

## **Use Standards/Table Review Subcommittee**

### **8/30/2018 Meeting Summary Notes**

Subcommittee members: David Ensign, Crystal Gray, Bryan Bowen

Staff: Karl Guiler, Andrew Collins

One member of the Public: Sarah Silver

#### **Introductions**

#### **Subcommittee Rules and Procedures**

- Subcommittee decides that no formal votes will be taken, but a consensus should be reached for points of consideration.
- David Ensign chosen to be chair – will run meetings and serve as the point person for the Subcommittee, including reporting out to the larger Planning Board as needed.

General table discussion - Crystal wants to ensure a Use Table 101 session is integrated into the community outreach, early on in the process.

Karl provides a Use Table 101 - a review of the Land Use Code *Section 9-6 Schedule of Permitted Uses* to the Subcommittee.

#### **Scope/Problem Statement/Goals and Objectives**

- Scope to include all of Section 9-6 Schedule of Permitted Uses, and should not overlap with any other efforts by Council (such as large lots, and community benefits etc.).
- Other items outside of the scope (Section 9-6 Uses), are ok to acknowledge and record, but would be outside the Use Table Review project's and the Subcommittee's scope.
- Subcommittee agrees to keep the Problem Statement at a high level, with more specific goals/objectives to follow that.
- Bryan proposes for the initial problem statement: Bring the Use Table and uses into alignment with the BVCP policies and with the city's priorities.
  - The subcommittee concurs.
  - Goals and Objectives should be informed by technical fixes identified by staff, and issues/desires identified by the community

#### **Broad Goals:**

- Simplification of the use table and streamline the regulations where possible
- Create more predictability and certainty
- Align Uses section with net zero goals of the city

#### **Specific Goals and Topics to Consider**

- Study preliminary topics identified in meeting agenda
- The percentages of required residential/non-residential floor area listed under the footnotes *N/M* of the Use Table seem arbitrary, and need to be evaluated.

- Study 15 minute neighborhoods and use table changes to encourage them, acknowledging transportation barriers may exist. (Look at walk scores)
- Consider allowing more retail active uses in the Public zones.
- Consider changing prohibited uses to Use Reviews (*U's*) where certain uses may now be warranted and desired (corner coffee shops for example).
- Consider adding form and design standards to be incorporated into the Use Review section and 9-6-2 to 9-6-9 criteria.
- Potentially allow more flexibility for non-impactful retail uses for home occupations and Live/work, such as selling one's art.
- Consider Mobile Home Parks and their evolution to affordable fixed-foundation buildings, and how it may intersect with the Use Table and provisions.
- Consider ways to allow 2<sup>nd</sup> floor residential in light industrial zones.
- Consider changes to the Use Review criteria that would serve city goals (e.g., walkability, site design)

### **Engagement**

- Need to make sure we include information about the Use Table Review project in the Boulder digital newsletter that goes out. And establish an email list to keep the public involved.
- Align the project timeline with the city's engagement 101 [Engagement Strategic Framework](#) including the Boulder's Decision-Making Process chart.
- Include an earlier check-in with Council in the timeline.
- A "Use Table 101" should be part of the community engagement plan with presentations/community engagement events - include visuals to illustrate how the Use Table relates to the Land Use Code and the BVCP.
- Conduct internal meetings with zoning/planning staff to identify technical issues and fixes with the use table – to inform goals/objectives.
- The Public's input should also help inform the goals/objectives, so we want to engage them earlier rather than later in the process.
- Consider soliciting the community, including applicants and architects, on what isn't working with planning processes and unresolved planning issues out of recent development cases - Likely outside of this project's scope, but we can acknowledge and have a place to collect those ideas during open houses or other engagement events.
- Include a map activity where the community can identify what uses they would like to see in their neighborhood, and if any uses are missing. This will inform updates to the Use Table and associated regulations.
- Contact the Daily Camera about project and set up a city project website.

### **Other thoughts**

- Use Review serves its purposes and generally works well, but should be clear.
- Look at Alpine Modern at 9<sup>th</sup> and College as an example of a successful neighborhood scaled commercial use. Most of the community enjoys the use and building - how can that be a model for other parts of the city neighborhoods?

## **Homework and Next Steps**

Mid-September Subcommittee meeting:

- Subcommittee members to redline the Use Table and Use section 9-6, identify concerns/issues.
- Staff to prepare:
  - BVCP, Zoning maps and use module maps
  - Draft of problem statement and preliminary goals and objectives
  - Refine the project timeline and put into circular chart format

Late September / Early October Subcommittee meeting

- Staff to create draft Community Engagement Plan, and meet with internal zoning/planning staff on technical Use Table issues.

## **Public Comments**

- A need exists to talk with the community about unresolved land use and planning issues related to recent development cases. The community needs an opportunity to be heard on a variety of topics.
- A goal from the community's perspective would be certainty.
- A Use Table 101 type training would be helpful.
- Design and form requirements are needed for walkable 15 minute neighborhoods.
- The connective tissue is what create neighborhoods that the community wants and will use.

## **Use Standards/Table Review Subcommittee 9/13/2018 Meeting Summary Notes**

September 13, 2018, 11:30AM-1:30PM  
Alpine Modern Café, 904 College Ave, Boulder, CO 80302

Subcommittee members: David Ensign, Crystal Gray, Bryan Bowen  
Staff: Jim Robertson, Charles Ferro, Karl Guiler, Andrew Collins  
Members of the Public: none

### **Welcome and Acceptance of the 8/30/2018 Meeting Summary Notes**

- Subcommittee accepts the 8/30/2018 Meeting Summary Notes.
- Subcommittee agrees to structure the meeting and future meetings to allow a brief public comment period at the beginning of the meetings during Welcome/introductions, and a public comment period at the end of the meeting as well. Keeping the bulk of the agenda items to subcommittee and staff discussion.
- Subcommittee agrees to move any discussion on red-lined *Chapter 9-6 Use Standards* to the end of the meeting and potentially for the next meeting.

### **Updated Preliminary Timeline with Decision-Making Chart / Engagement:**

- Schedule the Step 3 - *Check-in with Planning Board* to the second half of November so that David Ensign is able to attend.
- Need to ensure the Planning Newsletter that goes out includes a blurb about the Use Standards & Table project.
- Need to have an online webpage that has the meeting materials posted, including a comment form, and email opt-in for the public to stay informed of the project.
  - An email list should be developed from this as well.
- The community is welcome to red-line the *9-6 Use Standards* and provide feedback, and their input and feedback on the purpose statement, goals and objectives is welcome and will inform the ultimate proposal.
- It's a living project with multiple feedback loops and opportunities for public participation, and corresponding responses and adjustments will be made as we go along based on the public input (as well as the subcommittee, stakeholder groups, staff, the Planning Board, and Council input).
- Include an online mapping exercise for the public to provide input, identifying their neighborhood and what uses they'd like to have or not have in their neighborhood.
- Include an online Use Table 101 and possible videos or power point materials as a learning tool for how the Use Table and standards work.
- Let the subcommittee know when the webpage and email list-serv is up and running.
- Staff will ensure that we cross-reference and cross-check with the Sub-Community Planning efforts, as one project may inform the other.
  - Will build-in cross-checks with the Sub-Community planning project into the draft Engagement Plan.

- Need to be clear throughout the process and in our documents that the ideas presented are always a working draft, and nothing has been decided. Nothing will be decided without the community's involvement.
- Need to have clear rules of engagement posted during the public engagement events so that everyone is respectful of one another, and to allow constructive feedback from the public.

### **Review Scope**

- Make all statements consistent with the revised Scope and Purpose statement, incorporating the *Chapter 9-6 Use Standards* and BVCP goals and policies language throughout.
- Reference the Sub-Community Planning efforts in the scope.
- Add in a new Key Question - What do you wish you had or didn't have in your neighborhood or district; what uses are missing where you live, work, and play in Boulder? (e.g., a. residential- where you live? b. commercial/industrial etc.- where you shop or work? C. commercial/residential etc. -where you recreate?)
- Also, add "Other questions?" as other key questions may arise through the process.
- Overall, the subcommittee likes that the scope is to the point.

### **Review Primary Goals & Objectives**

- Overall, the subcommittee likes that the goals and objectives are clear.
- Revise the objective statements to be understood as areas of consideration (e.g., we will *study/consider* these items)
- Re-title to *Areas of Consideration* – demonstrates that nothing has been decided upon but these are the initial areas of inquiry within the scope of work.
- Include a preamble that explains these topical Areas of Consideration are a starting point, nothing has been decided upon. We will study and consider these topics, but they are subject to change/revisions based on the process and community feedback. Input from the public will inform any subcommittee recommendations and no decision will be made without public input and feedback. City Council will ultimately decide on any proposal, with a recommendation from the Planning Board. The direction to initiate the study comes directly from the Planning Board's goals/work plan for the 2018 calendar year, and the study is guided by the Planning Board appointed subcommittee. The study is also supported by the goals and policies of the BVCP (for example *BVCP Policy 2.24 Commitment to a Walkable & Accessible City* and 15-minute neighborhoods).
- Add a new area of consideration for incentivizing a diversity of housing types/mixed housing.

### **Mapping Exercise**

- The purpose of today's exercise is to gauge how it might work during the community engagement events, hear the groups' feedback on it, and to have the subcommittee share their thoughts on uses in their neighborhoods. Should offer the same type of mapping exercise online as well.

Dave Ensign, Crystal Gray, and Bryan Bowen shared their thoughts on their neighborhoods via the mapping exercise where they live with dots and sticky notes:

- Dave Ensign: Enjoys the bikeways and walkability. Greater socially-interactive elements are needed and the 60's era design of the neighborhood means neighbors are often disconnected from one another, and while walkability is good more is better. Missing uses include a coffee shop, neighborhood retail, and communal uses (and even front porches). Supportive of the idea of home occupations.
- Crystal Gray: Supportive of mixed-uses in her area of town, enjoys the walkability and the nearby retail uses. Likes the diverse housing and mixed-income nature of her neighborhood. Dislikes driving for certain uses and services. Missing uses includes a grocery store and civic uses such as a dog park.
- Bryan Bowen: Co-housing community offers great opportunities for positive social interactions and a supportive communal atmosphere. Enjoys the walkability, it's safety and tranquility, and the diverse uses within proximity. Missing uses are a grocery store, music venue, convenience retail (not a gas station), brew-pubs, and true live/work units.

Discussion regarding the mapping exercise. Are the questions right?

- Should try to focus them on land uses as opposed to creating an expectation for broader changes that would be more appropriate through the subcommunity planning process.
- Might be ok to keep the general questions as an icebreaker, or to get broad ideas first and then drill down to uses.
- Consider a separate exercise, or maps for where you work and where you recreate.

### **Discussion of Redlined Use Tables/Standards**

Deferred to next meeting, subcommittee to continue to work on this as needed.

### **Other thoughts**

- Appendix maps, figures, or overlays that illustrate geographic extents for certain use standards would be helpful instead of lengthy text descriptions in the Use Table.
- Context/location based use standards help differentiate between where certain uses are appropriate or not appropriate, within the same Zoning designation - similar to MU-3 and the BC zoning. Such tailoring allows variety and appropriate uses based on context and unique neighborhood characteristics.
- Any changes to Conditional approvals etc. should do so accounting for additional staff time that would be required and potentially additional Planning Board and Council review efforts.

### **Next Steps**

Next meeting will be Monday October 1, 2018 at 11:30am

- North Boulder location, probably Spruce Confections.

Subcommittee members to continue reviewing *Chapter 9-6 Use Standards*.

Staff to prepare:

- Updates to the scope, problem statement, goals and areas for consideration per the Sept. 13<sup>th</sup> discussion.
- Draft community engagement plan.
- Conduct internal zoning/planning staff technical fixes meeting on 9/28. Staff will report out to the subcommittee.

## **Use Standards/Table Review Subcommittee**

### **10/01/2018 Meeting Summary Notes**

October 1, 2018, 11:30AM-1:30PM

Spruce Confections - 4684 Broadway, Boulder, CO 80304

Subcommittee members: David Ensign, Crystal Gray, Bryan Bowen

Staff: Karl Guiler, Andrew Collins

Members of the Public: none

### **Welcome and Acceptance of the 9/13/2018 Meeting Summary Notes**

- Subcommittee accepts the 9/13/2018 Meeting Summary Notes.

### **Scope, Preliminary Goals and Areas of Consideration**

- Under the Key Questions,
  - Question 1 – Include “the neighborhood you live in” as the first bullet.
  - Question 6 – Provide definitions for elements such as home -occupations during the public engagement phase, as well as for other uses and items. Clarify the bullet point to “regulatory and logistical” barriers.
- The draft Scope, Goals and Areas of Consideration looks good and reflects the subcommittee’s feedback. Staff to correct any typos.

### **Internal Stakeholders Feedback**

Technical issues /fixes with 9-6 Use Standards

Staff reviewed the feedback received from the stakeholder group on 9/28/2018. Subcommittee discussion on the internal stakeholder group (e.g., zoning review staff) feedback:

- There are current regulatory issues with having multiple principal uses on a site. For example, a project having to codify parking as a separate principal use for a mixed use development, when in reality it functions as an accessory use serving multiple users at different points in time. More clarity and criteria for defining principal and accessory uses, and how shared-parking and TDM (transportation demand management) strategies may inform them.
- Personal service uses – art gallery versus a yoga studio in terms of intensity - unsure if square footage is always good threshold or metric, as intensity of users may/may not vary independent of size.
- The changing nature of commercial/office uses should be recognized. Use scale, size and parking are concerns with neighborhood commercial/offices uses and home occupations. The impacts on a neighborhood, particularly parking, depends on the magnitude and type of use. Not a one-size fit all approach - depends on the use.
- Home-occupations: parking and on-street parking is an issue. Need to avoid loopholes with any changes.
- The on-street parking permit program is undergoing an evaluation and depending on changes, could help address some of these neighborhood on-street parking concerns.



- Agree with the internal stakeholder group that there is too many overlapping office types and even other uses defined in the code. With the right criteria, it would make sense to collapse those into fewer uses in the code and provide oversight through conditional and use reviews - including criteria for limiting use impacts and decision-making.
- Conditional and Use Reviews criteria could include performance-based regulations to mitigate impacts from a given use. If existing multiple types uses (such as a variety of office uses) have the same impacts and characteristics, they should be collapsed into a single more encompassing use and permitted in the same way. Need more predictability in the use review process.
- Industrial zones – Accessory uses inside a building such as a gift shop or tasting room, should be allowed for a variety uses. Need consistency in the regs across the allowable uses.
- Industrial zones are a rich opportunity for meaningful change, such as allowing more mixed-use, and simplifying use requirements for desirable uses such as maker-spaces and mixed use.
- Industrial Mixed-Services (IMS) zone limits floor area too much. It allows a greater height limit but prevents creative use of the volume of the building by limiting FAR too much. For instance, can't put in a mezzanine that would allow for viewing or seating views of a brewery, or other engaging spaces.
- Consider allowing more residential in some of the industrial zones, forecasted to be a demand from or housing that would be compatible with some of these industrial uses. Likely a separate work program item but should be on the radar.
- Consider future "Opportunity Zones" and how it may intersect with use changes. A federal program based upon distressed census tracts - would affect parts of East Boulder - allows a reduction in tax liability by allowing investment of private capital gains into development/real estate projects in the opportunity zones, instead of taking a distribution and paying taxes on it.. May impact Diagonal Plaza, the Pollard site among others.
- Remove outdated use categories that are no longer applicable to Boulder, collapse ones that function the same, and potentially create an "other's" category with differentiation in the conditional /use review standards. Such as firewood facilities or RV parks as examples.

### **Discussion of Subcommittee Members' Redlined Use Table Sections**

- MU-3 uses, such as the Armory project, should be revised to allow artists to sell their wares in their studio.
- Live/Work uses should be re-evaluated to potentially allow it in more zoning districts.
- Commercial/retail is getting phased out – preserve more retail in the BC districts. Need more retail near Baseline Road to encourage 15-minute neighborhoods there, should allow/require ground floor retail in more zones as appropriate. Intersects with current code change going through the approval process, but further refinement may need to be discussed.
- Mixed-Use zones should require more ground floor retail uses.
- Consider allowing FAR to be modified through Use Review. Limitations on FAR are problematic in getting good creative development in districts, such as DT-1, and may not be able to use additional FAR received from providing parking. Those FAR limitations were put in place to recognize transitions to adjacent neighborhoods years ago, but they could be re-evaluated based on today's needs and neighborhood character. Or take out the FAR bonus for providing parking if it's not actually feasible to use.

- Need more criteria in the Use Review standards for the Planning Board and staff to evaluate a project. This could also include more design / form-based elements including ground floor retail components. It's difficult for Planning Board to require elements if it's not in the code.
- There are variations in retail uses that might be palatable to the community in neighborhoods. Corner coffee shops are one use, but if it's not defined then there is no difference in allowing a large retail store that might be unwanted in a neighborhood. Need to define the uses that could be allowed in these areas, if they are not already defined and differentiated. Brewpubs, taverns, bike shops, coffee shops etc.
- Not all uses may be appropriate everywhere in a given zone, particularly in the RL, RE, and RR zones. Appropriate neighborhood uses depends on the specificity of locations (i.e., corners, large streets, availability of off-street parking), and the scale, magnitude and specific type of use. Square footage limits make sense, for example home day-cares and small yoga studios may be ok, but once those become large they function differently (yoga gyms, daycare schools) with greater negative impacts such as parking, traffic, and noise.

### **Draft Community Engagement Plan**

- Add in any pertinent sustainability and social policies of the BVCP into the Guiding BVCP Policies section.
- Need to be careful how we phrase any survey questions. Be clear that not just looking at residential neighborhoods, but all types of neighborhoods such as industrial and mixed-use areas.
- Any survey question should be phrased as "near or in", or "nearby" rather than just "in" neighborhoods.
- Would be potentially useful to have the automatic clickers for survey question that display the results automatically on the screen for some of the community engagement events.
- Check-in with Planning Board will be on November 15, 2018.
- Overall the Draft Community Engagement Plan looks good, and good with the webpage and newsletter content.

### **Public Comment Period - N/A**

### **Next Steps**

Next meeting will be Monday, October 15, 2018 at 3:30pm

- Rayback Collective likely – meeting to focus on the subcommittee 9-6 redlines

Subcommittee members to email any redlines of *Chapter 9-6 Use Standards* to staff to compile.

Staff to:

- Compile subcommittee redline comments.
- Refine project elements and draft community engagement plan.
- Schedule a November Planning Board Matters Item for the project.
- Create the project webpage up and the newsletter - coordinated with the communications staff.

## **Use Standards/Table Review Subcommittee**

### **10/15/2018 Meeting Summary Notes**

October 15, 2018, 3:30PM-5:00PM

The Rayback Collective - 2775 Valmont Road, Boulder, CO 80304

Subcommittee members: David Ensign, Crystal Gray, Bryan Bowen

Staff: Karl Guiler, Andrew Collins

Members of the Public: Beth Hondorf

### **Brief site tour of the pollinator garden with Shea Brazill of the Rayback Collective**

### **Welcome and Acceptance of the 10/01/2018 Meeting Summary Notes**

- Subcommittee accepts the 10/01/2018 Meeting Summary Notes.

### **Draft Community Engagement Plan**

- During the community engagement events, including the Use Table/Standards 101, define different types of neighborhoods – this includes industrial neighborhoods, and mixed-use neighborhoods, not just residential neighborhoods. Should make it clear to participants that we're not just talking about neighborhoods in a broad sense, i.e. not just subdivisions or purely residential areas. But keep the "neighborhood" term rather than areas.

### **Discussion of Subcommittee Members' Redlined Use Table Sections**

Issues / and initial ideas for Chapter 9-6 Use Standards. Ideas outside of the scope of the project could be addressed in other work plan items such as Community Benefits, Large Homes/Lots, and Residential Uses in Industrial Zones. All ideas discussed are captured below.

- Consider FAR exemptions for elements, such as bike parking, through conditional approvals with parameters written in to the applicable specific standards.
  - Exemptions would need to be dependent on the location and zone, for example DT-1, MU-1 and others - right now the regulations effectively incentivize providing parking rather than leasable floor area. Building height and bulk allowances could be made as appropriate.
- Opportunity to tie-in any bonuses from a future Community benefits program directly into the Use Table and Standards, particularly where existing parameters and percentages are stated in the Chapter 9-6. Possibly even another column in the table if it makes sense.
- The specific standards and table should be revised to overtly state what we really want out of these uses – possibly an opening statement that sets out the goals of the applicable specific use standards.
- Agricultural zones should be revised to allow more event and farm-stand types uses including limited sales. Look at Boulder County for examples.
- Don't want to over regulate uses and be too prescriptive – for example lemonade stands needing permits, some things are ok to occur organically especially if they have no negative impacts - such as lemonade stands.
- Opening up different areas or neighborhoods to allow uses is nuanced - not a one-size fits all approach. Acceptable uses will be neighborhood specific.

- Community engagement will inform any potential recommendations, including what uses and under what circumstances uses could be acceptable to a given neighborhood (industrial, mixed-use residential neighborhoods).
- Confluence of uses with form-based standards will be important in the specific use standards - for instance how a building is located on a site and is designed appropriately to the context
- 15-minute neighborhoods - uses such as little markets are ok, but they have gone by the wayside. Square footage requirements and required parking are often a barrier. Need to encourage pedestrian rather than auto-oriented development.
  - The now closed building at 6<sup>th</sup> Street and Maxwell Avenue on the roundabout is an example of a small scale neighborhood market building type (does not currently function as a market).
  - Need to reduce regulatory barriers to 15-minute neighborhoods – such as automatically exempting parking for small neighborhood businesses.
- Uses should include allowances for business incubator spaces to help foster the creative and entrepreneurial businesses.
- Consider allowing multiple primary uses on a given property, and/or residential as an accessory use to retail.
  - Open up the Live/Work use to more zones.
- Specific use standards should include more robust design guidelines for conditional or use review criteria, especially for retail in some zones.
- Consider allowing more housing in industrial zones as may be appropriate if the changes are relatively straightforward, have community buy-in and do not take away from other considerations (possibly outside of scope, would be addressed as a separate work plan item).
- Consider allowing events to occur in industrial zones, for example an artisan maker's facility that also hosts events.
- Look at the RH intensity standards and the measurement of height (outside of scope, but may be addressed in Community Benefits project).
- Chapter 9-6 should not be so prohibitive of museums and other cultural uses.
- Consider opening up the Mobile Home zone to allow more permanent, creative and affordable residential uses - such as fixed foundations, cottage courts, tiny homes. Allow the neighborhoods to evolve over time to permanent and affordable residential areas.
  - Conditionally allow foundations to ensure people can live and upgrade their residence over time, and that the homes still remain affordable - deed restrictions may be possible. Should not be incentivizing homes built on chassis, home should have permanence.
  - Community Centers and facilities should be allowed, especially to foster neighborhood identity.
  - Creative housing solutions for modest sized homes could be allowed / conditionally allowed in other zones as well.

### **Public Comments**

- Foundations should be encouraged in the Mobile Homes zone, for safety and community-building purposes. Mobile homes are traditionally energy *inefficient*, should consider modern models (such as FEMA trailers, although those have caused illness) and other creative solutions.

### **Next Steps** - Next subcommittee meeting is TBD.

- November 15<sup>th</sup>, 2018 Planning Board Matters Item for the project.
- December 4<sup>th</sup>, 2018 City Council check-in on the project

- Finalize Use Table/Standards 101 community engagement meeting date

## **Use Standards & Table Review Subcommittee**

### **12/19/2018 Meeting Summary Notes**

11:00 AM - 12:30PM

Boulder Depot Roadhouse – 2366 Junction Place, Boulder, CO 80302

Subcommittee members: David Ensign, Crystal Gray, Bryan Bowen

Staff: Karl Guiler, Andrew Collins

Members of the Public: Kurt Nordback, Lynn Segal, David Takahashi

### **Welcome and Acceptance of the 10/15/2018 Meeting Summary**

- Subcommittee accepts the 10/15/2018 Meeting Summary Notes.
  - Note that the 6<sup>th</sup> & Maxwell building is closed, but is an example of the market building type.
- Transportation Advisory Board (TAB) Pedestrian Advisory Committee (PAC) - Dave Ensign is the Planning Board liaison to the TAB) and in the last meeting there was an update from Boulder's PAC which was formed last summer. The Use Table Subcommittee hopes to coordinate with them and Go Boulder on 15-minute neighborhoods concepts and ideas moving forward, or at least welcome them to provide input. Dave will reach out to Amy Lewin, Senior Transportation Planner coordinating the PAC, to see what opportunities may exist.
- **Planning Board and City Council Debrief**
- Discussion of the Planning Board feedback from the 11/15/2018 Planning Board meeting. Summary provided - Key points include that the Board was in support of the project scope, purpose, goals and areas of consideration as defined by the subcommittee; community engagement will be critical; and changes should avoid creating de-facto rezoning's.
- Council feedback on the project included the new Opportunity Zones moratorium on development, with the gradual release of various zoning districts as they are studied and better aligned with the BVCP goals and policies. This will likely impact which zones and uses are prioritized in the Use Standards and Table project in order to accomplish council's goals for the opportunity zone / moratorium, while still moving forward on the broader Use Standards project.
- Going zone by zone (starting with those in the opportunity zone) could be a template for amending all zones across the city with this project. The BC-1 and BC-2 code amendments currently underway would be a start to that process if successful.
- The zones in the neighborhood centers, such as BC-1 and BC-2, are likely the locations where 15-minute neighborhoods could be prioritized to better align with the BVCP policies and goals.

### **Discussion of Community Engagement Event(s) in January / February**

Discussion on the draft boards and outline of the late January / early February community engagement events.

- Series of likely three meetings across the city to engage more people. Combined event with the Large Homes and Lots, and Community Benefits projects. Brief presentation, then break-out stations for the projects to receive feedback.
- The introduction to the meeting will be critical. Should not be too brief, as the presentation needs to be a learning experience for the general public to understand how the code, tables, BVCP, and foundational comprehensive planning works with the Land Use Code.
- Should include additional maps / exhibits with connections plan, Walkability scores, etc. to supplement the exercises.

- Discussion of 15-minute neighborhoods definition – the street presence (porches as example) and public realm is also critical to successful 15-minute neighborhoods, also include transit in the definition.
- Include clustered icons for the Live, Work, Play mapping exercise.
- Make explicit that where you play includes restaurants, shops, etc. (not just recreation).
- Provide a Live and Work outside of Boulder category for the mapping exercise.
- Provide an additional board for other comments from the public, additional comments they want heard.
- Suggestions for locations of community meetings: Boulder Housing Partners, family and senior centers at Diagonal Plaza and Walnut Place, BMOCA. Locations where we might reach a different demographic than the traditional neighborhood meetings.

#### General Engagement Comments:

- Consider creating an explainer video and post to the project website.
- Should try to track basic demographic information to see who we are reaching or may be missing (sign-in sheet and/or survey). Age groups, income groups, own /rent, zip code, name and email information.
- For additional follow-up community engagement events - would like to do the direct mapping exercise where people can place land uses/icons on the map.
- Web version of mapping exercise should be pursued
- Cell phone voting is an option for specific presentation meetings, not suited for this first series of meetings in an open-house format with multiple projects.
- Staff is working with the city's Community Engagement Coordinator, Sarah Huntley, for BeHeardBoulder website, possible online mapping exercise, and outreach efforts.
- The department is considering a community-wide mailed survey to collect feedback for the Large Homes and Lots project, possibility may exist to include the Use Table project as well.

#### Other comments:

- Should have meeting materials posted to the project website, consider a clearinghouse website.
- Double check that links are working to the project website.
- Create a how-to video and post it to website. i.e. how to use Title 9, the Table of Contents, Use Table 101, BVCP foundational documents. And even where to go to check for mapping, flood plains, look up sites and projects in the city's website.
- Should meet with newspaper reporter to educate on the project in advance of any stories.
- Involve the Chamber of Commerce and the Downtown Boulder Partnership / Sean Maher (formerly Downtown Boulder Inc.) to get information/survey on where people shop and potentially other involvement.

#### **Continued Discussion of Subcommittee Members' Redlined Use Table Sections**

No additional discussion, public feedback will inform eventual options.

#### **Public Comments**

- Uses to consider in the project: small retail stores and micro grocery, daycare coffeeshops at neighborhood corners / nodes - bodegas, food production.
- Community Engagement event - a mix of visualizations could be helpful.

- Work with city's neighborhood liaison for outreach, consider food courts, lobbies with materials and coffee shops.
- Need to reach all people including groups typically under-represented including faith based groups, commuters; collect some demographic data to see who's missing from the outreach.
- A well placed article in the paper could be useful.
- The scope of the project seems very large, not sure how everything can be accomplished. (Staff Note: the project's scope and areas of consideration will be prioritized based on the community's feedback as well as the subcommittee's, Planning Board's, and City Council's continued input. The project is anticipated to be undertaken in chunks, with some items falling off or moved to future work plans as necessary).

**Next Steps** - Next subcommittee meeting is TBD.

- Updates to project website – ongoing
- Use Standards 101/consolidated community engagement event – end of January/early February 2019



## **Use Standards & Table Review Subcommittee**

### **10/04/2019 Meeting Summary Notes**

2:00 PM – 3:30 PM

Wild Sage Common House – 1650 Zamia Ave., Boulder, CO 80304

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

<https://documents.bouldercolorado.gov/WebLink/Browse.aspx?id=170394&dbid=0&repo=LF8PROD2>

Subcommittee members: David Ensign (Chair), Bryan Bowen, Sarah Silver  
Staff: Sarah Wiebenson (Community Vitality), Karl Guiler, Andrew Collins

#### **1) Welcome and Ground Rules**

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

#### **3) Acceptance of the June 27, 2019 Subcommittee meeting summary**

#### **4) Update on related projects and proposed ordinances**

**Update on Citywide Retail project and TMP / 15 minute neighborhoods:** Sarah Wiebenson, Community Vitality (C.V.) department, provided an overview of the work thus far on her department's work on 15-minute neighborhoods and retail. They are beginning by identifying where the retail deserts are located, and what retail and other uses are missing in neighborhoods (e.g. bodegas and pedestrian and neighborhood scaled convenience retail options). Builds on the Citywide Retail study conducted in the summer of 2019, utilizing GIS and mapping as key tools as they formulate the engagement and framework. Hope to have recommendations for adjustments to the Land Use Code as an outcome.

#### **Subcommittee feedback:**

- Important to determine what do the retailers need to make locations that identified work for them rooftops, corner visibility, co-location of uses.
- Goals should also include hearing from the neighborhoods what type of retail and uses are missing that they want and need.
- Need to understand future residential growth and barriers to access whether physical or psychological.
- Helpful to establish short term (Use Table revisions and appendix updates), and long term goals (major updates to the comprehensive plan and subcommunity plans).
- Idea of creating Community Nodes with walkable centers could be explored, as well as transit corridors, and previous concepts such as a neighborhood scaled retail and centers - a "string of pearls" along the Broadway corridor.
- Helpful to identify retail deserts
- Council should provide more definition of what benefits the Opportunity Zone should provide, and what kind of affordable housing they want, such as for families.
- Use Table changes should be focusing on how to encourage more housing and community benefits, such as at North Street. Any changes should be broad enough to permit flexibility in development, not simply focused on density concerns. The Land Use regulations are too rigid and need to be dynamic.
- Community Engagement is critical to the success of this study and next steps.

- Moving forward, the Community Vitality study can bounce ideas off of the subcommittee periodically. Subcommittee happy to collaborate where feasible and provide ideas and input.

Staff provided updates on the proposed Opportunity Zone (O. Z.) and the related Use Standards and Table code changes, the Community Benefit project, as well as the council decision to not move forward with the proposed code changes related to the Large Homes and Lots study.

Subcommittee feedback:

**Opportunity Zone:** Some concern about prohibiting the demolition of attached dwellings in the O.Z. if the proposed overlay is adopted. Potential for unintended consequences of freezing decrepit apartment and condo buildings in place. Civic and non-profit projects should have an out.

**Community Benefit:** More consideration of the location / Appendix J may be needed, as the original intent of Appendix J was temporary, but realize political winds change. Community engagement should be increased for additional phases.

**5) Review the Use Standards & Table Subcommittee Areas of Consideration**

- Next steps for the use table project should include formulating high-level questions / priorities for public consideration and feedback.
- Revisit this topic at the next Subcommittee meeting (time limitations).

**Next Steps**

November subcommittee meeting (week of Nov. 11<sup>th</sup>) to discuss and review:

- Areas and Consideration and project priorities
- RMX-2 Zoning District Use Table review
- List of previous subcommittee ideas

Opportunity Zone / Use Table code updates:

- City Council Continuation of 2<sup>nd</sup> reading of proposed ordinances on 10/15/2019
- Council 3<sup>rd</sup> reading and adoption likely by end of October / early November 2019

## **Use Standards & Table Review Subcommittee**

### **11/12/2019 Meeting Summary Notes**

4:00 PM – 5:30 PM

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

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

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

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

Staff: Karl Guiler, Andrew Collins

#### **1) Welcome and Ground Rules**

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

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

#### **4) Areas of Consideration and Project Priorities**

##### **Review the initial Areas of Consideration from 2018/2019**

##### Subcommittee feedback:

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

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

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

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

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

Recommendations for new Areas of Consideration:

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

Additional Comments:

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

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

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

### **Next Steps**

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

## **Use Standards & Table Review Subcommittee 4/01/2019 Meeting Summary Notes - DRAFT**

11:30 AM – 1:00 PM

Rapha – 1815 Pearl Street, Boulder, CO 80302

Subcommittee members: David Ensign, Bryan Bowen

Planning Board member: Sarah Silver

Staff: Karl Guiler, Andrew Collins

Members of the Public: Crystal Gray, David Takahashi, Mike Marsh, Stephen Pomerance, Eli Feldman

### **Welcome**

- Introductions and members of the public identified

### **Discussion of Community Engagement Events and Public Feedback**

Discussion on summary of community feedback to date.

- Three open house meetings held, 35 participants at the first two meetings each in February with interactive boards. Third open house in March was a discussion with members of the public and directing people to the online survey at [www.beheardboulder.org](http://www.beheardboulder.org), approximate 20 people attended.
- Approximately 49 online survey responses to date, plus an additional 25 responses (approximately) for the in-person boards.
- General support for the Areas of Consideration (AOC) in the online survey, with the *least* support for AOC #10 “Explore incorporating additional development design standards into the Chapter 9-6 specific use standards, and potentially the Use Review criteria”, and #5 “Study updating the amounts of required uses where prescribed in 9-6, “Use Standards”, such as residential/non-residential floor area percentages”.
- General Themes thus far: more mixed use, housing choice, access to transit and green space, small retail and restaurants near where people live/work/play. Less traffic, parking, nuisance uses, tall buildings, dense housing near where people live/work/play.
- Overall engagement numbers in terms of online page views, and attendance at meetings is much higher than the number of survey responses received. This greater number of people are still engaged in the project whether through presentations, discussions, or information occurring online and in-person.
- While approximately 90 total people attended an open house, we have 243 distinct user page views on the online survey website.
- Upcoming outreach efforts including What’s Up Boulder citywide open house on April 4<sup>th</sup>, 2019. Additional outreach through the Neighborhood liaison community office hours program meetings, including at the Meadow’s branch library with three more scheduled in the coming month.
- Next step for engagement is to go out to with the community this summer after receiving additional feedback at the study session with City Council scheduled for May 28, 2019. Will continue to keep the online survey open.
- Subcommittee heard the summary, would like to have more survey responses. Hopeful for more responses and engagement in the future.

### **Update on the Opportunity Zone (OZ) and associated Use Table changes**

Overview of the staff memo and initial recommendations for upcoming Matters Item council discussion on April 2, 2019.

- The subcommittee is in general support of the proposals, it's in-line with the discussion and the ideas that the subcommittee has had for the Use Table & Standards to date.
- Subcommittee likes the idea of the Limited Use category, feels like it encapsulates the subcommittee concept and ideas for simplifying and restructuring Chapter 9-6 of the code.
- Some concern there is a scope shift with other projects eating into this project, and expansion of the use table project into other realms. But that is not unexpected given the overlapping nature of the planning projects and the Land Use Code itself.
- The subcommittee may want to revisit the scope of the project to reflect how OZ fits in, at the next meeting.

### **Public Comments**

- Need a statistically valid survey for all planning projects. Without such a survey, the engagement is useless.
- Policies and planning should be based on scientifically valid surveys, which has not been done well enough in the past.
- Need to fix the online code (MuniCode) to make it more user-friendly.
- PB Member Sarah Silver:
  - Has concerns about the proposed Opportunity Zone (OZ) change to prohibit single-family dwellings in the high-density residential zones. The city needs more family-friendly housing.
  - Concerned about limiting auto sales and rentals near residential zones (as proposed in the OZ changes).
  - Need the data for peoples' desires for housing choice. Look at housing surveys recently done as a reference guide.
- Zoning should be localized and neighborhood specific, needs specialized/neighborhood zoning.
- Community Engagement – Consider neighborhoods walks, meet people where they are at – churches, farmers markets, trailheads.
- Need to plan for and create millennial magnets, plan for living without cars.
- Look at Denver for example on the opportunity zone/redevelopment districts.
- Need to reimagine shopping centers.
- Need deliberate outreach and detailed area plans. TVAP for example has a clear vision. Need to address allowing a mix of uses in industrial zones.

### **Staff and Subcommittee responses:**

- Not all planning projects require scientifically valid surveys, as it depends on the level of engagement. This project is not conducting scientific surveys at this time, as the engagement plan lays that its goal is to inform the public of the project and solicit feedback on ideas and the concepts, as well as to conduct an initial conversation and inform the public about the project.

Furthermore, the project is implementing established policies and goals of the BVCP as adopted by Council. The BVCP creation was conducted with scientific surveys. Subsequent implementation projects (such as this one) that seek to align the code with the BVCP policies, do not typically require scientifically valid surveys as part of the engagement process. The public's feedback will impact any proposed recommendations for changes to the code, with input during the engagement phase as well as during the decision-making phase where both Planning Board and Council will hold public hearings and ultimately make a decision on any proposal.

- The subcommittee agrees that the project and OZ work that impact housing choices should consider the housing surveys done recently.

**Next Steps** - Next subcommittee meeting will be in May.

- Opportunity Zone Matters Item with Council – April 2<sup>nd</sup>. Dave Ensign, Subcommittee Chair, will summarize the subcommittee's thoughts on the matter in an email to council.
- Think about clarifying/updating the scope given the OZ project.
- Use Table & Standards Study Session with Council on May 28<sup>th</sup>.



## **Use Standards & Table Review Subcommittee 5/03/2019 Meeting Summary Notes - DRAFT**

4:00 PM – 5:30 PM

Galvanize – 1023 Walnut Street, Boulder, CO 80302

Subcommittee members: David Ensign, Bryan Bowen

Staff: Karl Guiler, Andrew Collins

Members of the Public: David Takahashi, Liz Hanson, Claudia Thiem, Lynn Segal, Lisa White

### **Welcome and Ground Rules**

- Introductions and members of the public identified

### **15 Minutes Neighborhood Discussion w/ Amy Lewin, Senior Transportation Planner**

Presentation of updated 15 minute neighborhood tool as part of the Transportation Master Plan 2019 update.

- See attached presentation materials.
- Land use destination data is existing uses.
- Top 10 land use destinations may not be the best destinations from the survey. Ideally it should include the possibility of walking to your job or pharmacy.
- The work of the subcommittee can build off of this tool, and should be forward thinking with future land uses that might not be captured in this analysis - such as pharmacies or other uses that truly make 15 minute neighborhoods (not just coffee shops and cafes and groceries).
- The tool is a good building block for the subcommittee work
- Tool does a solid job of marrying land use with transportation; something Planning Board and Planning in general needs to strive for more in our work as the two are inescapably linked.
- The tool differentiates between low stress and high stress walking or biking environments

### **Public comments on the 15-minute Neighborhoods presentation:**

- The Opportunity Zone should be turned into a 15 minute neighborhood with land uses changes updates happening and in the future (turn it green on the map).
- What is the city doing to get to 15 minute neighborhoods? Great that we can identify the deficient areas, but how do we get to where we want to be - the implantation of changes both capital improvements and land use changes.
- How will this impact other planning work plan items if truly a priority for the city?
- The outcome of any analyses on 15-minute neighborhoods should be well publicized.

### **Update on the Opportunity Zone (OZ) and associated Use Table changes**

Staff presented an overview of the Use Table recommended draft changes for the Opportunity Zone / Use Table council study session on May 28, 2019. Below are subsequent high-level comments from the subcommittee regarding those topics.

- Like the structure of the Limited Use Table, would be good format to incorporate future Live / Work use changes (among others) as well.

- Dislike the idea of requiring Efficiency Living Units (ELU's) to be rent capped. Many potential ELU developments cannot afford to pay the existing affordability requirements, let alone additional ones, and thus, would prove to be a disincentive for such uses. This prevents the opportunity of smaller living units and downsizing for residents across the age spectrum. ELU's are the recipient of over-regulation currently.
- ELU's should be an Allowed use by-right. Requiring Use Reviews for development with over 20% ELU's is counter to the goals of creating more affordable living/housing.
- Within the structure of the revamped Use Table need to remove the University Hill multiple line item entries, could be its own separate table or section of Chapter 9-6, B.R.C. 1981.
- Detached dwelling units as Allowed uses in the Downtown (DT) zones doesn't make sense, should be either prohibited, limited, or Use Review. This should change within this project, if not the Opportunity Zone amendments.
- Important to have the Zoning Maps present at an upcoming meeting and descriptions of where the various zones are located (the neighborhoods, cross-streets, corridors, etc.) so people have a better understanding where these zones and potential use changes are located.
- Collapsing down the multiple Office use designations in the table is a good idea, as they don't match the reality of what gets built and there appears to be very little difference between many of the current office use categories.
- The Use Modules should be looked at to identify opportunities for consolidation as well. If no functional difference these should be simplified, perhaps it could help to encourage 15-minute neighborhoods as well.

### **Public Comments**

- Embodied Energy concerns with ELU's if each unit has its own bathroom and facilities. Versus rentals or co-housing that have shared or common bathrooms and kitchens. They are more efficient and environmentally friendly. Also, ELU's without common facilities could create more isolation of people, particularly older residents.
- Chamber's perspective:
  - Collapsing down the Office use categories is a great idea, needs to have been done long ago.
  - Concerned about prohibiting office uses in residential zones
  - Concerned about prohibiting residential on the ground floor in Regional Business zones (BR).
- Simplify the Use Table.
- Consider changes to lower the required parking and parking amount.
- Support and encourage more co-housing
- Need a summary of the broad issues, and would like to get meeting materials ahead of the meeting.
- The project should consider a regional scope.
- Regarding 15-minute neighborhoods, need to encourage mixed-use and granular zoning with more flexibility and more variety of housing.
- More Mixed-use , small scale retail needed on the ground floors of development. Coffee Shops on corners, for example, add vibrancy.

- Need to be thinking about how to create Five-minute neighborhoods.
- Like the simplification of Use Table where possible.
- ELU's could encourage more community spaces or large percentage of common space.
- Need more housing choice and variety – Duplexes and Triplexes should be allowed within neighborhoods where they are not currently allowed.

Staff and Subcommittee responses:

- ELU's probably don't necessarily cost more embodied energy than another type of development or redevelopment. They are all part of the housing solution, including co-housing and cooperative housing. It's not an either / or scenario.
- Could potentially require additional common spaces for projects with over 20% ELU's or some parameter along those lines to get more of the shared social spaces in those projects.
- The project is about trying to attain good planning solution for the City and its residents.

Next Steps - Next subcommittee meeting will be in June after the Council Study Session

- Use Table & Standards Study Session with Council on May 28<sup>th</sup>.

## **Use Standards & Table Review Subcommittee 6/27/2019 Meeting Summary Notes**

11:30 AM – 1:00 PM

Municipal Building - Room 206, 1777 Broadway. Boulder, CO 80302

Subcommittee members: David Ensign, Bryan Bowen, Sarah Silver

Staff: Karl Guiler, Andrew Collins

Members of the Public: David Adamson, Crystal Gray (observing only), Lynn Segal, Lisa Spalding

### **1) Welcome and Ground Rules**

### **2) Acceptance of the April 1, 2019 and the May 3, 2019 Subcommittee meetings' minutes**

### **3) Public Comments**

The Public Comment Period was moved to the beginning of the meeting. Subsequent meetings will include Public Comment Period at the beginning.

- Denver has the same problems as Boulder regarding the Opportunity Zone program. We need a larger masterplan, regional plan or community-wide plan to deal with Opportunity Zones and growth pressures. The city should be considering the carbon impacts of uses and redevelopment, and where the uses are located within the region and community.
- City Council or a department needs to be tracking real estate transactions in the Opportunity Zone, and report out to the council and the public.
- Council should provide more definition of what benefits the Opportunity Zone should provide, and what kind of affordable housing they want, such as for families.
- Use Table changes should be focusing on how to encourage more housing and community benefits, such as at North Street. Any changes should be broad enough to permit flexibility in development, not simply focused on density concerns. The Land Use regulations are too rigid and need to be dynamic.

The subcommittee stated they often hear that the zoning regulations should also be more predictable both for the broad community and for developers. The subcommittee is also interested in the real estate transactions within the Opportunity Zone.

### **4) Update & Discussion on the Opportunity Zone and associated Use Table Changes**

Staff provided a high-level summary of the feedback and direction received from council during the 5/28/2019 Study Session. The subcommittee provided thoughts and a general discussion on some of the land use topics council is considering.

#### **General Subcommittee Discussion and Thoughts:**

- Having the right mix of uses allowed per zoning district matters. The zoning regulations needs to catch-up with the diverse mixed-use vision the BVCP policies projects itself the city as being.
- Current regulations prevent the re-use of existing buildings and change of uses. And especially negatively impacts small businesses.

- Criteria in the Use Review standards should be adjusted to allow more flexibility of uses. Such as neighborhood scaled retail and restaurants along appropriate street corners., and more flexibility to re-use buildings for a mix of neighborhood serving uses.
- 15-minute neighborhoods and uses should include a broader array of daily uses than just coffee shops. We need to expand our thinking regarding 15-minute neighborhoods.
- Consider better Use Review criteria on conversions and changes in uses.
- Need to try to get more on-site affordable units in RMX-2 zoning district.

**Residential Uses in Business Zones:**

- Should allow a similar mix as the Holiday project. However, the Holiday project zoning may already allow a mix of uses - a different circumstance than what council is considering.

**Restaurants in the Industrial Zones:**

- Lament that council isn't taking this on as part of the Opportunity Zone changes.
- Should preserve the balance of uses, don't want to displace businesses or industrial uses by opening up other uses such as restaurants too much.

**Office in Residential Zones:**

- Need to make land use changes aimed at opening up live/work and allowing more mixed uses.
- Don't limit office uses in residential zones.
- Consider limiting a proportion of the building square footage rather than a 1,000 sf limitation.

**Preservation of existing market-rate affordable units in the Opportunity Zone:**

- Dwelling / units per acre regulations only incentivizes larger units. Instead we should remove the du/acre standard and focus on better regulating through floor area standards and FAR incentives, if we really want more smaller units.

**5) Use Table Work Session – RMX-1 and RMX-2 Zoning Districts**

Staff provided a high-level overview of the zoning districts and background information. The subcommittee worked through the use categories of the zones referenced above, making suggestions for improvements and changes to the current allowances.

- Tiny homes are not too different from Mobile Homes, should consider allowing them in MH zoning districts.
- Live / Work uses need to be allowed uses across the zoning districts, and should remove the current prohibitions. Potentially make an L (limited use) with specific criteria if needed.
- A variety of opinions were expressed on Efficiency Living Units (ELUs), and potentially allowing them by-right if over 20% of a project (currently a Use Review in many zones).
  - Some concern expressed about being less restrictive on ELUs. Referring to the Housing Preferences Survey, ELU's were not a preferred housing type. ELUs are not a family friendly housing type.
  - Openness to raising the current 20% threshold that currently requires a Use Review.

- Other members felt that ELU's provide an alternative housing choice that is missing in the housing market, and allowing them in greater amounts simply provides an option for them - it doesn't mandate there will be ELU projects developing everywhere.
  - There is a need for more small housing for all types of people, and there is an exclusive preponderance of single-family dwellings in most neighborhoods already.
  - Some members felt the ELU's should be allowed by-right in the RMX-1 and RH zones, others felt more conversation was needed.
  - Consider creating shared open space requirements for ELU projects, such that the more ELUs a project contains the more common open space the project incorporates.
- Suggestion provided to revisit the RMX-2 zoning district during the next work session, with focus on encouraging more mixed-uses and active uses within the zone.

**Next Steps** - Next subcommittee meeting will likely be after the adoption of the Opportunity Zone related Land Use Code changes.

**Preliminary Opportunity Zone/Use Table ordinance(s) schedule:**

- Planning Board public hearing – 7/25/2019
- City Council 1<sup>st</sup> Reading – 8/6/2019
- City Council 2<sup>nd</sup> Reading – 8/20/2019

## Use Standards & Table Review Subcommittee

### 12/20/2019 Meeting Summary Notes

12:00 PM – 1:30 PM

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

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

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

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

Staff: Karl Guiler, Andrew Collins

Members of the Public: Lisa Spalding, Kurt Nordback

#### 1) Welcome and Ground Rules

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

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

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

The subcommittee commented:

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

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

#### 4) Areas of Consideration and Project Priorities

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

Subcommittee feedback:

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

**5) Use Table and Zoning Districts work session.**

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

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

**Next Steps**

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



## **Use Standards & Table Review Subcommittee 01/24/2020 Meeting Summary Notes**

3:30 PM – 5:00 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

### **1) Welcome and Ground Rules**

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

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

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

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

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

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

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

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

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

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

#### Residential Uses in BC zones

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

#### Dining and Entertainment Uses in BC zones

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

### Public and Institutional Uses

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

### Next Steps

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

## **Use Standards & Table Review Subcommittee 02/07/2020 Meeting Summary Notes**

3:30 PM – 5:00 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

### **1) Welcome and Ground Rules**

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

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

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

#### **General Discussion before the BC zones specific work session:**

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

#### **Office, Medical, and Financial Uses in BC zones**

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

### Parks and Recreation Uses in BC zones

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

### Commercial, Retail and Industrial Uses in BC zones

#### Service Uses:

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

#### Retail Sales Uses:

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

#### Vehicular-Related Uses:

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

#### Industrial Uses:

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

### **Brief overview of project timeline provided by staff**

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

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

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

### **Next Steps**

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

DRAFT

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

4:00 PM – 5:30 PM

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

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

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

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

Staff: Karl Guiler, Andrew Collins

### **1) Welcome and Ground Rules**

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

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

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

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

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

Subcommittee and staff comments:

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

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

Approved.

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

General Discussion:

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

#### Residential Uses

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

#### Dining and Entertainment Uses

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

#### Public and Institutional Uses

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



Office, Medical, and Financial Uses

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

Parks and Recreation Uses in BC zones

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

Commercial, Retail and Industrial Uses

Service Uses:

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

Retail Sales Uses:

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

Vehicular-Related Uses:

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

Industrial Uses:

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

Next Steps

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

## **Use Standards & Table Review Subcommittee**

### **04/13/2020 Meeting Summary Notes**

4:00 PM – 5:30 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

#### **1) Welcome and Ground Rules**

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

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

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

D. Takahashi – No formal comments at this time.

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

Approved.

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

Background:

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

#### **Residential Uses**

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

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

#### Dining and Entertainment Uses

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

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

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

#### Lodging Uses

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

#### Public and Institutional Uses

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

### Office, Medical, and Financial Uses

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

### Parks and Recreation Uses

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

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

### Commercial, Retail and Industrial Uses

#### Vehicular-Related Uses:

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

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

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

#### Industrial Uses:

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

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

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

### **Next Steps**

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

**Use Standards & Table Review Subcommittee**  
**04/20/2020 Meeting Summary Notes**

4:00 PM – 5:30 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

**1) Welcome and Ground Rules**

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

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

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

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

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

Approved.

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

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

General subcommittee comments:

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

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

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

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

### Residential Uses

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

### Dining and Entertainment Uses

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

### Lodging Uses

- Ok as -is.

### Public and Institutional Uses

- Ok as -is.



### Office, Medical, and Financial Uses

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

### Parks and Recreation Uses

- Ok as -is.

### Commercial, Retail and Industrial Uses

#### Service Uses:

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

#### Retail Sales Uses:

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

### **Additional Public Comment** -

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

### **Next Steps**

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

## **Use Standards & Table Review Subcommittee**

### **04/27/2020 Meeting Summary Notes**

4:00 PM – 5:30 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

#### **1) Welcome and Ground Rules**

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

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

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

C. Gray – Regarding community engagement:

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

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

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

Approved.

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

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

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

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

General subcommittee comments:

S. Silver:

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

D. Ensign:

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

Residential Uses

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

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

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

### Dining and Entertainment Uses

General discussion:

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

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

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

### Lodging Uses

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

### Public and Institutional Uses

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

### Office, Medical, and Financial Uses

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

## Commercial, Retail and Industrial Uses

General discussion on all nonresidential uses:

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

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

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

## Next Steps

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

## **Use Standards & Table Review Subcommittee 05/04/2020 Meeting Summary Notes**

4:00 PM – 5:30 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins

### **1) Welcome and Ground Rules**

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

C. Gray – Regarding community engagement:

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

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

Approved.

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

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

#### General subcommittee comments:

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

## Residential Uses

### General Discussion:

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

### Staff comments:

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

## Dining and Entertainment Uses

### General discussion:

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

### Other General Discussion:

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

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

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

### Next Steps

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

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

K. Nordback –

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



L. Spalding –

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

L. Segal –

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

## **Use Standards & Table Review Subcommittee**

### **05/11/2020 Meeting Summary Notes**

4:00 PM – 5:30 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

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

#### **1) Welcome and Ground Rules**

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

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

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

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

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

#### **Subcommittee comments:**

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

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

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

Approved.

### 4) Use Table and Zoning Districts work session

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

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

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

#### Presentation highlights:

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

#### Subcommittee comments:

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

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

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

## Deep-dive into the Industrial zones (IG, IS, IM, and IMS)

### Residential Uses

#### Subcommittee Discussion:

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

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

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

#### Points of agreement related to Industrial Zones :

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

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

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

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

L. Segal –

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

**Next Steps**

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

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

4:00 PM – 6:00 PM

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

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

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

Subcommittee members: David Ensign (Chair), Sarah Silver

Staff: Karl Guiler, Andrew Collins, Kathleen King

### **1) Welcome and Ground Rules**

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

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

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

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

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

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

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

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

Approved.

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

##### Dining & Entertainment Uses

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

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

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

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

Parks and Recreation Uses – ok as is

##### Commercial, Retail, and Industrial Uses

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

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

Other Subcommittee Discussion:

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

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

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

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

Regarding community engagement:

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

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

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

**Next Steps**

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

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

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

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

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