Land Use
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BOARD OF COUNTY COMMISSIONERS

September 27, 2016 – 3:30 PM
Commissioners Hearing Room, Third Floor
Boulder County Courthouse

CONTINUATION FROM AUGUST 30 JOINT PLANNING COMMISSION-BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING, NO TESTIMONY

Docket BVCP-15-0001: Boulder Valley Comprehensive Land Use Change Requests

STAFF PLANNERS:
Dale Case - Land Use Director, Boulder County; Nicole Wobus - Long Range Planning and Policy Manager, Boulder County Land Use; Pete Fogg - Senior Planner, Boulder County Land Use; Steven Giang - Planner I, Boulder County Land Use; David Driskell - Executive Director, City of Boulder Planning, Housing + Sustainability (PH+S); Susan Richstone - Deputy Director for Planning (City of Boulder PH+S); Lesli Ellis - Comprehensive Planning Manager (City of Boulder PH+S); Jay Sugnet - Senior Planner (City of Boulder PH+S); Jean Gatza - Senior Planner (City of Boulder PH+S); Caitlin Zacharias - Associate Planner (City of Boulder PH+S)

BACKGROUND

The Board of County Commissioners and Planning Commission held a joint public hearing on August 30, 2016 to consider staff recommendations and public comments related to four land use change requests as part of the Boulder Valley Comprehensive Plan (BVCP) Major Update. The hearing agenda included staff and requestor presentations for requests for land use changes at: 3261 3rd Street (Request #25), 2801 Jay Road (Request #29), and 6655 and 6500 Twin Lakes Rd., 0 Kalua Road (Requests #35 and #36). Public testimony for those requests was also provided, but no decisions were made, and the public hearing was closed as previously advertised in the public hearing announcement.

Planning Commission decided on the land use change requests at the September 21 hearing. Decisions by the other three decision making bodies will follow. Board of County Commissioners (BOCC) will decide on September 27, City of Boulder Planning Board will decide on October 13, following a joint City of Boulder Planning Board – City Council public hearing, and City Council will decide on November 1. Please refer to the staff memo submitted in advance of August 30 hearing for the full staff recommendation. All public comments received related to the public requests for land use designation changes are available here:
http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx#PublicComment

In advance of decision-making by BOCC on September 27, staff would like to provide a summary of discussion and outcomes from the September 21 Planning Commission meeting, as well as clarification on a number of topics raised at the hearing related to the Twin Lakes requests. Please see the summary of the September 21 Planning Commission meeting that follows provides clarification on information presented at the August 30 hearing. Staff will also be available at the hearing to respond to questions the Commissioners may have.

SUGGESTED MOTION LANGUAGE

Staff offers the following suggested motion language. The motion language has been reorganized from the version included in the original staff memo to provide a separate motion for each relevant request. Note that all references to attachments in the suggested motion language refer to the attachments to the original staff memo for the August 30 public hearing (see Attachment 1, and embedded attachments A, B, and C).

Suggested Motion Language:
Staff requests Board of County Commissioners consideration of this matter and action in the form of the following motions:

A. Motion to approve the Land Use Map change and the Area I, II, III Map change to the Boulder Valley Comprehensive Plan, as shown and described in **Attachment A,** as to 3261 3rd St. (Request #25): Change to Low Density Residential and Open Space - Other & Change to Area II for a portion of the site.

B. Motion to approve the Land Use Map change to the Boulder Valley Comprehensive Plan, as shown and described in **Attachment B**, as to 2801 Jay Road (Request #29): Change to Medium Density Residential.

   With a strong recommendation to any decision-making bodies overseeing future development on the property that the focus of this development be on family housing, and density be kept below 10 units per acre.

C. Motion to approve the following Land Use Map change to the Boulder Valley Comprehensive Plan, as shown and described in **Attachment C**, as to 6655 and 6500 Twin Lakes Road and 0 Kalua Road to change to Medium Density Residential and Environmental Preservation.

   With a recommendation to any decision-making bodies overseeing future development on the property that the Guiding Principles that were developed in the Twin Lakes Stakeholder Group process are honored, and that future development of the property ensures that wildlife values and appropriate corridors are established.

ATTACHMENTS

- Attachment 1: Staff report for August 30 Joint Public Hearing Planning Commission and Board of County Commissioners (embedded attachments A, B, and C are referenced in the recommended motion language)
- Attachment 2: Staff memo providing clarifications following the August 30 joint Planning Commission-Board of County Commissioners hearing

Guiding Principles from Twin Lakes Stakeholder Group Process

The following guiding principles were agreed to by the parties to by the Twin Lakes Stakeholder Group facilitated process:

- Continue an advisory group to influence development, design elements, etc.
- Be thoughtful and clear about communication and ensure transparency going forward.
- Mitigate impacts on existing infrastructure and neighborhoods.
- Delineate wildlife habitat and corridor, open space, trails, and create a set-aside for no development.
- Ensure a diversity of housing types.
- Create a design that is consistent with the current surrounding neighborhoods.
- Ensure adequate parking to minimize negative impacts on the surrounding neighborhoods.
- Supply appropriate numbers and types of community amenities to the public.
- Supply appropriate numbers and types of affordable housing units.

SEPTEMBER 21, 2016 PLANNING COMMISSION MEETING SUMMARY

Overview and Key Outcomes

Planning Commission members in attendance included: Natalie Feinberg Lopez (Chair), Doug Young (Vice Chair), Michael Baker, Lieschen Gargano, Ann Goldfarb, Dan Hilton, Leah Martinsson, and W.C. Pat Shanks. Planning Commission member Ben Blaugrund was not in attendance. Natalie Feinberg Lopez left the meeting at 4 p.m. due to another commitment. She was present for decisions on 3261 3rd Street and 2801 Jay Road, but not for the Twin Lakes parcels.

Pete Fogg of the Boulder County Land Use Department provided a summary of the BVCP process leading up to the Planning Commission decision, as well as next steps.

County Attorney's Office staff provided responses to a number of legal questions she received from Planning Commission members following the August 30 meeting.

3261 3rd Street (Request #25) was discussed and decided on first, followed by 2801 Jay Road (Request #29) and then the Twin Lakes properties (Requests #35 and #36). Staff recommendations were approved for all three items, with specific recommendations included for 2801 Jay Road and the Twin Lakes parcels. Table 1 provides a summary of decision outcomes.

Table 1. Summary of Decision Outcomes

Item	Motion Language	Vote Summary[1]
3261 3rd Street (Request #25)	Motion to approve the Land Use Map change to the Boulder Valley Comprehensive Plan including A. 3261 3rd Street (Request #25): Change to Low Density Residential and Open Space - Other and A. map change to the Boulder Valley Comprehensive Plan as shown and described in Attachment A, 3261 3rd Street: Change to Area II for the portion of the site designated.	Yes: 8 No: 0
2801 Jay Road (Request #29)	Move that the Boulder County Planning Commission approve the Land Use Map change to the Boulder Valley Comprehensive Plan, as shown and described in Attachment B, as to 2801 Jay Road otherwise known as Request #29 Change to Medium Density Residential. With a strong recommendation to the other three bodies that the focus of this development be on family housing and density kept below 10 units per acre.	Yes: 6 No: 1
6655 Twin Lakes Road, 6500 Twin Lakes Road and 0 Kalua Road (Requests #35 and #36)	Motion to approve the following Land Use Map change to the Boulder Valley Comprehensive Plan, as shown in Attachment C**,** to 6655 and 6500 Twin Lakes Road and 0 Kalua Road to change to Medium Density Residential and Environmental Preservation. We recommend that future bodies ensure that the Guiding Principles that were developed in the stakeholder process are honored and that future development of the property, in particular, ensure that wildlife values and appropriate corridors are established.	Yes: 4 No: 3

Summary of Discussion and Deliberation for 3261 3rd Street

A planning commissioner asked what the development implications would be if the Blue Line were not a factor, and the entire property were placed within Area II, as requested by the requestor. This question reflected that moving the Blue Line to the western edge of the parcel is a potential outcome of a November ballot measure. City of Boulder planning staff noted that four units would be allowed if the entire parcel were in Area II. A representative for the requestor explained that the requestor does not wish to develop more than one unit on the property, and recognizes that a one-unit limit could ultimately be made a condition of annexation. The requestor seeks flexibility in where that unit of development is located on

[1] Note that the original version of the meeting included an incorrect tally of the vote for 2801 Jay Road (7-1). In fact the vote was 6 in favor and 1 opposing the motion.

the property. Staff noted that RL-1 zoning would allow up to four units on the property, unless there was a condition made with annexation.

At the request of a planning commissioner, staff confirmed that the staff recommendation is for the conditions on the property to revert to what would have existed prior to the possible mapping error with regard to the area designation.

Staff noted that Area II / III designations would need to be further explored on roughly a dozen properties that are currently in Area III if the Blue Line adjustment is approved in the November election. The intent of the Blue Line is to prevent further development up the foothills on the western edges of the Boulder Valley. Therefore, a shift in the Blue Line would call into question whether a shift in the Area II / III boundary is also appropriate for affected properties.

Responding to a question from a planning commissioner, staff explained that the land use in the area around 3261 3rd Street is Low Density Residential.

Pat Shanks made a motion which was seconded.

Following the motion, a planning commissioner asked how common it is for properties to be bisected by the Blue Line, leaving part of the parcel in Area III and part in Area II. City staff noted that five or six properties are so affected; if the Blue Line clean-up is approved with the November election there will be approximately 12 properties that will need to be reviewed for a possible Area II / Area III shift. 3261 3rd Street would also be reviewed for such a shift. Two planning commissioners noted that that information makes them more comfortable with approving the staff recommendation.

Planning Commission voted 8-0 to APPROVE the staff recommendation.

Summary of Discussion and Deliberation for 2801 Jay Road

A planning commissioner asked for a summary of road infrastructure ownership, maintenance and access. The County Engineer provided an overview, noting that a portion of Jay Road nearest the intersection with 28th Street is within city jurisdiction. He also confirmed there is no specific road management arrangement currently in existence between the city and county with regard to the development proposed at the site.

In response to a question about the dirt access road to the east of the parcel, it was confirmed that when the property is developed, the access would have to comply with any existing easements or agreements. The change in the designation would not affect the easements.

A planning commissioner asked about other potential choices in land use designation categories. Staff summarized the residential land use designations and noted that development approval may be for less density than the maximum allowed for a particular designation.

A planning commissioner asked which of the land use designations would allow for a coffee shop or small retail establishment to be located at the site. City staff explained that the zoning

districts corresponding with the Low Density Residential land use designation strictly prohibit inclusion of any commercial uses, whereas the Mixed Density designation would allow them.

A planning commissioner asked city planning staff whether there is an ideal distance from services that is targeted for affordable housing. City staff responded that it is up to a private developer to determine what to propose during annexation and development. County staff added that the shortage of housing supply and land available for residential development is a factor when evaluating whether affordable housing should be limited to ideal locations, such as those proximate to services.

Pat Shanks commented that, given the hard growth boundary in the Boulder Valley, most future development will be infill, and development at the site would effectively be infill. He expressed that a change in the type of development that exists on the site may be warranted given the community's need for affordable, and in particular, middle income housing. He believes that development at the maximum density allowed under Medium Density Residential would be a little out of scale with the surrounding neighborhood. He recognized that, given the location, the development is likely to be car-focused, which may be better-suited to a middle income target. Something in between the Low Density Residential and Medium Density Residential land use designation ranges, similar to the Poplar development in north Boulder (14 units on 1.4 acres), would be preferable.

Ann Goldfarb commented that she has concerns related to density, as well as serving the middle of the population.

A planning commissioner asked about the range of incomes that are considered eligible for affordable housing. Staff replied that it ranges from 30 percent of Area Median Income (AMI) up to 120 percent. In Boulder that could include a four person household earning $113,000 per year.

Natalie Feinberg Lopez commented that, while recognizing the need for affordable housing, her decision would be based on what she thinks is best from the broader perspective of the Boulder Valley. She does not see multi-modal access, but rather sees a dangerous intersection, and it is not clear how the development would benefit the neighbors and the larger county as a whole. She thinks the proposal is out of character with the neighborhood. She would like for annexation to be the last resort to address the housing problems. She noted that Google moving into town has displaced those already living and working in the area.

Daniel Hilton concurred with others' concerns about traffic, but believes that many of those issues can be mitigated through development. He does not think it is a terrible location, nor that it would spur additional peripheral growth due to its proximity to the Area III Planning Reserve. The site is not that far from services, such as those at Iris and 28th Street. He also acknowledged that moving from the Mixed Density Residential proposal down to the Medium Density level was a compromise.

Lieschen Gargano noted that the site is close to bikeways located on 26th Street to the west. Although the site is not ideal, it is in Area II and is close to a busier corridor, which is the

type of area where Planning Commission has previously said they would support higher densities of development.

Natalie Feinberg Lopez noted that the community that uses low income housing is not always car-centric.

Michael Baker noted that the property is already developed. He would be comfortable with a Medium Density designation but would prefer that development not end up at the higher end of the range of density allowed within the Medium Density designation.

Doug Young had micro-level concerns with the site's development, in recognition of the bigger needs of the community he would be comfortable approving Medium Density Residential. He thinks developing at the lowest range of density would be too low. He anticipates traffic improvements would occur there in the future.

Natalie Feinberg Lopez noted that in areas with limited land availability such as the Boulder Valley, the focus should transition to redevelopment strategies and methods, rather than on developing undeveloped sites. She wishes the city would look for more creative ways to accommodate more affordable housing within the city first. Ms. Feinberg Lopez would like to protect what we have in Area II for a time when we don't have anything else left to develop that is closer to services, or that can be redeveloped. She referenced Iris and 28th as a place that would be more appropriate for development. Interest in the status of the city's plans to potentially rezone industrial areas to accommodate some housing was also noted.

Doug Young presented a motion that was seconded by Daniel Hilton.

Pat Shanks asked to include a strong recommendation that the focus of the development be on middle income housing and that the density of units be kept below 10 units per acre (putting it in the range of the Poplar development). Other planning commissioners supported the importance of focusing on family housing, not only low income housing.

Planning commissioners voted 7-1 to APPROVE the staff recommendation. Natalie Fienberg Lopez voted to deny the recommendation.

Summary of Discussion and Deliberation for Twin Lakes Road Parcels

A planning commissioner asked staff for clarification on how the "public" land use designation relates to any limitations that may exist related to the land's history as a dedication to BVSD associated with a subdivision development allowed on the property. It was clarified that any potential issues related to the land's history as a dedication to BVSD are separate from the range of uses associated with a "public" land use designation. Furthermore, the Public designation allows a wide range of land uses and does not require the land to be publicly owned.

At a planning commissioner's request, a representative of Twin Lakes Action Group (TLAG) explained that the south field was dedicated to BVSD in 1967 as part of the development of the Gunbarrel Greens subdivision. She believes that a condition of development was that land needed to be set aside for the use and benefit of residents. She believes that the land

dedication must serve the subdivision and that nothing in state statutes says that annexation would clear that requirement. She believes there are many properties within the City of Boulder for which annexation has not had an effect on the earlier land dedications. She noted that someone wishes to start a new charter elementary school in Gunbarrel and use the BCHA and BVSD fields as part of her curriculum.

A planning commissioner asked again whether there is a radius within which affordable housing is ideally located, and specifically whether a higher level of density of affordable housing should be located. City staff responded that it is city policy that any place appropriate for housing is appropriate for affordable housing. He noted those in need of affordable housing are not always in need of special services.

A planning commissioner questioned how development at the Twin Lakes parcels would fit into the 15-minute neighborhood concept addressed in the proposed updated BVCP policies. City staff explained that the 15 minute neighborhood is an ideal situation, but a lot depends on the market and having a sufficient number of people to support those businesses. Another commissioner asked specifically how the 15-minute neighborhood concept would apply to parks and recreation facilities, and whether the city has a target ratio of residents to parks. City staff noted that most if not all neighborhoods in the City of Boulder are well-served by parks compared to other cities nationally, and that the city does not have a specific standard. County staff noted that, with regard to the 15 minute neighborhood concept, it is appropriate to consider potential Twin Lakes parcel development within the context of the land's proximity to both Gunbarrel Town Center, an area with significant projected job growth, and downtown Boulder.

Boulder County Parks and Open Space staff provided a summary of the neighborhood's proximity to open space, but not specifically to parks. She noted that Twin Lakes is an open space park with trails, amenities and a regional trail, and that Eaton Park (26 acres), managed by the City of Boulder, is just north of Twin Lakes. A commissioner asked if staff could respond to citizens' concerns regarding access to open space and parks. City staff pointed out the distinction between urban parks, with developed amenities, and open space, which does not have developed amenities. He noted that in comparison with the rest of the city, all neighborhoods in Boulder are roughly equally well-served by parks, and he noted that the city does not typically provide urban parks to county residents.

A planning commissioner asked for clarification about any deed requirements associated with the trail corridor outlot property north of the BCHA parcel that was the subject of a letter to the county. It was confirmed that the parcel, that could potentially be annexed to provide contiguity to city jurisdiction for the BCHA parcel, has always been used for purposes consistent with the reverter clause in the deed.

A planning commissioner asked whether and how, if the land were developed for affordable housing, the housing could be restricted to BVSD employees. BVSD staff explained that many other school districts supply their own affordable housing, including the Telluride and Roaring Fork school districts in Colorado. Given the size and diversity of BVSD's employee base, potential concerns about limitations related to the Fair Housing Laws should not be a factor. BVSD has over 3,000 employees that cover a wide range of groups reflective of the population of the region as a whole.

A planning commissioner asked whether the units would be just for teachers, whether the units could be for home ownership, and whether they would need to be sold to another BVSD employee. BVSD staff noted that BVSD has not yet decided on a model but does favor one that would include both rental and ownership opportunities. He noted that home ownership units could be restricted to other school district employees when sold in the future. This is currently the case in Telluride Colorado and Jackson Hole Wyoming, and Roaring Fork Colorado is pursuing that model as well. He also explained that the units would be available to all BVSD employees, not just teachers, and that a range of employees across BVSD positions would be eligible. About two-thirds of BVSD employees are teachers. BVSD's survey found interest from a broad range of employees, including experienced teachers and administrators. He noted that concerns about affordable housing among experienced BVSD employees has become particularly acute within the last few years.

A planning commissioner asked Boulder County Housing Authority (BCHA) whether they have specific targets related to proximity to services. BCHA staff explained that the site was selected because it is a great site for affordable housing. She referenced both Aspinwall and Josephine Commons developments, noting that they have similar locational factors. The services available to the community on-site (e.g., access to Via to provide rides to appointments and mobility training and transportation solutions) have been key to the success of the projects.

A planning commissioner asked whether there were too many studies of the parcels. BCHA staff explained that geotechnical, wildlife and site suitability studies were being procured and conducted through a transparent process, and that they were necessary to understand what type of development could occur on the site.

A planning commissioner asked what type of services BCHA would plan to provide onsite. BCHA staff noted that BCHA would plan to provide a full range of services that would help ensure stability in households. There would be many opportunities available due to the unique partnership with BVSD. BCHA staff noted that, given the Medium Density Residential land use designation, physical amenities may include a community garden and trail system.

At approximately 4:00 p.m., Natalie Feinberg Lopez excused herself from the meeting due to another commitment. Before leaving, she provided comments indicating that she is very interested in supporting affordable housing for school district employees, but would want to hold off on annexing land until she sees more pressure, or a greater need for affordable housing. She wishes to save the undeveloped land to be developed later. She also expressed concern about having Gunbarrel annexed in its entirety.

A planning commissioner asked whether certain density requirements may need to be met in order for the project to get financed or to maximize BCHA's investment. BCHA staff indicated that they seek to serve a range of incomes and the best way to do that effectively is by offering higher-density housing. Low density development would only enable BCHA to serve a narrow band of the population, and does not allow building an inclusive community. Financing mechanisms work much better with a medium density designation, enabling BCHA to leverage funds to build for-sale housing.

A planning commissioner asked whether many in the target population may prefer a single family home. BCHA staff noted that at their existing developments there is much more demand for than supply of attached dwelling units, as evidenced by their waiting list. The target population has a greater preference for an affordable place to live than they do for a single family detached unit. BCHA staff indicated that the waiting lists are comprised of a majority (on the order of 80 percent) of residents who currently live and work within the communities where the developments are located. There are over 1,000 people on BCHA's waiting lists.

A planning commissioner noted that the majority of public comment has come from members of the Twin Lakes neighborhood, and input from those supporting the development has largely been from those who live in BCHA's communities or are affiliated with affordable housing-related organizations. He asked where the input was from the rest of the community. The Executive Director of BCHA noted that there are over 40,000 individuals in Boulder County spending more than 50 percent of their income on housing, and reiterated the opportunity that the Twin Lakes parcels provide for helping to address the need for affordable housing in the community. He noted that many who need affordable housing are a disenfranchised population that has trouble attending meetings or having time to participate in the public processes related to the land use designation change.

A planning commissioner asked about whether BCHA has been able to find other infill sites for development. BCHA staff explained that they have worked for three years to find sites for land banking in the area and have only been able to purchase two, the Kestrel development site and the Twin Lakes parcel. City staff noted that efforts to pursue creative infill development opportunities, such as those envisioned in the scenarios being explored through the BVCP update, will take a long time to come to fruition. The housing shortage is significant, and the Boulder Valley is on track to exhaust the supply of potential housing development well before the 2040 planning time horizon.

BCHA highlighted that BCHA's Twin Lakes parcel has been in Area II and designated for development for 30 years, and would consider it infill development. A planning commissioner recognized that it is scheduled for development and in Area II but stated a concern about the "mixed residential upzoning." BCHA highlighted the presence of mixed residential developments throughout the surrounding community, and noted there aren't 20 acres of land available in Boulder County suitable for development with a high proportion of affordability that can support the community's large need for affordable housing.

Planning commissioners had questions about the prior uses and designations of the land purchased for BCHA's other recent developments, and BCHA provided a summary. BCHA staff also clarified that they would not be looking to exceed a level of density of 12 units per acre. They would look to develop smaller units (in the range of 950 square feet), and townhome-style units so they can serve many in a limited amount of space, and offer for-sale units. Details regarding which specific areas of the development would have higher or lower levels of density would come at the next phase of development, after the land use designation change.

A planning commissioner commented on the importance of maintaining the 30,000 foot view for the purposes of deciding the land use designation change, and recognizing the current focus is not on a specific development proposal.

A planning commissioner asked about the motivation behind BCHA having originally applied for a Mixed Density Residential designation. BCHA staff explained that the mixed density designation would allow for more flexibility in zoning, and potentially enable them to build a community facility available to the public (e.g., a childcare facility, or other community amenity). The intent was not to develop at the maximum density associated with the Mixed Density designation, but rather to have greater flexibility to offer more community benefits.

A planning commissioner asked if it would be possible to include a specific wildlife corridor in the land use designation approval in order to ensure there would be a connection from the Twin Lakes to the Johnson-Coen Trust open space to the southeast. The wildlife biologist from the firm hired by BCHA to conduct a wildlife study provided some additional context. He noted that wildlife will use what humans make available for ease of travel. There is an area on the eastern side of the property with informal trails, and there could be a wildlife corridor along the eastern side of the properties. He also commented that a variety of approaches could be used to enhance the effectiveness of a corridor (e.g., use of native vegetation, canopy cover, etc.). When asked what would be an ideal width for a wildlife corridor, he explained that the ideal width will vary depending on the species. Something in the range of 25 to 50 feet provides a good range of movement for many species. Determining an appropriate width would be based on an assessment of the width of area around the ditch currently being used by wildlife. The majority of current wildlife use is within a 25 to 30 foot area of the southern ditch, and an even narrower width is used in the northern area. The needs will vary depending on the species. There are many generalized species in that area, including great horned owl. To determine the needs of more specialized species would require more work.

A planning commissioner asked whether there are any culverts connecting the north and south properties. BCHA's consultant explained that there are not. He noted that many best management practices could be incorporated in the development that would help facilitate movement of species.

In response to a question, a representative of TLAG noted that the staff-recommended environmental preservation areas would protect what would already be required for protection. He noted that larger is better in terms of specifying a wildlife corridor width. He noted that the majority of the wildlife use is along the eastern side of the parcels. Another representative of TLAG noted that minimum corridor width would depend on the type of habitat; a riparian corridor could be narrower than a grassland corridor. She noted that a wildlife corridor best practices study indicates that a 1,000-foot corridor would be appropriate there to support sensitive species, which is about the width of the properties. She noted that making the corridor narrower would limit use to species like coyotes, which could be dangerous given human use of the area. She later noted that the ideal corridor width would be density-dependent, citing a concern that development would also have associated parking lots. She also cited BVCP policies explaining that land use map changes would need to maintain or improve environmental quality, and avoid cross-jurisdictional impacts.

A planning commissioner asked, if the entire width were not designated a corridor, what portion would be most important to designate as a corridor. The TLAG representative noted that wildlife use occurs along trails that run diagonally across the property as well as on the

eastern side, and that there would need to be corridors going two directions, both west and north.

A planning commissioner asked whether it would be appropriate to create a wildlife-only corridor. TLAG's representative responded that that would help ground-nesting birds. BCHA's consultant noted that it would be important to minimize human and pet interaction in the wildlife corridor through vegetation and micro-topography. He noted that the areas to the north also act as a wildlife corridor.

City staff noted that determining the specific location and dimensions of the wildlife corridor is very site-specific and would be most appropriate to occur at the time of site plan review. He noted that the Twin Lakes Stakeholder Group's guiding principles could be applied at that time. A planning commissioner wondered whether those guiding principles could be made to be binding. County Attorney's Office staff noted that the Planning Commissioners could vote to impose a wildlife corridor that is specifically identifiable on a map, or that they could include a recommendation to include a wildlife corridor in the future.

A planning commissioner asked to confirm that the Environmental Preservation (EP) designation means there could never be development on those areas. City staff confirmed that no new development could occur in an EP area, with the exception of vegetation improvements. A planning commissioner asked whether, if a portion of the land is designated EP, that would reduce the total acreage to which the available development density were to apply. Staff answered that it would not reduce the number of total units allowed on the parcel, and staff referenced the EP designation description highlighting that the goal is to achieve preservation of the land through a variety of methods.

A planning commissioner recognized the need for affordable housing, as well as a need for a wildlife corridor. He thinks a compromise is warranted, such as lower density, or specifying a wildlife preservation area. Possibilities would include calling for a lower density to minimize impacts, or to specify a wildlife preservation area. He also noted the possibility of designating an EP area, and going with a slightly higher density on the remainder of the parcels to balance loss of land to the EP.

Another planning commissioner questioned how the item would flow to the other three bodies for approval if a specific wildlife corridor were identified. A planning commissioner noted that would effectively be denying the staff recommendation, and noted that it would be difficult to specify a wildlife corridor with no scales on the maps shown. He noted there could also be a recommendation associated with the approval, as there was for the last approval item (Jay Road). Another planning commissioner noted support for the spirit of compromise but recognized that there is currently a lack of enough information on which to base identification of specific wildlife corridor dimensions. She would not want to unintentionally limit the flexibility later in the process that would be needed to arrive at more appropriate wildlife corridor dimensions and location. By attaching a recommendation to the approval of the staff recommendation it would send a meaningful signal. She said she does believe the Medium Density Residential designation aligns with the BVCP core values. Another planning commissioner concurred, and noted a trust in the next stages of the process to provide the desired outcomes.

A planning commissioner considered potentially tabling the decision and requesting that staff come back with a recommendation for a specific wildlife corridor dimension. City staff noted that staff has already given a great deal of consideration to where a potential wildlife corridor could be located and concluded that it is not the appropriate stage of the process to provide that level of detail. That would be better addressed when a specific development plan is on the table at the annexation and site review stage. Staff also noted that tabling the decision could be challenging because all of the other bodies have already set their hearing dates and have limited time on their meeting agendas during the fall to accommodate a shift in the schedule.

Another planning commissioner agreed that it is not an ideal time to consider details of the potential development. He noted that the property could ultimately be sold to another entity, so he likes the idea of guaranteeing something related to the land use now, such as the proposal to lock in a land use on the eastern edge. A planning commissioner considered whether it would make sense to specify a wildlife corridor of 15 percent of the width of the property along the eastern edge. Another planning commissioner stated that she was not comfortable with locking in dimensions of a wildlife corridor from a procedural or practical perspective, noting that this is not the appropriate time to provide that level of detail for the site. She stated that the best practical approach at this stage is to provide a recommendation. City staff noted that recommendations from decision bodies carry a great deal of weight at annexation.

Planning commissioners considered a variety of options for how to proceed. A planning commissioner announced that he would not support the motion unless it included a specific wildlife corridor on the order of 100 feet wide, recognizing that a long process lies ahead and the property may not get developed as envisioned by BCHA today. Another commissioner suggested the idea of including a small 25-foot wildlife corridor just to encumber a portion of the properties.

Leah Martinsson made a motion to approve the staff recommendation and requirements shown in Attachment C to the staff report for the August 30 hearing. She made the motion with a recommendation that the Guiding Principles from the Twin Lakes Stakeholder Group are honored going forward, and that wildlife values and appropriate wildlife corridors are established during the site review and development process. Lieschen Gargano seconded the motion.

Doug Young cited large benefits with Request #35, along with recognition of impacts (e.g., annexation, protected species, and loss of fields). He said he was voting in favor of the motion based on a high level perspective that he believes is warranted in making BVCP-related decisions.

Daniel Hilton said he believes, on balance, that the staff recommendation advances the BVCP goals more than it detracts from them. He also supports channeling growth to developed areas, and supports addressing affordable housing needs.

Michael Baker stated that he does not support the motion. He believes the city and county need to look at developed areas first for potential redevelopment. He does not support up-zoning areas in the middle of residential communities. He also doesn’t like the idea of BVSD getting into the development business. He noted it is a tough decision, but a lot more work

needs to be done before changing zoning for one part of the community at the expense of another part of the community that has worked and purchased homes there. He noted that the Kestrel and Josephine Commons lands were in a different situation pre-development. They were commercial and industrial areas.

Pat Shanks explained that he supports having a wildlife corridor along the eastern edge because it would provide access for the neighbors as well. The Guiding Principles don't specify where the wildlife corridor should go. He believes strongly in the need for affordable housing, and he trusts that the city and county will work out the issues as needed (e.g., with transportation) during the next stages. However, he cannot support the motion without a specific wildlife corridor included.

Leah Martinsson asked if there was anything that could be added to the motion language to ameliorate Pat Shanks's concerns short of specifying dimensions for a wildlife corridor. He said he supported adding more language, but probably would still not vote in favor.

A roll call vote was taken. Voting in favor of the motion were Dan Hilton, Doug Young, Lieschen Gargano and Leah Martinsson. Voting against the motion were Michael Baker, Ann Goldfarb and Pat Shanks.

All remaining items on the Planning Commission agenda were tabled.