Boulder County

Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • **www.bouldercounty.org**

BOULDER COUNTY PLANNING COMMISSION and PARKS & OPEN SPACE ADVISORY COMMITTEE
JOINT STUDY SESSION NOTICE

April 13, 2016
Joint Study Session – 5:30 P.M.

Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

JOINT STUDY SESSION WITHOUT PUBLIC TESTIMONY

JOINT STUDY SESSION – 5:30 P.M.

BCCP-15-0001: Joint Study Session: Planning Commission and Parks and Open Space Advisory Committee
The purpose of this session is to gather input from the Planning Commission (PC) and Parks and Open Space Advisory Committee (POSAC) on the DRAFT update of the Boulder County Comprehensive Plan Open Space Element. PC and POSAC will each hold a public hearing at a later date.

Discussion Item – No Action Requested: Public testimony will not be taken.

Presenters:
Boulder County Parks and Open Space Department – Tina Nielsen, Special Projects Manager; Jesse Rounds, Natural Resource Planner; Ernst Strenge, Natural Resource Planner

Boulder County Land Use Department– Pete Fogg, Steven Giang, Nicole Wobus, members of the Long Range Planning and Policy Team

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PUBLIC MEETING
BOULDER COUNTY, COLORADO
PLANNING COMMISSION and PARKS & OPEN SPACE ADVISORY COMMITTEE

DATE:	April 13, 2016
TIME:	5:30 P.M. (Joint Study Session)
PLACE:	Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that a public meeting will be held by the Boulder County Planning Commission and the Parks & Open Space Advisory Committee at the time and place specified above. All persons interested in the following item are requested to attend such meeting.

JOINT STUDY SESSION – 5:30 P.M.

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ADJOURNED

Detailed information regarding this item is available for public examination at the Boulder County Land Use website at http://www.bouldercounty.org/property/build/pages/bccp150001.aspx or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441- 3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: March 30, 2016-- Daily Times-Call

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AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **March 30, 2016.**

Agent

Subscribed and sworn to before me this 14th day of **September, 2016** in the County of Boulder, State of Colorado.

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MY COMMISSION EXPIRES DEC. 11, 2018

PUBLIC MEETING
BOULDER COUNTY, COLORADO
PLANNING COMMISSION and PARKS & OPEN SPACE ADVISORY COMMITTEE

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Published: Longmont Times-Call
March 30, 2016-5667804

BOULDER COUNTY PLANNING COMMISSION and PARKS & OPEN SPACE ADVISORY COMMITTEE
JOINT SESSION NOTICE

April 13, 2016
Joint Session – 5:30 P.M.

1325 Pearl Street, Commissioners Hearing Room

{Approved on June 15, 2016}

1. JOINT SESSION WITHOUT PUBLIC TESTIMONY

Land Use Docket Webpage: http://www.bouldercounty.org/property/build/pages/bccp150001.aspx

On Wednesday, April 13, 2016, the Boulder County Planning Commission hosted a joint session with the Parks and Open Space Advisory Committee, convening at 5:30 p.m. and adjourning at 8:25 p.m.

Boulder County Planning Commission members present: Doug Young (chair), Daniel Hilton, Natalie Lopez, Lieschen Gargano, W.C. Pat Shanks, Leah Martinsson, Michael Baker

Parks and Open Space Advisory Board members present: Eric Hozempa (chair), Cathy Comstock, Sue Cass, John Nibarger, Scott Miller, Jenn Archuleta

PC and POSAC Members Excused: Ben Blaugrund (PC) and James Mapes (POSAC)

Staff Presenters:
Boulder County Parks and Open Space Department: Tina Nielsen, Jesse Rounds, and Ernst Strenge, members of the Open Space Elements Update Team
Boulder County Land Use Department: Pete Fogg, Nicole Wobus, members of the Long Range Planning and Policy Team

Additional Staff Present:
Parks and Open Space: Jeff Moline, Therese Glowacki, Al Hardy, Ron Stewart
Land Use: Steven Giang, Rick Hackett, Ron West, Dale Case

Planning Commission (PC) met with the Parks and Open Space Advisory Committee (POSAC) to discuss the DRAFT update to the Open Space Element of the Boulder County Comprehensive Plan (BCCP). The DRAFT Open Space Element (Goals and Policies) was presented by staff. The map is on a separate track and will be presented at a later date.

PC and POSAC members asked questions, discussed the draft document, and offered suggested changes and additions for staff to address moving forward. Some of the key topics discussed included:

1) the distinction between open space land owned by Parks and Open Space as opposed to open space more broadly;
2) clarification of open space values;
3) a need to ensure preservation of historic resources;
4) the appropriate document for addressing the role of dogs on county owned open space;
5) removing duplication of policies more appropriately addressed in other elements of the BCCP (e.g., streamside corridors);

6) clarifying the role and definition of open roadside corridors (scenic corridors);
7) addressing appropriate use of “protection,” “conservation,” “preservation”;
8) clarification of “stakeholders”;
9) additional suggestions related to language preferences.

Staff will update the draft revised element and plans to bring the new draft for consideration and adoption to POSAC in June and PC in July. Both of these hearings will include an opportunity for public comment.

Discussion Item – No Action Taken

The official recording for this meeting will be archived with the Boulder County Planning Commission records.

Parks and Open Space

5201 St. Vrain Road • Longmont, Colorado 80503
303.678.6200 • Fax: 303.678.6177 • **www.bouldercounty.org**

PLANNING COMMISSION
PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING
JOINT STUDY SESSION

DATE: Wednesday, April 13, 2016
TIME: 5:30 pm
PLACE: Commissioners' Hearing Room, 3rd Floor, Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

Note: a light supper will be provided for PC and POSAC members at 5 p.m. in the Dickie Lee Hullinghorst meeting room, 3rd Floor

AGENDA

Suggested Timetable:

5:30 p.m. **Joint Study Session to discuss and provide input on the Draft Open Space Goals, Policies & Map Element of the Boulder County Comprehensive Plan**

Staff Presentation: Overview, Goals, Policies, Narrative, Map
Parks and Open Space Presenters: Tina Nielsen, Jesse Rounds, Ernst Strenge
Land Use Presenters: Pete Fogg, Steven Giang, Nicole Wobus

Questions and Discussion from PC and POSAC

8:00 p.m. **Adjourn**

Available staff memos & related materials for this meeting may be viewed on this web page:
http://www.bouldercounty.org/property/build/pages/bccp150001.aspx

Boulder County

Parks and Open Space

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JOINT STUDY SESSION
BOULDER COUNTY PLANNING COMMISSION
PARKS AND OPEN SPACE ADVISORY COMMITTEE
No public testimony will be taken

TO: Parks & Open Space Advisory Committee

DATE: Wednesday, April 13, 2016, 5:30 p.m.

LOCATION: Commissioners Hearing Room, 3rd floor Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Boulder County Comprehensive Plan Open Space Element Update

PRESENTERS:
Boulder County Parks and Open Space Department: Tina Nielsen, Jesse Rounds, Ernst Strenge, members of the Open Space Element Update Team
Boulder County Land Use Department: Pete Fogg, Steven Giang, Nicole Wobus, members of the Long Range Planning and Policy Team

ACTION REQUESTED: Study session, no formal action requested.

Introduction

The purpose of this study session is for Planning Commissioners and POSAC members to discuss and provide feedback to staff on the draft Open Space Goals, Policies and Map Element (OSE) of the Boulder County Comprehensive Plan (BCCP).

BCCP Update Process

In 2010, Land Use staff began a process of updating all the elements of the BCCP, and the Planning Commission adopted guiding principles. To date, the Transportation, Cultural Resources, and Environmental Resources Elements have been updated and approved by Planning Commission. Parks and Open Space staff members were heavily involved in the update of the Environmental Resources Element (ERE), adopted by the planning commission in June 2013. Consistent with the guiding principles for BCCP updates, the ERE update streamlined the element, decreasing the number of policies from 67 to 19. Parks and Open Space and Land Use staff have applied a similar approach during the update of the OSE. The Comprehensive Plan, including information about the update process, is available at http://www.bouldercounty.org/property/build/pages/bccpupdate.aspx.

OSE Update Process to Date

A team of staff from the Parks and Open Space and Land Use Departments began working on the OSE Update in 2015. The last update was in 1996, and much has changed in the county and the open space program in the last 20 years. The OSE Staff goals for the OSE update are:

- Continue to provide high level guidance
- Update and broaden the goals and policies to reflect the range of programs and activities provided by the Parks and Open Space Department
- Eliminate redundancies and references to programs
- Streamline and simplify the document narrative
- Provide a forward-looking focus to help navigate future opportunities and challenges

The staff team developed a new framework for policies:

Current Policy Framework	Proposed Policy Framework
• Acquisition • Resource Management • Scenic Area & Open Corridor Protection • Recreation Use • Rural Character Preservation & Community Buffering • Trails • Public/Private Partnerships • Public Decision Making	• Value • Conserve • Steward • Engage • Collaborate

This proposed framework provides the basis for the reworked set of five goals. Each goal then has a set of policies relating to that goal. The proposed draft narrative is included as Attachment A, Draft Open Space Goals, Policies, & Maps Element. Attachment B, Review Guide: Open Space Element Goals & Policies Update, maps the relation between the existing and proposed goals and policies, along with explanatory notes and some discussion questions for the study session.

The following is a brief summary of the proposed changes:

Narrative changes:

- Consolidate and streamline background and history
- Summarize relevant history and background information in sidebars
- Remove discussion of open space acquisition methods
- Group goals and associated policies together

Goal Changes (Attachment B, page 1):

- Maintain five goals, but update and broaden goal language to expand concepts covered in goals
- Existing Goals C.2 and C.4 are no longer represented in the proposed draft (see Attachment B page 1)
- New Goal 1 addresses open space values regardless of land ownership (what staff refers to as little “o” open space, while new Goals 2-4 relate to county-owned open space lands (big “O” Open Space) and new Goal 5 is a blend of both

Policy Changes (Attachment B, pages 2-10):

- Reorganize policies according to goals and framework
- Update, broaden and/or reframe policy language
- Keep a few references to specific programs, only where necessary to reflect the relationship with the Sales Tax Resolution
- Reduce the number of policies from 49 to 29 by eliminating redundancies and references to programs
- Attachment B includes some discussion questions for the joint study session

Map Changes: Map approval is on a separate track, and updates will be brought to the Planning Commission and POSAC at a future date. *Attachment B: Review Guide* includes notes about some issues relating to the Open Space Plan Map. Issues to be addressed include:

- Remove “Proposed Open Space” designation
- Change name from “County Open Space Plan” to “County Open Space Map”

- Revisit the “Open Corridor, Streamside” and “Open Corridor, Roadside” designations: land use staff is considering how best to establish and incorporate a set of criteria to guide the selection of scenic corridors. Staff is also considering how best to incorporate performance measures which would allow some flexibility to apply to roadways outside mapped corridors but that are still found to have scenic views worthy of protection. Staff is reviewing best practices from other jurisdictions, but would also appreciate guidance from PC and POSAC members.

Public Process to date

April 23, 2015: Parks and Open Space Advisory Committee Hearing
June 17, 2015: Planning Commission Hearing
July 28, 2015: Public Open House (see Attachment C for summary of comments received)

Next Steps

Staff will incorporate feedback from this joint study session, and come back to each Committee in separate public hearings with an updated draft document. Once POSAC and PC have indicated that they are satisfied with the document, staff will bring the draft to the BOCC for their input, then return to PC for final approval.

Requested Action

Staff requests that Planning Commissioners and POSAC members provide comments, questions and input to the draft Open Space Goals, Policy and Map Element of the Boulder County Comprehensive Plan.

ATTACHMENTS
Packet available at http://www.bouldercounty.org/property/build/pages/bccp150001.aspx**]**

A. DRAFT Open Space Goals, Policies and Map narrative
B. Review Guide: Open Space Element Goals & Policies Update
C. Summary of Public Comments from Open House, July 28, 2015
D. Current Open Space, Goals, Policies and Maps Element

ATTACHMENT A

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. Definitions of Open Space and Passive Recreation**
- **c. Acquisitions**
- **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 with tremendous geological and biological diversity and extraordinary beauty. This natural heritage helps form the foundation for the quality of life appreciated by so many residents. The Open Space Element Goals, Policies and Map lay out the vision for preserving, enjoying and understanding the land and the values it supports. The 2016 update of the Open Space Element of the Boulder County Comprehensive Plan reflects the history and evolution of the Parks and Open Space Department, and strives to provide guidance for the future.

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 1968 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 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 Tax Resolutions

- 1978: First attempt at county-wide open space sales tax fails
- 1988: Second attempt at county-wide open space sales 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 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% 20 years through 2029
- 2009: Resolution 2009-100 proposed extension of 0.25% sales tax through 2034 fails
- 2010: Resolution 2010-93 new 0.15% sales tax through 2030

b. Definitions of Open Space and Passive Recreation

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 on the land 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, bicycling, horseback riding, or fishing.

c. Acquisitions

Following passage of the sales tax in 1993, the next two decades saw prolific additions to the county 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 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 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 (Policy 5.03).

[Reference Comprehensive Development Map in Map Section]

Boulder County uses a variety of methods to preserve 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.

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 of county open space. The next level of detailed guidance consists of management policies, which provide more detailed guidance 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 Rules and Regulations, Department-wide goals, annual performance measures and work plans also reflect guidance from the Comprehensive Plan.

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.

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

IV. Goals and Policies

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

OS 1.01. Boulder County supports all conservation efforts that uphold open space values.

OS 1.02. Boulder County shall use its Parks and Open Space Department as an important tool for preserving the county's open space values.

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

- OS1.03.01. To the extent possible, the county shall protect views from scenic corridors shown in 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.
- OS1.03.02. 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. 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.

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 considers open space values when acquiring an interest in real property rights, including the following, in no particular order:

a. Establish and preserve community buffers and scenic corridors.
b. Conserve lands or features designated in other Boulder County Comprehensive Plan Elements.
c. Protect and conserve 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. Create and establish public access on open space properties and trail linkages between properties.

f. Protect and restore native plants, wildlife, ecological processes, and significant habitats including riparian zones, wetlands, stream corridors, grasslands, shrublands, and forests.
g. Protect and restore historic and cultural resources.
h. Enlarge existing open space properties and protections.

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.

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 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 current knowledge, latest science, best technologies and practices.

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

OS 3.05.01. 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.

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 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 improvement 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.

OS 5.01. Boulder County shall collaborate with businesses, organizations, stakeholders, volunteers, property owners, and partners to promote the county's open space values.

OS 5.02. Boulder County shall work closely with federal, state, and local authorities to promote and achieve mutual acquisition and management goals.

OS 5.03. Boulder County shall annually solicit input from municipalities and stakeholders on open space preservation and trail priorities.

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

ATTACHMENT B REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

PROPOSED Open Space Goals	Staff Notes	EXISTING Open Space Goals	Staff Notes
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.	• Updated language in Goal 1
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.	• Not explicitly represented in new goals • Concept is addressed in OS 1.01
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.	• Updated language in Goal 2
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.	• Not explicitly represented in new goals • **Policy TR 1.03 Enhance the Bicycle and Pedestrian Network:** Expand the bikeway and pedestrian network to provide safe, appealing, and convenient connections throughout the County for travel and recreation.
Goal 5. Boulder County collaborates with stakeholders and partners to promote and protect open space values.	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.	• Broaden and update language in Goal 5

REVIEW GUIDE: OPEN SPACE ELEMENT GOALS & POLICIES UPDATE

PC & POSAC Study Session, April 13, 2016

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**	**Discussion Questions**
OS 1.01 Boulder County supports all conservation efforts that uphold open space values.		• New overarching policy concept	
OS 1.02 Boulder County shall utilize its Open Space program as an important tool for preserving the county's open space values.	**OS 5.05** The county shall use its open space program as one means of achieving its environmental resources and cultural preservation goals.	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.	
OS 1.03 Open space values, and impacts to county open space, shall be considered in the review of development proposals submitted through the Land Use Department.	**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.	• Propose to delete "Proposed Open Space" from County Open Space Plan map, making first sentence obsolete. Rationale: most of the properties so designated have been acquired. • Update language	NOTE: Further discussion to come regarding County Open Space Plan map. Map approval is on a separate track.
OS 1.03.01 To the extent possible, the county shall protect views from scenic corridors shown in 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.	**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.	• 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	
OS 1.03.02 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.	• 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.	Natural Landmarks and scenic areas are addressed in ERE Goal B, is this redundancy desired?
OS 1.04 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	**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. **OS 6.07** Where appropriate, trails should be incorporated into and provided by new development and linked to established trails, if possible.	• 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**	**Discussion Questions**
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 space, would be.	• 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. Rationale: most of the properties so designated have been acquired.	NOTE: Further discussion to come regarding County Open Space Plan map. Map approval is on a separate track.
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.	• 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"	Agree with removing reference to eminent domain?
OS 2.02 Boulder County considers open space values when acquiring an interest in real property rights, including the following, in no particular order:		• 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.	Agree with stating general acquisition priorities in a goal statement and enumerate in the policy?
a. Establish and preserve community buffers and scenic corridors.	**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.	• Identify all the various open space values in one policy	
b. Conserve 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,	• Designated areas are also covered in the Environmental Resource Element	

	historic and archaeological sites, and significant agricultural land.		
PROPOSED POLICIES	**EXISTING POLICIES**	**Staff Notes**	**Discussion Questions**
c. Protect and conserve 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.	• Broaden language • 2nd sentence reflects current and historic real estate acquisition practice; covered in **OS 2.01**	
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 appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.	• Broaden language • Specific acquisition methods covered in **OS 2.01**	
e. Create and establish 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.	• Broaden language	
f. Protect and restore native plants, 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.	• Reframe and broaden language	
g. Protect 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.	• Call out historic and cultural resources explicitly • Also referenced in Environmental Resources Element	
h. Enlarge existing open space properties and protections.		• New policy concept	
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.		• New policy concept • Addresses activities such as utility right of way requests, oil & gas extraction	

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	Discussion Questions
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 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.	• Update language	
OS 3.02 Plans and policies are based on sound planning practices, public input, and desired future conditions.	**OS 2.03.02** Management of county open space lands shall consider the regional context of ecosystems and adjacent land uses.	• Broaden to encapsulate the idea of balance amongst uses and protection • Considering regional context is a sound planning practice	
OS 3.03 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.	**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. **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.	• 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**	"Purposes for which land was acquired" concept is not included in current proposed policies
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.		• New policy concept: Introduces the concept of adaptive management through monitoring and evaluating	
OS 3.05 Boulder County will provide appropriate improvements that serve the approved open space functions of the property while maintaining the rural and natural character.	**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.	• Reframe concept • Broaden language so applies to more than recreation	
OS 3.05.01 Recreational facilities shall be designed and maintained to provide an exceptional user experience, be sustainable, and avoid or minimize impacts to significant resources.	**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	• Broaden language • Eliminate specific examples	

	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. **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**.	• Includes maintenance concept	
OS 3.05.02 Open space trails shall provide for multiple uses, unless otherwise specified in a management plan.	**OS 6.04** Trails shall provide for pedestrian, equestrian, bicycle, and/or other non-motorized uses, where each is warranted. Incompatible uses shall be appropriately separated.	• Broaden language • Separation of incompatible 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.	• 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.	• 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.		• New: explicitly call out agricultural improvements	
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.		• New: explicitly call out historical and cultural improvements	

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

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion
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 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.	• Existing OSE has narrative reference to POSAC in history but no policy statement • Builds foundation for **OS 8.02**	
OS 4.02 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 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.	• Fits with Engage better than Resource Management • Update language	
OS 4.03 Boulder County shall reach out to the public through educational programs, volunteer opportunities, and regular interactions at open space properties.	**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.	• Fits with Engage better than Resource Management • Update language	
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 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, including public comment, and recommended for adoption after public hearing by the Board of County Commissioners.	• Broaden language	
OS 4.04.01 Open space land acquisitions, the capital improvement 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.	**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.	• Broaden but keep CIP reference; it is in the 1993 ballot language • Local government collaboration covered in **OS 5.03**	Agree with keeping CIP reference?
	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.	• "significant changes" not explicitly called out in draft policies • Covered in **OS 3.01** & **OS 4.04**	Call out "significant changes?"

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

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion
OS 5.01 Boulder County shall collaborate with businesses, organizations, stakeholders, volunteers, property owners, and partners to promote the county's open space values.	**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. **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. **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.	• Combine the concepts of **OS 7.01, 7.03** and **7.04** into one collaboration policy	
OS 5.02 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.	• Broaden language	
OS 5.03 Boulder County shall annually solicit input from municipalities and stakeholders on open space preservation and trail priorities.	**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.	• Engage: Broaden to encompass public process in decision making in **OS 4.04** • Collaborate: Local government collaboration addressed in **OS 5.03**	
OS 5.04 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.	• Reframe and broaden language	

Programmatic Existing Policies

PROPOSED POLICIES	EXISTING POLICIES	Staff Notes	Discussion
	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.	• 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 though the use of Integrated Weed Management throughout the county on private and public lands.	• 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.	• 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.	• 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.	• Programmatic • Covered in **OS 4.03**	
	OS 4.06 Private dedication or development of parks, open space or recreational 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.	• Not necessary; addressed as part of the development review and referral process stipulated in the code	
	OS 4.03.02 (mislabeled 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.	• 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.	• 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.	• 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.	• 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.	• 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.	• 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.	• 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.	• 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.	• Programmatic • Covered in **OS 3.05.01**	

ATTACHMENT C **COMMENTS FROM OPEN HOUSE, JULY 28, 2015**

	Name	Organization	Date	E-mail	Comments
1	Doug Young	BC Planning Commission	7/28/2015	DougInBoulder@gmail.com	I really really like the simplification and clarity of this draft update. I look forward to seeing the OSE Overview or Preamble that will introduce this element. (I suspect we, PC, will be very interested in this.) "Open Space Values" are mentioned in at least 4 places but never defined. Also "approved open space functions" and "desired future conditions" and "management goals" I don't get any sense of vision from the update so far. Maybe this will be in the Overview? Also, objectives? How will we know how we're doing?
2	unknown	comment at public meeting	7/28/2015		add collaborate with other county agencies (Transportation, Land Use, etc.)
3	unknown	comment at public meeting	7/28/2015		Codify the names of the department's resource policies (i.e. Forestry, CE, Water, Visitor Use, Grassland and Shrubland, Wildlife, Cropland, etc.) in the OSE
4	unknown	comment at public meeting	7/28/2015		We mention that the OSE will take us into the next 20 years and allow us to deal with changes, but where are new approaches addressed in OSE. How will we handle new challenges (e.g. climate change) if OSE is not changing with new goals and policies
5	unknown	comment at public meeting	7/28/2015		How are IGAs handled?
6	unknown	comment at public meeting	7/28/2015		What is definition of "passive recreation"?
7	Larry Quinn		8/1/2015	l.quinn@usa.net	As a 34 year resident of Boulder County near Lyons, I want to express my extreme dissatisfaction with the process used by Boulder County to set the Primary Planning Areas of the IGA between Boulder County and the Town of Lyons. The IGA of 2012 set these PPAs with no consultation of the county residents affected by the new designation. The PPA itself conflicted with the Town of Lyons Comp Plan and county conservation easements in the PPA. Now it has been determined that roads in the former Meadow Park Fruit farms have no legal status or legal right of ways. This shows a complete lack of adequate due diligence on the IGA as well as the lack of consultation of affected residents. Most of us in the South St Vrain PPA have been residents for many decades yet no one in the town or county had the decency to even inform us of the new PPA designation. We seem to have no representation at the county level to even hear our ideas or concerns. I tried to b e a member of a Mountain Area Advisory Council a few years ago but the county did not want to hear what was said, so the MACC just dissolved.
8	Mike	Boulder	8/17/2015	mtnbikemike@gmail.com	To: Tina Nielsen, Planner, BCPOS From: Boulder Mountainbike Alliance Subject: Boulder County Comprehensive Plan Open Space Element First and foremost, the Boulder Mountainbike Alliance (BMA) thanks Boulder County Parks and Open Space (BCPOS) staff for the continued positive developments occurring on trails throughout Boulder County. Staff, through their actions, have demonstrated that sustainable trails can be fun and provide a quality user experience while managing significant user pressure.

	Name	Organization	Date	E-mail	Comments
					We are pleased to participate in the rewrite of the Boulder County Comp Plan Open Space Element (OSE). We engaged into this process with no small amount of trepidation; the current version was full of edicts (BCPOS will do x), but after the presentation of the rewrite, we feel a lot better about the approach staff has taken to this effort. BMA supports this document; we approve of its content and structure, with a few suggested modifications. The July 28 presentation made it clear that the issues our organization is concerned about will be addressed during the Visitor Use Policy development. Please keep BMA in the loop for public input when the time comes. We understand the OSE is aspirational, the policies strategic, and individual management plans tactical. We have only two comments regarding the content of the OSE: 4.01 Policies should be included. It is clear that the role of policy documents has a significant role in future Open Space Management processes. The role of POSAC. While this is not directly spoken to in the OSE, it has been our observation that the role of POSAC has been rather passive over time. The amount of influence POSAC has over BCPOS is minimal, and the real power is left with the Boulder County Commissioners. We believe granting POSAC more authority over BCPOS policy and tactical decisions would be more meaningful to the public at large and attract better committee members. At least two BMA members who previously served on POSAC quit in large part because they felt that they were "rubber stamping" staff recommendations. This is not a valuable use of time for intelligent and committed members of the public who also have family and career commitments. Once again, BMA thanks BCPOS staff for creating fun and sustainable recreation opportunities on our public lands. Thank you for the opportunity to comment on this document. Mike Barrow Advocacy Director Boulder Mountainbike Alliance

ATTACHMENT D

Boulder County Comprehensive Plan

OPEN SPACE

Goals, Policies, & Maps Element

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 1968 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 750 square miles were home to a population of fewer than 130,000 people. The 1995 population was almost 260,000.

AMENDMENT STATUS

Goals & Policies	Associated Maps	Background Element
Amended 7/17/96	Amended 7/17/96	Amended 7/17/96

Through POSAC's neighborhood meetings and citizen surveys, by 1974 "approximately 10,000 citizens of Boulder County had expressed an interest and concern for open space" (BCCP, 1978). As a result of this interest, the committee recommended that the County Commissioners create a department of parks and open space to refine and implement this citizens' open space program. In January 1975 the Parks and Open Space Department became a reality, with the additional charge of conducting nature programs on county open space and park land. Parks, dedicated to the county as part of subdivisions, and Bald Mountain Scenic Area, which the county began leasing from the State Board of Land Commissioners in 1973, were transferred to the new department for management and maintenance.

The mid-1970s brought the first major county open space purchases, both the result of the landowner's desire to have the land preserved in a single parcel: in 1975, Ernie Betasso's ranch (now called Betasso Preserve)—773 acres approximately six miles west of Boulder off Sugarloaf Road; two years later the 2,566-acre Walker Ranch on Flagstaff Road.

In 1978 the *Boulder County Comprehensive Plan* was adopted, and it included goals and policies for preserving open space, protecting environmental resources (including both natural and cultural resources) and developing a county-wide trail system. Areas that citizens thought were most important to be preserved as open space for future generations were shown on a map, which together with the goals and policies formed the open space plan. The designation of "proposed open space" on that map (and subsequent maps) is not a zoning category, and development of any designated area is determined by the applicable zoning. The implementation of the open space plan has been based both on private cooperation and on the county's financial ability to acquire an interest in these lands.

Boulder County's Parks & Open Space Advisory Board was formed in 1968 - a time when open space planning was just in its infancy.

By the beginning of 1998 the county open space program comprised more than 52,000 acres of preserved land scattered throughout the county, along with 70 miles of trails. The majority of this land is open for public use; the remainder is under agricultural lease or conservation easements which do not include public access. Most of the properties are well-suited to passive recreation (recreation development is limited to trails, parking areas/trailheads, picnic areas/shelters, outhouses, and simple boat docks or fishing piers where necessary).

Definition and Functions of Open Space

Open space provides buffers between communities and helps protect natural resources.

Within the context of the *Boulder County Comprehensive Plan*, open space is defined as:

- Those lands referred to in the *Boulder County Comprehensive Plan*, as being intentionally left free from future development, and in which it has been determined that it is, or may in the future be, within the public interest to acquire an interest in order to assure their protection.

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

- Outdoor activities that create opportunities for independence, closeness to nature, and a high degree of interaction with the natural environment and which require no organization, rules of play, facilities, or the installation of equipment, other than those which may be necessary to protect the natural environment.

The setting for passive recreation is a predominantly natural appearing environment of moderate to large size. There is a moderate probability of experiencing isolation from the sights and sounds of other humans. Interaction between visitors is low, and evidence of others ranges from minimal to common. Motorized use is prohibited.

The functions of open space remain much as they were envisioned by the citizens whose efforts fostered the program:

- Urban shaping between or around municipalities or community service areas, and buffer zones between residential and non-residential development;

- Preservation of: critical ecosystems; natural areas; scenic vistas and areas; fish and wildlife habitats; natural resources and landmarks; outdoor recreation areas; cultural, historic and archaeological areas; linkages and trails; access to public lakes, streams and other useable open space lands; and scenic and stream or highway corridors;

- Conservation of natural resources, including but not limited to forest lands, range lands, agricultural lands, aquifer recharge areas and surface water;

- Protection of designated areas of environmental concern, generally in multiple ownership, where several different preservation methods (including other governmental bodies' participation or private ownership) may need to be utilized; these lands will not be considered for control by the county open space program provided sufficient evidence exists that these lands are to be preserved in a natural state.

Methods of Open Space Preservation/Acquisition

Boulder County has used a variety of mechanisms to preserve open space and prime agricultural land. These include:

- **Subdivision Dedication**

When land in the unincorporated area of the county is subdivided for development, the developer must dedicate land or pay cash-in-lieu of dedication (at the county's choice) for parks. The amount of the land dedication is determined by a population-based formula, and the amount of land is usually small. The dedication requirement does little to preserve open space but works well to provide corridors for future trails and for protecting riparian habitat along streams.

- **Transfer of Development Rights (TDR)**

The *Boulder County Land Use Code* permits subdivisions using transfers of residential development rights from one parcel to another. There are eligibility criteria for the sending site (including desirability for open space preservation) and different criteria for the receiving site. If the transfer is approved, the county is granted a conservation easement in perpetuity on the sending site(s). A major objective of the TDR is preserving open space.

- **Purchase of Fee Interest In Land**

Most of the county's open space has been acquired by this method. Acquiring the fee interest means obtaining full ownership.

- **Purchase of Land Without Development Rights**

The seller retains the residential development rights for later transfer, or sale and transfer, to another property where the development can occur. The purchase price of the land is then much less than it would be if the development rights remained attached to the land being purchased by the county. The county can also purchase fee interest in a TDR sending site, after the TDR development is platted on the receiving site, when public ownership of the land rather than just a conservation easement would be advantageous, perhaps for some passive recreational use.

- **Purchase of a Conservation Easement (also called the purchase of development rights)**

Where public ownership of the land itself is not essential to the public interest, the county may acquire an interest through a deed of conservation easement in gross. Conservation easements usually serve two primary purposes: to reduce the amount of development that can occur on the property and/or to assure that the property and its environmental, cultural and/or open space values are preserved and managed to meet a public policy objective. A conservation easement is tailored to the specific property to be covered, runs with the land in perpetuity unless otherwise provided in the deed of easement, leaves the land in private ownership, and usually does not permit public access. Conservation easements are especially well-suited to preserving prime agricultural land.

- **Bargain Sale**

This is merely a purchase in which a landowner sells property to the county at a price below the fair market value. The purchase can be either fee interest or a conservation easement. Usually the landowner can take a tax deduction (treated like a charitable contribution) for the difference between the fair market value, as determined by a certified appraisal, and the sale price.

- **Purchase of Land With Leaseback**

As part of the land purchase contract the county agrees to lease the land back to the seller for a specified time for continuation of farming.

- **Donation of Fee Interest or Conservation Easement**

In this case the landowner donates land or deeds a conservation easement to the county and uses the value of the

A major objective of the Transferable Development Rights program is the preservation of open space.

donation as a tax deduction.

- **Intergovernmental Transfers (lease or patent)**

The county leases 108 acres from the State Board of Land Commissioners (the agency overseeing land which generates state revenue for schools) and has also acquired approximately 1,500 acres from BLM, with several other applications in process.

- **Intergovernmental Cooperation**

The county works cooperatively with cities on open space preservation near city boundaries. Some of these efforts have resulted in joint purchase of open space by a city (or cities) and the county. Additionally, the county has worked with some of the cities to develop intergovernmental agreements (IGAs) for master plans of future land uses in areas of the county near the participating municipalities. An IGA may have an open space preservation component, or it may simply identify where annexation and urban development will occur during the term of the agreement (usually 15-20 years) and which lands will remain part of unincorporated Boulder County.

The Open Space program is funded through a combination of sources, including property tax, sales tax, & lottery funds.

Open Space Funding

Through the end of 1993, funds for open space acquisition came from two sources: the county property tax and the state lottery. The 1992 and 1993 fall elections added new sources, which have increased the amount of money available for open space.

The property tax funds which support open space acquisition are subject to annual appropriation by the Board of County Commissioners and, until 1994, usually provided approximately 90% of the total funds available for open space purchases. The open space acquisition budget from property tax revenue is roughly $4,000,000; additional funds are budgeted for open space operations, maintenance and trail construction. Lottery funds comprised the balance of the funds previously available for acquisition. The state distributes these funds quarterly to local governments. The amount received varies from year to year, depending on the level of participation in the lottery. Boulder County's share of the lottery in 1995 was $417,000.

In 1992, Colorado voters passed a constitutional amendment phasing in, by the end of 1998, the distribution of all net lottery proceeds to parks, open space, and wildlife habitat purposes (a large percentage had previously been used for state capital construction projects, such as prisons). Called Great Outdoors Colorado (GOCO), this redesignation of lottery funds will increase the amount of money available to local governments for open space, through both an increase of the current per capita distribution and new local grant programs for open space.

On November 2, 1993, voters of Boulder County passed a 0.25% sales tax and use tax to expand the county's existing open space program. The tax became effective January 1, 1994 and in that year produced almost $5.9 million; 1995 receipts were more than $6.6. In 1994 the county issued $36 million in open space sales tax revenue bonds (the county is obligated to use only the 0.25% sales tax revenue proceeds to repay the bonds). With all of those bond proceeds spent and the sales and use tax proceeds exceeding revenue projections, the county went to the voters again in November 1995 for permission to issue limited tax general obligation bonds (the county has pledged the $4,000,000 property tax funds appropriated annually for open space acquisition, or any other revenue legally available without increasing taxes — such as sales tax revenue not needed for payments on the 1994 series bonds — for repayment of these bonds). The voters approved, and $35 million in bonds were sold in January 1996. The

county expects to expend those funds for open space purchases by the end of 1996.

After annual bond payments on the 1994 series from sales and use tax revenue and on the 1996 series from the property funds appropriated for open space purchases, and after deducting purchases under existing option contracts, the county expects to have approximately $3,000,000 to apply to new purchases in 1997. That figure will increase in subsequent years as existing option contracts are completed and as sales and use tax revenue grows (for the past ten years sales tax proceeds have grown an average of 6% per annum).

Operating and maintenance costs of the open space program continue to be funded from the property tax.

Open Space Policies

- **Acquisition**

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 reasonable promptness and pursued diligently, applicants shall be entitled to have their applications processed and considered as any other similar applications, not involving open space, would be.

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.

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.

The county shall prepare management plans for all open space areas that have been acquired.

- **Resource Management**

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.

OS 2.02 Significant natural communities, rare plant sites, wetlands, and other important stands of

vegetation, such as willow carrs, should be conserved and preserved.

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.

OS 2.03.01 The foremost management objectives of individual open space lands shall follow directly from the purposes for which the land was acquired.

OS 2.03.02 Management of county open space lands shall consider the regional context of ecosystems and adjacent land uses.

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.

The Open Space Department organizes education activities to help citizens learn about the value of open space preservation.

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.

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.

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.

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.

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.

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 though the use of Integrated Weed Management throughout the county on private and public lands.

- **Scenic Area and Open Corridor Protection**

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 appropriate dedication during the development process, reasonable conditions imposed through the development process, or by acquisition.

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.

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.

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.

- **Recreational Use**

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.

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 (consistent with policy OS 2.03).

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.

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.

OS 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.

Recreational use of county open space land shall be "passive" in nature.

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.

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.

OS 4.06 Private dedication or development of parks, open space or recreational 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.

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.

Intergovernmental Agreements are often utilized to encourage the preservation of open lands.

- **Rural Character Preservation and Community Buffering**

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.

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.

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.

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.

OS 5.05 The county shall use its open space program as one means of achieving its environmental resources and cultural preservation goals.

- **Trails**

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.

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.

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 rights-of-way will be used.

OS 6.04 Trails shall provide for pedestrian, equestrian, bicycle, and/or other non-motorized uses, where each is warranted. Incompatible uses shall be appropriately separated.

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.

OS 6.06 The county shall work through the Consortium of Cities to assure linkage of municipal and county trails and connections between communities.

OS 6.07 Where appropriate, trails should be incorporated into and provided by new development and linked to established trails, if possible.

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.

- **Public/Private Partnerships**

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.

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.

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.

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.

- **Public Decision Making**

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.

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.

Management plans for open space properties are developed through a public hearing process.

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, including public comment, and recommended for adoption after public hearing by the Board of County Commissioners.

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.

The Parks and Open Space Advisory Committee helps guide management decisions for parcels acquired by the county.