



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: December 21, 2023**

**AGENDA TITLE**

Consideration of a motion to approve amendments to the Boulder Valley Comprehensive Plan (BVCP) Land Use Map related to Boulder Junction Phase 2 Implementation

**REQUESTING DEPARTMENT / PRESENTERS**

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**Planning & Development Services**

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**EXECUTIVE SUMMARY**

The purpose of this item is to consider updates to the [Boulder Valley Comprehensive Plan \(BVCP\)](#) Land Use Map concurrent with the approved Phase 2 Amendment to the [Transit Village Area Plan \(TVAP\)](#).

During the Phase 2 amendment planning process, staff worked closely with the community at the *Consult* and *Involve* levels, and with other city departments to analyze the existing 2007 Transit Village Area Plan, learn more about the outcomes in Phase 1, and make recommendations for necessary amendments to better meet current community needs. The newly approved amendments to the area plan focus on land use, transportation connections, and urban design and character of the Phase 2 area. Existing policies related to the Phase 1 area remain. Based on a range of community and departmental input, the TVAP Phase 2 land use amendments include:

- Revisions to the land uses to include Mixed Use Transit Oriented Development (MUTOD), Mixed Use Industrial (MUI), Park, Urban & Other (PK-U/O), and Open Space, Development Rights or Restrictions (OS-DR).

On August 22, 2023, the Planning Board held a public hearing and moved to approve the Transit Village Area Plan Phase 2 Amendment. On September 21, 2023, City Council held a public hearing and also moved to approve the TVAP Phase 2 amendment. As a concurrent step, the BVCP Land Use Map is proposed to be updated to reflect the approved land use changes in the TVAP Phase 2 amendment.

**KEY ISSUES**

Staff has identified the following key issue to help guide the council’s discussion:

1. Using criteria established in the BVCP, does City Council support changes to the BVCP Land Use Map to align it with the amended Transit Village Area Plan?

**STAFF RECOMMENDATION**

**Suggested Motion Language:**

Staff requests council consideration of this matter and action in the form of the following motion:

*Motion to approve amendments to the Boulder Valley Comprehensive Plan (BVCP) Land Use Map related to Boulder Junction Phase 2 Implementation*

**COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- **Economic** – the proposed BVCP Land Use Map changes support the economic vitality of the Phase 2 area and surrounding communities. This area will evolve from an essentially single-use commercial area to a mixed-use neighborhood with a higher intensity of both residential and commercial activities. Greater flexibility on the intensity and types of uses allowed in the future will lead to a more dynamic interaction between local residents, employees, and visitors with the businesses and services offered in the area. These land use changes also encourage the feasibility of bringing rail service to Boulder, and the economic effects that could result from greater visitation and commuting patterns enabled by rail transit.
- **Environmental** – the proposed BVCP Land Use Map changes envision increased residential density in a multi-modal transit-rich location that also provides employment opportunities and community services. This supports the city’s goal of having basic needs within a 15-minute walk, cycle, or transit ride from home and reducing the need for single occupancy vehicle trips. Additionally, updated policies that set higher expectations for tree canopy, landscape areas, and gathering spaces are established to balance environmental needs with urban development. Considerations regarding climate-friendly architectural design,

renewable energy systems, and low-impact materials will be explored in future steps.

- **Social** – the proposed BVCP Land Use Map changes are intended to improve the ability for the Phase 2 area to evolve as a neighborhood that supports housing at a range of incomes and business opportunities for a diversity of local entrepreneurs. Enabling mixed-use outcomes places potential customers directly above and adjacent to future retail, manufacturing, and service enterprises. The team will be exploring opportunities for new tools and programs to support local businesses in this area, especially since commercial space in new redevelopments tends to be more expensive and sometimes out of reach for smaller businesses. Additionally, the amendments identify several outdoor gathering spaces that can serve as community meeting places for nearby residents, employees, and visitors.

## **BACKGROUND**

The previous City Council identified the implementation of Boulder Junction Phase 2 as one of 10 priorities for city staff to build into their 2022-2023 work plans. Staff presented the preliminary scope of work approaches to City Council and Planning Board in Fall 2022. During those meetings, two options were considered:

1. Implement TVAP with the current proposed land use, transportation connections and urban design and character identified for the Phase 2 area.
2. Evaluate the proposed land uses, transportation connections and urban design and character in the Phase 2 area, and propose any necessary amendments to ensure they are aligned with the BVCP, market trends, and current community needs.

City Council and Planning Board directed staff to move forward with the second option. If this process and community feedback resulted in a preferred approach different than what is currently proposed in TVAP, a plan amendment would be needed before implementation can begin.

Staff kicked the Phase 2 project off in the Spring of 2023. The project included a robust community engagement process at the *Consult* and *Involve* levels. However, it differed from a typical area planning process since this is a plan amendment where an existing plan already establishes overall guidance for the Boulder Junction area. The plan amendment process took a strategic approach to updating the most critical elements of TVAP that no longer reflect the community's current and future needs since the plan's adoption 15 years ago. At Council's request, staff proceeded with an appropriately swift schedule to accomplish the plan amendment by Fall 2023 and move into implementation by the end of 2024.

Community feedback during the planning process clearly indicated support for allowing a wider range of commercial uses, neighborhood services, and residential types than was currently envisioned in the Transit Village Area Plan. In addition, market research identified a need for flexibility to support market demand for residential uses and be nimble to respond to on-going changes as Boulder lives into the post-COVID recovery.

The TVAP amendment includes the following BVCP land use designations for the Phase 2 area:

1. **Mixed Use Transit Oriented Development (MUTOD)** is specifically intended for areas with existing or planned multi-modal transit resources. This land use category has been applied to most of Phase 2 to transform existing, disparate uses into mixed use, transit-oriented neighborhoods rich with amenities and services. MUTOD should result in primarily attached residential outcomes with supporting retail, food & beverage, personal services, and other community serving uses.
2. **Mixed Use Industrial (MUI)** also provides flexibility for residential uses, but prioritizes light industrial and other commercial uses on the ground floor. This land use category applies to the area along Old Pearl Street where many light industrial and service uses currently exist and would be encouraged in the future. MUI differs slightly from MUTOD in that it encourages services, workshops, breweries, and other creative spaces rather than retail on the ground floor.
3. **Park, Urban & Other (PK-U/O)** has been applied to the city-owned property along the Goose Creek greenway to identify this corridor as an enhanced community amenity, while still serving its primary flood control purpose.
4. **Open Space, Development Rights or Restrictions (OS-DR)** applies to a small section along Pearl Parkway as a clean-up item to recognize an existing scenic easement managed by the Open Space & Mountain Parks department.

### **PUBLIC FEEDBACK**

A notice of proposed changes was mailed to all property owners in Boulder Junction Phase 2 whose property is considered for a BVCP Land Use Map change. Notices were also mailed to all property owners whose property is located within 600 feet of a proposed BVCP land use change. City staff received minimal input from community members related to this item. Those who did inquire asked general questions related to process, current and future regulations, and next steps.

### **BOARD AND COMMISSION FEEDBACK**

In accordance with The City Charter (Article XII, section 175), OSBT held a public hearing and consideration of a motion to recommend approval of the removal of the OS-O designation in the Phase 2 area on July 12, 2023, which received unanimous support from the board. On November 21, 2023, Planning Board held a public hearing and unanimously approved the proposed updates to the BVCP Land Use Map as a result of the Phase 2 amendment.

### **ANALYSIS**

The BVCP Land Use Map depicts a plan of the desired land use pattern in the Boulder Valley. The map is intended to serve as a guide for future land use and transportation decisions and should be used in conjunction with the policies, figures, and principles of the BVCP. Land use designations and land use map descriptions, which are outlined in Chapter 4 of the BVCP, should also be used to guide future zoning decisions.

*Figure 1* below represents the existing BVCP land uses in the Phase 2 area of Boulder Junction. These uses include Light Industrial (LI), Community Industrial (CI), and Open Space, Other (OS-O) designations. *Figure 2* below represents the proposed BVCP Land Use Map changes staff is proposing to align with the land use plan approved in the TVAP Phase 2 Amendment. These uses include Mixed Use Transit Oriented Development

(MUTOD), Mixed Use Industrial (MUI), Park, Urban & Other (PK-U/O), and Open Space, Development Rights or Restrictions (OS-DR).

Figure 1: Existing BVCP Land Use

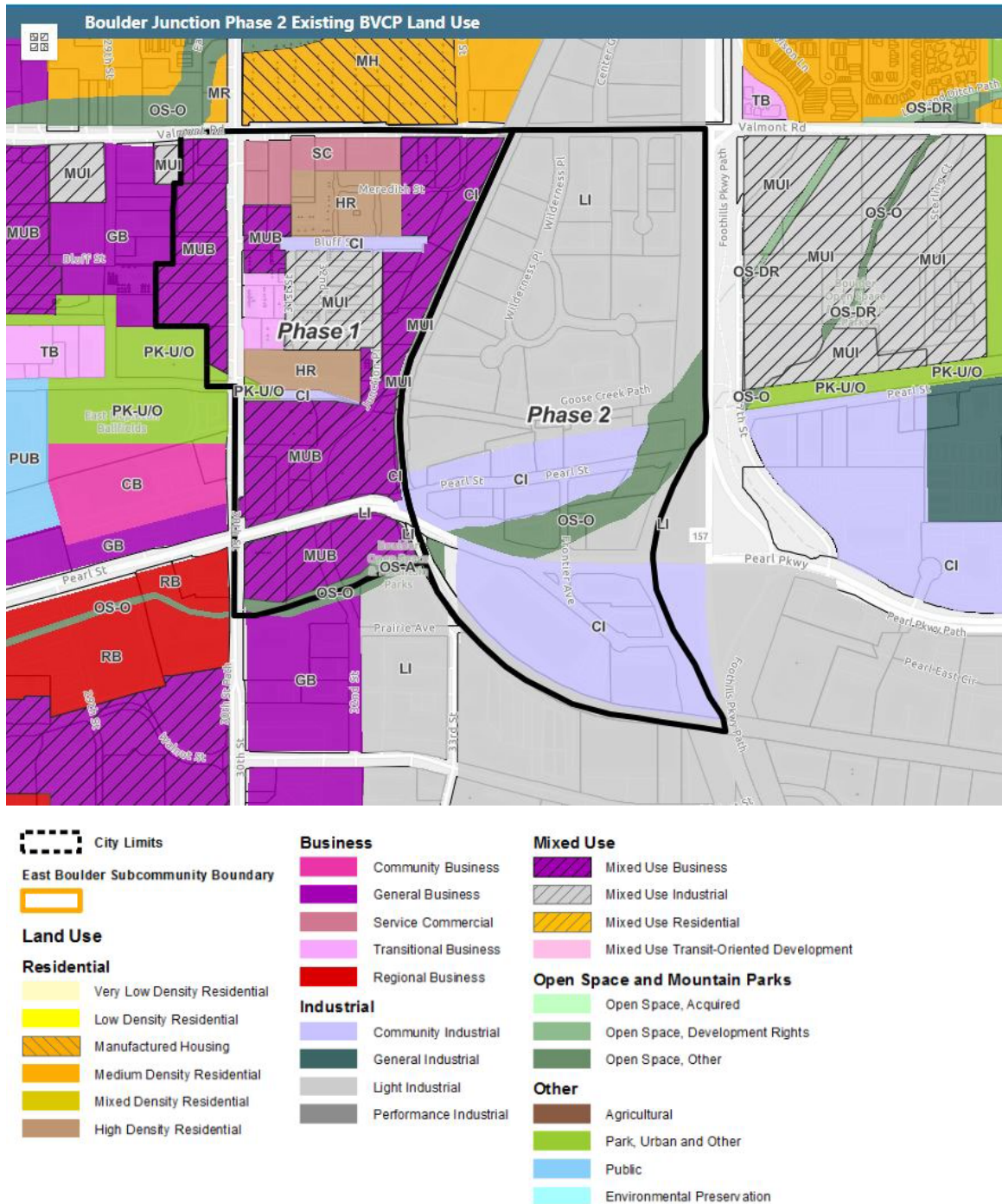
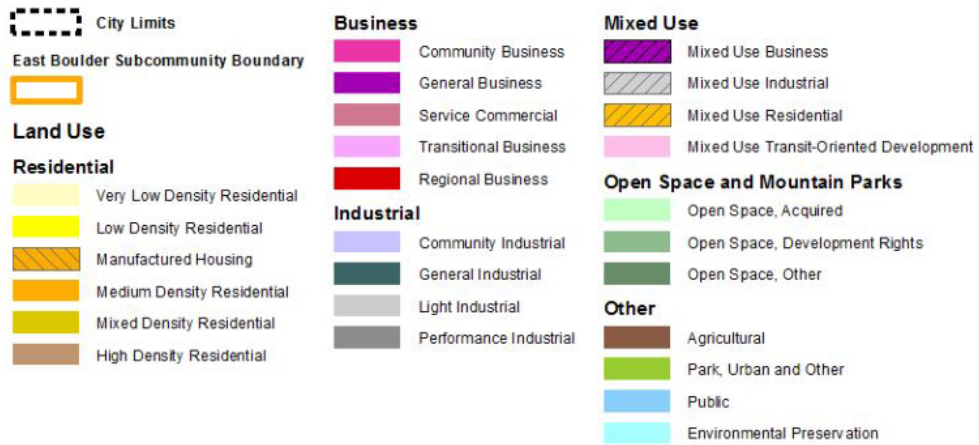
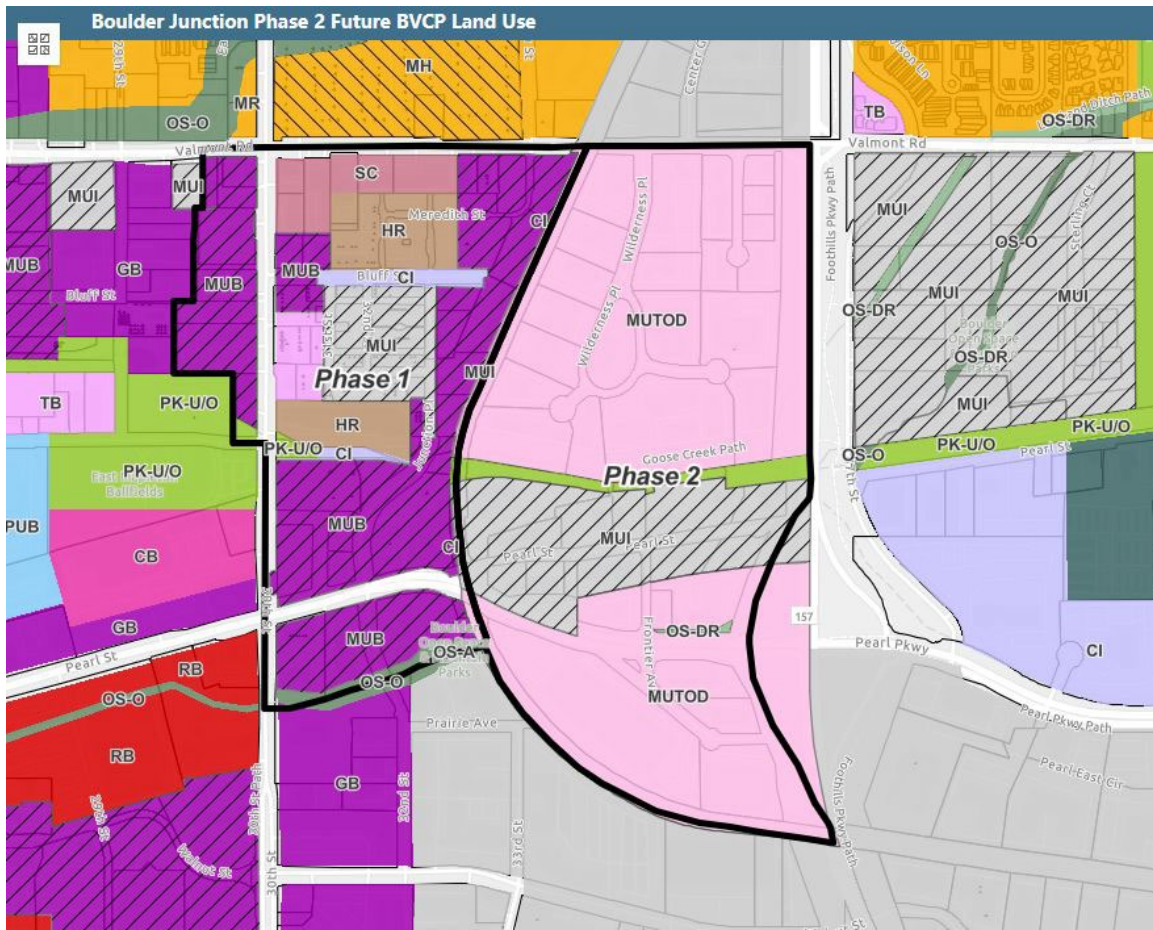


Figure 2: Proposed BVCP Land Use



As defined in the BVCP, Land Use Map changes may occur at any time concurrent with adoption or amendment of an area plan and require approval by both the Planning Board and City Council. To be eligible for a Land Use Map change, the proposed change must meet the following criteria:

***a) On balance, is consistent with the policies and overall intent of the comprehensive plan;***

The Transit Village Area Plan is intended to implement the policies of the Boulder Valley Comprehensive Plan at the local level. The TVAP Phase 2 land use amendment offers a myriad of opportunities to move BVCP policies towards action and implementation. The proposed land use changes will enable the implementation of the following key BVCP policies in Phase 2 of Boulder Junction:

- 2.16 Mixed Use & Higher-Density Development
- 2.21 Light Industrial Areas
- 2.33 Sensitive Infill & Redevelopment
- 5.01 Revitalizing Commercial & Industrial Areas
- 6.01 All-Mode Transportation System & Complete Streets
- 6.09 Regional Transit Facilities
- 7.07 Mixture of Housing Types
- 7.11 Balancing Housing Supply with Employment Base

***b) Would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city;***

City staff have coordinated planning efforts with outside agencies. There are no cross-jurisdictional impacts of the proposed land use map changes that cannot be accommodated.

***c) Would not materially affect the land use and growth projections that were the basis of the comprehensive plan***

The 2015 BVCP growth projections give a broad sense of the type, location and pace of new housing that might occur communitywide based on the total amount allowed by current zoning at the time (2015). The TVAP Phase 2 land use amendment proposes changes to the previously assumed land uses and results in an increase in housing units and population that is greater than the 2015 BVCP projections. This overall growth does not materially affect the basis of the comprehensive plan as it is consistent with BVCP policies and within the capacity of established or planned municipal services and capital improvements as described below in item (d).

***d) Does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder***

Land use map changes are anticipated to result in gradual redevelopment of this area over a 20-year horizon and will not materially affect the availability of urban facilities or services. Redevelopment will be accommodated through increased revenue

associated with additional growth and development that will fund urban facilities and services. For example, the existing utilities have capital and regulatory requirements that must be satisfied prior to development.

Other urban services include:

- *Parks and Recreation.* With the land use changes and associated projections, the parks and recreation levels of service will remain above the city's benchmark.
- *Fire and Emergency Response.* An increase in population in Boulder Junction will lead to an increase in request for fire and emergency service. This will require additional FTE staffing, equipment, and vehicles.
- *Police.* An increase in population in Boulder Junction will lead to an increase in request for police services. The police department anticipates a need for additional officers to accommodate full build-out of the plan as well as additional patrol cars.
- *Schools.* Local schools can currently absorb additional students from new housing and Boulder High School is also positioned to absorb additional students in the coming years, as enrollment numbers are trending down.

***e) Would not materially affect the adopted Capital Improvement Program (CIP) of the City of Boulder;***

The proposed BVCP land use map changes implement the Transit Village Area Plan and will result in rezoning and land use changes over time. Development will be expected to pay its own way, however, future potential capital improvements that would support the envisioned mixed-use neighborhoods in Boulder Junction may be necessary and will be further analyzed in future implementation steps. The proposed BVCP land use map changes would not materially affect the currently adopted CIP.

***f) Would not affect the Area II/III boundaries in the comprehensive plan.***

The proposed BVCP land use map changes would not affect the Area II/III boundaries in the comprehensive plan. All proposed land use map changes are in Area I.

It should be noted that approximately 7.71 acres of land designated as Open Space – Other (OS-O) on the BVCP Land Use Map exists within the Phase 2 area of Boulder Junction. OS-O is defined in the BVCP as:

1. *Open Space, Other (OS-O)* applies to other public and private land designated prior to 1981 that the city and county would like to preserve through various preservation methods, including but not limited to intergovernmental agreements, dedications or acquisitions. By itself, this designation does not ensure open space protection. *When the mapping designation applies to some Area 1 linear features such as water features or ditches, the intent is to interpret the map in such a way that the designation follows the linear feature, OS-O may be applied to ditches; however, the category should not be used to interfere with the operation of private irrigation ditches without voluntary agreement by the ditch company*



The existing OS-O land use designation near Boulder Left Hand Ditch/North Boulder Farmer's Ditch between the railroad tracks and Foothills Parkway north of Pearl Parkway is believed to originally have been intended to help protect the Boulder Left Hand and North Boulder Farmer's ditches. These ditches and ditch companies' interests are already protected via existing easements. These ditches are concrete lined (a decision controlled by the ditch companies). The areas adjacent to these ditches were permitted to be developed and have been impacted by the allowed development to the point that they are no longer of interest to Open Space preservation. Therefore, staff is proposing to remove the existing 7.71-acre OS-O designation. In place of OS-O, staff is recommending redesignation to Mixed Use Transit Oriented Development (MUTOD) and Mixed Use Industrial (MUI), with a small portion along the Goose Creek Greenway changing to Parks, Urban and Other (PK-U/O). This redesignation better reflects the existing conditions and future vision for the area as defined in the TVAP Phase 2 amendment.

The City Charter (Article XII, section 175) states that the Open Space Board of Trustees (OSBT) "shall review the open space elements of the BVCP and make recommendations concerning any open-space related changes to the plan." On July 12, 2023, OSBT held a public hearing and consideration of a motion to recommend approval of the removal of the OS-O designation in the Phase 2 area, which received unanimous support from the board.

#### **NEXT STEPS**

Following the approval of the BVCP Land Use Map updates, there are a number of significant projects requiring cross-department staff time and potential funding to implement Phase 2 of the Transit Village Area Plan. Staff will establish an approach to the regulatory, physical, and programmatic infrastructure required to ensure successful redevelopment of Phase 2 in line with the amended Transit Village Area Plan. This will begin with an exploration of expanding the Boulder Junction Form-Based Code and General Improvement Districts (in current or revised form) to the Phase 2 area and developing a strategy for phasing and funding of any necessary public improvements.

#### **ATTACHMENTS**

None