



TO: Planning Commissioners

DATE and LOCATION: Wednesday, August 17, Commissioners Hearing Room, 3rd floor Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Progress Report on the Boulder County Comprehensive Plan Open Space Element Update

PRESENTERS: Tina Nielsen, Special Projects Manager, Parks and Open Space Department; Nicole Wobus, Long Range Planning Manager, and David Haines, Business Analyst, Land Use Department

ACTION REQUESTED: Information Only

The purpose of this presentation is to give a progress report on the Open Space Element (OSE) update since the joint Planning Commission (PC)-Parks and Open Space Committee (POSAC) joint study session on April 13, 2016. This presentation will have two parts:

- I. Overview of changes to OSE narrative, goals and policies in response to April 13 PC-POSAC joint study session and June 23 POSAC hearing. (Please refer to the packet for the April 13 joint study session for detailed background information.) Attachment A contains the red-lined Open Space Element narrative reflecting changes from both meetings; Attachment B is a clean version of the OSE with changes accepted; Attachment C is the policy evolution guide.
- II. Report on staff work on Scenic Roadway Corridor Designation and Open Space Element Map. Attachment D provides a detailed explanation of the staff approach to updating the Scenic Roadway Corridor Designation.

Staff will bring the OSE back to PC on September 21 for a public hearing and request for approval. At this August meeting we are interested in hearing your thoughts about progress and clarifying questions.

I. Changes to OSE narrative, goals and policies

Summary of April 13 PC-POSAC Joint Study Session Discussion and June 23 POSAC actions

Most POSAC and PC questions, comments and discussion fit into three overarching themes:

1. Clarify open space values, differentiate the “what” and “how”
2. Flesh out the concepts relating to little “o” (general) and big “O” (county owned) open space.
3. Some streamlining went too far; preserve the concepts and language from existing policies in some cases

In addition, specific comments and discussion addressed the scenic corridor designation, passive recreation definition, clarifications regarding historic preservation and agriculture goals to include more about restoration, among many others.

For the POSAC hearing on June 23, staff recommended changes to the narrative, goals and policies based on the discussion at the joint study session. POSAC accepted the recommendations with very few changes. The following is a summary of POSAC actions (these are detailed in Attachments A & C):

1. Open Space Values
 - Section I: Reworked narrative; added list of values and functions.
 - Section II. b: Changed heading from “Definitions Open Space and Recreation” to “Open Space Definitions, Values, and Functions”
 - Updated the open space definition with expanded list of values.
 - Section III: Updated policies OS 1.01 and OS 1.02.
 - Section III: Expanded the language in Policy 2.02
 - Section III: Incorporated “values and functions” to language in Goal 5 and relevant policies throughout.
2. Little “o” and big “O” concepts
 - Section II. c: Changed header from “Acquisitions” to “Open Space Preservation Tools” to get at the broader (little “o”) preservation concepts.
 - Expanded narrative and added reference to other comp plan elements.
3. Preserve language/concepts from existing policies in proposed policies. Two options were presented in for each of the following:
 - OS 3.03
 - OS 3.05.01
 - OS 4.02
4. Expand policy 3.04 addressing monitoring data with two sub-policies
5. Fuller treatment of “restoration”
 - Restoration is contained in the proposed new language for OS 3.03 and OS 4.02.
6. Identify stakeholders
 - Added new policy OS 5.01 about identifying broad range of stakeholders
 - Removed the term “stakeholders” from OS 5.02 and replaced with “visitors”
7. Other:
 - Add “dogs” to passive recreation definition as designated use, along with “boating.”
 - Delete OS 1.02 “Boulder County shall utilize its open space program as an important tool for preserving the county’s open space values” as this idea is fully fleshed out in the policies under Goal 2 (this policy is also nearly identical with ERE 1.06).
8. Additional POSAC actions
 - POSAC agreed with including language about soil health, as proposed by Elizabeth Black via email (POSAC did not explicitly discuss each of Elizabeth Black’s suggestions).

POSAC Public Hearing:

Rich Andrews

- County should retain control of ag properties (RE OS3.01)
- County should make all data available on web, e.g. revenue and expense on ag leases (RE OS3.04.02)

Elizabeth Black (via email)

- Suggested language to address soil health

Discussion Questions

1. Do you have any questions or concerns related to the recommended changes based on the joint study session and POSAC hearing (marked in tracked changes in Attachments A & C)?

2. POSAC suggested adding a new policy, OS 5.03.01: “Boulder County shall retain management authority of jointly owned properties with high environmental and natural values.” This suggestion is a response to dissatisfaction with the outcome of City of Boulder’s “North Trail Study Area” process. Staff has concerns about this policy and would like Planning Commissioners to weigh in on this proposal:
 - To the extent we have jointly owned properties, management is determined in the purchase agreement. The Beech property and a few others we purchased jointly with city of Boulder early on are an exception. Management of those properties is determined through an Intergovernmental agreement.
 - Some properties are purchased with the intent of an eventual exchange with the US Forest Service and BLM to consolidate ownership patterns. Staff is concerned that this policy might prohibit future exchanges.
 - Finally, staff feels that this is more of an operational matter than aspirational policy appropriate for the comprehensive plan.
3. Any other feedback, comments, changes?

II. Report on staff work on Scenic Roadway Corridor Designation and Open Space Element Map

Staff is streamlining and updating the map resources currently associated with the element as part of this OSE update process. This involves a shift from having three BCCP maps associated with the OSE to having just one.¹ It also involves developing and applying a new approach to mapping scenic roads than was applied in the previous OSE, so that the criteria used for mapping is clearly defined and applied systematically throughout the county.

Staff plans to present all OSE-related material on just one map, to be called the “Boulder County Comprehensive Plan Open Space Element Map.” It will show the following protected land categories: federal, state, county, city and joint city-county. The map will also present the identified Scenic Roadway Corridors. The “Public Lands Map” will no longer be included as a BCCP map, though Parks and Open Space staff will still maintain that map and post it on the Parks and Open Space Department’s own website.²

Land Use and Parks and Open Space staff have worked closely together to develop an approach to mapping scenic roadway corridors. Note that what staff proposes to call “scenic roadway corridors” were referred to as “open corridor, roadside” on the BCCP Open Space Plan Map, 1996. The proposed approach, detailed in Attachment D, seeks to: 1) leverage established criteria for identifying scenic resources used in other programs / jurisdictions pursuing similar objectives, 2) apply objective information and GIS data to identify an initial set of scenic corridors, and 3) establish a plan for updating scenic corridor mapping over time.

Staff uses the scenic roadway classification for multiple purposes. Parks and Open Space staff uses the classification to help maximize the value of conservation easements (CEs).³ Land Use staff use the

¹ The three maps currently associated with the Open Space Element include the “[BCCP Public Lands Map](#),” the “[BCCP County Open Space Plan Map - 1996](#)” and the “[BCCP County Open Space Map – Current](#)”

² The BCCP web page will likely continue to have a link to the official Parks and Open Space Department’s open space map. This may be part of a broader update to the page, providing links to the web pages of the departments most closely associated with each of the elements of the comp plan.

³ When Parks and Open Space staff negotiates CEs with landowners or receives CEs from or grants CEs to municipalities, the CEs need to describe the property’s open space values. For CEs that involve donation value, where the landowner wants to obtain state or federal tax benefits, the CEs have to meet one of four public purposes, one of which includes a scenic component.

classification to identify properties that warrant a heightened level of attention to scenic and aesthetic issues when conducting land use reviews (e.g., extra attention to locating and/or screening a structure to minimize visual impacts).

Given the various ways the scenic roadway corridor classification will be used, staff seeks to strike an appropriate balance between an approach that is inclusive (recognizing the abundance of scenic resources in our county) and one that is selective enough to highlight those resources most worthy of heightened attention to their scenic value. The two primary “levers” for arriving at that balance are: 1) how loosely or narrowly the criteria are defined, and 2) how many criteria a road would need to meet to be mapped as “scenic.” For example, if criteria are defined in such a way that nearly all roads are mapped as “scenic” is that an appropriate outcome? The draft map is currently undergoing revision and is not yet ready for review but will be presented at the August 17. At the August 17 meeting staff will also present a matrix that documents the percentage of eligible roads that would be mapped as “scenic” if different numbers of criteria were required for the designation.

Discussion Questions

Staff welcomes feedback on a few specific points as we work to refine the criteria and mapping:

1. The number of criteria that should be used to identify a roadway as scenic.
2. Whether the current draft criteria 1.a. (“undeveloped land adjacent to roads”) is appropriate for capturing the scenic quality of open expanses of roads.
3. Whether and how to include unpaved roads in the criteria. Specifically, if they are included, should they be listed under the “Recreational” (where they are located in the current draft), or the “Cultural” category within the criteria?

III. Next Steps

Staff will present the draft updated OSE to the Board of County Commissioners (BOCC) on August 25 to obtain additional feedback.⁴ As noted previously, a final version of the updated OSE will go before PC for a public hearing and decision on September 21. The map component of the OSE update may need to proceed on a separate track depending on the nature and extent of feedback received by PC and BOCC, as well as availability of GIS staff resources.

ATTACHMENTS

Packet available at <http://www.bouldercounty.org/property/build/pages/bccp150001.aspx>

- A. DRAFT Redlined Open Space Goals, Policies and Map Element from POSAC 6-23-16
- B. DRAFT Clean Open Space Goals, Policies and Map Element from POSAC 6-23-16
- C. Policy Evolution Guide: Open Space Element Goals & Policies
- D. Scenic Corridor Designation Proposal

⁴ Planning Commission has decision authority over changes to the BCCP elements, but staff provides updates to BOCC to gather additional input.

Boulder County Comprehensive Plan UPDATE
DRAFT Open Space Goals, Policies, & Maps Element

(Outline for drafting and reviewing purposes)

- I. **Purpose of the Open Space Element**
- II. **Boulder County Open Space Program**
 - a. **Origins and Evolution of the Program**
 - b. **Open Space Definition, Values and Functions**
 - c. **Open Space Preservation Tools**
 - d. **Management Framework**
- III. **Goals and Policies**

I. Purpose of the Open Space Element

Situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County is blessed endowed with an extraordinary natural heritage born of its geological and biological diversity. This heritage forms part of the foundation for an exceptional quality of life. The *Open Space Goals, Policies, and Map Element* lays out Boulder County's vision for understanding, preserving, and enjoying this heritage and its open space values and functions, including community buffers, scenic vistas, agricultural lands, natural resources, recreation opportunities, wildlife habitat, and cultural resources. Section II provides a brief history of the county's open space preservation efforts, establishment and evolution of the Parks and Open Space Department, and the department's framework for management, engagement, and collaboration. The goals and policies in Section III provide guidance for the future. The policies in the OS element complement those in other elements of the plan. Specifically, scenic resources and other environmental resource values are addressed in the Environmental Resources Element; regional trails and facilities are addressed in the Transportation Element; maintaining viable agriculture in the county is addressed in Agriculture Element; and cultural resource protection is addressed in the Cultural Resources Element.

~~Situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County is blessed with an extraordinary natural heritage born of its geological and biological diversity. This heritage forms part of the foundation for an exceptional quality of life. The *Open Space Goals, Policies, and Map Element* lays out Boulder County's vision for understanding, preserving, and enjoying this heritage and its open space values and functions, including community buffers, scenic vistas, agricultural lands, natural resources, recreation opportunities, wildlife habitat, and cultural resources. Section II provides a brief history of the county's open space preservation efforts, establishment and evolution of the Parks and Open Space Department, and the department's framework for management, engagement, and collaboration. The goals and policies in Section III provide guidance for the future.~~

Comment [NT1]: POSAC accepted the revised paragraph with this addition

Comment [NT2]: Staff addition, to address cross-referencing, partly in response to POSAC request to cross-reference the scenic resources language that exists both in the ERE and proposed OSE.

II. Boulder County Open Space Program

a. Origins and Evolution of the Program

The idea of a county open space program was initiated in the mid-1960s by Boulder County citizens who were interested in parks and recreation needs of the unincorporated area and in "preserving open space land in the face of rapid county development" (*Boulder County Comprehensive Plan, 1978, History of Open Space Program*). In 1967 the Board of County Commissioners appointed an "official" citizens group, the Parks and Open Space Advisory Committee (POSAC), to help formulate a plan for preserving open space. This was at a time when Boulder County's 741 square miles were home to a population of fewer than 130,000 people. The 2015 population was approximately 319,400. The Boulder County Parks and Open Space Department was formally designated as of January 1, 1975, initially overseeing several properties amounting to approximately 85 acres.

Turning the vision into reality took time and hard work. The first two attempts to pass a county-wide open space sales tax failed in 1978 and 1988. In 1993 the first sales tax passed: 0.25% for 15 years. Since then, several additional tax resolutions have extended or passed new sales taxes, along with significant bonding authority to accelerate purchases. In 2016, the open space sales and use tax stands at 0.6%.

Sidebar: Timeline of Significant Milestones

- 1967: Parks and Open Space Advisory Committee appointed
- City of Boulder voters approved a sales tax in the City of Boulder for open space (along with transportation)—first in the country
- 1973: POSAC hosts community meetings
- 1974: Community survey to obtain citizen input
- 1975: Commissioners created the Boulder County Parks and Open Space Department and adopted:
 - 8 policies for Open Space
 - First priority trail corridor locations
 - Areas of interest for land acquisition and approval to initiate negotiations in those areas
- 1978: Boulder County Comprehensive Plan
 - Urban-type growth would only occur in cities and towns and not in the rural countryside
 - Various tools could implement the Vision:
 - Zoning - Minimum parcel size 35 acres in unincorporated county to maintain rural character
 - Intergovernmental cooperative efforts
 - Acquisition of Open Space
- Early acquisitions: Betasso and Walker Ranch, 1975
- Rock Creek Farm, first farm property, 1980-1991
- Heil Ranch and Hall Ranch, 1996
- Caribou Ranch, 2002 (first acquisition)
- Toll Property, 2015 (BCPOS surpasses 100,000 ac, 40th Anniversary)

Sidebar: Sales & Use Tax Resolutions

- 1978: First attempt at county-wide open space sales and use tax fails
- 1988: Second attempt at county-wide open space sales and use tax fails
- 1993: Resolution 93-174 passes, 0.25% through 2009
- 1999: Resolution 99-111 extends 0.25% 10 years through 2019
- 2000: Resolution 2000-113 extends existing 0.10% Recycling and Composting Tax for open space through 2009
- 2004: Resolution 2004-86, superseded by Resolution 2004-102, new 10% sales tax through 2024, with 0.05% continuing in perpetuity
- 2007: Resolution 2007-80 extends 2000 0.10% sales and use tax 20 years through 2029

- 2009: Resolution 2009-100 proposed extension of 0.25% sales and use tax through 2034 fails
- 2010: Resolution 2010-93 new 0.15% sales and use tax through 2030

b. ~~Open Space Definition, Values and Functions~~ Definitions of Open Space and Passive Recreation

Comment [NT3]: POSAC accepted all the proposed revisions in this section. Any changes they proposed are noted.

~~Since the original 1978 Boulder County Comprehensive Plan, open space has been defined as “lands intentionally left free from development” to conserve, preserve and provide for:~~

- ~~the rural character of the unincorporated county and scenic values;~~
- ~~natural resources, including wildlife habitat, grasslands, shrublands, forests, soils, riparian areas and water;~~
- ~~lands and waters of significant agricultural importance,~~
- ~~cultural resources;~~
- ~~recreational access opportunities and trail linkages;~~

Comment [NT4]: POSAC accepted revised language with addition suggested by Elizabeth Black via email

~~education and outreach.~~

~~Within the context of the Boulder County Comprehensive Plan, open space is defined as Lands intentionally protected from development to conserve the rural character of the unincorporated county, including lands and waters of significant agricultural, cultural, environmental, open space, recreational, and scenic value.~~

Passive Recreation, referred to in the *Open Space Element* policies, is defined as

- Non-motorized outdoor recreation with ~~little or no impact~~ minimal impact on the land, water or other resources that creates opportunities for closeness to nature, enjoyment of the land’s open space features, and a high degree of interaction with the natural environment. Passive recreation requires no rules of play or the installation of equipment or facilities, except for trails and associated improvements. Passive recreation includes activities such as hiking, snowshoeing, cross-country skiing, photography, bird-watching or other nature observation or study. ~~and other activities, and, if~~ specifically designated, passive recreation may include bicycling, horseback riding, dog walking, boating or fishing.

c. ~~Acquisitions~~ Open Space Preservation Tools

Comment [NT5]: POSAC accepted the changes in this section

~~Boulder County protects open space values and functions through a number of Comprehensive Plan Elements, including Agriculture, Cultural Resources, Environmental Resources, and Sustainability.~~

~~Regional cooperation is an essential ingredient of Boulder County’s preservation efforts.~~ Boulder County has been a leader in establishing a regional vision for open space preservation, working with local communities to identify where rural preservation is appropriate, and likewise, where urban development is desired. This work has resulted in a series of inter-governmental agreements, and ~~Boulder County has purchased~~ a number of ~~properties~~ jointly purchases with communities within the county. As mandated by the 1993 sales tax resolution, Boulder County annually solicits input from municipalities and stakeholders on open space acquisition and trail priorities (see Policy 5.03).

[Reference Comprehensive Development Map in Map Section]

Following passage of the open space sales and use tax in 1993, the next two decades saw prolific additions to the county’s open space assets. At the 40-year anniversary in 2015, the county open space program surpassed the 100,000-acre milestone of preserved lands, along with 115 miles of trails. About half of these properties are in the foothills and mountains, and half in the plains, including about 25,000 acres of agricultural lands. Approximately 60% of these lands are owned in fee, and the remaining 40% are privately owned under conservation easement. The majority of county-owned land is open for public use.

[Link to web page or include maps showing evolution of acquisitions, decade by decade]

Boulder County uses a variety of methods to preserve-acquire open space, including acquisitions of fee simple title, conservation easements, trail easements and leases, as well as transfers of development rights and credits, public land dedications and intergovernmental agreements. -These tools will continue to play an important role in the program as significant opportunities become available.

Sidebar: Acquisition tools

The county employs different methods depending on the situation.

- Donation
- Bargain Sale
- Full value purchase
- TDR receiving site
- Subdivision dedication
- Intergovernmental Agreements

d. Management Framework

As the program has evolved and matured, the Boulder County Comprehensive Plan continues to provide the overarching guidance for finding the appropriate balance of uses in the management stewardship of county open space space-through careful management and citizen engagement. The next level of detailed guidance consists of management policies, which provide more detailed guidance direction for landscape level and system-wide issues. Property specific management plans offer the greatest level of detailed management guidance for specific properties or groups of properties. The Boulder County Parks and Open Space Department Mission, Rules and Regulations, Department-wide goals, annual performance measures and work plans also reflect guidance from the Comprehensive Plan.

Possible sidebar: Open Space Mission Statement: To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

Text box: What’s in a word? Preserve v. Conserve: Both terms convey a sense of protection, but there is a key difference in how that protection is carried out. “Conserve” suggests responsible and sustainable use of natural resources, whereas “Preserve” implies maintaining the landscape in its original, or pristine, state. In the Open Space element policies “conserve” is used for working landscapes such as agricultural properties, while “preserve” is used for policies relating to broader protection.

Text box: What’s in a word? Preserve v. Conserve: “Preserve” is defined as keeping something in its original state, whereas “Conserve” is to use or manage wisely, so in the Open Space element policies “conserve” is used for working landscapes such as agricultural properties, while “preserve” is used for broader policies.

Comment [NT6]: POSAC suggested this change

Comment [NT7]: Staff addition. Refer to mission IF we keep the Mission Sidebar

Comment [NT8]: Staff change, based on POSAC comments

Link: <http://www.bouldercounty.org/os/openspace/pages/posplans.aspx> (or Sidebar: List of Management Policies & Plans)

Possible sidebar: Open Space Mission Statement: To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

III. Goals and Policies

Goal 1. Boulder County values and preserves open space for its contribution to an exceptional quality of life.

Policies

OS 1.01. Boulder County supports conservation efforts that uphold one or more open space values or functions, consistent with adopted plans and agreements.

Comment [NT9]: POSAC accepted

~~OS 1.02. Boulder County shall use its Parks and Open Space Department as an important tool for preserving open space. [POSAC: SAME CONCEPT AS OS2.02, ALSO NEARLY IDENTICAL TO PIRE POLICY 1.06 — DELETE?]~~

Comment [NT10]: POSAC agreed with staff recommendation to delete this policy, as it is redundant with Goal 2

~~OS 1.03.~~ OS 1.02. Open space values and functions, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.

Comment [NT11]: POSAC accepted

OS1.02.01 To the extent possible, the county shall protect views from scenic corridors including, but not limited to, those shown on the Open Space Map. The county may preserve these scenic corridors by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.

OS1.02.02 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.

~~OS 1.04.~~ OS 1.03. The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails and necessary public access to those areas where appropriate.

Goal 2. Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.

Policies

OS2.01. Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.

OS2.02. Boulder County acquires real property rights to protect open space values and functions, including the following, in no particular order. ~~Boulder County considers open space values when acquiring an interest in real property rights, including the following, in no particular order:~~

Comment [NT12]: POSAC accepted

[DRAFT Open Space Goals, Policies, & Maps Element]

- a. ~~Establish and preserve rural lands, scenic corridors and community buffers to ensure community identity and prevent urban sprawl.~~ ~~Establish and preserve community buffers and scenic corridors~~
- b. Conserve natural resources, including lands or features designated in other Boulder County Comprehensive Plan Elements.
- c. Protect, ~~and~~ conserve and improve soil health of agricultural lands, especially agricultural lands of local, statewide, and national importance.
- d. Protect and manage water resources, including agricultural water and in-stream flows.
- e. Acquire land or easements to ~~Create and~~ establish appropriate public access on open space properties and trail linkages between properties.
- f. Protect and restore native plants, healthy soils, wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.
- g. Protect, preserve, and restore cultural resources.
- h. Enlarge existing open space properties to enhance the open space values and functions they serve.

Comment [NT13]: POSAC accepted

Comment [NT14]: POSAC accepted

Comment [NT15]: Elizabeth Black (POSAC generally approved her comments)

Comment [NT16]: POSAC accepted

Comment [NT17]: Elizabeth Black (POSAC generally approved her comments)

OS2.03. Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.

Goal 3. Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.

Policies

- OS 3.01. Boulder County prepares management plans and policies as appropriate for open space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.
- OS 3.02. Plans and policies are based on sound planning practices, public input, and desired future conditions.

OS 3.03. [POSAC, PLEASE CONSIDER THESE 2 OPTIONS]

[NEW PROPOSAL] Through planning and management, Boulder County strives to preserve significant resources and enhance protection and restoration of native ecosystems and their native species populations while also providing passive, sustainable and enjoyable public uses that connect the public to their environment.

Comment [NT18]: POSAC approved the new proposed language with the addition of this phrase

[ORIGINAL PROPOSAL] ~~Through planning and management, Boulder County balances the protection and preservation of significant resources with passive, sustainable, and enjoyable public uses that connect the public to their environment~~

OS 3.04. Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground

management of open space resources utilizing knowledge of current conditions, latest science, best technologies and practices.

~~OS 3.04.01~~ Monitoring data shall be synthesized, analyzed and utilized to adapt management practices in response to changing conditions.

~~OS 3.04.02~~ Monitoring data shall be available to the public as appropriate, subject to the Parks and Open Space Department’s sensitive data policy.

~~OS 3.05.~~ Boulder County will provide appropriate improvements that serve the ~~approved~~ open space ~~values and~~ functions of the property while maintaining the rural and natural ~~ulder!~~

~~OS 3.05-OS 3.06.~~ character, as approved in the management plan.

Comment [NT19]: POSAC accepted

Comment [NT20]: POSAC accepted

Comment [NT21]: Staff proposed change to clarify language, not reviewed by POSAC.

[POSAC, PLEASE CONSIDER THESE 2 OPTIONS]

OS 3.05.01. ~~[NEW PROPOSAL]~~ Recreational facilities shall be designed and maintained to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and critical wildlife habitats, while providing an exceptional and sustainable user experience.

Comment [NT22]: POSAC approved the new proposed language.

~~[ORIGINAL PROPOSAL] Recreational facilities shall be designed and maintained to provide an exceptional user experience, be sustainable, and avoid or minimize impacts to significant resources.~~

OS 3.05.02. Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.

OS 3.05.03. Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.

OS 3.05.04. Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.

OS 3.05.05. Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.

OS 3.05.06. Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.

Goal 4. Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.

Policies

OS 4.01. The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.

~~[POSAC- PLEASE CONSIDER THESE TWO OPTIONS]~~

OS 4.02. ~~[NEW PROPOSAL]~~ Boulder County shall promote awareness of the county’s irreplaceable natural and cultural resources and the best practices for their protection, conservation, restoration, and enjoyment through communication methods designed to reach a broad spectrum of ~~people~~the public, including stakeholders, visitors, organizations, and businesses.

Comment [NT23]: POSAC approved the new proposed language with some discussion about the appropriate wording.

~~[ORIGINAL PROPOSAL] Boulder County shall promote awareness and stewardship of the county’s open space resources and recreational opportunities through a variety of communication methods and programs designed to reach a broad spectrum of people, visitors, stakeholders, organizations, and businesses.~~

OS 4.03. Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.

OS 4.04. Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.

OS 4.04.01. Open space land acquisitions, the capital improvements plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.

Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values and functions.

Policies

OS 5.01. Boulder County shall invite input from a broad spectrum of stakeholders relevant to the policy and management issues under consideration.

Comment [NT24]: Staff addition, accepted by POSAC

OS 5.02. Boulder County shall collaborate with businesses, organizations, visitors, volunteers, property owners, and partners to promote the county’s open space values and function.

OS 5.03. Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.

~~5.02.01~~ OS 5.03.01 Boulder County shall retain management authority of jointly owned properties with high environmental and natural values.

Comment [NT25]: POSAC discussed this additional policy, in response to dissatisfaction with the outcome of the NTSA process. Staff has concerns with this proposed policy. See discussion in the PC memo.

~~OS 5.03~~ OS 5.04. Boulder County shall annually solicit input from and provide updates to municipalities and stakeholders on open space preservation and trail priorities.

~~OS 5.04~~ OS 5.05. Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.

**Boulder County Comprehensive Plan UPDATE
DRAFT Open Space Goals, Policies, & Maps Element**

(Outline for drafting and reviewing purposes)

- I. Purpose of the Open Space Element**
 - II. Boulder County Open Space Program**
 - a. Origins and Evolution of the Program**
 - b. Open Space Definition, Values and Functions**
 - c. Open Space Preservation Tools**
 - d. Management Framework**
 - III. Goals and Policies**
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I. Purpose of the Open Space Element

Situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County is endowed with an extraordinary natural heritage born of its geological and biological diversity. This heritage forms part of the foundation for an exceptional quality of life. The *Open Space Goals, Policies, and Map Element* lays out Boulder County's vision for understanding, preserving, and enjoying this heritage and its open space values and functions, including community buffers, scenic vistas, agricultural lands, natural resources, recreation opportunities, wildlife habitat, and cultural resources. Section II provides a brief history of the county's open space preservation efforts, establishment and evolution of the Parks and Open Space Department, and the department's framework for management, engagement, and collaboration. The goals and policies in Section III provide guidance for the future. The policies in the OS element complement those in other elements of the plan. Specifically, scenic resources and other environmental resource values are addressed in the Environmental Resources Element; regional trails and facilities are addressed in the Transportation Element; maintaining viable agriculture in the county is addressed in Agriculture Element; and cultural resource protection is addressed in the Cultural Resources Element.

II. Boulder County Open Space Program

a. Origins and Evolution of the Program

The idea of a county open space program was initiated in the mid-1960s by Boulder County citizens who were interested in parks and recreation needs of the unincorporated area and in "preserving open space land in the face of rapid county development" (*Boulder County Comprehensive Plan, 1978, History of Open Space Program*). In 1967 the Board of County Commissioners appointed an "official" citizens group, the Parks and Open Space Advisory Committee (POSAC), to help formulate a plan for preserving open space. This was at a time when Boulder County's 741 square miles were home to a population of fewer than 130,000 people. The 2015 population was approximately 319,400. The Boulder County Parks and Open Space

Department was formally designated as of January 1, 1975, initially overseeing several properties amounting to approximately 85 acres.

Turning the vision into reality took time and hard work. The first two attempts to pass a county-wide open space sales tax failed in 1978 and 1988. In 1993 the first sales tax passed: 0.25% for 15 years. Since then, several additional tax resolutions have extended or passed new sales taxes, along with significant bonding authority to accelerate purchases. In 2016, the open space sales and use tax stands at 0.6%.

Sidebar: Timeline of Significant Milestones

- 1967: Parks and Open Space Advisory Committee appointed
- City of Boulder voters approved a sales tax in the City of Boulder for open space (along with transportation)—first in the country
- 1973: POSAC hosts community meetings
- 1974: Community survey to obtain citizen input
- 1975: Commissioners created the Boulder County Parks and Open Space Department and adopted:
 - 8 policies for Open Space
 - First priority trail corridor locations
 - Areas of interest for land acquisition and approval to initiate negotiations in those areas
- 1978: Boulder County Comprehensive Plan
 - Urban-type growth would only occur in cities and towns and not in the rural countryside
 - Various tools could implement the Vision:
 - Zoning - Minimum parcel size 35 acres in unincorporated county to maintain rural character
 - Intergovernmental cooperative efforts
 - Acquisition of Open Space
- Early acquisitions: Betasso and Walker Ranch, 1975
- Rock Creek Farm, first farm property, 1980-1991
- Heil Ranch and Hall Ranch, 1996
- Caribou Ranch, 2002 (first acquisition)
- Toll Property, 2015 (BCPOS surpasses 100,000 ac, 40th Anniversary)

Sidebar: Sales & Use Tax Resolutions

- 1978: First attempt at county-wide open space sales and use tax fails
- 1988: Second attempt at county-wide open space sales and use tax fails
- 1993: Resolution 93-174 passes, 0.25% through 2009
- 1999: Resolution 99-111 extends 0.25% 10 years through 2019
- 2000: Resolution 2000-113 extends existing 0.10% Recycling and Composting Tax for open space through 2009
- 2004: Resolution 2004-86, superseded by Resolution 2004-102, new 10% sales tax through 2024, with 0.05% continuing in perpetuity
- 2007: Resolution 2007-80 extends 2000 0.10% sales and use tax 20 years through 2029
- 2009: Resolution 2009-100 proposed extension of 0.25% sales and use tax through 2034 fails
- 2010: Resolution 2010-93 new 0.15% sales and use tax through 2030

b. Open Space Definition, Values and Functions

Since the original 1978 *Boulder County Comprehensive Plan*, open space has been defined as “lands intentionally left free from development” to conserve, preserve and provide for:

- the rural character of the unincorporated county and scenic values;
- natural resources, including wildlife habitat, grasslands, shrublands, forests, soils, riparian areas and water;
- lands and waters of significant agricultural importance,
- cultural resources;
- recreational access opportunities and trail linkages; education and outreach.

Passive Recreation, referred to in the *Open Space Element* policies, is defined as

- Non-motorized outdoor recreation with minimal impact on the land, water or other resources that creates opportunities for closeness to nature, enjoyment of the land's open space features, and a high degree of interaction with the natural environment. Passive recreation requires no rules of play or the installation of equipment or facilities, except for trails and associated improvements. Passive recreation includes activities such as hiking, snowshoeing, cross-country skiing, photography, bird-watching or other nature observation or study. If specifically designated, passive recreation may include bicycling, horseback riding, dog walking, boating or fishing.

c. Open Space Preservation Tools

Boulder County protects open space values and functions through a number of Comprehensive Plan Elements, including Agriculture, Cultural Resources, Environmental Resources, and Sustainability. Regional cooperation is an essential ingredient of Boulder County's preservation efforts. Boulder County has been a leader in establishing a regional vision for open space preservation, working with local communities to identify where rural preservation is appropriate, and likewise, where urban development is desired. This work has resulted in a series of inter-governmental agreements, and a number of joint purchases with communities within the county. As mandated by the 1993 sales tax resolution, Boulder County annually solicits input from municipalities and stakeholders on open space acquisition and trail priorities (see Policy 5.03).

[Reference Comprehensive Development Map in Map Section]

Following passage of the open space sales and use tax in 1993, the next two decades saw prolific additions to the county's open space assets. At the 40-year anniversary in 2015, the county open space program surpassed the 100,000-acre milestone of preserved lands, along with 115 miles of trails. About half of these properties are in the foothills and mountains, and half in the plains, including about 25,000 acres of agricultural lands. Approximately 60% of these lands are owned in fee, and the remaining 40% are privately owned under conservation easement. The majority of county-owned land is open for public use.

[Link to web page or include maps showing evolution of acquisitions, decade by decade]

Boulder County uses a variety of methods to acquire open space, including fee simple title, conservation easements, trail easements and leases, as well as transfers of development rights and credits, public land dedications and intergovernmental agreements. These tools will continue to play an important role in the program as significant opportunities become available.

Sidebar: Acquisition tools

The county employs different methods depending on the situation.

- Donation
- Bargain Sale
- Full value purchase
- TDR receiving site
- Subdivision dedication
- Intergovernmental Agreements

d. Management Framework

As the program has evolved and matured, the Boulder County Comprehensive Plan continues to provide the overarching guidance for finding the appropriate balance of uses in the stewardship of county open space through careful management and citizen engagement. The next level of guidance consists of management policies, which provide more detailed direction for landscape level and system-wide issues. Property specific management plans offer the greatest level of detailed management guidance for specific properties or groups of properties. The Boulder County Parks and Open Space Department Mission, Rules and Regulations, Department-wide goals, annual performance measures and work plans also reflect guidance from the Comprehensive Plan.

Possible sidebar: Open Space Mission Statement: To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

Text box: What's in a word? Preserve v. Conserve: Both terms convey a sense of protection, but there is a key difference in how that protection is carried out. "Conserve" suggests responsible and sustainable use of natural resources, whereas "Preserve" implies maintaining the landscape in its original, or pristine, state. In the Open Space element policies "conserve" is used for working landscapes such as agricultural properties, while "preserve" is used for policies relating to broader protection.

Link: <http://www.bouldercounty.org/os/openspace/pages/posplans.aspx> (or Sidebar: List of Management Policies & Plans)

Possible sidebar: Open Space Mission Statement: To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values.

III. Goals and Policies

Goal 1. Boulder County values and preserves open space for its contribution to an exceptional quality of life.

Policies

- OS 1.01. Boulder County supports conservation efforts that uphold one or more open space values or functions, consistent with adopted plans and agreements.
- OS 1.02. Open space values and functions, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.
 - OS1.02.01 To the extent possible, the county shall protect views from scenic corridors including, but not limited to, those shown on the Open Space Map. The county may preserve these scenic corridors by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.
 - OS1.02.02 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.

OS 1.03. The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails and necessary public access to those areas where appropriate.

Goal 2. Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.

Policies

OS2.01. Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.

OS2.02. Boulder County acquires real property rights to protect open space values and functions, including the following, in no particular order:

- a. Establish and preserve rural lands, scenic corridors and community buffers to ensure community identity and prevent urban sprawl.
- b. Conserve natural resources, including lands or features designated in other Boulder County Comprehensive Plan Elements.
- c. Protect, conserve and improve soil health of agricultural lands, especially agricultural lands of local, statewide, and national importance.
- d. Protect and manage water resources, including agricultural water and in-stream flows.
- e. Acquire land or easements to establish appropriate public access on open space properties and trail linkages between properties.
- f. Protect and restore native plants, healthy soils, wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.
- g. Protect, preserve, and restore cultural resources.
- h. Enlarge existing open space properties to enhance the open space values and functions they serve.

OS2.03. Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.

Goal 3. Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.

Policies

OS 3.01. Boulder County prepares management plans and policies as appropriate for open space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.

OS 3.02. Plans and policies are based on sound planning practices, public input, and desired future conditions.

OS 3.03.

Through planning and management, Boulder County strives to preserve significant resources and enhance protection and restoration of native ecosystems and their native species populations while also providing passive, sustainable and enjoyable public uses that connect the public to their environment.

OS 3.04. Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground management of open space resources utilizing knowledge of current conditions, latest science, best technologies and practices.

OS 3.04.01 Monitoring data shall be synthesized, analyzed and utilized to adapt management practices in response to changing conditions.

OS 3.04.02 Monitoring data shall be available to the public as appropriate, subject to the Parks and Open Space Department's sensitive data policy.

OS 3.05. Boulder County will provide appropriate improvements that serve the open space values and functions of the property while maintaining the rural and natural character, as approved in the management plan.

OS 3.05.01. Recreational facilities shall be designed and maintained to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and critical wildlife habitats, while providing an exceptional and sustainable user experience.

OS 3.05.02. Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.

OS 3.05.03. Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.

OS 3.05.04. Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.

OS 3.05.05. Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.

OS 3.05.06. Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.

Goal 4. Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.

Policies

OS 4.01. The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and

Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.

- OS 4.02. Boulder County shall promote awareness of the county's irreplaceable natural and cultural resources and the best practices for their protection, conservation, restoration, and enjoyment through communication methods designed to reach a broad spectrum of the public, including stakeholders, visitors, organizations, and businesses.
- OS 4.03. Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.
- OS 4.04. Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.
 - OS 4.04.01. Open space land acquisitions, the capital improvements plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.

Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values and functions.

Policies

- OS 5.01. Boulder County shall invite input from a broad spectrum of stakeholders relevant to the policy and management issues under consideration.
- OS 5.02. Boulder County shall collaborate with businesses, organizations, visitors, volunteers, property owners, and partners to promote the county's open space values and function.
- OS 5.03. Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.
 - 5.03.01 Boulder County shall retain management authority of jointly owned properties with high environmental and natural values.
- OS 5.04. Boulder County shall annually solicit input from and provide updates to municipalities and stakeholders on open space preservation and trail priorities.
- OS 5.05. Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.

ATTACHMENT C

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

With Comments from 4-13-16 PC-POSAC Study Session and 6-23-16 POSAC Hearing

PROPOSED Open Space Goals	Staff Notes	EXISTING Open Space Goals	PC-POSAC comments
Goal 1. Boulder County values and preserves open space for its contribution to an exceptional quality of life.	Value	C.1 Provision should be made for open space to protect and enhance the quality of life and enjoyment of the environment.	Discussion about “exceptional quality of life:” may need to be qualified? Quality of Life is more than open space.
Goal 2. Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.	Conserve	C.2 Parks, open space, and recreation facilities should be encouraged throughout the county and should be integrated whenever suitable with public facilities. The county will assume only those financial responsibilities for public development as provided under Open Space Policy OS 4.02.	
Goal 3. Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.	Steward	C.3 Open space shall be used as a means of preserving the rural character of the unincorporated county and as a means of protecting from development those areas which have significant environmental, scenic or cultural value.	
Goal 4. Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.	Engage	C.4 A county-wide trail system shall be promoted to serve transportation and recreation purposes.	
Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values <u>and functions</u> .	Collaborate	C.5 The private sector, non-county agencies, and other governmental jurisdictions should be encouraged to participate in open space preservation and trails development in Boulder County.	PC-POSAC 4-13: Discussion about open space values. POSAC 6-23: accepted

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

Goal 1. [VALUE] Boulder County values and preserves open space for its contribution to an exceptional quality of life.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
<p>OS 1.01 Boulder County supports all conservation efforts that uphold <u>one or more</u> open space values <u>or functions</u>, <u>consistent with adopted plans and agreements</u>.</p>		<ul style="list-style-type: none"> • New overarching policy concept 	<p>PC-POSAC 4-13: Discussion about open space values</p> <p>POSAC 6-23: accepted</p>
<p>OS 1.02 Boulder County shall utilize its Open Space program as an important tool for preserving the county's open space values.</p>	<p>OS 5.05 The county shall use its open space program as one means of achieving its environmental resources and cultural preservation goals.</p>	<p>Redundant with Goal 2</p> <p>Also addressed in ERE: ER 1.06 Boulder County shall use its open space program as one means of achieving its goals for protecting environmental resources.</p>	<p>PC-POSAC 4-13: Values used as noun v. verb; can we tie to 7 principles of comp plan</p> <p>POSAC 6-23: accepted recommendation to delete</p>
<p>OS 1.032 Open space values <u>and functions</u>, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.</p>	<p>OS 1.02 The county shall not deny development or other land use applications, otherwise in compliance with the land use regulations, solely because of the open space designation. However, in reviewing development or other land use applications, the county shall consider the open space values and other characteristics which contribute to the open and rural character of unincorporated Boulder County.</p>	<ul style="list-style-type: none"> • Propose to delete "Proposed Open Space" from County Open Space Plan map, making first sentence obsolete. <u>Rationale</u>: most of the properties so designated have been acquired. • Update language 	<p>PC-POSAC 4-13: Values discussion.</p> <p>POSAC 6-23: accepted. POSAC requested cross-reference with ERE. Staff added language at end of first paragraph of narrative.</p>
<p>OS 1.032.01 To the extent possible, the county shall protect views from scenic corridors including, but not limited to, those shown on the Open Space Map. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.</p>	<p>OS 3.03 To the extent possible, the county shall protect scenic corridors along highways and mountain road systems. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process or, by acquisition.</p>	<ul style="list-style-type: none"> • LU staff is considering how best to establish and incorporate a set of criteria to guide the selection of scenic corridors, and how best to incorporate performance measures to allow some flexibility to apply to roadways outside mapped corridors but that are still found to have scenic views we want to protect 	
	<p>OS 3.01 Where necessary to protect water resources and/or riparian habitat the county shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The</p>	<ul style="list-style-type: none"> • Staff is currently working through this issue, but tentatively proposes: a) deleting OS 3.01, and b) adding the following subset of the language to the end of ER 1.01, "The county may preserve these [environmental resources] by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition." 	

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

	county may preserve these open corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.	<ul style="list-style-type: none"> This would maintain protective language currently used by land use staff during the development review process, applying it to all environmental resources, not just riparian. 	
OS 1.032.02 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.	OS 3.04 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.	<ul style="list-style-type: none"> Addressed in Environmental Resources Element http://www.bouldercounty.org/doc/landuse/bccp-ere-goals.pdf ERE Goal B.6 Boulder County shall continue to protect prominent natural landmarks and other unique scenic, visual and aesthetic resources in the county. ER 1.03 Scenic vistas shall be preserved as much as possible in their natural state. 	
OS 1.043 The Boulder County Land Use Code shall provide for land dedications of parks and open space, trails, and necessary public access to those areas where appropriate	<p>OS 4.01 The Boulder County Land Use Code shall provide for land dedications of parks and open space and necessary public access to those areas where appropriate.</p> <p>OS 6.07 Where appropriate, trails should be incorporated into and provided by new development and linked to established trails, if possible.</p>	<ul style="list-style-type: none"> Incorporate “trails” from existing OS 6.07 into existing OS 4.01 	

Goal 2. [CONSERVE] Boulder County conserves the rural character of the unincorporated county by protecting and acquiring lands and waters of significant open space value.

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
OS 2.01 Boulder County acquires real estate interests in land, water, and minerals through appropriate real estate methods such as fee title, conservation easements and trail easements.	OS 1.01 It is recognized that the acquisition of an interest in open space lands must be based on the long term implementation of the county’s overall open space plan, in which prioritization of need and available revenues must be considered. From time to time, applications for various land use decisions which contemplate development are expected to be made for privately owned lands which have been designated as open space on the Open Space Plan Map of the Boulder County Comprehensive Plan. In such cases, it will be the responsibility of the county to make decisions with regard to the possible acquisition of an interest in such lands in a timely manner. In the event a decision to acquire whatever public interest the county may desire is not made with reason diligently, applicants shall be entitled to have their applications processed and considered as any other similar applications, not involving open	<ul style="list-style-type: none"> Policy 1.01 as currently worded is obsolete, and represents a different time with different conditions. Delete “Proposed Open Space” designation from County Open Space Plan map. <u>Rationale</u>: most of the properties so designated have been acquired. 	

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	space, would be.		
OS 2.01	OS 1.03 When seeking to acquire whatever interest the county may desire in lands designated as open space, the county will negotiate in good faith with the property owners involved. The power of eminent domain shall be used only in exceptional cases, when obviously necessary to protect the public interest.	<ul style="list-style-type: none"> • The power of eminent domain has never been used; the reference is not necessary. • Concept is covered in OS 2.01 “appropriate real estate methods” 	
OS 2.02 <u>Boulder County acquires real property rights to protect open space values and functions, Boulder County considers open space values when acquiring an interest in real property rights</u> , including the following, in no particular order:		<ul style="list-style-type: none"> • Expands on Goal 2 theme by enumerating the open space values in one policy • Staff feels it is important to explicitly state there is no hierarchy of values. 	<p>PC-POSAC 4-13: Is “value” the how, or what? (currently, it’s a little of both)</p> <p>POSAC 6-23: accepted</p>
a. Establish and preserve <u>rural lands, scenic corridors and</u> community buffers and scenic corridors <u>to ensure community identity and prevent urban sprawl.</u>	OS 5.01 Boulder County shall, in consultation with affected municipalities, utilize open space to physically buffer Community Service Areas, for the purpose of ensuring community identity and preventing urban sprawl.	<ul style="list-style-type: none"> • Identify all the various open space values in one policy 	<p>PC-POSAC 4-13: like specificity in original language</p> <p>POSAC 6-23: accepted</p>
b. Conserve <u>natural resources, including</u> lands or features designated in other Boulder County Comprehensive Plan Elements.	OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map, historic and archaeological sites, and significant agricultural land.	<ul style="list-style-type: none"> • Designated areas are also covered in the Environmental Resource Element 	<p>PC-POSAC 4-13: Like original language; original educates</p> <p>POSAC 6-23: accepted</p>
c. Protect, and conserve <u>and improve soil health of</u> agricultural lands, especially agricultural lands of local, statewide, and national importance.	OS 5.04 The county shall use its open space acquisition program to preserve agricultural lands of local, statewide, and national importance. Where possible, purchase of conservation easements, purchase of development rights, or lease-back arrangements should be used to encourage family farm operations.	<ul style="list-style-type: none"> • Broaden language • 2nd sentence reflects current and historic real estate acquisition practice; covered in OS 2.01 	<p>POSAC 6-23: one of Elizabeth Black’s suggestions, generally approved by POSAC</p>
d. Protect and manage water resources, including agricultural water and in-stream flows.	OS 3.01 Where necessary to protect water resources and/or riparian habitat the county shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The county may preserve these open corridor areas by means of	<ul style="list-style-type: none"> • Broaden language • Specific acquisition methods covered in OS 2.01 	<p>PC-POSAC 4-13: What about aquifers? Fracking concerns. Any clarification to water is good</p>

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	appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.		
e. Acquire land or easements to Create and establish <u>appropriate</u> public access on open space properties and trail linkages between properties	OS 3.02 Where appropriate the county shall continue to acquire parcels of land or right-of-way easements to provide linkages between public lands.	<ul style="list-style-type: none"> • Broaden language 	<p>PC-POSAC 4-13: Difference between establish and acquire, refer to/encourage regional trail</p> <p>POSAC 6-23: accepted</p>
f. Protect and restore native plants, <u>healthy soils</u> , wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.	OS 2.02 Significant natural communities, rare plant sites, wetlands, and vegetation, such as willow carrs, should be conserved and preserved.	<ul style="list-style-type: none"> • Reframe and broaden language 	<p>POSAC 6-23: one of Elizabeth Black’s suggestions, generally approved by POSAC</p>
g. Protect, <u>preserve</u> and restore historic and cultural resources.	OS 2.01 The county shall identify and work to assure the preservation of Environmental Conservation Areas, critical wildlife habitats and corridors, Natural Areas, Natural Landmarks, significant areas identified in the Boulder Valley Natural Ecosystems Map, historic and archaeological sites, and significant agricultural land.	<ul style="list-style-type: none"> • Call out historic and cultural resources explicitly • Also referenced in Environmental Resources Element 	<p>PC-POSAC 4-13: Preservation” is usually used with historic assets.</p> <p>POSAC 6-23: accepted</p>
h. Enlarge existing open space properties <u>to enhance the open space values and functions they serve and protections.</u>		<ul style="list-style-type: none"> • New policy concept 	<p>PC-POSAC 4-13: Protections” confusing/meaning?</p> <p>POSAC 6-23: accepted</p>
OS 2.03 Boulder County maintains and protects its real estate interest in open space properties to the maximum extent possible and works to prevent illegal uses and minimize impacts from legal third-party activities.		<ul style="list-style-type: none"> • New policy concept • Addresses activities such as utility right of way requests, oil & gas extraction 	

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Comments from PC-POSAC Study Session 4-13-16 and POSAC hearing 6-23-16

Goal 3. [STEWARD] Boulder County purposefully stewards its open space resources through sound management practices and appropriate visitor uses.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
<p>OS 3.01 Boulder County prepares management plans and policies as appropriate for Open Space properties where the county has management authority and uses the plans and policies to manage its open space resources and assets.</p>	<p>OS 2.03 The county shall provide management plans and the means for the implementation of said plans for all open space areas that have been acquired by or dedicated to the county.</p>	<ul style="list-style-type: none"> • Update language 	
<p>OS 3.02 Plans and policies are based on sound planning practices, public input, and desired future conditions.</p>	<p>OS 2.03.02 Management of county open space lands shall consider the regional context of ecosystems and adjacent land uses.</p>	<ul style="list-style-type: none"> • Broaden to encapsulate the idea of balance amongst uses and protection • Considering regional context is a sound planning practice 	
<p>OS 3.03 <u>Through planning and management, Boulder County strives to PRESERVE SIGNIFICANT RESOURCES AND enhance protection and restoration of native ecosystems and their native species populations while also providing passive, sustainable and enjoyable public uses that connect the public to their environment.</u></p> <p>Through planning and management, Boulder County balances the protection and preservation of significant resources with providing passive, sustainable, and enjoyable public uses that connect the public to their environment.</p>	<p>OS 2.03.01 The foremost management objective of individual open space lands shall follow directly from the purposes for which the land was acquired.</p> <p>OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography, or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.</p>	<ul style="list-style-type: none"> • Management objectives include acquisition purpose, but take many other factors into account • These examples are covered in the narrative under definition of passive recreation, and more broadly in OS 3.03 <p>“Purposes for which land was acquired” concept is not included in current proposed policies</p>	<p>PC-POSAC 4-13: Dislike “balances”. Proposed: “Strive to enhance restoration and protection while also providing user experience”</p> <p>POSAC 6-23: accepted alternative proposal and added “preserve significant resources”</p>
<p>OS 3.04 Boulder County monitors and evaluates uses and resources on open space to inform management decisions and seeks to be innovative in its approaches to on-the-ground management of open space resources utilizing current knowledge, latest science, best technologies and practices.</p> <p><u>OS 3.04.01 Monitoring data shall be synthesized, analyzed and utilized to adapt management practices in</u></p>		<ul style="list-style-type: none"> • New policy concept: Introduces the concept of adaptive management through monitoring and evaluating 	<p>PC-POSAC 4-13: Respond to new info and changing conditions. Make monitoring more robust, synthesize data, base decisions on scientific knowledge, provide model for other communities. Provide public access to data—rich resource.</p> <p>POSAC 6-23: accepted two sub-policies</p>

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

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<p><u>response to changing conditions.</u></p> <p><u>OS 3.04.02 Monitoring data shall be available to the public as appropriate, subject to the Parks and Open Space Department’s sensitive data policy.</u></p>			
<p>OS 3.05 Boulder County will provide appropriate improvements that serve the approved open space <u>values and</u> functions of the property while maintaining the rural and natural character, <u>as approved in the management plan.</u></p>	<p>OS 4.03 Recreational use of county open space land may be permitted where such use is consistent with the management plan for the property and does not adversely impact natural and cultural resources or other management objectives of the property.</p>	<ul style="list-style-type: none"> • Reframe concept • Broaden language so applies to more than recreation 	<p>POSAC 6-23: accepted adding “values and”</p> <p>POSAC did not review the additional clarifying language added by staff</p>
<p>OS 3.05.01 <u>Recreational facilities shall be designed and maintained to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and associated wildlife habitats, as well as to provide an exceptional and sustainable user experience.</u></p> <p>Recreational facilities shall be designed and maintained to provide an exceptional user experience, be sustainable, and avoid or minimize impacts to significant resources.</p>	<p>OS 6.01 Trails and trailheads shall be planned, designed, and constructed to avoid or minimize the degradation of natural and cultural resources, especially riparian areas and associated wildlife habitats. Riparian areas proposed for preservation but for which trail development is inappropriate include: 1) Boulder Creek between 55th Street and U.S. Highway 287, 2) St. Vrain Creek west of Airport Road, 3) Left Hand Creek west of State Highway 119, and 4) Rock Creek west of McCaslin Boulevard.</p> <p>OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography, or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.</p>	<ul style="list-style-type: none"> • Broaden language • Eliminate specific examples • Include maintenance concept 	<p>PC-POSAC 4-13: Alternative language proposed. “Exceptional user experience” necessary?</p> <p>POSAC 6-23: accepted alternative proposal</p>
<p>OS 3.05.02 Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.</p>	<p>OS 6.04 Trails shall provide for pedestrian, equestrian, bicycle,</p>	<ul style="list-style-type: none"> • Broaden language • Separation of incompatible 	

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	and/or other non-motorized uses, where each is warranted. Incompatible uses shall be appropriately separated.	uses is one of many factors considered in property management plans	
OS 3.05.03 Regional trails linking to open space are coordinated with Boulder County Transportation and other government agencies and may have special rules.	OS 6.05 Special consideration shall be given to pedestrian, equestrian, bicycle, and/or other uses of road rights-of-way during the design and construction of road improvements.	<ul style="list-style-type: none"> • Reframe and broaden language 	
OS 3.05.04 Boulder County may establish regional parks such as the Boulder County Fairgrounds or similar facilities at the direction of the Boulder County Commissioners.	OS 4.02 Except as the county may establish a regional park, such as the Boulder County Fairgrounds, or other similar facilities, the county will provide only a minimum level of maintenance or development on park land.	<ul style="list-style-type: none"> • Reframe • Maintenance is covered in OS 3.05.01 	
OS 3.05.05 Agricultural infrastructure such as center pivot sprinklers, hay sheds, grain bins and other improvements may be constructed as appropriate to support agricultural goals.		<ul style="list-style-type: none"> • New: explicitly call out agricultural improvements 	<p>PC-POSAC 4-13: Concerned about “as appropriate”-ref Ag policy? Concerned about ag structures that end up being used for other purposes “open to best practices moving forward”</p> <p>Ag goals as enunciated in comp plan/other docs</p> <p>Include other infrastructure, such for organic?</p> <p>Staff note: narrative updated with reference to Ag Element</p>
OS 3.05.06 Infrastructure needed to support the use and management of historic structures, museums, and other related resources shall be developed in a manner compatible with the setting and historic character of the resources.		<ul style="list-style-type: none"> • New: explicitly call out historical and cultural improvements 	<p>PC-POSAC 4-13: Manage structures; wants review by Denise Grimm: ref Ramey</p>

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Goal 4. [ENGAGE] Boulder County actively engages the public in stewarding, understanding, and enjoying county open space.			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
<p>OS 4.01 The county commissioners shall appoint a Parks and Open Space Advisory Committee to provide a forum for public input and advice to the Board of County Commissioners and Parks and Open Space Department regarding Parks and Open Space plans, programs, and actions.</p>	<p>OS 8.02 Purchases of land for open space require approval by the Board of County Commissioners after public hearing and after review and recommendation of the Parks and Open Space Advisory Committee.</p>	<ul style="list-style-type: none"> • Existing OSE has narrative reference to POSAC in history but no policy statement • Builds foundation for OS 8.02 	
<p>OS 4.02 <u>Boulder County shall promote awareness and stewardship of the county's irreplaceable natural resources and promote best practices for their protection, conservation, restoration, and enjoyment through communication methods designed to reach a broad spectrum of people, visitors, organizations, and businesses.</u></p> <p>Boulder County shall promote awareness and stewardship of the county's open space resources and recreational opportunities through a variety of communication methods and programs designed to reach a broad spectrum of people, visitors, stakeholders, organizations, and businesses.</p>	<p>OS 2.04 The county, through its Parks and Open Space Department, shall provide appropriate educational services for the public which increase public awareness of the county's irreplaceable and renewable resources and the management techniques appropriate for their protection, preservation, and conservation.</p>	<ul style="list-style-type: none"> • Fits with Engage better than Resource Management • Update language 	<p>PC-POSAC 4-13: Keep specificity of original, alternate language provided</p> <p>(Staff added "stewardship" and "enjoyment" to suggested language)</p> <p>POSAC 6-23: accepted alternative proposal, with discussion about appropriate terminology for "stakeholders"</p>
<p>OS 4.03 Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.</p>	<p>OS 2.04.02 The Parks and Open Space Department shall seek to meet the needs of diverse populations in the county by providing information and programming to accommodate special groups such as disabled persons, young people, senior citizens, and Spanish-speaking citizens.</p>	<ul style="list-style-type: none"> • Fits with Engage better than Resource Management • Update language 	
<p>OS 4.04 Boulder County shall seek and consider public input about open space acquisitions and management through a variety of informal and formal engagement tools.</p>	<p>OS 8.03 In developing management plans for open space areas, Parks and Open Space staff shall solicit public participation of interested individuals, community organizations, adjacent landowners and the Parks and Open Space Advisory Committee. Plans shall be reviewed by the Parks and Open Space Advisory Committee,</p>	<ul style="list-style-type: none"> • Broaden language 	

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	<p>including public comment, and recommended for adoption after public hearing by the Board of County Commissioners.</p>		
<p>OS 4.04.01 Open space land acquisitions, the capital improvements plan (CIP), and management plans and policies require approval by the Board of County Commissioners, after a public hearing and after review and input by the Parks and Open Space Advisory Committee.</p>	<p>OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.</p>	<ul style="list-style-type: none"> • Broaden but keep CIP reference; it is in the 1993 ballot language • Local government collaboration covered in OS 5.03 	
	<p>OS 8.04 Significant changes to overall management direction or techniques shall be presented to the Parks and Open Space Advisory Committee and/or the Board of County Commissioners, with opportunity for public comment before a decision is made.</p>	<ul style="list-style-type: none"> • “significant changes” not explicitly called out in draft policies • Covered in OS 3.01 & OS 4.04 	

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Goal 5. [COLLABORATE] Boulder County collaborates with stakeholders and partners to promote and protect open space values <u>and functions</u> .			
PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
<u>OS 5.01</u> Boulder County shall invite input from a broad spectrum of stakeholders on policy and management issues.		<ul style="list-style-type: none"> Staff addition after PC-POSAC 4-13 meeting, to include the overarching policy for this goal 	POSAC 6-23: accepted
OS 5.02 Boulder County shall collaborate with businesses, organizations, stakeholders visitors, volunteers, property owners, and partners to promote the county’s open space values <u>and functions</u> .	<p>OS 7.01 The county shall consider for possible acquisition those lands within the county which are owned and may be disposed of by other governmental agencies.</p> <p>OS 7.03 The county shall cooperate with the owners of privately owned open space, including conservation easements, to protect their interests from public trespass.</p> <p>OS 7.04 The county, through the Parks and Open Space Department, shall work with foundations, trusts, developers, ditch and utility companies, and others from the private and public sectors in furtherance of the county’s open space objectives by encouraging land donations and dedication and multiple use of easements and by providing and informing the public of incentives for preservation.</p>	<ul style="list-style-type: none"> Combine the concepts of OS 7.01, 7.03 and 7.04 into one collaboration policy 	<p>PC-POSAC 4-13: discussion about terminology for “stakeholders”</p> <p>POSAC 6-23: accepted updated language</p>
OS 5.03 Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.	OS 7.02 The county may promote and participate in partnership projects with the communities in the county for open space acquisition and trails development outside of community service areas.	<ul style="list-style-type: none"> Broaden language 	
<u>OS 5.03.01</u> Boulder County shall retain management authority of properties with high environmental and natural values.		<ul style="list-style-type: none"> 	POSAC 6-23: POSAC approved an additional policy, in response to dissatisfaction with the outcome of the NTSA process. Staff has some concerns with this policy addition, outlined in PC memo
OS 5.04 Boulder County shall annually solicit input from <u>and provide updates to</u> municipalities and	OS 8.01 The county shall annually develop a Capital Improvements Program (CIP) for open space	<ul style="list-style-type: none"> Engage: Broaden to encompass public process in decision 	PC-POSAC 4-13: Incorporate the concept

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stakeholders on open space preservation and trail priorities.	acquisition and trails construction. Formulation of the CIP shall take into consideration project suggestions from municipalities as well as suggestions received from the public. The CIP shall be reviewed by the Parks and Open Space Advisory Committee, after public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	making in OS 4.04 <ul style="list-style-type: none"> • Collaborate: Local government collaboration addressed in OS 5.03 	of feedback/dialogue “and provide updates to...”
OS 5.054 Boulder County Parks and Open Space shall respect nearby private property owners through communication and appropriate actions.	OS 6.02 Adverse effects on private lands shall be minimized insofar as possible by trail and trailhead placement, posting of rules and signs against trespassing, installation of containing fences where critical, and any other appropriate measures.	<ul style="list-style-type: none"> • Reframe and broaden language 	

Programmatic Existing Policies

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	PC-POSAC comments
	OS 2.03.03 Management of individual open space lands, including those under agricultural leases, shall follow good stewardship practices and other techniques that protect and preserve natural and cultural resources.	<ul style="list-style-type: none"> • Covered in OS 3.01, OS 3.03 and OS 3.04 	
	OS 2.05 The county, through its Weed Management Program, shall discourage the introduction of exotic or undesirable plants and shall work to eradicate existing infestations through the use of Integrated Weed Management throughout the county on private and public lands.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 3.01 - OS 3.04 	
	OS 2.04.01 The Parks and Open Space Department shall cooperate with schools and non-profit organizations in the county to provide environmental education activities which increase awareness, understanding, appreciation, and support for stewardship of the natural and cultural resources on open space.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.02 	
	OS 2.04.03 The Parks and Open Space Department shall develop and disseminate information through publications, exhibits, and other media on the uniqueness, importance, and appropriate stewardship and management of open space areas in the county.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.02 and OS 4.03 	
	OS 2.04.04 The Parks and Open Space Department shall utilize trained volunteers, cooperating groups, and private individuals to assist in the delivery of environmental education and interpretive services.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.03 	
	OS 4.06 Private dedication or development of parks, open space or recreational	<ul style="list-style-type: none"> • Not necessary; addressed as 	

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	facilities shall, to the extent subject to public review, be reviewed by the Parks and Open Space Advisory Committee, and where appropriate, the Planning Commission, for recommendation to the Board of County Commissioners.	part of the development review and referral process stipulated in the code	
	OS 4.03.02 (misabeled as 4.03.01) Accessibility for special populations such as disabled persons, young people, senior citizens, and Spanish-speaking people shall be addressed on a system-wide basis.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 4.02 	
	OS 4.04 Requests for special uses or events on county open space shall be evaluated for their impacts to natural and cultural resources as well as other management objectives and maintenance considerations.	<ul style="list-style-type: none"> • Programmatic • Addressed in Open Space Rules and Regulations 	
	OS 4.05 Any development of regional county facilities or of county park or open space land shall be based on a plan approved by the County Commissioners after review by the Parks and Open Space Advisory Committee.	<ul style="list-style-type: none"> • Regional facilities covered in OS 3.05.04 • Public process covered in OS 4.04 and OS 5.02 	
	OS 4.07 In neighborhoods where residents desire more open space and park and recreation facilities than the county provides, the county shall cooperate in the formation of special taxing districts for open space and park and recreation facilities.	<ul style="list-style-type: none"> • Overly prescriptive and not appropriate for comp plan policy 	
	OS 5.02 The county shall utilize Intergovernmental Agreements with one or more municipalities to encourage the preservation of open space lands and the protection of the rural and open character of the unincorporated parts of Boulder County.	<ul style="list-style-type: none"> • Covered in OS 5.02 	
	OS 5.03 The county shall encourage use of Transfer of Development Rights (TDR) to preserve and protect rural character, open space, scenic features, and environmental resources.	<ul style="list-style-type: none"> • Programmatic, covered in OS 2.01 	
	OS 6.03 The County shall acquire trail rights-of-way through purchase, lease, donation or dedication from any public or private entity. When appropriate and beneficial, existing roads and right-of-way will be used.	<ul style="list-style-type: none"> • Programmatic, covered in OS 2.01 	
	OS 6.06 The county shall work through the Consortium of Cities to assure linkage of municipal and county trails and connections between communities.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 2.01 (e) and OS 5.02 	
	OS 6.08 Trails constructed by the county Parks and Open Space Department shall be soft-surface except where necessary to prevent erosion and/or other resource damage.	<ul style="list-style-type: none"> • Programmatic • Covered in OS 3.05.01 	

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Scenic Roadway Corridor Mapping: Proposed Approach

Introduction

As part of the update to the Open Space Element of the Boulder County Comprehensive Plan, staff proposes updating policy text and mapping related to scenic roadway corridors, referred to as “open corridor, roadside” on the BCCP Open Space Plan Map, 1996. The goals are to: 1) refine policy language to clarify intent and scope, and 2) update mapping to designate scenic corridors using a systematic approach that reflects the county’s policy priorities and core focus on preserving rural character. Identifying and designating scenic corridors will help protect the county’s unique natural, cultural and historic visual resources. The proposed policy text is included in the full set of proposed edits to the Open Space Element.¹ This document focuses on the proposed approach for editing map resources.

Proposed Mapping Approach

Staff proposes an approach to mapping scenic roadway corridors that will:

- Leverage established criteria for identifying scenic resources used in other programs / jurisdictions pursuing similar objectives
- Apply objective information and GIS data to identify an initial set of scenic corridors
- Establish a plan for updating scenic corridor mapping over time

Staff proposes drawing upon the characteristics used by the National Scenic Byways Program, as they are reflective of the characteristics used by many jurisdictions for identifying scenic resources, and they reflect the county’s policy priorities. The National Scenic Byways Program identifies six “intrinsic qualities” for designating byways. The qualities include: scenic, archaeological, cultural, historic, natural, and recreational.² The National Scenic Byways Program’s descriptions for each of the qualities are included at the end of this summary. Staff recommends using those six qualities as a framework for establishing criteria for scenic roadway corridor designation in the county.

Staff proposes a designation system in which ***scenic roadway corridors that will be formally recognized and mapped are identified as a stretch of public road at least one mile long which includes sections that meet criteria in at least two out of the six categories of intrinsic qualities.*** This approach is

¹ Staff proposes replacing current policy 3.03, which reads, “To the extent possible, the county shall protect scenic corridors *along highways and mountain road systems*. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.” A new slightly revised version would be 1.03.01 and would read, “To the extent possible, the county shall protect views *from scenic corridors including, but not limited to, those shown on the Open Space Map*. The county may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.”

² A road must possess characteristics of regional significance within at least one of the categories of intrinsic qualities. And “All-American” roads must possess characteristics of national significance in at least two of the intrinsic qualities. Roads become designated in the National Scenic Byway program based on a formal proposal process, and designated roads must maintain a Corridor Management Plan (CMP).

Comment [NW1]: Staff appreciates feedback to help inform a final recommendation for the number of criteria a road should meet in order to be mapped as “scenic.” A preliminary draft mapping exercise showed the majority of all roads would be mapped as “scenic” based on the initial draft criteria. Staff has now defined the criteria more narrowly. Mapping that will be presented at the 8/17 PC meeting will reflect the outcomes of applying the more narrowly defined criteria. [Mapping still in process.]

Staff seeks to strike an appropriate balance between an approach that is inclusive (recognizing the abundance scenic resources in our county) and one that is selective enough to highlight those resources most worthy of heightened attention to their scenic value.

The two primary “levers” for arriving at that balance are: 1) how loosely / narrowly the criteria are defined, and 2) how many criteria a road would need to meet to be mapped as “scenic.”

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intended to ensure that the scenic roadway corridor designation in Boulder County carries a level of distinction. Criteria would consist primarily of elements trackable in GIS, but would also include some elements identifiable through other readily available sources or through field observation.

For purposes of designation, characteristics meeting relevant selection criteria would need to be present along the majority of the corridor. Different segments of the corridor could fulfill different criteria (e.g., one segment of the corridor may have a historic landmark, and another segment may be significant for its natural landforms) as long as elements pertaining to the relevant selection criteria are present along the majority of the corridor, and the corridor fulfills at least two criteria in total.

Comment [NW2]: See comment above.

For purposes of Boulder County’s systematic designation of scenic roadway corridors, the criteria are set such that they will be readily identifiable relying largely on GIS map data. Many county roadways will likely meet one or more of the proposed criteria.

The proposed criteria are shown in the following table.

Category	Criteria	Significance / Relevance to Intrinsic Qualities
1. Scenic	<p>a) Undeveloped parcels adjacent to road</p> <p>OR</p> <p>b) <i>*Roadways with views of the mountains from the plains, or views of the plains from the mountains; Roadways with views of the mountains would be identified as roadways west of 95th Street that have views of: Areas west of Peak-to-Peak Hwy that are over 11,000'; the summit of named peaks east of Peak-to-Peak Hwy that are over 8,000'; The Flatirons; Flagstaff Mountain or Rabbit Mountain</i></p> <p>OR</p> <p>c) <i>Roadway has National Scenic Byway or All American Road designation</i></p>	
2. Archaeological	<i>*Identified archaeological points of interest exist adjacent to the road</i>	Physical evidence of historic or prehistoric human life or activity.
3. Cultural	a) <i>*Presence of properties or structures adjacent to the road currently or historically used (with physical evidence remaining) for agricultural purposes, or by a distinct group of people with an established history of customs and traditions in the county (staff with historic and cultural resource expertise will assist with evaluating for this</i>	Evidence and expressions of the customs or traditions of a distinct group of people.

Comment [NW3]: Staff has worked to find a definition that reflects the intent to capture open stretches of road, but that would not be overly restrictive since many roads we consider to be “scenic” have structures adjacent. Staff considered a number of alternative options, including, “parcels adjacent to road are undeveloped, or have agricultural or residential structures on parcels greater than 35 acres in size.” Staff also considered using density of structures on land adjacent to the road, but that may pose practical challenges as well.

Staff believes that defining this “scenic” component of the criteria as “undeveloped parcels adjacent to road” may strike the right balance. It is restrictive by requiring parcels to be undeveloped, but that condition would only need to be present on one side of the road. [From a mapping perspective, it is not practical to identify roads with parcels that are undeveloped on both sides of the road (since property boundary lines don’t line up).]

Comment [NW4]: Staff is currently in the process of mapping roads with views to the east from the mountains and will need to consider that component of this criteria based on outcomes from that mapping effort.

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Category	Criteria	Significance / Relevance to Intrinsic Qualities
	<i>criteria)</i>	
4. Historic	<p>a) Structures with historic landmark designation of any type (i.e., municipal, county, state, national) are present on parcels adjacent to the road</p> <p style="text-align: center;">OR</p> <p>b) <i>*Structures identified by staff as possessing historic significance are present on parcels adjacent to the road</i></p>	Legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or manmade.
5. Natural	<p>a) Parcels adjacent to the road are publically owned open spaces or protected by conservation easement</p> <p style="text-align: center;">OR</p> <p>b) Parcels adjacent to road that are part of an Ecological Conservation Area and/or include features identified for protection in the Environmental Resources Element map resources (e.g., Natural Areas and Natural Landmarks map, BCCP Wetlands and Riparian Areas map, BCCP High Biodiversity Areas map)</p> <p style="text-align: center;">OR</p> <p>c) Reservoirs, lakes, or streams are located within ¼ mile of the road</p>	Features in the visual environment that are in a relatively undisturbed state. These features may include geological formations, fossils, landform, water bodies, vegetation, and wildlife.
6. Recreational	<p>a) Road with paved shoulders 4 feet wide or greater (or usable lane width of 14 feet or greater)³</p> <p style="text-align: center;">OR</p> <p>b) Unpaved roads</p> <p style="text-align: center;">OR</p> <p>c) <i>*Road identified as a popular cycling or sightseeing route in publications or web resources, or based on traffic and bike count data</i></p>	Outdoor recreational activities directly association with and dependent upon the natural and cultural elements of the corridor's landscape.

Comment [NW5]: Staff would like to flag this as an item for additional feedback. There are factors supporting including this as a component of the "Recreational" criteria because unpaved roads are popular routes for cross and mountain biking, and some recreational vehicles. However, those who live on dirt roads may prefer privacy and may not wish to draw more traffic to their roads. From the perspective of land use protection, it may make sense to include it here, however.

An alternative would be to place unpaved roads in the "Cultural" category rather than recreational, as many of the dirt roads in the county have cultural significance.

Comment [NW6]: Staff is exploring whether it will be feasible to use traffic and bicycle counts as a data source for this criteria.

³ Based on information provided by the Federal Highway Administration. See Federal Highway Administration University Course on Bicycle and Pedestrian Transportation, Lesson 14: Shared Roadways, 2006. Available at: <http://www.fhwa.dot.gov/publications/research/safety/pedbike/05085/pdf/lesson14lo.pdf>

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Category	Criteria	Significance / Relevance to Intrinsic Qualities
	<p>OR</p> <p>d) <i>*The road, or areas adjacent to road identified by staff as possessing features of recreational significance in the County (e.g., rock climbing routes visible from the road, established trailheads along the road)</i></p>	
<p>Notes: Criteria shown in plain font can be mapped using existing GIS and other readily available data. Those would serve as base criteria for initial mapping. Criteria marked with an asterisk (*) and shown in italics are proposed for use in refining an initial base map. For example, if a stretch of road meets one criteria staff may examine it further, exploring additional data sources or conducting field observation to determine if the stretch of road meets these additional criteria. The additional criteria may also be used to extend the length of a corridor identified through a preliminary GIS mapping exercise.</p>		

Staff will make an effort to establish contiguous stretches of scenic roadway corridors where possible to avoid a patchwork of “scenic” stretches of road. For cases in which several scenic corridor sections are mapped along a particular road as a result of initial mapping, staff will propose that areas between those designated corridors that only meet one of the criteria also receive scenic corridor designation.

Updates to BCCP

Staff would consider on an annual basis whether an update to the mapping is warranted. The update process may 1) adapt criteria in response to newly available information (e.g., new map layers), 2) change the map to reflect changing conditions (e.g., remove roads that no longer meet criteria or add new roads meeting criteria), or 3) change the map based on a proposal presented by the public demonstrating that a particular stretch of road meets the established scenic roadway corridor designation criteria. If item #3 is agreed to, staff would develop a system for reviewing proposals as they are received, evaluating them based on the same criteria used by staff for initial designation.

Summary of Six Intrinsic Qualities

Descriptions of the six intrinsic qualities are provided here. These definitions are sourced from the National Scenic Byways Program.

Scenic

Scenic Quality is the heightened visual experience derived from the view of natural and manmade elements of the visual environment of the scenic byway corridor. The characteristics of the landscape are strikingly distinct and offer a pleasing and most memorable visual experience. All elements of the landscape--landform, water, vegetation, and manmade development--contribute to the quality of the corridor's visual environment. Everything present is in harmony and shares in the intrinsic qualities.

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Archaeological

Archaeological Quality involves those characteristics of the scenic byways corridor that are physical evidence of historic or prehistoric human life or activity that are visible and capable of being inventoried and interpreted. The scenic byway corridor's archeological interest, as identified through ruins, artifacts, structural remains, and other physical evidence have scientific significance that educate the viewer and stir an appreciation for the past.

Cultural

Cultural Quality is evidence and expressions of the customs or traditions of a distinct group of people. Cultural features including, but not limited to, crafts, music, dance, rituals, festivals, speech, food, special events, vernacular architecture, etc., are currently practiced. The cultural qualities of the corridor could highlight one or more significant communities and/or ethnic traditions.

Historic

Historic Quality encompasses legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or manmade, that are of such historic significance that they educate the viewer and stir an appreciation for the past. The historic elements reflect the actions of people and may include buildings, settlement patterns, and other examples of human activity. Historic features can be inventoried, mapped, and interpreted. They possess integrity of location, design, setting, material, workmanship, feeling, and association.

Natural

Natural Quality applies to those features in the visual environment that are in a relatively undisturbed state. These features predate the arrival of human populations and may include geological formations, fossils, landform, water bodies, vegetation, and wildlife. There may be evidence of human activity, but the natural features reveal minimal disturbances.

Recreational

Recreational Quality involves outdoor recreational activities directly associated with and dependent upon the natural and cultural elements of the corridor's landscape. The recreational activities provide opportunities for active and passive recreational experiences. They include, but are not limited to, downhill skiing, rafting, boating, fishing, and hiking. Driving the road itself may qualify as a pleasurable recreational experience. The recreational activities may be seasonal, but the quality and importance of the recreational activities as seasonal operations must be well recognized.

(Source: America's Byways, <http://www.scenic.org/issues/scenic-byways/intrinsic-qualities-for-byways-designation>)