

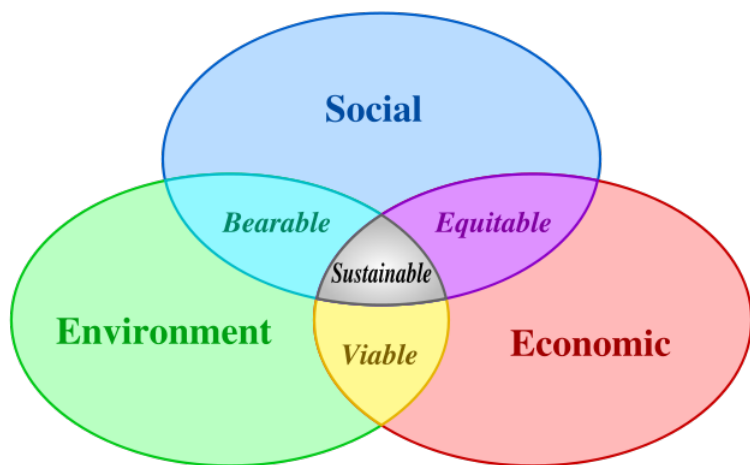
To: Boulder County Planning Commission and Land Use Dept.
From: Dick Schillawski
Re: Sustainability Element proposed for the Boulder County Comprehensive Plan, specifically the "Adoption Draft" prepared for the May 16, 2007 meeting

The following details some general but significant concerns regarding the element, followed by specific suggestions for changes to the proposed text. Given the concerns regarding the current proposal, the preference would be that adoption of this element be delayed pending a more acceptable proposal.

Definition of Sustainability

The current proposal contains the recently added phrase concerning resources, "that does not deplete them while enabling". Taken literally, this could be construed as opposition to mining, oil and gas extraction, etc. within Boulder County, which might even be extended to preclude such things as use of metals, etc. Deletion of this phrase, or rewording it to promote current wise use, to be followed by possible future replacement of non-renewable resource uses, is strongly recommended.

Sustainability Action Statement



This currently includes mention of economic and social considerations. Unfortunately, this is about the only place in the entire element where these are mentioned or considered, and this is the major failing of the text as currently proposed. The concept of "Sustainable Development" requires equal consideration of these, as well as the environment, as illustrated by this graphical depiction.

The current proposal focuses almost exclusively in the environmental bubble of this diagram, and draws in already existing language from elsewhere within the Comprehensive Plan and Land Use Code, perhaps under the assumption that these are by definition "Sustainable".

Johann Dréo, March 9 2006/ Translated January 21 2007

This assumption is open to serious question, as has been brought to your attention previously through discussions of topics such as composting (mostly performed, if at all, outside of Boulder County), the current Transferable Development Rights (TDR) program, the "drive to qualify" and housing affordability problems, etc. The currently proposed language for the Sustainability Element is seriously flawed in that it does not discuss the need to examine the current Plan, Code(s), and other policies for consistency with "Sustainability". And your notion of "Sustainability" must include the economic and social considerations indicated, along with effective provisions that make the element and plans "bearable, equitable, and viable" in order to be compatible with the prevailing thought on this subject (see, in particular, the Brundtland Report¹, from which staff drew its original proposal for your definition of "Sustainability"). The currently proposed language does not accomplish this.

1 United Nations. 1987. ["Report of the World Commission on Environment and Development."](http://ringofpeace.org/environment/brundtland.html) General Assembly Resolution 42/187, 11 December 1987. Report available at <http://ringofpeace.org/environment/brundtland.html>.

Another serious deficiency in the proposal is that it focuses almost exclusively on the small number of new houses and major renovations in the rural areas of the county, to the exclusion of the large number of existing houses throughout the county, including within the municipalities. These could be made more energy efficient and perhaps otherwise “Sustainable” through programs such as low- or no-cost energy audits and incentives for common-sense, economically obvious renovations of a more minor nature. Such a focus would almost certainly be of much greater benefit than the current ideas.

The proposal fails to mention or consider areas of overwhelming concern in the rural areas of the county – viable agricultural operations in the plains, and achieving and maintaining healthy forests in the mountains.

And the element also fails to consider and discuss Boulder County within the context of the more general, long-term development of the Denver metropolitan area. Regional solutions will be required for many sustainability issues.

Specific comments on current text proposal

Definition

See above.

Goals

3. (last bullet) modify to read “the economic and social constituencies . . . “
4. needs a comma after “vehicle miles traveled”; also consider deleting “a reduction in waste generation,” from this item since it is not inherently obvious how it relates to greenhouse gas emissions – this could be better detailed in item (7) concerning materials.
5. change to read “The viability and preservation . . .”
10. this focuses almost exclusively on environmental considerations to the exclusion of others such as equity and economic viability; sustainability requires all to be considered; add the phrase “consistent with the principles of sustainability” at the end of this item (the volunteer rural fire departments illustrate the interrelationships between social, economic, and environmental considerations required by the broader notion of sustainability – in addition to being major social organizations in their communities, they provide economically efficient fire protection and encourage environmental improvements on both public and private lands, services which would otherwise be provided with difficulty and great expense, if at all).
11. as emphasized above, analysis and feedback of past and future components will be essential; the county's ability to critically analyze its own programs and actions is somewhat doubtful (e.g., the current TDR program); seriously consider modifying this item extensively, perhaps to read: “The county must critically measure the successes and failures of its goals, policies, and actions from the sustainability standpoint on a continuing basis, report the results to the public, and take appropriate action to remedy any shortcomings.”
12. modify to read “. . . to advance all of the principles and practices of sustainability across the county and region.”

Policies

A. TDRs

2. change to read “This TDR program must incorporate voluntary participation by landowners and should consider facilitating any or all of the following objectives: . . . “; (fifth bullet) change to read “promoting and maintaining a diverse housing stock;” eliminate the last bullet (moved to first part of the item's text).

4. consider elimination – topics already covered in item (2).

8. modify to read “. . . to both buy and sell existing development rights. . .” (this “bank” should not be authorized to create development rights where none existed before); eliminate “or reduce density” (increasing density is appropriate in some places – that’s what transferring development rights is all about).

9. eliminate everything after the first sentence (the additional language is much too specific for the Comprehensive Plan, and some of the ideas currently expressed will most likely be found to be counterproductive when more fully considered).

B. Structure Size Limitations

1. what is the county’s “Sustainability Initiative” (if this is in writing, where is it and why is it not included here?); the connection of size limitations to sustainability is very unclear – to date, staff has made one passing reference verbally to the concept of “embedded energy” in this regard, and this might have some bearing if discussed further – but this has not been done.

2. change to read “. . . the county should consider: . . .”; add another bullet “economics, equity, and other sustainability principles;”.

3. add another sentence at the end, “The economic viability of, and impacts on, areas and parcels affected by any such restrictions must be adequately considered, and equitable compensation provided to those adversely affected.”; (portions of the currently proposed text sound like “spot zoning”).

Green Building

1. strongly consider getting rid of the point system idea, particularly any reference to it here; thus far discussions concerning such systems before the Board of Review have been pretty uniformly negative concerning such systems, from those with a variety of viewpoints.

2. “zero energy” construction is a ridiculous concept – any construction will require an energy component of some sort necessarily represented by the “embedded energy” in the structure itself at least; strongly consider replacing this new language with something more appropriate such as “demonstrably energy-efficient construction” (i.e., construction where the energy produced or conserved over the lifetime of the structure significantly exceeds the “embedded energy” included in the energy-oriented features of the structure).

4. (last line) substitute “while complying” for “for complying”.

6. change to read “Renovation of an existing structure . . .”; also, consider adding language stressing the need to make it easier to move existing structures from non-viable locations – currently this is usually unattractive for a number of reasons, largely regulatory.

8. (first sentence) eliminate everything after “persons applying”, replace with “everyone interested.”