Use Standards and Table](#) clarity and usability. These are structural updates to the table and standards itself and are generally non-substantive. Examples would be consolidating numerous entries of similar use categories into a single use category, updating definitions, and re-organizing elements of the Use Standards and Table (for example separating industrial uses from commercial uses in the table).

Ideas for updating the structure of the Use Table has included streamlining use categories and definitions for greater usability, including:

- Consideration for consolidating the six existing office use categories down to a smaller number of entries, and updates to corresponding definitions.
- Consideration for streamlining the restaurant use categories in the Use Table & Standards.

Community Engagement Summary on the concepts discussed above

The [Be Heard Boulder questionnaire](#) asks a series of questions organized around the Phase 2 overarching goals.

- I. Supporting mixed-use neighborhood centers (or string-of-pearls),
- II. Encouraging 15-minute neighborhoods, and
- III. Incorporating structural changes to streamline the Use Table.

Background information, key definitions, and reference maps were also incorporated into questionnaire. Results from the questionnaire were not yet available at the time this memo was written. Please see **Attachment C** for a report-out on the Use Table & Standards Phase 2 questionnaire as of August 11, 2020.

Based on the evolution of the project discussed above and on the structure of the public engagement questionnaire, staff requests City Council feedback on the following questions and policy options.

Be Heard Boulder questionnaire: The Be Heard Boulder online questionnaire opened on July 6, 2020, and as of August 11th there have been 72 respondents to the questionnaire. The project's Be Heard Boulder webpage content was visited by approximately 272 persons. The questionnaire will be open through the end of August. Below are some of the highlights of the questionnaire responses thus far. Please see **Attachment C** for the questionnaire report.

Regarding questions related to Neighborhood Centers:

- 79% indicated they would be open to use standard changes that encourage a greater mix of uses in neighborhood centers as discussed in the questionnaire.

- There was broad support for a variety of uses that included restaurants and coffee shops, retail uses, personal services and residential housing among others.
- Of those that choose residential housing, a broad mix of housing types were indicated including duplexes / triplexes, townhouses, cottages, condos / apartments, and single-family houses.
- Walkable or bike access has the most important element to have in a neighborhood center, followed by human-scaled building design.

Regarding questions related to 15-minute Neighborhoods:

- Approximately 72% of the respondents indicated they would be open to having uses and establishments like the ones pictured in the questionnaire, within a 15-minute walking distance from their home or workplace if limited in scale and number. See **Attachment D** (Background Materials) for the imagery included in the questionnaire.
 - There was broad support for a variety of uses that included small restaurants and coffee shops, small grocers, small retail uses, residential housing, and personal services.
- Of those that choose residential housing, a broad mix of housing types were indicated for support, with duplexes / triplexes, townhouses, and cottages receiving the most support.
- Sentiments were fairly evenly split (between yes, no, and maybe) whether additional zoning restrictions should be considered for additional 15 - minute neighborhood uses. The additional restrictions with the most support indicated were:
 - Require additional bike parking to encourage bike access
 - Limit vehicle parking to encourage walking or bike access
 - Limit the size of establishments (ex. 500 square feet, 1,000 square feet, etc.)
 - Limit to multi-modal corridors (streets that carry traffic through a neighborhood with bike facilities and transit access)
- The majority of respondents agreed (somewhat or definitely) that the city should allow more flexibility for live / work uses, artist studios and galleries, and small-scale performance venues citywide.
- The majority of responses indicated agreement that the city should consider allowing additional residential, retail, and restaurant uses in the light industrial areas to foster mixed-use walkable neighborhoods, to one degree or another.

Regarding questions related to streamlining the Use Standards and Table structure:

- Approximate 63% of respondents were open to simplifying the Use Table by streamlining the number of similar uses such as office use categories and restaurant use categories.

QUESTIONS FOR CITY COUNCIL

1. Allow a greater diversity of uses in the Neighborhoods Center areas as identified in the BVCP to better serve community needs?				
Types of additional uses to consider	<ul style="list-style-type: none"> • Art galleries • Convenience retail stores • Office uses • Personal services such as yoga studios, hair salons • Restaurants or coffeeshops • Retail uses (such as shops, grocers, or hardware stores) • Light industrial uses (such as small equipment or bike repair) • Residential housing <ul style="list-style-type: none"> ○ Single-Family Homes, Duplexes/Triplexes, Townhouses, Cottages, Apartments / Condos • Others? 			
Options				
(A) Agree Yes, open to allowing a greater diversity of uses in Neighborhood Center areas. <u>Please specify the uses listed above.</u>				
(B) Disagree No, not open to allowing a greater mix of uses in neighborhood center areas. <u>Please specify the uses listed above.</u>				
Other Feedback				
1a. What uses and elements are important to have in a neighborhood center areas to serve residents daily needs?				
Elements to consider	<ul style="list-style-type: none"> • Human scaled building design • Main street design with mix of uses • Attractively landscaped gathering areas • Parking located out of sight or behind buildings • Better walkable or bike access to centers • Others? 			
Options	(A) Very Important	(B) Somewhat Important	(C) Not Important	(D) Neutral
Other Feedback				

2. Allow limited quantities of walkable and compatible mix of uses (such as small-scale cafes or corner stores) to foster 15-minute neighborhoods in typically homogenous neighborhoods, in appropriate locations?

Key Project Goals & Objectives	<p><u>Relevant Overarching Goal:</u></p> <p>Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist.</p> <p><u>Relevant Project Objectives:</u></p> <ul style="list-style-type: none"> • Update the Use Standards and Use Table to meet community needs and desired land uses • Identify opportunities for mixed use that can help provide services to residents and needed housing/services/uses to non-residential and industrial areas • Consider changes to the Use Review criteria that would better serve city goals (e.g., walkability, site design) • Consider changes to the Use Standards & Table that would incentivize a diversity of housing types. • Allow more retail/active uses in the Public (P) zones. • Allow second floor residential in light-industrial zones. • Identify community desired land uses.
Types of additional uses to consider	<ul style="list-style-type: none"> • Small grocers • Personal services (such as yoga studios or hair salons) • Small restaurants or coffeeshops • Personal services such as yoga studios, hair salons • Small retail uses (such as shops or hardware stores) • Residential housing <ul style="list-style-type: none"> ○ Single-Family Homes, Duplexes/Triplexes, Townhouses, Cottages, Apartments / Condos • Others?
Options	
<p>(A) Agree</p> <p>Yes, open to allowing a limited quantity of such uses in typically homogenous neighborhoods, in appropriate locations. <u>Please specify the uses listed above.</u></p>	
<p>(B) Disagree</p> <p>No, not open to allowing a limited quantity of such uses in typically homogenous neighborhoods, in appropriate locations. <u>Please specify the uses listed above.</u></p>	

Other Feedback	
2a. Should additional use standard criteria and/or zoning restrictions apply to ensure compatibility with surrounding uses?	
Restrictions to consider	<p><u>Locational restrictions</u></p> <ul style="list-style-type: none"> • Limit to multi-modal corridors (streets that carry traffic through a neighborhood with bike facilities and transit access etc.) • Limit to corner lots • Limit to conversion of existing buildings <p><u>Size and separation restrictions</u></p> <ul style="list-style-type: none"> • Limit the size of establishments (ex. 500 square feet, 1,000 square feet, etc.) • Minimum distance separation from other similar uses (ex, 1,000 feet, 2,000 feet) • Saturation limits <p><u>Parking and Access Restrictions</u></p> <ul style="list-style-type: none"> • Limit vehicle parking to encourage walking or bike access • Require additional vehicle parking to reduce on-street parking impacts • Require additional bike parking to encourage bike access <ul style="list-style-type: none"> • Other criteria?
(A) Yes Please specify	
(B) No Please specify	
Other Feedback	

3. To what degree should additional uses (such as residential, retail, or restaurants) be allowed in light industrial areas, in order to foster mixed-use, walkable neighborhoods, while protecting and minimizing disruption to existing industrial uses? (See Attachment D for a map of the industrial zones)	
Key Project Goals & Objectives	<p><u>Relevant Overarching Goal:</u></p> <p>Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist.</p> <p><u>Relevant Project Objectives:</u></p> <ul style="list-style-type: none"> • Update the Use Standards and Use Table to meet community needs and desired land uses • Identify opportunities for mixed use that can help provide services to residents and needed housing/services/uses to non-residential and industrial areas • Consider changes to the Use Review criteria that would better serve city goals (e.g., walkability, site design) • Allow second floor residential in light-industrial zones. • Increase the diversity of uses found in neighborhood centers, both existing and new. • Identify community desired land uses. • Consider how the Use Table project is beneficial, complements and intersects with other planning efforts, such as Community Benefits/East Boulder Subcommunity Plan implementation.
Options	
(A) More of these uses should be allowed	
(B) A small amount of these uses should be allowed	
(C) No amount of additional uses should be allowed	
Other Feedback	
3a. Should additional use standard criteria and/or zoning restrictions apply to ensure compatibility with surrounding uses?	
Restrictions to consider	<p><u>Locational restrictions</u></p> <ul style="list-style-type: none"> • Limit to multi-modal corridors (streets that carry traffic through a neighborhood with bike facilities and transit access etc.) • Limit to corner lots <p><u>Size and separation restrictions</u></p>

	<ul style="list-style-type: none"> • Limit the size of establishments (ex. 500 square feet, 1,000 square feet, etc.) • Minimum distance separation from other similar uses (ex, 1,000 feet, 2,000 feet) • Saturation limits • Minimum distance requirements from non-compatible industrial uses <p><u>Parking and Access Restrictions</u></p> <ul style="list-style-type: none"> • Limit vehicle parking to encourage walking or bike access • Require additional vehicle parking to reduce on-street parking impacts • Require additional bike parking to encourage bike access • Other criteria?
(A) Yes Please specify	
(B) No Please specify	
Other Feedback	

4. Allow greater flexibility for creative uses such as live/work units, artist studios and galleries, and small-scale performance venues citywide?	
Key Project Goals & Objectives	<p><u>Relevant Overarching Goal:</u></p> <p>Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist.</p> <p><u>Relevant Project Objectives:</u></p> <ul style="list-style-type: none"> • Update the Use Standards and Use Table to meet community needs and desired land uses • Identify opportunities for mixed use that can help provide services to residents and needed housing/services/uses to non-residential and industrial areas • Consider more flexibility for non-impactful retail uses for home occupations and live/work, such as selling one's art

	<ul style="list-style-type: none"> • Allow second floor residential in light-industrial zones. • Increase the diversity of uses found in neighborhood centers, both existing and new. • Identify community desired land uses.
Options	
(A) Yes	
(B) No	
Other Feedback	
4a. Are there other uses that should have greater flexibility citywide?	
Please specify	
5. Simplifying the Use Table & Standards to streamline the number of similar uses? Specifically, the office use and restaurant use categories?	
Key Project Goals & Objectives	<p><u>Relevant Overarching Goal:</u></p> <p>Incorporate administrative and structural updates to the Use Table and Standards for clarity, legibility, and usability.</p> <p><u>Relevant Project Objectives:</u></p> <ul style="list-style-type: none"> • Update the Use Standards and Use Table to meet community needs and desired land uses
Options	
(A) Yes please specify	
(B) No please Specify	
Other Feedback	

Staff will incorporate the feedback received from council tonight, along with the public's feedback from the questionnaire and develop specific options for updating the Use Table and Standards of the Land Use Code. The draft options will then be available for public feedback through the BeHeardBoulder.org platform, and feedback will also be incorporated from the Planning Board and project subcommittee in the late summer and fall. It's anticipated that draft recommendations and ordinances will then be ready for consideration by City Council in Quarter 4 of 2020.

- Development and refinement of options – Sept. 2020
- Receive Public feedback and subcommittee feedback on options – Sept./Oct. 2020
- Draft Use Table & Standards staff recommendations – Oct. 2020
- Planning Board Public Hearing and recommendation – Nov. 2020
- Public Open House (virtual or in-person) of draft ordinance – Nov. 2020
- City Council consideration of draft ordinance – Nov. / Dec. 2020

- A.** Summary of the Subcommittee’s areas of consideration, project goals, and deep-dive discussions.
- B.** Subcommittee meetings’ notes
- C.** Be Heard Boulder questionnaire report and public feedback received
- D.** Background Reference Materials

Use Table Subcommittee Zoning Districts Deep-Dive Summary

GENERAL CONSIDERATIONS

General Phase 2 changes identified to consider addressing across multiple zones. Consideration of the following (subcommittee consensus):

- Move forward incrementally or gradually for certain use table changes.
- There is a danger of disrupting the industrial zones through possible changes. Need to consider how changes could increase the land values, that could in turn raise rents and force many businesses out.
- Consider Business Community (BC) zones as seeds for 15 min. neighborhood centers - existing zones/ areas to consider implementing 15-min. neighborhoods.
- Incentivize small, local business in BC zones through limited uses that encourage smaller floor plates.
- Update Live/Work use definition, consider additional live/work definitions based on context and reconsider use allowances in zones beyond industrial zones
- Redefine Home Occupation and reconsider use allowances
- Reformat, simplify and update the Restaurant uses including square footage limits and use allowances
- Reformat and update office uses in the Use Table, and reconsider use allowances if appropriate.
- Separate out and reformat Fraternities and Sororities uses in the Use Table from Dormitories.
- Update Art or Craft Studio Space definition and reconsider allowances
- Update Group Quarters definition and reconsider allowances
- Create a new Community Supported Agriculture (CSAs) use, under Agriculture and Natural Resources uses.

Considerations of potential changes specifically related to achieving 15-minute neighborhoods & more functional neighborhood centers (correlates to green cells in the following tables):

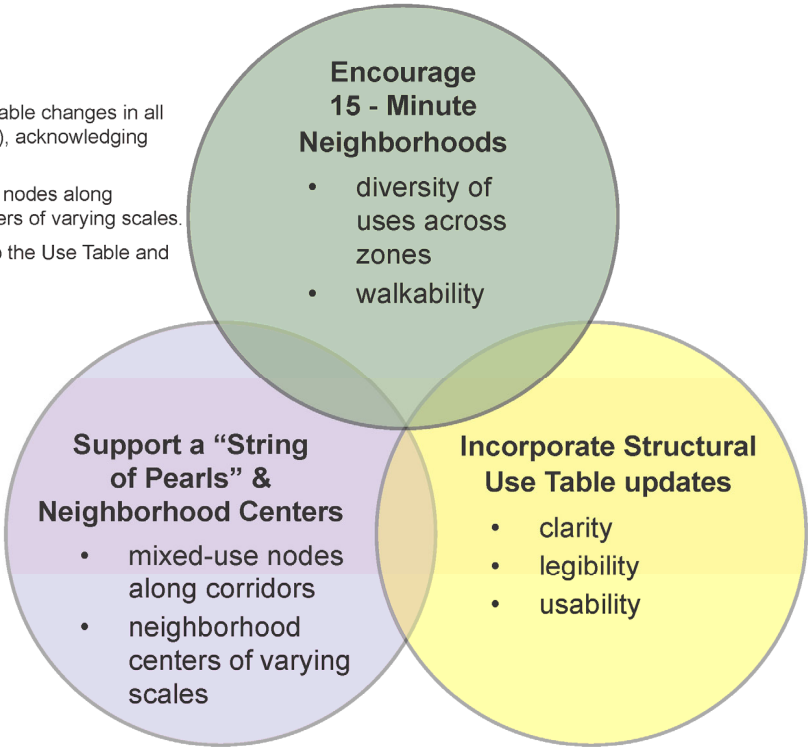
15-MINUTE NEIGHBORHOODS

- Update Live/Work use definition, consider additional live/work definitions based on context and reconsider use allowances in zones beyond industrial zones
- Consider less restrictions for arts or craft studios and allow more broadly?
- Reconsider mobile food vehicles citywide to enable more walkable access to food
- Consider limited sized restaurants or brewpubs that could be better integrated into industrial zones or potentially residential zones along primary corridors to promote more mixed-use and walkability
- Create a definition of post office separate from "government facilities" and allow on the ground floor of neighborhood centers
- Are neighborhood business centers still a relevant use? Should it be eliminated in favor of more fine grained limited sized uses that could be better integrated into residential zones.
- Consider updating personal service uses definition and explore other areas where they could be allowed to better serve neighborhoods.
- Consider creating a new definition for "grocery stores" that are smaller and more accessible to neighborhoods.
- Create limited use or conditional use criteria for smaller scale convenience retail uses to encourage small corner stores in appropriate locations.
- Allow Community Supported Agriculture (CSAs) as a new use permitted in the Agriculture (A) and Public (P) zones.
- Consider changing Animal Hospitals or Vet Clinics from a Use Review use to allowed uses to encourage them as a neighborhood serving use.

USE TABLE AND STANDARDS OVERARCHING GOALS

Overarching Goals [broad / high-level]

1. Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist.
2. Support a "string of pearls" consisting of mixed-use nodes along corridors, and support walkable neighborhood centers of varying scales.
3. Incorporate administrative and structural updates to the Use Table and Use Standards for clarity, legibility, and usability.



Project goals approved by subcommittee in December 2019.

STRUCTURAL CHANGES

Use Table structure suggestions (staff):

- Consider splitting off Industrial Uses from Commercial and Retails Uses.
- Consider adding Lodging Uses to the Commercial and Retail Uses.
- Consider correcting the seemingly erroneous "Outdoor Storage of Merchandise" in the Use Table to "Outdoor display of merchandise", to align with the corresponding definition. Move to appropriate section in the Use Table.
- Consider moving Outdoor Entertainment use to under the "Dining and Entertainment" Use Table section rather than the "Parks and Recreation" section.

DEFINITION CHANGES

Definitions and other areas suggested for potential changes (subcommittee consensus) consistent with the goals of the project shown above:

- Consider revising the definition of *Outdoor Entertainment*. Some of the uses listed within the definition could be split-off as separate, less intense uses. For example, driving ranges, go-cart tracks, miniature golf, versus a small amphitheater probably fit into neighborhoods differently. See BC zones.
- Consider revising the definition of *Sales and Rental of Vehicles* to split-off large vehicles, such as Recreational Vehicles (RVs) and boats. Such large vehicles sales and rentals are more appropriate in light industrial zones instead. See BC zones. Also need to align the use title in the Use Table to the definition (change the "and" to an "or").
- Consider revising the Telecommunications use definition to be less vague. See BC zones.
- Consider splitting *Dormitories and Boarding Houses* off as a separate use(s) and definition from *Fraternities and Sororities* use. See BC zones.
- Consider breaking out grocery stores as a separate use from *Retail Sales*, with a separate definition. See MU zones.
- Consider updating and modernizing the *Personal Service Use* definition, to more accurately reflect modern uses.
- Perhaps consider creating a new use category for adult businesses and limiting the operational hours, and require spacing standards as well, although may be a solution in search of a problem.
- Consider defining hotels and motels as separate uses, with hotels having emphasis as a lesser automobile-focused use.
- Consider creating a new use for Bicycle repair / sales, and allow in the DT zones and elsewhere as may be appropriate.
- Update definitions related to professional, administrative, technical and accessory offices. Is it necessary to have the number of definitions currently in the code? Difficult to administer.
- As stated above, consider new definitions for live/work dependent on neighborhood context beyond industrial zones.

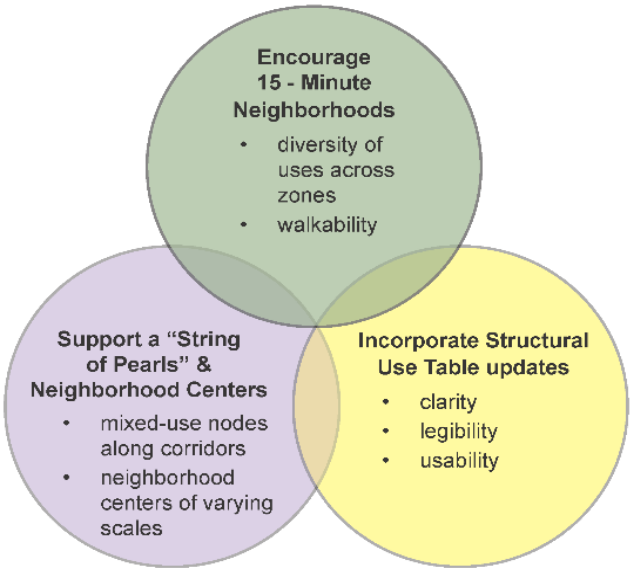
PARKING LOT

Subcommittee Parking Lot (additional ideas outside the scope of this project to be conveyed to planning staff on other projects):

- Looks at more options for new and updated area or subcommunity plans citywide to inform use table changes.
- Consider changing the RM zoning of the Table Mesa area near CU south, to potentially an appropriate mixed-use zone in the future.
- Revisit the ADU regulations and saturation limits when appropriate.
- Consider easing the subdivision regulations for RR and RE zoned lots (reduced minimum lot sizes). Would allow an increase in the pool of single family houses in Boulder. It would be an incremental way to add housing without radically changing the character of single family neighborhoods. Such a change would need to be incremental, and *impacts spread out across all zones*.
- Consider studying the potential for overlay areas (or other tools) to allow mixed-use including more residential uses in industrial zones at specific locations (rather than wholesale). Would likely be part of an implementation process as an outcome of subcommunity planning, that would identify such locations within a given community. Different industrial zones (such as Gunbarrel or East Boulder) have different needs.
- Consider lessening the parking standards in the Industrial zones, as seemingly an overabundance of surface parking.
- Consider the idea for the creation of an Arts District in the East Boulder Subcommunity Plan area (EBSCP).
- Consider applying the existing RMX-2 density bonus for providing affordable housing types (section 9-8-4c, B.R.C.) to other zones.

Other subcommittee member suggestions for the Use Standards & Table - **No subcommittee consensus:**

- Consider splitting off the RH 1/2 zones from the RH 4/5 zones, and adjusting the allowed uses within the RH 1/2 zones to reflect a more suburban character (less density). Currently these RH zones are all within the R6 use module. See the April 20, 2020 Use Table meeting notes for further discussion of the suggestion(s).
- Consider allowing Efficiency Living Units (ELUs) outside of University Hill, in the R2 and R3 use modules to some extent, currently prohibited.
- Industrial zones could be an interesting place to pilot some increase in residential uses that would complement the existing uses (at certain locations). Tweaks to the current use standards rather than rezonings.
- Pilot any changes in Industrial zones to protect the existing industrial uses.



Use Table Subcommittee Goals, Objectives, and Action Steps

GOALS → OBJECTIVES → ACTION STEPS

Overarching Goals [broad / high-level]

1. Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist.
2. Support a "string of pearls" consisting of mixed-use nodes along corridors, and support walkable neighborhood centers of varying scales.
3. Incorporate administrative and structural updates to the Use Table and Use Standards for clarity, legibility, and usability.

Objectives [finer grained policies that help achieve the goals]

- Update the Use Standards and Use Table to meet community needs and desired land uses (Goals 1, 2, 3)
- Identify opportunities for mixed use that can help provide services to residents and needed housing/services/uses to non-residential and industrial areas. (Goals 1, 2)
- Consider changes to the Use Review criteria that would better serve city goals (e.g., walkability, site design). (Goals 1, 2)
- Consider changes to the Use Standards & Table that would incentivize a diversity of housing types. (Goals 1, 2)
- Consider more flexibility for non-impactful retail uses for home occupations and live/work, such as selling one's art. (Goals: 1, 2)
- Consider Mobile Home Parks and their evolution to affordable fixed-foundation buildings, and how it may intersect with the Use Standards & Table. (Goals 1, 2)
- Allow more retail/active uses in the Public (P) zones. (Goals: 1, 2)
- Allow second floor residential in light-industrial zones. (Goals: 1, 2)
- Increase the diversity of uses found in neighborhood centers, both existing and new. (Goals: 2)
- Identify community desired land uses. (Goals: 1, 2)
- Consider how the Use Table project is beneficial, complements and intersects with other planning efforts, such as Community Benefits/East Boulder Subcommunity Plan implementation. (Goals: 1, 2, 3)

Action Steps [the method, may be repeated for multiple priorities and goals]

- Update outdated land use categories in the Use Table.
- Create new use definitions and add to appropriate zoning districts.
- Change desired use allowances to be more permissive (i.e. C, L, or A) as warranted.
- Create new limited uses (L) to encourage desired land uses with flexibility.
- Change prohibited uses to Use Reviews (U's) where certain uses may be warranted and desired (corner coffee shops for example).
- Incorporate additional development design standards into the Chapter 9-6 Conditional Use and Use Review standards, and potentially the Use Review criteria.
- Incorporate technical fixes to Chapter 9-6 as identified by planning and zoning staff.
- Update the amounts of required uses where prescribed in 9-6, "Use Standards", such as residential/non-residential floor area percentages listed under the footnotes N/M of the Use Table, accounting for the holistic impacts of uses including parking.

Deep-Dives: Uses Identified for Consensus Consideration of Potential Changes (RMX, A, P, BC, MU, and DT zones)

*green color denotes considerations related to 15-minute neighborhoods

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
RESIDENTIAL USES					
Residential (general category)	<ul style="list-style-type: none">Consider applying the mixed housing standard for lots larger than one acre (Section 9-8-4a), to RMX-1 zones (currently only applies to the RMX-2 zone).Additional staff comment: In RMX-2, consider changing Duplex, Attached, Townhouses, et al from a C use to a Limited use and moving the 9-8-4 standards under Chapter 9-6, or an L use referencing 9-8-4.		<ul style="list-style-type: none">The Appendix N (and section 9-6-11) restriction on limiting residential uses from the ground floor, may be too restrictive. Consider limiting the uses along major street ground floor frontages only instead.Consider changing residential uses from a C use to a Limited use, or adding in provisions similar to L16 which only restricts specified uses from the ground floor along major streets for a depth of 30’, providing more flexibility for residential uses.Staff note: the current regulations do allow ground floor residential uses via Use Review in Appendix N areas. Outside of Appendix N area, they are permitted on the ground floor.	<ul style="list-style-type: none">In MU-3, residential uses are a Conditional (C) use that mandates a 20’ deep commercial space along the ground floor, per section 9-6-4(j), B.R.C. 1981. Consider modifying this conditional use to allow for a use review when the specific conditions cannot be met, given concerns about vacant storefronts.	
Detached Dwellings		<ul style="list-style-type: none">Consider prohibiting Detached Dwellings in the A zones to avoid estate type development			<ul style="list-style-type: none">In DT-4 and 5, consider changing from an allowed use, to a limited use such as L15 (use review for new detached dwellings, existing are allowed by-right).
Attached Dwellings, Duplexes, Townhouses		<ul style="list-style-type: none">Additional housing considerations depends on where more housing is appropriate based upon the context. Use Reviews allow that basic consideration to occur.Change from prohibited to Use Review, especially in A zones.			

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
ELUs		<ul style="list-style-type: none">Change from prohibited to Use Review, especially in A zones. <p>Staff note: Staff is concerned about permitting non-agricultural uses in the A zones given that there are limited A zones and considering the profitability of uses other than Ag, this could threaten the preservation of A zones.</p>		<ul style="list-style-type: none">In MU-3, the L2 limitation may not work (allowed by right if at least 50% of the floor area of the building is for residential use and the nonresidential use is less than 7,000 square feet per building, otherwise by use review only), given that ELUs are limited to no more than 40% of the residential use mix.	
Live/Work		<ul style="list-style-type: none">Change from prohibited to Use Review, especially in A zones.			<ul style="list-style-type: none">Consider changing from a prohibited use to an allowed use in DT zones to encourage smaller commercial spaces with a residential component as well. For example, a shopkeeper flat.
Group Quarters					
Group Quarters (general comments)			<ul style="list-style-type: none">Consider allowing these uses along the ground floor. Concern about the Appendix N limitation being too restrictive in this regard.		
B. Custodial Care				<ul style="list-style-type: none">In MU-4, consider changing from Prohibited use to a Use Review, consistent with the other MU-zone	Consider prohibiting in DT zones. Currently a Use Review in DT-1, 2, 3, and DT-5 zones, and prohibited in DT-4. Reconsider if DT is best location for this use
E. Fraternities, Sororities, Dormitories, and Boarding Houses			<ul style="list-style-type: none">Separate out from dormitories as a use, update the various rows the use Table.Consider prohibiting Fraternities and Sororities in the BC zones, or change to Use Review (currently C related to Appendix N)	<ul style="list-style-type: none">In MU-3, consider changing from a Use Review to Prohibited use. Taking into account possibly splitting dormitories out as a separate use from fraternities and sororities, prohibit Fraternities and sororities.	<ul style="list-style-type: none">DT-1, 2, 3 zones , consider changing from a Use Review to a prohibited use (already prohibited in DT-4, 5). Taking into account possibly splitting dormitories out as a separate use from fraternities and sororities.
F. Boarding Houses					<ul style="list-style-type: none">In DT4 and 5, consider changing from a prohibited use to a limited use (L16 perhaps –

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
					ground floor limit along major streets). <ul style="list-style-type: none">In DT-1, 2,3, consider changing from an allowed use to a limited use (L16 perhaps). Need to be careful about tourist centric downtown zones however.
Transitional Housing			<ul style="list-style-type: none">Consider allowing this use along the ground floor. Concern about the Appendix N limitation being too restrictive in this regard.		
<u>DINING AND ENTERTAINMENT USES</u>					
General category					
Art or craft studio space	<ul style="list-style-type: none">Consider changing Art or craft Studio space from a Use review to an A, L, or C.				
Breweries, distilleries or wineries			<ul style="list-style-type: none">Consider allowing these uses in limited amounts, and potentially changing from prohibited to a Limited Use.Staff note: currently prohibited likely because of manufacturing component, yet they are listed under the Dining and Entertainment section, rather than the Industrial uses section. Brewpubs (a separate use) are permitted in the BC zones.		
Commercial kitchens and catering			<ul style="list-style-type: none">Consider allowing these in limited amount, potentially changing from a Use Review to a Limited Use.		<ul style="list-style-type: none">Consider changing from a Use Review to prohibited use or with additional limits on hours of operation, particularly DT-5.
Indoor Amusement Establishment				<ul style="list-style-type: none">Consider changing from prohibited to a Limited use to one degree or another, providing greater mix of possible uses/small businesses on the ground floor in the zones.	

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
Mobile Food Vehicle on private property and on Public Right -of-way	<ul style="list-style-type: none"> Consider allowing in RMX and all residential zones 	<ul style="list-style-type: none"> Change to a Conditional use in the A zones. Currently prohibited in A zones, C use in P zones. 		<ul style="list-style-type: none"> Consider if the conditional use regulations if overly stringent. 	<ul style="list-style-type: none"> On Public row, consider changing from prohibited to a Use Review. Perhaps with specific locational standards such as in the alley between Walnut and Pearl Streets. Staff note: Push-carts (Mobile-vending carts) are regulated on Pearl Street Mall by Chapter 11 of Title 4, Licenses and Permits, B.R.C. 1981, and are allowed per those standards - <i>not</i> under the purview of the Land Use Code.
Museums				<ul style="list-style-type: none"> In MU-1, MU-2, and MU-3, consider changing Museums from a Prohibited use to a Use Review. Or possibly a Limited Use allowed up to a smaller square footage (7,000 sf for example), above which would require a Use Review. 	
Restaurant Uses	<ul style="list-style-type: none"> Consider changing Restaurant uses from Prohibited to Use Review (U) or L use to some extent. 	<ul style="list-style-type: none"> Consider allowing restaurants in the P and A zones to some extent - whether a cafe fronting a park, or a “farm to table” experience on a working farm. Currently prohibited or NA. Reconsider allowing restaurants as a principal use to some degree within the P and A zones. Currently allowed as an accessory use. Additional staff comment: In the P zone, the table only has N/A - needs to be changed to prohibited or another allowance level in the table. 		<ul style="list-style-type: none"> Evaluate simplifying and consolidating the restaurant uses, possibly using the Limited Use structure, and part of a rework of these uses across all the zoning districts. 	<ul style="list-style-type: none"> In DT-1, 2, 3, consider further restrictions of outside patios to limit impacts to adjacent neighborhoods (if an issue), currently a use review with locational operational requirements. Consider mandating a level of food service with these uses, given possible negative impacts of solely bars in the DT zones.
Brewpubs and similar uses w/ square foot limits	<ul style="list-style-type: none"> Consider changing from prohibited to a Use Review at the least. 				
Small Theater or Rehearsal Space				<ul style="list-style-type: none"> In MU-1, MU-2, and MU-3 consider changing from a Prohibited Use to a Use Review 	

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
				(or Limited Use perhaps), consistent with the MU-4 zone.	
Temporary Outdoor Entertainment		<ul style="list-style-type: none"> Consider changing from a prohibited use to a C or U in the Agriculture zones Consider adjusting existing permitting to better enable these events such as farm to table uses. 	<ul style="list-style-type: none"> Consider revising applicable Use Review standards or perhaps the open space design requirements of the code, to better accommodated public space, plaza and open space design in development projects in the BC zones. 		
<u>LODGING USES</u> Staff: Consider adding into Commercial, Retail Uses					
Bed and Breakfasts		<ul style="list-style-type: none"> Consider allowing Bed and Breakfast uses to some extent (perhaps a C, L, or U) in the Agricultural zones. Currently prohibited. 			
Motels and Hotels					<ul style="list-style-type: none"> Consider adding standards to limit the potential for off-street parking in front of buildings along street frontages in DT zones. Possibly define hotels and motels separately, with hotels having emphasis as a less automobile focused use.
<u>PUBLIC AND INSITITUTIONAL USES</u>					
Day Shelters				<ul style="list-style-type: none"> Take a look at the Conditional and Use Review standards in 9-6-7(b) through the lens of improving the homeless situation. Consider consolidating with Overnight Shelters entry if feasible. 	
Home Daycare		<ul style="list-style-type: none"> Consider allowing it to some degree (A, C, L, U) in the Agricultural zones. 	<ul style="list-style-type: none"> Consider changing from prohibited to an Allowed use. 		
Governmental facilities			<ul style="list-style-type: none"> Consider allowing post offices to be exempt from the ground floor and square footage limits on the 		

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
			Appendix N, section 9-6-11. Post offices can be part of an active and desirable ground floor in neighborhood centers.		
Mortuaries and Funeral Chapels				<ul style="list-style-type: none"> In MU-1, MU-2, and MU-3 consider changing from a Prohibited Use to a Use Review, consistent with the MU-4 zone. 	<ul style="list-style-type: none"> In DT-1, 2, 3 zones consider changing from a use review to a prohibited use, consistent with their prohibition in DT-4, 5 zones.
Overnight Shelters				<ul style="list-style-type: none"> Take a look at the Conditional and Use Review standards in 9-6-7(b) through the lens of improving the homeless situation. Consider consolidating with Day Shelters entry if feasible. 	
<u>OFFICE, MEDICAL AND FINANCIAL USES</u>					
General Category			<ul style="list-style-type: none"> Consider changes to better effectuate creating neighborhood centers out of the BC zone areas. The existing 10% limit (Appendix N and section 9-6-11 restrictions) on office use square footage and other specified uses is good as-is. 		<ul style="list-style-type: none"> Data Processing Facilities and all allowed Office and like uses, consider changing to a limited use that prohibits a ground floor location (L16 or L1). Consider changing to a limited use to encourage more active street level uses, rather than other non-active uses that don’t contribute to the life of the street.
<u>PARKS AND RECREATION USES</u>					
Outdoor Entertainment Staff note: Consider moving this to “Dining and Entertainment uses” -where Temp. outdoor entertainment lives... should be listed together.		<ul style="list-style-type: none"> Change from a prohibited use to a Use Review use (U) within the A zones. Consistent with the allowance level in the rest of the Use Table. 	<ul style="list-style-type: none"> Consider revising the definition of <i>Outdoor Entertainment</i>. There may be some outdoor entertainment uses, like public performance, that may be appropriate in BC zones. 	<ul style="list-style-type: none"> Consider revising the definition of <i>Outdoor Entertainment</i>. There may be some outdoor entertainment uses, like public performance, that may be appropriate in MU zones. 	<ul style="list-style-type: none"> Consider revising the definition of <i>Outdoor Entertainment</i>. There may be some outdoor entertainment uses, like public performance, that may be appropriate in DT zones. Currently a Use review in the DT zones. Staff note: Also consider moving outdoor entertainment use to

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
					the Entertainment Use Table category rather than the Parks and Rec category.
COMMERCIAL, RETAIL, AND INDUSTRIAL USES					
Staff: Consider splitting Industrial Uses off as separate use category					
Service Uses					
Service Uses (general category)			<ul style="list-style-type: none"> Consider relaxing allowances for service type uses in BC zones, or utilizing Limited Uses. 		
Animal Hospital or Veterinary Clinic				<ul style="list-style-type: none"> MU-1, MU-2, and MU-3 zones - consider changing from prohibited to a Use Review, consistent with the MU-4 allowance. 	<ul style="list-style-type: none"> In the DT-4 and 5 zones, consider changing from a prohibited use to Use Review in the DT zones.
Neighborhood Business Center					
Personal Service Uses				<ul style="list-style-type: none"> Consider updating and modernizing the definition 	
Retail Sales Uses					
Retail Sales (general category)			<ul style="list-style-type: none"> Existing L11 limit of 20,000 square feet allowed by-right, otherwise by Use Review seems appropriate. 	<ul style="list-style-type: none"> MU-1 zone - consider changing from a prohibited use to a limited or Use Review use to allow small sized retail. Possibly U1 (Use Review required for 2,000 square feet or less of floor area per lot or parcel, otherwise prohibited). Consider breaking out grocery stores as a separate use from Retail Sales use. 	
Vehicle-Related Uses					
Car Washes					<ul style="list-style-type: none"> Consider changing from a use review to a prohibited use. Not use consistent with our walkable downtown zones.
Drive-Thrus			<ul style="list-style-type: none"> Consider prohibiting drive-thru uses or further restricting them. Consideration should also be given to ADA accessibility. 		<ul style="list-style-type: none"> Consider changing from a use review to a prohibited use. Not use consistent with our walkable downtown zones.

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
Fuel Service Stations or Retail Fuels Sales					<ul style="list-style-type: none">Consider changing from a use or conditional use review to a prohibited use if no existing use are in the zones.Staff note: as part of a code clean-up this use name and entry may be updated and consolidated with other duplicative entries, and the definition.
Sales and Rental of Vehicles			<ul style="list-style-type: none">Consider revising the definition to split-off large vehicles, such as Recreational Vehicles (RVs) and boats, and then changing <i>large vehicles</i> sales and rentals to prohibited in BC zones.		
Service of Vehicles			<ul style="list-style-type: none">Consider relaxing allowances for service type uses in BC zones, or utilizing Limited Uses. Currently a Use Review.	<ul style="list-style-type: none">In MU-4, consider prohibiting Service of Vehicles with No Outdoor Storage. Currently a Use Review in MU-4, but prohibited in all other MU zones.	
Industrial Uses					
Industrial (general category)				<ul style="list-style-type: none">Consider allowing more limited service/impact industrial uses into the MU zones with appropriate restrictions, if appropriate locations exist.	
Cold Storage Lockers					<ul style="list-style-type: none">Consider changing from a use review to a prohibited use in the DT zones. Consider adding a definition.Staff note: If not defined by the code, definition of terms typically defaults to a common language understanding (or a dictionary definition) – Cold storage is then essentially a warehouse with refrigerated storage.
Computer Design and Development Facilities					<ul style="list-style-type: none">Consider changing from an allowed use to a limited use that limits a ground floor location (L1

Subcommittee Deep Dives:	RMX zones	A & P zones	BC zones	MU zones	DT zones
					or L16) in the DT-1, 2, 3, and 5 zones, consistent with the L1 use in the DT-4 zone.
Equipment Repair and Rental with Outdoor Storage					<ul style="list-style-type: none">Consider changing from a use review to a prohibited use in the DT zones.
Outdoor Storage of Merchandise			<ul style="list-style-type: none">Correct the erroneous table language to “Outdoor <i>display</i> of merchandise”, across all zones to match the definition..		
Manufacturing Uses				<ul style="list-style-type: none">In MU-4, consider changing from a Limited use to a Prohibited use. Particularly if no existing manufacturing uses exist in the MU-4 zone., consistent with prohibition in other MU zones.	
Self-service storage facilities	Should be restricted across the city. Should not be an allowed as a by-right use (A), but instead should require a discretionary review where permitted, or prohibited.				
Telecommunications use			<ul style="list-style-type: none">Consider if broader allowance is warranted. If the intent is to allow for necessary switch terminals or telecom distribution infrastructure, then the section 9-6-11 limits on ground floor uses may be a barrier in Appendix N areas. Although the Use Review process allows some flexibility as is.		<ul style="list-style-type: none">Consider changing from an allowed use to a limited use that limits a ground floor location (L1 or L16) in the DT-1, 2, 3, and 5 zones, consistent with the L1 use in the DT-4 zone.
AGRICULTURE AND NATURAL RESOURCE USES					
Community Supported Agriculture - CSAs (new proposed use)		<ul style="list-style-type: none">Create a new use formalizing Community Supported Agriculture (CSAs)Allow (A) CSAs in P and A zones.			

Deep-Dives: Uses Identified for Consensus Consideration of Potential Changes (RH, RM, RL, RE, and RR, and Industrial zones)

*green color denotes considerations related to 15-minute neighborhoods

Subcommittee Deep Dives:	RH zones	RL-2 & RM zones (R2 & R3 Use Modules)	RE, RR, RL-1 zones (R1 Use Module)	Industrial zones	
RESIDENTIAL USES					
Residential (general category)	<ul style="list-style-type: none">No subcommittee consensus areas of consideration for uses in these zones. See the April 20, 2020 subcommittee meeting notes for a summary of the discussion.	<ul style="list-style-type: none">No subcommittee consensus areas of consideration for uses in these zones. See the April 27, 2020 subcommittee meeting notes for a summary of the discussion.	<ul style="list-style-type: none">An incremental approach is most appropriate, not broad-brushed for any considerations.Currently, duplexes, townhomes and other similar housing uses are prohibited. Consider asking the public what elements would be important if allowing additional housing types, including:<ul style="list-style-type: none">design guidelines and saturation limits, maintaining the single-family character.	<ul style="list-style-type: none">No subcommittee consensus areas of consideration for uses in these zones. See the May 11, 2020 subcommittee meeting notes for a summary of the discussion.	
Detached Dwellings					
Attached Dwellings, Duplexes, Townhouses					
ELUs					
Live/Work				<ul style="list-style-type: none">Consider changing from a use review to an allowed use, updating the definition / creating a new sub-category for arts, creatives, and trades uses.<ul style="list-style-type: none">Would support these complementary uses in industrial zones, and preserve spaces for the creative community in Boulder.	
Group Quarters					
Group Quarters (general comments)					
B. Custodial Care					

E. Fraternities, Sororities, Dormitories, and Boarding Houses					
F. Boarding Houses					
Transitional Housing					
<u>DINING AND ENTERTAINMENT USES</u>					
General category			<ul style="list-style-type: none"> Consider any potential changes through an incremental approach with positive impacts. 	<ul style="list-style-type: none"> Consider any potential changes through an incremental approach with positive impacts. Not every industrial zone has the same characteristics and needs. 	
Art or craft studio space					
Breweries, distilleries or wineries				<ul style="list-style-type: none"> Consider asking the public if the current limited use (typically by-right up to 15,000 square feet), should be lowered to encourage smaller square footage facilities. 	
Commercial kitchens and catering					
Indoor Amusement Establishment					
Mobile Food Vehicle on private property and on Public Right -of-way		<ul style="list-style-type: none"> Consider changing from a prohibited use to a use review or limited use, as a small way to get some mix of uses in these zones. 	<ul style="list-style-type: none"> Consider broadening the existing conditional use (C) standards to conditionally allow them in additional locations. <ul style="list-style-type: none"> Currently a conditional use (C), that limits their location to specific city parks only in these zones. 	<ul style="list-style-type: none"> Consider changing the conditional use standards to more readily allow food trucks in the zones, by relaxing the distance requirements. 	
Museums					
Restaurant Uses	<ul style="list-style-type: none"> Consider changes to Restaurant uses over 1000 SF, in order to be consistent with the use allowances for restaurants less than 1000 SF (U in the R6 module, A in the R7 module): <ul style="list-style-type: none"> In the R6 use module, consider changing Restaurants, Brewpubs, Taverns over 1,000 SF / close after 11 pm / outdoor dining 		<ul style="list-style-type: none"> Consider asking the public if this is a use (at a small scale) that they want in these R1 use module zones. Coffee shops and small scale uses <ul style="list-style-type: none"> Perhaps consider a Use Review (such as a new Ux), with a small size limit (above which it’s prohibited), operational limits, locational requirements, and design, 	<ul style="list-style-type: none"> Consider asking the public if the existing conditional and use review regulations in section 9-6-6(b)(3), B.R.C. 1981, should be revised to be more flexible. <ul style="list-style-type: none"> There may be physical and other limitations, including access limits, that make the industrial areas not attractive for restaurants. 	

	<div>over 300SF, from a use review (U) to prohibited;</div> <div><div>○ In the R7 use module, consider changing Restaurants, Brewpubs, Taverns over 1,000 SF / close after 11 pm / outdoor dining over 300SF, from a prohibited use to a use review (U).</div></div>		<div>public safety and viewshed protection criteria.</div> <div><div>○ Perhaps the existing business zones nearby (such as BC zones) are better locations instead of within residential areas.</div></div>		
Brewpubs and similar uses w/ square foot limits					
Small Theater or Rehearsal Space	<div><div>• In RH-1, 2, 4, 5, 3, and 7 zones (R6 and R7 use modules) consider changing from a prohibited use to a use review to encourage more 15-min. neighborhood uses/amenities.</div></div>				
Temporary Outdoor Entertainment					
<div><u>LODGING USES</u></div> <div>Staff: Consider adding into Commercial, Retail Uses</div>					
Bed and Breakfasts		<div><div>• In the in the RM-1 /3 zones, consider changing from a prohibited use to a use review or conditional use, with limited locations and smaller size requirements.</div></div>			
Motels and Hotels					
<div><u>PUBLIC AND INSITITUTIONAL USES</u></div>					
Day Shelters					
Home Daycare					
Governmental facilities					
Mortuaries and Funeral Chapels					
Overnight Shelters					
<div><u>OFFICE, MEDICAL AND FINANCIAL USES</u></div>					
General Category		<div><div>• Medical offices, Professional offices, and Technical offices are</div></div>			

		currently a use review (U) in these zones. <ul style="list-style-type: none">Consider further restricting these uses, put the question to the public if these uses are appropriate as a use review in these zones.			
<u>PARKS AND RECREATION USES</u>					
Outdoor Entertainment Staff: Consider moving this to “Dining and Entertainment uses” -where Temp. outdoor entertainment lives... should be listed together.					
<u>COMMERCIAL, RETAIL, AND INDUSTRIAL USES</u> Staff: Consider splitting Industrial Uses off as separate use category					
Service Uses					
Service Uses (general category)					
Animal Hospital or Veterinary Clinic	<ul style="list-style-type: none">Consider changing from a prohibited use to Use Review in these zones, to encourage more walkable 15-min uses.				
Neighborhood Business Center	Should neighborhood business centers be eliminated in favor of more fine granted limited sized uses that could be integrated into residential zones?				
Personal Service Uses	Consider updating definition and modernizing the definition of personal service uses and explore other areas where they could be allowed to better serve neighborhoods.				
Retail Sales Uses					
Retail Sales (general category)					
Convenience Retail Sales	<ul style="list-style-type: none">In the R6 use module, consider changing from a use review to a new Ux designation (similar to U1) that limits the square footage to say 1,000 SF or less via use review, otherwise prohibited.<ul style="list-style-type: none">Also consider other standards such as saturation limits, design guidelines, and locational requirements to ensure appropriate levels of				

	<div>the use in R6 module neighborhoods.</div> <ul style="list-style-type: none">Potential to apply such a Ux designation in other residential zones to encourage compatible 15-minute neighborhood convenience retail uses.				
Vehicle-Related Uses					
Car Washes					
Drive-Thrus					
Fuel Service Stations or Retail Fuels Sales					
Sales and Rental of Vehicles					
Service of Vehicles					
Industrial Uses					
Industrial (general category)					
Cold Storage Lockers					
Computer Design and Development Facilities					
Equipment Repair and Rental with Outdoor Storage					
Outdoor Storage of Merchandise					
Manufacturing Uses					
Self-service storage facilities	<ul style="list-style-type: none">Should be restricted across the city. Should not be an allowed as a by-right use (A), but instead should require a discretionary review where permitted, or prohibited. Consider changing from an allowed use in the Industrial Service zones (IS) to a Use Review.				
Telecommunications use					
AGRICULTURE AND NATURAL RESOURCE USES					
Community Supported Agriculture - CSAs (new proposed use)					

Use Standards & Table Review Subcommittee

11/12/2019 Meeting Summary Notes

4:00 PM – 5:30 PM

Under the Sun Eatery – 627 A South Broadway Street, Boulder, CO 80305

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171230&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Bryan Bowen, Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – No comments received during the public comment period. Two members of the public observed during the course of the meeting.

3) Acceptance of the Oct. 04, 2019 Subcommittee meeting summary notes

4) Areas of Consideration and Project Priorities

Review the initial Areas of Consideration from 2018/2019

Subcommittee feedback:

With the recent emphasis on the Opportunity Zone, staff felt it necessary to go back to the core parts of the project and revisit the council endorsed areas of consideration. There was a discussion on the overall project approach and how public engagement would play a part. 15-minute neighborhoods is one of the prime focuses of the project. The following points were raised:

- Consider an area / neighborhood approach to the work. Listen to what residents may / may not want.
- Lived experiences, neighborhoods walks, mapping exercises were ideas previously discussed for next phase and for 15-min. neighborhood focus.
- Purpose of the subcommittee is to act as steering committee (idea generator), and to dig-in to the Use Tables and make recommendations. Recommendations will be vetted with the public. Council ultimately will make code changes, with staff doing the work of preparing proposed ordinances and draft changes, with guidance from the subcommittee.
- Not every implementation effort for 15-minute neighborhoods needs area planning. More effective way is to utilize the Use Table (this group) to get the desired outcomes, as expressed in the subcommittee areas of consideration, the BVCP, and in the ongoing subcommunity planning efforts. Plug into those.
- Staff can recommend the uses in what zones support 15-min. neighborhoods. Then bring those suggestions to the subcommittee for input and feedback. Following that staff will go out to the community for community engagement events, feedback, and input.
- The Use Tables should be aligned to increasing the walkability to desired Land Uses that support 15-min. Neighborhoods. These can be informed by peoples lived experience, and the changes to the Use Tables can be applied citywide.

Discussion and subcommittee recommended strategy for re-organizing the Areas of Consideration:
 Subcommittee Consensus to reorganize the Areas of Considerations (priorities) into four buckets/priorities (some priorities may overlap and be included in multiple buckets/themes):

1. 15-Minute Neighborhoods & Walkability
2. Strings of Pearls Concept (e.g., mixed use nodes along multi-modal corridors)
3. Neighborhood Centers
4. Administrative & Structural updates to the Use Tables

Staff to diagram out the Areas of Consideration re-organization. There is overlap in the concepts, staff may propose consolidating of 1, 2 or 3, or perhaps an alternative breakout.

Recommendations for new Areas of Consideration:

- Increase the diversity of uses found in neighborhood centers (existing and new ones)
- Identify community desired land uses.
- Consider how the Use Table project is beneficial, complements and intersect with other planning efforts, such as Community Benefits/East Boulder Subcommunity Plan implementation.

Additional Comments:

- Critical to be able to tell the story of 15-minute neighborhoods to the public/community. Explore lived experiences, neighborhoods walks, and neighborhood discussions.
- Concept of neighborhoods is important in the Use Table work.
- An outcome for this project could be to identify area plans that should be updated in order implement the subcommittee recommendations.
- The Citywide Retail Study findings are important to consider as part this work.
- Services and other uses (besides the typical “coffee shops and restaurants”) are critically important for neighborhoods. For example, walkable access to pharmacies and repair services.

5) RMX zones deep-dive into the Use Table.

- Apply the Conditionally Allowed (C) density bonus under RMX-2 for affordable housing, to additional zoning districts including to RMX-1.
- Implement a density bonus for triplex / fourplex affordable housing.
- Flagged Uses- revise definitions and update to improve them:
 - Group Quarters
 - Live / Work
 - Craft Studio
- Neighborhood serving uses that promote walkability (15-minute neighborhood lens) should be permitted to some extent:
 - Brewpubs and like uses less than 1,000 SF should at least be a Use Review (U).
 - Reconsider Mobile Food Trucks, currently prohibited in all residential zones, perhaps some allowance is appropriate.
- Consider ways to vary the square footage limitations (1,000 sf for example) prescribed by the Use Table - via a modification or similar process. Additional flexibility would better allow businesses to utilize existing spaces, and a variety of spaces sized to meet the actual real-life needs and contexts of uses and businesses.
- Bed & Breakfast uses are good as currently prescribed in RMX-2 zone (prohibited). No recommended changes.

Next Steps

- Continue the subcommittee deep-dive into the Use Table.
 - Finish up the RMX zones review (if needed).
 - Next zoning districts and use modules to take a deep-dive into:
 - Low Density Residential (RE, RR, RL) , Public (P), Agricultural (A) zones, or Business Community (BC) zones. Greatest subcommittee consensus for the P, A, and BC zones next time.
- Staff to diagram-out the re-organization of the Areas of Consideration as discussed by the subcommittee.
- Next subcommittee meeting - potentially December 2019 or early 2020.

Use Standards & Table Review Subcommittee

12/20/2019 Meeting Summary Notes

12:00 PM – 1:30 PM

Municipal Building - 1777 Broadway Street, Boulder, CO 80302 (W-100 Conf. Room aka 1777 West)

Meeting materials including the audio recording of the meeting are available online:

https://documents.bouldercolorado.gov/WebLink/Browse.aspx?dbid=0&id=47549&row=1&_ga=2.131712911.1825451154.1577746909-742746605.1577746909&cr=1

Subcommittee members: David Ensign (Chair), Bryan Bowen, Sarah Silver

Staff: Karl Guiler, Andrew Collins

Members of the Public: Lisa Spalding, Kurt Nordback

1) Welcome and Ground Rules

2) Public Comment Period – Two members of the public provided comments.

L. Spalding – People don't usually *know* what their zoning is, but they have a *sense* of the place. They can feel it by the context and the built environment, as well as the impacts from development. For example, University Hill. Important to keep this in mind as the subcommittee works through the idea of 15-minute neighborhoods. Think carefully about 15-minute neighborhoods.

K. Nordback – Grew up in the University Hill neighborhood, and it wasn't a 15-minute neighborhood then, the services weren't there. It is crucial to add services that people need, not just restaurants, so that people can truly walk. Need to zone to allow this to happen or change what is permitted in the zoning to encourage more walkable destinations in neighborhoods.

The subcommittee commented:

- The subcommittee needs to think about how a “string of pearls” is implemented to allow services.
- The city should set up the code to state and get what it actually wants from development and uses (more of a form-based approach), rather than just a laundry list of uses.

3) Acceptance of the Nov. 12, 2019 Subcommittee meeting summary notes

4) Areas of Consideration and Project Priorities

Staff supplied the subcommittee with a new diagram that re-organized the previously endorsed Areas of Consideration into a categorized illustration of three themes: Encourage 15-minute Neighborhoods & Walkability, 2) Support a “String of Pearls” of mixed-use nodes along corridors, and 3) Incorporate Administrative & Structural Use Table Updates. Staff provided a brief overview of the re-organization and chart. Additional areas of consideration were ones suggested by the subcommittee from the previous meeting.

Subcommittee feedback:

The subcommittee was comfortable with the re-organization and new format.

5) Use Table and Zoning Districts work session.

The RMX zones deep-dive is sufficient from the previous meeting. The subcommittee is focusing on the Public (P) and Agricultural (A) zones at this meeting.

- The Public zones consist of City, University, or State/Federal lands. The BVCP open space designations correspond to many of these zoning districts.
- Consider greater allowances for restaurants in the P and A zones - whether a cafe fronting a park, or a “farm to table” experience on a working farm.
- Should encourage and allow more pocket parks (if barriers exist to them).
- Duplexes, attached dwellings, townhouses, live/work, efficiency living units, should all be changed from prohibited uses to Use Review uses (U) in the Agricultural zones, similar to how they are permitted in the Public zones.
 - Additional housing considerations depends on where more housing is appropriate based upon the context. Use Reviews allow that basic consideration to occur.
 - Additional uses and housing in the P and A zones fit within the sting of Pearls concept and 15-minute neighborhoods, if those uses are identified as needed in those locations.
- Dining and Entertainment Uses:
 - Should formally recognize Community Supported Agriculture (CSAs) as a use in the Use Table, and allow them in the A zones.
 - Consider adjusting the existing permitting to better enable temporary outdoor entertainment events, farm-to-table dinners, and similar uses in the A and P zones.
 - Consider farm restaurants and cafes potentially for Allowed uses in the A zones. Look at the Pacific Northwest for precedents.
 - Reconsider allowing restaurants as a principal use to some degree within the P and A zones. Currently allowed as an accessory use.
 - Temporary Outdoor Entertainment should be a Conditional Use in the A zones, similar to how it’s permitted elsewhere in the city.
 - Consider allowing Bed and Breakfast uses to some extent (perhaps a C, L, or U) in the A zones.
- Self-Service Storage Facilities should be restricted across the city. Should not be an allowed as a by-right use, but instead should require a discretionary review where permitted, or prohibited.
- Home Daycare use – consider allowing it to some degree (C, L, U) in the A zones.
- K. Nordback suggested, and the subcommittee agreed, that the Outdoor Entertainment use, under the Parks and Rec category, should be changed from a prohibited use to a Use Review use (U) within the A zones. Consistent with the allowance level in the rest of the Use Table.
 - Could allow for events such as corn mazes, farm to table experiences, etc.
- Mobile Food Trucks should be a conditionally allowed use (C) in the A zones.

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - Business Community (BC) zoning districts.
- Next subcommittee meeting - potentially Friday January 24th, somewhere in a BC zone such as the Meadows Shopping Center.

Use Standards & Table Review Subcommittee

01/24/2020 Meeting Summary Notes

3:30 PM – 5:00 PM

Coma Mexican Grill – 4800 Baseline Road, Suite E105, Boulder, CO 80303

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171756&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – Two members of the public provided comments.

D. Takahashi – Within the Opportunity Zone, there should be much more affordable housing options as part of any redevelopment and to accommodate all needs. Opportunity to get permanent affordable housing development right in Boulder. Consider Net Zero energy neighborhoods as precedent examples of what the Opportunity Zone should become in Boulder. The Arvada project “Geos” was shown as an example. D. Takahashi also noted that in the BC zones there is a concern of overbuilding parking lots and need to better utilize the spaces.

K. Nordback – In the Agricultural zone, consider not allowing detached single-family dwellings, as such an allowance runs the risk of enabling large estate homes. Conversely, allowing farm-worker housing would be a better residential use in the A zones.

3) Acceptance of the Dec. 20, 2019 Subcommittee meeting summary notes - Revisions requested

The subcommittee will include L. Spalding’s email as part of the public record archive.

S. Silver suggested an additional comment for the December meeting notes, regarding using the permitting process (rather than just changing use table allowances) to better enable cafes, farm-to-table, and similar uses in the A and P zones. Staff to add the comment into the Dec. 20, 2019 meeting summary notes and send back out to the subcommittee.

4) Use Table and Zoning Districts work session - BC-1 and BC-2 zones

Staff provided an overview and description of the Business Community zoning districts (BC-1 and BC-2 zones), and the recent code updates in 2019 meant to encourage more neighborhood serving uses.

- Underutilized shopping centers should be redeveloped in a neighborhood serving manner, in order to become interesting mixed-use places.
- May need area planning, design, and access, and streetscape figured out in the redevelopment some of these BC nodes, in order to set them up for context and scale appropriate redevelopment. They should be lively, vibrant, and appropriate to the neighborhoods and context sensitive.

- Scope of the project is the Use Table and Standards. Suggestions on changing form, bulk and intensity (density) requirements, as well as design can be touched on, but are better addressed through other BVCP and subcommunity planning processes.
- Consider possibly allowing some industrial or service types uses such as auto repair and bike shops for example, to serve the neighborhoods - not just cafes, yoga studios and coffee shops.
 - Consider using Limited Uses for such service types uses.
- A goal should be developed to help preserve and incentivize local small business in the BC zones.
 - Could apply the Limited Use tool – that for example would allow by-right desired uses/small businesses up to a given square footage (such as 5,000 SF), but above which would require a Use Review.

Residential Uses in BC zones

- The Appendix N and section 9-6-11 restrictions on limiting residential uses from the ground floor of any development, may be too restrictive. Consider limiting the uses along major street ground floor frontages only (similar to the BR zone L use), but probably ok to have residential uses at the ground level behind buildings on large sites (the current regulations do allow ground floor residential uses via Use Review).
 - Redevelopment of Diagonal Plaza would likely require some ground level residential uses. Area planning may also be appropriate here.
- S. Silver: Consider setting a maximum of 40% cap on Efficiency Living Units (ELUs) in BC 1/2- with no variances. D. Ensign respectfully disagreed.
- Transitional housing, group quarters, and other similar residential uses – concern about the existing limitation in the Appendix N areas that prevents them from the ground floor by-right.
 - There could be scenarios where it makes sense to occur on the ground floor as some of the BC zones redevelop into neighborhood serving nodes. Consider allowing these on the ground floor, and/or with a more nuanced approach.
- Separate out Fraternities and Sororities in the Use Table from Dormitories. Fraternities and sororities are usually privately owned and operated, versus a school owned and operated dormitory that has more oversight. Different impacts to neighborhoods.
 - Clean-up those respective rows in the Use Table to simplify them (currently are redundant entries).
 - Consider not allowing Fraternities and Sororities in the BC zones or changing from a Conditional use to a Use Review at the least. Dormitories may be appropriate as is.

Dining and Entertainment Uses in BC zones

- Breweries, wineries, commercial kitchens and catering are currently prohibited in the BC zones, due to their more industrial categorization. Taprooms are allowed however in the BC zones. Perhaps reconsider these, and smaller scale breweries, wineries etc.
 - Large scale breweries and neighborhood kites are not necessarily neighborhood serving, compared to taprooms, or restaurants.
- Staff: the restaurant entries in the Use Table and associated uses are something that we'd like to revamp. Open to ideas from the subcommittee – consider utilizing the new Limited Use structure.
- Temporary Outdoor Entertainment uses should be better accommodated in public space, plaza and open space design in development projects in the BC zones.
 - Consider revising applicable Use Review standards or perhaps the open space design requirements of the code.

Public and Institutional Uses

- Home Daycare Centers are currently prohibited in the BC zones. Staff: this use is geared toward daycares in the residential zoning districts (R1 through R6 use modules), daycare centers are allowed by-right in the BC-zones and other commercial zones.
 - Consider changing to an Allowed use across all zoning districts including the BC zones, if it makes sense.
- Consider allowing post offices to be exempt from the ground floor and square footage limits in the Appendix N BC zones. Post offices are an active ground floor uses that are desired in centers.
- The rest of the Public and Institutional uses look good as-is in the BC zones.

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - Finish the Business Community (BC) zones
 - Next zones to consider Downtown (DT) and Mixed-Use (MU) zones
- Increase the frequency of the subcommittee meetings to twice per month to complete the deep-dive into the zones.
- Community engagement likely for early summer/late spring potentially, with project completion by Q4 2020/ Q1 2021.
- Next subcommittee meeting - Friday February 7th, in city offices.

Use Standards & Table Review Subcommittee

02/07/2020 Meeting Summary Notes

3:30 PM – 5:00 PM

Planning Department Room 401, Park Central Building - 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171835&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – No members of the public were present.

3) Acceptance of the Dec. 20, 2019 and the Jan. 24, 2020 Subcommittee meeting summary notes –
Approved. Emails received to be included in the public record.

4) Use Table and Zoning Districts work session – BC zones continuation.

General Discussion before the BC zones specific work session:

- In thinking about how we encourage walkable neighborhood centers, the scale and context is important, to determine the right size of the centers. We want to encourage smaller, finer-grained businesses and establishments, rather than office park type development.
- We should consider what a string of pearls might look like/what purpose they might serve if the BC zones were to evolve into more residential/local retail/neighborhood serving offices and commercial rather than the car centric suburban shopping centers that they are today.
- Ideas about creating a “string of pearls” through neighborhood centers may result in recommendations to pass along to Planning Board and/or City Council about where to focus on creating future area plans. The actual creation of such plans is outside the scope of this subcommittee and project.
- Consider changing residential uses from a C use to a Limited use, or adding in provisions similar to L16 which only restricts specified uses from the ground floor along major streets for a depth of 30', providing more flexibility for residential uses.
- Regarding Industrial zones, we should have someone from Community Vitality department attend a subcommittee meeting to discuss affordable commercial, small business efforts.

Office, Medical, and Financial Uses in BC zones

- Should consider changes to better effectuate creating neighborhood centers out of the BC zone areas.
- The existing 10% limit (Appendix N and section 9-6-11 restrictions) on office use square footage and other specified uses while restrictive, can be an effective way to encourage the other uses that are desired. The existing percentage limitation on nonresidential uses is good as-is.

Parks and Recreation Uses in BC zones

- Consider revising the definition of *Outdoor Entertainment*. Some of the uses listed within the definition could be split-off as separate uses. For example, driving ranges, go-cart tracks, miniature golf, versus a small amphitheater probably fit into neighborhoods differently. There may be some outdoor entertainment uses, like public performance, that may be appropriate and desired in such areas.
 - Driving ranges, go-cart tracks, etc. may not be appropriate uses in BC zones, smaller-scale outdoor uses with less visual and noise impacts may be more appropriate. The existing Use Review does provide for discretion.

Commercial, Retail and Industrial Uses in BC zonesService Uses:

- “Neighborhood Business Center” uses should be looked at closer.
 - Staff: These are non-residential uses that are permitted to a limited degree in residential zones. May provide a framework or starting point for fostering 15-minute neighborhoods. This is a use we’d like to take a look as part of the 15-minute neighborhoods goal for the low density residential zones.

Retail Sales Uses:

- Retail Sales use - L11 limit of 20,000 square feet allowed by-right, otherwise by Use Review seems appropriate. For reference a Trader Joes grocery store may typically fall in the 12,000SF range.

Vehicular-Related Uses:

- Automobile Parking Lots - We want to encourage “park and rides”, the existing conditional use is good: in Appendix N areas, “park and rides” are the only type of parking lots as principal use allowed (unless in a Use Review).
- Consider prohibiting drive-thru uses or further restricting them. Consideration should also be given to ADA accessibility.
- Sales and Rental of Vehicles use: Consider revising the definition to split-off large vehicles, such as Recreational Vehicles (RVs) and boats, and then changing *large vehicles* sales and rentals to prohibited in BC zones. Such large vehicles sales and rentals are more appropriate in light industrial zones instead.
 - Staff: also need to align the use title in the Use Table to the definition (change the “and” to an “or”).

Industrial Uses:

- Outdoor storage of merchandise: confusing when linking the allowances in the table to the definition. Staff: this is an error in the code – it should be “Outdoor display of merchandise”, which has a different definition. Correct the erroneous table entry to “Outdoor *display of merchandise*”.
- Consider revising the Telecommunications use definition to be less vague. If the intent is to allow for necessary switch terminals or telecom distribution infrastructure, then the section 9-6-11 limits on ground floor uses may be a barrier in Appendix N areas. Although the Use Review process allows some flexibility as is.

Brief overview of project timeline provided by staff

Zoning districts' deep-dive wrap-up by end of April 2019. Engagement to occur beginning in late spring/early summer of 2020. Ordinance adoption hopefully by end of 2020. Subcommittee recommendations on potential industrial zones will likely not be in the late 2020 ordinance, but rather referred to the East Boulder Subcommunity Plan implementation project, which relates closely to visioning and uses in the industrial zones. Change to the industrial zones would likely occur in 2021 as part of that process.

Subcommittee members in general agreement with the timing, and provided additional feedback:

- Consider having meetings or stations organized by zone type. For example, low density residential zones, shopping center oriented zones, etc.
- Visual aids may be useful as feasible.
- Consider getting feedback on future area plans or asking a broad question regarding them.

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - Mixed-Use (MU) zones
 - DT zones time allowing
- Next subcommittee meeting - Thursday February 20th (prior to Planning Board) in city offices.

Use Standards & Table Review Subcommittee 02/20/2020 Meeting Summary Notes

4:00 PM – 5:30 PM

Municipal Building - 1777 Broadway, Boulder, CO 80302 (W-100 Conf. Room)

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171835&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver, Bryan Bowen

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – Three members of the public provided comments.

L. Spalding – Would like to understand more about the “String of Pearls” concept that the subcommittee has been discussing. What is meant by it?

L. Segal – Concerned about the recent removal of the Medium Density Overlay Zones from the University Hill area. We need to put more services into neighborhoods, encourage smaller living spaces that are inherently more energy efficient through the sharing of living spaces.

D. Takahashi – We are all in a climate emergency. The city should connect its policies to its Climate Action Plan and consider changes to uses that promote reduced carbon emissions and reduced vehicle miles traveled – ideas such as smaller residential units and greater walkable access to a mix of uses.

- Also consider updating and/or defining Live/Work use during the subcommittee’s discussions.

Subcommittee and staff comments:

[The Boulder Valley Comprehensive Plan](#) has specific policies regarding neighborhood centers, and *string of pearls* is a term of art when talking about the concept of walkable neighborhood centers that provide a mix of neighborhood serving uses at the scale appropriate to the neighborhood context. *String of pearls* has also been used when discussing the broad concept of neighborhood centers that are linked along the Broadway corridor. In addition, the updated subcommittee goals and polices chart has information regarding the concept and key areas of consideration about these about centers and a string of pearls.

3) Acceptance of the Feb. 7, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session – Mixed-Use zones (MU)

General Discussion:

- Concern about vacant storefronts in the MU-3 zones along the east side of Pearl Street.
- As offices have seemingly moved eastward away from the central Boulder core, how can we fill these urban Mixed-Use zones with active ground floor uses?

Residential Uses

- In MU-3, residential uses are a Conditional (C) use that mandates a 20' deep commercial space along the ground floor, per section 9-6-4(j), B.R.C. 1981. Consider modifying this conditional use to allow for a use review when the specific conditions cannot be met, given concerns about vacant storefronts.
- Consider adjustments to this section to be more flexible in order to meet future needs, with the goal to enhance and encourage active ground floor of buildings.
- In MU-3 for Efficiency Living Units (ELUs), not sure the L2 limitation makes sense (allowed by right if at least 50% of the floor area of the building is for residential use and the nonresidential use is less than 7,000 square feet per building, otherwise by use review only), given that ELUs would be limited to no more than 40% of the residential use mix.
- In MU-4, consider changing Custodial Care from Prohibited use to a Use Review, consistent with the other MU-zones.
- Fraternities, Sororities, and Dormitories use in MU-3, consider changing from a Use Review to Prohibited use. Taking into account possibly splitting dormitories out as a separate use from fraternities and sororities, as discussed in prior subcommittee meetings.

Dining and Entertainment Uses

- Like the L6 limitation in place for many of these uses – encourages small businesses (Allowed by right for 2,000 square feet or less of floor area per lot or parcel, otherwise by use review only).
- In MU-1, MU-2, and MU-3, consider changing Museums from a Prohibited use to a Use Review. Or possibly a Limited Use allowed up to a smaller square footage (7,000 sf for example), above which would require a Use Review.
- In the MU zones, consider re-evaluating the *Mobile food vehicle on private property use* conditional regulations if overly stringent. Currently a conditional use in the MU zones.
- Consider changing Indoor Amusement Establishment use from prohibited to a Limited use to one degree or another, providing greater mix of possible uses/small businesses on the ground floor in the MU- zones.
- Restaurant and like uses in the MU zones – evaluate simplifying and consolidating these uses, possibly using the Limited Use structure, and part of a rework of these uses across all the zoning districts.
- In MU-1, MU-2, and MU-3 consider changing small theater or rehearsal space from a Prohibited Use to a Use Review (or Limited Use perhaps), consistent with the MU-4 zone.

Public and Institutional Uses

- Day shelters and overnight shelters in the MU zones – take a look at the Conditional and Use Review standards in 9-6-7(b) through the lens of improving the homeless situation, in order to better align with the policy direction of council.
- In MU-1, MU-2, and MU-3 consider changing mortuaries and funeral chapels from a Prohibited Use to a Use Review, consistent with the MU-4 zone.

Office, Medical, and Financial Uses

- These appear to be consistent with BVCP policy and require no change..

Parks and Recreation Uses in BC zones

- Outdoor entertainment uses in the MU zones - currently prohibited in the MU zones. Per previous subcommittee meetings – consider revising the definition of *Outdoor Entertainment*, with appropriate sub-uses, such as a small amphitheater, considered for allowance to one degree or another.

Commercial, Retail and Industrial UsesService Uses:

- Animal hospital or veterinary clinic in the MU-1, MU-2, and MU-3 zones - consider changing from prohibited to a Use Review, consistent with the MU-4 allowance.
- “Neighborhood Business Center” uses should be looked at closer.
 - Staff: These are non-residential uses that are permitted to a limited degree in residential zones. May provide a framework or starting point for fostering 15-minute neighborhoods. This is a use we’d like to take a look as part of the 15-minute neighborhoods goal for the low density residential zones.

Retail Sales Uses:

- Retail Sales use in the MU-1 zone - consider changing from a prohibited use to a limited or Use Review use to allow small sized retail. Possibly U1 (Use Review required for 2,000 square feet or less of floor area per lot or parcel, otherwise prohibited). MU-2 and MU-3 allow it as a U2 up to 5,000 sf via Use Review, and MU-4 allows retail as L11 up to 20,000 sf by-right, otherwise by Use Review.
- Consider breaking out grocery stores as a separate use from Retail Sales use.
 - Currently it’s encompassed within the Retail Sales use.
- Consider updating and modernizing the Personal Service uses definition, to more accurately reflect modern uses.
 - *Current definition: Personal service use means an establishment that provides personal services for the convenience of the neighborhood, including, without limitation, barber and beauty shops, shoe repair shops, bicycle repair shops, dry cleaners, laundries, self-service laundries, bakeries, travel agencies, newsstands, pharmacies, photographic studios, duplicating services, automatic teller machines, and the healing arts (health treatments or therapy generally not performed by a medical doctor or physician such as physical therapy, massage, acupuncture, aromatherapy, yoga, audiology, and homeopathy).*

Vehicular-Related Uses:

- In MU-4 zone, consider prohibiting Service of Vehicles with No Outdoor Storage use. Currently a Use Review in MU-4, and prohibited in all other MU zones.

Industrial Uses:

- Manufacturing Uses in the MU-4 zone, consider change from a Limited use to a Prohibited use. Particularly if no existing manufacturing uses exist in the MU-4 zone.
 - Staff: intention of allowing manufacturing uses was probably to prevent creating nonconformities for pre-existing manufacturing uses. However, it may be very likely that those manufacturing uses no longer exists in MU-4 zoned parcels.
- Consider allowing more limited service/impact industrial uses into the MU zones with appropriate restrictions, and in locations that make sense.

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - DT zones focus
- Staff to send out updated project timeline to subcommittee members, and post it to the online city documents archive.
- Next subcommittee meeting - Friday March 13th at the Planning Department, Park Central Building, Room 401.

Use Standards & Table Review Subcommittee

04/13/2020 Meeting Summary Notes

4:00 PM – 5:30 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171835&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – One member of the public provided comments.

L. Spalding – Late night operating hours are important to consider in the DT zones. There are approximately six tavern licenses in downtown zones, and ten hotel licenses in DT zones that require only a limited 25% food service requirement. Concern about operating as essentially a bar rather than true restaurant and impacts to the area. Also consider prohibiting adult business in the DT zones.

Staff comments: Planning Board's purview considers the hours of operation and operational characteristics during their review of projects. The Beverage Licensing Authority has authority of liquor and tavern licensing requirements.

D. Takahashi – No formal comments at this time.

3) Acceptance of the Feb. 20, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session – Downtown zones (DT)

Background:

- DT-5 and DT-4 (Pearl Street) more intense DT zones in terms of floor area and uses. DT-1, 2, 3 are as a transition down into the neighboring areas, somewhat less intense.
- Current zoning and use standards encourage residential in the DT zones, as it was a lacking use in these areas during 1990's when DT zones were first put into effect.
- Subcommittee comment: DT-1, 2, 3 seem more appropriate for neighborhood serving uses (more limits in place to be sensitive to the nearby neighborhoods), rather than the more intense version of uses in DT-5, and 4 zones.

Residential Uses

- Detached Dwelling Units – Currently allowed uses, consider making a L15 (Use Review for new detached dwellings, existing are allowed by-right) or make no change. Protection of historic single family structures is important. Leave as an allowed use in DT-1, 2, 3 zones.

- Consider redefining Live-work use as not just applying to industrial zones (prohibited in DT zones currently), and allow live-work use to occur in DT zones to encourage smaller commercial spaces with a residential component as well. For example, a shopkeeper flat.
- Reconsider whether Custodial Care is appropriate in DT zones. Currently a Use Review in DT-1, 2, 3, and DT-5 zones, and prohibited in DT-4. Reconsider if this is best location for this use
- Fraternities, Sororities, and Dormitories use - consider changing from a Use Review in DT-1, 2, 3 zones to a prohibited use (already prohibited in DT-4, 5). Taking into account possibly splitting dormitories out as a separate use from fraternities and sororities, as discussed in prior subcommittee meetings.
- Consider make boarding houses a limited use (L16 perhaps – ground floor limit along major streets) in DT-4, 5. Currently an allowed use in DT-1, 2,3 zones. Need to be careful about the possibility of transient housing in tourist centric downtown zones however.

Dining and Entertainment Uses

- Commercial Kitchens and Catering – Consider changing from a Use Review to prohibited or with limits on hours of operation in the DT zones, particularly DT-5. If not neighborhood serving uses, it may not be appropriate (shipping off-site).
- There is no separate use category for adult businesses, potentially an existing loophole to fix. Perhaps consider creating a new use category for adult businesses and limiting the operational hours, and require spacing standards as well. May be a solution in search of a problem, would need public comment and attorneys to weigh in.
- Mobile Food Vehicle on Public right-of-way use – Consider changing from prohibited to a Use Review in the DT zones. Perhaps with specific locational standards such as in the alley between Walnut and Pearl Streets.

Staff note: Push-carts (Mobile-vending carts) are regulated on Pearl Street Mall by [Chapter 11 of Title 4, Licenses and Permits, B.R.C. 1981](#), and are allowed per those standards - *not* under the purview of the Land Use Code. Separately, Temp outdoor event uses could include mobile food vehicles.

- Restaurants, Brewpubs, Taverns use categories across the DT zones - consider mandating a level of food service , considering possible impacts of solely bars in the DT zones. In DT-1, 2, 3 consider further restrictions of outside patios to limit impacts to adjacent neighborhoods if an issue, currently a use review with locational operational requirements.

Lodging Uses

- Motels and hotels in DT zones, consider adding in standards to limit the potential for off-street parking in front of the building along street frontages in DT zones. Possibly define hotels and motels separately with hotels having emphasis as a less automobile focused use.

Public and Institutional Uses

- Mortuaries and funeral chapels – consider changing from a use review to prohibited use in DT-1, 2, 3 zones, consistent with their prohibition in DT-4, 5 zones.
- Overnight shelters in the DT zones – Currently a conditional use across the board, likely a good strategy to conditionally allow them across the city's various zoning districts, good as-is.

Office, Medical, and Financial Uses

- Data Processing Facilities and all allowed office and similar uses under this category, consider whether changing to a limited use that prohibits a ground floor location (L16 or L1) in the DT zones is more appropriate. Consider changing in order to encourage more active street level uses, rather than data processing facilities and other non-active uses that don't contribute to the life of the street

Parks and Recreation Uses

- Outdoor entertainment uses – currently a Use review in the DT zones. Per previous subcommittee meetings – consider revising the definition of *Outdoor Entertainment*, with appropriate sub-uses, such as a small amphitheater, considered for allowance to one degree or another.

Staff note: Also consider moving outdoor entertainment use to the Entertainment Use Table category rather than the Parks and Rec category.

Commercial, Retail and Industrial UsesVehicular-Related Uses:

- Consider updating Fuel Service Stations, Retail Fuel Sales in the DT zones from a use or conditional use review to a prohibited use if no existing uses in the zones. Also the table has duplicative listings in the Use Table.

Staff note: as part of a code clean-up this use name and entry may be updated and consolidated with the duplicative entries.

- Car washes and drive thru uses – consider changing from a use review to a prohibited use in the DT zones. Not the type of uses that are consistent with our walkable downtown zones.

Industrial Uses:

- Consider prohibiting cold storage locker use from a use review to a prohibited use in the DT zones. Consider adding a definition.

Staff note: If not defined by the code, definition of terms typically defaults to a common language understanding (or a dictionary definition) – Cold storage is then essentially a warehouse with refrigerated storage.

- Computer Design and development facilities – consider changing from an allowed use to a limited use that limits a ground floor location (L1 or L16) in the DT-1, 2, 3, and 5 zones, consistent with the L1 use in the DT-4 zone.
- Telecommunications use – consider changing from an allowed use to a limited use that limits a ground floor location (L1 or L16) in the DT-1, 2, 3, and 5 zones, consistent with the L1 use in the DT-4 zone.
- Equipment repair and rental with outdoor storage – Consider changing from a use review to a prohibited use in the DT zones.
- Consider creating a new use for Bicycle repair / sales as a new use in the use table and allow in the DT zones, and elsewhere as may be appropriate.

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - Residential High zones (RH) zones
 - Following meetings: R3 use module (RM-1 and RM-3 zones)
 - Following meetings: R1 and R2 use modules (RE, RR, RL, and RM-2 zones)
- Standing weekly virtual subcommittee meetings – Every Monday afternoon at 4pm for at least the next few weeks.

Use Standards & Table Review Subcommittee

04/20/2020 Meeting Summary Notes

4:00 PM – 5:30 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171835&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – One member of the public provided comments.

C. Gray – Regarding last week's subcommittee discussion:

- The 15 min. neighborhood discussion should consider the concept from a transportation perspective, and requires good and safe access.
- Good idea to regulate hours of operation for businesses in the DT zones for businesses, as suggested by members of the public.
- Be careful regulating sexually oriented businesses, as they do have to be allowed somewhere legally.

Subcommittee comments: The subcommittee is collecting ideas and providing initial suggestions, but nothing is being decided now. Recommendations will occur after community engagement later this year.

3) Acceptance of the April 13, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session – Residential - High zones (RH)

Background: Overview of where the various zones are located, brief review of the background of the zones and some characteristics of density and open space requirements.

General subcommittee comments:

Many of these RH zones are located in such a way as to be already walkable to many daily needs such as commercial and office uses. May not need much adjustment as other zones to encourage 15-min. neighborhoods, as already function as such in many instances.

S. Silver: Consider separating out RH-1/2 from RH-4/5 (currently grouped together under the R6 use module), as they are in different areas of town with different character. RH-1/2 zones are older areas with some historic character mixed-in around the downtown area, and RH-4/5 are more suburban in location and character. Additionally, suggestions (of S. Silver) will reflect the current Covid-19 situation

and the idea that sheltering in place should include equitable access to open areas/space in developments, that it's not a privilege.

D. Ensign: We should be cautious about the cross-section of the current Covid-19 situation and urban planning. It's complicated and evolving, therefore we need to be cautious about drawing conclusions at this time.

Residential Uses

- Detached Dwelling Units – Currently a Limited Use L15 (Use Review for new detached dwellings, existing ones are allowed by-right) in the R6 use module (RH-1,2,4,5). S. Silver suggests splitting off RH-1/2 and making an allowed (A) use. D. Ensign disagrees, stating there are other zones that already allow detached dwelling by-right, and often to the exclusion of other residential types.
 - No subcommittee consensus.
- Efficiency Living Units (ELUs) outside of University Hill – S. Silver suggests splitting of RH-1/2 zones from RH4/5 zones and prohibiting 40% or greater mix of ELUs in the RH-1/2 zones. Currently a use review for 40% or greater, and allowed for less than 40%. The percentage was recently increased from 20% to 40% in the Use Table Phase 1 approved by council, perhaps too much in the areas.. D. Ensign disagrees, believes the existing use review requirement provides enough scrutiny and public process when these occasionally come-up. Would like to avoid an effective downzoning.
 - No subcommittee consensus.
- Fraternities, sororities, and dormitories in the R6 use module – S. Silver suggests these may be appropriate in the RH-5 zones around the CU campus, but not with other RH zones, consider changes from currently an allowed use (A) in the R6 use module to reflect that. D. Ensign doesn't share this concern with the existing use allowance.
 - No subcommittee consensus

Dining and Entertainment Uses

- Restaurants, Brewpubs, Taverns over 1,000 SF / close after 11pm/outdoor dining over 300SF – consider as a question for the public to weigh in on whether to change from a use review (U) in the R6 use module zones, to prohibited. Especially given the use is prohibited in the RH3/7/8 zones already. Perhaps flip the use allowances between these zones.
 - Restaurants, brewpubs and taverns uses less than 1,000 SF / close before 11pm/ outdoor dining less than 300 SF are allowed by-right (A) in the R3/7/8 zones, but a use review (U) in the R6 use module. This is not consistent with larger restaurant use allowances a noted above.
- Small theater and rehearsal space – consider changing from a prohibited use to a use review in the R6 and R7 use modules to encourage more 15-min. neighborhood uses/amenities.

Lodging Uses

- Ok as -is.

Public and Institutional Uses

- Ok as -is.

Office, Medical, and Financial Uses

- Discussion on the existing Use Review versus L2 limited use. Ok as -is.

Parks and Recreation Uses

- Ok as -is.

Commercial, Retail and Industrial Uses

Service Uses:

- Consider changing Animal and Vet Clinics from a prohibited use to Use Review in the DT zones. Would seem to fit within the desired uses for 15-minute neighborhoods, and would not include kennels as a principal use. Worth asking the public.

Retail Sales Uses:

- Convenience Retail Sales – Currently a use review in RH-1,2,4,5 (the R6 Use Module), a limited use in RH-3 /7 zones (L6 - allowed by right for 2,000 square feet or less of floor area per lot or parcel, otherwise by use review only), and prohibited in RH-6.
 - Consider putting in a size limit in the R6 use modules, perhaps a new Ux designation (similar to U1) that limits the square footage to say 1,000 SF or less via use review, otherwise prohibited.
 - Also consider other standards such as saturation limits, design guidelines, and locational requirements to ensure appropriate levels of the use in R6 module neighborhoods.
 - Potential to apply such a Ux designation in other residential zones to encourage compatible 15-minute neighborhood convenience retail uses.

Additional Public Comment -

- K. Nordback - The Goss Grove neighborhood as an example of RH-1 and RH-2 zones is a mix of character, it's not all single-family character and historic. It's a mix with some of those 60's – 90's style apartment buildings. Not a homogeneous character across the board.
- C. Gray - Please be sure to update the project website and post summaries of the meetings to the online archive.

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - RL-2 and RM-2 zones (R2 use module), and the RM-1 and RM-3 zones (R3 use module)
 - Following meeting: RE, RR, RL-1 zones (R1 use module)
 - Following meetings: Industrial zones and project next steps
- Standing weekly virtual subcommittee meetings through May 18th – every Monday afternoon at 4pm.

Use Standards & Table Review Subcommittee

04/27/2020 Meeting Summary Notes

4:00 PM – 5:30 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171835&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – Two members of the public provided comments.

L. Spalding – Regarding last week's subcommittee discussion:

- Supports the idea of separating out RH1-1/2 from RH-4/5 in the Use Table.
- Fraternities and sororities should be limited to only the RH-5 zones around CU campus, they do not need to be permitted elsewhere in the respective zones.
- Brewpubs open after 11 pm and like uses – concern about them transitioning to purely bars if allowed to a greater extent and if not a level of food service required. In addition, Use Reviews are not always the answer or an effective method to regulate undesirable uses, speaking from experience.

C. Gray – Regarding community engagement:

- Think about structuring the engagement of potential changes based on sub areas or subcommunity areas, and the zones within them.
- Can then list the uses that are under consideration for each subcommunity / neighborhood.
- People would be able to better relate to the idea of changing land uses in their respective neighborhood, rather than in the Use Table citywide.

Subcommittee comments: Like the idea of geographically breaking up the engagement and tailoring it by subcommunity and the zoning districts within it.

3) Acceptance of the April 20, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session – R2 and R3 Use Modules: Residential – Low/ Medium zones (RL-2 and RM-2 zones ; RM-1 and RM-3 zones)

Background: Overview of where the various zones are located, brief review of the background of the zones and some characteristics of density and open space requirements. Within the RM zones not much redevelopment has occurred over the years. RL-2 and RM-1 have similar min. open space per dwelling unit requirements, development of these zones mainly from 1970's to 2000's. RM-2

and RM-3 have a density based on lot area per unit and development in these zones typically predated the 70's.

- Despite similarities in metrics each zone is a unique blend of allowed uses, and different form and bulk standards as well.
- Scope of this project is the allowed uses with each zone.

General subcommittee comments:

S. Silver:

- The RM-1 zone near the Table Mesa commercial area by CU South and Tantra Drive seems like an area that could be transformed to more of a mixed-use area. Many empty parking lots that could be repurposed and would be supported by transit, particularly the northeast corner of that zone.
- Need to be cautious about putting retail into neighborhoods.
- No matter the development metrics, we need to maintain and protect the existing green spaces in these R2/R3 use module neighborhoods.
- 15-minute neighborhood discussion should be more focused on BC zones and how they can transform into true neighborhood centers.

D. Ensign:

- D. Ensign agreed with S. Silver that the area on the South side of Table Mesa bounded by CU South and Tantra serves as a small commercial/retail center, and that mixed use zoning that allows for a mix of housing and retail (such as BC zoning among others) could be a better fit for this limited area. D. Ensign said he has noticed some other areas where zoning boundaries could be adjusted to better match existing/potential uses.
 - The subcommittee agreed that zoning change recommendations are outside the scope of this effort, but when such potential adjustments are noticed it could be good to remember those insights for future zoning efforts.
- Supports the idea that Table Mesa and other similar areas could be re-envisioned as walkable 15-min. neighborhoods.
- Broad observation - the RL-2 zones seem to have lower walkability with less access to 15 min. neighborhood serving uses (in reference to GoBoulder's 15-min. neighborhood access maps). Other zones within the R2 and R3 use modules appear to have more / better walkable access to such 15 min.-neighborhood uses.
- A key question for the public is "Do you want neighborhoods that are more mixed-use where you can walk to other uses?"

Residential Uses

- Efficiency Living Units (ELUs) outside of University Hill D. Ensign poses the question of whether ELUs should be allowed to some extent or another in these zones, currently prohibited. S. Silver thinks they should remain as currently prohibited in these zones.
 - No subcommittee consensus.
- Accessory Dwelling Units (all types) in the RL-2 zone – D. Ensign suggests considering an increase to the existing 20% saturation limit on ADUs within the RL zones. S. Silver disagrees. The

proposal of such may be a distraction and is known to be sufficiently controversial as it could derail the Use Table project. Would need to be its own project focused on ADUs.

- Subcommittee consensus- no changes for consideration at this time as part of the current Use Table project.

Dining and Entertainment Uses

General discussion:

- What ways can we get an appropriate mix of uses in these lower density residential zones? Use Review is a tool, but not perfect. May need to be combined with new use standards geared towards regulating scale, saturation limits, design standards, and walkability/access to transit.
- Not every area would want a mix of uses in their neighborhoods. 15-min. neighborhoods are not a solution for every problem.
- We need to be clear about what we mean by “15-minute neighborhoods”. Any potential changes to allowed uses in the low density residential zones, should be made clear that it could be someone’s neighbor or the neighboring property that changes its use (if not specific about where a given proposed use can and cannot occur).
- Opportunities to focus 15 min-neighborhoods to key areas such as key intersections along Broadway (“String of Pearls” concept).
- We need to be clear about what we mean by “15-minute neighborhoods” and the importance of getting the BC 1/2 zones right with any proposed changes to uses, as that may provide much of what we mean by a walkable neighborhood.

Staff comment: We will discuss 15-minute neighborhoods in more detail along with a discussion on community engagement at the end of the zoning districts deep-dives. Tentatively the May 18th subcommittee meeting. Ultimately the consideration and possible adoption of changes to allowed uses will be vetted by the public, with recommendation provided by Planning Board for City Council to make a decision on later in the year.

- Mobile Food vehicles on private or public property – consider changing from a prohibited use to a use review or limited use as a small way to get some mix of uses in these zones.

Lodging Uses

- Bed and Breakfasts uses - consider changing from a prohibited use to a use review or conditional use in the RM-1 /3 zones. Limited locations and smaller size requirements perhaps.

Public and Institutional Uses

- Discussion on Overnight and Day Shelters. Currently a Use Review in the RM-1 and RM-3 zones, and prohibited in the R2 use Module. While not perfect, the use review allowance is spread evenly across many zones in the city. Consistent with previous subcommittee discussion on this topic, the current use review does provide oversight and the use is ok as-is.

Office, Medical, and Financial Uses

- Medical offices, Professional offices, and Technical offices are currently a use review in these zones. Consider further restricting these uses in these zones, put the question to the public if these uses are appropriate in these zones.

Commercial, Retail and Industrial Uses

General discussion on all nonresidential uses:

- The application and implementation of 15 min. neighborhoods is both a philosophical and practical question. The community should be inspired by how their neighborhoods may or may not look and function in the future, and also aware of what uses could or could not happen next door to them depending on what changes to uses are considered.
- Community engagement and questions to the public around the topic is key.
- Opportunities for Business Community (BC) zones as seeds for 15 min. neighborhood centers, e.g. catchment areas to consider implementing 15-min. neighborhoods..

Subcommittee Parking Lot (additional ideas outside the scope of this project):

- Flagging the RM zoning of the Table Mesa area near CU south, as potentially appropriate to change to a mixed-use zone.
- Revisit the ADU regulations and saturation limits when appropriate (Council or Planning Board would need to identify this as a priority project).

Next Steps

- Continue the subcommittee deep-dive into the Use Table:
 - R1 use module - low density residential zones RR, RE, and RL-1 zoning districts
 - Following meeting: Industrial zones
 - Following meetings: 15 min. neighborhoods and community engagement, project next steps
- Standing weekly virtual subcommittee meetings through May 18th – every Monday afternoon at 4pm.

Use Standards & Table Review Subcommittee

05/04/2020 Meeting Summary Notes

4:00 PM – 5:30 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171835&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – One member of the public provided comments.

C. Gray – Regarding community engagement:

- Agrees with S. Silver comments at the 4/27 meeting regarding community engagement. Need to do outreach to a lot of people notifying them of issues specific to their neighborhood. People need to be notified by neighborhood areas, with listing of specific uses that could be changing related to their neighborhoods.

3) Acceptance of the April 27, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session – Deep-dive into the R1 use module (low density residential zones) -Residential Rural (RR), Residential Estate (RE), and Residential Low-1 (RL-1) zoning districts

Background: Overview of where the various zones are located, brief review of the background of the zones and some characteristics of density and open space requirements.

General subcommittee comments:

- S. Silver - Would like to flag for future consideration (for ideas / code changes outside the scope of the Use Table and Standards) the potential to subdivide RR and RE zoned lots, in order to make the opportunity to do so more straightforward. Would allow an increase in the pool of single family houses in Boulder. It would be an incremental way to add housing without radically changing the character of single family neighborhoods. D. Ensign agrees that the subdivision of RR and RE lots could be an idea for future consideration.
- D. Ensign - One of the things learned from the Large Homes and Lots study and community engagement was that changes need to be incremental, and impacts spread out across all zones, even to avoid the perception of some neighborhoods feeling targeted for change.
- S. Silver - Could be useful for the public to understand potential increase in dwelling units based on the ideas or consideration put out there from this project. Projections of density, units and development would be useful to present to the public if such ideas for use changes move forward.
- D. Ensign - Walkability scores of neighborhoods (from GoBoulder's 15-min. neighborhood analysis) would also be useful for communicating with public.

Residential UsesGeneral Discussion:

- What would be some palatable ways to allow (whether via use review or limited use) some different housing types in the R1 use module zones. Currently, duplexes, townhomes and other similar housing uses are prohibited.
 - Elements that would be important to consider could include design guidelines and saturation limits. Could be a question to ask the public, what elements would be important to consider.
 - Would be important to maintain the single-family feel through design requirements.
 - Would need to be an incremental approach, not broad-brushed.
- The 2014/15 Housing Survey on in-commuters to Boulder revealed a strong preference for missing middle housing types, specifically more single-family homes, duplexes, and triplexes with lawns. There is a clear demand for single-family homes.
 - Consider asking the public if more flexibility is warranted in these R1 use module zones.
- ADUs in RL-1 zone – Currently a 20% saturation limit for ADUS. Consider asking the public if this saturation limit should be changed or not.

Staff comments:

- The 2014 Housing Choice may be found online at <https://bouldercolorado.gov/housing-boulder/housing-data-challenges>. The webpage also includes recent housing strategies and policies as developed by the city around this issue.
- Information on the middle-income housing strategy can also be found online at: <https://bouldercolorado.gov/housing-boulder/middle-income-housing-strategy-working-group>

Dining and Entertainment UsesGeneral discussion:

- Mobile Food Vehicles in Public right-of-way - Currently a conditional use (C), and the use standards limits their location to specific city parks only in these zones. Consider broadening the standards to conditionally allow them in additional locations.
- Coffee shops (Alpine Modern as an example near College Avenue) and similar small scale uses (small scale, part of the Restaurants, Brewpubs and Taverns use categories): Consider asking the public if this is a use they want in these R1 use module zones. Perhaps the existing business zones nearby (such as BC-1/2) are better locations instead of within residential areas if the BC areas are already accessible/walkable. Barriers such as major intersections may exist to some of the business areas. Attaining neighborhood buy-in will be critical for any changes.
- Incremental Changes with positive impacts should be the focus.
- Perhaps consider creating a Use Review allowance (such as a new Ux), with a small size limit (above which it's prohibited), operational limits, locational requirements, and design, public safety and viewshed protection criteria.

Other General Discussion:

- Incremental change will be appropriate for the R1 use module zones, and identifying what the parameters are to make possible new uses work (see previous subcommittee discussion above as well).
- Engagement should ask what other elements are missing from creating 15-minute walkable neighborhoods (besides uses). Pedestrian connections, transportation access, and what are the barriers.
- Alpine-Balsam area plan could be a model for the community engagement – talk to everyone, lots of conversations with residents not just business owners.
- We want everyone to have a voice in implementing 15-minute neighborhoods.

Subcommittee Parking Lot (additional ideas outside the scope of this project):

- Consider easing the subdivision regulations for RR and RE zoned lots (reduced minimum lot sizes). Would allow an increase in the pool of single family houses in Boulder. It would be an incremental way to add housing without radically changing the character of single family neighborhoods.
- As part of public outreach, consider a “Parking Lot” approach to hearing about other changes beyond use table changes that could be conveyed to other departments for consideration.

Next Steps

- May 11th - Discussion on the Industrial Zones - centered on use categories such as residential uses, restaurant uses, etc.
 - Following meeting: 15 min. neighborhood ideas and community engagement, project next steps.
- May 18th is the last scheduled virtual subcommittee meeting currently – will need to get more scheduled for June 1st and 8th as needed.

Public Comment Period II – Three members of the public provided comments.

K. Nordback –

- Incremental and considered is the right way to go regarding changes in these areas.
- Agrees with the ideas of reducing lot size minimums in the RE and RR zones.
- With saturation limits, consider increasing them slowing/gradually over time, for example a percentage or two increase each year up to a limit.
- Regarding design compatibility - street corners could be a consideration for duplexes required to be separately oriented to each street (as an example), as well as what other cities have done such as mandating that within neighborhoods, commercial type uses must also maintain the residence on the property (a house and coffee shop, not just a coffee shop).

L. Spalding –

- Alpine Modern was historically a neighborhood grocery store and food co-op. People in the neighborhood were familiar with its history and use, so they were more willing to be accepting of one nonconforming use for another in the structure.
- Could be a model as an easy way to start - utilizing such nonconforming or historic structures that are already in place, and are part of the neighborhood character.

L. Segal –

- Housing paradigms are shifting with Covid-19 pandemic. Disagrees with the idea of incremental increases to saturation limits. Wary of creeping density.
- Likes the idea of neighborhoods centers and ADUs. Food co-ops and little grocery stores could be ok, but duplexes and triplexes are too much.
- Community engagement is important, but not like the Alpine-Balsam area plan.

Use Standards & Table Review Subcommittee

05/11/2020 Meeting Summary Notes

4:00 PM – 5:30 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171690&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins, Kathleen King, Sarah Wiebenson

1) Welcome and Ground Rules

2) Public Comment Period – Three members of the public provided comments.

L. Spalding – Industrial Zones: Be careful about increasing restaurant and residential uses in Industrial zoning districts. There are usually incompatible uses, and these new uses may come in and displace necessary industrial uses that re lease spaces.

C. Gray – Regarding uses in the R1 use module:

- Like the discussion last week, including the possibility of revisiting mobile food trucks allowances. Worth considering again.
- The ADU regulations with the 20% saturation limit in the RL zones have not been in place for long. Before considering changing them, should understand what's occurred so far, how many units have been built.
- Regarding Meadows shopping center (and similar locations) - agrees with the idea of them becoming more of true neighborhood centers, and taking into account access to transit, and other factors beyond uses will be a key to their success.
- Covid-19 pandemic related social distancing and restaurant restrictions - the city should consider closing off streets for restaurants to use for outdoor seating and the allowance for liquor as appropriate.

K. Nordback –Industrial zones: Has worked in Industrial zoning areas for 20 years, and people have to leave the area and drive to get lunch. An issue that should be addressed, by bringing in interesting uses into the zones to serve more of people's daily needs.

Subcommittee comments:

S. Silver - Agrees with some of the concerns mentioned about increases land values by allowing more residential uses, that could then displace light industrial uses.

- Don't want to displace industrial small businesses that exist, such as in Industrial Service (IS) zone. Valuable to the community.
- Perhaps could carve out certain areas or smaller spaces for funky uses that fit within the industrial uses, rather than displacing them.

3) Acceptance of the May 4, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session

Update and discussion on the East Boulder Subcommunity Plan (EBSCP) – Kathleen King, City of Boulder

Background and overview of the project, what's happened so far, and where they are in the process was provided. For more information please see the EBSCP project webpage online at:

<https://bouldercolorado.gov/planning/east-boulder>

Presentation highlights:

- Over 60% of the land within the EBSCP is zoned Industrial. Approx. 820 businesses within the plan area.
- In addition to typical industrial or light industrial uses, there are also many artistic/maker uses (and performance art) with these zones, as they need similar large spaces, storage requirements, an/or may produce noise or even fumes - for example metal working or sculpting.
- There is also many distilleries and breweries in these areas.
- EBSCP Working Group – (comprised of local stakeholders – residents that live or work in the area, or own property/businesses nearby) have heard people have to drive to get lunch or other services.
 - Would like to see more daily services incorporated in the plan, including potential for 15-min neighborhood centers (some level of retail and increased rooftops) at key locations (map showing areas was presented, and is included in the PB archive folder):
 - 55th and Valmont
 - 55th and Arapahoe (near the planned transit center/stop)
 - 47th and Valmont

Subcommittee comments:

S. Silver - There is a danger of disrupting the industrial zones through possible changes. Need to look at how changes could increase the land values. That could in turn raise rents and force many businesses out. Would prefer changes to focus on nodes rather than wholesale changes across the board.

D. Ensign – This could be an interesting place to pilot some increase in residential uses that would complement the existing uses (at certain locations). Tweaks to the current use standards rather than rezonings would be the technique.

Staff comments: Strengths of the Subcommunity planning process is the transportation and land use plans. Zoning changes could be implemented later on as an outcome of the actual plan adoption (longer range timeline). The Use Table goal is to make incremental changes to Use Standards and allowances if appropriate, that align with the ongoing planning process occurring with the EBSCP, and with the existing BVCP policies and goals (particularly 15-min. neighborhoods).

Deep-dive into the Industrial zones (IG, IS, IM, and IMS)**Residential Uses****Subcommittee Discussion:**

Duplexes and Attached Housing uses – Currently allowed to some extent in the Industrial zones (by Limited Use or Use Review)

- S. Silver - Concern about residential uses pushing out industrial uses. We should move cautiously with encouraging residential and retail uses in these zones. We don't want to raise property values such that rent increases and existing business are forced to leave.
- D. Ensign – Agrees that we don't want to gentrify these neighborhoods or force out existing businesses. But we shouldn't back away from the existing allowances (further restrict them) for residential uses in industrial zones.
- D. Ensign - Noted that current use restrictions in 9-6-4(f) make it virtually impossible to propose residential within IG and IM zones. Contiguity with residential in adjacent zones excludes most possibilities. In addition, there is language requiring the entire property being used for residential purposes if it is approved. This is on top of environmental suitability, which would likely be expensive for developers to demonstrate. There may be ways to create the possibility of mixed use within these zones by relaxing some of these requirements while implementing other limited use restrictions to ensure that needed industrial uses are not priced out.
- S. Silver - Gentrification (displacement of existing industrial uses due to higher land values and rents, associated with other uses coming in such residential or other non-industrial uses), has the potential to bring about additional contiguity by increasing residential uses over time. Under the existing regulations, this could enable more residential uses to be established over time as the contiguity to the residential uses grows, increasing the undesired gentrification of the Industrial zones and pushing out industrial. The Transit Village Area Plan area (TVAP) is an example of how gentrification of an industrial area pulls residential development ever deeper into our limited industrial areas. Thus the Use Tables may not be the best tool for a robust discussion of uses in industrial zones.
- I used TVAP as an example of how gentrification of an industrial area pulls residential development ever deeper into our limited industrial areas
- S. Silver - Major concern about residential uses in the Industrial zones. Could see carving out specific locations for residential, but not appropriate everywhere in these zones - idea for the subcommittee's parking lot.
- D. Ensign - The existing Use Review standards and Limited Uses provide enough restrictions and standards to limit residential uses in these zones as it is today. Would not want to further limit it. It is critical to have transit and critical infrastructure in place though in locations where residential uses could be increased, such as around 55th and Arapahoe.

No subcommittee consensus on potential changes to consider to Residential uses in Industrial zones.

Points of agreement related to Industrial Zones :

- Not every industrial zone has the same characteristics and needs. There is a difference, for example, between Gunbarrel and the 55th Street Industrial zones. Perhaps Gunbarrel would be a better location for some uses like residential than the east Boulder industrial zones.
- Whether changes should be limited in scope, or more robust to these industrial zones, is a question best served by the EBSCP process.

Subcommittee Parking Lot (additional ideas outside the scope of this project):

- Consider studying the potential for overlay areas (or other tools) to allow mixed-use including more residential uses in industrial zones at specific locations (rather than wholesale). Would likely be part of an implementation process as an outcome of subcommunity planning, that would identify such locations within a given community.
- Seems to be a prevalence of under-used parking in the area, consider lessening the parking standards in the Industrial zones.

Public Comment Period II – One member of the public provided comments.

L. Segal –

- ULI re-imagining density – need to reconsider density and the urban grid with the pandemic, more space for bikes, and less car dependent. Less need for arterials and parking. People more grounded at home and less travel.
- Shares concern about raising property values pushing out industrial business.
- Don't need more Eastpointe or the Adult Care facilities that are most impacted but Covid-19 virus.

Next Steps

- May 18th – Continuation of the discussion on the Industrial Zones - centered on use categories.
 - Following meeting: 15 min. neighborhood ideas and community engagement, project
- Meeting will be scheduled until 6pm if needed, and staff will try to stick to time limits on sections.

Use Standards & Table Review Subcommittee 05/18/2020 Meeting Summary Notes

4:00 PM – 6:00 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171690&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins, Kathleen King

1) Welcome and Ground Rules

2) Public Comment Period – Three members of the public provided comments.

L. Segal – Looking at other examples of development, we don't want to become like Shenzhen, China, cannot be too big. The scale of some recent Boulder projects is too big, the Hill hotel, East Pointe, and others. If too big, we can't revert back to a more livable scale. Agree that we should change incrementally and slowly.

D. Takahashi – A series of rhetorical questions to consider:

1. Can we envision a lower carbon world?
2. Can we then infer what can be built with Net Positive in mind (including remodels)?
3. Can we re-imagine a pedestrian (PMT) scaled world and abandon automobile dominance and VMT?
4. Can we then evaluate our gaps and build a land use table that supports a lower carbon pedestrian scale world?
5. Then can we use the “new” conforming definition to fast track permit “conforming” projects thus getting developer buy-in to encourage the world we know is required?
6. Then repeat?

C. Gray – Agrees with D. Takahashi's comments.

- Liked the presentation last week on the East Boulder Subcommunity Plan (EBSCP) with Kathleen King, interesting discussion. We also need to be aware that some sites in the EBSCP are former industrial sites that are polluted, should be conscious when encouraging other types of development.
- Use Tables can be leveraged to enable arts and creative spaces in the Industrial zones, but also to protect industrial spaces.

K. Nordback –Also agrees with D. Takahashi's comments.

3) Acceptance of the May 11, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session – continuation of deep-dive into the Industrial zones (IG, IS, IM, and IMS)

Dining & Entertainment Uses

- Mobile Food Truck Uses - Consider changing the conditional use standards to more readily allow food trucks in the zones, by relaxing the distance requirements.
- Breweries Wineries and Distilleries – S. Silver: Would like to encourage these to be of a smaller more fine-grained and walkable scale. Current allowance is for a limited use typically by-right up to 15,000 square feet – may be too large. Smaller facilities could allow more space for other desired uses as well. Would like to encourage smaller brewpubs, human scaled places, but perhaps the size is appropriate to these facilities. Consider putting the question to the public.
- Restaurants Industrial zones – D. Ensign: the existing conditional and use review regulations in [section 9-6-6\(b\)\(3\), B.R.C. 1981](#), are a maybe too heavy-handed of an approach. Consider asking the public if these should be revised to be more flexible. S. Silver: There may be physical and other limitations, including access limits ,that make the industrial areas not attractive for restaurants.
- Taverns in Industrial zones – D. Ensign: Unique that taverns are called out and explicitly prohibited in the industrial zones. No strong feelings either way though.

Lodging Uses and Public & Institutional Uses – ok as is. Noted that somewhat strange that Private Schools are a prohibited use and Public Schools are an allowed use.

Office, Medical, and Financial Uses – ok as is. Medical, Dental clinics and like uses – Noted that they are largely prohibited in industrial zones, could be a future point to consider.

Staff comments - K. King: As part of the EBSCP process, the lens of Covid-19 has come up in the recent discussions. For office uses, some people have made the point that larger office spaces might be needed in order to accommodate social distancing within office spaces, while others point out that remote working is reducing the need for traditional office space. Similarly, regarding parking some people have pointed out additional parking is good if drive now in order to protect themselves versus riding transit. While others make the point that with more teleworkers, there will be less need for vehicular parking, creating an opportunity for infill development. People have also mentioned a desire for more dining and entertainment uses in the area. Bike facilities are generally well used and are a desired physical improvement, along with pedestrian and street connections.

Parks and Recreation Uses – ok as is

Commercial, Retail, and Industrial Uses

- Keep the retail uses as -is. Nothing is standing out as needing change.
- Live-work definition - Per previous subcommittee discussions, consider updating the definition to include other zones, and potentially be more flexible in the Industrial zones.
 - Opportunity to re-envision the use (possibly a new sub-category) for arts, creatives, and trades specific uses. Consider making it an allowed use in order to encourage live/work uses in the Industrial Zones. Would support these complementary uses and preserve spaces for the creative community in Boulder.
 - Parking Lot idea: creation of an Arts District in the EBSCP area.

- Self-service storage facilities uses: Consider changing from an allowed use in the Industrial Service zones (IS) to a Use Review. These should have a level of oversight, with further limits on them.

Other Subcommittee Discussion:

D. Ensign: The subcommittee recognizes that the Gunbarrel industrial area has needs and desires of their own, and that area may not align with some of the discussion regarding the EBSCP. Not every industrial zone has the same characteristics and needs.

Staff comment: the Gunbarrel area does have an existing area plan in place (i.e., Gunbarrel Community Center Plan), albeit close to 10 years old now. It's a good framework guiding future development there.

S.Silver: Some concern regarding the three 15-minute neighborhoods areas depicted in the EBSCP discussion last week. Would not want the future plan to build out those three areas as such without a community process.

Staff comment: Those were depicting some of the options as identified by the working group that could be areas for change, but may not be all of them in actuality. They are preliminary options and ideas that will have to be played out and evaluated in the coming year. The concentric circles as presented were diagrammatic, and are in reality constrained by access and other limits.

Regarding community engagement:

- Concern with an online only engagement strategy.
- Should try to engage by subcommunity and by relevant zone as previously suggested.

Subcommittee Parking Lot (additional ideas outside the scope of this project):

- Consider the idea for the creation of an Arts District in the East Boulder Subcommunity Plan area (EBSCP).

Next Steps

- June 1st – Summary of What we've heard from the subcommittee. 2hrs.
- June 8th – Community Engagement discussion. 2 hrs.

Public Comment Period II – One member of the public provided comments.

K. Nordback – Would have liked to have seen more discussion today around retail sales, and convenience retail. There is missing need for general retail, office supply stores, and smaller retail in industrial areas.

Staff comment: "Convenience retail" was changed to an allowable use last year in the industrial zones. "Retail" use is still prohibited.

L. Segal – Has concerns with limits placed on ADUs in boulder, has had to give up AirBnB. Likes and misses the fluidity that short-term rentals provided. Glad that people are discussing the Covid-19 effect on cities, and that it's come up here in the discussion and in the EBSCP process as well.

Use Standards & Table Review Subcommittee 06/01/2020 Meeting Summary Notes

4:00 PM – 6:00 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=173010&dbid=0&repo=LF8PROD2&cr=1>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – Three members of the public provided comments.

L. Spalding –

- The 15-minute neighborhood concept needs to be nailed down. People would be very disappointed if it would allow a convenience store, if what they have in mind is a “Mom & Pop” type store and you end up with a chain store. Need to be clear in what could be permitted with potential changes.
- Changes to Efficiency Living Units (ELU’s) may be worthy of a ballot initiative – concern with occupancies of each ELU.

L. Segal –

- We should not be allowing more ELUs. They are inefficient with separate utilities for each unit, rather than a shared living concept.
- Parking needs have changed with the Covid-19 pandemic, need to rethink parking spaces and their uses.
- Glad to hear recent planning conversations acknowledging the Covid-19 world we live in now, hope to see that reflected in BVCP updates and area planning as well.

D. Takahashi – Statement read aloud:

“Let us connect the dots between the theme of Sustainability in the Comprehensive Plan and the Use Table and Zoning. The single use zoning code served its purpose at the time it was adopted: energy was cheap and climate change was beneath the radar. However, single use zoning no longer serves us well and needs to be respectfully put to rest. In its place we need to be ushering in rules and codes which serve coming generations: our present choices cannot restrict the options available to generations that have not yet been born and who do not have a vote in the present decisions.

To this end, we vow to dismantle zoning rules that segregate buildings by income level and use, which result in isolation, dispersion, and automobile miles. The built environment will integrate and reflect methodologies such as permaculture, circular economics, biophilia, biomimicry, cradle to cradle, and prosumerism. This will substitute environmental well-being in place of net profit. In doing so, profit will flow. Our built environment will place priority in right livelihood: buildings will be required to test their energy efficiency and publicly display it much like a mpg

or mpc sticker on a vehicle being sold. Value will be redefined as the efficient use of supply and demand side energy levels.”

3) Acceptance of the May 18, 2020 Subcommittee meeting summary notes

Approved.

4) Use Table and Zoning Districts work session –

S. Silver:

- Following-up on previous discussions regarding residential uses in Industrial zones - If residential uses are allowed to a greater extent in the Industrial zones, we'd mostly get stacked flats, as the zoning district already allows 27 dwelling units/acre in terms of density. Based on previous housing surveys, people are not looking for stacked flats. Duplexes or townhomes would possibly make more sense with less intensity. Concern then that the Use Table project is not the right tool to carefully get appropriate residential in the Industrial zones.
- Additional concerns regarding the expanding RMX-2 zoning district density bonus for additional housing types to other zoning districts.

Staff comment: Email regarding the above comments from S. Silver will be placed in the online planning subcommittee archive.

Review and Discussion on the Subcommittee Deep-Dive Summary:

The focus of this meeting is a review of what we've heard from the subcommittee during the deep-dive work sessions during the past year . A copy of the draft summary is available online here:

<https://documents.bouldercolorado.gov/WebLink/DocView.aspx?id=173013&dbid=0&repo=LF8PROD2>

Use Table Subcommittee Zoning Districts Deep-Dive Summary

General Phase 2 changes identified to consider addressing across multiple zones. Consideration of the following (subcommittee consensus):

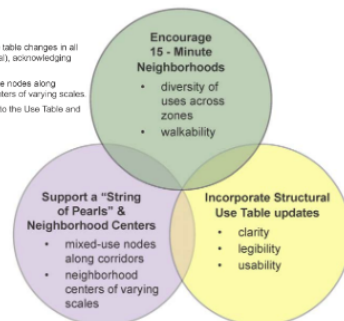
- Update Live/Work use definition and reconsider use allowances in zones beyond industrial zones
- Redefine Home Occupation and reconsider use allowances
- Reformat, simplify and update the Restaurant uses including square footage limits and use allowances
- Reformat and update office uses in the Use Table, and reconsider use allowances if appropriate.
- Separate out and reformat Fraternities and Sororities uses in the Use Table from Dormitories.
- Update Art or Craft Studio Space definition and reconsider allowances
- Update Group Quarters definition and reconsider allowances
- Create a new Community Supported Agriculture (CSAs) use, under Agriculture and Natural Resources uses.
- Incentivize small business in BC zones through limited uses.
- Consider Business Community (BC) zones as seeds for 15 min. neighborhood centers - existing zones/ areas to consider implementing 15-min. neighborhoods.

Considerations of potential changes specifically related to achieving 15-minute neighborhoods & more functional neighborhood centers (correlates to green cells in the following tables):

- Revise live/work definition and create criteria to apply more broadly beyond industrial zones?
- Consider less restrictions for arts or craft studios and allow more broadly?
- Reconsider mobile food vehicles citywide to enable more walkable access to food
- Consider limited sized restaurants or brewpubs that could be better integrated into industrial zones or potentially residential zones along primary corridors to promote more mixed-use and walkability
- Create a definition of post office separate from "government facilities" and allow on the ground floor of neighborhood centers
- Are neighborhood business centers still a relevant use? Should it be eliminated in favor of more fine grained limited sized uses that could be better integrated into residential zones.
- Consider updating personal service uses definition and explore other areas where they could be allowed to better serve neighborhoods.
- Consider creating a new definition for "grocery stores" that are smaller and more accessible to neighborhoods.
- Create limited use or conditional use criteria for smaller scale convenience retail uses to encourage small corner stores in appropriate locations.
- Allow Community Supported Agriculture (CSAs) as a new use permitted in the Agriculture (A) and Public (P) zones.
- Consider changing Animal Hospitals or Vet Clinics from a Use Review use to allowed uses to encourage them as a neighborhood serving use.

Overarching Goals [broad / high-level]

1. Encourage 15-minute neighborhoods through use table changes in all types of districts (residential, commercial, industrial), acknowledging transportation barriers may exist
2. Support a "string of pearls" consisting of mixed-use nodes along corridors, and support walkable neighborhood centers of varying scales
3. Incorporate administrative and structural updates to the Use Table and Use Standards for clarity, legibility, and usability.



Project goals approved by subcommittee in December 2019.

Use Table structure suggestions (staff):

- Consider splitting off Industrial Uses from Commercial and Retail Uses.
- Consider adding Lodging Uses to the Commercial and Retail Uses.
- Consider correcting the seemingly erroneous "Outdoor Storage of Merchandise" in the Use Table to "Outdoor display of merchandise", to align with the corresponding definition. Move to appropriate section in the Use Table.
- Consider moving Outdoor Entertainment use to under the "Dining and Entertainment" Use Table section rather than the "Parks and Recreation" section.

Definitions and other areas suggested for potential changes (subcommittee consensus) consistent with the goals of the project shown above:

- Consider revising the definition of *Outdoor Entertainment*. Some of the uses listed within the definition could be split-off as separate uses. For example, driving ranges, go-cart tracks, miniature golf, versus a small amphitheater probably fit into neighborhoods differently. See BC zones.
- Consider revising the definition of *Sales and Rental of Vehicles* to split-off large vehicles, such as Recreational Vehicles (RVs) and boats. Such large vehicles sales and rentals are more appropriate in light industrial zones instead. See BC zones. Also need to align the use title in the Use Table to the definition (change the "and" to an "or").
- Consider revising the Telecommunications use definition to be less vague. See BC zones.
- Consider splitting *Dormitories* and *Boarding Houses* off as a separate use(s) and definition from *Fraternities* and *Sororities* use. See BC zones.

The subcommittee reviewed the document and provided edits, suggestions, and asked clarifying questions. Subsequent edits to the Deep-Dive summary will be made and available during the June subcommittee meetings.

Public Comment Period II – Three members of the public provided comments.

C. Gray – Good summary of the ongoing subcommittee discussions.

Regarding previous subcommittee discussions:

- Business Community zones (BC-1/2) - make them vibrant community centers.
- RMX-1: concern about increasing intensity / applying density bonuses to RMX-2 zones. RMX zones in North Boulder are not blighted, occasional bad landlord perhaps, but no blight.
- Accessory Dwelling Units (ADUs) – saturation limits may/may not already be reached. Would need to reach out to housing department for an update and where we stand with ADUs.
- Restaurant or other non-residential uses in residential zones or mixed zones – fine balance between losing a residential unit and encouraging mix of uses. Size limits for non-residential uses would be important as well as considering beverage licensing issues.
- Adult business uses – the city can't discriminate, tread carefully.

L. Segal – Interesting idea of creating small model areas to live, small, efficient neighborhoods. ELU's are not cheaper or more efficient, should not be allowed. Need to consider encouraging transformative spaces and communality. Look at Floral Park in Chautauqua.

L. Smith – Can see the subcommittee's hard work and appreciates it.

- Regarding 15-minute neighborhoods – increasing intensity where intensity already exists makes the most sense, e.g. along corridors, intersections, nodes, etc.
- Example of Alpine-Balsam area plan as a good planning / engagement template with visuals and options. Take advantage of design students to help out as needed.
- Would suggest "The Color of Law" as an informative book - make sure we're not shutting people out of the process.

Next Steps

- June 8th – Community engagement discussion. 2 hrs as needed.
- Potential for an additional meeting if needed.

Use Standards & Table Review Subcommittee

06/08/2020 Meeting Summary Notes

4:00 PM – 6:00 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171690&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

1) Welcome and Ground Rules

2) Public Comment Period – Six members of the public provided comments.

L. Segal – Big concern regarding Accessory Dwelling Units (ADUS). Planning & Development Services (P&DS) has been of little help with the online mapping tool, that is supposed to show the 20% saturation lots - including duplexes, coops and the like. This tool is not accessible to the public, it should be available for everyone to view online. Not clear if the information has been updated in months, shouldn't have to come-in to view this information at P&DS.

C. Gray – Comments regarding community engagement:

- Community engagement should be setup based on what will affect people so they can understand it.
- Outreach could include mailers in utility bills. Importance to reach out to renters, not just property owners.
- Consider using the recommendations and resources of the [Government Alliance on Race and Equity \(GARE\)](#).

L. Spalding – Comments on previous subcommittee discussions:

- Long's Garden – the property has a conservation easement on the property, so any café type use would likely not be feasible, strict regulations.
- Outdoor entertainment use in rural areas and agricultural zoning – cause for concern, a national problem with overuse and impacts to neighbors.
- Live / Work use – some concern about additional commercial type activity in areas that were not intended for it, such as through special sales or events. The art gallery space in North Boulder on Broadway as an example of a need to be careful of unintended consequences.

B. Hondorf – Experiencing difficulties in trying to get an ADU on her property. May need variances from the Board of Zoning Appeals (BOZA). Rents are down everywhere placing difficulties on people at this time. There are less families in Boulder than there used to be, possibly related to abortion rates here. What does GARE recommend on these topics?

K. Nordback – Agrees with C. Gray’s comments on community engagement. In addition, community engagement should include many visuals as possible.

- Show examples of places, such as Alpine Modern cafe, mercantile buildings in neighborhoods that already exist like at 6th and Maxwell and along Dellwood and Broadway.
- Show people what the ideas of 15-minute neighborhoods and neighborhood-scaled commercial uses can look like.

D. Takahashi – Energy efficiency certificates should be required to be posted at the entrances of every building in Boulder. Similar to occupancy certificates requirements. Denver has done this recently, as has the country of Germany - we should be able to as well. Information on building’s efficiency and energy use should be widely accessible in a database for each building in the city that the public can look-up and view.

3) Acceptance of the June 1, 2020 Subcommittee meeting summary notes

N/A, to be completed at a later meeting.

4) Use Table and Zoning Districts work session –Discussion on Community Engagement

RMX-2 zoning and affordable housing density bonus discussion (see [Section 9-8-4, B.R.C. 1981](#))

S. Silver: Concerned about applying the RMX-2 affordable bonus to the RMX-1 zone. Not sure this is where the entire subcommittee landed, would like to put this topic n into the “Parking Lot”, rather than as a consideration for this phase. This is similar to the discussion that the subcommittee had on Large Lots and homes (allowing subdividing of larger lots), that was outside the scope of Use Table and Standards. And put into the Parking Lot. Let’s go back and listen to the recording from earlier in the year on the RMX-discussion.

D. Ensign: The previous discussion was not intended to single-out the RMX-1 zone, but was a broader discussion on applying the density bonus provisions to other zones as a consideration. Many of these older built-out zones, such as in RMX-1, would likely have limited opportunity to utilize the bonus under [Section 9-8-4, B.R.C. 1981](#), based on the existing lot and parcel sizes, thus would be a gentle infill over time. Would like to see what the public thinks about this idea of gentle-infill in the residential zones including RMX-1.

Staff comment: Staff will find the previous RMX zoning discussion recording from the November 2019 subcommittee meeting, and forward to the subcommittee members to re-review. The audio recording from the November 2019 RMX meeting is available online here:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171232&dbid=0&repo=LF8PROD2>

The RMX conversation runs from approx. the 1:00 HR to 1:07 HR mark.

Use Table Deep-Dive Summary & Chart review

- Good with the revisions made.
- Consider re-examine the contiguity provisions for residential development in the industrial zones, perhaps remove it if not helping.

- Any pilot-projects for residential uses in industrial zones should not create more subsequent contiguity as a result. Would not want a pilot-project to increase potential contiguity that could then in theory allow additional residential uses to pervade.

Community Engagement Discussion:

- S. Silver: Use BC-1 & BC-2 (Business Community zones) for focal point for the ideas raised – reach out to owners and renters around these areas – more meaningful than zoning. Likes the idea of presenting visuals - small, medium, large impacts. Utilize outreach to people who are not usually vocal, and who may have been critical of the Opportunity Zone process. Some concern with lack of in-person meetings.
- D. Ensign: Shares some concerns about lack of in-person meetings, but the virtual meetings may be more accessible to people, can participate from their homes more readily. The East Boulder Sub-community Plan (EBSCP) did a good job using break-out rooms in Zoom. Consider using a moderator format, and get people to discuss in smaller break-out virtual rooms – provides a more comfortable environment to share ideas. Do BC zones first, then branch-out.
- S. Silver: Concern about staffing for these virtual events due to the city furlough's and lay-offs. There may be push-back from some in the community about online engagement versus in-person meetings. Would prefer to have some small in-person meetings if possible.

Staff comment: staff will be directed by city protocol's regarding in-person gatherings and meetings, during the pandemic. Should the city policy-makers allow small-in person meetings (and if city staff feels personally safe and comfortable doing so) then it could be a future consideration. Virtual and online engagement is expected though at least the early fall at this time.

- S. Silver: Is there rush to do this since we cannot feasibly to in-person meetings?
Staff comment: We can consider doing more straightforward changes now, and any more complex issues that arise from the first round of engagement could be pushed out later.
- S. Silver: Include visuals for what BC areas will look like with use changes. D. Ensign – including different parking requirements.
- S. Silver: Need to involve those that aren't always involved.
- D. Ensign: this project is not necessarily like an area plan with a working group. But we will need to get the word out as much as possible.
- S. Silver: This is going to be hard to do on-line. Perhaps consider doing a test run online, then a take a breather and reconsider what's working and what's not.
- D. Ensign: Get the city's engagement staff involved, can help assist with Zoom and the resources for virtual engagement. It may be awhile before we can have people in the same room. Like having an emphasis on bi-lingual participation.
- S. Silver: Should have Spanish translation available. Virtual Sticky Note options to add ideas or have participants do a Strength, Weakness Opportunities, Threats (SWOT) analysis.
- D. Ensign: Make questions open-ended so we can hear other ideas. Need visuals to trigger discussions.

Ideas for questions for the community to consider:

- *Is your vision in-line with the identified changes?*
- *What kind of changes would you envision in your immediate neighborhood?*
- *What would you like your neighborhood to look like?*
- *What would your ideal new neighborhood look like?*
- *Do you want the existing neighborhood center (BC zones) to be the center of your neighborhood? How can these areas be updated to meet your needs?*

D. Ensign: Gauge support for items that did not have consensus from the subcommittee. For example: *What do you think about a slow integration of well-designed duplexes in some zones?*

S. Silver: We should ask: *What changes would the public want to see that wasn't identified by the subcommittee?*

Public Comment Period II – Three members of the public provided comments.

L. Segal – Enjoyed the conversation, very thoughtful, glad to be part of the community here. Phasing will be a consideration – it can be a moving target, and culture changes. People need to think beyond what they think they need today.

L. Smith – Great discussion by the subcommittee on community engagement. There is both good and bad with the online / virtual outreach. Look forward to seeing the process play out.

K. Nordback – Agree, great discussion by the subcommittee today.

Next Steps

- Late June subcommittee meeting to wrap-up.
- Online Community Engagement beginning July 2020.
- City Council check-in August 2020

Use Standards & Table Review Subcommittee - DRAFT
06/29/2020 Meeting Summary Notes

4:00 PM – 6:00 PM

Virtual Meeting – Planning Department, 1739 Broadway, Boulder, CO 80302

Meeting materials including the audio recording of the meeting are available online:

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=171690&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Sarah Silver, Lupita Montoya (joining the subcommittee)

Staff: Karl Guiler, Andrew Collins, Jean Gatza

1) Welcome and Ground Rules

2) Public Comment Period – Five members of the public attending, four provided comments.

L. Segal – Conker with recent HAB/HRC meeting, too many condos going up. The virus has changed everything. How can we do outdoor dining in the winter?

L. Spalding – When does this go before the Planning Board?

Staff comment: staff provided an outline of the timeline of the project.

D. Adamson – Excited to be here to learn more about the project and to be with fellow urbanists.

C. Gray – Comments regarding the previous subcommittee meeting:

- The “Parking Lot” issues can be addressed in area planning,
- Expand on the images for the draft questionnaire. Liked the BC zoning discussion.
- Should ask questions such as “what do you want to preserve?”, “what do you value?”
- Could do walking tours of neighborhoods (educational both ways), could include fold-out project materials in the mail. Aimee Kane as a resource for equity issues.

3) Acceptance of the June 1, 2020 and June 8, 2020 Subcommittee meetings summary notes

Approved.

4) Use Table and Zoning Districts work session

Deep-Dive Matrix revisions and previous discussions on section 9-8-4,, B.R.C. 1981

Good with the revisions.

Community Engagement

L. Montoya: People need to be able to picture it. Suggestions should come from the neighborhoods. The city has a certified translator for Spanish language translations.

Online July Meeting / Information Session - Zoom has a setting for a live translator, but may not be doable for this meeting and/or not needed. May be able to provide a Spanish language questionnaire, or have a possible focus group of Spanish speaking stakeholders.

S. Silver: People are familiar with their lived environment, rather than zones. Place less emphasis on zones in the draft questionnaire.

L. Montoya: Update the project goals' Venn Diagram to show an overlap in the middle, if intended.

Images for the Questionnaire:

Neighborhood Centers & "String of Pearls" are difficult concepts to visualize. Should have more housing – too much focus on neighborhood serving commercial uses in the initial draft.

D. Ensign: Add in residential housing to the images, with different housing types to be tied into revised questions.

L. Montoya: Add in images with people, eating outside, happening now in Boulder on Pearl Street with the social distancing requirements.

Staff comment: Staff has revised the initial draft questionnaire and images based on the subcommittee feedback. The final questionnaire is available online at www.BeHeardBoulder.org

Use Table Deep-Dive Summary & Chart review

- Good with the revisions made.
- Consider re-examine the contiguity provisions for residential development in the industrial zones, perhaps remove it if not helping.
- Any pilot-projects for residential uses in industrial zones should not create more subsequent contiguity as a result. Would not want a pilot-project to increase potential contiguity that could then in theory allow additional residential uses to pervade.

Draft Questions review for the online BeHeardBoulder outreach

- S. Silver: Concern with the language and mixing of concepts of Neighborhood centers and 15-minute neighborhoods. We should define these terms somewhere.
- D. Ensign: The Neighborhood Centers would occurring at key nodes along corridors and intersections with more intensity, correspond to BC zones; the 15-min neighborhoods concept would be more spread-out and lower in intensity. This is consistent with what's been previously discussed and agreed upon by the subcommittee.
- L. Montoya: Need to better describe and lead into what 15-minute neighborhoods are and what they look like.
- D. Ensign: The draft questions themselves are pretty good.
- S. Silver: Change the order of the questionnaire and lead with Neighborhood Centers first, then 15-min. Neighborhoods section.
- Use A different Centers Map, perhaps something from the BVCP for the centers. Includes images of some of these BC zoning areas (Basemar, Table Mesa for example)
- D. Ensign: Use the walkability score map that we have seen from the city's transit plan for the 15-minute neighborhood section.

- L. Montoya: ask the questions that we want answers too, be specific when possible with the answer options. Make sure the open comment questions are not too open-ended. Purpose of the questions should be to get feedback on specific options and/or degrees of agreement.
- D. Ensign: need to clarify the draft questions and options, such as “vehicular parking”? Does that mean more parking, less parking, get specific.
 - Can provide degrees for various questions, such as high, medium, low amounts.
- Regarding Industrial Zones and neighborhood centers questions; consider adding in uses into the questions that have been previously discussed, such as small-scale vehicular repair, art galleries and any others uses we have previously discussed.
- S. Silver: Questions phrased should not be “to” the neighborhood center, but rather “in” the neighborhood center.
- L. Montoya: Regarding art type uses, art should reflect the actual history of the place, including past or present abuses or injustices to communities of color. The same goes for Boulder’s history.
- S. Silver: Need to have definitions of these concepts in the questionnaire.

Staff comment: Staff has revised the initial draft questionnaire and images based on the subcommittee feedback. The final questionnaire is available online at www.Beheardboulder.org

Next Steps

- July online information session
- Online Community Engagement beginning July 2020.
- City Council check-in August 2020

Use Table & Standards Questionnaire

SURVEY RESPONSE REPORT

13 July 2020 - 11 August 2020

PROJECT NAME:

Use Tables and Standards Phase 2

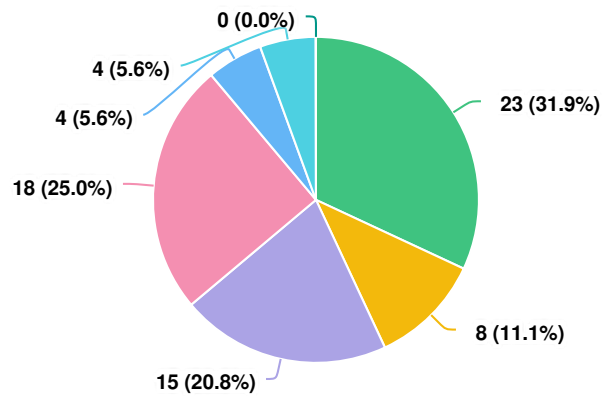




SURVEY QUESTIONS

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q1 | In what area of Boulder do you live?

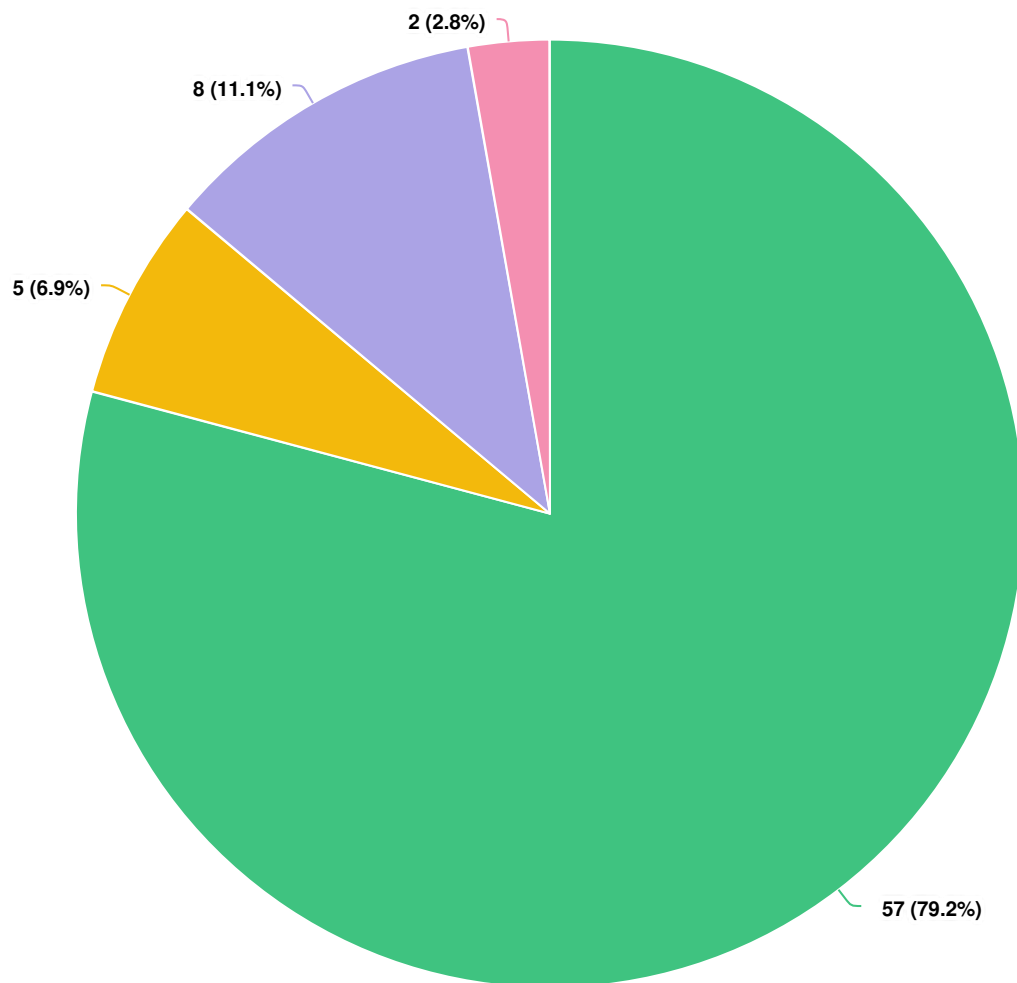


Question options

Central Boulder East Boulder North Boulder South Boulder I don't live in Boulder
Other (please specify) Gunbarrel

Mandatory Question (72 response(s))

Question type: Radio Button Question

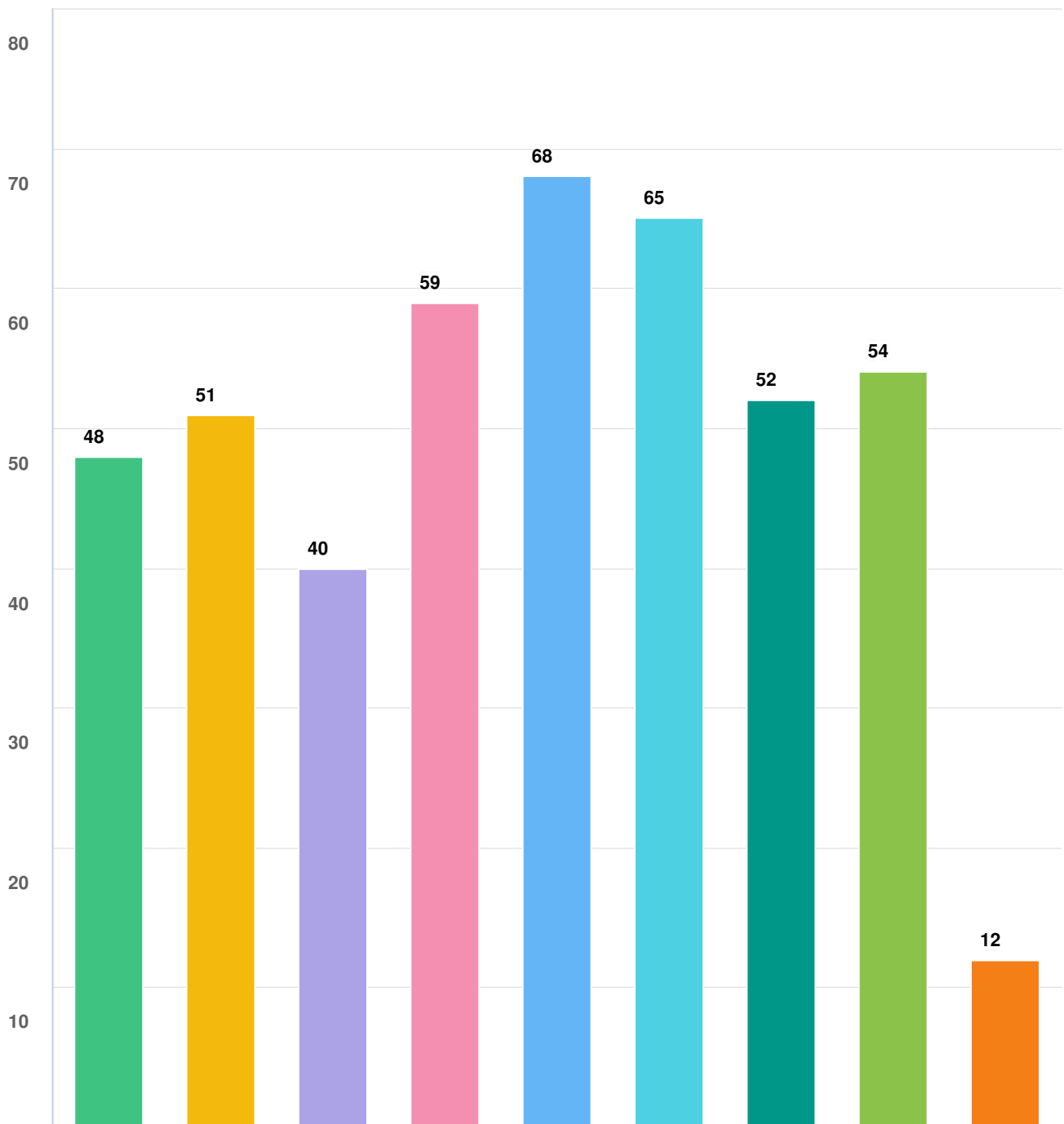
Q2 Would you be open to use standard changes that encourage a greater mix of uses in the neighborhood centers as discussed in this questionnaire?**Question options**

☒ Yes ☐ No ☐ Maybe ☐ Other (please specify)

Mandatory Question (72 response(s))

Question type: Radio Button Question

Q3 What types of uses would you be open to encouraging more of in the neighborhood centers? (select all that apply)

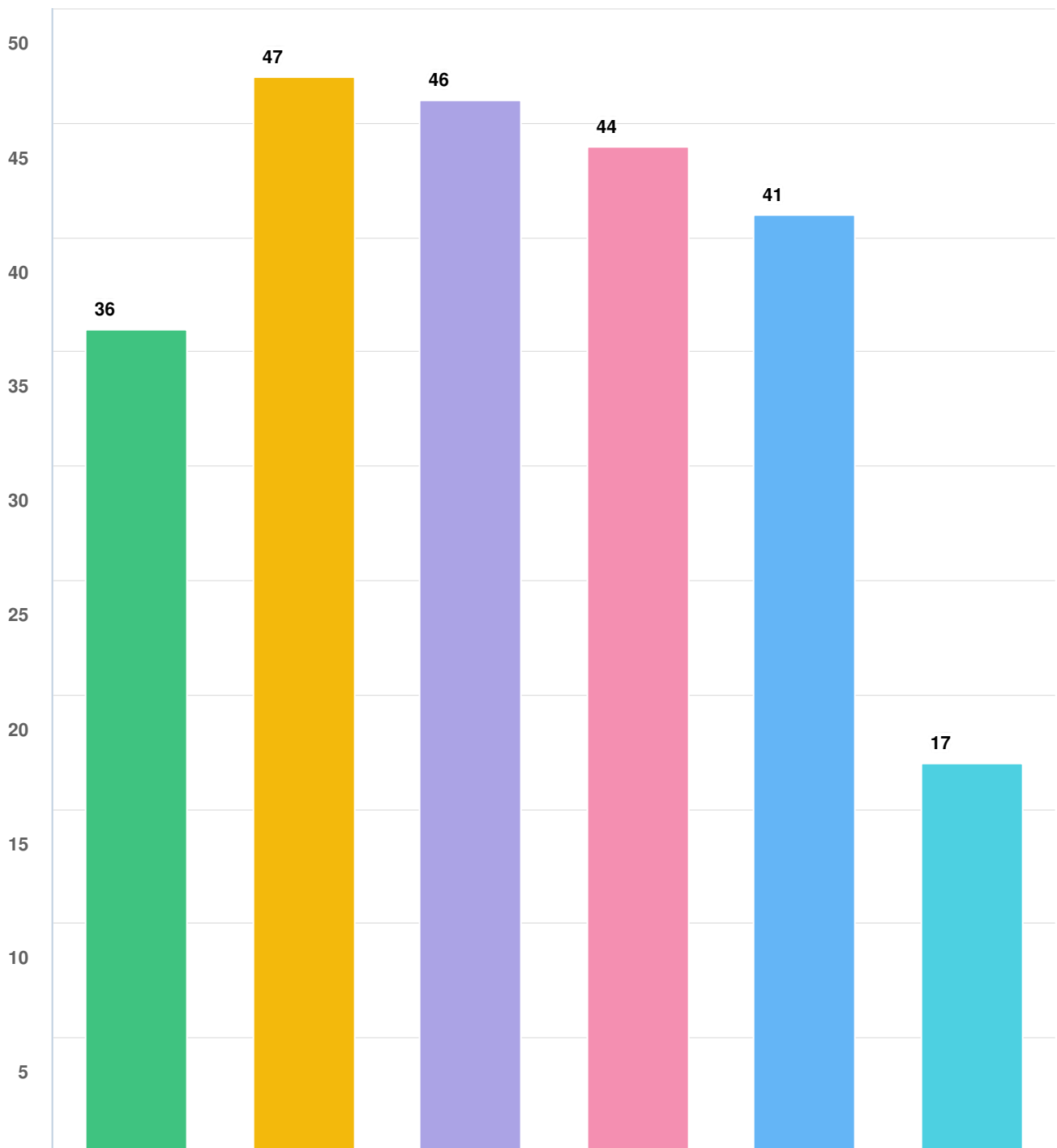


Question options

- Art galleries
 ● Convenience retail stores
 ● Office uses
 ● Personal services (such as yoga studios or hair salons)
- Restaurants and coffee shops
 ● Retail uses (such as shops, grocers, or hardware stores)
- Light industrial uses (such as small equipment or bicycle repair)
 ● Residential housing
 ● Other (please specify)

Mandatory Question (72 response(s))

Question type: Checkbox Question

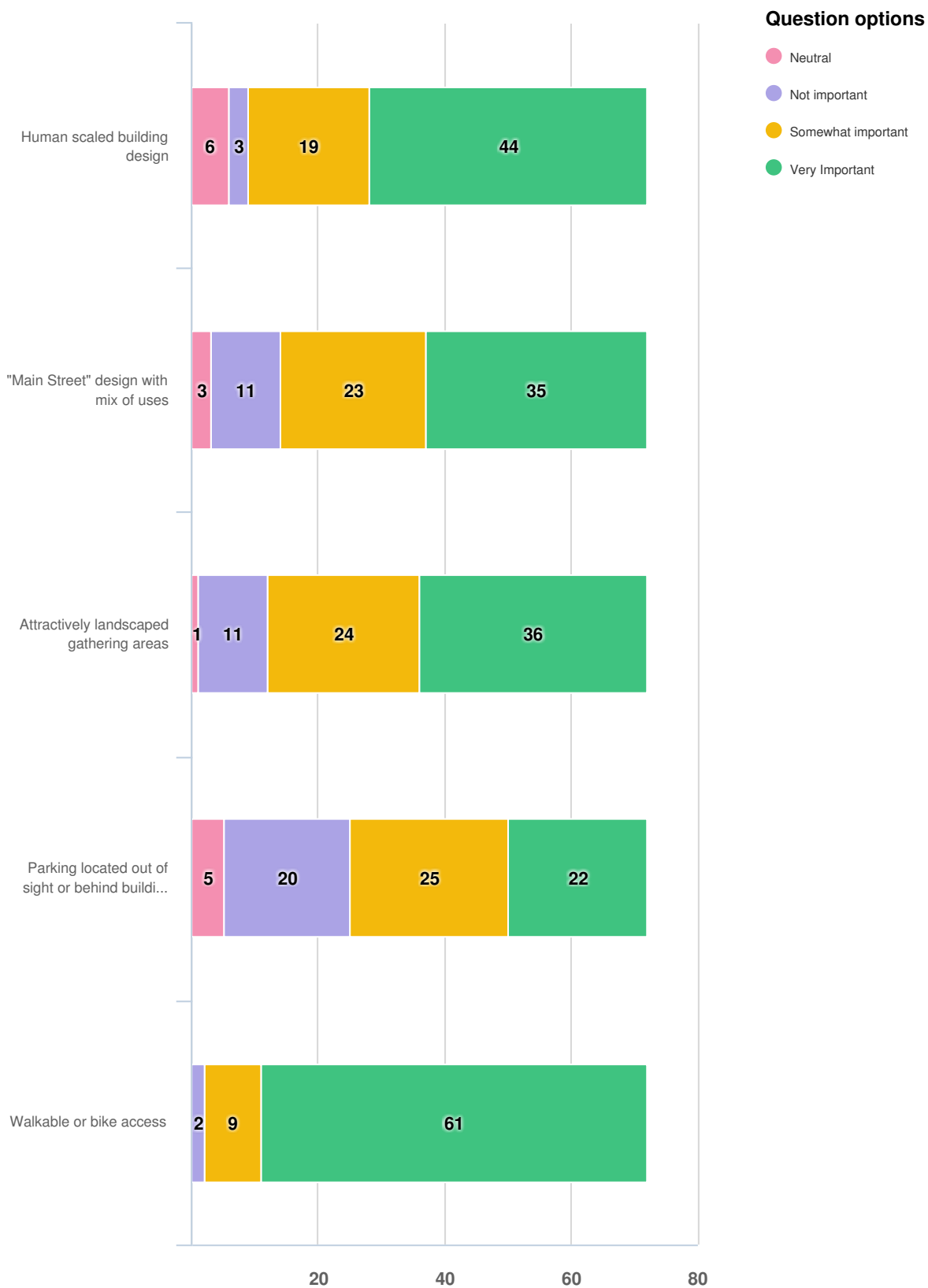
Q4 Which housing types would you be open to having in your neighborhood? (select all that apply)**Question options**

- Single-family homes
- Duplexes/ triplexes
- Townhouses
- Cottages
- Condos / apartments
- Other (please specify)

Mandatory Question (54 response(s))

Question type: Checkbox Question

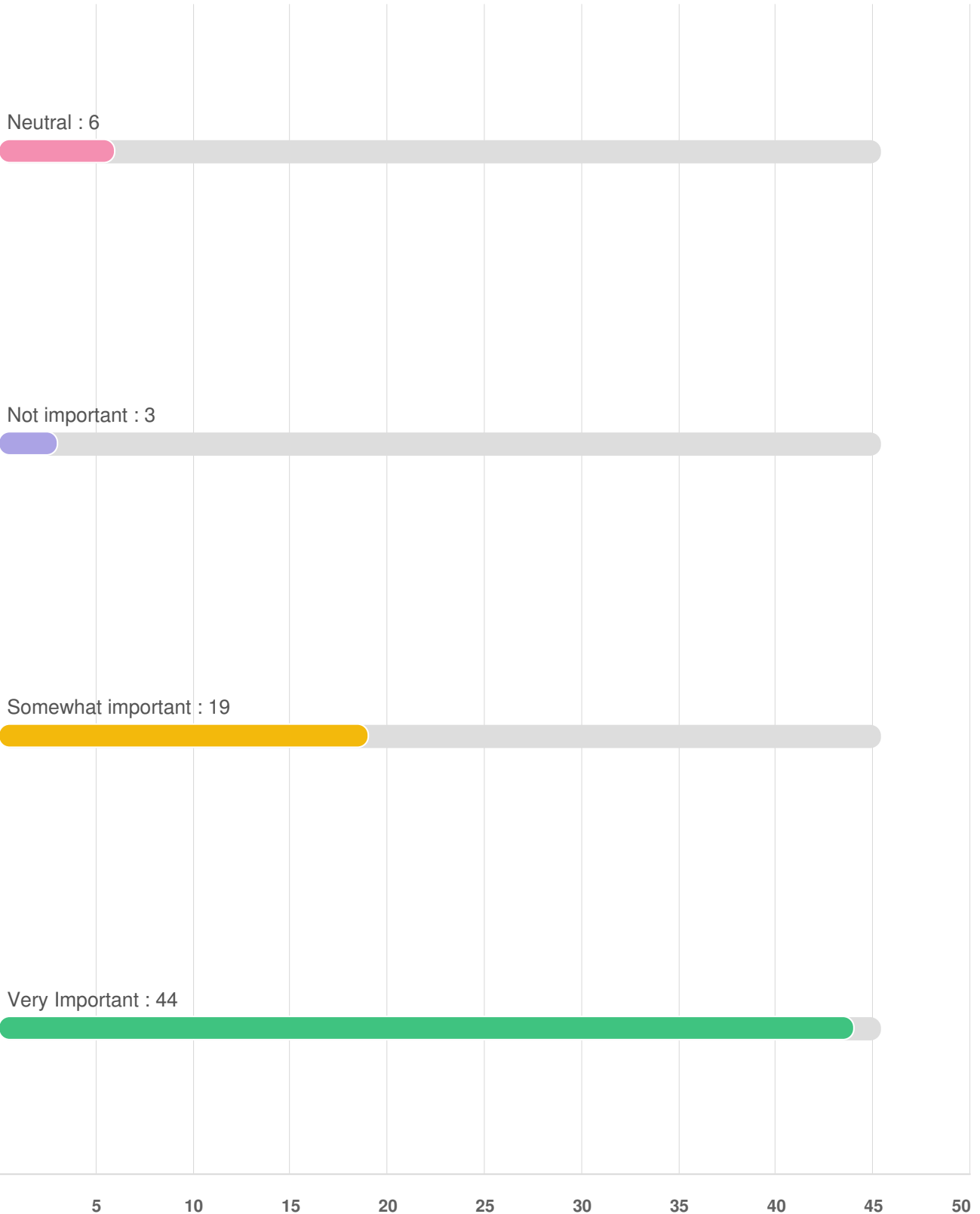
Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q5 How important are the following elements to you to have in a neighborhood center?
 (select all that apply)


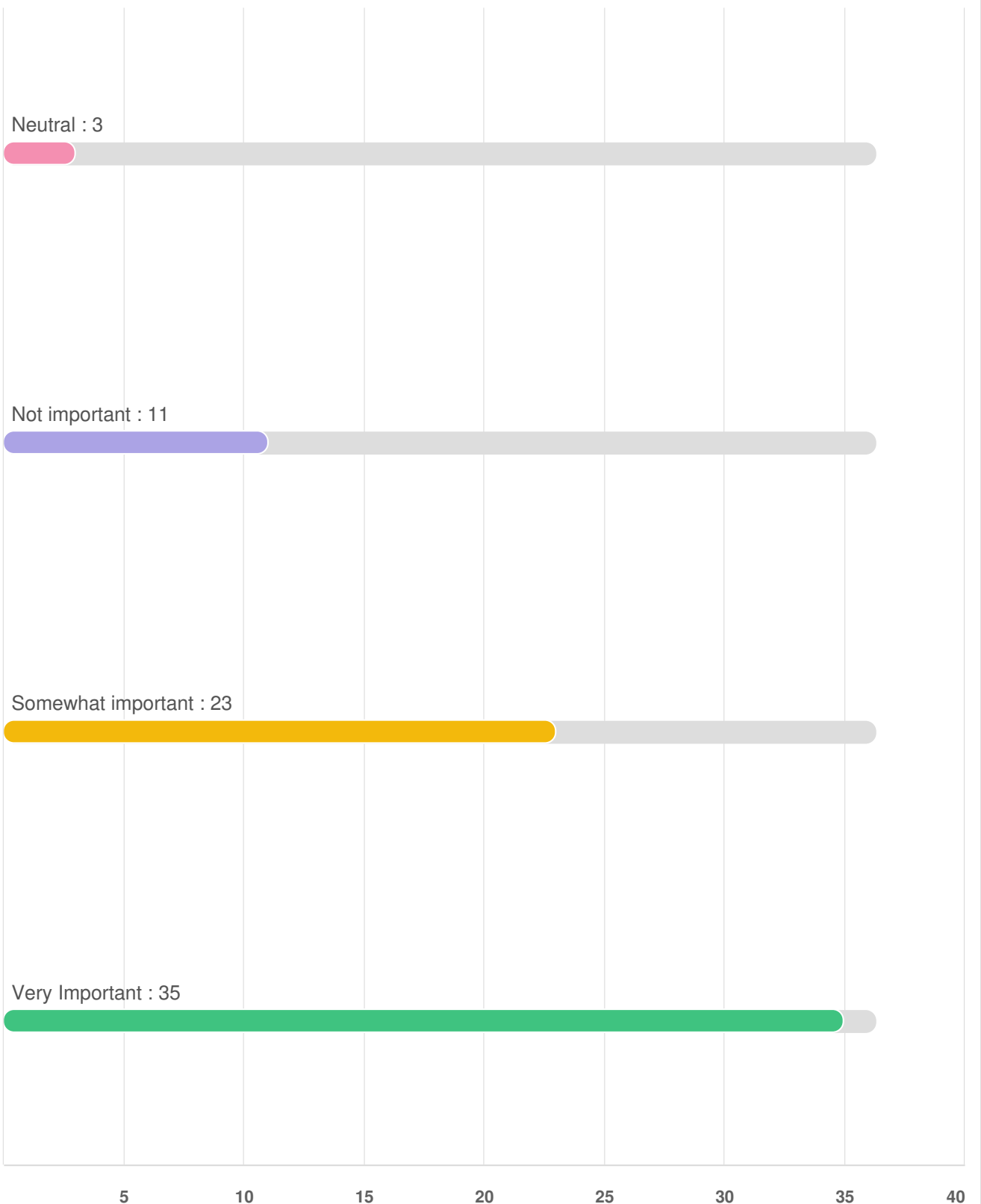
Mandatory Question (72 response(s))

Question type: Likert Question

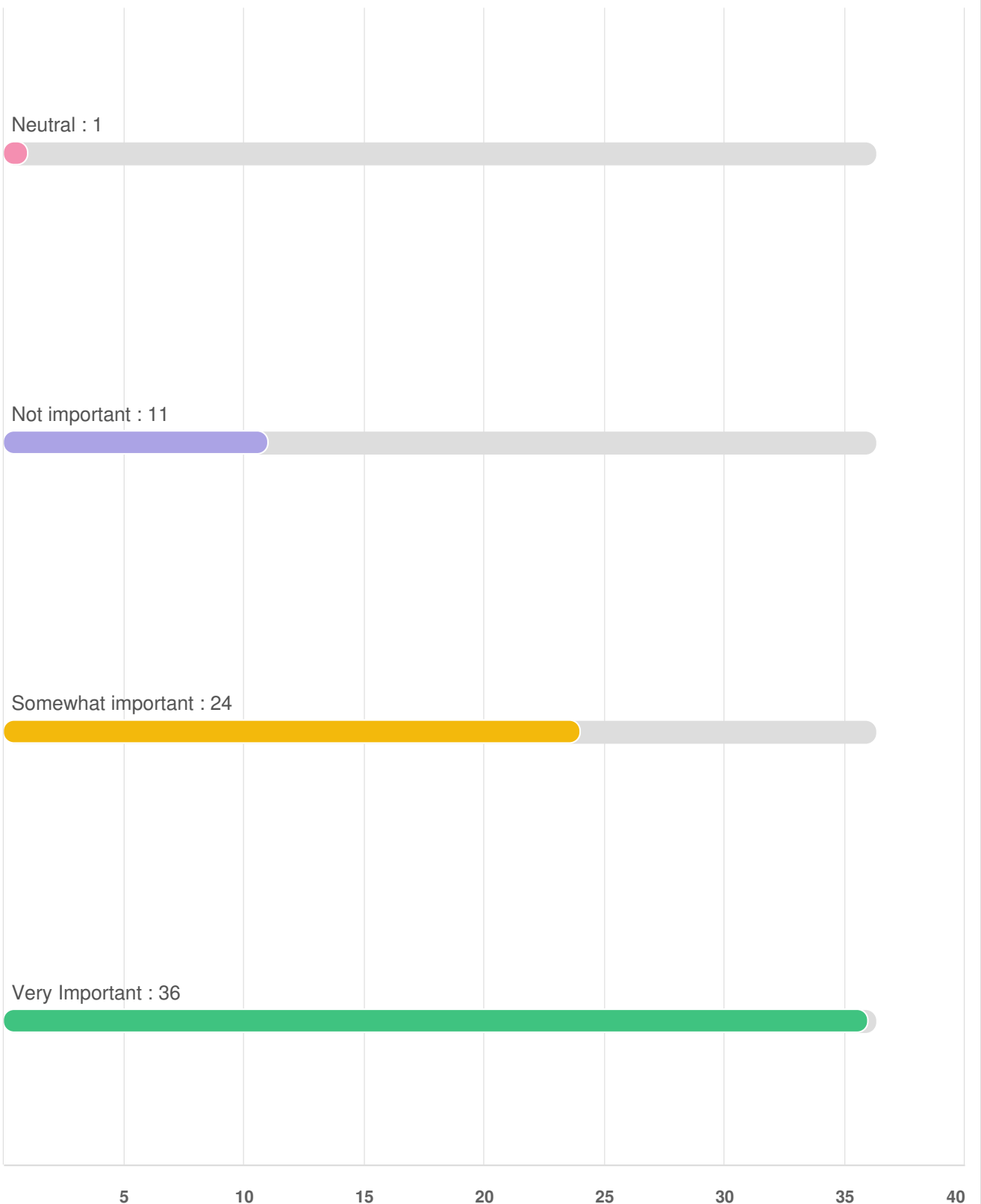
Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q5 | How important are the following elements to you to have in a neighborhood center? (select all that apply)**Human scaled building design**

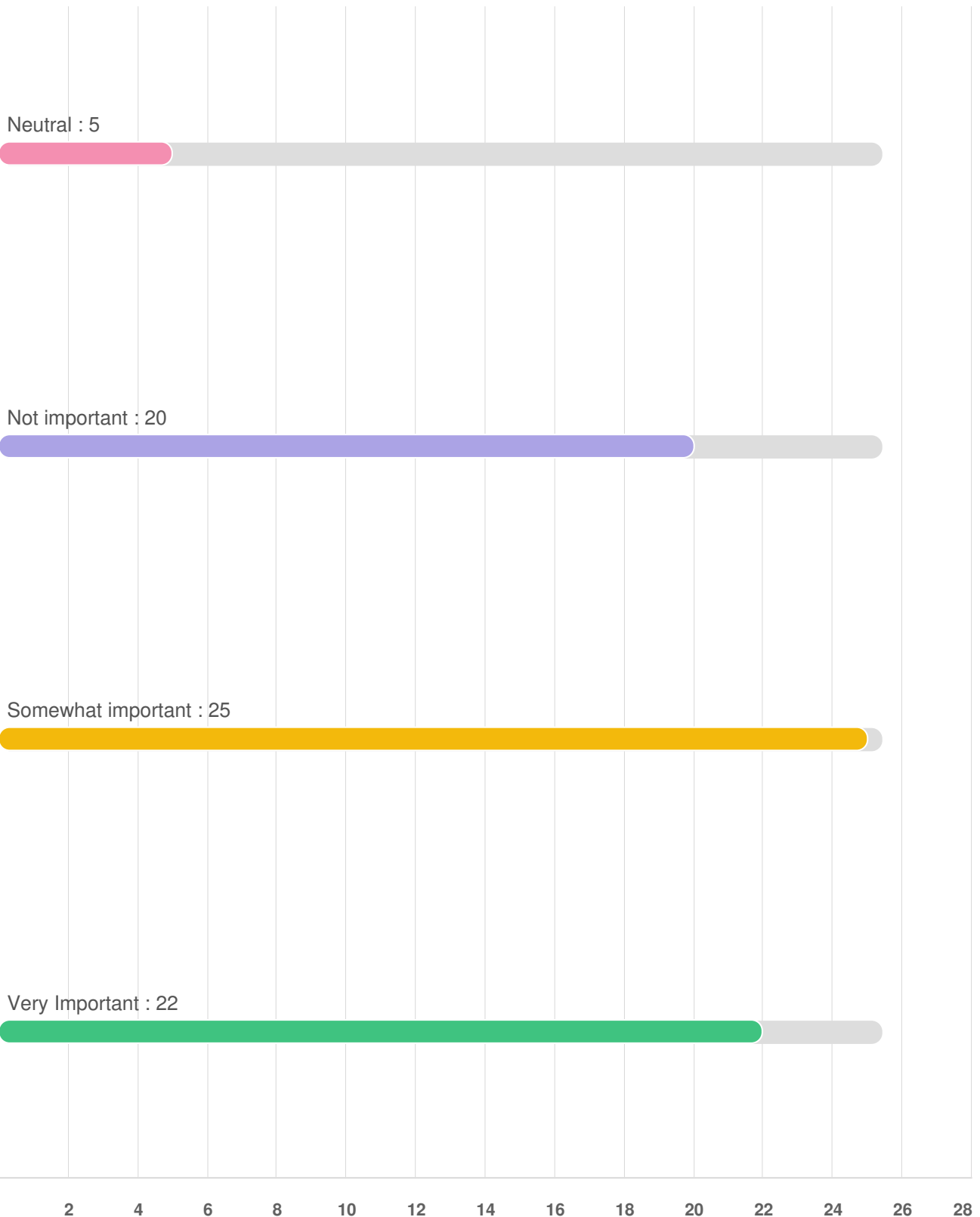
Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

"Main Street" design with mix of uses

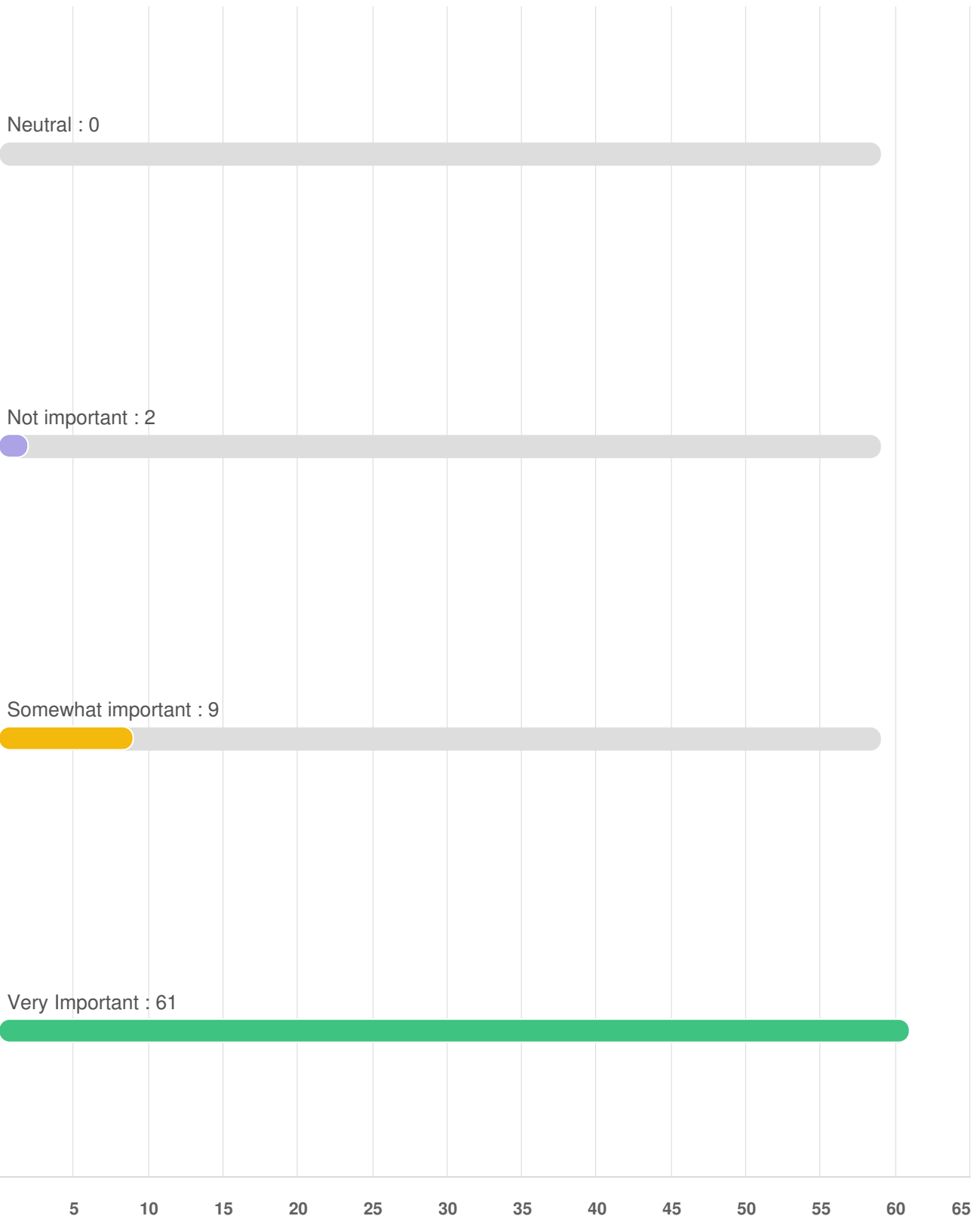
Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Attractively landscaped gathering areas

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Parking located out of sight or behind buildings

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Walkable or bike access**Q6** What other elements would be important to have in a neighborhood center?

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

JGBoulder 7/20/2020 03:30 PM	Low noise, limited car access, dark-skies-friendly nighttime lighting, colorful public artwork, lots of plants and flowers
SADDAS 7/20/2020 07:12 PM	The 15 minute neighborhood is a great idea. But, even this scale is too great for parents of young children and seniors.
Els2155 7/21/2020 04:05 PM	Boulder's mixed-use and human scale areas are some of the most charming areas, but small businesses should be emphasized.
laura80304 7/21/2020 04:11 PM	Please don't include huge parking lots, make them small!
harmsalt 7/21/2020 07:34 PM	grocery stores
dwensign 7/22/2020 10:42 AM	Connectivity to adjacent residential areas should be under continuous improvement. Eg, access to Meadows from N. of Baseline
mikemills 7/22/2020 01:17 PM	Connectivity with surrounding neighborhoods via underpasses, and food trucks
Harmon Zuckerman 7/22/2020 02:05 PM	Pocket parks
stonesthrow 7/22/2020 03:35 PM	Minimal parking. Neighborhood centers should be designed to attract people *from the neighborhood*, which means not by car.
ERay 7/22/2020 04:09 PM	Nothing else
Crystal Gray 7/22/2020 04:42 PM	Small out door gathering areas - patios under a trellis with movable chairs and some thing for kids!
LetsFicks 7/22/2020 05:38 PM	1: no more flat parking lots (in the whole city)! build structures and allow street parking only for the handicapped.
jayargloster 7/22/2020 05:50 PM	Limit parking availability and road size to encourage using other forms of transit.
Gary 7/22/2020 06:19 PM	Neighbors should not be parking lots for downtown businesses.
Claudia Thiem 7/22/2020 08:39 PM	People.

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

BoRama 7/22/2020 09:09 PM	Open pedestrian plazas or open streets that are ped/bike focused. Give much less space to cars and parking.
JoeUser 7/22/2020 11:34 PM	A bike lane plus two vehicle lanes on Table Mesa eastbound from Lehigh to Broadway.
Paul Saporito 7/22/2020 11:34 PM	Can't be blank
John Tayer - Boulder Chamber 7/23/2020 05:55 AM	Interesting architecture (which relates to my expectation of "human scaled building design" v. imposing and impenetrable)
james martin 7/23/2020 08:49 AM	Force commercial landlords to fill vacant spaces such as Basemar.
maurak19 7/23/2020 08:56 AM	Trees/shade, design that encourages people to stay and sit
Tarim 7/23/2020 09:03 AM	I don't think it would be good to specify a single set of elements common to all centers. Diversity in centers would be good
Jorge 7/23/2020 09:25 AM	Buildings that don't obstruct Mountain View's, no office to avoid increasing jobs/housing imbalance, max 3 stories
JT 7/23/2020 11:04 AM	Someplace that functions as a magnet for all ages
thmscwlls 7/23/2020 12:33 PM	Transportation facilities like bike paths, carshare hubs, bike lanes, greenways, pedestrian corridors, bus stops
jmh 7/23/2020 01:22 PM	allow greater building heights to achieve housing. allow parking reductions.
Matt Frommer 7/23/2020 01:47 PM	A mobility hub with a variety of transportation options: bus stop, bike/scooter-share, car-share, etc.
MVA 7/23/2020 04:28 PM	parking maximums. The core of any such urban village should be completely devoid of automobiles.
alexey davies 7/23/2020 05:49 PM	A public gathering place, as well as some sort of evening private place such as a brewpub/wine bar.
islandlark 7/23/2020 08:01 PM	Affordable housing options especially infill like widespread adoption of ADUs / finished basements, etc.

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Mack 7/23/2020 08:11 PM	Safe (preferably covered) bike parking and good transit access
millert 7/24/2020 09:06 AM	Access to public park space
chutneyboy 7/24/2020 10:29 AM	frequent, reliable public transport (e.g., trams) between the "pearls"
Colt 7/24/2020 12:36 PM	Too many people. Time to return to a likeable Boulder.
Bryan 7/24/2020 01:47 PM	Spaces between the buildings designed to create vibrant community life at every turn.
Marge 7/24/2020 02:18 PM	Out of flood zones by natural land elevations; naturally above flood risks; not elevated by man-made soil infill
Darcy Kitching 7/24/2020 07:39 PM	To me, the mixed-use potential is most important. I want to see housing mixed in to remediate the old-fashioned strip malls!
aaron.sandoval10 7/25/2020 07:24 AM	Access to common services and amenities such as groceries
tim 7/25/2020 09:27 AM	parking parking parking
shaquettay 7/25/2020 12:18 PM	Any way you could encourage small buildings that are adaptable and easier for entry level small businesses to afford
Colorado Hiker 7/25/2020 01:06 PM	Public gathering spaces, lots of trees, paths/sidewalks for area neighborhoods residents to walk or bike there.
George 7/25/2020 06:57 PM	needs to be accessible by more than walking to be economically viable
sepideh 7/26/2020 11:48 AM	A welcoming environment for a variety of neighbors and not just pretentious rich folks
Yanospalding 7/26/2020 03:18 PM	Mix of businesses that are of practical use to all neighbors.
judy 7/26/2020 11:02 PM	Uses that are needed, and can be supported by a neighborhood of a certain size, that do not need people from across town

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

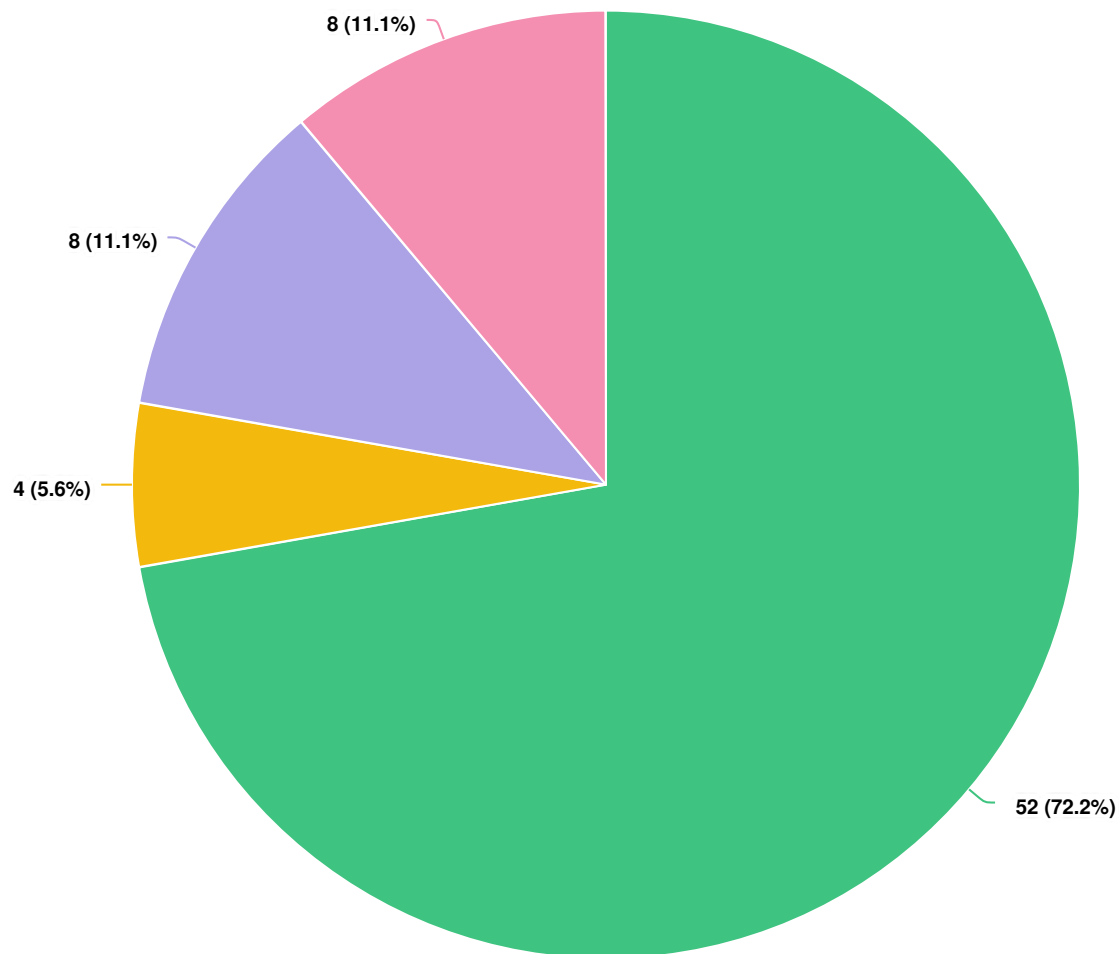
the.dragons.be.here 7/27/2020 07:40 AM	food, drink, entertainment, multiple layers of activity to encourage serendipity.
Lieschen 7/27/2020 11:02 AM	Affordable retail/food/office space that make it easier for these spaces to be filled with locally owned and new businesses
Jesus Ned 7/27/2020 11:14 AM	pocket parks, pedestrian/bicycle greenways. Protected bicycle paths when shared with vehicular traffic
Affordability with logic 7/27/2020 01:39 PM	Research top 10 everyday retail needs of real, everyday residents. Which don't exist near the subject area? Emphasize those!
Lisa Harris 7/27/2020 01:45 PM	It's important that any center contain items for the neighborhoods it serves. Regular, everyday items.
Small Business Owner 7/27/2020 01:55 PM	Not sure
BikeBoulderBike 7/27/2020 01:56 PM	Center plazas. Easy safe access for pedestrians and cyclists to get stores. Better bike parking.
1973CUGrad 7/27/2020 06:41 PM	better architecture... no giant lego buildings
Ryan W 7/27/2020 07:50 PM	Low vehicular traffic but high foot/human traffic. Centers are more pleasant w/o cars and with more neighbors on foot.
GenXers 7/28/2020 07:27 AM	ability to use empty parking lots for community events-farmers markets, food trucks, pop up local art/craft vendors
scottholton 7/28/2020 09:57 AM	we should not discount the value of residential zero setback front porches adding to the urban fabric
sue 7/29/2020 12:24 PM	protected bike lanes
nrarajpal 7/30/2020 05:12 PM	A place where the community can gather and not have to get in cars.
janburton 7/31/2020 07:03 AM	art, sculpture (relax your height restrictions on sculpture!!!)
Elene 8/02/2020 09:09 AM	the corridor is welcoming

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

CBrock 8/03/2020 09:35 AM	Environmental sustainability: wastewater, urban heat island, green house gas emissions, water runoff/retention, wildlife
BenWoolf 8/06/2020 12:40 PM	A mix of retail, residential and office
resident 8/06/2020 02:11 PM	grocery stores
NatalieViragh 8/06/2020 03:22 PM	As stated above, more locally owned small businesses with affordable rental space would contribute to thriving neighborhoods.
EmilyReynolds 8/06/2020 04:16 PM	No huge residential developments. The pace of development is way out of proportion.
TAbrownL 8/08/2020 03:50 PM	Set backs from streets. Trees.
elemdoubleu 8/09/2020 07:52 PM	Reduced and paid parking. Transit access. ADA. Permeability. Public space for gathering.
Marja Duggan 8/10/2020 10:17 AM	Places to walk the dog.
mhubs 8/10/2020 10:27 AM	no one of a kind services that draw people from all over the city, which in turn increases traffic in the neighborhoods.
cg 8/10/2020 04:58 PM	noise/light/traffic deterrents
evergreen 8/10/2020 08:48 PM	Small scale retail stores to encourage independent businesses and avoid big box chain stores.
fghlbgdfkl 8/11/2020 08:24 PM	views and greenery

Mandatory Question (72 response(s))**Question type:** Single Line Question

Q7 Would you be open to have uses and establishments like the ones pictured above, within a 15-minute walking distance from your home or workplace if limited in scale and number?

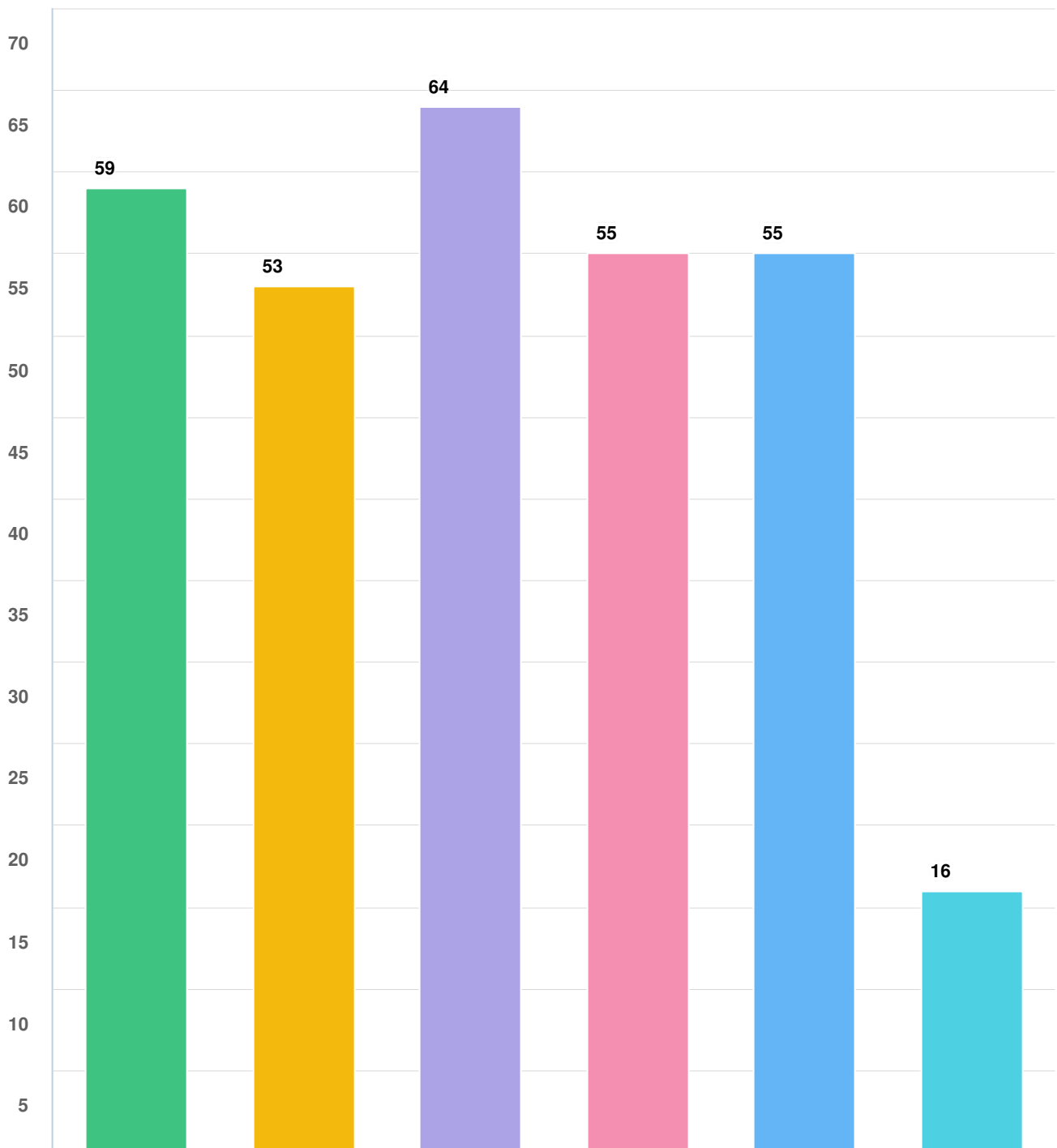
**Question options**

Other (please specify) Maybe No Yes

Mandatory Question (72 response(s))

Question type: Radio Button Question

Q8 Which of the following uses would you be open to having in your neighborhood? (select all that apply)

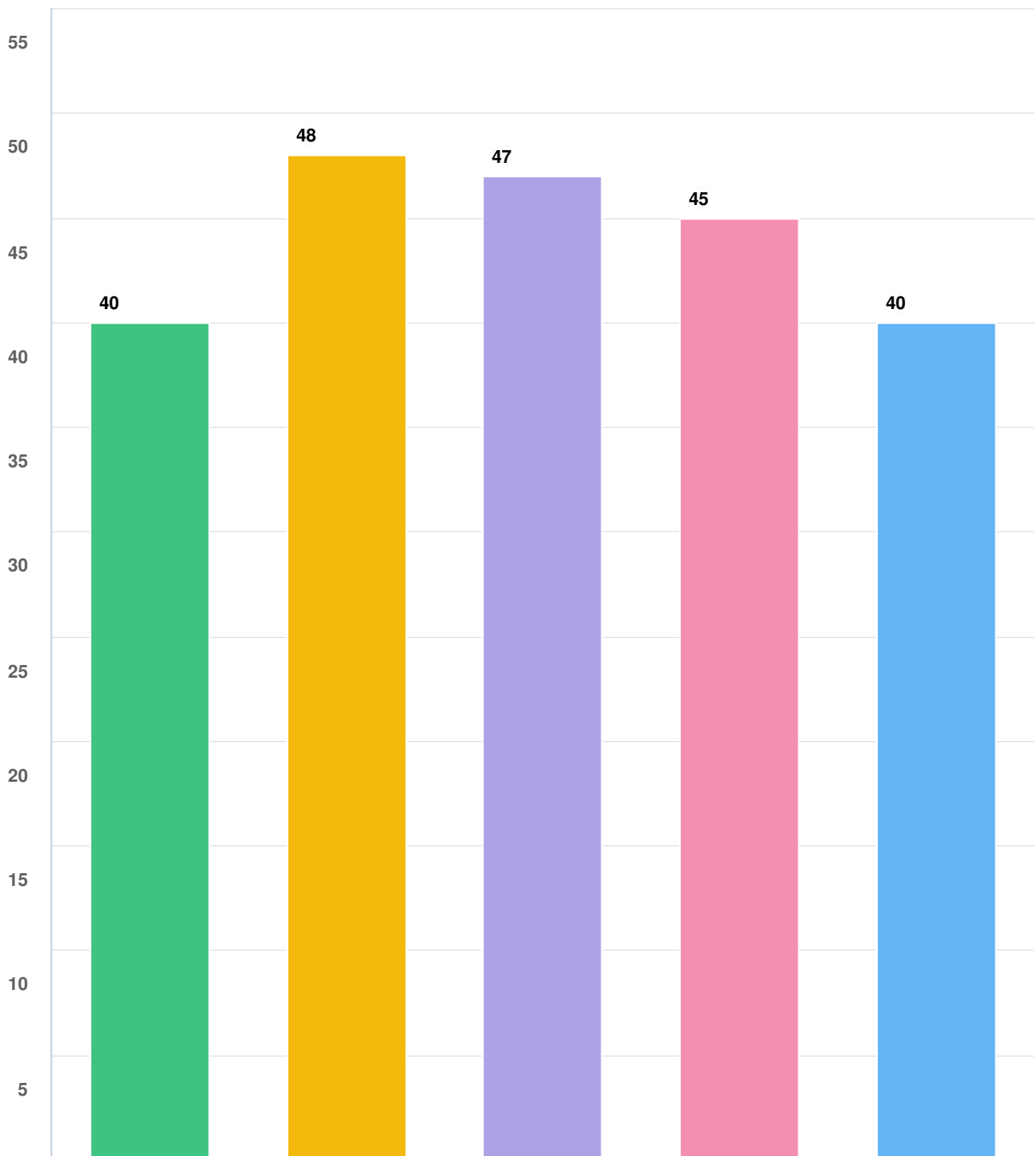


Question options

- Other (please specify)
 ● Residential housing
 ● Small retail uses (such as shops or hardware stores)
 ● Small restaurants and coffee shops
 ● Personal services (such as yoga studios or hair salons)
 ● Small grocers

Mandatory Question (72 response(s))

Question type: Checkbox Question

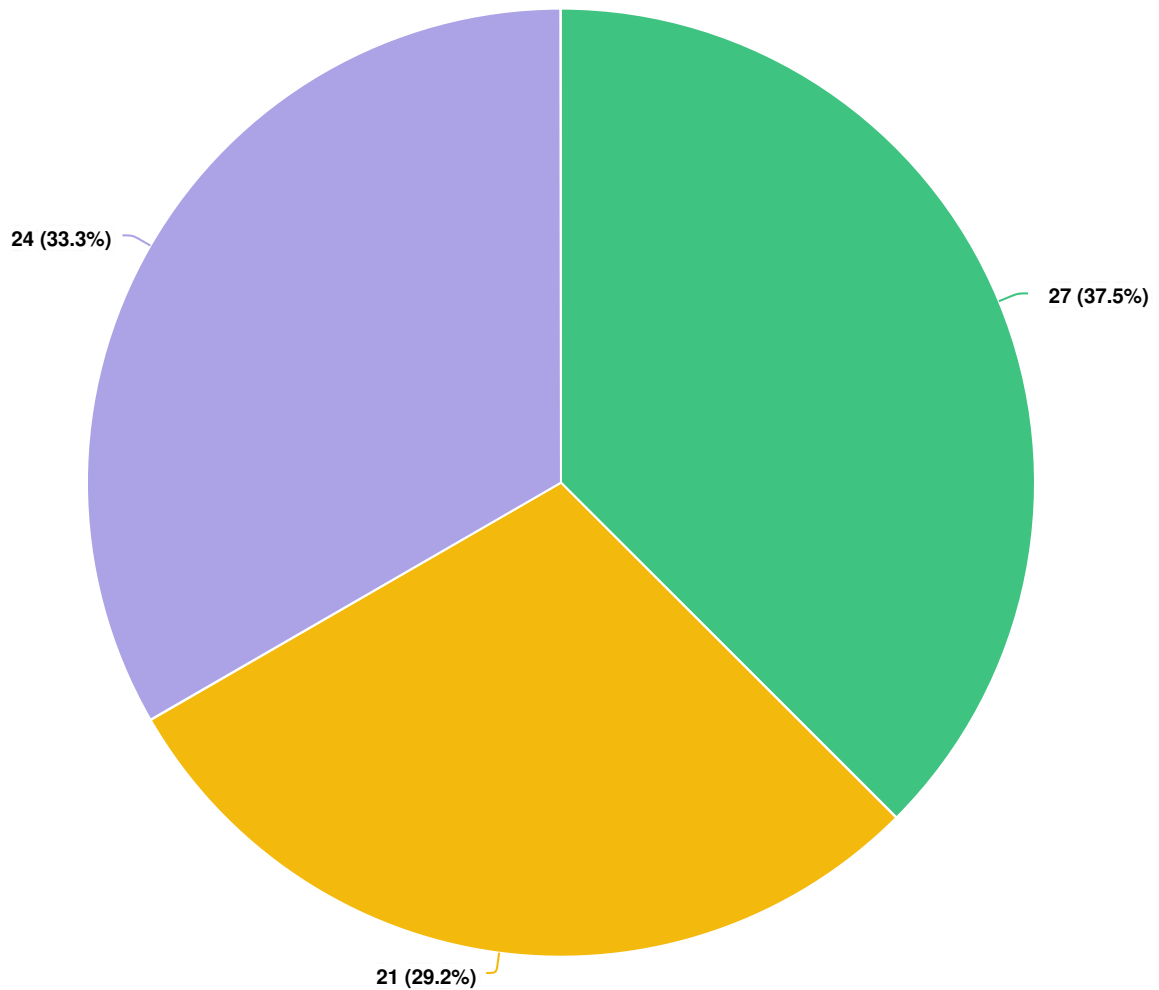
Q9 Which housing types would you be open to having in your neighborhood? (select all that apply)**Question options**

● Condos / apartments ● Cottages ● Townhouses ● Duplexes/ triplexes ● Single-family homes

Mandatory Question (55 response(s))

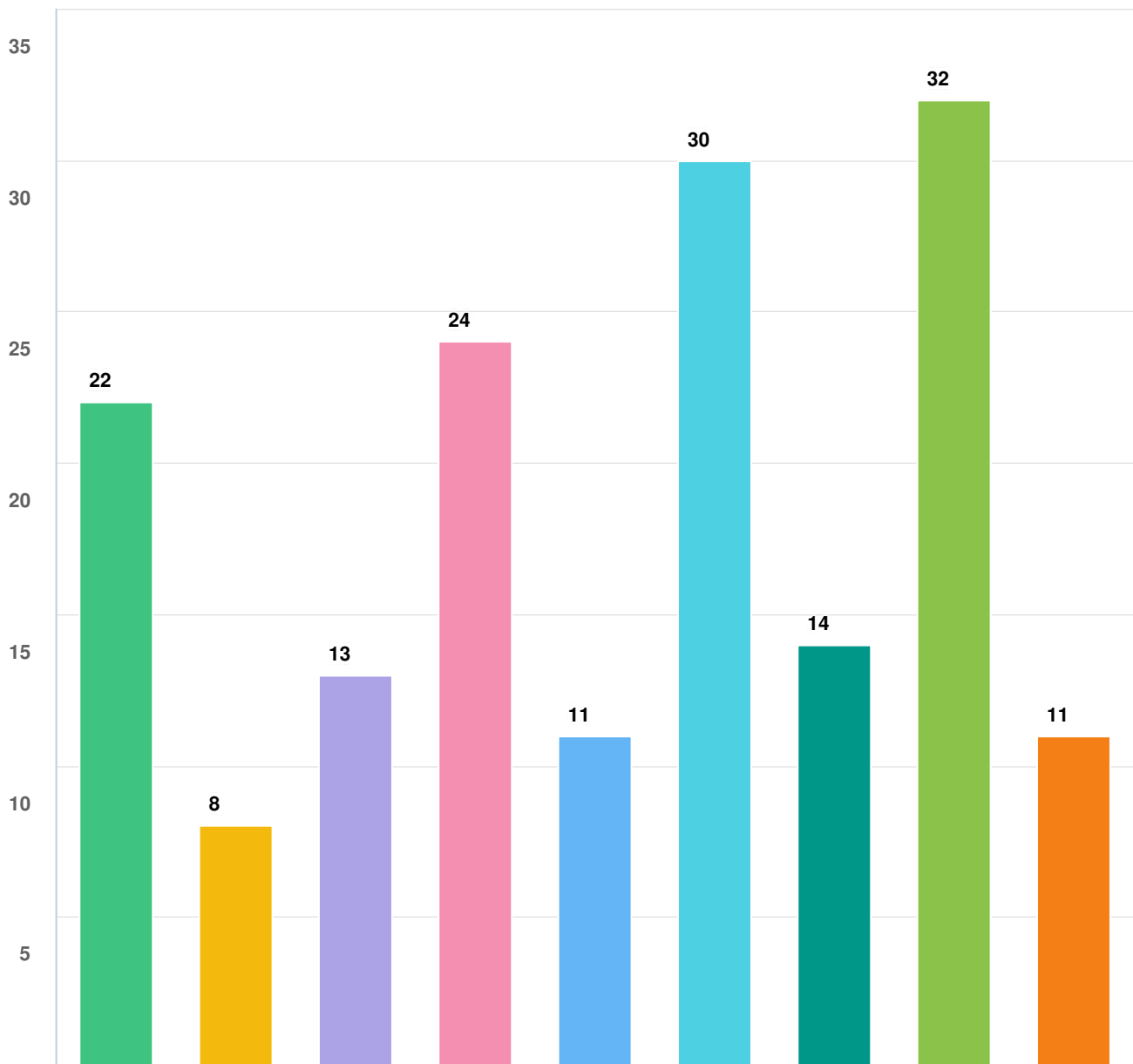
Question type: Checkbox Question

Q10 Should additional zoning restrictions be considered for 15-minute neighborhood uses to make the uses more compatible with their surroundings?

**Question options**

Maybe No Yes

Mandatory Question (72 response(s))
Question type: Radio Button Question

Q11 What types of zoning restrictions should be considered? (select all that apply)**Question options**

- Other (please specify) ● Require additional bike parking to encourage bike access
- Require additional vehicle parking to reduce on-street parking impacts
- Limit vehicle parking to encourage walking or bike access
- Minimum distance separation from other similar uses (ex. 1,000 feet, 2,000 feet)
- Limit the size of establishments (ex. 500 square feet, 1,000 square feet, etc.) ● Limit to conversion of existing buildings
- Limit to corner lots
- Limit to multi-modal corridors (streets that carry traffic through a neighborhood with bike facilities and transit access etc.)

Mandatory Question (51 response(s))

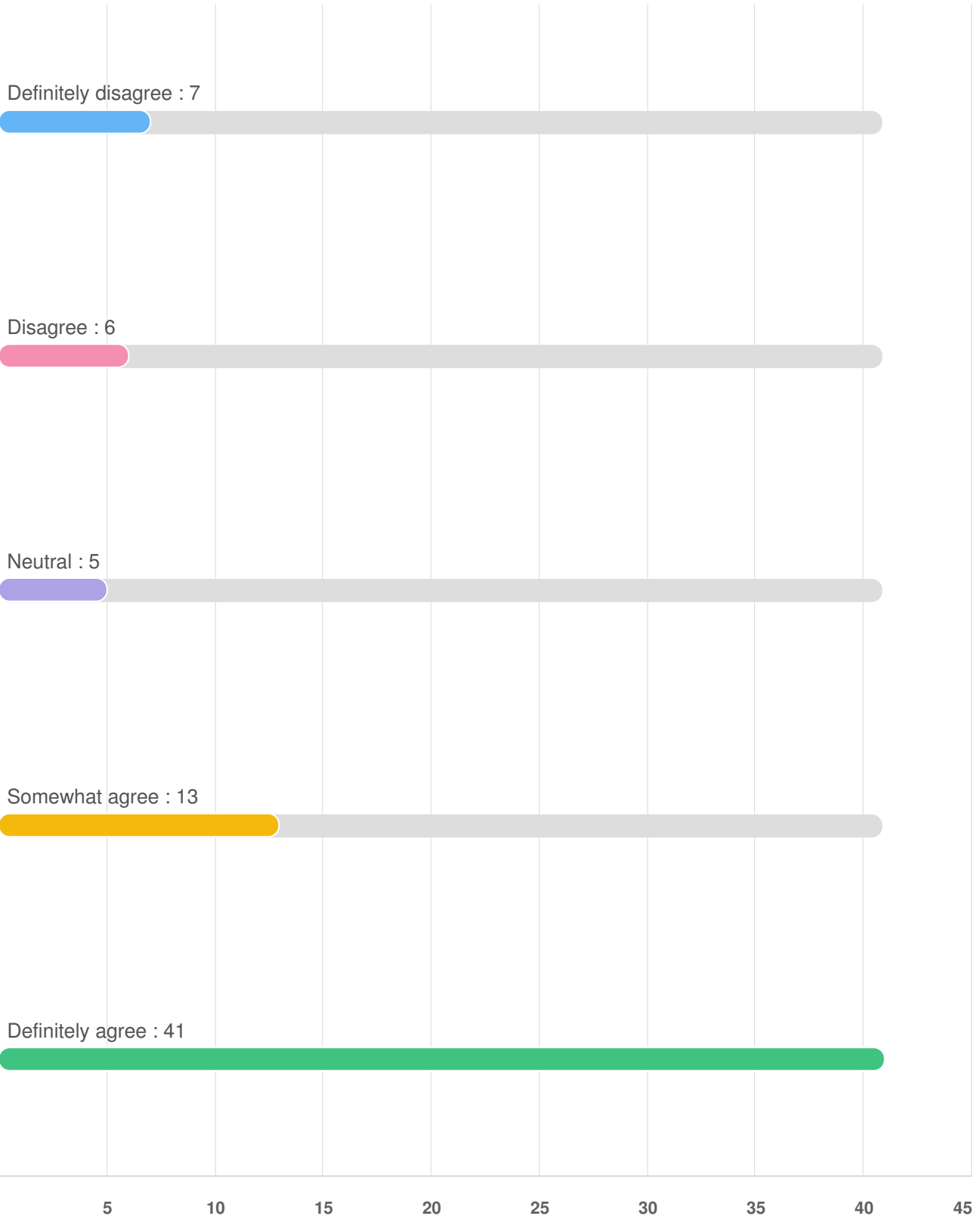
Question type: Checkbox Question

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q12 Do you agree that the city should allow more flexibility for the following uses citywide?

Mandatory Question (72 response(s))

Question type: Likert Question

Q12 | Do you agree that the city should allow more flexibility for the following uses citywide?**Live / work businesses**

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Artist studios and galleries

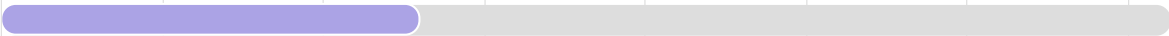
Definitely disagree : 4



Disagree : 4



Neutral : 13



Somewhat agree : 13



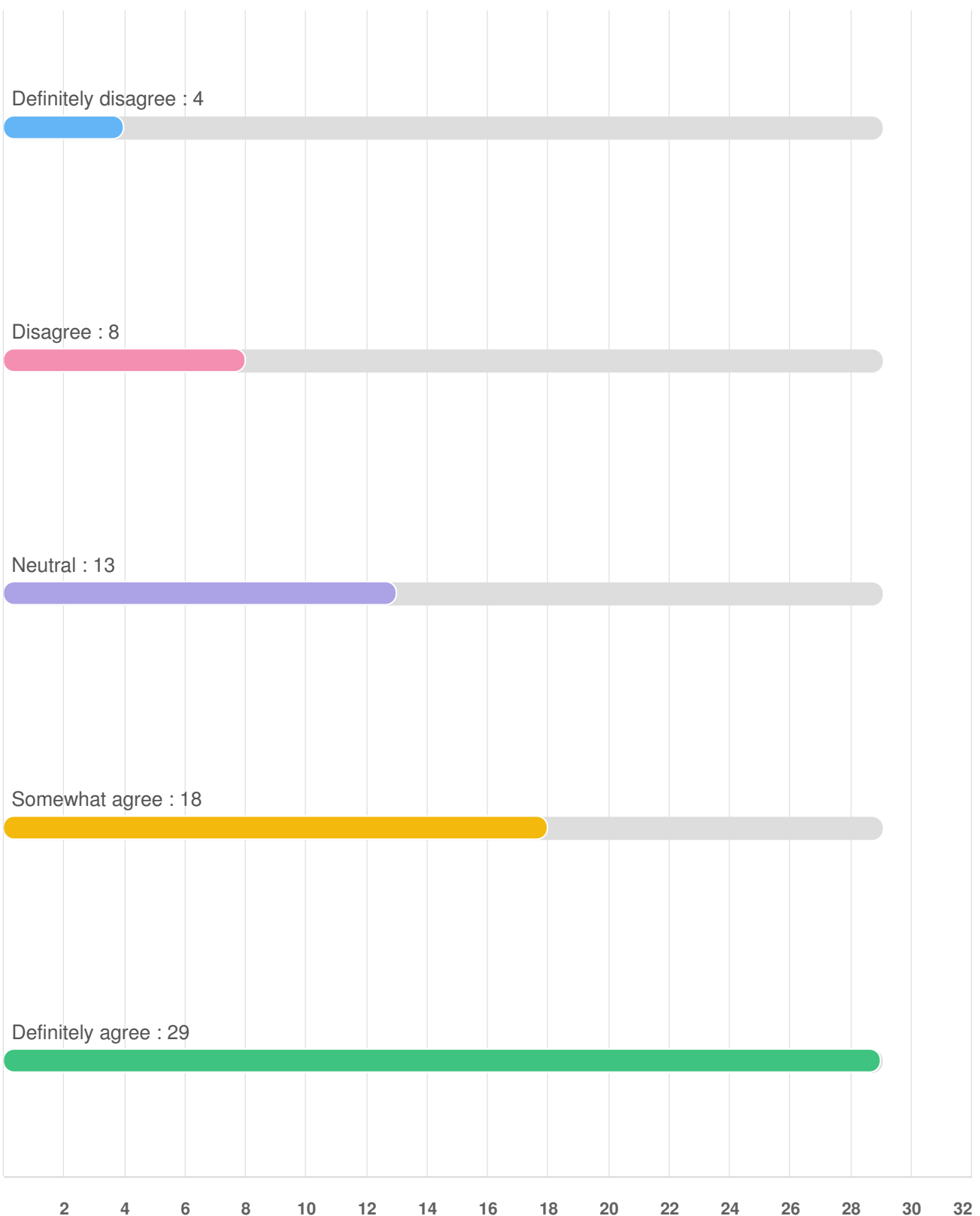
Definitely agree : 38



5 10 15 20 25 30 35 40

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Small-scale performance venues

**Q13** What other uses should the city consider more flexibility for citywide?

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

JGBoulder 7/20/2020 03:30 PM	Senior-friendly, LGBTQ-friendly, locally owned, farmers market style stands
SADDAS 7/20/2020 07:12 PM	Limit traffic through corridors. Do not have cross walks over 4 lanes of traffic in 15 minute areas.
Els2155 7/21/2020 04:05 PM	Co-working and maker spaces
dwensign 7/22/2020 10:42 AM	Sites with potential for different housing types than zoning currently allows...saturation/separation limits may be useful.
Crystal Gray 7/22/2020 04:42 PM	Off leash dog parks!
LetsFicks 7/22/2020 05:38 PM	Housing!!! allow up to 4 dwelling units per lot by right! lower minimum parking requirements! restaurants, grocers, etc.
jayargloster 7/22/2020 05:50 PM	All of them. There should be little to know restrictions based on kind of business excepting very loud and polluting.
Gary 7/22/2020 06:19 PM	Provide parking instead current plans that turn neighborhoods into parking lots for nonresident and increase traffic
Claudia Thiem 7/22/2020 08:39 PM	Attached housing, ADUs, small office spaces
BoRama 7/22/2020 09:09 PM	All kinds! Most of the city is zoned for single-family homes and nothing else, leading to McMansions and nothing else.
JoeUser 7/22/2020 11:34 PM	larger single family homes, burying utility lines neighborhood-wide
Paul Saporito 7/22/2020 11:34 PM	Alley houses. Thornton of all places allows 100% saturation of ADUs in single family zones. Going to 20% here still timid.
John Tayer - Boulder Chamber 7/23/2020 05:55 AM	Outdoor seating
Tarim 7/23/2020 09:03 AM	Places where people can gather and interact (e.g, coffee shops, restaurants)
Jorge 7/23/2020 09:25 AM	Limit tech office development / this is the single biggest factor impacting jobs/housing imbalance

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

JT	Small scale professional services, shared housing
7/23/2020 11:04 AM	
thmscwlls	Housing. Small retail. Co-working. Parking reductions and parking maximums.
7/23/2020 12:33 PM	
jmh	home offices (allow an employee or few and clients)
7/23/2020 01:22 PM	
Matt Frommer	Consider the long-term impacts of covid-19 on telework and allow for a mix of live/work situations in all neighborhoods
7/23/2020 01:47 PM	
MVA	doesn't matter if the people aren't here to support them. Grow the population and density, then grow the amenities
7/23/2020 04:28 PM	
islandlark	ADUs!
7/23/2020 08:01 PM	
millert	Residences other than single family homes
7/24/2020 09:06 AM	
Colt	Find a place far from downtown for the homeless people.
7/24/2020 12:36 PM	
Bryan	All other uses
7/24/2020 01:47 PM	
Marge	improving flood protection by preservint permeable surfaces, parks, golf course, not developing vacant land in flood corridor
7/24/2020 02:18 PM	
Darcy Kitching	ADUs and cottages! I want the permitting and fees for these to be simplified and reduced.
7/24/2020 07:39 PM	
tim	stop taking parking away with needless "landscape" areas. The car is a reality you can t wish it away
7/25/2020 09:27 AM	
shaquettay	All of them
7/25/2020 12:18 PM	
sepideh	childcare
7/26/2020 11:48 AM	
Yanospalding	None
7/26/2020 03:18 PM	

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

<p>judy</p> <p>7/26/2020 11:02 PM</p>	<p>These questions are too broad. I would consider the above within appropriate neighborhood centers only</p>
<p>the.dragons.be.here</p> <p>7/27/2020 07:40 AM</p>	<p>Missing Middle Housing along walkable corridors!!!</p>
<p>Lieschen</p> <p>7/27/2020 11:02 AM</p>	<p>ADUs</p>
<p>Jesus Ned</p> <p>7/27/2020 11:14 AM</p>	<p>multifamily dwelling units</p>
<p>Affordability with logic</p> <p>7/27/2020 01:39 PM</p>	<p>Mandate affordable retail. Commercial land owners charge ridiculous rents Do commercial rent control so we can afford to shop</p>
<p>Lisa Harris</p> <p>7/27/2020 01:45 PM</p>	<p>Needs probably very from neighborhood to neighborhood. Neighborhood plans-- with participation from the residents a must.</p>
<p>Small Business Owner</p> <p>7/27/2020 01:55 PM</p>	<p>Not sure</p>
<p>1973CUGrad</p> <p>7/27/2020 06:41 PM</p>	<p>small businesses under 2000 sf, with consideration for limited noise and traffic</p>
<p>Ryan W</p> <p>7/27/2020 07:50 PM</p>	<p>Multi-unit housing must be allowed citywide (and not restricted in RR, RE, etc zones) to meet our 15min and enviro goals.</p>
<p>GenXers</p> <p>7/28/2020 07:27 AM</p>	<p>foodtrucks, farmers market stands, popup vendors</p>
<p>scottholton</p> <p>7/28/2020 09:57 AM</p>	<p>coffee shops and bodegas and cafes</p>
<p>sue</p> <p>7/29/2020 12:24 PM</p>	<p>get rid of parking minimums</p>
<p>janburton</p> <p>7/31/2020 07:03 AM</p>	<p>Live work space for artists</p>
<p>CBrock</p> <p>8/03/2020 09:35 AM</p>	<p>Non-profit activities</p>
<p>EmilyReynolds</p> <p>8/06/2020 04:16 PM</p>	<p>Please, LESS FLEXIBILITY on height, sf, density. Also, City should insist on affordable housing onsite at every development.</p>

Use Table & Standards Questionnaire : Survey Report for **13 July 2020** to **11 August 2020**

elemdoubleu Small scale locally owned retail

8/09/2020 07:52 PM

Marja Duggan Parks

8/10/2020 10:17 AM

cg parks

8/10/2020 04:58 PM

evergreen Keep commercial businesses in commercial zones and out of residential zones.

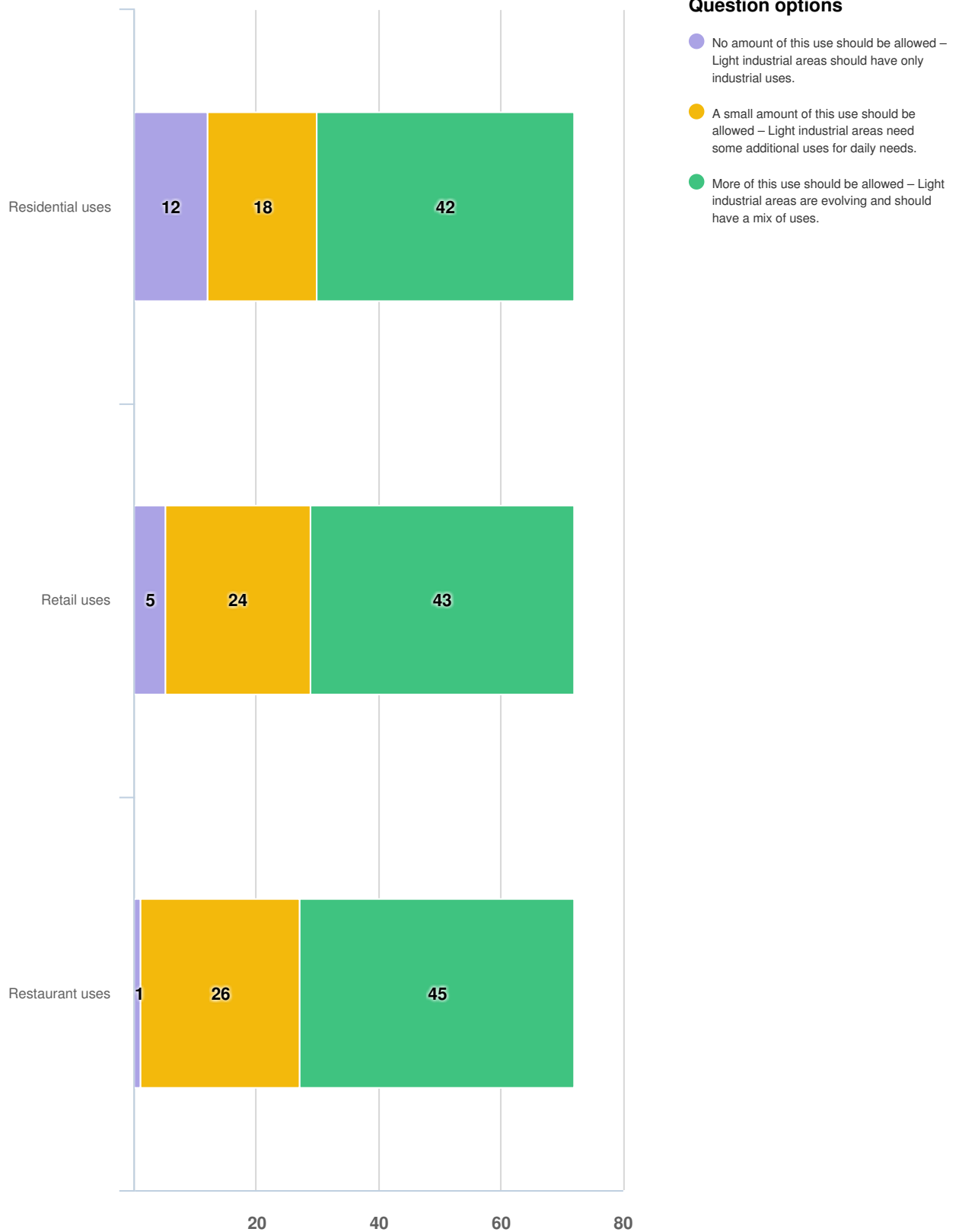
8/10/2020 08:48 PM

Optional question (49 response(s), 23 skipped)

Question type: Single Line Question

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q14 To what degree should the city consider allowing additional uses in light industrial areas, in order to foster mixed-use, walkable neighborhoods, while protecting and minimizing disruption to existing industrial uses?



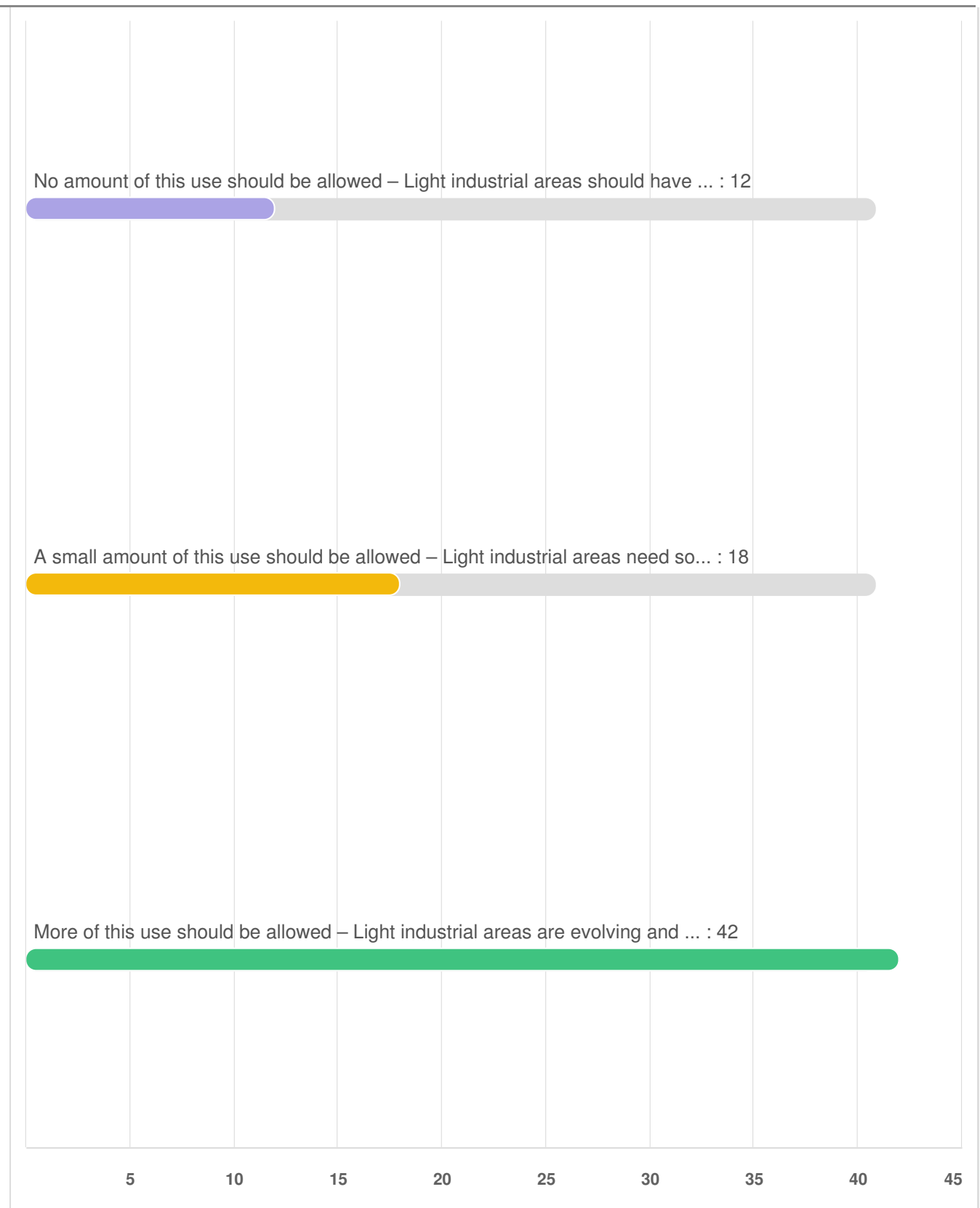
Mandatory Question (72 response(s))

Question type: Likert Question

Q14 To what degree should the city consider allowing additional uses in light industrial areas, in order to foster mixed-use, walkable neighborhoods, while protecting and minimizing disruption to existing industrial uses?

Residential uses

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020



Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Retail uses

No amount of this use should be allowed – Light industrial areas should have ... : 5



A small amount of this use should be allowed – Light industrial areas need so... : 24



More of this use should be allowed – Light industrial areas are evolving and ... : 43

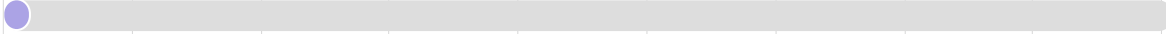


5 10 15 20 25 30 35 40 45 50

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Restaurant uses

No amount of this use should be allowed – Light industrial areas should have ... : 1



A small amount of this use should be allowed – Light industrial areas need so... : 26



More of this use should be allowed – Light industrial areas are evolving and ... : 45



5 10 15 20 25 30 35 40 45 50

Q15 What other types of uses should the city consider allowing more of in light industrial areas?

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

JGBoulder

7/20/2020 03:30 PM

Locally owned repair/recycle hubs so we don't have to buy so much new stuff. Greenhouses & garden shops for plants/flowers.

SADDAS

7/20/2020 07:12 PM

Dislike the industrial areas. Could be much more friendly/walkable/livable/shopable.

Els2155

7/21/2020 04:05 PM

I'd like to see more community oriented spaces like artistic or maker spaces.

dwensign

7/22/2020 10:42 AM

Encouraging pocket-park type of open space would be useful.

Harmon Zuckerman

7/22/2020 02:05 PM

Artist spaces, including where performances are held.

stonesthrow

7/22/2020 03:35 PM

Much of what's currently in LI zones (like Flatiron Park) is actually tech offices. So displacement isn't a big concern.

Crystal Gray

7/22/2020 04:42 PM

Places for household services like a saw shop, fix it center

LetsFicks

7/22/2020 05:38 PM

artist spaces and lofts (combined live work areas). in general allow increased density and discourage giant parking lots.

BoRama

7/22/2020 09:09 PM

There should be a lot of flexibility. The only significant limits I can think of should be impactful/heavy industrial uses.

JoeUser

7/22/2020 11:34 PM

theaters, performance spaces, rehearsal studios, artist studios, music studios

John Tayer - Boulder Chamber

7/23/2020 05:55 AM

We should allow all other types of uses . . . but avoid any reduction in the light industrial uses.

maurak19

7/23/2020 08:56 AM

I just want to say that much of the language in this survey is jargon-y. I.e., I don't know what Question 14 is asking.

Tarim

7/23/2020 09:03 AM

Medical and professional buildings

JT

7/23/2020 11:04 AM

Performance and art, libraries, live/work & professionals. Stop separating uses that people need daily - it's outdated zoning.

thmscwlls

7/23/2020 12:33 PM

Office. Art. Recreation / Entertainment. Community gathering space, indoor and outdoor.

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Matt Frommer 7/23/2020 01:47 PM	Any new developments should be mixed-use to reduce car dependency. Also, include affordable housing.
alexey davies 7/23/2020 05:49 PM	Light industrial areas or even business parks use a lot of space. Adding a residential unit above should be allowed/encouraged.
islandlark 7/23/2020 08:01 PM	Affordable Housing, Community Gardens, Solar Gardens
chutneyboy 7/24/2020 10:29 AM	everything
Colt 7/24/2020 12:36 PM	Light industrial areas are a good place to work, but a bad place to live.
Bryan 7/24/2020 01:47 PM	Arts, performance, music
Marge 7/24/2020 02:18 PM	Concentrate businesses of noise, light and smell pollution in the light industrial areas. Provide parking as RTD has cut service
shaquettay 7/25/2020 12:18 PM	All of them...if you're reading through my responses down the line here you might start noticing a pattern...)
Colorado Hiker 7/25/2020 01:06 PM	Any industrial zone use revision must go hand-in hand with elimination of "contiguity" regs to prevent loss of industrial zones.
sepideh 7/26/2020 11:48 AM	Gardening
Yanospalding 7/26/2020 03:18 PM	Limit other uses strictly so we do not lose our small industrial businesses.
judy 7/26/2020 11:02 PM	Small arts centers of various types. Public uses, such as for folk dancing and busking. More parks, small and large .
the.dragons.be.here 7/27/2020 07:40 AM	Affordable housing and industry
Jesus Ned 7/27/2020 11:14 AM	allow for future conversion to retail and other uses, including small scale cafe/restaurants
Small Business Owner 7/27/2020 01:55 PM	I don't consider bike repair as light industrial. We need some defined light industrial areas, without residential

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

1973CUGrad

7/27/2020 06:41 PM

most any business, with consideration for limiting noise and traffic

Ryan W

7/27/2020 07:50 PM

Ideally, restrictions drop significantly and we can allow more people to simply work near where they live. Gallagher impedes.

GenXers

7/28/2020 07:27 AM

live/work, breweries, office, makers spaces, art galleries, coworking conference rooms

sue

7/29/2020 12:24 PM

reduce parking

Elene

8/02/2020 09:09 AM

Encourage shops that are small to foster small business

EmilyReynolds

8/06/2020 04:16 PM

If it's a light industrial area, it should be primarily devoted to light industry & office space.

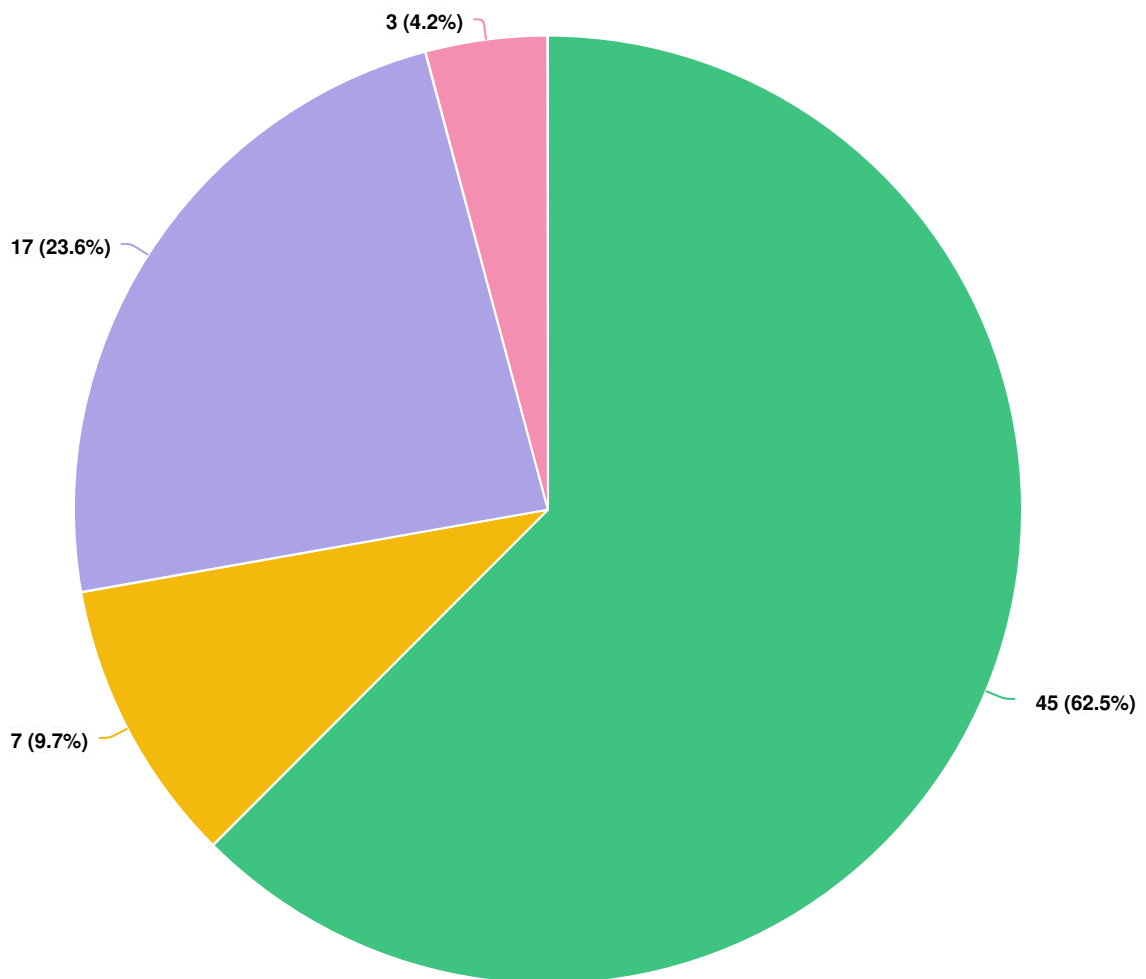
cg

8/10/2020 04:58 PM

n/a

Optional question (37 response(s), 35 skipped)**Question type:** Single Line Question

Q16 Are you open to simplifying the Use Standards to streamline the number of similar uses (ex. restaurant use categories) in the Use Table?

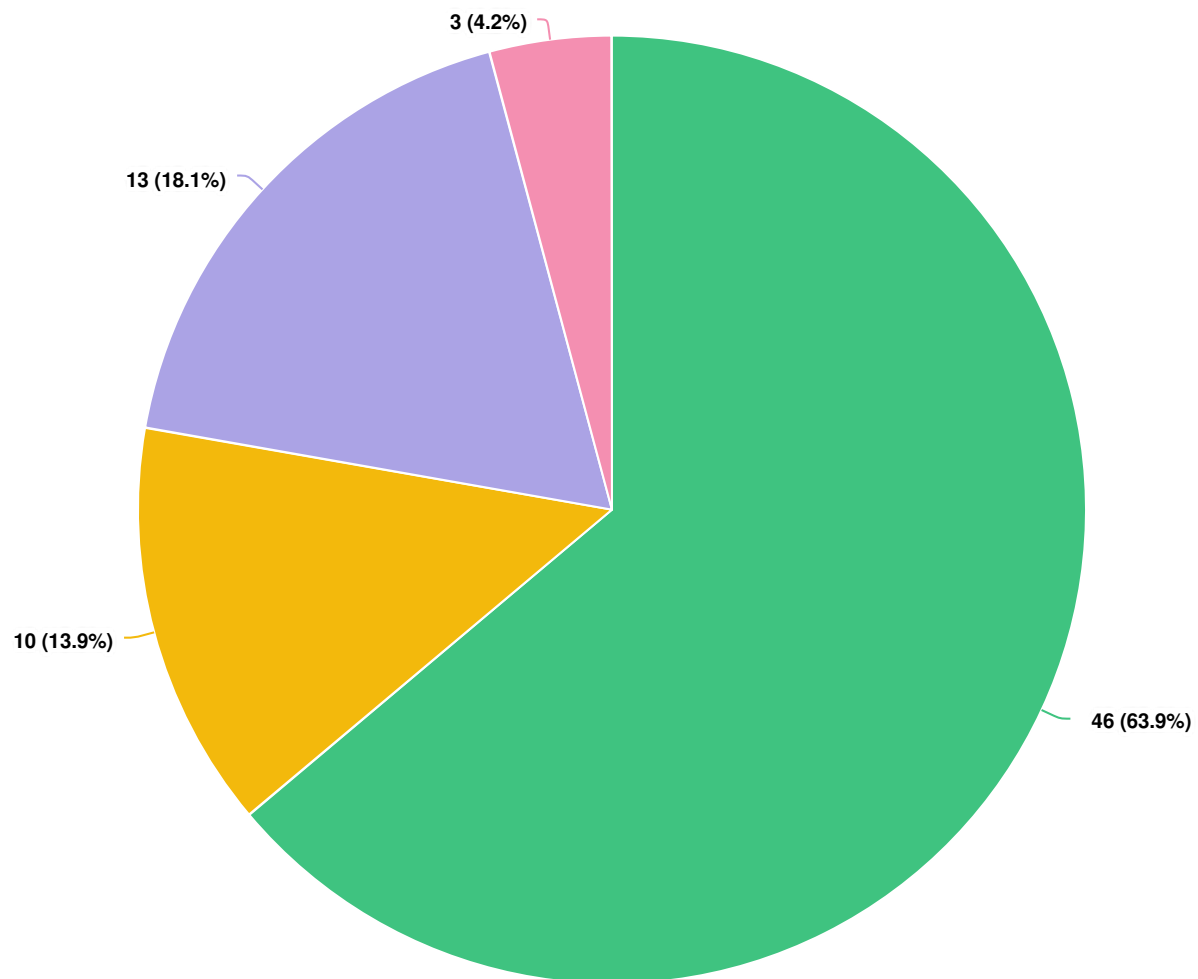
**Question options**

Other (please specify) Maybe No Yes

Mandatory Question (72 response(s))

Question type: Radio Button Question

Q17 Are you open to consolidating the number of office uses from six down to a smaller number of office use categories? Existing office use definitions in the Land Use Code:

**Question options**

Other (please specify) Maybe No Yes

Mandatory Question (72 response(s))

Question type: Radio Button Question

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Q18 What other ideas do you have for updating the Use Table Standards of the Land Use Code for clarity and usability?

JGBoulder

7/20/2020 03:30 PM

None

SADDAS

7/20/2020 07:12 PM

A number of industrial areas have premium views. Much more suited to housing!! Perfect example is east Pearl, where all the car dealer overlook the beautiful bike path. Should be homes there.

dwensign

7/22/2020 10:42 AM

Look for opportunities for "Limited Use" criteria to simplify what can sometimes be complex conditionals.

Harmon Zuckerman

7/22/2020 02:05 PM

Add a new substantive use limitation (could be tagged as L18) to encourage live/work and other residential infill in already-developed industrial areas.

stonesthrow

7/22/2020 03:35 PM

Lots of others could be combined: e.g., "Offices, professional" vs. "Offices, administrative" vs. "Offices, other". How are these different? And why does "Convenience retail" need to be distinguished from "Retail"?

Crystal Gray

7/22/2020 04:42 PM

Look at the parking requirements in residential zones - cars are smaller - who needs several 9x19' spaces

LetsFicks

7/22/2020 05:38 PM

we should have 4 categories: heavy industrial, mixed use (any type non-industrial commercial, office or residential), residential (any type of residential) and low residential (residential with 4 or less dwelling units per lot). also smaller min lot sizes

Claudia Thiem

7/22/2020 08:39 PM

40 pages printed on 11x17 paper, if I recall? You shouldn't have to be a work to read and understand it.

BoRama

7/22/2020 09:09 PM

In general, I support simplifying language that creates an unnecessary burden upon people trying to read and write plans due to its complexity.

Tarim

7/23/2020 09:03 AM

Provide an easier way to update them in light of changing community attitudes, challenges, and lessons learned.

JT

7/23/2020 11:04 AM

KISS. We've tried to simplify land-use code so many times, and just end up adding more specific definitions and exceptions. Use broad definitions and trust in staff discretion to implement.

thmscwlls

7/23/2020 12:33 PM

Anything that simplifies interaction with transportation policies, e.g. where bikes and can't ride on sidewalks. Parking maximums.

jmh

allow a lot more flexibility for the world of business to evolve

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

7/23/2020 01:22 PM

Matt Frommer

7/23/2020 01:47 PM

The residential uses should also be simplified to allow more flexibility.
Current code is too prescriptive.

alexey daves

7/23/2020 05:49 PM

Just make it easier for this city to be liveable and friendly to people who walk and ride.

islandlark

7/23/2020 08:01 PM

Create an explanatory "e-course" style "class" that people can take online in their own time to understand it!

Mack

7/23/2020 08:11 PM

I am not a lawyer, so do not feel confident commenting on specific changes to use tables

chutneyboy

7/24/2020 10:29 AM

simplify, simplify, simplify. Maybe just get rid of zoning. See e.g. Minneapolis

Colt

7/24/2020 12:36 PM

Trying to make Boulder look like New York City is a bad idea. We moved here to enjoy the benefits of a safe small city. I no longer feel safe here and the new look is terrible.

Bryan

7/24/2020 01:47 PM

Open use categories that are defined by the applicant/business owner to allow for innovation.

Marge

7/24/2020 02:18 PM

Factor in flood issues and update the flood standards and regulations. Flood matters should precede any other planning as a prerequisite. Certain areas in Boulder need better flood protections, which are not provided by soil infill and developments.

Darcy Kitching

7/24/2020 07:39 PM

Simplify as much as possible to incentivize more applications and permits.

tim

7/25/2020 09:27 AM

minimize the Height variance for very expensive housing over business allowances. It is allowing only the uber rich living (part time) down town etc

shaquettay

7/25/2020 12:18 PM

Just focus on how the building affects its surroundings, that's it. I saw frat/sorority house is a use - what difference does a 25-people party house make vs. a 25-people apartment of parties of the same size?

sepideh

7/26/2020 11:48 AM

Quit the downzoning that allows McMansion-hell to crop up. Would prefer duplexes to more McMansions.

Yanospalding

7/26/2020 03:18 PM

Make restrictions plain and simple. Do not create exceptions or loopholes.

judy

7/26/2020 11:02 PM

Too complex to answer without more time to study.

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

the.dragons.be.here

7/27/2020 07:40 AM

Clarify and insure conforming codes actually encourage walkable neighborhoods

Affordability with logic

7/27/2020 01:39 PM

Figure out a way to stop more office space development. We have way too much already. It created 60,000 daily in-commuters, and robbed the community of much-needed retail space. It also exacerbates demand and high prices for housing. Control developers!

1973CUGrad

7/27/2020 06:41 PM

What you might describe as a good neighbor: quiet, unobtrusive, non-disruptive.

GenXers

7/28/2020 07:27 AM

would like to revisit this topic later

scottholton

7/28/2020 09:57 AM

BRC had a de facto bias against smaller residential units (see Use Review required for "40% ELU's on site). This goes against a trend towards "natural affordability" and has a disparate impact against low income resident. Please delete this from the code

sue

7/29/2020 12:24 PM

make it easier for businesses to locate in Boulder or make improvements to their buildings, including adding additions and reducing parking

janburton

7/31/2020 07:03 AM

Please streamline everything!!

EmilyReynolds

8/06/2020 04:16 PM

Don't make it favor corporations and developers.

elemdoubleu

8/09/2020 07:52 PM

Reduce number of residential areas (and allow more diversity of housing in them). Be able to list allowed uses for each zone type without scanning tables vertically. Export to excel.

cg

8/10/2020 04:58 PM

none

Optional question (37 response(s), 35 skipped)

Question type: Single Line Question

Q19 Do you have any other ideas that haven't been discussed in the questionnaire related to the Use Table and Standards?

JGBoulder

7/20/2020 03:30 PM

Noise reduction, quiet neighborhood zones — our streets are becoming very loud with aggressive drivers and noisy, over-muffled vehicles. So, some quality-of-life, respect for others updates might be helpful. Civic pride stuff.

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

SADDAS 7/20/2020 07:12 PM	Not much is walkable where I live. Would worry that the shopping/retail in small areas would be premium priced. Keep all frontage scaled to people size!
dwensign 7/22/2020 10:42 AM	There are a lot of ideas here that could impact intensity/density, and those should be examined in: Community Benefits, Infill Pilot Project, Large Homes/Large Lots (if resurrected).
stonesthrow 7/22/2020 03:35 PM	This is a good start, but we also need to loosen the restrictions on types of housing allowed (which I realize touches both on Use and Intensity).
Crystal Gray 7/22/2020 04:42 PM	Allow a variety of uses in existing strip mall and reduce parking if that sq footage can be used to green up the area. Be careful that new development does not impinge on existing residential with large bulk and shadows
LetsFicks 7/22/2020 05:38 PM	basically everything should be R2 or M4 (not-counting heavy industry). we can keep RR for within the green belt. no more R1 or RE! it's just ridiculous and the code has just a million different ways to forbid building anything that isn't single family (which is almost 85% of the city). we also need to drastically reduce minimum lot sizes.
JoeUser 7/22/2020 11:34 PM	Large businesses must pay for their impact upon Boulder's infrastructure, and their tax rate must be adjusted every 5 years to reflect the actual and projected impact their operation has upon infrastructure demands plus 25%
Paul Saporito 7/22/2020 11:34 PM	Go for it!
james martin 7/23/2020 08:49 AM	Pretty confusing survey generally. We have 15 minute neighborhoods in S Boulder with vacant commercial space. And a proposed hotel and office space at Baseline/Moorhead that ought to be used for neighborhood services, not a hotel. So this survey seems tone deaf. But thanks for your efforts.
maurak19 7/23/2020 08:56 AM	More explanation and examples in this survey would have been helpful, if you really want resident input. But maybe you don't.
Tarim 7/23/2020 09:03 AM	I support simplifying and streamlining the use table and standards, and finding a way to incorporate what we learn from experience with implementing the changes.
Jorge 7/23/2020 09:25 AM	We need developers to pay their way. That means proper impact fees on office to account for the true impact of the jobs / housing imbalance more class A office creates
thmscwlls 7/23/2020 12:33 PM	I support anything that simplifies process so as to reduce the cost of housing. Both new construction and renovation of or conversion of existing.
Matt Frommer 7/23/2020 01:47 PM	Yes, a few other ideas: - Eliminate Single Family Zoning. Increasing the supply of multi-unit housing (even 3-4 bedroom buildings) will allow a greater

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

	diversity of residents in Boulder and provide the necessary density to support transit and local businesses. (At least pilot this concept in areas within 1/2-mile of neighborhood centers and transit.) - Eliminate parking minimums: Excessive parking requirements are driving up the cost of housing and eating up valuable land that should be used for other purposes rather than car storage. - Raise parking prices and/or vehicle fees and invest the revenue in transit service and bike infrastructure to reduce car dependency. - Provide incentives for mixed-use development with ground-floor retail (coffee, convenience stores, restaurants, bars). - Loosen restrictions on ADUs.
islandlark 7/23/2020 08:01 PM	We have too much office space and not nearly enough housing. We should be planting trees and establishing community gardens everywhere. Please allow ADUs everywhere without limits on the # allowed per neighborhood.
Mack 7/23/2020 08:11 PM	More bike path adjacent buildings (similar to Rayback and some residential along bear creek path), especially restaurants and retail would be nice
Colt 7/24/2020 12:36 PM	Maybe we need another Danish Plan? Too many students and too many people have made Boulder a worse place to live. Building a huge development on the SW entry is terrible - so is the new huge development on the North end. Every person I have spoken with hates it.
Bryan 7/24/2020 01:47 PM	The Use Tables have literally been a tool for segregating uses and housing types, and we need to apply a social justice lens to how they are revised/updated. They need to stop being a tool for enforcing white supremacy.
Marge 7/24/2020 02:18 PM	Permanently affordable housing will never be permanent as long as developers offer that initially with the intent to sell or change contracts later, so that affordable units become market rate. This is the reality in Boulder today. This problem needs to be fixed.
Colorado Hiker 7/25/2020 01:06 PM	no
sepideh 7/26/2020 11:48 AM	Re-evaluate zoning to reflect current usage. The rural zoning of Upland Ave does not make sense now that it is full of McMansions.
Yanospalding 7/26/2020 03:18 PM	Do not implement all at once. Try the changes out in some places as pilot projects.
judy 7/26/2020 11:02 PM	Again, too complex to answer without more time to study.
the.dragons.be.here 7/27/2020 07:40 AM	Yes, the Use Table and Standards contain the intersectionality of People, Planet, and Profit that the BVCP spells out as supporting a sustainable region. I would like to add that we need to be incentivizing a human scale, livable environment that encourages a diverse population with resilience to the disruptions that are happening with greater intensity and frequency.

Use Table & Standards Questionnaire : Survey Report for 13 July 2020 to 11 August 2020

Jesus Ned 7/27/2020 11:14 AM	Streamline review and approvals process by making some uses currently allowed by review only to uses allowed by right.
Small Business Owner 7/27/2020 01:55 PM	no
BikeBoulderBike 7/27/2020 01:56 PM	Remove parking minimums. Tax parking.
sue 7/29/2020 12:24 PM	Get rid of parking min requirements
janburton 7/31/2020 07:03 AM	Artist live/ work (studio with living attached, similar to RINO district)
CBrock 8/03/2020 09:35 AM	Too much focus on use, not enough on form. Use form-based code and vastly reduce the role of the UTS.
EmilyReynolds 8/06/2020 04:16 PM	Very tired of Boulder being the #1 real estate investment target in the country for the sixth year now. The Use Table & Standards should ensure that the character of neighborhoods is maintained rather than destroyed (Comp Plan). Development should pay more than its own way. More and more and more housing shouldn't be added to central areas of Boulder. No height or other exceptions for 'community benefit.' Build to the east where there's room. Thank you.
elemdoubleu 8/09/2020 07:52 PM	In addition to neighborhood centers, I would love to see more small scale retail and personal services mixed into neighborhoods. A 2 minute walk is very different from a 15 minute walk, and I think there could be a lot of benefit to residents to have things like coffee shops mixed into the neighborhood rather than just in a neighborhood center.

Optional question (32 response(s), 40 skipped)

Question type: Essay Question

Be Heard Boulder Questionnaire “Other” Responses Tabulation

Q2. Would you be open to use standard changes that encourage a greater mix of uses in the neighborhood centers as discussed in this questionnaire?

OTHER RESPONSES:

OK for OZ but not city wide

Not if it increases the ferocious high-density moves that the City keeps making. Ideal & Community Plazas do not need huge, dense additions.

Q3. What types of uses would you be open to encouraging more of in the neighborhood centers? (select all that apply)

OTHER RESPONSES:

they're mixed use neighborhoods. by their nature they should have a mix of uses. they have to have some residential (especially dense) to help support traffic, they should have some office space (think above the retail, like in downtown, not office parks which are ugly and everyone hates) so that people can work near where they live, and they should have a variety of stores so that people can do more of their shopping locally, ideally by walking or biking. every house should be within a 7 min bike ride of a small grocery store. these big box stores people drive to are a waste of space and encourage car dependency.

We don't have really shopping in Boulder for residents. We don't have real grocery stores. In our neighbors or real clothing stores. Too many coffee shops and high density offices.

The never get real residents involved in planning because we have an imperial council the hand picks activists to fill planning groups.

Anything that serves residents and/or office workers, primarily focused on the surrounding neighborhood needs, but also a drawing cross-town visitors.

Branch library, pubs, youth activities, child care and activities associated with other uses

Transit and transportation facilities

Community Gardens

grocery stores

Don't just take the top three things that people choose and run with it! It's Boulder - you know darn well that everyone's just gonna say art, restaurants, and retail because they have their own utopian vision. Channel your inner Jane Jacobs. Cultivate a vibrant, diverse, adaptable ecosystem of land uses, which allows for all uses as long as they don't harm people!

Just to add a caveat re I would like those in the form of small scale businesses, not the full range of sizes of each such business type.

Commons areas, community gardens, farmers' market, community performance areas (music, theater, performing arts, outdoor movie venue), public art, meeting area for community affinity groups.

But I would like to add that we need to be thinking about how to transform toward Missing Middle Housing in order to boost our neighborhoods to a 16 dwelling units per acre value that is the gateway for walkable neighborhoods.

local farmers markets and small pop up craft vendors, food trucks

Small businesses, locally owned would be approved - large chains unless they fit the aesthetic and scale of the neighborhood would be frowned upon. No shopping centers

**Q4. Which housing types would you be open to having in your neighborhood?
(select all that apply)**

OTHER RESPONSES:

Duplexes/ triplexes, Townhouses, Condos / apartments, My neighborhood already has a mix.

LR-1, potentially allow for some of the other options if there were saturation limits.

Garden apartments with small-scale, neighborhood serving retail on the first floor corner.

every neighborhood should have a mix of housing types. near (1 to 2 blocks off of) every neighborhood center should be a mix of apartments and townhomes. outside of that should be a mixture of single family, duplexes/triplexes, and townhomes. no where in the city should be zoned only single family (and this shouldn't be gotten around by using RE which is even worse). We should pull a portland and say any lot in the city can have up to 4 dwelling units at market rate, or up to 6 if 2 of them are affordable housing. if we absolutely have to have some single family only areas (for reasons of racism/classism and exclusion i presume) it should be in the very edge. Maybe in the areas zoned for semi-agricultural use.

Co-Ops . . . Basically, supportive of a wide mix of types (not just a single character of housing units in a neighborhood).

Co-ops, Co-housing, assisted living, ADUs, quad-plexes

ADUs

quad and sixplexes via zoning and condoization

co-housing communities

coops. cohousing, coliving, pocket neighborhoods

ADU's

Single-family homes, Condos / apartments, I am an advocate for Missing Middle Housing: diverse housing, diverse affordability, along transit corridors in order to begin rebuilding the sustainable and resilient community that the BVCP is seeking. I do not see this happening without code changes and policy to support it, and hidden transformation of the existing building stock since we are growth challenged.

affordable housing units

micro housing

More ADU density

Apartments with a mix of income renters

Fourplexes, Co-housing

Q7. Would you be open to have uses and establishments like the ones pictured above, within a 15-minute walking distance from your home or workplace if limited in scale and number?

OTHER RESPONSES:

Yes as long as buildings do not work strict views and stay in the range of 2-3 stories

The 15min standard is too far. Needs to be 10min max. Preferably 5-7. Also, you (the city) need to do a much better job of informing the public that these kind of "hood amenities" only come from a much higher population density than we currently have. Re: the tipton report, stop considering that the customer is always right, the vast majority of the loud voices in this community are idiots with zero understanding for land use, you're the experts, tell them their wrong, do it fast, and get back to building a better future. Right now you've got NIMBYs clamoring for this kind of retail and cafe landscape while also demanding that no new people be added to the community. Schoedingers NIMBY: wants all the amenities, doesn't want the population density to support it.

the 55th and Arapahoe area and eastward on Arapahoe to the South Boulder Creek is a high risk flood zone. It was under water in the 2013 Flood. Therefore this area should not be considered for the 15-minute neighborhoods

"If limited in scale and number?" Give me as many as you can!

I live within a 15 minute walk of a neighborhood center so don't need this.

My answer is maybe, depending on how close. 15 minutes is a mile for some. I would not want these changes closer than an half mile.

Boulder has way too much shee-shee, foo foo useless shops that cater to tourists, the wealthy and the ultra young. Regular people and working families need grocery stores, convenience grocery, convenience liquor, convenience hardware, office supplies, pet supply stores, bike repair shops, auto parts stores, hair salons, department stores, gift stores/bookstores, and affordable restaurants...yes, even fast food. The last thing we need is to lose those and have In their place: 10 fancy coffee shops per block, 10 yoga studios per block, co-office space, high density housing, and a community garden where there used to be much-needed, useful, affordable retail. If the shee-shee and "alternative" neighborhood center trend continues, working families will all be driving to Longmont for the things they need every day. Please don't do that.

I already do. Limited in scale and number is critically important. We don't have anything that looks like the pix except Pearl St, so it seems disingenuous to tempt survey takers with these attractive, human scale projects that look appealing.

Q8. Which of the following uses would you be open to having in your neighborhood? (select all that apply)

OTHER RESPONSES:

Other services like dental offices, insurance offices, etc.
Co-working sites or even small private offices (maybe less than 1000 sq ft or so)

please please please we need this so badly in table mesa. it's a never ending maze of single family homes and curvilinear roads. it definitely needs more commercial/office space and some higher density housing.

Really full service grocery stores and clothing stores not muni markets.

Small offices

Brewery

Branch libraries, child and youth activities, performance and spaces

transportation facilities. Less individual car parking. Less on street parking.

Community gardens, ADUs

inclusive housing types, affordable housing

None - I live in a high risk flood area

I would be open to a balance of all these uses in my neighborhood center.

My neighborhood is semi rural far east Boulder and I do not want any of these within or close than a half mile. They bring issues that my neighborhood does not want, and certainly none of us want any of these next door or nearby.

Community areas that use place-making principles to enliven neighborhoods

No more yoga studios, galleries, and fancy expensive restaurants, please. Boulder has plenty already. No more ultra fancy restaurants and coffee shops. Do your survey of the top 10 highest priority everyday retail needs and services that most working families and middle class workers jump in their cars to get everyday. You will have your hands full, just ensuring that those top 10 needs exist in each neighborhood center. But those are what should be there, if we're serious about getting people out of their cars. If you prioritize actual, most critical human needs, you won't have room for the shee-shee stuff. And that will be okay.

Want to preserve our larger grocers

We already have housing, and the City plans an ENORMOUS development at Alpine/Balsam. How about more development to the east where there is space to do it instead of annoying people in established neighborhoods with yet another huge, ugly project?

Q11. What types of zoning restrictions should be considered? (select all that apply)

OTHER RESPONSES:

Attractive and convenient pedestrian access / allow for plenty of on-street activity, like seating

limit the restrictions, the land use code is already problematic, make it simpler to allow for this desired reality to actually come into being. when you make a venn diagram of properties that fit all the restrictions you end up with zero chance anything gets built. Just how jane and the nimbys like it.

Give the people in the neighborhood control over the zoning and let them decide.

please stop taking the car out of planing it does freeze and snow here and citizens are not all 25 yr old in Boulder as mater of fact fewer young bike riders can afford to live here! get real Boulder

Human scale ground floor - require a friendly pedestrian experience

I think we should be thinking about incentives rather than limits...

Not limit to conversion of existing buildings but maybe require when possible? I feel that way about corner lots too, those should be first choice but not required

Require additional vehicle parking to reduce on-street parking impacts, No more Class A office space, or any office space for that matter. Boulder has way too much already. And post-coved, you'll have even more of an excess of office space. Prioritize the everyday needs people actually have.

Limit single family housing and other low density housing that decreases permeability and limits the density needed to foster small stores in a small neighborhood environment.

Distance between residential homes and creation of these establishments.

Ban truck traffic. Limit truck size.

Q16. Are you open to simplifying the Use Standards to streamline the number of similar uses (ex. restaurant use categories) in the Use Table?

OTHER RESPONSES:

I don't know. I don't use the Use Table and there aren't examples here of when someone might want it simplified or when someone might be against that.

Perhaps - it depends on if simplification does not further incentivize development or create loopholes for developers

Important distinctions (alcohol service, size, outdoor service, live music, closing hours) must be preserved as separate types.

Q17. Are you open to consolidating the number of office uses from six down to a smaller number of office use categories?

OTHER RESPONSES:

as long as this is done to allow more office types to intermix with other building types in the city, and not to broaden the category for exclusionary purposes. office, professional should be allowed anywhere in the city. no parking minimums!

I don't know. I don't work in Boulder so I have no interaction with this land use code.

Yes, but the complexity is there for a reason so lets understand why it is so complex?

Collins, Andrew

From: Kurt Nordback <knordback@yahoo.com>
Sent: Tuesday, June 30, 2020 1:31 PM
To: David Ensign; Sarah Silver; Collins, Andrew; Guiler, Karl
Subject: Use Standards comments

External Sender

Dear Use Standards subcommittee,

Thanks for another good discussion yesterday. I wanted to give some comments on a few topics that came up.

1. 15-minute neighborhoods

In my view, 15-minute neighborhoods -- defined as the ability to take care of most of your daily trips within a 15-minute walk of home -- are the objective we're trying to achieve, in service of higher BVCP goals like reducing motor vehicle usage, improving resilience, and bolstering local business. There are various ways to achieve 15-minute neighborhoods. We can put non-residential uses (including neighborhood centers, the more linear "string of pearls" forms, or isolated non-residential uses like Alpine Modern) close to residential neighborhoods. Or we can allow more residential in service-rich areas like Diagonal Plaza or, perhaps, some industrial zones. In any case, 15-minute neighborhoods are the goal, and neighborhood centers or "strings of pearls" are ways to achieve the goal.

In terms of the "Venn diagram" (which, as Lupita points out, doesn't really work as a Venn diagram as drawn), the purple "neighborhood centers/string of pearls" circle perhaps should be a subset of the green "15-minute neighborhood" circle. The purple helps to achieve the green.

2. Be Heard Boulder questionnaire

Sarah expressed concern about technocratic questions like "Would you be open to use standard changes that may permit limited size commercial uses near your home or workplace, if it made for greater walkable access to daily needs?" I think this is a very valid concern. Using more visuals, where possible, again seems better. For instance, perhaps the question above could be phrased as "Would you be open to having establishments like these in walking distance from your home or workplace?", with representative photos. Question 4 could also perhaps better be asked visually, as "Which of the following would you be open to having in your neighborhood?", with photos of a restaurant in a 1000 square foot house, a restaurant in a 3000 square foot house, a restaurant in a Victorian building, a restaurant in a very modern building, and so on. I'm aware that assembling photos is time-consuming for Staff, but I'm hopeful that asking questions this way could yield more useful information that would save time in the long run.

3. Parking

Any significant amount of off-street parking would destroy the benefits of these changes, in my view. These are supposed to be walkable places attracting people from the neighborhood. Parking other than street parking should be unnecessary, and would severely diminish the pedestrian experience. So I'd like to see minimal parking be part of the assumptions communicated to the public.

4. Missing-middle residential

I strongly support asking for input on the possibility of limited changes to the low-density residential zones allowing for modest numbers of missing-middle forms like duplexes, triplexes, or row houses, even if such changes aren't part of the project scope. Since we'll be doing the outreach, it would be natural to ask about these possibilities, and even if not asked I would expect many Boulderites would like to give input on them in this context.

5. RMX changes

I understand that extending the RMX-2 density bonuses for affordable housing to RMX-1 has been removed from the scope, in part because it spills over into the intensity standards. However, I would very much like to see us revisit this in the future. I'm particularly concerned about Goss-Grove, which has seen the demolition of small, historic dwellings (mostly rentals) and replacement with much larger single-family houses. This gentrification will continue as long as single-family conversion is more profitable than small multi-family housing. Allowing density bonuses would help rebalance this, and ideally would be combined with making detached single-family a conditional use (at most) in RMX-1.

Thanks for reading, and I apologize for the long email.

Kurt Nordback

Collins, Andrew

From: lets ficks <letitia.fickling@gmail.com>
Sent: Thursday, July 30, 2020 9:22 PM
To: Guiler, Karl; Collins, Andrew
Subject: 'String of Pearls' and other land use comments.

Follow Up Flag: Follow up
Flag Status: Flagged

External Sender

Mr. Guiler, Mr. Collins,

I really like the 'string of pearls' idea, (although i think allowing non-industrial mixed uses throughout the city is preferable) however I worry that these 'community centers' will end up being more like the table mesa strip mall area that like actual walkable local high streets like s. Pearl or s. Gaylord in denver. We should be encouraging lots of smaller shops, especially lots of smaller grocery stores, so people can do their grocery shopping quickly and easily by foot or bike.

The whole table mesa neighborhood is really a hot mess in a beautiful location. all those curvilinear roads that are impossible for peds to navigate with no ped/bike cut-throughs, only single family homes as far as the eye can see, with the only slightly more dense housing on the very edge furthest from anything, the only local shops are a massive strip mall surrounded by large open parking lots, and there are barely any jobs in the region so almost everyone has to commute across town. It's just horribly designed, way way too car dependent., and frankly quite ugly with all the 50's homes.

We should be simplifying our use code into just 4 categories:

- **Heavy to light industrial** - we can all agree heavy industry should be kept out of human areas.
- **High streets** - areas designated for dense housing, dense commercial and dense office space. no office parks!!
- **rural** - rural greenbelt, occupants must be engaged in agricultural activities for income. The London greenbelt has similar laws to this. it shouldn't just be giant homes for rich people.
- **general** - everything else. any type of housing (you can do things like apartment/ condo building must be less than 20 units if you must) single family, duplex, triplex, row houses, etc. etc. commercial and office is allowed if it's under a certain size. you can limit the types of businesses in 'general' by setting mandatory closed hours like 9:30 pm - 6 am it has to be closed. that way you prevent any night clubs etc. without explicitly banning businesses. offices have to be under a certain square footage. 'general' areas should be designed to minimize car use but encourage walking and biking.

A big part of this is eliminating parking minimums, or reducing them so that the only parking required is handicapped parking if it is over a certain size. we should also ban open flat parking lots outside of 'heavy industrial'. we need to enable people to densify by getting rid of (or severely reducing) set backs, setting a citywide minimum lot size that is a lot smaller than any we currently have (less than 3500), provide a way for people to split lots if they have an oversized on, allow people to build ADUs and rent them out by right, and identify specific corridors in the city as the only places where people are allowed to demand parking/traffic studies at the developers expense (and even then it should only be for projects over a certain square footage.) See this CityLab article for more: <https://www.bloomberg.com/news/articles/2020-07-29/to-add-housing-zoning-code-reform-is-just-a-start>

We also need to be encouraging people to densify. This can mean city programs that encourage development (<https://inclusionaryhousing.org/designing-a-policy/land-dedication-incentives/>). It can also mean requirements like

Crested Butte's where if you remodel a certain amount of your single family home near the center of town you are required to build an ADU and rent it out at market rate as a long term rental. It is not enough to just end single family zoning (though we desperately need to eliminate R1 and RE, they are embarrassing unwalkable blights on our city).

Our city use rules are relics of 1950s-70s proto segregationist, car worshiping nonsense and desperately need to change. Everyone wants to live in the mixed use neighborhoods anyway, but we've stopped building them for some reason. Even when we do start building them again (North Boulder is nice) we only build them on the edge of town rather than near the city center where the jobs are. it's less than effective. for things to be equitable they need to be city wide.

This video about dutch zoning sums up well what i think we should be doing: <https://www.youtube.com/watch?v=bnKIVX968PQ>
and then once we have the density and the mixed uses we can move on to: <https://www.youtube.com/watch?v=GlXNVnftaNs>

This is all much more environment and human friendly than our current hypocrisy and car riddled city. If we live denser, we can fit more people into the city, reducing the amount of people who have to commute in, making our city safer and our air cleaner. It will also reduce traffic. Boulder should aim to be a leader in this regard.

Those are my thoughts,
Thank you

Lettie Fickling

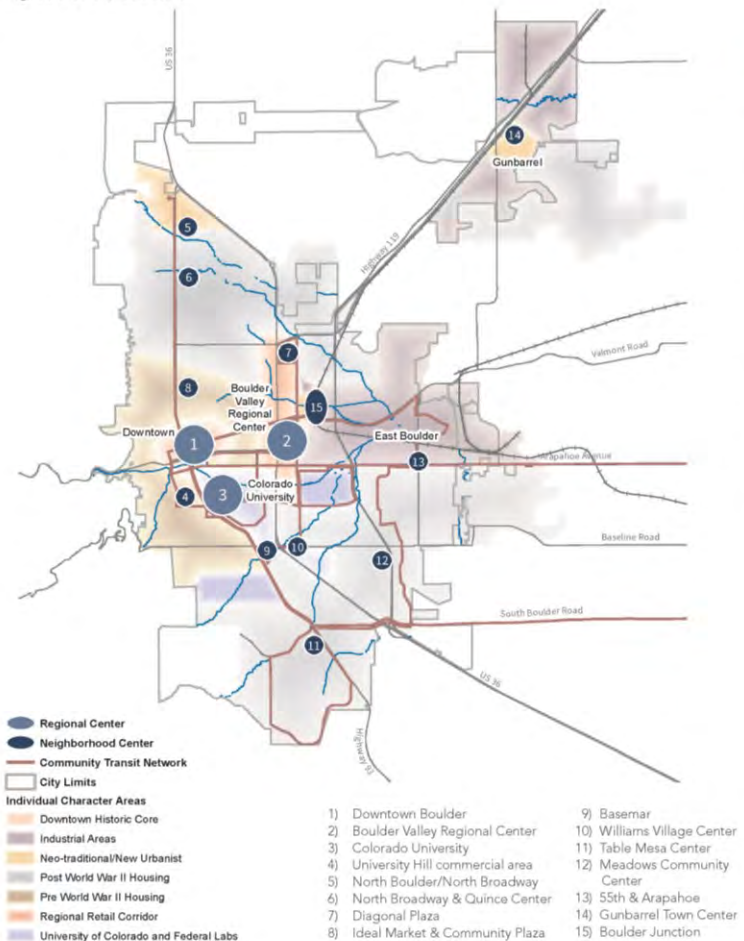
Key Concepts & Definitions:

15-Minute Neighborhoods - Concept of providing limited commercial or mixed-uses in predominantly residential or industrial neighborhoods, to foster accessibility to daily goods and services within a 15-minute walk from where people live or work.

Neighborhood Centers - Specific areas identified in the [Boulder Valley Comprehensive Plan \(BVCP\)](#) at existing commercial nodes that *provide goods and services for the day-to-day needs of nearby residents, workers and students and are easily accessible from surrounding areas by foot, bike and transit. Neighborhood centers contribute to a sense of place and the achievement of walkable (15-minute) places with a mix of uses and range of services.*

- Neighborhood Centers typically include areas zoned Business Commercial (BC), Business Main Street (BMS), and/or for mixed-uses (examples include Table Mesa, Basemar, or the Meadows shopping centers). Please see Figure 3-3, *City Structure* map from the BVCP, for Neighborhood Center locations.

Figure 3-3: City Structure



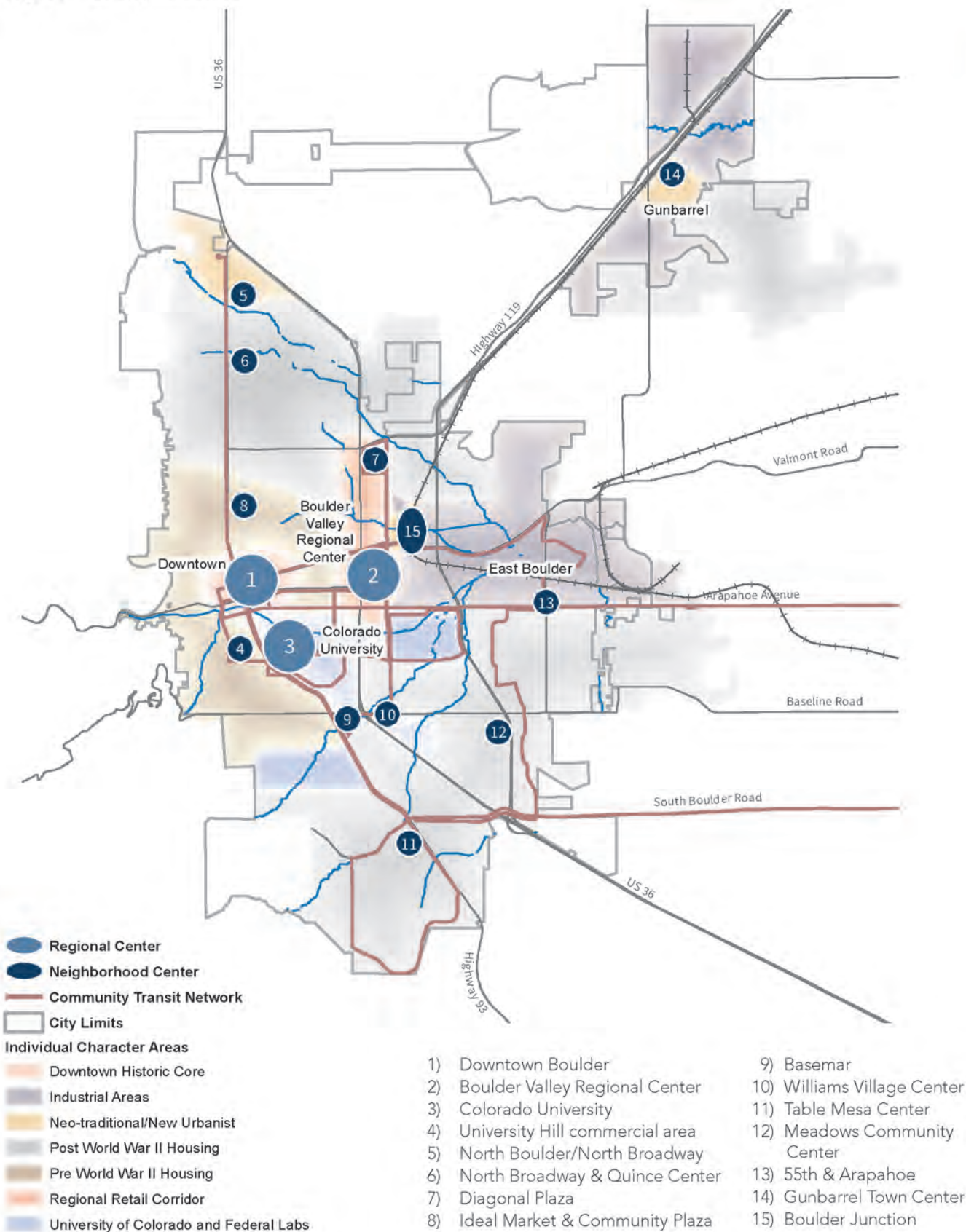
CHAPTER III POLICIES SECTION 2 BUILT ENVIRONMENT | 36

Live / Work uses - A structure that is both a business and the residence of a person working on premises. Typically combines business/commercial and residential uses. Example, salon studio with living quarters above.

[The Land Use Code](#) defines Live-work unit as, *a structure with a combination of uses where work activities occur as allowed in the industrial zoning districts and includes a dwelling unit for the business occupant, but not including a caretaker dwelling unit. Such unit shall have only one kitchen and shall be occupied by either the owner, the tenant, or the owner's or tenant's employee plus any other persons that may be allowed to occupy a dwelling unit pursuant to Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981. The live-work unit must be the residence of a person responsible for the work performed on the premises.*

“String of Pearls” - A series of mixed-use centers of varying scales linked together by transit corridors, and providing a variety of uses for resident's needs. The “String of Pearl's” was originally conceptualized as a series of neighborhood centers along Broadway in the 1990's. This project is broadening the concept to include neighborhood centers throughout the city.

Figure 3-3: City Structure





15-Minute Neighborhood Assessment

The low-stress pedestrian methodology was incorporated into an update of the 15-minute neighborhood tool, a tool designed to identify walking access throughout Boulder. Specifically, the 15-minute neighborhood tool calculates how many destinations, such as schools, parks, or grocery stores, can be reached in less than a 15-minute walk in order to better understand how well the low-stress pedestrian network connects people with the places they want to go. This 15-minute neighborhood analysis tool only considers a destination as accessible if it can be reached exclusively on high comfort facilities. This means that there is a continuous low-stress route from place to place without any high-stress crossings or segments. For the purposes of the 15-minute neighborhood tool, the scoring simplifies and consolidates the typical LTS 1 to 4 scoring to classify each segment and crossing as either high comfort (LTS 1 or LTS 2) or low comfort (LTS 3 or LTS 4). Using the segments and crossing methodologies described next, the complete pedestrian network including segments and crossings was designated as either high-stress or low-stress, as shown in

Figure 11.

Figure 12 and Figure 13 show the outcomes of the 15-minute neighborhood assessment by presenting the walk access scores throughout the city. Higher scores represent better access. Figure 12 shows the scores when considering a network of all facilities. Figure 13 shows the scores when considering a network of just low-stress facilities.

Figure 11. Existing Low-Stress Walk Network

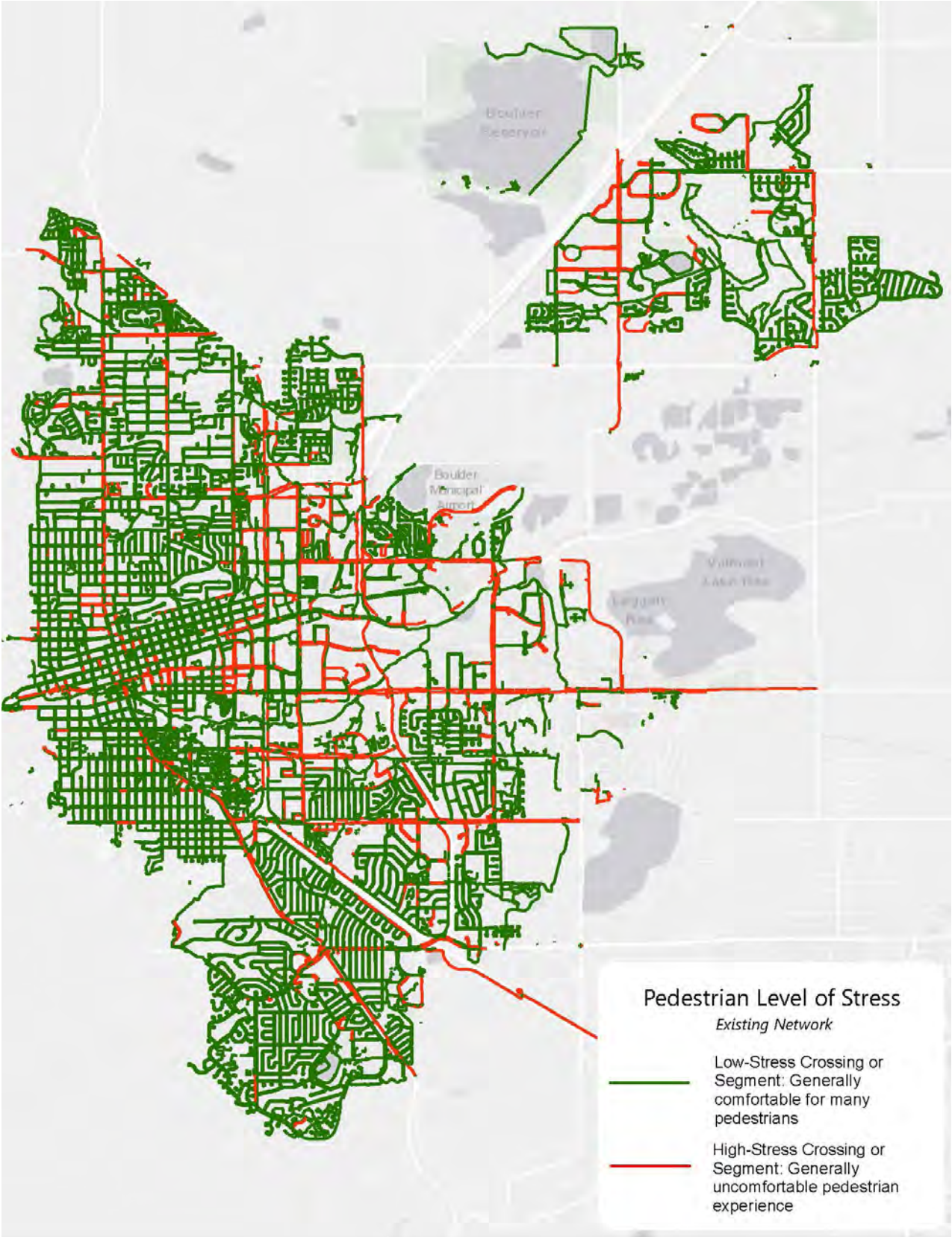


Figure 12. 15-Minute Neighborhood Assessment, All Facilities

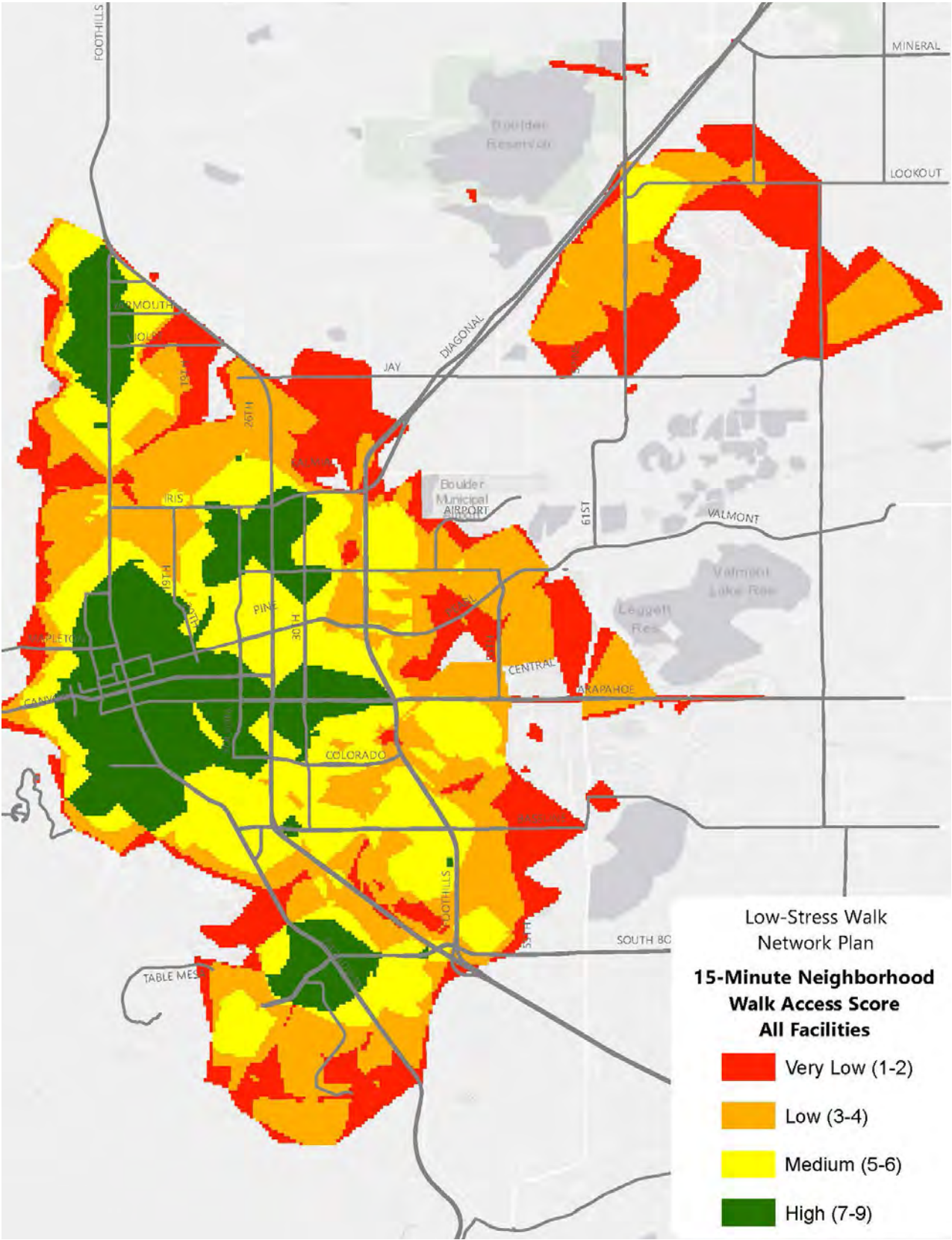
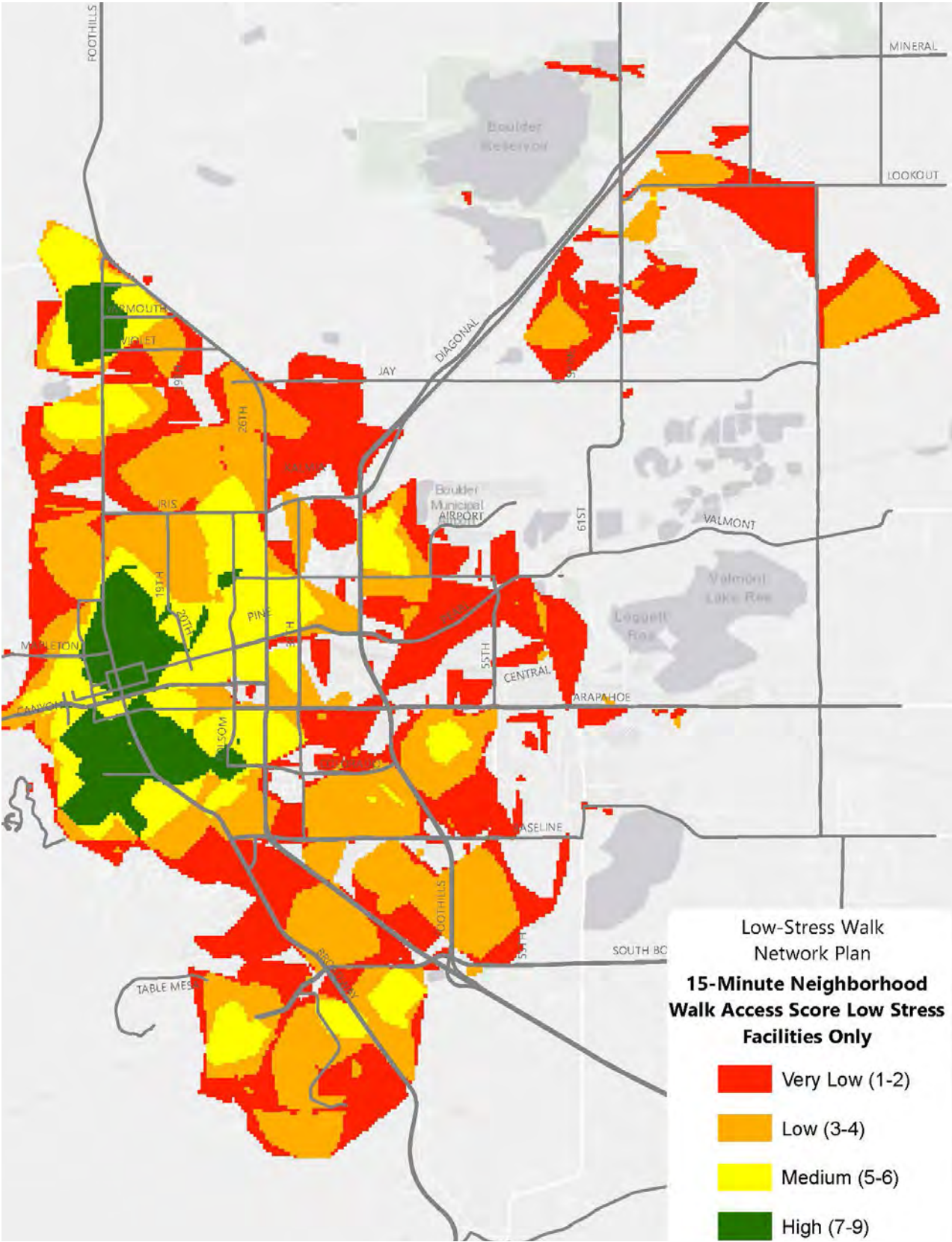


Figure 13. 15-Minute Neighborhood Assessment, Low-Stress Facilities Only



Character Imagery: 15-Minute Neighborhoods

Local Examples: coffee shops, restaurants, and commercial uses in contextually appropriate buildings



Character Imagery

Small-scale grocers, hardware store, personal services, offices



Character Imagery: Neighborhood Centers

Human scaled, walkable development with a mix of uses, and gathering spaces.



Character Imagery

Community gardens and Community Supported Agriculture (CSA's) stands



Live / Work spaces



Limited commercial, creative, and maker-spaces in Industrial zones



Character Imagery

Residential Uses



single-family homes and cottages



duplexes/triplexes and townhomes



apartments / condos



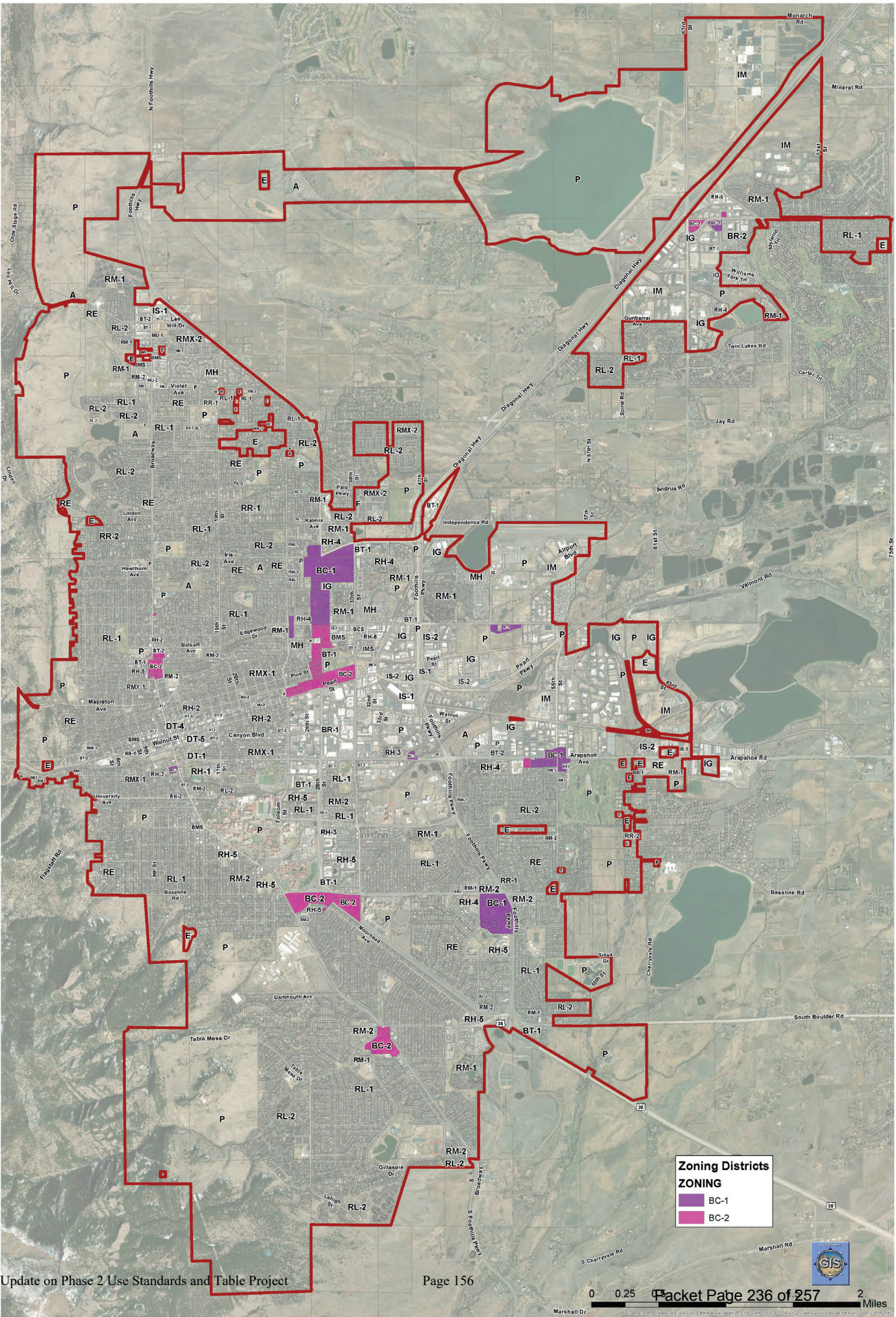
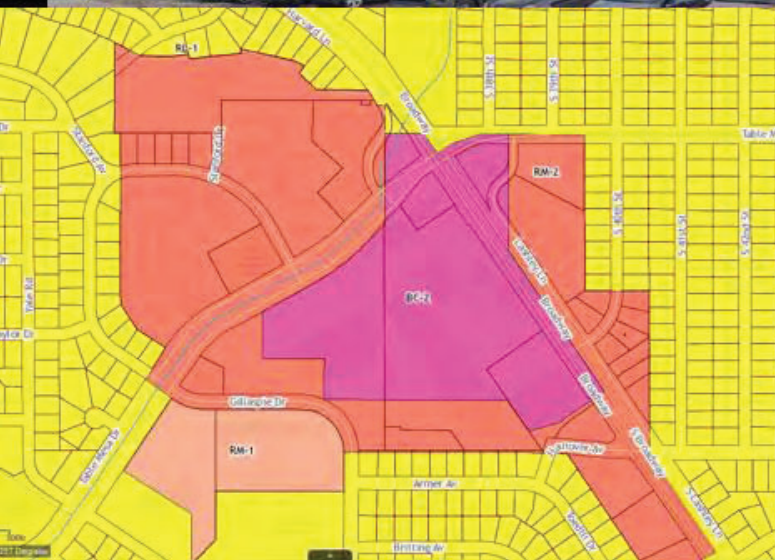
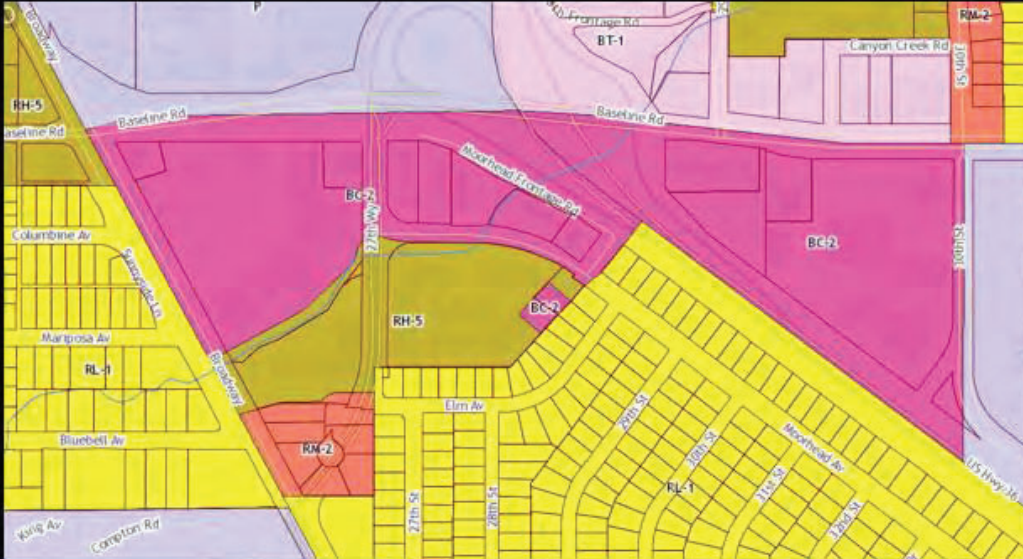


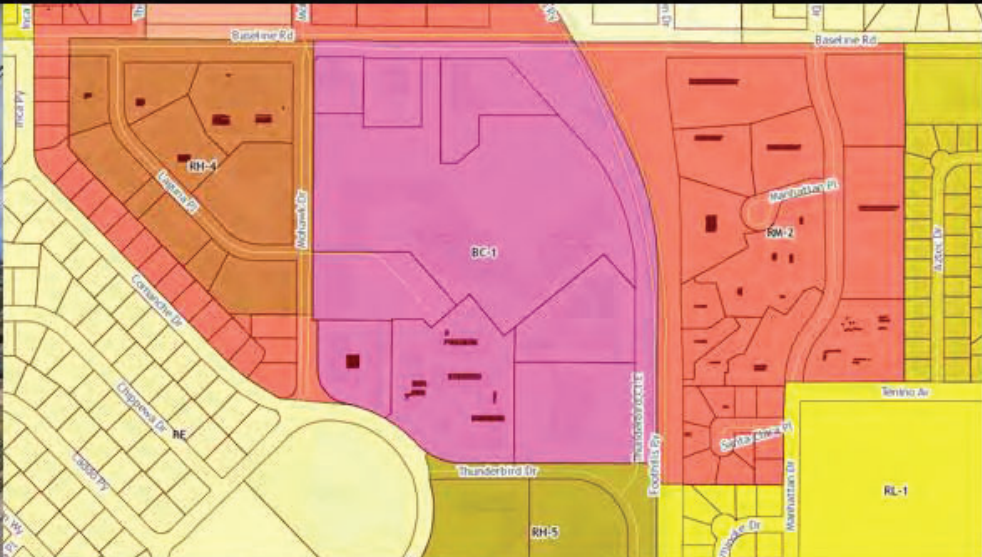
Table Mesa Shopping Center



Basemar Shopping Center & Vicinity



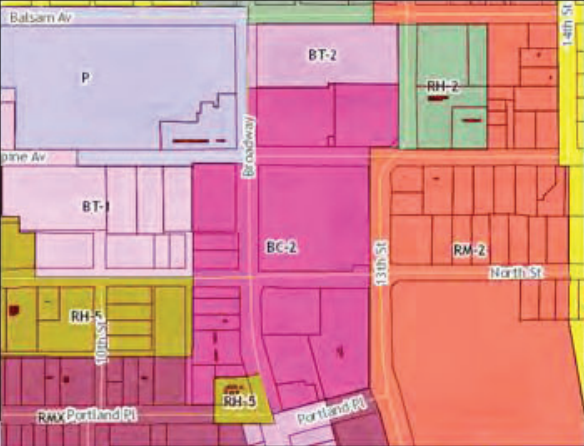
Meadows Shopping Center



Gunbarrel (Spine and Lookout)



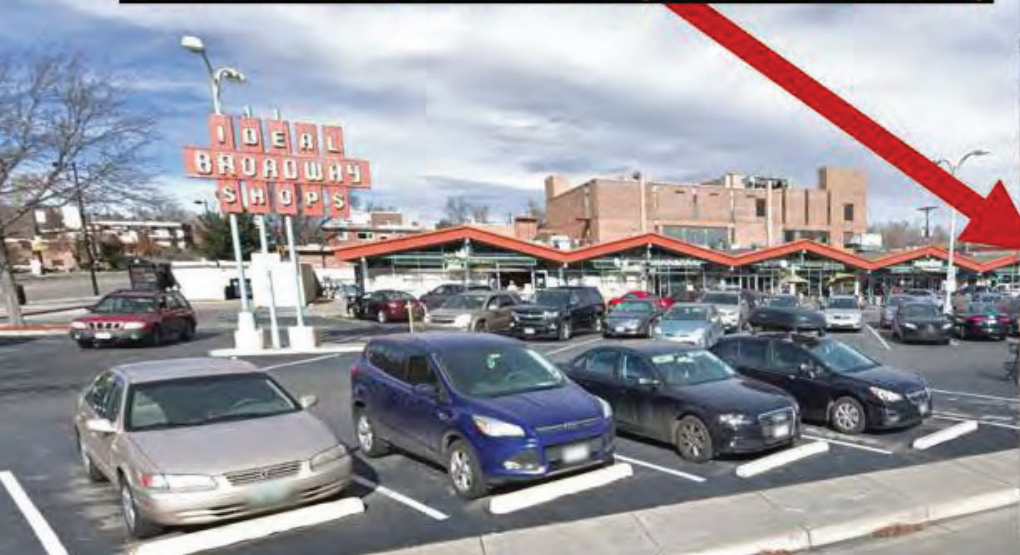
Existing Neighborhood Centers



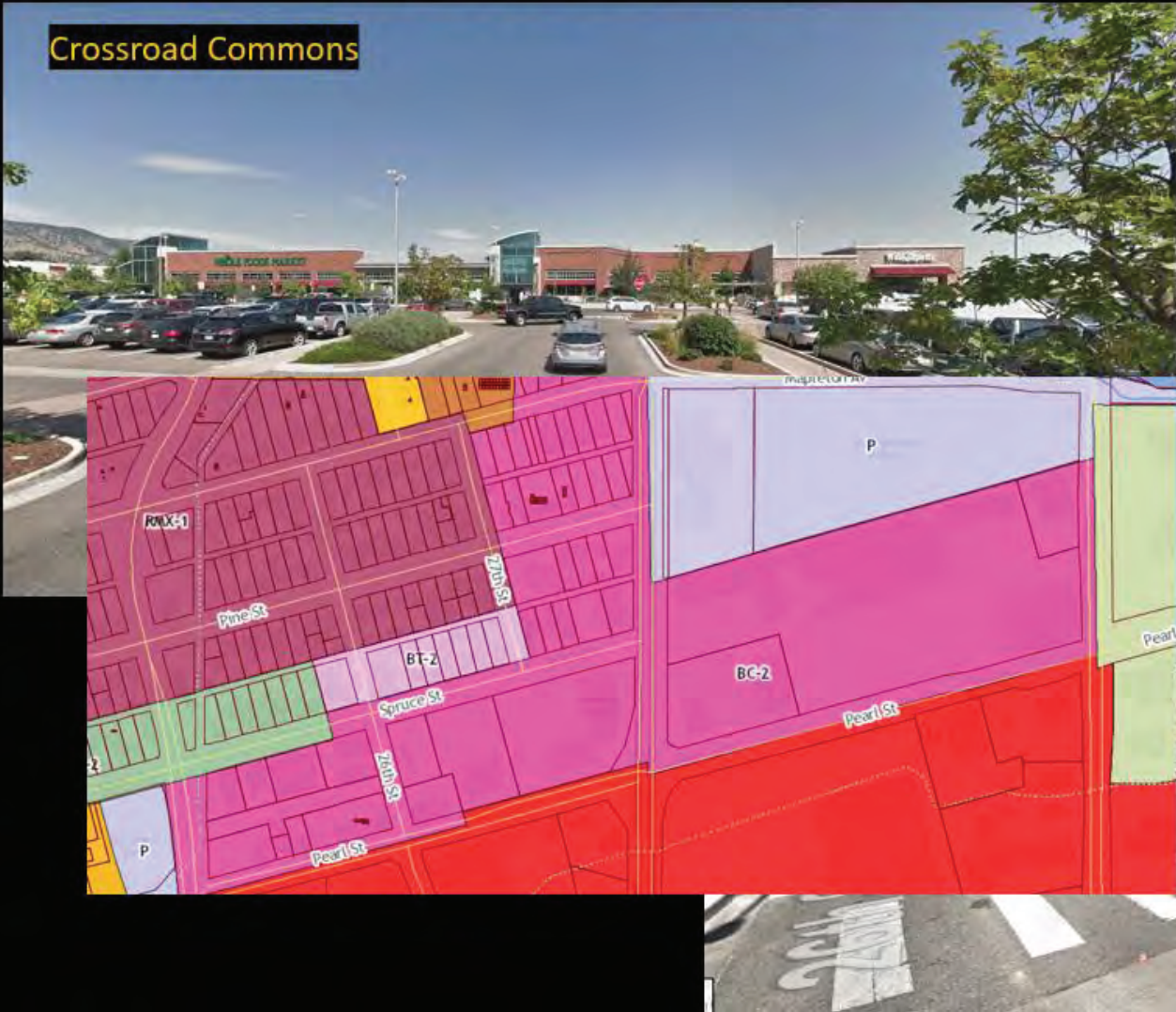
55th & Arapahoe

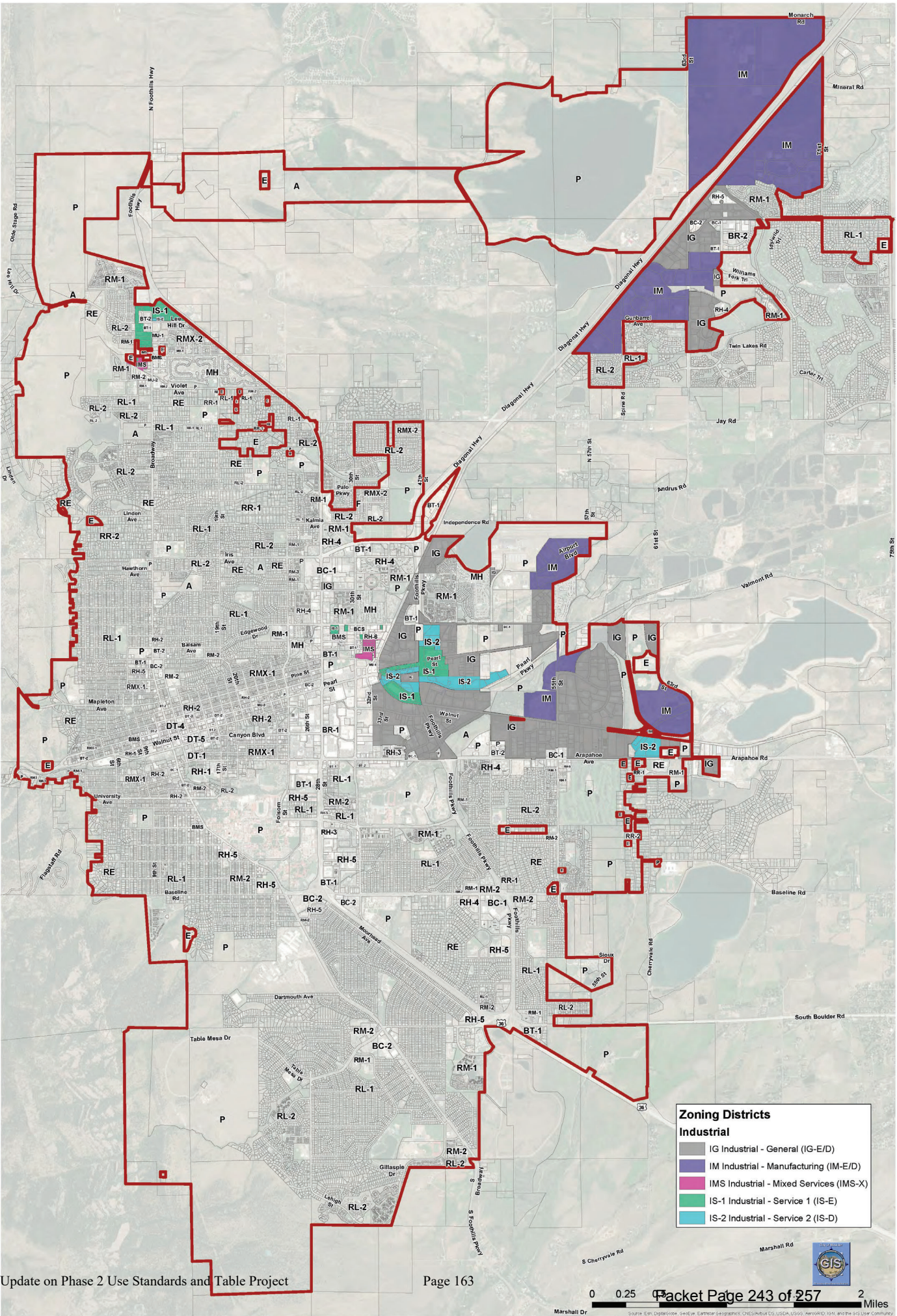


Ideal Market/Community Plaza & vicinity



Existing Neighborhood Centers







COVER SHEET

MEETING DATE
August 25, 2020

STUDY SESSION ITEM

Matters Regarding Policing: Update regarding Police Department Strategic Action Progress, and Discussion of Police Master Plan Process and Subcommittee Appointments

PRIMARY STAFF CONTACT

Wendy Schwartz

ATTACHMENTS:

Description

- ▣ **Matters Related to Policing**



STUDY SESSION MEMORANDUM

TO: Mayor and Members of City Council

FROM: Jane S. Brautigam, City Manager
Maris Herold, Police Chief
Curtis Johnson, Deputy Police Chief
Pam Davis, Assistant City Manager
Wendy Schwartz, Human Services Policy Manager

DATE: Aug. 25, 2020

SUBJECT: Matters Related to Policing

EXECUTIVE SUMMARY

This memorandum provides a summary of matters related to the City of Boulder Police Department, including an update on the Police Department Strategic Action Plan progress and an introduction to the upcoming Police Department Master Plan process.

An update on the Police Department Strategic Action Plan is included in the body of this memo. This action plan work is driven by the Boulder Police Department (BPD) and includes several efforts presented to council by Chief Maris Herold on June 9, 2020.

The Boulder Police Department Master Plan was last updated in 2013. Since then, the department has made significant progress on several goals including: community policing, responding to calls for service, upgrading department technology, and public outreach and education. As examples, the Boulder Police Department was one of the first adopters of body cameras and stop-data collection.

Since 2013, several social and technological changes have occurred that have impacted the police department and the need to update its master plan. Primarily, increasing local and national concern about police reform indicates a need for in-depth examination of community needs and utilization of police department resources.

The Police Department Master Plan process will include robust community engagement, as well as integration of the city's racial equity planning leadership. As described on page

six of this memo, staff recommends creation of a Police Master Plan Process Subcommittee comprised of two council members who can work with staff to help guide and “champion” the plan process. Staff and the process subcommittee plan to return to council in early 2021 to present the results of work to define the scope, schedule and public process.

Council also requested that the timeline for police oversight implementation be included with this memo. This information is included in Attachment A.

Questions for Council

1. Does council agree with the staff recommendation to appoint a Police Master Plan Process Subcommittee, composed of two council members, to work with staff to develop the Police Master Plan process?

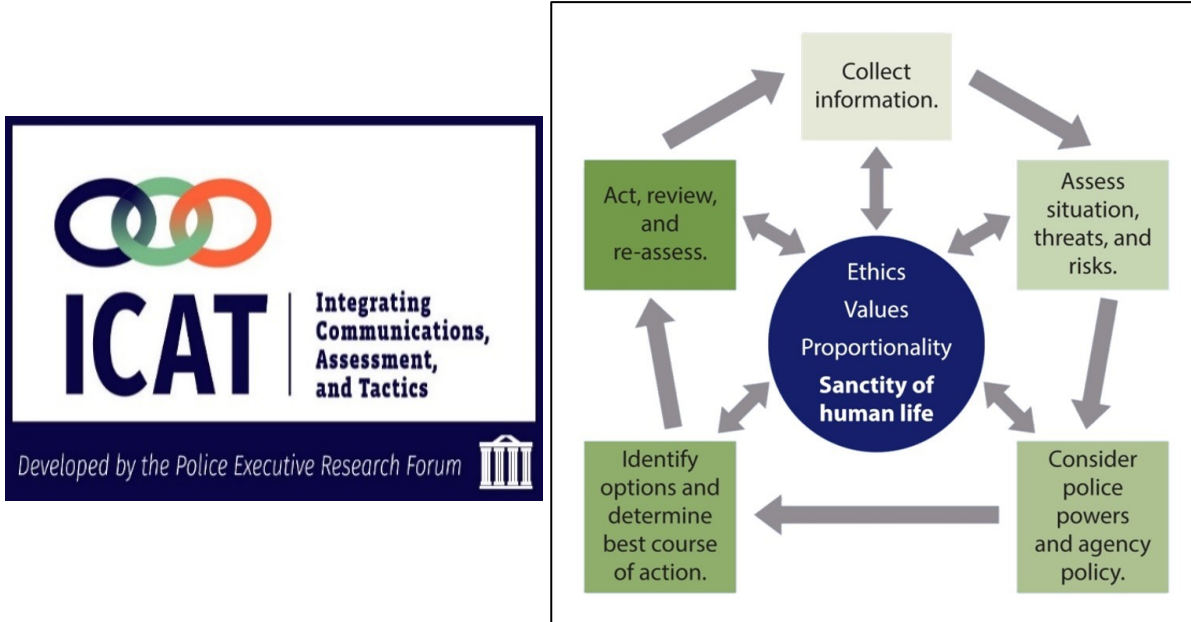
POLICE DEPARTMENT STRATEGIC ACTION PLAN PROGRESS UPDATE

Chief Herold joined the city in April 2020, bringing significant expertise in policing reform and a history of cultivating meaningful, solution-oriented community partnerships. Shortly after she arrived, she outlined the categories she considers essential to policing reform. These have become encompassed in a strategic action plan, which the department is in the process of implementing. The following items summarize some of the work to date.

New Use of Force Policy and Training

In July 2020, the Police Department adopted a new Use of Force Policy, outlined below. The Police Executive Research Center (PERF) traveled to Boulder and trained more than 30 Boulder Police Department (BPD) officers/sergeants on the Integrating Communications, Assessment, and Tactics (ICAT) use of force model. All sworn officers will be trained in the next quarter. ICAT is designed for situations involving persons who are unarmed or are armed with weapons other than firearms, and who may be experiencing a mental health or other crisis. The training program is anchored by the Critical Decision-Making Model, which helps officers assess situations, make safe and effective decisions, and document and learn from their actions. ICAT incorporates different skill sets into a unified training approach that emphasizes scenario-based exercises, as well as lecture and case study opportunities.

Figure 1: Critical Decision-Making Model



All of the guiding principles of the ICAT Model have been incorporated into Boulder’s new use of force model and will be incorporated into numerous procedures and training lesson plans, including, but not limited to the following policies: traffic stops, bias-policing, response to civil disturbances, mental health response and people experiencing homelessness.

The use of force against another person is the most serious action an officer can take. Implementation of effective use of force accountability measures must align with the following: (1) implementation of best practice policies and procedures governing the use of force, (2) training to ensure force is only used to the extent necessary and centered around the sanctity of all human life, (3) thorough and impartial reviews to ensure use of force follows policy, and (4) any use of force determined to be out of policy must be remediated through re-training and/or discipline up to, and including, termination. Police departments can garner the trust of the communities they serve only after thoughtful application of these four criteria.

Boulder’s new use of force policy integrates the sanctity of all human life and emphasizes the following principles:

- The primary duty of all police is to preserve human life and to use the Critical Decision-Making (CDM) Model during interactions with the community.
- In cases where the CDM model proves ineffective, the least amount of force will be used to gain compliance.

- The District Attorney and Police Chief will approve all “no-knock” search warrants (a review of BPD’s records reflect that zero “no-knock” search warrants have been requested in at least 10 years).
- The most serious action a police officer can take is the use of deadly force. The authority to carry and use firearms comes with enormous responsibility.
- When feasible, police officers will give the suspect a warning before deadly force is used.
- Consideration should be given to a person’s mental and physical capacity when making use of force decisions.
- Officers shall intervene immediately when witnessing inappropriate or excessive use of force.
- Officers shall not draw their firearms unless they reasonably believe there is an immediate threat of serious bodily injury or death to themselves or another person.
- Police officers shall not fire warning shots.
- Police officers shall not fire at moving vehicles unless an occupant of the vehicle is firing upon them or the vehicle is used to attack innocent persons in crowd situations.
- It is often tactically superior for police to withdraw, take cover, or use distance than to immediately respond to rapidly evolving incidents.
- Officers will not discharge their firearms to subdue a fleeing individual who presents no immediate threat of death or serious physical injury to another person.
- Officers shall not use any form of a chokehold.
- Thorough investigations will be conducted on all use of force incidents and resident complaints, including detailed interviews with witnesses, individuals involved in the incident or interaction, and officers.
- Officers shall consider less-lethal alternatives to deadly force encounters – including tactics, equipment, and technologies.

BPD’s new use of force policy is based on best practice. It addresses the concerns of police reform organizers, such as [8 Can’t Wait](#) and [President Barack Obama’s Task Force on 21st Century Policing](#). Moreover, BPD will work with Dr. Paul Taylor, Policing Scholar at the University of Colorado-Denver, to evaluate the impact of the ICAT training on officer behavior and inform future training curriculum.

Creation of Full-Time Training Section

Twenty-First Century Policing demands a well-trained workforce that can manage a vast array of problems, from community quality of life issues to acts of violence. Today’s officers require ongoing and innovative training to serve as community problem-solvers with critical thinking skills. BPD has established a full-time dedicated Training Section, staffed with one supervisor and four officers, to ensure adoption and implementation of best practice training curriculum. The Training Section will employ problem-based scenario training and develop a “lessons learned” program that reviews critical incidents,

uses of force, community member complaints, and reports of active threats to guide ongoing assessment and process improvement.

Inspection Policy, Process, and Creation of the Position of Inspections Commander

The inspection process is one of the foundations of any modern police force. The mechanism is in place to ensure responsibilities of everyone in the organization are adhered to, and that any deviations are discovered and handled accordingly. It is imperative a strong audit and inspection process is occurring on a regular basis and inconsistencies are remedied immediately. The Inspection Commander reports all audit results directly to the Police Chief. A detailed audit and inspections plan is included in the new policy, and includes, but is not limited to, Body-Worn Cameras (BWC), equipment inspections, uniforms and equipment, performance evaluations, promotional processes, overtime usage, bias-free policing review of applicable data, resident complaints, early intervention plan, recruitment plan, training standards, analysis of use of force incidents, weapons inspections, vehicle pursuits, mental health response, community involvement reports, resident surveys, property and evidence audit.

Creation of New Strategic Data and Policy Advisor Position

Elizabeth Christenson began her position with BPD on Aug. 3, 2020. She brings over 20 years of experience as a crime analyst, geographic information system (GIS) expert, programmer, tactical and strategic analyst, and problem-oriented policing expert. Christensen will ensure the agency is deploying with purpose, based on data and community input. She will produce reports to support crime prevention and reduction strategies, problem-solving, and the evaluation and accountability of BPD initiatives. This position is crucial for 21st Century Policing and reform efforts. Moving forward, BPD will have the capacity to publish important data sets to the community to build community trust and demonstrate a commitment to evidence-based policing.

Development of Disciplinary Matrix

Focus groups from the BPD, including representatives from the Boulder Police Officer Association (BPOA), have developed a robust disciplinary matrix to ensure fairness, consistency, and progressive discipline for officer misconduct. BPD will collaborate with Joe Lipari, Boulder's newly hired independent police monitor, and community members to solicit feedback and ensure transparency of the matrix before adoption and implementation.

Initiated Process of Commission on Accreditation of Law Enforcement Agencies (CALEA)

In July 2020, BPD initiated a contract with CALEA. The accreditation process has begun and will provide for greater accountability, community involvement, transparency, and integrity within the BPD. The process of accreditation takes two to three years to accomplish, but ensures BPD will have model policies, strict accountability measures, community engagement projects, and will enhance BPD's technology platform (Power Data Management System) to manage and revise policies and procedures.

Development of Evidence-Based Crime Reduction Strategy

The BPD selected the chronic *problem* of domestic violence (DV) as one of its first comprehensive Problem-Oriented Policing (POP) projects. In POP, a *problem* is defined as a recurring set of related harmful events in a community that members of the public expect the police to address. These criteria are captured by the acronym **CHEERS**: Community, Harm, Expectation; Events, Recurring; and Similar.

BPD Victim Services, a civilian division of the agency, will lead this project. The first phase of a POP project, “scanning,” involves gathering information about the identified problem. The BPD has/will gather information by analyzing existing incident data, conducting lethality assessments, requiring co-response for serious incidents, and determining the feasibility of establishing a DV fatality review board. Figure 2 presents an initial analysis of the number of DV incidents reported to BPD from 2017 to 2020. Two women were murdered in DV incidents during this time period. For all future DV cases, an officer or Victim Services caseworker will complete a Domestic Violence Lethality assessment, a tool to guide victims’ understanding of their safety. Further, in line with evidence-based practices, officers will co-respond with BPD’s Victim Services personnel on DV calls where serious injuries or attempts to choke/strangle the victim occur. BPD will partner with local social service agencies, the District Attorney’s Office, and other regional police agencies to explore the feasibility and potential impact of establishing a DV fatality review board. BPD will provide quarterly updates to council, likely in the form of an information item.

Figure 2: Domestic Violence Incidents Reported to BPD

Year	# Incidents
2017	330
2018	348
2019	262
2020*	164

*To July 1, 2020

BACKGROUND

Purpose and Process for City Master Plans

Master plans provide a common city framework for planning the delivery and funding of services, facilities and programs, as well as policies. The facility and service priorities and funding plan established through the master planning process provide the basis for capital improvement programming. All master plans are developed consistent with the city’s [Community Sustainability + Resilience Framework](#), as well as the [Boulder Valley Comprehensive Plan](#) (BVCP). The BVCP states that the “planning period” for master plans is to be 15 years. However, this period may vary for different master plans.

The master planning process involves four major steps that occur over approximately two years. Each step below includes check-ins, review and input from the community,

relevant city departments, Planning Board and City Council.

1. *Step I - Scope, Schedule and Public Process* – Key steps include identifying stakeholders and underserved and underrepresented people most impacted by the plan. Staff use the Engagement Strategic Framework, with attention to the public process for outreach to underserved and underrepresented people as well as input from stakeholders and the general public. The project timeline anticipates the public process, plan development and formal review steps.
2. *Step II – Systems Overview, Needs Assessment and Current Priorities* – This step establishes the current state of the department (services offered, how funding is allocated among department priorities, etc.), evaluates services in the context of industry or other service standards, and examines emerging or unmet needs. Phase II includes an assessment of the department’s mission and how each currently funded service contributes to achieving it.
3. *Step III – Develop the Master Plan Document* – Key Focus Areas and Issues to be addressed in the plan are developed based on work completed in Step II, including ongoing feedback from the community, Planning Board and council. Discussion of Key Focus Areas and Issues will incorporate policies, programs and initiatives to achieve them. After input on Key Focus Areas and Issues, the department develops the draft master plan, which receives further review and revision before proceeding to the acceptance process.
4. *Step IV – Acceptance Process* - The draft plan review and acceptance process comprises final consideration by the public as well as Planning Board and City Council reviews, with public hearings.

Steps II and III above include categorizing projects, programs and services into three levels:

- Current Funding – a prioritized, refocused service plan within existing budget targets.
- Action Plan – service expansion or restoration when funding is available either within current revenue sources, or if new sources should become available.
- Vision Plan – the complete set of services and facilities desired by the community and aligned with values and policies, with alternative proposals to fund them.

2013 Police Master Plan Goals and Accomplishments

The Boulder Police Department Master Plan was last updated in 2013 and adopted by council in early 2014. In 2013, the department budget was \$31.7 million, and it employed 173 sworn officers and 104 civilian employees. By comparison, the 2020 department budget is \$38.6 million (prior to COVID-related reductions) and there are 184 sworn officers and 94 civilian employees. Approximately 86 percent of the department’s budget is personnel expenses.

The [2013 master plan](#) outlined several goals that the department has worked to accomplish over the last seven years.

Community Policing

One of the major initiatives was to refine what community policing looks like in Boulder. The department also wanted to evaluate the Neighborhood Impact Team and apply the lessons learned to approaching public safety in the future. The outcome was the creation of the department's [Neighborhood Policing Area Program](#), which now assigns officers to specific neighborhoods in Boulder with the goal of collaborating with community members and businesses on public safety issues. In addition, the Neighborhood Impact Team has been expanded to work in traditionally underserved parts of the community with the goal of building trust in communities that may be reluctant to call the police.

Responding to Calls for Service

To better manage calls for service, the department committed to looking at other options for handling non-emergency calls that do not require an officer's response, as well as reducing false alarm calls. The department has increased its online reporting capabilities, providing community members the option of completing minor reports in a manner that leaves police officers available for calls that require more immediate in-person response. In 2016, council passed ordinance 8123, creating the false alarm reduction program. This program requires all alarms in Boulder to be registered with the intent to reduce police response to false alarms. This ordinance has reduced officer response to false alarm calls by more than 20 percent over the last two years.

Technology

To upgrade technology for the department, the master plan identified the need to replace the records management system and improve radio communications for first responders. In 2015, the department used funding from the asset forfeiture account to purchase a new records management system. The new system went live in 2017 and includes the ability to capture stop-related data and manage reports that are submitted online. In 2016, the department, in conjunction with other radio system users, hired a consultant to evaluate the current radio system and provide recommendations for improvement. Based on that review, funding from the Community Culture and Safety tax was allocated to replace the radio system with a new state-of-the-art system. The new radio infrastructure project should be completed by the end of 2020 and will provide all first responders in Boulder with clear and reliable radio communications.

Public Outreach and Education

The police department also sought to strengthen partnerships with social service providers in areas where law enforcement interfaces with human service needs in Boulder. In 2016, the department collaborated with Mental Health Partners (MHP) to bring the Early Diversion, Get Engaged (EDGE) co-responder program to Boulder. This program was initially grant funded but has continued with city funding to ensure that

mental health co-responders are available to respond with police officers to calls involving people facing a mental health crisis. In addition, to enhance the department's response to people experiencing homelessness, two officers were re-assigned to become the Homeless Outreach Team in 2016. These officers use a non-enforcement approach to connect individuals with services and benefits with the goal of transitioning them into housing.

ANALYSIS

Adjusting the Master Plan for a Changing Environment

Since 2013, when the previous master plan was completed, several social and technological changes have occurred that have impacted the police department.

On the technology side, body-worn cameras became readily available and were viewed as an important piece of equipment to promote transparency. In 2015, the department purchased body-worn cameras for all officers and developed a strict policy on how and when they would be activated.

Also in 2015, the police department hired Hillard Heintze to review the department's operations and specifically to investigate any indications of racial bias in policing in Boulder. Hillard Heintze provided 12 recommendations to the police department, and all 12 recommendations have been implemented.

One of the most important recommendations from the [Hillard Heintze report](#) was the need to begin collecting data on all discretionary police stops. The police department has been collecting this [stop data](#) since 2018 and uses it to help identify and evaluate officers' work as it relates to racial bias. Body-worn cameras and stop data collection are now required statewide with the passage of SB20-217. Because the Boulder Police Department was the first law enforcement agency in the county to purchase body-worn cameras in 2015 and one of only three agencies in the entire state to collect stop data, it is already in compliance with two of the most costly and challenging aspects of SB20-217.

The police department is working to make significant changes aligned with local and national discussions around major reform in policing. The master planning process will provide a framework for the department to do a broader and more in-depth examination of community input, use data-driven strategies to review current operations in the context of changing conditions and determine future policing goals. This master plan will be used as the roadmap for creating meaningful changes to public safety in Boulder.

NEXT STEPS

Step I of the master planning project will be important to design a thoughtful process, including robust and inclusive public engagement. To implement this step, as well as the entire process, staff recommends creation of a Police Master Plan Process Subcommittee comprised of two council members. A similar subcommittee structure has been used with other master plans. The process subcommittee will work with other core members of the

master planning team – including the project manager, City Manager’s Office, master planning coordinator (Planning), the finance coordinator and community engagement lead. Part of the role of the two councilmembers on the subcommittee is to “champion” the project, using their knowledge of the in-depth work behind the process to help explain its evolution to peers, stakeholders and the community. Staff anticipates that the remainder of 2020 will be devoted to working with the subcommittee on Step I.

A principal aspect of the process will be integration of the city’s racial equity work with the Police Master Plan steps. The city’s Equity Program Manager will be a key team member helping to design a project applying an equity focus throughout community engagement, development of priorities, key issues and plan drafts.

Staff and the process subcommittee would plan to return to council in early 2021 to present the results of Step I work on the scope, schedule and public process.

ATTACHMENTS

Attachment A- [Process update on Police Oversight Implementation](#)



MEMORANDUM

To: Mayor and Members of Council

From: Jane S. Brautigam, City Manager
Tanya Ange, Deputy City Manager
Aimee Kane, Equity Program Manager
Pam Davis, Assistant City Manager

Date: July 10, 2020

Subject: Process Update on Police Oversight Implementation

The purpose of this memo is to provide city council an update on the progress and remaining steps of the Police Oversight Implementation Team.

DEFINITIONS

Staff recognizes as the work has progressed there is benefit in clarifying the teams in each phase of the work. This section shall serve as definitions to maintain clarity.

Police Oversight Task Force Selection Committee – The committee that selected task force members from a pool of applicants included 3 representatives of the NAACP and two members of council.

Police Oversight Task Force- Group chartered by city council in April 2019, to research and recommend a new model of police oversight for Boulder. This Task Force concluded its work in November 2019.

Police Oversight Implementation Team- Group made up of a subset of members from the Police Oversight Task Force who volunteered to continue helping refine police oversight implementation details alongside city staff from January-November 2020.

Police Oversight Panel- Soon to be created group of up to 11 community members to engage in review of complaint investigations, perform community outreach, and conduct research and develop policy recommendations regarding future improvements to policing in Boulder.

HISTORY

- April 2, 2019—Council approved the charter for the Police Oversight Task Force.
 - Their purpose, as described in the charter: The task force will study different models of police department oversight boards which are comprised exclusively or largely of community members in order to determine which models or aspects of such boards are most appropriate for the city of Boulder. The task force will recommend one or more options to the Boulder City Council. The options should include the recommended number and qualifications of members of the oversight board, the manner of appointment of the oversight board members, the responsibilities of the oversight board, a description of the investigative powers and decision-making authority of the oversight board, how it will be staffed and the projected costs of staffing the oversight board.
- May 7, 2019—Council approved membership of the Police Oversight Task Force, selected by a committee consisting of two members of council and three representatives of the Boulder County Branch of the National Association for the Advancement of Colored People (NAACP).
- October 29, 2019—Council adopted Ordinance 8361 amending title 2 by adding a new chapter 2-11, “Police Oversight,” B.R.C. 1981, pertaining to the composition, duties and power of a new city organization related to civilian oversight of the police and setting forth related details.
 - In addition to codifying the framework for the new model of police oversight, the ordinance included a provision for the creation of an ongoing implementation team to further refine and make recommendations regarding the technical approach to implementation. The team is composed of Police Oversight Task Force members who wished to continue the work from the original task force, as well as staff from the city manager’s office, the city’s data team, and the police department, including at least one member of the Boulder Police Officer’s Association.
- Since January 2020, this implementation team has met biweekly to finalize detailed recommendations and revise the ordinance.

UPCOMING ACTIONS

The Implementation Team will finalize its work in the coming months and intends to bring a revised ordinance with a supporting recommendations report to council on the following topics:

- Independent Police Monitor Role
- Police Oversight Panel Role and Governance
- Complaint Investigation Review Process
- Community Engagement Mechanisms

Planned council dates related to policing:

- July 27, 2020—Anticipated start date for newly hired Independent Police Monitor, who will immediately take on a leadership role for the remainder of the implementation work
- August 4, 2020 – Police update on reform efforts including a roadmap committing to ethical, effective and equitable policing in addition to providing an outline of the police

master planning process. The master plan is intended to guide the Boulder Police Department for the next 5 to 10 years in providing safety through data driven and collaborative strategies, education, community engagement and investigative services to the City of Boulder.

- September 22, 2020 - Study Session to present the draft ordinance changes and other recommendations
- October 20, 2020 - First reading of ordinance update
- November 5, 2020 - Second reading and public hearing of ordinance update – recruitment for the Police Oversight Panel will begin immediately following the adoption of a successful ordinance