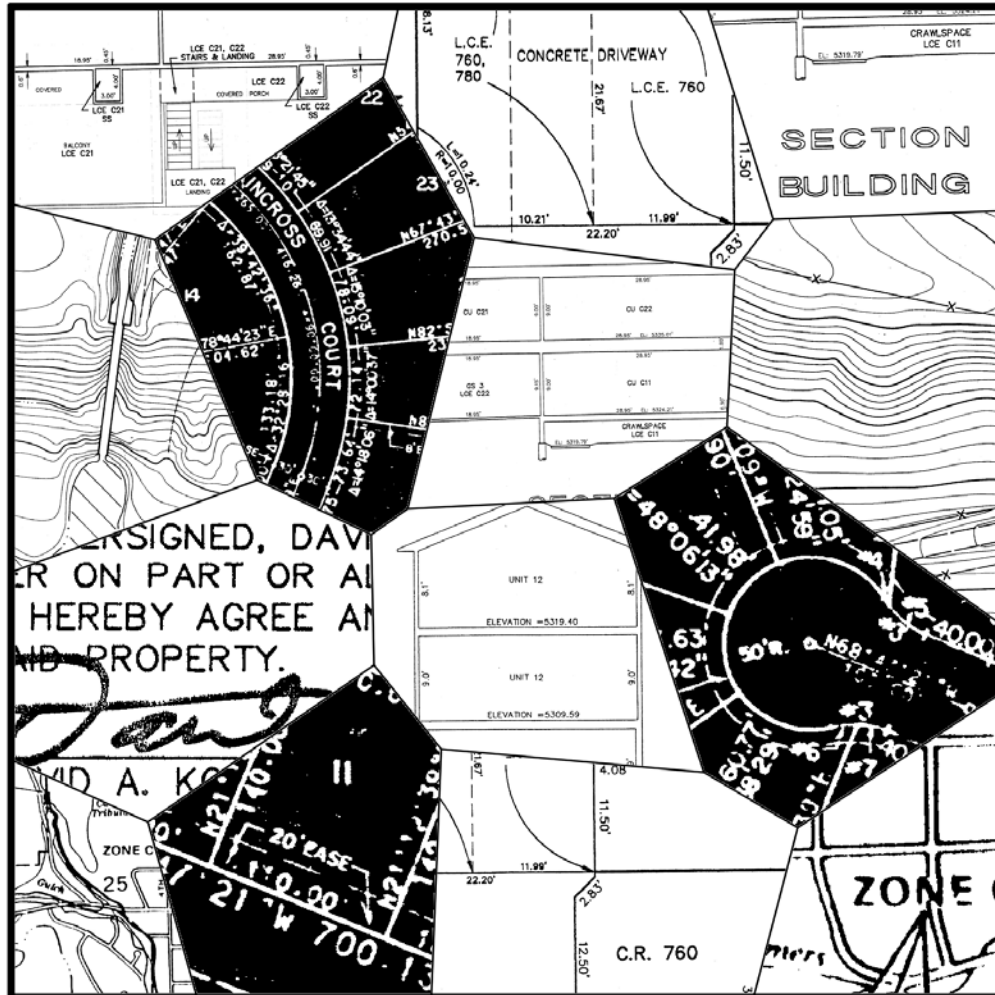


Changes to Boulder Valley Comprehensive Plan Land Use Designations (that may be considered at any time)

Attachment to *Land Use Review Application*



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Changes to Boulder Valley Comprehensive Plan Land Use Designations (that may be considered at any time)

GENERAL INFORMATION

Land Use Designation Changes Summary

This attachment contains a summary of the Boulder Valley Comprehensive Plan (BVCP)'s procedures for applying for land use designation changes outside of a regular BVCP update.

Applications for land use designation changes that are made outside of a Map Only, Mid-term or Major Update to the BVCP must be related to an annexation or rezoning application and requires payment of an application fee. In addition to the requirements listed in the "Annexation/Initial Zoning" and/or "Rezoning" attachments, a written statement is required describing how the proposed land use designation change would meet the procedures and criteria of the BVCP.

Land use designation changes requested during a Map Only, Mid-term or Major Update of the BVCP do not require payment of a fee.

BOULDER VALLEY COMPREHENSIVE PLAN (BVCP) LAND USE DESIGNATION CHANGE PROCEDURES

BVCP land use designation changes related to proposed zoning changes or annexations may be considered at any time and require approval by the city Planning Board and City Council and in certain instances, Call-up by the Boulder County Board of County Commissioners.

Description

The Land Use Map is not intended to be a zoning map. Instead, it provides policy direction and definition for future land uses in the Boulder Valley.

Criteria

To be eligible for a Land Use Map change, the proposed change:

- a) on balance, is consistent with the policies and overall intent of the comprehensive plan;
- b) would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city;
- c) would not materially affect the land use and growth projections that were the basis of the comprehensive plan;
- 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;
- e) would not materially affect the adopted Capital Improvements Program of the City of Boulder; and
- f) would not affect the Area II/Area III boundaries in the comprehensive plan.

Decision-making

Land Use Map changes in Area I & II are a city decision, with call-up to the county as described in the referral & call up procedures. Changes in Area III are a city and county decision.

Schedule and Process

A request initiated by the property owner concurrent with a rezoning, development application, or annexation application must be submitted in writing to the city's Planning Department and must address the criteria for processing the request separately from a plan update. All other changes must be initiated by the city or county.

Referrals

The city will make a referral with preliminary comments to the county Land Use Department for comment. For land use changes the county will have 30 days after receipt of the referral to provide written notice to the city as to whether the proposed change meets the criteria.

Referral & Call-up Process

As part of the cooperative planning process, the City of Boulder and Boulder County have established the following referral process for certain types of land use and public improvements activity within the Boulder Valley. A referral is a written communication from the Planning Department of either the city or the county to the Planning Department

of either the county or the city, respectively, in which there is contained either a request for or a response to a request for review and comment on the above-described.

Responses to all referrals will be based upon the Boulder Valley Comprehensive Plan, including all applicable policies, maps, and implementation documents, and applicable codes, agreements, ordinances, and resolutions of the respective jurisdictions.

All referral requests and responses of departments of the city and the county will be received, reviewed and communicated through the respective planning departments, with the understanding that referral responses may be reviewed by the Planning Board or Planning Commission and/or the City Council or Board of County Commissioners at the referee's discretion.

Complete referral responses will be made within 30 days of receipt. The referrer will consider all referral responses or the fact that there have been no responses before proceeding with the activity proposed.

The city will not grant or deny applications for out-of-city water and sewer permits for development activities in Area II unless it has first received a referral response from the county.

The Board of County Commissioners may call up the following city decisions:

- Minor adjustments to the service area boundary over 5 acres in size.
- Area II Land Use Map changes over 5 acres in size.

The call up provisions do not apply to enclaves, city-owned land, and properties along the western edge of the service area below the blue line. After approval of a city decision that is eligible for a call-up, the city planning department will notify the county planning department of the decision. If the Board of County Commissioners chooses to call-up the decision within 30 days of the final city decision, it will hold a public hearing to approve or deny the change within 60 days of the call-up decision. The Board of County Commissioners may approve or deny the change or approve and request the city modify the approval. Any change to the comprehensive plan that is a result of a call up by the county will be final upon approval by both the city and the Board of County Commissioners.