**Petition Committee: Citizens’ Conditions For the Annexation of CU-South**

Petitioners Related to the petition:

Name:

Allyn Feinberg

Cynthia Carlisle

Harlin Savage

[Text of Measure

*Proposed Charter Amendment Title*

Shall the electors of the City of Boulder amend the City of Boulder Charter by adding a new Section 154 to Article X. – Miscellaneous Provisions, to require that any annexation agreement for the approximately 308 acres of land known as CU South, which is currently owned by the University of Colorado and is located south of the intersection of Table Mesa Drive and U.S. Highway 36, shall be legally enforceable, binding on future owners, and include: a plan to protect downstream property from up to a 500-year flood; an approved plan for development and a commitment by the University of Colorado to pay the costs of all on-site and off-site improvements, services, and infrastructure required to serve the development so that the City of Boulder taxpayers are not burdened by paying for these costs; and a limit on development to 87 contiguous acres, as was in the Boulder Valley Comprehensive Plan when CU purchased the property; all housing shall be permanently affordable; and that the annexation process and requirements and the details of the development plan must meet the requirements of the Boulder Valley Comprehensive Plan, the Boulder City Charter and the Boulder Revised Code in the same manner as any other proposed development in the City of Boulder, and any revisions to the annexation agreement, including the plan for development, shall require voter approval?

CITY OF BOULDER CHARTER -- ARTICLE X. - SEC. 154. – ANNEXATION OF C.U. SOUTH:

In order (1) to maximize the ability to provide flood protection for the safety of downstream residents and property, (2) to minimize the financial burden imposed on the taxpayers of Boulder, and (3) to LIMIT the traffic, visual, and environmental impacts of this development on the residents, visitors, and employees in Boulder, the following legally enforceable requirements are imposed on the annexation and future development of the approximately 308 acres of land known as CU South, which is currently owned by the University of Colorado and is located south of the intersection of Table Mesa Drive and U.S. Highway 36.

The City of Boulder shall only annex CU South in whole or in part, and if annexed only provide services for CU South in whole or in part, under the following conditions:

There is a legally enforceable Annexation Agreement (hereinafter “the Agreement”) agreed to by both the University of Colorado and the City of Boulder and binding on all future owners;

The Agreement shall include a flood management plan that (1) protects against the 500-year floods, as defined by The Federal Emergency Management Agency, both on site and downstream of the CU South, all lands and property that are at risk of flooding by South Boulder Creek or Viele Channel, and (2) includes removal of the existing levee.

The Agreement shall require that all flood improvements included in this flood management plan that are located on CU South are implemented prior to the construction of any buildings or other facilities on CU South;

The Agreement shall require that the University of Colorado or any future owner or owners provide or pay for all public infrastructure and services, both on and off site, necessary and adequate to serve any on-site development on CU South and to prevent any diminution of current levels of service or service standards for off site city residents and businesses as reasonably determined and calculated;

The Agreement SHALL limit development of buildings to 87 contiguous acres of CU South, 87 acres being the amount of land allowed for development on this land in the 1990 Boulder Valley Comprehensive Plan that was in effect when the University of Colorado purchased the property. The location of these 87 acres must be out of 500 year floodplain, and must not interfere with the establishment of the 500-year flood protection requirement in the Agreement;

The Agreement and any development allowed on CU SOUTH shall conform to the requirements of the Boulder Valley Comprehensive Plan, the Boulder City Charter, and the Boulder Revised Code, including development review processes;

The Agreement shall include a plan for development that identifies the allowed uses, square footage by use, and location of all future development and infrastructure;

Heights of buildings shall be limited to no more than 55 feet as defined and regulated by the Boulder City Charter and the Boulder Revised Code;

Any housing ON CU SOUTH shall be permanently affordable to low- medium- and middle-income residents, as defined by the City of Boulder’s Affordable Housing Program