

Draft

City of Boulder Open Space and Mountain Parks

North Trail Study Area Plan Sideboards

May 1, 2015

What is a “Sideboard”?

For the purposes of Trail Study Area (TSA) planning, a **sideboard** is a pre-existing requirement affecting the development of a plan. Developing a plan is not like painting on a blank canvas – it must be consistent with the City of Boulder Charter, laws, regulations, legal requirements and agreements, and City Council approved plans and policies. Sideboards define the decision space for the planning process. They are useful in understanding what is appropriate to consider as part of the plan as well as what is beyond the scope of the plan.

Sideboards *can* potentially be modified, but vary with regard to the ease, process, and time necessary to make changes. For example, an Open Space and Mountain Parks (OSMP) policy is much more likely to be changed than a federal regulation. The benefit of changes to items included as sideboards which would be feasible and beneficial have been considered during past TSA planning processes and the resulting plans have included corresponding recommendations.

Why are Sideboards Needed?

Sideboards are a necessary part of the TSA planning process to ensure that all the participants have a shared understanding of the plan’s scope. Sideboards provide guidance that will answer questions such as:

- What constraints must the plan account for?
- What types of changes and actions might be considered to produce a viable set of recommendations?

The Sideboards Are:

1. Geographic Scope

The North TSA Plan includes all lands managed by the City of Boulder as OSMP north of Linden Avenue and north of the Colorado Highway 119 (Longmont Diagonal).

2. Legal Requirements (Laws, Regulations and Legal Agreements)

The North TSA Plan must comply with relevant laws and regulations. If there are situations where laws, such as city ordinances, preclude improvements to the situation in the North TSA—the plan can recommend changes or the reevaluation of the relevant laws. However, the inclusion of such recommendations is no assurance that changes will ultimately be made and they would be subject to the agreements and outcomes of the subsequent process.

- *Federal, State or County Laws*
- *The City of Boulder Charter*
- *City of Boulder Laws and Legal Requirements*
- *City Council Authority*

3. Existing Commitments (Plans, Policies and Current Projects)

The North TSA planning process is taking place amidst the implementation of other city plans, policies and projects. The policies and on-the-ground actions contained in these plans affect the scope of the

North TSA Plan. Work on projects started prior to the beginning of the North TSA planning process will continue and not become part of the North TSA Plan.

Generally, guidance from the different plans and policies are compatible and reinforcing when applied on the ground, but there may be situations where guidance from different plans conflicts and requires reconciliation in the TSA planning process.

- *Adopted City of Boulder Plans and Policies*
- *OSBT Recommendations for the Joder Property*
- *Design, construction, and maintenance standards and best management practices*
- *Existing Open Space and Mountain Park (OSMP) projects*

North Trail Study Area Plan Sideboards

Geographic Scope	
Sideboard	Clarification/Examples
OSMP-Managed Lands in the North TSA.	The North TSA Plan property map includes the OSMP-managed properties included in the North TSA planning area. Recommendations for referring to areas outside of the North TSA must be consistent with, or reflect a reasonable potential for management agreements with other land owners or amendments to existing agreements. See map.

Legal Requirements (Laws, Regulations and Legal Agreements)	
Sideboard	Clarification/Examples
Federal, State, and County Laws and Legal Requirements. <i>The North TSA Plan must abide with OSMP's obligations to comply with federal, state, and county laws and regulations.</i>	<ul style="list-style-type: none"> • The Endangered Species Act. For example, projects in Preble's meadow jumping mouse suitable habitat or Ute ladies'-tresses occupied habitat may require authorization and permits from the United States Fish and Wildlife Service. • The Federal Clean Water Act regarding stream, wetlands and water body protection • State laws and federal regulations preventing the removal or damage to cultural resources • Boulder County's land use and flood plain requirements • The Americans with Disabilities Act (ADA).
City of Boulder Charter and Open Space Provisions. <i>The North TSA Plan must be consistent with all applicable sections of the Boulder City Charter and the Article XII provisions for the purposes of OSMP lands.</i> <i>As called for in the Charter, the North TSA Plan must recommend the locations, if any, where bicycling, horseback riding and fishing should be allowed.</i>	Article XII of the City of Boulder Charter describes: <ul style="list-style-type: none"> • The functions of the Open Space department (Sec. 171); • The roles and functions of the Open Space Board of Trustees (OSBT) (Secs. 172 - 175); and • The process and role of OSBT for any proposed disposition of open space land including the opportunity for a referendum to oppose such a disposition (Sec. 177). • The purposes and uses of open space (Sec. 176): Open Space and Mountain Parks land shall be acquired, maintained, preserved, retained and used only for the following purposes: <ul style="list-style-type: none"> ▪ Preservation or restoration of natural areas characterized by or including terrain, geologic formations, flora, or fauna that is unusual, spectacular, historically important, scientifically valuable, or unique, or that represent outstanding or rare examples of native species; ▪ Preservation of water resources in their natural or traditional state, scenic areas or vistas, wildlife habitats or fragile ecosystems; ▪ Preservation of land for passive recreation use, such as hiking, photography or nature study, and if specifically designated, bicycling, horseback riding or fishing;

Legal Requirements (Laws, Regulations and Legal Agreements)

Sideboard	Clarification/Examples
	<ul style="list-style-type: none"> ▪ Preservation of agricultural uses and land suitable for agricultural production; ▪ Utilization of land for shaping the development of the city, limiting urban sprawl and disciplining growth; ▪ Utilization of non-urban land for spatial definition of urban areas; ▪ Utilization of land to prevent encroachment on floodplains; and ▪ Preservation of land for its aesthetic or passive recreational value and its contribution to the quality of life of the community. <p>Open Space land may not be improved after acquisition unless such improvements are necessary to protect or maintain the land or to provide for passive recreational, open agricultural or wildlife habitat use of the land.</p>
<p>City of Boulder Laws and Legal Requirements. <i>The North TSA Plan must abide with OSMP’s obligations to comply with the City of Boulder Revised Code.</i></p>	<ul style="list-style-type: none"> • Stream, wetlands and water body protection ordinances • Wildlife protection ordinances (prairie dogs) • City laws protecting historic structures and cultural resources <p>Agreements with the United Tribes of Colorado and State of Colorado Historical Preservation Office to protect certain cultural resources.</p>
<p>Boulder City Council, OSBT and OSMP Authority. <i>The Boulder City Council has authority for adopting the North TSA Plan as called for in the City of Boulder Charter and Boulder Revised Code.</i></p>	<p>The adoption of the North TSA Plan is subject to the authority and discretion of the Boulder City Council. The Open Space Board of Trustees and OSMP provide recommendations to City Council.</p>

Existing Commitments (Plans, Policies and Current Projects)	
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<p>Adopted City of Boulder Plans and Policies. <i>The North TSA Plan will consider and integrate the information and management direction in City Council adopted plans relevant to the North TSA.</i></p>	<p>OSMP's adopted plans provide information about the resources being managed and management policies, objectives, strategies, and recommended actions to implement.</p> <p>Adopted OSMP plans and policies include but are not limited to:</p> <ul style="list-style-type: none"> • Open Space Long Range Management Policies • Visitor Master Plan • North Boulder Valley Area Management Plan • Forest Ecosystem Management Plan • Grassland Ecosystem Management Plan • Acquisition Plan • Agricultural Resources Management Plan (in progress)
<p>OSBT Recommendations for the Joder Property. <i>The North TSA Plan will integrate the OSBT recommendations for an interim trail and trailhead on the Joder Property into plan recommendations. The North TSA Plan will consider the designation of the Joder II property as a Habitat Conservation Area (HCA).</i></p>	<p>On Dec. 10, 2014, the OSBT recommended that staff construct an interim trail between Foothills Highway and Olde Stage Road across the Joder Property. The board's recommendation was made with the understanding that all uses of the Joder property, including this interim trail would be evaluated as part of the North TSA planning process.</p> <p>The usual HCA rules, including the on-trail requirement, will apply to the Joder property and the interim trail through the conclusion of the North TSA process.</p> <p>Dogs will be required to be leashed on the Joder portion of the interim trail. Voice and Sight regulations will remain in effect on the Buckingham Property and portion of the interim trail. The North TSA process will consider whether to keep these designations in effect.</p> <p>The OSBT expressed its understanding and appreciation of the historic use of the Joder property for equestrians and believes that this historic use should be honored and accommodated through the TSA process.</p> <p>The OSBT stated that the designation of the Joder II property as an HCA was made with minimal public process and that the North TSA should take a fresh look at the Joder property's management area designation.</p>
<p>Design, Construction, and Maintenance Standards and Best Management Practices.</p>	<p>OSMP has design, construction, and maintenance standards that provide a framework for managing and assessing the condition of visitor infrastructure and facilities so that they are physically sustainable with regular maintenance. Examples of the types of design resources used include trail design and management guidelines, trailhead infrastructure guidelines, and a sign graphics manual (in development).</p> <p>OSMP intends to address and improve infrastructure to be more consistent with design guidelines. Exceptions or variances may be appropriate when site specific conditions, terrain or environmental</p>

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	<p>trade-offs preclude the feasibility of achieving the desired standard (e.g., a trail reroute would create too many resource impacts- steep terrain limits options).</p> <p>OSMP uses the Forest Service Trail Accessibility Guidelines (FSTAG) in designing trails and trailheads for people with disabilities.</p> <p>OSMP has also developed guidance for the ecological best management practices for trail planning, design, construction, maintenance and closure.</p>
<p>Existing Trail and Cultural Resource Project Commitments. <i>The North TSA Plan will not recommend changes to trail, natural resource or cultural resource projects underway or in the bidding process in the North TSA.</i></p>	<p>OSMP has existing projects that are 2013 flood recovery commitments with possible funding reimbursement from FEMA. These trail projects include, but are not limited to:</p> <ul style="list-style-type: none"> • Old Kiln Trail • Foothills Trail and the bridge over Fourmile Creek <p>Other OSMP Trail and Trailhead Projects:</p> <ul style="list-style-type: none"> • Interim Joder trail and trailhead <p>OSMP has been working with Boulder County on trail connectors on OSMP land in the North TSA for many years. These projects are managed by Boulder County:</p> <ul style="list-style-type: none"> • IBM connector trail • Fourmile connector trail <p>OSMP is assessing and preparing plans for the repair and maintenance of historic and cultural resources in the North TSA. Projects include, but are not limited to:</p> <ul style="list-style-type: none"> • Foothills Nature Center (including the trailhead) • Old Lime Kiln (Four Mile Creek)