



## STUDY SESSION MEMORANDUM

**TO:** Mayor and Members of City Council

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**DATE:** August 25, 2022

**SUBJECT:** Use Table and Standards Project Update and Discussion on Industrial Areas and Neighborhood-Serving Uses

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### EXECUTIVE SUMMARY

The purpose of this item to update the City Council on the status of the second phase of the Use Table and Standards project and to discuss next steps related to industrial areas and neighborhood-serving uses.

The Use Table and Standards project began in 2018. Phase One of the project was adopted in 2019 and the first module of work on Phase Two was adopted in June 2022. The remaining work will focus on industrial areas (Module Two) and neighborhood-serving uses (Module Three). Staff plans to complete the project by early 2023.

### QUESTIONS FOR COUNCIL

Staff is seeking input and direction from Council to guide drafting the ordinances for Modules Two and Three of the project.

1. Does City Council support changes to the standards for residential development in Industrial districts that would make more sites eligible for residential uses? Changes could include removing the current contiguity requirement and/or minimum lot size and instead assessing whether sites are appropriate for residential development through other factors, such as guidance from subcommunity plans, limiting residential development only to the IG zoning district, or other potential approaches.

2. Does City Council support consolidation of the *technical office* and *professional office* use types into one generalized *office* use type? If the two types of office are consolidated into one use type, does Council think that other limitations are necessary for office uses in the Industrial districts?
3. Does the Council have any specific direction for changes related to neighborhood-serving uses in Module Three?

## BACKGROUND

The Use Table and Standards project began in 2018 as one of the Planning Board's priority items for land use code updates. The initial goals of the revisions included:

- Simplifying the [Use Table](#) and streamlining the regulations where possible, making the use standards and table more understandable and legible.
- Creating more predictability and certainty in [Chapter 9-6, "Use Standards,"](#) of the Land Use Code.
- Aligning the use table and permitted uses with the BVCP goals, policies, and land use designations.
- Identifying community-desired land use gaps in the use standards and table, and better enabling the desired land uses in identified neighborhoods as well as in commercial and industrial districts.

The Planning Board appointed a subcommittee comprised of Planning Board members in 2018 to guide the project and make recommendations on potential changes. The subcommittee undertook a significant amount of work to identify relevant BVCP policies, develop areas of consideration and focus areas for the project, complete a detailed analysis of the use table and standards, and guide public engagement strategies for the project. The subcommittee met over 20 times in 2019 and 2020 and the group's input and analysis from that time continues to inform and shape the project.

Phase One of the project was completed in 2019, with a focus on updating the types of uses and use standards for the zoning districts within the federally designated Opportunity Zone, though most of the changes applied citywide. More details about the Phase One work can be found in the [City Council memo](#) and in the project charter in **Attachment A**.

Phase Two kicked off in Spring 2020 and focuses on simplification of the use standards chapter, supporting mixed-use nodes along corridors, and encouraging 15-minute neighborhoods in residential, commercial, and industrial districts. The 15-minute neighborhood concept is integral to several comprehensive plan policies related to walkable access to a range of services. A full list of relevant BVCP policies in the project charter is available in **Attachment A**.

Community engagement efforts to inform Phase Two of the project took place in Summer 2020, and the [Planning Board](#) and [City Council](#) were last briefed on the project in August 2020. A summary of City Council feedback at that time is available [here](#). The project was paused in Fall 2020 due to staffing challenges during the pandemic. However, the initial feedback received for Phase Two continues to inform the project as it is re-initiated.

The remaining work for Phase Two has been organized into three modules for analysis and adoption. The technical updates in Module One were adopted on June 21, 2022 and focused on improving user-friendliness by restructuring the chapter, simplifying the table, and clarifying language in the standards and definitions. Please note that the timeline is still tentative as other work program tasks may impact this timeline.

- Module One: Functional Fixes (Spring 2022) – *Ordinance Adopted June 21, 2022*
- Module Two: Industrial Areas (Summer/Fall 2022)
- Module Three: Neighborhood-Serving Uses (Winter 2022/2023)

## **ANALYSIS: MODULE TWO – INDUSTRIAL AREAS**

Module Two is a comprehensive review of all uses and their allowances in the Industrial zoning districts. As the project has developed, it became clear that the issues related to uses in the Industrial districts differ from the residential or commercial districts, and splitting the two into separate modules would be prudent to allow the proper focus and depth of analysis to each. As the East Boulder Subcommunity Plan is nearing final adoption, the intent with Module Two has also been to modify the code as necessary to implement any guidance specific to use types from the East Boulder Subcommunity Plan. Further implementation of the plan, such as land use map changes, rezonings, or programs, will occur as a separate process, but the robust engagement related to the EBSP has provided helpful guidance for potential changes to the Industrial districts citywide.

There are three areas of the city that include Industrial zoning districts: East Boulder, Gunbarrel, and a small part of North Boulder (see map in **Attachment B**). In the initial rounds of engagement for this project in 2019 and 2020, several common topics emerged as potential issues to address in this module. The concept of 15-minute neighborhoods, or areas with walkable access to needed services and amenities, has been a focus of the discussion for these industrial areas. The following sections provide analysis of these major topics.

### ***Residential Development in Industrial Zoning Districts***

#### **Current Regulations & History**

Residential development is allowed with a Use Review in the Industrial - General (IG) and Industrial - Manufacturing (IM) zoning districts. Use Review is a discretionary review that can allow uses if they are appropriate in a proposed location. Often, uses will have specific criteria that are used to analyze their compatibility, as well as the general Use Review criteria. Staff reviews and makes decisions on most Use Review applications, but those decisions are subject to call-up by both Planning Board and City Council, and are subject to public appeal.

In the late 1990s, the city undertook the Future Employment Project in an effort to reduce projected job growth in the city, and in 1997 completed a Comprehensive Rezoning Study which created the three current Industrial zoning districts (IS, IG, IM). No residential uses were allowed in any industrial districts, except for live-work units.

In 2004, the City Council adopted an ordinance that allowed residential uses in the Industrial districts through Use Review and established specific standards for these uses. At the time, the change was intended to be a “more modest approach to allowing residential uses in appropriate locations to provide an opportunity to monitor the potential impacts and benefits of converting industrial lands to residential over time.” The standards have not been significantly updated since they were adopted in 2004.

In the 18 years since residential uses were allowed in the IG and IM districts, four residential projects have received Use Review approval (Boulder View Apartments: 2013, Velo Condos: 2021, 4775 Spine Road: approved 2021, Waterview: approved 2021.)

The following briefly summarizes the existing standards for residential uses in the Industrial zoning districts:

- The existing standards limit residential uses to sites that are over 2 acres in size and located at least partially contiguous to either an existing residential use or zoning district, or to a park or open space. **Attachment C** shows a map of industrially-zoned properties that are eligible for residential uses, as well as the location of existing or approved residential developments.
- In addition to Use Review approval, Site Review is required if the development also includes nonresidential uses or if the site is over 5 acres in size, or if any modifications are requested.
- Some small retail uses are permitted as accessory to the residential use.
- Some unique setback requirements apply, and only nonresidential uses are subject to the Floor Area Ratio limits for the zoning district.
- Projects must demonstrate environmental suitability and mitigate any potential noise impacts, and owners must sign a declaration of use to notify future owners and tenants of the property’s status as a residential use in an industrial zoning district.

### **Boulder Valley Comprehensive Plan Guidance**

The Boulder Valley Comprehensive Plan was most recently updated in 2021. *Policy 2.21: Light Industrial Areas* on [Page 47 of the plan](#), provides specific guidance for light industrial areas, including preserving existing industrial areas as places for industry and innovation while also encouraging housing infill in appropriate places. The plan notes that housing should occur in a logical pattern and in proximity to planned amenities, including retail and transit, should play a subordinate role, and not displace industrial businesses.

### **Guidance for East Boulder**

The East Boulder Subcommunity Plan (2022, pending final adoption) envisions the evolution of East Boulder as home to new and affordable housing that complements existing uses. The land use plan identifies several areas of change, including mixed use

industrial neighborhoods that would integrate diverse housing, commercial, and retail options.

### **Guidance for Gunbarrel**

The Gunbarrel Community Center Plan (2006) envisions a mixed use industrial/residential district characterized by a mix of residential and compatible light industrial uses primarily north of Lookout Road, with other industrial areas outside of the south and west of the retail core remaining largely the same.

### **Guidance for North Boulder**

The North Boulder Subcommunity Plan (1995, last revised 2020) emphasizes the importance of preserving the highly valued service industrial uses in the area, but also notes that the office/light industrial areas of the subcommunity should provide live-work or workshop opportunities and allow some residential uses.

### **Potential Changes: Residential**

Updates to the standards for residential development in Industrial districts could eliminate the contiguity requirement and minimum lot size and instead determine the suitability of a site for residential development in Industrial districts by looking at:

- Land use guidance from applicable Subcommunity Plans
- Land use guidance from the Boulder Valley Comprehensive Plan
- Allowing residential development in some districts, like IG, IS, or IMS, and specifically excluding it from others, like IM
- Distance proximity to certain features like transit, restaurants, retail uses, open space, or other uses
- Other ways to assess suitability

In addition to potential changes to the use table and standards, staff is also exploring other methods of implementing planning guidance for housing infill in industrial areas, such as rezonings and/or developing form based code as part of separate efforts.

## ***Offices in Industrial Zoning Districts***

### **Current Regulations & History**

Boulder’s land use code differentiates “*professional office*” and “*technical office*” as two different land use types. *Professional offices* are prohibited in all industrial zoning districts, while *technical offices* are allowed in all industrial districts. The definitions, which were recently clarified through Module One of this project, are currently as follows:

*Office, professional* means offices of firms or organizations providing professional service to individuals and businesses. Examples include, without limitation, accounting, legal, insurance, real estate, investment, and counseling services. Client contact may occur regularly at the office. Facilitated arrangements such as shared coworking spaces,

typically with membership fees, are included within this use. This use does not include technical, medical, or administrative offices, or uses otherwise listed in the use table.

*Office, technical* means offices of businesses providing professional services in a technical field. This use type is characterized by activities that focus on science, technology, and design services associated with the production of physical or digital goods. These establishments primarily provide services to other businesses. Examples include, without limitation, publishers, architecture, engineering, graphic, industrial, and interior design, biotechnology or life sciences, surveying, telecommunications, computer design and development, and data processing. These establishments do not require customers or clients to visit the site; any such visits are infrequent and incidental. This use does not include professional, medical, or administrative offices, or uses otherwise listed in the use table.

The history of the differentiation between *professional offices* and *technical offices* dates back to 1997, when the City undertook a Comprehensive Rezoning Study. One of the goals of the project at that time was to limit the amount of speculative office buildings and to accommodate the needs of start-up businesses. In the Industrial zoning districts, the objectives were to “preserve the community’s industrial zones for industrial uses by limiting professional office uses that provide services primarily to individuals or to uses not located in the industrial zones” and to “recognize and accommodate the need for office uses that are directly related to industrial uses or are more industrial in character.”

Through the Comprehensive Rezoning Study, the classifications of *professional office* and *technical office* emerged in order to define the types of office uses that should and should not be allowed in the industrial zones. The prohibition of professional offices in the Industrial districts was intended to reduce projected job growth at the time. To determine the appropriate office uses in industrial zones, criteria were developed based on client traffic and whether the use was an “employment use or a professional service” and whether that service primarily was for individuals or for industrial uses in the industrial districts. The policy to limit job growth of professional offices in Industrial districts has been implemented by defining these two uses separately for the last 25 years.

In implementation, the differentiation between the two types of offices regularly presents administrative challenges. While improvements were made in Module One of this project, the definitions are vague and difficult to implement consistently, resulting in excess staff time determining which use definition applies, and sometimes leads to unpredictable results. Other challenges arise simply because much has changed in the last 25 years since the differentiation between *professional office* and *technical office* was created. Client traffic no longer is a marker of the type of office use as many offices of both types conduct business virtually with clients. There are many uses that include components of both types of offices, such as a patent lawyer with no client contact. In addition, businesses may evolve their business model over time and morph from one type to another.

Staff was not able to find any other cities that differentiate office types in this way to limit office development. Some other cities have similar goals to reduce office growth, like San Francisco, which restricts the amount of large-scale (projects 25,000 sf or above) office space development authorized in a given year. However, Portland is the only peer

city that staff identified that similarly delineates between a “traditional office” use and an “industrial office” use.

In Portland, the policy intent behind this regulation was quite different than Boulder. This regulation is applied in only one area of the city and is intended to boost job growth, broaden the mix of employment uses, and revitalize historic industrial buildings that had been left vacant or underutilized as larger manufacturing operations moved out of the city. In this area, a limited amount of traditional office is allowed on each site depending on lot size, and a larger, but still limited, amount of industrial office is allowed per site. City of Portland staff noted that the regulation has successfully supported significant job growth in this area of Portland.

### **Boulder Valley Comprehensive Plan Guidance**

The plan provides specific guidance for the support of a variety of uses in light industrial areas, including “technical offices, research and light manufacturing”. No other specific policy guidance in the plan differentiates between types of office.

### **Guidance for East Boulder**

The East Boulder Subcommunity Plan does not differentiate between professional office and technical office, rather providing guidance for a more general office type. The policy guidance from the plan does not outline the same type of policy intent to restrict office development in East Boulder. Offices are envisioned in every place type outlined for the areas of change, with the exception of purely residential place types. Outside the areas of change, the plan retains light industrial, general industrial, and community industrial future land use.

### **Guidance for Gunbarrel**

The Gunbarrel Community Center Plan similarly does not distinguish between professional office and technical office. The mixed use industrial/residential district identified in the plan notes that limited offices uses may exist above the ground floor, and the industrial district is “characterized by large, industrial and office buildings”.

### **Guidance for North Boulder**

The North Boulder Subcommunity Plan was first adopted in 1995 and thus predates the division between professional office and technical office. One recommendation focuses on allowing a small amount of non-service offices by Use Review in neighborhood commercial centers (offices that do not directly serve customers).

### ***Potential Changes: Office***

The *professional office* and *technical office* use types could be combined into one more general office use type. If making this change, it would need to be determined whether offices would be permitted in Industrial zoning districts (as are technical offices) or prohibited (as are professional offices), or whether offices would be permitted with certain limitations.

### *Other Potential Changes*

There are several changes to additional use types that are being contemplated as part of Module Two, based on previous input received from the public and Planning Board subcommittee:

- **Live-Work Units:** Currently, live-work units are only permitted when the “work” function is an industrial use. To increase the allowance of live-work units citywide, the definition could be amended to allow any type of nonresidential use that is allowed in the zoning district. Live-work units are also only allowed by Use Review in the MU-4, IS, IG, and IM zoning districts and are allowed by right in the IMS district. Amendments could be made to the use table to allow live-work units in all mixed-use, downtown, or industrial zoning districts, subject to whatever review process might be required for the “work” function of the use.
- **Manufacturing:** Currently, Boulder has two types of manufacturing uses in the use table: “*Manufacturing use*” and “*manufacturing use with potential for off-site impact*.” Most cities in the state and around the country instead commonly use terms like “light industrial,” “general industrial,” or “heavy industrial.” The current definitions are somewhat ambiguous and challenging to interpret and assess potential impact. Updates could be made to these definitions and names to support small-scale manufacturing uses and more general industrial uses.
- **Schools:** Currently, private elementary, middle, and high schools are prohibited in the Industrial districts, while public schools are allowed, specialized instruction facilities are allowed with size limits, and private colleges are allowed by Use Review in IG and IM. Private schools could be allowed by Use Review in the same districts (IG and IM) as private colleges, to ensure compatibility with adjacent uses, in a similar way to other types of education uses.
- **Restaurants:** Current standards for restaurants in the Industrial districts do not allow them to be located on major streets, which could be removed to allow restaurants in more locations.
- **Retail sales and personal services:** Currently, both retail sales and personal services are prohibited as a principal use in all Industrial districts. To foster a greater mix of uses and services in industrial areas, retail uses and personal service uses could be allowed in Industrial zoning districts, likely with a size limitation to ensure they are small-scale. As part of Phase One of this project, convenience retail sales (limited grocery and household item sales for a neighborhood) was made an allowed use in the industrial districts.

### *Module Two Feedback Summary to Date*

The project charter in **Attachment A** provides more detail on the input that was received in 2019 and 2020 related to this project. Feedback received specific to Module Two is summarized below.

## **City Council**

In the August 25, 2020 study session with City Council, council members expressed support for additional uses such as residential, retail, or restaurants being allowed in light industrial areas in order to foster mixed-use, walkable neighborhoods. Council members also expressed a need to balance the protection of existing industrial uses with introducing new residential uses.

## **Public Questionnaire**

In the 2020 questionnaire, a majority of the 82 respondents expressed support for more residential, retail, and restaurant uses in the light industrial areas.

## **Planning Board Subcommittee**

In their meetings in 2019 and 2020, the Planning Board Subcommittee completed a thorough analysis of the use table and provided guidance related to Module Two work. Additionally, members of the public provided input during the subcommittee meetings. This public feedback and detailed Planning Board Subcommittee guidance is summarized in **Attachment D**.

## **ANALYSIS: MODULE THREE – NEIGHBORHOOD AREAS**

In Module Three, the focus will shift to implementation of the Boulder Valley Comprehensive Plan policies. In particular, work will focus on the overarching goals identified by the Planning Board Subcommittee, which include encouraging 15-minute neighborhoods, supporting mixed-use nodes along corridors, and supporting walkable neighborhood centers of varying scales. Updating the land use code is an important step of implementing the comprehensive plan, which is the product of years of engagement and meaningful conversations with the community.

During this module, staff plans to:

- Assess areas where the use table and standards are in conflict with the BVCP
- Incorporate significant work already done by the Planning Board Subcommittee and their recommendations and areas of focus
- Review allowances and standards for uses, including a focus on:
  - Restaurants
  - Offices
  - Retail sales
  - Personal services
  - Housing types
  - Live/work
  - Home occupations
- Introduce new uses as needed to support policies in the plan
- Investigate areas of the city that may be appropriate for small-scale mixed use
- Assess use mixes of neighborhood centers

## *Module Three Feedback Summary to Date*

### **City Council**

In the August 25, 2020 study session, City Council members expressed support for allowing a greater diversity of uses in the [Neighborhood Centers identified in the BVCP](#) and assessing whether current regulations are overly restrictive in those areas. Council members directed staff to focus on neighborhood-serving uses and uses that encourage walkability, such as coffee shops, rather than offices, which were a subject of a previous code change.

City Council also supported the idea of allowing limited circumstances of walkable and compatible uses to foster 15-minute neighborhoods in typically homogeneous neighborhoods, and felt that the review process for those uses should allow opportunities for neighborhood input and potentially Planning Board review.

In addition, Council supported greater flexibility for creative uses such as live/work units, artist studios, home occupations, art galleries, and small-scale performance venues citywide.

### **Public Questionnaire**

The input heard from community members during the summer of 2020 indicated that the majority were open to greater mix of uses in Neighborhood Centers. The questionnaire responses indicated broad support for restaurants and coffee shops, retail uses, and personal services. Those who supported residential housing indicated they were open to a mix of housing types. The most important elements in a neighborhood center were walkable or bike access, and human-scaled building design.

The majority of respondents in 2020 were also open to additional uses within a 15-minute walk. Community members indicated broad support for small restaurants and coffee shops, small grocers, small retail uses, housing, and personal services. Most respondents were open to duplexes/triplexes, townhouses, and cottages. Residents were evenly split on whether more zoning restrictions should be added to ensure compatibility with surroundings (most support for requiring bike parking, limiting vehicle parking, limiting size). The majority of respondents expressed support for more flexibility for live/work uses, artist studios and galleries, and small-scale performance venues citywide.

### **Planning Board Subcommittee**

The Planning Board Subcommittee completed a thorough analysis of the use table and provided guidance related to Module Three work and members of the public also provided input during those meetings. The public feedback and detailed Planning Board Subcommittee guidance is summarized in **Attachment D**.

## **PUBLIC AND STAKEHOLDER ENGAGEMENT**

The attached project charter in **Attachment A** provides a more detailed public engagement plan for the remaining modules of work.

In addition to engagement efforts to reach the general public, the following working groups will help to shape and guide the remaining work:

- **Planning Board Liaisons:** City staff will be meeting bimonthly with two Planning Board members to obtain guidance throughout the remainder of the project. Staff met with the Planning Board liaisons in early August for a tour of the Industrial districts in the city and discussion about the scope of Module Two.
- **Use Table and Standards Public Working Group:** A small working group has been formed to provide feedback on the substantive changes in Modules Two and Three. The group is composed of interested residents, business owners, and members of the arts community. The first meeting of the working group took place on August 8. This group will meet approximately every other month to hear updates from staff and share their input on draft changes and help to guide the more general public engagement strategies.

Staff is currently finalizing public engagement plans for Module Two. A questionnaire is being developed that will be integrated into the Be Heard Boulder page and staff plans to reach out to targeted stakeholders in and near the Industrial districts.

Work on Module Three is anticipated to begin at the end of the year and include the most robust public engagement component of all the Phase Two modules. Valuable feedback has already been received in 2019 and 2020 that will guide some of this work, but supplemental engagement is planned to occur as changes are drafted.

## **NEXT STEPS**

Staff plans to bring these same questions to Planning Board as a Matters item at their September 20, 2022 meeting to receive feedback. Tentatively, a draft ordinance for Module Two is expected to be presented to Planning Board in late October and City Council in November. The goal is to complete Module Three in the first quarter of 2023.

## **ATTACHMENTS**

Attachment A: Project Charter

Attachment B: Map of Industrial Zoning Districts

Attachment C: Map of Residential Development and Eligibility in Industrial Districts

Attachment D: Planning Board Subcommittee Guidance

# Use Standards and Table

## Phases One and Two

Land Use Code Amendment  
Project Charter – *Working Draft*

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## Project Purpose & Goals

### 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 in 2018. The goal of the revisions included:

- Simplifying the Use Table and streamlining the regulations where possible, making the Use Standards and Table more understandable and legible.
- Creating more predictability and certainty in Chapter 9-6 Use Standards of the Land Use Code.
- Aligning the Use Table and permitted uses with the Boulder Valley Comprehensive Plan (BVCP) goals, policies and land use designations.
- Identifying community-desired land use gaps in the Use Standards and Table, and better enabling the desired land uses in identified neighborhoods as well as in commercial and industrial districts.

The Planning Board appointed a subcommittee comprised of Planning Board members in 2018 to guide the project and make recommendations on potential changes. Phase One of the project was completed in Q4 2019, with a focus on updating the uses and use standards for the zoning districts within the federally designated Opportunity Zone. The current project will focus on the remaining zoning districts of the city as Phase Two.

### Problem/Issue 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 are not 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 desired outcomes of the BVCP.

### Guiding BVCP Policies

The project is guided by BVCP policies, identified by the subcommittee at the beginning of the project. Please see the end of the project charter for the full list of relevant BVCP policies identified by the project subcommittee. Some key BVCP policies that guide this project include:

#### **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.*

#### **2.15 Compatibility of Adjacent Land Uses**

*To avoid or minimize noise and visual conflicts between adjacent land uses that vary widely in use, intensity or other characteristics, the city will use tools such as interface zones, transitional areas, site and building design and cascading gradients of density in the design of subareas and zoning districts. With redevelopment, the transitional area should be within the zone of more intense use.*

### **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.*

### **2.21 Light Industrial Areas**

*The city supports its light industrial areas, which contain a variety of uses, including technical offices, research and light manufacturing. The city will preserve existing industrial areas as places for industry and innovation and will pursue regulatory changes to better allow for housing and retail infill. The city will encourage redevelopment and infill to contribute to placemaking and better achieve sustainable urban form as defined in this chapter. Housing should occur in a logical pattern and in proximity to existing and planned amenities, including retail services and transit. Analysis will guide appropriate places for housing infill within areas zoned Industrial General (IG) (not those zoned for manufacturing or service uses) that minimize the potential mutual impacts of residential and industrial uses in proximity to one another*

### **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.*

## **Goals and Areas of Consideration**

The Areas of Consideration were established by the Use Table subcommittee in 2018/2019 and were reviewed by the public during community engagement efforts. In late 2019, the Planning Board subcommittee updated and confirmed these areas of consideration. The following graphic summarizes these areas.



## 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 / AREAS OF CONSIDERATION (FINER GRAINED OBJECTIVES TO 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)
- Consider allowing more retail/active uses in the Public (P) zones. (Goals: 1, 2)
- Consider allowing second floor residential in light-industrial zones. (Goals: 1, 2)
- Consider increasing 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 OBJECTIVES 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.

## **Phase One Outcomes**

Phase One of the project focused on updating the Use Table and Standards of the Land Use Code citywide for zoning districts that coincided with the federally designated Opportunity Zone. The Phase One focus was precipitated by the Opportunity Zone moratorium adopted by City Council in 2018. Phase One of the project culminated on Oct. 29, 2019, when City Council adopted Ordinance 8337 to update the Use Tables to be more consistent with the BVCP. The focus of these changes was to:

- Reduce non-residential capacity through restricting office uses.
- Incentivize residential in appropriate locations (preferably permanently affordable housing).
- Protect and create more opportunities for retail.

While the focus of Phase One was on zoning districts within the Opportunity Zone, the changes applied to the respective zones citywide. These changes also importantly created a new use designation, "Limited Use" that created a limited standard (that could be verified through building permit) and reclassified some uses as Conditional Use or Use Review uses. Most of the Limited Uses consolidated existing regulations, with others serving to implement the desired goals outlined above. The most substantive change related to office uses in the Business Zones (BT, BR and BMS), where various office uses are now limited to a combined total of 20,000 square feet of floor area per lot, with Use Review

required if exceeding 20,000 square feet. The Oct. 29, 2019 City Council memo and ordinances can be found [online here](#).

City Council also adopted Ordinance 8358 that created an Opportunity Zone overlay district prohibiting the demolition of attached dwelling units in Census Tract 122.03 (the Opportunity Zone) for the period the tract is a qualified Opportunity Zone. Visit the [Opportunity Zone program webpage](#) for additional information.

More details about the Phase One process and public input received is described in later sections.

## Phase Two Anticipated Outcomes

Staff anticipates that code changes specifically related to use regulations may include the following chapters:

- Chapter 9-5, “Modular Zone System,” if any changes are necessary to zoning districts.
- Chapter 9-6, “Use Standards,” including changes to the use table to simplify or clarify regulations or to better match the intents of the BVCP and any use standards in the chapter.
- Chapter 9-16, “Definitions,” if such change improves consistency with Chapter 9-6 and is intended to modernize the land use code.

## Work Completed and Input Received 2018-2020

A summary of engagement efforts and input received is provided below.

### Phase One

#### PLANNING STAGE | Q3/Q4 2018

- Planning Board subcommittee convened and meetings held to establish the purpose statements, and project goals defined by the subcommittee in Q2/Q3 2018
- Affected stakeholders identified
- Community Engagement Plan prepared for the project in Q3 2018
- Analysis of peer communities

#### SHARED LEARNING STAGE | Q1/Q2 2019

- Community Engagement through series of open houses that introduced the use table topic, potential impacts, and underlying BVCP policies with which the code changes would align
- Received feedback on the goals and areas of consideration for the project through open house events
- Through a mapping exercise on Be Heard Boulder, received feedback on what types of uses may be missing or too many of in neighborhoods live, work and play
- May 2019 City Council Study Session on what we’ve heard, and next steps in the project
- Opportunity Zone discussions and transition as a Phase One focus of the project

### **OPTIONS STAGE | Q3/Q4 2019**

- Transition to evaluating the federally designated Opportunity Zone as a Phase One of the project– identifying options for change based on the feedback received from the public to better align the uses to the BVCP policies. This focused on increasing residential capacity and reducing nonresidential capacity.
- Targeted outreach to stakeholders solicited feedback on possible options identified
- Options analysis and recommendations developed
- City Council check-in on options and feedback received
- Feedback received at public open house on recommendations

### **DECISION STAGE | Q4 2019**

- Planning Board recommendation for approval and public hearing
- City Council public hearing, revisions to options, recommendations
- Oct. 29, 2019 adoption of Ordinance 8337 updating the Use Tables to be more consistent with the BVCP for citywide zoning districts within the federally designated Opportunity Zone (Census Tract 122.03)
- Adoption of Ordinance 8358, creating an overlay district prohibiting demolition of attached dwelling units in federal Census Tract 122.03 for the period the tract is a qualified Opportunity Zone. Repeal of previous moratorium.

## **Phase Two**

### **PLANNING STAGE | Q1/Q2 2020**

- Reconfirmed the project goals, objectives, and Areas of Consideration established in Phase One with the Planning Board subcommittee.
- Reconfirmed the affected groups are citywide residents and stakeholders, particularly of the zoning districts that may have potential use changes.

### **SUBCOMMITTEE ANALYSIS STAGE | 2020**

- The Planning Board subcommittee met over 20 times between Fall 2019 and Fall 2020 to provide direction on the phase two overarching goals, conducting detailed discussions considering updates to use categories, and informing the engagement plan and online questionnaire. The goals, areas of consideration, and focus areas are summarized earlier in this document.

### **OPTIONS STAGE | Q2 2020**

- In the summer of 2020, the public provided input on a Be Heard Boulder questionnaire and a virtual public info session was held. A summary of the input received is below.
- Updates at Planning Board and City Council in August 2020

**Due to staffing levels, the project was paused in Fall 2020. Work has now been reinitiated to continue phase two, revisiting the planning stage.**

## Public Input Received 2018-2020

### PHASE ONE: EARLY 2019

Community engagement for the project began with a series of three open houses that introduced the use table topic, the project's potential impacts, and focused on the underlying BVCP policies the code changes were intended to align with and implement. City of Boulder staff held three code amendment open houses, which included a Use Table 101 presentation as well as large format display boards where people could provide opinions through dot voting, sticky notes, comment cards, and discussions with staff on the project's areas of consideration, and what land uses they wanted more of or less of in different areas of the city. Staff received input from over 100 people, as approximately 35 people attended each event.

Staff also had a display at the "What's Up Boulder?" event at the Jewish Community Center in East Boulder in April 2019, where about 425 community members were in attendance. Staff had detailed display boards on the project as well as handouts to educate attendees about the project. Staff also encouraged them to take the online survey detailed below.

During this period, staff has also attended four neighborhood office hours with the city's neighborhood liaison, which are publicly noticed and provide opportunities for residents to come and meet with city staff and discuss concerns and the proposed code projects. At these meetings, staff distributed handouts and encouraged people to take the online survey and discussed the project in more detail with interested members of the community.

Aside from these in-person events, a key element for Phase One feedback was the development of a project page on Be Heard Boulder with a questionnaire and mapping exercise. The questionnaire and map were promoted through an article in the Daily Camera, an article in the Community Newsletter, Nextdoor posts, Twitter posts reaching over 84,000 followers, and utility bill mailers reaching 20,000 households. Open between February and early May 2019, the questionnaire received 80 responses. In addition, respondents identified 68 places on the interactive map where they wanted to see uses introduced to support neighborhoods where daily goods, services and transit are within a 15-minute walk (about a 1/4 mile) of where people live or work.

### Summary of Community Feedback

In general, through both the in-person events and the online engagement efforts undertaken in early 2019, the public responded with the **greatest support** for the following areas of consideration for the project:

- Explore updating outdated use categories to meet community needs and desired land uses.
- Explore opportunities for mixed use that can help provide services to residents and needed housing/services/uses to non-residential and industrial areas.
- Consider changing prohibited uses to Use Reviews (U) where certain uses may be warranted and desired (corner coffee shops for example).
- Consider allowing second floor residential in light-industrial zones.
- Consider changes to the Use Review criteria that would better serve city goals (e.g., walkability, site design).

- Consider changes to the Use Standards and Table that would incentivize a diversity of housing types.

The three areas of consideration with the **least support or interest** have been:

- Study updating the amounts of required uses where prescribed in 9-6, “Use Standards”, such as residential/non-residential floor area percentages.
- Explore incorporating additional development design standards into the Chapter 9-6 specific use standards, and potentially the Use Review criteria.
- Consider Mobile Home Parks and their evolution to affordable fixed-foundation buildings, and how it may intersect with the Use Standards & Table.

Respondents also provided feedback on which uses would they like to see more of, or less of, near where they live, work, and play. This tied to a mapping exercise both in-person and online where they could identify those areas.

#### *Areas where People Live*

- More: Mixed Uses and housing, neighborhood stores, walkable places - restaurants, shops and retail
- Less: Traffic, parking, large single-family homes, banks, high density housing, car dealerships and fuel stations

#### *Areas where People Work*

- More: Mixed Uses and housing, access to transit, green space, coffee and lunch spots
- Less: Traffic, parking and asphalt lots, tall buildings, banks

#### *Areas where People Play*

- More: Mixed Use, live/work, shops and restaurants, access to transit, parking, fun and kid friendly activities
- Less: Off street parking, fast-food/drive throughs

### **PHASE TWO: SUMMER 2020**

As noted above, the project shifted to a focus on the Opportunity Zone area for the remainder of 2019, with public meetings at the Planning Board and City Council throughout the development and ultimate adoption of regulations. The Planning Board subcommittee continued to meet and provide feedback and direction for the project throughout 2019 and most of 2020. The next major round of public engagement for the overall project took place in July and August 2020. This engagement was informed by the subcommittee’s feedback as well as the public who attended subcommittee meetings.

Due to the COVID-19 pandemic, all outreach was complete virtually and utilized the city’s online engagement platform, Be Heard Boulder. An online public information session was held on July 27, consisting of a presentation by staff on the code amendment projects (including the Use Table and Standards Phase Two), with a question-and-answer session for the public to receive more information, and directing the community to provide feedback via an online questionnaire.

The online questionnaire was open for responses from early July through late August and focused on key questions and topics identified by the subcommittee. The questionnaire included background

information, key definitions, and reference maps, and presented a series of questions that were organized around the overarching goals for phase two of the project:

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

The webpage on Be Heard Boulder was visited by nearly 300 people, and 82 people responded to the questionnaire.

## Summary of Community Feedback

### *Neighborhood Centers*

- 76% of respondents indicated they would be open to use standard changes that encourage a greater mix of uses in neighborhood centers, with an additional 13% indicating they were “maybe” open, and 7% indicated “no”.
  - There was broad support for a variety of uses, including restaurants and coffee shops, retail uses, and personal services.
  - Respondents who chose residential housing indicated they were open to a mix of housing types including duplexes/triplexes, townhouses, cottages, condos/apartments, and single-family houses.
- Walkable or bike access was the most important element to have in a neighborhood center, followed by human-scaled building design.

### *15-minute Neighborhoods*

- Approximately 71% of the respondents indicated they would be open to having uses and establishments like the images included in the questionnaire, within a 15- minute walking distance from their home or workplace if limited in scale and number. An additional 11% indicated they were “maybe” supportive, and 8% indicated “no”.
  - There was broad support for a variety of uses, including small restaurants and coffee shops, small grocers, small retail uses, residential housing, and personal services.
  - Respondents who chose residential housing indicated they were open to a mix of housing types, with responses most open to duplexes/triplexes, townhouses, and cottages.
- Sentiments were fairly evenly split (between yes, no, and maybe) whether additional zoning restrictions should be considered for additional 15 -minute neighborhood uses, with 38% indicating “yes,” 29% indicating “no,” and 33% indicating “maybe.”
- 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 respondents indicated that the city should consider allowing additional residential, retail, and restaurant uses in the light industrial areas to foster mixed-use walkable neighborhoods, with the strongest support for additional restaurant uses, followed by retail and then residential.

### ***Streamlining the Use Standards and Table Structure***

Approximately 60% 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, with an additional 27% indicating “maybe” and 10% indicating “no.”

## **Project Timeline**

### **Phase Two – 2021 Restart**

#### **PLANNING STAGE | Q4 2021**

- Establish the Phase Two Community Engagement Plan – continuation / new phase of community engagement involving other zoning districts not covered during Phase One code changes.
- Build on the community input received through engagement efforts in 2019 and 2020.
- Citywide engagement efforts with feedback on Use Table issue identification, informing options development, subsequent feedback on options and ultimate recommendations.

#### **Deliverables**

- *Use Table subcommittee meetings and meeting summaries*
- *Updated Phase Two Community Engagement Plan*

#### **MODULE ONE: FUNCTIONAL FIXES | Q1/Q2 2022**

- First batch of use table changes – functional fixes
- Engagement for these – targeted to focus groups
- Internal staff stakeholder engagement
- Reconvene Planning Board subcommittee to discuss functional fixes, all meetings open and noticed to the public.
- Draft ordinance language for proposed code changes
- Develop and promote virtual engagement opportunities to provide feedback on draft
- Convey public feedback to the subcommittee, Planning Board and City Council
- Planning Board matters item
- Goal of Spring 2022 adoption

#### **Deliverables**

- *Use Table subcommittee meeting and meeting summaries*

- *Peer research summary for some uses*
- *Updated Be Heard Boulder site*
- *Update project website with key issues and information*
- *Continued work with stakeholders and conduct targeted outreach as needed*
- *Module One engagement summary*
- *Engagement evaluation*
- *Memorandums to Planning Board, City Council, and meeting materials*
- *Post adoption communication to public and stakeholders*

## **MODULE TWO: INDUSTRIAL/EAST BOULDER | Q2/Q3 2022**

- Second batch of use table changes focused on uses in Industrial districts, implementation of the East Boulder Subcommunity Plan
- Develop and promote virtual engagement opportunities, open houses, and other methods
- Continue subcommittee meetings to discuss changes in industrial areas
- Walking tours
- Goal to adopt in Fall 2022

### **Deliverables**

- *Use Table subcommittee meeting and meeting summaries*
- *Updated project website with key issues*
- *Module Two engagement summary*
- *Memorandum to Planning Board, City Council, and meeting materials*
- *Engagement evaluation*
- *Post adoption communication to public and stakeholders*

## **MODULE THREE: NEIGHBORHOODS | Q4 2022/Q1 2023**

- Third batch of use table changes focused on changes to support 15-minute neighborhoods
- Share the issues and ideas the subcommittee has identified with the public at open houses/walking tours in areas where possible changes could occur, and listen to additional issues and ideas from the public
- Continue subcommittee meetings to review options, provide feedback
- Develop and promote virtual engagement opportunities, open houses, and other methods
- Planning Board, City Council study session on preliminary options – Summer 2022
- Goal to adopt early 2023

### **Deliverables**

- *Use Table subcommittee meeting and meeting summaries*
- *Updated project website with key issues and information*
- *Updated Be Heard Boulder site*
- *Module Three engagement summary*
- *Memorandum to City Council, and meeting materials*
- *Engagement evaluation*
- *Post adoption communication to public and stakeholders*

**POST ADOPTION & PROCESS ASSESSMENT | Q1/Q2 2023**

- Communicate with public and stakeholders about changes that occurred
- Debrief successes and challenges encountered
- Identify what worked and what didn't
- Evaluate the degree adopted changes accomplished the project's goals

**Scope of Work****Schedule**

	2022												2023		
	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR
Module 1: Functional Fixes															
Module 2: Industrial/East Boulder Subcommunity Plan Implementation															
Module 3: 15-Minute Neighborhoods/ Neighborhood Centers															

**Module One: Functional Fixes**

During module one, work will focus on undertaking a variety of improvements to the way that land uses are identified and organized. These changes will focus on the functionality of the use table and increasing its clarity and user-friendliness for the public, applicants, and staff. While the format of the table and standards will be modified and some uses may be consolidated, regulatory changes to the allowances of uses within districts will not be considered until later modules.

Use tables are a valuable tool for municipalities. They minimize the need to repeat the same uses within separate district regulations, ensure consistent terminology, reduce document length, and also allow readers to easily compare where a particular use is permitted across various districts. They also reduce the potential for inconsistencies over time as uses are updated. However, after years of amendments, the use table is now lengthy and complex and there are many opportunities for simplification.

During this module, we plan to:

- Assess and find opportunities to simplify the administration of the new “limited uses” which have increased the perceived complexity of the table
- Review outdated or rarely implemented uses for consolidation with more general categories
- Remove all qualifying language from use titles or definitions in the use table and relocate to specific use standards section, which can then be more easily revised as planning goals evolve in the future without increasing the complexity of the table
- Review and update use definitions as needed
- Incorporate additional use categories to group related uses, expanding upon the current residential and commercial use categories in the table
- Focus on simplification of restaurant and office uses and reorganization of the multiple lines in the table into specific use standards

Boulder residents provided input on some of these functional questions, such as the consolidation of restaurants and offices, during phase one of the project. Because these are more technical and functional fixes and do not change the regulatory allowances for any uses, the focus will be more on stakeholder engagement of regular users of the code (applicants, staff, Planning Board).

**Target Dates:**

- Planning Board check in – March 17 meeting
- Planning Board review of ordinance – June 2, 2022
- City Council in June/July

## **Module Two: Industrial/East Boulder Subcommunity Plan Implementation**

Module two will be a comprehensive review of all uses and their allowances in the industrial districts. The primary intent will be to modify the code as necessary to implement the East Boulder Subcommunity Plan, while also identifying other necessary modifications to uses in the industrial districts. There may be related necessary implementation steps that come out of the plan that may be integrated into this work. The plan is anticipated to be adopted in Spring 2021 and zoning updates will be an important implementation step for the plan, which has had its own robust multi-year engagement process as well. Later industrial market studies may help to inform these changes as well.

During this module, we plan to:

- Identify and draft zoning amendments to implement the East Boulder Subcommunity Plan
- Undertake a comprehensive review of all uses in the industrial districts

As significant engagement has already taken place for the development of the subcommunity plan, the outreach at this phase will focus on drafting options for implementation of the plan and working with the public to find the option that best implements the values and policies of the plan. Engagement will be more targeted in module two and will in particular engage property owners in the industrial districts, developers or real estate brokers. Neighborhoods near the industrial districts should also be consulted. Further input could be solicited from participants of the subcommunity plan.

## **Module Three: 15-Minute Neighborhoods/Neighborhood Centers**

In module three, the focus will shift to implementation of the Boulder Valley Comprehensive Plan policies. In particular, work will focus on the overarching goals identified by the Planning Board subcommittee, which include encouraging 15-minute neighborhoods, supporting mixed-use nodes along corridors, and supporting walkable neighborhood centers of varying scales. Updating the zoning code is an important step of implementing the comprehensive plan, which is the product of years of engagement and meaningful conversations with the community.

During this module, we plan to:

- Assess areas where the use table and standards are in conflict with the BVCP
- Incorporate significant work already done by the Planning Board subcommittee and their recommendations and areas of focus
- Review allowances and standards for uses, including a focus on:

- Restaurants
- Offices
- Personal services
- Housing types
- Live/work
- Home occupations
- Introduce new uses as needed to support policies in the plan
- Investigate areas of city that may be appropriate for small-scale mixed use
- Assess use mixes of neighborhood centers

In phase one of the project, residents provided feedback on specific uses they would like to see in their neighborhoods. That input will continue to inform this work, but substantial public engagement is needed to supplement this module as well and further refine any proposed changes. Through a variety of different engagement tools and techniques, staff will aim to understand what changes to the use table could help to implement the BVCP, while also understanding what limitations the community wants to see on these uses to foster 15-minute neighborhoods and vibrant neighborhood centers while minimizing negative externalities.

Stakeholders will also be engaged and consulted on proposed changes, with a focus on meeting people where they already have existing events or meetings, rather than creating additional separate meetings for groups to attend. Emphasis will also be placed on reaching under-represented populations in this phase of engagement, and establishing interesting and engaging techniques for engagement.

## Engagement & Communication

### Level of Engagement

The City of Boulder has committed to considering four possible levels when designing future public engagement opportunities (see chart in the appendix). For this project, the public will be **Consulted** on any proposed changes to the use standards and table. Public feedback will be obtained on a variety of technical code changes intended to streamline the use standards, correct discrepancies, and better align existing use standards with relevant BVCP policies.

The BVCP policies have undergone a robust public process through the adoption of the plan, so the engagement for this project will focus on seeking input on how the use table and standard changes implement the adopted policies.

### Who Will be Impacted by Decision/Anticipated Interest Area

- **Residents and neighborhoods** who may be impacted from potential use changes in the neighborhoods where they live/work/play.
- **Development community**, who may be impacted from potential use changes in a variety of neighborhoods.
- **Under-represented groups** that may have an interest in use changes but may be unfamiliar with the methods to offer input.

- **City staff, City boards, and City Council** who will administer any amended Use Standards of the Land Use Code, and who will render development approval decisions.

## Overall Engagement Objectives

- Model the engagement framework by using the city's decision-making wheel, levels of engagement and inclusive participation.
- Involve people who are affected by or interested in the outcomes of this project.
- Be clear about how the public's input influences outcomes to inform decision-makers.
- Provide engagement options.
- Remain open to new and innovative approaches to engaging the community.
- Provide necessary background information in advance to facilitate meaningful participation.
- Be efficient with the public's time.
- Show why ideas were or were not included in the staff recommendation.
- The Planning Board subcommittee will guide and inform the project, including community engagement strategies and project recommendations.

## Engagement Strategies

Due to the ongoing COVID-19 pandemic, it is assumed that the majority of engagement will be completed virtually. Where possible, staff will reconsider strategies to include in-person engagement. This plan and its strategies will be revised to accommodate in-person activities as needed.

The following engagement tools and techniques will be implemented throughout the project.

### SUBCOMMITTEE MEETINGS

*Purpose:* The Planning Board subcommittee will be re-convened to review and provide input as Phase Two work continues. They will provide feedback on that the proposed use table and standards changes and how well they implement the BVCP and their own goals and areas of focus. All subcommittee meetings will be open to the public with notice provided, and the public will have the opportunity to learn more about how the use table and standards work and provide feedback and suggestions in this forum. Since most of the original subcommittee members are no longer on the Board, a more general focus group format and composition may be considered.

*Logistics:* Subcommittee meetings will meet virtually. It is anticipated that the subcommittee will reconvene in Spring 2022, providing input on Module One, with more intensive participation during Modules Two and Three.

*Modules:* One, Two, and Three

### VIRTUAL OPEN HOUSES

*Purpose:* Open houses will be held virtually to provide updates on the project, present options, and receive feedback. These offer a way for the public to hear summaries of the proposed changes, ask questions of staff, and suggest modifications prior to the formal adoption process.

*Logistics:* Two open houses will be held during Module Two and Module Three respectively. The open houses will be held on Teams or Zoom and will include time for presentation and questions and answers. As needed, staff may develop activities for Teams or Zoom breakout rooms where the public may join to discuss specific topics that they are interested in.

*Modules:* Two and Three

## INTERACTIVE MAPPING AND ON-DEMAND OPEN HOUSE

*Purpose:* The work in Modules Two and Three are well suited for interactive mapping engagement strategies. For Module Two, interactive comment maps may be developed to facilitate feedback on any industrial use changes.

For module three, staff will develop an interactive map that incorporates the current zoning map with proposed use changes, so that the public may easily explore changes that might affect their neighborhood or other areas of interest in the city. Survey questions will be integrated into the map for ease of input, and participants will be able to place pins on the map to show support or make suggestions for changes.

In addition, staff will adapt the Be Heard Boulder page as necessary to create an on-demand open house website with short summaries of the main topics that people can explore on their own time. The on-demand open house has been a common engagement tool used during the pandemic and is a website that displays the information that would typically be presented at an open house, such as boards and handouts, but on a webpage that people can access at any time. Opportunities to provide feedback on the site will also be developed such as short surveys.

*Logistics:* The map will be created on Be Heard Boulder and will be a featured activity on the Use Table and Standards page. Options can be explored, but it appears that the attribute table for the shapefile will need to be built accurately with the necessary details prior to placing in the Be Heard Boulder mapping program. Support from GIS staff might be necessary to create the underlying map.

*Modules:* Two and Three

## VIDEOS

*Purpose:* Short videos will be developed to display on the Be Heard Boulder site and to play during any virtual open houses. These videos will summarize the project and any proposed changes.

*Logistics:* Staff will work with Communications staff to develop storyboards and create videos.

*Modules:* Two and Three

## WHAT'S UP BOULDER

*Purpose:* What's Up Boulder is a citywide community outreach event. If the event is held in 2022, this would be a great opportunity to highlight the use table and standards work and develop ways to solicit input.

*Logistics:* The event has not been held virtually, so it is unknown whether this will be held in 2022.

*Modules:* Dependent on event timing.

### LOCALIZED NEIGHBORHOOD MEETINGS

*Purpose:* As needed, staff will plan to attend existing neighborhood meetings to present use changes that may affect the neighborhood and ask for feedback on the changes.

*Logistics:* Staff will work with neighborhood groups to secure time on existing meeting agendas where people will already be in attendance, rather than necessitating separate meetings which may therefore have lower attendance. As draft changes are developed, staff will determine which neighborhoods may be impacted and seek out these meetings. In module two it will likely be focused on industrial area users and in module three these will likely be residential neighborhoods or business groups. These meetings may be virtual or in-person, depending on public health recommendations at the time.

*Modules:* Two and Three

### TARGETED STAKEHOLDER OUTREACH

*Purpose:* In addition to general public outreach, it is imperative that this project focus on targeted stakeholder outreach as well. This includes interested groups such as PLAN Boulder, Better Boulder, the Boulder Chamber of Commerce, and any others.

*Logistics:* Staff will engage early and often with these groups to ensure there is awareness of the planned analysis and changes for modules two and three, as well as receive any initial feedback on the module one technical changes. Staff will need to collect contact information for leaders of these groups. P&DS staff will work with communications staff to identify the appropriate groups to target.

*Modules:* One, Two, and Three

### WEBSITE

*Purpose:* The existing project website will be maintained and updated throughout the remainder of the project to inform the public of the project, provide updates, and link to any engagement opportunities.

*Logistics:* Work with communications staff to make updates as needed to the website.

### NEWSLETTER AND EMAIL UPDATES

*Purpose:* Updates on the project will be provided to interested parties.

*Logistics:* Staff will work with communications staff to draft content for the planning newsletter during key engagement windows. Additional email updates will be provided on an as-needed basis.

*Modules:* One, Two, Three

### CHANNEL 8

*Purpose:* Channel 8 will be utilized to promote engagement opportunities and raise awareness for modules two and three of the project.

*Logistics:* Staff will work with communications staff to create and support content for Channel 8.

*Modules:* Two and Three

## NEXTDOOR

*Purpose:* Nextdoor is another method to promote opportunities to provide input about the project and raise awareness that has a wide reach that may reach people who are not otherwise involved or engaged in planning-related topics.

*Logistics:* Staff will work with communications staff to craft posts to promote engagement efforts.

*Modules:* One, Two, Three

## WALKING TOURS

*Purpose:* Walking tours around neighborhood centers, industrial areas in East Boulder, and other parts of the city will be planned as another engagement method. They will allow interested residents to discuss topics related to the project on the ground with staff.

*Logistics:* Staff will plan a number of opportunities with specific geographic focus and promote the walking tours through a variety of methods. Public health guidance at the time will be consulted to ensure the safety of staff and residents. Summaries of topics discussed will be compiled and inform further work on the project.

*Modules:* Two and Three

# Project Team & Roles

## Team Goals

- Follow City Council and Planning Board direction relative to changes to the code that require more strict standards or criteria be met before granting height modifications and/or requests for greater floor area or density.
- Involve the community in the formulation of new standards or criteria and incorporate relevant ideas following a Public Engagement Plan.
- Solution must be legal, directly address the purpose and issue statement, and must have application citywide.

## Critical Success Factors

- Conduct a successful public engagement process.
- Address the goals related to mix of uses, walkability and community character.

## Expectations

Each member is an active participant by committing to attend meetings; communicate the team's activities to members of the departments not included on the team; and demonstrate candor, openness, and honesty. Members will respect the process and one another by considering all ideas expressed, being thoroughly prepared for each meeting, and respecting information requests and deadlines.

## Potential Challenges/Risks

The primary challenge of this project is making sure that proposed code changes avoid land use impact on other uses, unintended consequences and over complication of the code.

## Administrative Procedures

The core team will meet regularly throughout the duration of the project. An agenda will be set prior to each meeting and will be distributed to all team members. Meeting notes will be taken and will be distributed to all team members after each meeting.

CORE TEAM		
Executive Sponsor	Charles Ferro	
Executive Team	David Gehr, Charles Ferro, Karl Guiler	
Project Leads		
Project Manager	Lisa Houde	
Comprehensive Planning	Kathleen King	
Housing	Jay Sugnet	
Working Group		
Legal	Hella Pannewig	
Communications	Julie Causa	
I.R.	Sean Metrick	Mapping analysis assistance
Community Vitality	Teresa Pinkal	
Public Outreach	TBD	Consulting role

**Executive Sponsor:** The executive sponsor provides executive support and strategic direction. The executive sponsor and project manager coordinates and communicates with the executive team on the status of the project, and communicate and share with the core team feedback and direction from the executive team.

**Project Manager:** The project manager oversees the development of the Land Use Code amendment. The project manager coordinates the core team, manages any necessary consultant firms, and provides overall project management. The project manager will be responsible for preparing (or coordinating) agendas and notes for the core team meetings, coordinating with team members and consultants on the project, managing the project budget, and coordinating public outreach and the working group. The project manager coordinates the preparation and editing of all council/board/public outreach materials for the project, including deadlines for materials.

**Core Team Members:** Team leaders will coordinate with the project manager on the consultant work efforts and products, and will communicate with the consultants directly as needed. Core Team members will assist in the preparation and editing of all council/board/public outreach materials including code updates.

**Communications Specialist:** The communications specialist is responsible for developing and creating internal and external communications output such as press releases, major website updates and additions, talking points, etc., and will provide advice about and support of public outreach. The

communications specialist works with the project managers and core team to develop a communications plan that aligns with the project's goals and larger outreach strategy. The communications specialist will be responsible for promoting events through a variety of methods. The communications specialist assists the manager and core team in advising on any public outreach methods as well as editing and producing outreach material that makes the project accessible to members of the public.

## Project Costs/Budget

No consultant costs have been identified for this project at this time. The project will be undertaken by P&DS staff.

## Decision-Makers

- **City Council:** Decision-making body.
- **Planning Board:** Will provide input throughout the process, and make a recommendation to council that will be informed by other boards and commissions.
- **City Boards and Commissions:** Will provide input throughout process and ultimately, a recommendation to council around their area of focus.

## Boards & Commissions

**City Council** – Will be kept informed about project progress and issues; periodic check-ins to receive policy guidance; invited to public events along with other boards and commissions. Will ultimately decide on the final code changes.

**Planning Board** – Provides key direction on the development of options periodically. Will make a recommendation to City Council on the final code changes.

**Advisory Boards:** Identify and resolves issues in specific areas by working with the following boards/commissions:

- Boulder Junction Access District Commissions
- Downtown Management Commission
- Environmental Advisory Board
- Arts Commission (e.g. space for arts)
- University Hill Management Commission
- Housing Advisory Board

## Appendix A: Relevant BVCP Policies List

### Section 2 Built Environment

#### ***Urban Form Definition***

The city's urban form is shaped by the location and design of streets, paths and open spaces, the mix of uses and intensity of development that are allowed in each area of the city and the design of privately owned buildings and public improvements. The city's goal is to evolve toward an urban form that supports sustainability. This "sustainable urban form" is defined by the following characteristics:

Key Characteristic:

- Daily needs met within easy access from home, work, school, services or recreation without driving a car

#### **Neighborhoods**

##### ***2.09 Neighborhoods as Building Blocks***

The city and county will foster the role of neighborhoods to establish community character, provide services needed on a day-to-day basis, foster community interaction and plan for urban design and amenities. All neighborhoods in the city, whether residential areas, business districts, or mixed land use areas, should offer unique physical elements of neighborhood character and identity, such as distinctive development patterns or architecture; historic or cultural resources; amenities such as views, open space, creeks, irrigation ditches and varied topography; and distinctive community facilities and commercial centers that have a range of services and that are nearby and walkable.

##### ***2.12 Preservation of Existing Residential Uses***

The city will encourage the preservation or replacement in-kind of existing, legally established residential uses in non-residential zones. Non-residential conversions in residential zoning districts will be discouraged, except where there is a clear benefit or service to the neighborhood.

##### ***2.13 Protection of Residential Neighborhoods Adjacent to Non- Residential Zones***

The city and county will take appropriate actions to ensure that the character and livability of established residential neighborhoods will not be undermined by spill-over impacts from adjacent regional or community business zones or by incremental expansion of business activities into residential areas. The city and county will protect residential neighborhoods from intrusion of non-residential uses by protecting edges and regulating the impacts of these uses on neighborhoods.

##### ***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.

##### ***2.15 Compatibility of Adjacent Land Uses***

To avoid or minimize noise and visual conflicts between adjacent land uses that vary widely in use, intensity or other characteristics, the city will use tools such as interface zones, transitional areas, site and building design and cascading gradients of density in the design of subareas and zoning districts. With redevelopment, the transitional area should be within the zone of more intense use.

## **Locations of Mixed Use**

### ***2.17 Variety of Centers***

The city and county support a variety of regional and neighborhood centers where people congregate for a variety of activities such as working, shopping, going to school or day care, accessing human services and recreating. Some centers should be located within walking distance of neighborhoods and business areas and designed to be compatible with surrounding land uses and intensity and the context and character of neighborhoods and business areas. Regional centers should serve a larger role and be located near transit. Good multimodal connections to and from centers and accessibility for people of all ages and abilities will be encouraged.

### ***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.

### ***2.21 Light Industrial Areas***

*The city supports its light industrial areas, which contain a variety of uses, including technical offices, research and light manufacturing. The city will preserve existing industrial areas as places for industry and innovation and will pursue regulatory changes to better allow for housing and retail infill. The city will encourage redevelopment and infill to contribute to placemaking and better achieve sustainable urban form as defined in this chapter. Housing should occur in a logical pattern and in proximity to existing and planned amenities, including retail services and transit. Analysis will guide appropriate places for housing infill within areas zoned Industrial General (IG) (not those zoned for manufacturing or service uses) that minimize the potential mutual impacts of residential and industrial uses in proximity to one another*

## **Public Realm, Urban Design, and Linkages**

### ***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.

## **Design Quality**

### ***2.33 Sensitive Infill & Redevelopment***

With little vacant land remaining in the city, most new development will occur through redevelopment in mixed-use centers that tend to be the areas of greatest change. The city will gear subcommunity and area planning and other efforts toward defining the acceptable amount of infill and redevelopment and standards and performance measures for design quality to avoid or adequately mitigate negative impacts and enhance the benefits of infill and redevelopment to the community and individual neighborhoods. The city will also develop tools, such as neighborhood design guidelines, to promote sensitive infill and redevelopment.

## **Section 4 Energy, Climate & Waste**

### ***Energy-Efficient Land Use & Building Design***

#### ***4.07 Energy-Efficient Land Uses***

The city and county will encourage energy efficiency and conservation through land use policies and regulations governing placement and orientation of land uses to minimize energy use, including an increase in mixed-use development and compact, contiguous development surrounded by open space.

## **Section 5 Economy**

### ***Strategic Redevelopment & Sustainable Employment***

#### ***5.01 Revitalizing Commercial & Industrial Areas***

The city supports strategies unique to specific places for the redevelopment of commercial and industrial areas. Revitalization should support and enhance these areas, conserve their strengths, minimize displacement of users and reflect their unique characteristics and amenities and those of nearby neighborhoods. Examples of commercial and industrial areas for revitalization identified in previous planning efforts are Diagonal Plaza, University Hill commercial district, Gunbarrel and the East Boulder industrial area.

The city will use a variety of tools and strategies in area planning and in the creation of public/private partnerships that lead to successful redevelopment and minimize displacement and loss of service and retail uses. These tools may include, but are not limited to, area planning with community input, infrastructure improvements, shared parking strategies, transit options and hubs and changes to zoning or development standards and incentives (e.g., financial incentives, development).

## **Diverse Economic Base**

### ***5.03 Diverse Mix of Uses & Business Types***

The city and county will support a diversified employment base within the Boulder Valley, reflecting labor force capabilities and recognizing the community's quality of life and strengths in a number of industries. The city values its industrial, service and office uses and will continue

to identify and protect them. The city will evaluate areas with non-residential zoning to ensure the existing and future economic vitality of Boulder while responding to the needs of regional trends and a changing global economy.

#### ***5.06 Affordable Business Space & Diverse Employment Base***

The city and county will further explore and identify methods to better support businesses and non-profits that provide direct services to residents and local businesses by addressing rising costs of doing business in the city, including the cost of commercial space. The city will consider strategies, regulations, policies or new programs to maintain a range of options to support a diverse workforce and employment base and take into account innovations and the changing nature of the workplace.

### **Sustainable & Resilient Business Practices**

#### ***5.13 Home Occupations***

The city and county will evaluate regulations for home-based occupations to balance potential impacts to residential neighborhoods and reflect the goal of allowing more flexibility to have home-based businesses, neighborhood services and employment opportunities. The city and county support the innovative, creative and entrepreneurial activities of residents, including those who are in the very early stages of creating startup companies or providing neighborhood services. The city and county will continue to develop policies that result in reducing the number and length of trips through working from home and revise regulations to be responsive to new uses and types of businesses and neighborhood services that may be compatible with residential areas.

#### ***5.14 Responsive to Changes in the Marketplace***

The city recognizes that development regulations and processes have an impact on the ability of businesses to respond to changes in the marketplace. The city will work with the local business community and residents to make sure the city's regulations and development review processes provide a level of flexibility to allow for creative solutions while meeting broader community goals. This could involve modifying regulations to address specific issues and make them more responsive to emerging technologies and evolving industry sectors.

## **Section 7 Housing**

### **Preserve & Enhance Housing Choices**

#### ***7.06 Mixture of Housing Types***

The city and county, through their land use regulations and housing policies, will encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes and densities to meet the housing needs of the low-, moderate- and middle-income households of the Boulder Valley population. The city will encourage property owners to provide a mix of housing types, as appropriate. This may include support for ADUs/OAUs, alley houses, cottage courts and building multiple small units rather than one large house on a lot.

#### ***7.08 Preservation & Development of Manufactured Housing***

Recognizing the importance of manufactured housing as an option for many households, the city and county will encourage the preservation of existing mobile home parks and the

development of new manufactured home parks, including increasing opportunities for resident-owned parks. If an existing mobile home park is found to have health or safety issues, every reasonable effort will be made to reduce or eliminate the issues, when feasible, or to help mitigate for the loss of housing through re-housing of affected households

#### ***7.10 Balancing Housing Supply with Employment Base***

The Boulder Valley housing supply should reflect, to the extent possible, employer workforce housing needs, locations and salary ranges. Key considerations include housing type, mix and affordability. The city will explore policies and programs to increase housing for Boulder workers and their families by fostering mixed-use and multi-family development in proximity to transit, employment or services and by considering the conversion of commercial- and industrial-zoned or -designated land to allow future residential use.

### **Section 8 Community Well-Being & Safety**

#### **Safety & Community Health**

##### ***8.10 Community Connectivity & Preparedness***

The city and county will foster social and community connectivity and communications that promote well-being, deepen a sense of community and encourage civic participation and empowerment. The city and county recognize that supporting connections in the community also enhances preparedness and improves the ability to respond and recover when emergencies happen.

#### **Culture**

##### ***8.21 Arts & Cultural Facilities***

The city and county recognize the ability of cultural facilities and activity to positively contribute to community members' well-being, sense of community and cultural understanding. The city and county will encourage the provision of venues and facilities for a wide range of arts and cultural expression that are available and affordable to everyone. The city supports neighborhood-serving arts and cultural amenities, including public sculptures, murals, plazas, studio space and community gathering spaces.

### **Section 10 Local Governance & Community Engagement**

#### **High-Performing Government**

##### ***10.01: High-Performing Government***


The city and county strive for continuous improvement in stewardship and sustainability of financial, human, information and physical assets. In all business, the city and county seek to enhance and facilitate transparency, accuracy, efficiency, effectiveness and quality customer service. The city and county support strategic decision-making with timely, reliable and accurate data and analysis.

## Appendix B: Engagement Framework

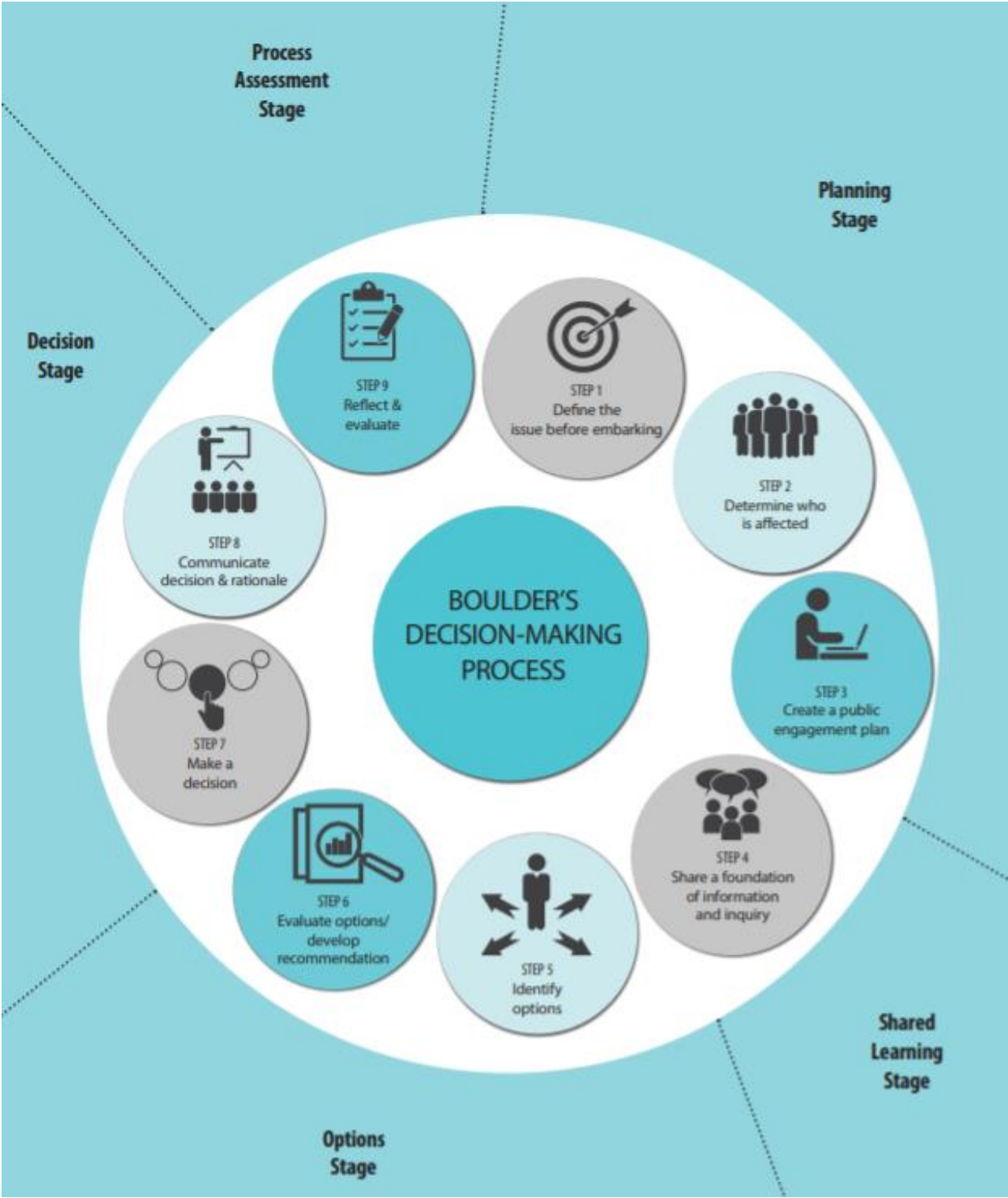
*City of Boulder Engagement Strategic Framework*

### BOULDER'S ENGAGEMENT SPECTRUM

The city will follow a modified version of IAP2's engagement spectrum to help identify the role of the community in project planning and decision-making processes.

INCREASING IMPACT ON THE DECISION 				
	INFORM	CONSULT	INVOLVE	COLLABORATE
PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding a problem, alternatives, opportunities and/or solutions.	To obtain public feedback on public analysis, alternatives and/or decisions.	To work directly with the public throughout a process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and identification of a preferred solution.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge your concerns and aspirations, and share feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are reflected in any alternatives and share feedback on how the public input influenced the decision.	We will work together with you to formulate solutions and to incorporate your advice and recommendations into the decisions to the maximum extent possible.

*Boulder’s Decision Making Process*



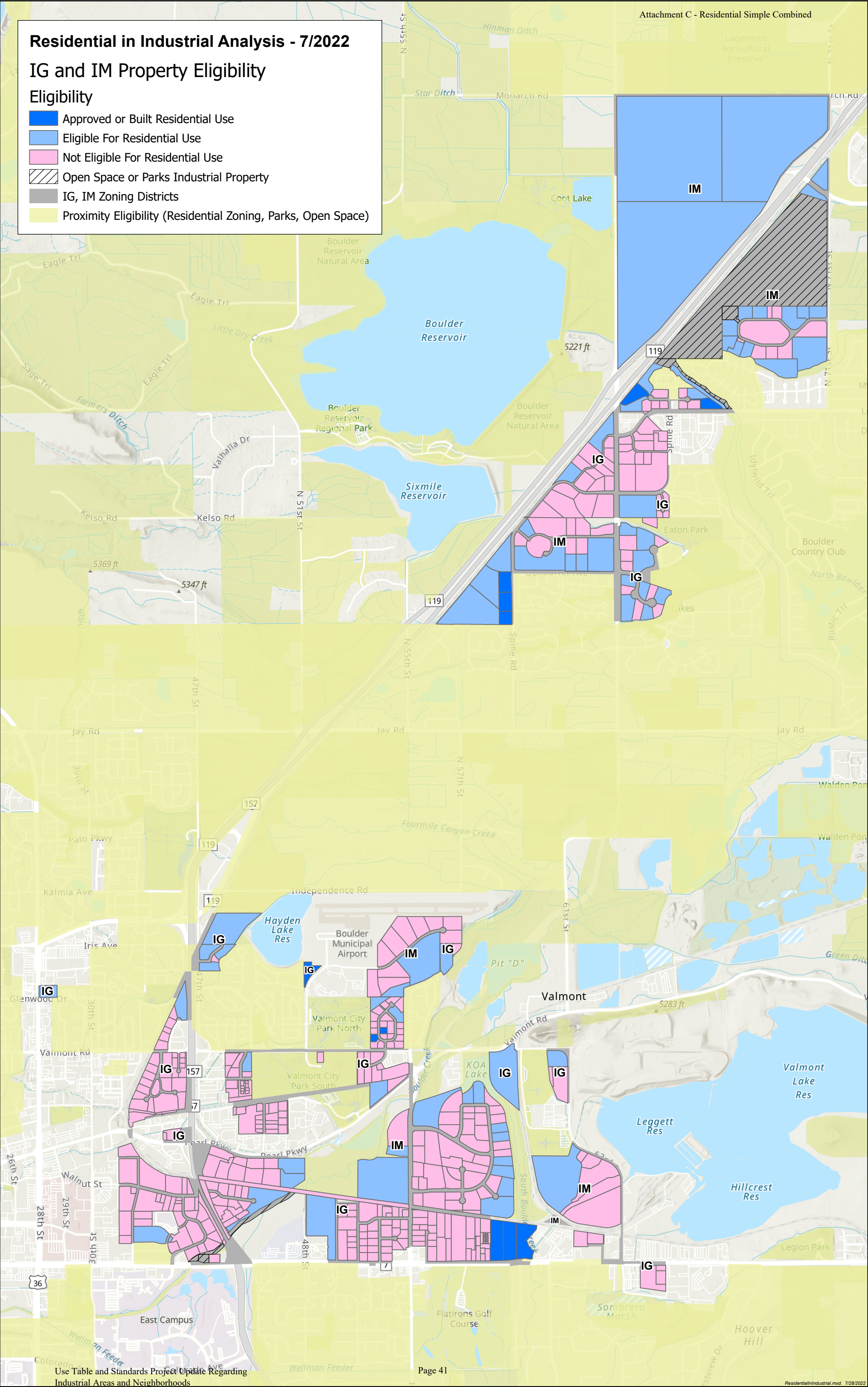


Residential in Industrial Analysis - 7/2022

IG and IM Property Eligibility

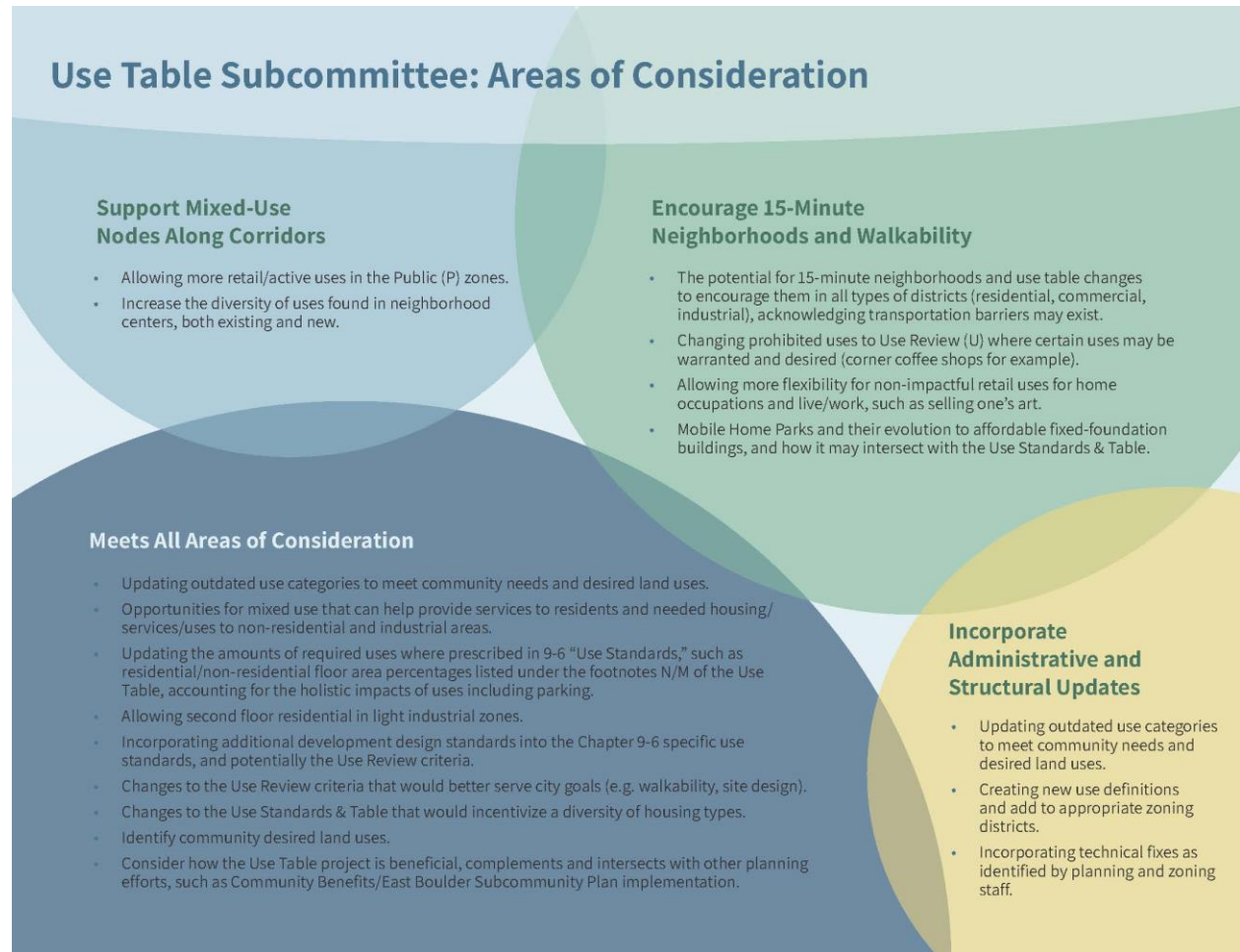
Eligibility

- Approved or Built Residential Use
- Eligible For Residential Use
- Not Eligible For Residential Use
- Open Space or Parks Industrial Property
- IG, IM Zoning Districts
- Proximity Eligibility (Residential Zoning, Parks, Open Space)



# Attachment D: Planning Board Subcommittee Guidance

## Modules Two and Three



### Module Two: Industrial Areas

#### Live-Work Units

- Consider redefining live-work unit use; do not limit only to Industrial zoning districts, allow in DT and other zones; potentially make live-work units more flexible in industrial zones.
- Consider live-work units related to arts, creatives, and trades uses an allowed use to encourage live-work and preserve space for creative community.

#### Residential Uses in Industrial Districts

- The subcommittee did not reach a consensus on residential uses in industrial districts.
- Some members had concerns about residential uses pushing out industrial uses, raising property values, and forcing businesses out.

- Some members noted that current contiguity rules make it nearly impossible to propose residential uses in industrial districts and recommended making mixed use possible in these zones by relaxing the requirements, while also implementing other strategies to ensure that needed industrial uses are not priced out.
- Some members would not want to further limit or restrict residential uses in industrial districts.
- Some members recommended re-examining the contiguity provisions for residential development in industrial districts, and perhaps removing them if they are not helping.
- Members recommended looking to East Boulder Subcommunity Plan for direction on whether changes to the residential standards in industrial districts are necessary.
- Some members expressed concern that the use table project is not right tool to ensure appropriate residential in industrial zoning districts.

### **Industrial Uses in Mixed Use Zones**

- Consider prohibiting manufacturing in the MU-4 zoning district.
- Consider allowing more limited service/low impact industrial uses in MU zones with appropriate restrictions and in sensible locations.

### **Industrial Uses in Downtown Zones**

- Consider prohibiting cold storage locker in DT zones.
- Consider prohibiting equipment repair and rental with outdoor storage in DT zones.
- Consider allowing bike repair/sales in DT zones and other appropriate districts.

### **Breweries, Distilleries, and Wineries**

- Rethink size limits for breweries, distilleries, wineries.

### **Restaurants**

- Restaurant in industrial district standards could be more flexible.

### **Mobile Food Vehicles**

- Consider changing conditional use standards for food trucks, relaxing distance requirements.

### **Retail Uses**

- No changes to retail uses.

### **Schools**

- Consider allowances for private schools.

### **Self-Service Storage Facility**

- Consider changing self-storage facility from allowed to Use Review in the Industrial Service zones.

## Public Participants in Planning Board Subcommittee

Planning Board Subcommittee meetings were open to the public and included public comment periods. The following summarizes comments related to Module Two work:

- Be careful about increasing restaurant and residential in industrial zoning districts as these may displace industrial uses.
- Should bring more of people's daily needs to the industrial areas, so people don't have to drive to get lunch.
- Enable arts and creative uses in industrial districts, but also need to protect industrial spaces.
- There is a need for general retail, office supply stores, smaller retail in industrial districts.

## Module Three: Neighborhoods

### General and Definitions

- Services and other uses are important for neighborhoods, such as walkable access to pharmacies and repair services.
- Revise live/work definition.
- Revise art or craft studio definition.
- Update personal services definition.

### Mobile Food Vehicles

- Perhaps some allowance in residential districts is appropriate.
- Allow conditionally in Agricultural zoning districts.
- Reevaluate the standards in MU zones which may be overly stringent.
- Consider changing from prohibited to Use Review in Downtown zones, perhaps with locational standards.
- Consider changing from prohibited to use review or allowed with limitations in RL-2, RM-2, RM-1, RM-3 as small way to get mix of uses. Also conditionally allow in additional locations in RE, RR, RL-1.

### Self-Service Storage Facilities

- Restrict more across city, should be discretionary review where permitted, or prohibited.

### Neighborhood Business Center

- Look at this use closer, amend as necessary, use as framework.

### Restaurants

- Rework and simplify restaurants across all zoning districts.
- Consider mandating a level of food service in restaurants in the Downtown zones considering impacts of solely bars.

## Outdoor Entertainment

- Analyze outdoor entertainment uses, make more permissive for some uses like small public performance venues in BC and MU zones.

## Business Community (BC) Zoning Districts

- Consider industrial/service types such as auto repair, bike shops, with limited size in BC zones.
- Reconsider allowing breweries, wineries, and commercial kitchens in BC zones, with limited size.
- Reconsider limitation in Appendix N areas that prevents transitional housing, group quarters, and similar residential uses from ground-floor by right. These could make sense in some scenarios. Consider allowing on ground floor.
- Consider making post offices exempt from ground floor and square footage limits in Appendix N BC zones.
- Provide more flexibility for residential uses in BC zoning districts – less restrictive on ground floor along major streets.
- Existing percentage limitations on nonresidential uses is okay as is.
- Retail sales size limits are okay as is.
- Consider prohibiting drive-thru uses or further restricting them. Consideration should also be given to ADA accessibility.

## Downtown (DT) Zoning Districts

- Reconsider whether Custodial Care is appropriate in DT zones.
- Consider prohibiting Fraternities, Sororities, and Dormitories rather than Use Review, and potentially making dorms a separate use.
- Consider limiting boarding houses in DT-1, 2, and 3 to not along ground floors.
- Consider making Commercial Kitchens and Catering a prohibited use rather than Use Review, particularly DT-5. Likely not a neighborhood serving use.
- Consider adding standards for hotels/motels to limit potential for off-street parking in front of buildings in DT zones.
- Consider changing Mortuary and Funeral Chapel to prohibited use in DT-1, 2, and 3, consistent with other DT zones.
- Consider updating Fuel Service Stations and Fuel Sales from use or conditional use review to prohibited in the DT zoning districts.
- Consider changing Car Washes and Drive-Thru Uses from Use Review to a prohibited use in the DT zones.
- Consider changing Equipment Repair and Rental with Outdoor Storage from Use Review to prohibited in Downtown zones.
- Consider allowing bicycle repair and sales in downtown zones and elsewhere as appropriate.

### **Mixed Use (MU) Zoning Districts**

- As offices have moved eastward away from central core, how can we fill these urban MU zones with active ground floor uses?
- Consider modifying MU-3 conditional use requirement for residential uses that mandate 20 feet of commercial on the ground floor, and allow for a use review when the specific conditions cannot be met, given concerns about vacant storefronts.
- Reconsider limitations for Efficiency Living Units in MU-3 since ELUs cannot be more than 40% of the residential mix.
- In MU-4, consider changing Custodial Care Facilities from prohibited to Use Review, consistent with other MU zones.
- In MU-3, consider prohibiting Fraternities, Sororities, and Dormitories. Potentially separate dorms.
- Support the square footage limitation for many of the dining and entertainment uses.
- In MU-1, 2, and 3, consider changing Museums from prohibited to either Use Review, or allowed up to a certain size, above which requires Use Review.
- Consider changing Indoor Amusement Establishment (Indoor Commercial Recreation) from prohibited to allowed with specific use standards, to provide greater mix of possible uses on a ground floor.
- In MU-1, 2, and 3, consider making small theater or rehearsal space Use Review or allowed with limitations rather than prohibited.
- Consider standards for Day Shelters and Overnight Shelters in MU zones.
- In MU-1, 2, and 3, consider changing Mortuaries and Funeral chapels from prohibited to use review, consistent with MU-4 zone.
- In MU-1, 2, and 3, consider changing Animal Hospitals from prohibited to use review, consistent with MU-4 zone.
- In MU-1, consider Retail Sales from prohibited to allowed with size limitation or use review, possibly use review up to 2,000 square feet and prohibited otherwise.
- In MU-4, consider prohibiting Service of Vehicles with no outdoor storage as in all other MU zones.

### **Public and Agricultural Zoning Districts**

- Consider greater allowances for restaurants (farm to table).
- Change duplexes, attached dwellings, townhouses, live/work, efficiency living units from prohibited to Use Review in Agricultural zoning districts, similar to how they are permitted in Public districts.
- Should formally recognize Community Supported Agriculture (CSAs) and allow them in the A zones.
- Consider Temporary Outdoor Entertainment as a conditional use in the A zones.
- Consider allowing Bed and Breakfast uses to some extent in the Agricultural zones.

- Allow home daycare in A zones.
- Make Outdoor Entertainment a Use Review use within A zones consistent with rest of table.

### **Residential High (RH) Zoning Districts**

- No subcommittee consensus on changes to residential allowances related to detached dwelling units, efficiency living units, or fraternities, sororities, or dormitories.
- Consider making larger restaurants that are open later and have larger outdoor space prohibited rather than Use Review in the R6 use module.
- Consider making small theater and rehearsal space a Use Review rather than prohibited in the R6 and R7 use modules to encourage more neighborhood amenities.
- Consider making animal and vet clinics Use Review instead of prohibited, but not kennels.
- Consider size limit on convenience retail sales in the R6 use modules that limit size to 1,000 square feet or less by Use Review, otherwise prohibited. Consider other standards to ensure appropriate levels in neighborhoods. Could apply these limits to other residential zones to encourage compatible 15-minute neighborhood convenience retail sales.

### **RMX Zoning Districts**

- Brewpubs and similar uses less than 1,000 square feet should at least be a Use Review.

### **RL-2 and RM-2, RM-1, and RM-2 Zoning Districts**

- Need to be cautious about putting retail into neighborhoods.
- Subcommittee had various opinions about focusing only on 15-minute neighborhoods or neighborhood centers.
- No subcommittee consensus on changes to residential uses such as Efficiency Living Units, Accessory Dwelling Units.
- What ways can we get an appropriate mix of uses in these lower density residential zones?
- 15-minute neighborhoods are not a solution for every problem.
- Consider changing Bed and Breakfast from prohibited to Use Review or conditional use in RM-1 and 3 zones. Limited locations and smaller size requirements perhaps.
- Consider further restricting offices in these zones.

### **RR, RE, and RL-1 Zoning Districts**

- What would be palatable ways to allow through use review or with limitations, different housing types in these zones. Duplexes, townhomes, other similar housing types are prohibited.
- Consider coffee shops and similar small scale uses, or whether the existing business zones nearby are better locations if already accessible and walkable.
- Incremental changes with positive impacts should be the focus.

- Consider creating a Use Review allowance with small size limit (above which the use is prohibited), operational limits, locational requirements, and design, public safety, and viewshed protection criteria.

### **Public Participants in Planning Board Subcommittee**

Planning Board Subcommittee meetings were all open to the public and included public comment periods. The following summarizes comments made by members of the public related to Module Three:

- We need to put more services into neighborhoods, encourage smaller living spaces that are inherently more energy efficient through the sharing of living spaces.
- Consider changes that promote reduced carbon emissions and reduced vehicle miles travels, such as smaller residential units and greater walkable access to a mix of uses.
- Consider updating live/work uses.
- 15-minute neighborhoods conversation should consider the concept from a transportation perspective and require safe and good access.
- Support regulating hours of operation for business in downtown zones.
- Fraternities and sororities should be limited to only RH-5 zones around the CU campus.
- Support dividing RH-1, RH-2, RH-4, RH-5 into two different use modules.
- Concerns about brewpubs open after 11 pm and like uses transition to bars if a level of food service is not required.
- Incremental changes in lower density residential areas is the right way to go.
- Design compatibility could be consideration for duplexes in low density zones, or mandate that commercial type uses must also maintain a residential on the property.
- Nonconforming commercial properties could be a model – using historic structures that are already part of the neighborhood character.
- Like the idea of neighborhood centers and ADUs. Food co-ops and small grocery stores could be okay in low density areas, but duplexes and triplexes are too much.
- Support revisiting mobile food truck allowances.
- Need to reconsider density and the urban grid with the pandemic, more space for bikes, and less car dependent.
- Can we evaluate our gaps and build a land use table that supports a lower carbon pedestrian scale world?
- 15-minute neighborhood concept needs to be nailed down, need to be clear what would be permitted with potential changes.
- Changes to Efficiency Living Units may be worthy of a ballot initiative
- We should dismantle zoning rules that segregate buildings by income level and use which result in isolation, dispersion, and automobile miles.
- Make BC zones vibrant community centers.

- Restaurant or other nonresidential uses in residential zones, must find balance between losing a residential unit and encouraging a mix of uses. Size limits for nonresidential are important as well as beverage licensing issues.
- Regarding 15-minute neighborhoods, increasing intensity where intensity already exists makes the most sense, like along corridors, intersections, nodes, etc.
- Concern about outdoor entertainment uses in rural areas and agricultural zoning – national problem with overuse and impacts to neighbors.
- Some concern about live/work use and additional commercial type activity in places not intended for it.
- Energy efficiency certificates should be required to be posted at the entrances of every building in Boulder.