

Mayor

Aaron Brockett

Council Members

Taishya Adams

Matt Benjamin

Lauren Folkerts

Tina Marquis

Ryan Schuchard

Nicole Speer

Mark Wallach

Tara Winer



Council Chambers

1777 Broadway

Boulder, CO 80302

May 15, 2025

6:00 PM

City Manager

Nuria Rivera-Vandermyde

City Attorney

Teresa Taylor Tate

City Clerk

Elesha Johnson

AGENDA FOR THE REGULAR MEETING OF THE BOULDER CITY COUNCIL

1. Call to Order and Roll Call

**A. Archaeology and Historic Preservation Month Declaration
presented by Mayor Pro Tem Folkerts**

10 min

2. Open Comment

3. Consent Agenda

**A. Consideration of a motion to adjourn as the Boulder City Council
and
convene as the Boulder Junction Access General Improvement
District – TDM Board of Directors; and**

**Consideration of a motion to remove Commissioner Stephanie Pike
from the Boulder Junction Access General Improvement District -
TDM Commission for non-attendance and declare the seat vacant;
and**

**Consideration of a motion to adjourn as the Boulder Junction
Access
General Improvement District – TDM Board of Directors and
reconvene as the Boulder City Council.**

**B. Consideration of a motion to accept the April 24, 2025 Study Session
Summary regarding District Analysis Results and Recommendations**

**C. Consideration of a motion to convert the June 26th, 2025 Study
Session to a Special Meeting of City Council for the purpose of
holding 2 business meetings in June**

**D. Consideration of a motion to authorize and approve Small Cell
Facility Operational and Design Criteria establishing requirements
for operational standards, location and design standards, and traffic**

signal pole requirements that telecommunication providers will install and maintain on various city rights-of-way

- E. Introduction, first reading and consideration of a motion to order published by title only Ordinance 8697, amending Title 4, “Licenses and Permits,” Title 9, “Land Use Code,” and Title 10, “Structures,” B.R.C. 1981, related to development activities, to correct errors and omissions, update graphics and formatting, clarify standards and procedures, create consistency with certain state regulations, and remove certain development restrictions to allow flexibility in project design and in certain locations; and setting forth related details
 - F. Introduction, first reading and consideration of a motion to order published by title only Ordinance 8698 relating to the financial affairs of the City of Boulder, Colorado, making supplemental appropriations for the fiscal year ending December 31, 2024, to the Medical Self-Insurance Fund; and setting forth related details
 - G. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8699 approving annual carryover and supplemental appropriations to the 2025 Budget
4. Call-Up Check-In
- A. Left Hand Water District’s request for comment regarding a water tap for a property in Area III of the Boulder Valley Comprehensive Plan (5887 Woodbourne Hollow Rd).
5. Public Hearings
- A. Second reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, “Wildland Code,” B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Consideration of a motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.
6. Matters from the City Manager
- A. Update on the Child Friendly Cities Initiative (CFCI) & Youth Presentation of Draft Action Plan
7. Matters from the City Attorney

*90 min -
20 min
presentat
/ 70 min
public
hearing
&
council
discussio*

*60 min
– 20
min
presentat
/ 40 min
council
discussio*

8. **Matters from the Mayor and Members of Council**
 - A. **Discussion on Council responses to Open Comment**
9. **Discussion Items**
10. **Debrief**
11. **Adjournment**

15 min

3:55 hrs

Additional Materials

Presentations

Item Updates

Information Items

Boards and Commissions

Declarations

- A. **Nepal Day Declaration**
- B. **Mental Health Awareness Month Declaration**
- C. **Memorial Day Declaration**
- D. **Jewish American Heritage Month Declaration**
- E. **Bolder Boulder 45th Anniversary Declaration**

Heads Up! Email

This meeting can be viewed at www.bouldercolorado.gov/city-council. Meetings are aired live on Municipal Channel 8 and the city's website and are re-cablecast at 6 p.m. Wednesdays and 11 a.m. Fridays in the two weeks following a regular council meeting.

Boulder 8 TV (Comcast channels 8 and 880) is now providing closed captioning for all live meetings that are aired on the channels. The closed captioning service operates in the same manner as similar services offered by broadcast channels, allowing viewers to turn the closed captioning on or off with the television remote control. Closed captioning also is available on the live HD stream on BoulderChannel8.com. To activate the captioning service for the live stream, the "CC" button (which is located at the bottom of the video player) will be illuminated and available whenever the channel is providing captioning services.

The council chambers is equipped with a T-Coil assisted listening loop and portable assisted listening devices. Individuals with hearing or speech loss may contact us using Relay Colorado at 711 or 1-800-659-3656.

Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at 303-441-4222, 8 a.m. - 5 p.m. Monday through Friday. Please request special packet preparation no later than 48 hours prior to the meeting.

If you need Spanish interpretation or other language-related assistance for this meeting, please call (303) 441-1905 at least three business days prior to the meeting. Si usted necesita interpretacion o cualquier otra ayuda con relacion al idioma para esta junta, por favor comuniquese al (303) 441-1905 por lo menos 3 negocios dias antes de la junta.

Send electronic presentations to email address: CityClerkStaff@bouldercolorado.gov no later than 2 p.m. the day of the meeting.



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Archaeology and Historic Preservation Month Declaration presented by Mayor Pro Tem Folkerts

PRIMARY STAFF CONTACT

Megan Valliere, City Council Program Manager

ATTACHMENTS:

Description

- ▣ **Archaeology and Historic Preservation Month Declaration**

Archaeology and Historic Preservation Month

May 2025

May is the national observance of Archaeology and Historic Preservation Month. It is an opportunity to celebrate our community's historic places and the organizations doing the great work of saving places --in ways big and small. It is an occasion to inspire others to do the same.

In 1972, crowds gathered to witness the demolition of the century-old Central School in downtown Boulder. The destruction galvanized the local, grass roots historic preservation movement. In 1974, the City Council unanimously passed an ordinance drafted in part by Historic Boulder, Inc., establishing the City of Boulder's Historic Preservation program and Landmarks Board.

Over the last five decades, Boulder has designated 10 historic districts and over 220 individual landmarks that stand as tangible, physical connections to our community's heritage. The mission continues because there are legacy properties from every era, including places that express Indigenous, Black, Latino, Asian, LGBTQ+ and many other histories that continue to further the community's understanding of the evolution of Boulder. Historic places serve as shining examples of how preservation can honor the past, orient us today and inspire the future.

Historic preservation is more than just restoring old buildings. It is also a part of how we celebrate community, inspire new residential developments, manage climate change, conserve resources, and think about our future.

Therefore, we, the City Council of the City of Boulder, Colorado, declare May 2025 as

Archaeology and Historic Preservation Month

and call upon the people of the City of Boulder to join their fellow residents across Colorado in recognizing and participating in this special observance.



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Consideration of a motion to adjourn as the Boulder City Council and convene as the Boulder Junction Access General Improvement District – TDM Board of Directors; and

Consideration of a motion to remove Commissioner Stephanie Pike from the Boulder Junction Access General Improvement District - TDM Commission for non-attendance and declare the seat vacant; and

Consideration of a motion to adjourn as the Boulder Junction Access General Improvement District – TDM Board of Directors and reconvene as the Boulder City Council.

PRIMARY STAFF CONTACT

Cris Jones, Director of Community Vitality

REQUESTED ACTION OR MOTION LANGUAGE

Motion to adjourn as the Boulder City Council and convene as the Boulder Junction Access General Improvement District – TDM Board of Directors; and

Motion to remove Commissioner Stephanie Pike from the Boulder Junction Access General Improvement District - TDM Commission for non-attendance and declare the seat vacant; and

Motion to adjourn as the Boulder Junction Access General Improvement District – TDM Board of Directors and reconvene as the Boulder City Council.

ATTACHMENTS:

Description

- ▢ **Item 3A - Removal of Commissioner Stephanie Pike from Boulder Junction Access District - Travel Demand Management Commission**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Consideration of a motion to adjourn as the Boulder City Council and convene as the Boulder Junction Access General Improvement District – TDM Board of Directors; and

Consideration of a motion to remove Commissioner Stephanie Pike from the Boulder Junction Access General Improvement District - TDM Commission for non-attendance and declare the seat vacant; and

Consideration of a motion to adjourn as the Boulder Junction Access General Improvement District – TDM Board of Directors and reconvene as the Boulder City Council.

PRESENTERS

Cris Jones, Community Vitality (CV) Director
Elliott LaBonte, CV Business Services Senior Manager
Ellie Kennedy, CV Operations Specialist

EXECUTIVE SUMMARY

BJAD-TDM Commissioner Stephanie Pike has not attended a BJAD Joint Commissions meeting since being sworn in at the May 22, 2024, BJAD – TDM and Parking Joint Commissions

meeting. Several attempts to reach her have gone unanswered. Removing her from the BJAD-TDM commission will allow for recruitment for the seat to proceed.

STAFF RECOMMENDATIONS

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to adjourn as the Boulder City Council and
convene as the Boulder Junction Access General Improvement District – TDM Board of Directors; and

Motion to remove Commissioner Stephanie Pike from the Boulder Junction Access General Improvement District - TDM Commission for non-attendance and declare the seat vacant; and

Motion to adjourn as the Boulder Junction Access General Improvement District – TDM Board of Directors and reconvene as the Boulder City Council.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** - None
- **Environmental** - None
- **Social** - None

OTHER IMPACTS

- **Fiscal** - None
- **Staff time** - None

RESPONSES TO QUESTIONS FROM COUNCIL AGENDA COMMITTEE

None

BOARD AND COMMISSION FEEDBACK

None

PUBLIC FEEDBACK

None

BACKGROUND

None

ANALYSIS

None

NEXT STEPS

None

ATTACHMENTS

None



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Consideration of a motion to accept the April 24, 2025 Study Session Summary regarding District Analysis Results and Recommendations

PRIMARY STAFF CONTACT

Cris Jones, 303-413-7302

ATTACHMENTS:

Description

- ▣ **Item 3B - District Analysis Results and Recommendations Study Session Summary**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Consideration of a motion to accept the April 24, 2025 Study Session Summary regarding District Analysis Results and Recommendations.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Mark Woulf, Assistant City Manager
Cris Jones, Director of Community Vitality
Matthew Chasansky, Senior Manager, Community Vitality
Reegan Brown, Senior Project Manager, Community Vitality

EXECUTIVE SUMMARY

During the April 24, 2025 Study Session, staff provided City Council with context concerning existing projects and initiatives related to Council's priority of "Commercial Area Connections and Quality of Life Improvements" and receive Council feedback and direction on the results and recommendations for the Improvement District Analysis, particularly around the exploration of a Downtown Development Authority (DDA).

Staff specifically requested City Council's input on the following topics:

1. Does City Council have feedback on the recommendations from the Improvement District Analysis, including the further exploration of a Downtown Development Authority (DDA)?
2. Does City Council have any questions or feedback on the potential next steps related to the Commercial Areas Blueprint?

STAFF RECOMMENDATION:

Staff requests council consideration of this matter and action in the form of the following motion:

Consideration of a motion to accept the April 24, 2025 Study Session Summary regarding District Analysis Results and Recommendations.

SUMMARY OF PRESENTATION & COUNCIL DISCUSSION

The presentation was introduced by Cris Jones, Director of Community Vitality, who provided a high-level summary of the work and its alignment with City Council's 2024-2025 priority of "Commercial Area Connections and Quality of Life Improvements." The presentation was then led by Reegan Brown, Senior Project Manager in Community Vitality, who outlined the overarching goals of the effort, provided updates on connection-related projects both completed and in progress, and described the process that informed the Improvement District Analysis and its recommendations.

Following this, Brad Segal of PUMA presented key findings from the analysis, highlighting challenges and opportunities across the city's General Improvement Districts (GIDs), and diving into recommendations with emphasis on the primary recommendation to explore the potential of a DDA. Brad walked through an overview of a DDA, stating it could address the economic stagnation challenges we are seeing in some of our key commercial areas among several benefits. And, that a study area of the DDA may include the Broadway corridor from University Hill to the Western City Campus. The presentation concluded with Reegan Brown outlining anticipated next steps.

Key discussion points and feedback from City Council included the following:

- Interest in understanding the role and structure of Metropolitan Districts and their relevance to the local business and arts communities. PUMA confirmed that this will be included in the final report.
- Support for exploring a DDA, particularly as a mechanism to better connect key districts such as Downtown and University Hill. However, there was caution expressed regarding potential unintended consequences and the importance of clear alignment with the city's Long-Term Financial Strategy (LTFS).
- Clarification was requested on the geographic limitations of a DDA and its voting structure. PUMA explained that DDAs must be tied to a central business district, and only one DDA is allowed per city. Voter approval through a TABOR election is required, but the vote is limited to electors within the boundaries of the proposed DDA (including residents, business lessees, and property owners).
- Questions were raised about how a DDA utilizing Tax Increment Financing (TIF) might impact municipal revenue and property tax distribution. PUMA noted that TIF reallocates future property tax revenues, requiring coordination with taxing

partners like Boulder County, Boulder Valley School District, and the Library District.

- Council emphasized the need to coordinate closely with the Finance Department to ensure alignment between any DDA implementation and the broader LTFS, especially in light of upcoming ballot measures. Staff affirmed this and noted that future analysis would include financial modeling and alignment with these ongoing planning efforts.
- Governance best practices and the potential to assess the efficiency and sustainability of current improvement districts were also discussed. Staff noted that upcoming consultant work would include evaluating overlaps and exploring opportunities for the most effective use of our existing GIDs as they relate to the potential DDA.
- Questions were raised about the City’s remaining bonding capacity and the philosophical implications of dedicating tax revenues over long periods, as is reflected in the utilization of TIF. Staff acknowledged these concerns and explained that while TIF does in a way “dedicate” a portion of future revenue, it can generate additional value by spurring new private investment and increasing the city’s overall tax base.
- A broader question was posed about how planning for a DDA would be integrated with other city initiatives, such as the Civic Area and upcoming events like the Sundance Festival. Staff and PUMA emphasized that the required DDA Plan of Development would serve as a high-level roadmap tailored to Boulder’s priorities, helping align various initiatives under a unified vision for economic vitality.

Overall, council expressed general support for moving forward with the recommendations in the Improvement District Analysis, including further exploration of a DDA. Council members reiterated the importance of aligning this work with the city’s LTFS and ensuring robust stakeholder engagement throughout.

NEXT STEPS

1. **Final Report from PUMA:** Staff will receive the finalized Improvement District Analysis by the end of June, which will provide more detailed recommendations and considerations.
2. **Boulder Commercial Areas Blueprint:** Staff will initiate development of the Boulder Commercial Areas Blueprint to provide long-term strategic guidance for all commercial areas across Boulder. This document will provide a vision for connectivity, economic vitality, public realm improvements, and sustainability, and will align with the Boulder Valley Comprehensive Plan (BVCP) update. Broad engagement with internal departments, businesses, and community partners will inform this work.
3. **Further Exploration of DDA and other key recommendations:** Staff will develop scopes of work for consultants to conduct financial modeling, evaluate governance structures, and support stakeholder outreach as it relates to the DDA.

This includes consideration of incorporating the DDA Plan of Development into the Commercial Areas Blueprint process. Additionally, staff will move forward with further exploration of other key recommendations, including the consolidation of BJAD-P and BJAD-TDM.

4. **Ongoing Council Engagement:** Staff will return to Council with updates and seek further input throughout 2025 and 2026 as recommendations are refined and implementation strategies are developed.



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Consideration of a motion to convert the June 26th, 2025 Study Session to a Special Meeting of City Council for the purpose of holding 2 business meetings in June

PRIMARY STAFF CONTACT

NA

REQUESTED ACTION OR MOTION LANGUAGE

Motion to convert the June 26th, 2025 Study Session to a Special Meeting of City Council for the purpose of holding 2 business meetings in June

ATTACHMENTS:

Description

No Attachments Available



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Consideration of a motion to authorize and approve Small Cell Facility Operational and Design Criteria establishing requirements for operational standards, location and design standards, and traffic signal pole requirements that telecommunication providers will install and maintain on various city rights-of-way

PRIMARY STAFF CONTACT

Merry Martin, Sr. Project Manager

REQUESTED ACTION OR MOTION LANGUAGE

Motion to authorize and approve Small Cell Facility Operational and Design Criteria establishing requirements for operational standards, location and design standards, and traffic signal pole requirements that telecommunication providers will install and maintain on various city rights-of-way

IS THIS ITEM/PROJECT ON THE COUNCIL WORK PLAN?

N/A

HAS THIS ITEM/PROJECT BEEN BUDGETED?

N/A

ATTACHMENTS:

Description

- ▣ **Item 3D - Small Cell Operational and Design Criteria**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Consideration of a motion to authorize and approve operational and design criteria for small cell facilities establishing requirements for operational standards, location and design standards, and traffic signal pole requirements that telecommunication providers will install and maintain on various city rights-of-way

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Teresa Taylor Tate, City Attorney
Valerie Watson, Interim Transportation and Mobility Director
Brad Mueller, Planning and Development Services Director
Janet Michels, Senior Counsel
Mark Garcia, Civil Engineering Senior Manager – P&DS
Devin Joslin, Civil Engineering Senior Manager – T&M
Merry Martin, Senior Project Manager

EXECUTIVE SUMMARY

These Operational and Design Criteria have been drafted to establish criteria that the city will apply to applications from telecommunication service providers to place small cell facilities in city-owned rights of way. Federal regulations require government entities to accommodate the deployment of small cell facilities in the public right of way.

Applicants for small cell attachment permits previously utilized design standards published by the Public Service Company of Colorado (PSCO) (also known as Xcel Energy) so they could attach to streetlight poles within the city. This reflects past practices consistent with PSCO ownership of streetlighting within Boulder. The city acquired the streetlighting system from Xcel

Energy on October 7, 2024. With the city's streetlight acquisition, new Operational and Design Criteria must be established to reflect the city's new responsibilities for streetlighting. This proposed motion would authorize and approve small cell facility Operational and Design Criteria establishing requirements for the operation, location and design standards for telecommunication providers to install and maintain pole attachments in city right-of-way.

In addition to the descriptions and analysis provided in this memo, the proposed Operational and Design Criteria is provided in Attachment A.

STAFF RECOMMENDATIONS

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to authorize and approve operational and design criteria for small cell facilities establishing requirements for operational standards, location and design standards, and traffic signal pole requirements that telecommunication providers will install and maintain on various city rights-of-way

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Updates will support on-going operational activities and adherence to federal requirements. Small cell providers will bear all costs associated with deployment of small cell facilities.
- **Environmental** - Standards are intended to minimize impacts to the community and the public right of way.
- **Social** - Standards are intended to minimize impacts to the community and the public right of way.

OTHER IMPACTS

- **Fiscal** – All costs will be borne by small cell providers.
- **Staff time** - This effort is part of the workplan for the Streetlight Acquisition Project.

RESPONSES TO QUESTIONS FROM COUNCIL AGENDA COMMITTEE

None

BOARD AND COMMISSION FEEDBACK

None

PUBLIC FEEDBACK

These changes are in response to federal regulations and the city's acquisition of PSCO's streetlight system. No specific public feedback was sought regarding this update.

BACKGROUND

City Council unanimously agreed with the staff recommended approach to purchase the streetlight system from Xcel Energy in July 2022. The city and PSCO jointly executed the purchase agreement for 4,438 streetlights on October 7, 2024. Contracting for the separation and conversion of the streetlight system was completed in 2024. Separation and conversion work began in January 2025 and is expected to take approximately 18 months to complete.

Until recently, the city has received a limited number of applications for small cell facilities in the right-of-way. However, with the recent transfer of streetlights from Xcel Energy to the city, increased interest in small cell applications from providers has prompted a review of current operational and design criteria and their compatibility with recent rulings and interpretations.

ANALYSIS

The Operational and Design Criteria will specify the standards that apply to small cell facilities and alternative tower structures within the Public Right-of-Way ("PROW"). The criteria address such things as: radio frequency standards, location and design standards, siting requirements, and traffic signal pole requirements. The streetlighting Operational and Design Criteria include revisions that render the language consistent with current city practices in locating and designing streetlighting and will help staff to minimize impacts for the community in public rights of way.

NEXT STEPS

Should the City Council adopt the proposed changes staff will update the published version of the Operational and Design Criteria, and the changes will go into effect immediately. Staff anticipate bringing an item to council next month to authorize and approve Small Cell Facility Terms and Conditions, establishing permit requirements, and authorizing telecommunication service providers to locate small cell facilities in the public right-of-way. Staff also will be taking a more comprehensive approach to small cell facility operational and design guidelines as part of a future Design and Construction Standards update.

ATTACHMENTS

A – Operational and Design Criteria

Operational and Design Criteria

A. Applicability. These Operational and Design Criteria apply to Small Cell Facilities and alternative tower structures within the Public Right-of-Way (“PROW”).

B. Operational Standards.

1. Federal and State Requirements. All Small Cell Facilities and associated Equipment (collectively, “Small Cell Facilities”) shall meet the current standards and regulations of the FAA, FCC and any other agency of the federal or state government with the authority to regulate telecommunication equipment. If such standards and regulations are changed, Company shall bring such Small Cell Facilities into compliance with such revised standards and regulations within the time period mandated by the controlling federal or state agency. Failure to meet such revised standards and regulations shall constitute grounds for the removal of the Small Cell Facilities from any site at Company’s expense.

2. Radio Frequency Standards. All Small Cell Facilities shall comply with federal standards for radio frequency emissions. For Small Cell Facilities in the Public Right of Way, if concerns regarding compliance with radio frequency emissions standards are made to City, City may request that Company provide information demonstrating compliance with such federal standards. Company shall provide the City with licenses or other documentation showing compliance with federal standards. If, upon review, City in its reasonable discretion finds the Small Cell Facility does not meet federal standards, City may require Company to take corrective action, and if not corrected, may require removal of any Small Cell Facilities as an unauthorized use under the Small Cell Terms or the Pole Attachment Terms. Any reasonable costs incurred by City, including reasonable consulting costs to verify compliance with these requirements, shall be paid by Company upon demand by City or, if such costs remain unpaid after demand, City may recover such costs by the same manner and method authorized to recover nuisance abatement costs under the Boulder Revised Code (B.R.C.).

- a. Company shall provide the City with an inventory at the time of Company’s permit application, and then triennially or upon written request of the City, which request may be made not more than once every two years to the end of the term of any Permit, to the City’s designated representative which includes roadway intersection (if applicable), GIS coordinates, date of installation, the Company Site ID number, City’s Streetlight ID number (if applicable), type of pole or structure used for installation, and pole Owner, along with all licenses or other documentation showing compliance with federal standards for each Wireless Facility.

3. Company shall be solely responsible for all costs and expenses associated with the installation, operation, maintenance, and relocation of Company’s Small Cell Facilities within the PROW or on a Pole. Company shall install, maintain, relocate, and provide electricity for any streetlight facility and other City appurtenances required or requested at the Wireless Site, including but not limited to, smart controls and sensors at no cost to the City and to applicable

current City standards. Company shall consult with the City upon any new installation or modification of streetlight facilities.

- a. Company shall own, operate, and maintain a dedicated metered, electrical cable feed from the electrical utility provider's secondary electric grid to the Small Cell Facility. Company shall be responsible for keeping this feed, and the City's respective facilities, energized at all times at no cost to the City.
- b. Operations and maintenance of a Small Cell Facility shall be performed exclusively by the Company at no cost or liability to the City. All operations and maintenance performed by Company shall comply with any standard in these Operational and Design Criteria, the Boulder Revised Code, and any permit terms.

C. Location and Design Standards.

The requirements set forth in this section shall apply to the location and design of all Small Cell Facilities governed by this section as specified below; provided, however, that the City may waive any one or more of these requirements if it determines that the goals of this section are better served thereby. To that end, Small Cell Facilities shall be designed and located to minimize the impact on the surrounding properties and residential neighborhoods and to maintain the character and appearance of the City, consistent with other provisions of the B.R.C.

1. *Camouflage/Concealment.* All Small Cell Facilities and any related Equipment shall, to the maximum extent possible, use concealment design techniques, and where not possible utilize camouflage design techniques as set forth in Section 9-6-4(f)(1) "Specific Use Standards – Public and Institutional Uses, Wireless Communications Facilities," B.R.C. 1981 or Section 8-6-6.5(e) "Small Cell Facilities in the Public Right of Way", B.R.C. 1981 now or later amended. Camouflage design techniques include, but are not limited to the use of materials, colors, textures, screening, undergrounding, landscaping, or other design options that will blend the Small Cell Facility to the surrounding natural setting and built environment.

- a. In such instances where Small Cell Facilities are located in areas of high visibility, they shall, where physically possible, be designed to be concealed, and where not possible to be concealed, to minimize the Small Cell Facility profile through placement of equipment fully or partially underground, encasement of equipment in the pole structure, or, behind landscape berms. Each of the previously listed concealment techniques are examples and not limitations on potential concealment techniques.
- b. A concealment design may include the use of Alternative Tower Structures should the City Manager determine that such design meets the intent of Section 9-6-4(f), B.R.C.1981 and the community is better served thereby.
- c. All Small Cell Facilities shall be constructed out of non-reflective materials (visible exterior surfaces only) and shall be painted to match as closely as possible the color and texture of the vertical infrastructure on which it is mounted.

D. Siting.

Small Cell Facilities may be required to be designed and constructed to permit the facility to accommodate Small Cell Facilities from at least two wireless service providers on the same Small Cell Facility unless the City approves an alternative design due to technical or practical infeasibility. No Small Cell Facility owner or operator shall unfairly exclude a competitor from using the same facility or Site.

1. Small Cell Facilities shall not encroach into any sight triangles.

a. *Lighting.* Small Cell Facilities shall not be artificially lighted, unless required by the FAA or other applicable governmental authority, or the Small Cell Facility is mounted on a light pole or other similar structure primarily used for lighting purposes. All Small Cell Facilities attached to streetlights are subject to the following terms:

- i. All lighting facilities installed by Company shall be installed to current City standards for Small Cell Facilities as part of Company's make ready work.
- ii. Company shall maintain and repair all City lighting facilities in good working order, including compliance with all City repair and replacement deadlines identified in any notice from the City of the need for such maintenance and repair.
- iii. Company shall address streetlight outages or other maintenance requests within seven (7) calendar days from the date of notice by the City.
- iv. Company may inquire into the availability of new City-owned luminaires or smart control materials to purchase from the City and install on Poles.
- v. The Company shall pay, through a provided invoice, the City of Boulder to conduct required lighting photometrics if light locations are changed to ensure proper lighting specifications are achieved in the PROW. If a pole location is moving, new mast arms, lights, or optics may be required from the original location at Company's expense and as directed by the City.
- vi. Company shall update all streetlight facilities being modified to the current City and utility owner standard upon de-energization or modification of City streetlight circuits at no cost to the City. This update may require (but is not limited to) the following:
 - A. New underground cable installed, in conduit.

- B. Black galvanized steel pole, labelled with City of Boulder label.
- C. Installation of a permanent separation point on City streetlight circuit if de-energized or modified in any way. This installation will require coordination with both City and the utility owner. Company shall not begin construction of any Small Cell Facility until the City and utility owner have approved the Company's plan for de-energizing or modifying any streetlight circuit.

2. *Specific Design Requirements.* Additional design requirements shall be applicable to Alternative Tower Structures ("ATS") and Small Cell Facilities in the PROW:

- a. No pole or structure shall be more than ten (10) feet higher (as measured from the ground to the top of the pole or structure) than any existing utility structure of the same type within five hundred (500) feet of the pole or structure.
- b. No Pole or structure shall exceed the height limitations for principal buildings and uses in Section 8-6-6.5, "Small Cell Facilities in the Public Right of Way Permits," B.R.C. 1981, and any other applicable code provisions.
- c. All poles or structures and Small Cell Facilities located in the PROW shall comply with the City's Small Cell Design Guidelines and Standards, see:

<https://bouldercolorado.gov/sites/default/files/2021-02/guide-small-cell-design.pdf>.

- d. Any new pole for ATS or Small Cell Facility shall be separated from any other existing WCF facility by a distance of a least six hundred (600) feet, unless the new pole replaces an existing traffic signal, street light pole, or similar structure determined by the City Manager.
- e. With respect to pole-mounted Equipment, Small Cell Facilities shall be located on an existing pole serving another utility; or be located on a new pole where other utility distribution lines are aerial, if there are no reasonable alternatives. To the extent the street light standards conflict with this provision or any provision in this subsection, the street light standards shall be followed.
- f. ATS shall be concealed consistent with other existing natural or manmade features in the right-of-way near the location where the alternative tower structure will be located.
- g. When placed adjacent to a residential zoned property, the facility shall not be installed within the perpendicular extension of the front yard facing walls

of the principal structure on the property or within the perpendicular extension of any walls of said structure facing a side yard that is adjacent to a street. The facility shall be located at least five feet from the nearest edge of the garage or driveway, whichever is closer. In the case of a corner lot, where practical, the facility shall be placed on the corner formed by two intersecting streets.

- h. Any ATS or Small Cell Facilities in the PROW must meet all City-adopted standards, including standards of the American Association of State Highway and Transportation Officials (“AASHTO”) or the Colorado Department of Transportation (“CDOT”), as applicable. Nothing in these Operational and Design Criteria supersede any City requirement otherwise applicable to obtain a permit or approval from the City’s Planning & Development Services for construction in the Right-of-Way. This may include review of wind and snow loading as set forth in the City’s adopted building codes, as well as a crash-tested break-away feature, crash protection, or placement outside of the clear zone per AASHTO and CDOT standards.
- i. If requested by the City based on the location of the proposed WCF, the exterior of metal support poles shall have a duplex finish consisting of a galvanized coating covered by a powder coat in the color of black powder coated over galvanized steel to match the City’s intention for pole color in the area.

E. Traffic Signal Pole Requirements

1. Traffic signal Poles supporting police equipment are not eligible to be considered for Company’s Small Cell Facilities. Company’s Small Cell Facilities placed on traffic signal Poles may be required to be relocated at any time, at Company’s expense pursuant to Section G Relocation, Abandonment and Removal, of the Pole Attachment Terms, if the City-owned Pole is needed for placement of police equipment.

2. Traffic signal Poles are engineered structures designed to specific loading criteria and required AASHTO standards. Modifications to the loading will require an engineering analysis stamped by a Colorado licensed professional engineer. Company will be responsible for providing a structural analysis if any materials are to be attached to traffic signal Poles.

3. Installations on traffic signal Poles cannot alter the Poles in any way. All attachments must be banded. Drilling and taping installations on traffic signal Poles is prohibited.

4. All cabling must be external to the Pole.

5. Cables, conduits and bands must not interfere with access to or operation of any of the traffic signal equipment. Specific clearances may be required and will be reviewed on a case-by-case basis in the permitting process.

6. Company shall provide an analysis to demonstrate the proposed equipment will not interfere with any wireless network of the City operating in the 900 MHz and 5.8 GHz frequencies.

7. For installations on traffic signal Poles, involved personnel must hold at least a Level I IMSA Traffic Signal certification to demonstrate comprehension of the implications of any negative impacts to the City's traffic signal infrastructure.

8. Company shall coordinate any installation or servicing of Small Cell Facilities located on traffic signal Poles with the City's Transportation & Mobility Department a minimum of three business days in advance.

9. Small Cell Facilities on traffic signal Poles shall:

- a. Be designed such that antenna installations on traffic signals are placed in a manner so that the size, appearance, and function of the signal will not be materially altered; and
- b. Be designed such that all antennas, mast arms, equipment, and other facilities are sized to minimize visual clutter, and where possible, concealed within the structure; and
- c. Be consistent with the size and shape of the pole-mounted equipment installed by communications companies on utility poles near the ATS; and
- d. Require that any ground mounted equipment be installed in an underground or partially underground equipment vault except for the equipment that is expressly permitted above grade for a Small Cell Facility. Such equipment may be placed above grade outside of the PROW if compatibility techniques are otherwise met; and
- e. Not alter vehicular circulation or parking within the PROW or impede vehicular, bicycle, or pedestrian access or visibility along the PROW; and
- f. Comply with the federal Americans with Disabilities Act and all applicable local, state, and federal law and regulations; and
- g. Not be located or maintained in a manner that causes unreasonable interference. Unreasonable interference means any use of the PROW that disrupts or interferes with its use by the City, the general public, or other person authorized to use or be present upon the PROW, when there exists an alternative that would result in less disruption or interference. Unreasonable interference includes any use of the PROW that disrupts vehicular or pedestrian traffic, any interference with public utilities, and any other activity that will present a hazard to public health, safety, or welfare.

10. Nothing in this Operational and Design Criteria shall be interpreted to authorize the installation of macro wireless communications service facilities, macro base stations, or similar high-powered cellular or wireless broadband facilities in the PROW, or the installation of macro wireless towers, or poles intended for macro facilities.

11. Procedures: Company shall consult with the City Streetlighting Facility Manager for attachments to streetlights and traffic signals, and Planning and Development Services for Small Cell Facilities in the PROW.

F. Controlling Law.

To the extent that any criteria contained in this Operational and Design criteria conflicts with any language contained in federal law or regulations, the Boulder Revised Code, the conditions related to the permits for the application (i.e., Right-of-Way Permit), or the Design and Construction Standards, the requirements in those documents shall control, in the order listed.



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8697, amending Title 4, “Licenses and Permits,” Title 9, “Land Use Code,” and Title 10, “Structures,” B.R.C. 1981, related to development activities, to correct errors and omissions, update graphics and formatting, clarify standards and procedures, create consistency with certain state regulations, and remove certain development restrictions to allow flexibility in project design and in certain locations; and setting forth related details

PRIMARY STAFF CONTACT

Geoff Solomonson

REQUESTED ACTION OR MOTION LANGUAGE

Motion to order by title only Ordinance 8697, amending title 4, “licenses and permits,” title 9, “land use code,” and title 10, “structures,” B.R.C 1981, related to development activities, to correct errors and omissions, update graphics and formatting, clarify standards and procedures, create consistency with certain state regulations, and remove certain development restrictions to allow flexibility in project design and in certain locations; and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 3E - 1st Rdg Ord 8697 2025 Code Cleanup**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8697, amending Title 4, “Licenses and Permits,” Title 9, “Land Use Code,” and Title 10, “Structures,” B.R.C. 1981, related to development activities, to correct errors and omissions, update graphics and formatting, clarify standards and procedures, create consistency with certain state regulations, and remove certain development restrictions to allow flexibility in project design and in certain locations; and setting forth related details.

REQUESTING DEPARTMENT / PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Brad Mueller, Director of Planning & Development Services
Charles Ferro, Senior Planning Manager
Karl Guiler, Senior Policy Advisor
Geoff Solomonson, City Planner

EXECUTIVE SUMMARY

Staff has identified a list of proposed changes to clarify the Land Use Code, fix errors, simplify language, update graphics, clarify intent, remove certain restrictions, and codify existing practices. The city periodically corrects technical errors to avoid confusion and to ensure that the Land Use Code is administered and enforced in a manner consistent with the intent and department practices. The last ordinance addressing similar “clean-up” issues was adopted in 2024.

The ordinance is found in [Attachment A](#). An annotated version of the ordinance with footnotes describing the purpose of each change is in [Attachment B](#).

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to order published by title only Ordinance 8697, amending Title 4, “Licenses and Permits,” Title 9, “Land Use Code,” and Title 10, “Structures,” B.R.C. 1981, related to development activities, to correct errors and omissions, update graphics and formatting, clarify standards and procedures, create consistency with certain state regulations, and remove certain development restrictions to allow flexibility in project design and in certain locations; and setting forth related details

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Ordinance 8697 is intended to clarify code language and correct errors in the code, which may ease processing of development review applications.
- **Environmental** – These updates are not anticipated to have direct environmental impacts.
- **Social** – The changes are not expected to have direct social impact.

OTHER IMPACTS

- **Fiscal** – This project is being completed using existing resources.
- **Staff time** – This project is being completed using existing staff resources. Clarifying and correcting these parts of the code may reduce staff time by ensuring the code language is accurate and interpretations are more predictable for applicants.

BOARD AND COMMISSION FEEDBACK

Planning Board – Ordinances changing the Land Use Code require Planning Board recommendation to City Council. Due to a clerical error, Planning Board recommended moving the proposed ordinance from its original schedule on April 15, 2025 to May 27, 2025 to give board members adequate time to review the proposed changes.

Any comments, changes or recommendations from the Planning Board will be incorporated into the second reading memorandum for June 5, 2025.

PUBLIC FEEDBACK

As the changes are primarily focused on clarifying existing language, fixing errors, and aligning the code with existing practices, this code change project is implementing an “inform” level of public engagement.

BACKGROUND

The proposed changes were identified during previous land use review processes where implementation of the code raised questions about interpretation and issues of clarity, where code language resulted in unintended consequences, or where mistakes were found. Staff accumulates a list of these issues and compiles an ordinance to update the code accordingly.

SUMMARY OF PROPOSED CHANGES IN ORDINANCE 8697

The ordinance can be found in [Attachment A](#). Footnotes are provided in the ordinance in [Attachment B](#) to describe the purpose of each change in more detail. The updates generally consist of:

- **Corrections.** Corrects inaccuracies, such as incorrect citations or typographical errors.
- **Clarifications.** Updates that make the code language clearer.
- **Graphics.** Changes to graphics to address common misunderstandings.
- **Consistency.** Updates to ensure consistency with state or other requirements or existing city practices.

Title 4, Chapter 4 – “Building Contractor License”

- **Section 4-4-2, “Definition of Contractor”**
Clarifies the homeowner exception to the contractor licensing requirements, consistently with similar exceptions under state law.

Title 9, Chapter 2 – “Review Processes”

- **Section 9-2-1, “Types of Reviews”**
Changes “Site access variance” to “Site access exception” to clarify the type of review requested and for continuity with Section 9-9-5, “Site Access Control”.
- **Section 9-2-6, “Development Review Application”**
Adds a waiver to the survey requirements for minor review procedures where the city manager has the option to determine that surveys are not needed for more minor scopes of work such as a use review with no site changes or minor modifications to prior approvals.
- **Section 9-2-14, “Site Review”**
The following updates to the Site Review section are proposed:
 - Adds a height modification option for hospitals or medical office in a P (Public) zoning district to account for necessary operational floor heights in those type of uses.
 - Adds language for development projects to be ‘generally’ consistent with subcommunity and area plans or design guidelines consistent with current and past practice.
 - Clarifies currently ambiguous language on housing types in the Site Review criteria to include a greater variety of dwelling unit types and bedroom quantities.

- Clarifies application of the additional open space requirements for height bonus requests.
- Modifies the open space reduction for more flexibility of design in more urban situations in the DT, BMS, and MU-3 zoning districts.
- **Section 9-2-16, “Form-Based Code Review”**
Adds subcommunity plans for form-based code exceptions along with the existing exception for area plans and adds language for exceptions to be generally consistent with goals and intents of a subcommunity or area plan.
- **Section 9-2-21, “Required Improvements and Financial Guarantees”**
Adds language to make the requirements, expiration, and renewal of letters of credit for financial guarantee requirements consistent with other code sections that require financial guarantees (e.g., subdivision).

Title 9, Chapter 5 – “Modular Zone System”

- **Section 9-5-2, “Zoning Districts”**
Removes reference to Boulder Urban Renewal Plan, which is no longer applicable to this section.

Title 9, Chapter 6 – “Use Standards”

- **Section 9-6-2, “Specific Use Standards – General”**
Clarifies conditional uses in Appendix N for the BC zoning district.
- **Section 9-6-3, “Specific Use Standards – Residential Uses”**
- The following updates to the Specific Use Standards (Residential Uses) section are proposed:
 - Removes an erroneous reference to allowed residential uses in IS-1 and IS-2 districts, which were removed as allowed uses to protect service industrial uses as part of the Use Standards and Table project. Live/work uses are still allowed.
- Removes the separation requirement for congregate, custodial, and residential care facilities as it was deemed too restrictive for these types of uses and inconsistent with state law.
- **Section 9-7-1, “Schedule of Form and Bulk Standards”**
The following updates to the Specific Use Standards (Residential Uses) section are proposed:
 - Clarifies the maximum percentage of floor area in floors above the third floor to account for fourth or fifth floor building designs. Adds footnotes as a row to the table to be consistent with other tables.
 - Clarifies that a property, not part of a subdivision, will not have its nonstandard setbacks modified as a result of an adjacent subdivision if the property changes the platting pattern of the block.
- **Section 9-7-2, “Setback Standards”**
The following updates to the Setback Standards section are proposed:
 - Adds a reference to the definition of “yard” in Chapter 9-16, “Definitions,” B.R.C. 1981 to this section for greater visibility and continuity.

- Updates and moves setbacks relative to building height diagram from Appendix B to this section for greater visibility and continuity.

Title 9, Chapter 8 – “Intensity Standards”

- **Section 9-8-3, “Density in the RH-1, RH-2, and RH-7 Districts”**
Clarifies the eligibility of allowing duplexes and two detached dwelling units on nonstandard lot based upon the minimum lot size requirements and fixes an incorrect code reference.

Title 9, Chapter 9 – “Development Standards”

- **Section 9-9-2, “General Provisions”**
Clarifies the zoning standard language for lots in two or more zoning districts by determining use based upon majority of building and a separate category for building additions or site improvements based upon form, bulk and intensity. Also, clarifies language about entire uses located on one lot.
- **Section 9-9-5, “Site Access Control”**
Clarifies language whether site access and curb cuts are modified under Site Review or granted exceptions under an administrative review.
- **Section 9-9-6, “Parking Standards”**
Corrects reference in table to parking reductions for religious assembly.
- **Section 9-9-11, “Useable Open Space”**
Adds language for useable, countable open space to include outdoor short term bicycle parking areas for greater flexibility in accommodating bicycle storage in active open space areas.

Title 9, Chapter 10 – “Nonconformance Standards”

- **Section 9-10-3, “Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses”**
Clarifies the code language related to development requirements of vacant nonstandard lots or parcels in residential districts for detached dwelling units, duplexes, and two detached dwelling units.

Title 9, Chapter 12 – “Subdivision”

- **Section 9-12-5, “Minor Subdivision”**
Clarifies the section is for residentially zoned properties only. Combines the standards and limitations for a minor subdivision and clarifies the standards required for minor subdivision, including language that any required public improvement, including streets, alleys, sidewalks, water mains or sewer mains, will not be considered a minor subdivision.

Title 9, Chapter 14, “Form-Based Code”

- **Section 9-14-8, “Definitions”**
Adds new definitions of “Impervious Coverage”, “Semi-Pervious Coverage”, “Permeable Surface”, “Semi-Pervious Surface”, and “Impervious Surface”.

Removes definitions of “Impervious Site Coverage”, “Permeable Surface” and “Semi-Pervious Surface or Material” for clarity on the differences of the types of coverages and surfaces.

- **Section 9-14-10, “Streetscape and Paseo Design Requirements”, Section 9-14-11, “Site Design Requirements”, Section 9-14-12, “Outdoor Space Requirements”**

Clarifies language of impervious, semi-pervious, and permeable surface area in place of coverage area for trees, landscape, and open areas for continuity and consistency with definition terms throughout the form-based code.

- **Section 9-14-14, “Requirements Applicable to All Building Types”**
Removes the section for particular modifications due to difficulty measuring how they substantially meet intent of the requirement and considering that any modification can already be requested through the existing exception process.
- **Section 9-14-16, “Main Street Storefront Building Type”, Section 9-14-17, “Commercial Storefront Building Type”, Section 9-14-18, “General Building Type”, Section 9-14-19, “Row Building Type”, Section 9-14-20, “Workshop Building Type”, Section 9-14-21, “Civic Building Type”**

Clarifies impervious coverage instead of site impervious coverage for consistency with the definition terms and clarifies additional semi-pervious coverage as a maximum percentage.

- **Section 9-14-26, “Measurement of Building Type Requirements”**
Clarifies impervious coverage instead of site impervious coverage for consistency with the definition terms.

Title 9, Chapter 16, “Definitions”

- Clarifies “Boarding House” is subject to regulations in the International Building Code and does not include detached dwelling units.
- Clarifies “Hostel” from a residence to offering temporary lodging, as consistent with code definition of “Hotel or motel”
- Updates diagrams of “Yard” to Section 9-7-2, B.R.C 1981, for improved clarity.

Title 9, Appendix B

- Moves and updates diagram from Appendix B to Section 9-7-2, B.R.C for greater visibility and continuity. Renames Appendix B to “Reserved”.

Title 9, Appendix I

- Updates diagram for consistency in design with other appendix items.

Title 10, Chapter 2, “Property Maintenance Code”

- **Section 10-2-2, “Adoption of International Property Maintenance Code with Modifications”**

Removes the exception of the application of rental dwelling unit energy efficiency to attached accessory dwelling units following adoption of [Ordinance 8650](#) relative to accessory dwelling units and state law compliance.

ANALYSIS

Staff has identified the following key issues for the City Council's consideration:

1. Does the City Council find that the proposed ordinance implements the adopted policies of the Boulder Valley Comprehensive Plan?
2. Does the City Council suggest any modifications to the proposed ordinance?

Staff finds that the proposed ordinance implements the adopted policies of the comprehensive plan. The following analysis is provided to demonstrate how the project objective is met through the proposed ordinance. **Attachment A** includes the proposed ordinance and **Attachment B** also includes footnotes that describe the rationale of each proposed change.

What is the reason for the ordinance and what public purpose will be served?

This ordinance fixes errors in the code, clarifies common issues of interpretation, and updates graphics to improve communication of code requirements. The changes will improve the accuracy of the code by correcting typographical errors and by providing clarity where existing provisions have been misinterpreted.

How is the ordinance consistent with the purpose of the zoning districts or code chapters being amended?

The ordinance would affect many different code sections. The changes will improve the comprehension of the code overall, both for customers and code administrators and may ease review of development applications.

Are there consequences in not passing this ordinance?

If this ordinance is not passed, clerical errors in the code would not be corrected and improvements in code clarity would not be adopted.

What adverse effects may result with the adoption of this ordinance?

Adverse effects are not anticipated as a result of this amendment. Staff has intentionally included only minor changes like fixing errors, clarifying existing language, or ensuring consistency with state or other requirements or existing city practices.

What factors are influencing the timing of the proposed ordinance? Why?

While many of the proposed code corrections are relatively minor fixes, the ordinance does include corrections that should be completed as soon as practical to avoid confusion among code users. Some of the changes involve issues with recently adopted ordinances. Staff aims to ensure these corrections are adopted prior to code change projects that may be more comprehensive and substantive.

How does the ordinance compare to practices in other cities?

As the limited changes are primarily minor clarifications and corrections, comparisons to other communities are not instructive in this circumstance. All communities have an interest in keeping their code updated, clear, and accurate.

How will this ordinance implement the comprehensive plan?

The ordinance will implement the following applicable policy from the Boulder Valley Comprehensive Plan.

Local Governance & Community Engagement Policy 10.01: High-Performing Government

The city and county strive for continuous improvement in stewardship and sustainability of financial, human, information and physical assets. In all business, the city and county seek to enhance and facilitate transparency, accuracy, efficiency, effectiveness and quality customer service. The city and county support strategic decision-making with timely, reliable and accurate data and analysis.

ATTACHMENTS

Attachment A: Ordinance 8697

Attachment B: Ordinance 8697 with annotations

ORDINANCE 8697

AN ORDINANCE AMENDING TITLE 4, "LICENSES AND PERMITS," TITLE 9, "LAND USE CODE," AND TITLE 10, "STRUCTURES," B.R.C. 1981, TO CORRECT ERRORS, UPDATE GRAPHICS AND SUBSECTION FORMATS CREATING CONSISTENCY, IMPROVE THE CLARITY OF THE CODE AND UPDATE TO REFLECT CURRENT REVIEW PROCEDURES ALREADY IN USE, CLARIFY SECTION INTENT, COMPLY WITH STATE REGULATIONS AND TO REMOVE CERTAIN DEVELOPMENT RESTRICTIONS PROVIDING FLEXIBILITY IN PROJECT DESIGN AND IN CERTAIN LOCATIONS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 4-4-2, "Definition of Contractor," B.R.C. 1981, is amended to read as follows:

4-4-2. Definition of Contractor.

- (a) For purposes of this chapter, a contractor has the same meaning as contractor in Subsection 1-2-1(b), "Definitions," B.R.C. 1981, and includes without limitation any person who undertakes with or for another person to inspect pursuant to Chapter 10-3, "Rental Licenses," B.R.C. 1981, any building or structure, or any portion thereof.
- (b) The following persons are not contractors within the meaning of this chapter:
 - (1) Subcontractors working for and under the supervision of a general contractor licensed under this chapter;
 - (2) Plumbers, electricians, mechanical, and fire or other specialized tradespeople for whom another license is required by the city; and
 - (3) A homeowner who builds, constructs, alters, repairs, adds to, moves, or wrecks any building or structure regulated by the Residential Code of the City of Boulder, or any portion thereof, that constitutes the owner's residence or a building or structure accessory thereto, that is intended for the owner's personal use. This

exception is available only as to one such building or structure during a calendar year. This exception does not apply to such activities on a building or structure intended to be used or used as a long-term or short-term rental property, owned by a business entity, or intended to be used for a home occupation that includes visits by customers or other visitors related to the home occupation.

Section 2. Footnote 15 to Section 4-8-1, "Legislative Intent," B.R.C. 1981 is amended to read as follows:

^[15]§ ~~12-115-101~~~~12-23-101~~, et seq., C.R.S.; Century Electric Service and Repair, Inc. v. Stone, 193 Colo. 181, 564 P.2d 953 (1977).

Section 3. Section 4-8-2, "Registration Required," B.R.C. 1981, is amended to read as follows:

4-8-2. Registration Required.

- (a) No person required by § ~~12-115-109~~~~12-23-105~~, C.R.S., to be licensed shall perform any services covered by such license in the city or any building outside the city that is served by city sewer or water utility service or subject to city building inspection without registering with the city manager on forms provided thereby and filing the evidence of insurance required by Section 4-1-8, "Insurance Required," B.R.C. 1981.

...

Section 4. Section 4-15-3, "License Required," B.R.C. 1981, is amended to read as follows:

4-15-3. License Required.

- (a) No person shall conduct the business of a plumbing contractor in the city without first obtaining a license under this chapter from the city manager.
- (b) No person required by § ~~12-155-108~~~~12-58-105~~, C.R.S., to be licensed shall perform any work as a master, journeyman or residential plumber in the city unless such person holds a valid state license to perform such work.

Section 5. Section 4-15-9, "Revocation or Suspension of License," B.R.C. 1981, is amended to read as follows:

4-15-9. Revocation or Suspension of License.

...

- (b) No person engaged in the plumbing contractor business shall employ or continue to employ for work in the city covered by the city plumbing code an apprentice who is not licensed under this chapter or a person required to be licensed under § ~~12-155-108~~~~12-58-405~~, C.R.S., who is not so licensed.

Section 6. Section 9-2-1, "Types of Reviews," B.R.C. 1981, is amended to read as follows:

9-2-1. Types of Reviews.

- (a) Purpose: This section identifies the numerous types of administrative and development review processes and procedures. The review process for each of the major review types is summarized in Table 2-1 of this section.
- (b) Summary Chart:

TABLE 2-1: REVIEW PROCESSES SUMMARY CHART

<i>I. ADMINISTRATIVE REVIEWS</i>	<i>II. DEVELOPMENT REVIEW AND BOARD ACTION</i>
Affordable housing design review pursuant to Section 9-13-4, B.R.C. 1981	Annexation/initial zoning
Building permits	BOZA variances
Change of address	Concept plans
Change of street name	Demolition, moving, and removal of buildings with potential historic or architectural significance, per Section 9-11-23, "Review of Permits for Demolition, On-Site Relocation, and Off-Site Relocation of Buildings Not Designated," B.R.C. 1981
Conditional uses, as noted in Table 6-1: Use Table	Form-based code review
Demolition, moving, and removal of buildings with no historic or architectural significance, per Section 9-11-23, "Review of Permits for Demolition, On-Site Relocation, and Off-Site Relocation of Buildings Not Designated," B.R.C. 1981	Geophysical exploration permit
Easement vacation	Landmark alteration certificates other than those that may be approved by staff per Section 9-11-14, "Staff Review of

1	Extension of development approval/staff level	Application for Landmark Alteration Certificate," B.R.C. 1981
2		
3	Landmark alteration certificates (staff review per Section 9-11-14, "Staff Review of Application for Landmark Alteration Certificate," B.R.C. 1981)	Lot line adjustments
4		Lot line elimination
5	Landscape standards variance	Minor Subdivisions
6	Minor modification to approved site plan	Out of city utility permit
7	Minor modification to approved form-based code review	Rezoning
8		Site review
9	Noise barriers along major streets per Paragraph 9-9-15(c)(7), B.R.C. 1981	Subdivisions
10		Use review
11	Nonconforming use extension	Vacations of street, alley, or access easement
12	Parking deferral per Subsection 9-9-6(e), B.R.C. 1981	
13	Parking reduction of up to twenty-five percent per Subsection 9-9-6(f), B.R.C. 1981	
14		
15	Parking reductions and modifications for bicycle parking per Paragraph 9-9-6(g)(6), B.R.C. 1981	
16		
17	Parking stall variances	
18	Public utility	
19	Rescission of development approval	
20	Revocable permit	
21	Right-of-way lease	
22	Setback variance	
23	Site access variance <u>exception</u>	
24		
25	Substitution of a nonconforming use	

Solar exception	
Zoning verification	

Section 7. Section 9-2-6, "Development Review Application," B.R.C. 1981, is amended to read as follows:

9-2-6. Development Review Application.

(a) Application Requirements for Use Review, Site Review, and Form-Based Code Review: A person having a demonstrable property interest in land to be included in a development review may file an application for approval on a form provided by the city manager that shall include the following:

- (1) The written consent of the owners of all property to be included in the development;
- (2) An improvement survey of the land. The city manager may waive this application requirement for a minor modification, minor amendment, use review, or minor use review;
- (3) Development plans including site, landscaping, building plans, and building elevations as applicable;
- (4) A written statement addressing the criteria for approval;
- (5) All information required in Sections 9-2-14, "Site Review," 9-2-15, "Use Review," and 9-2-16, "Form-Based Code Review," B.R.C. 1981, for the type of review requested;
- (6) Any other information that the applicant wishes to submit; and
- (7) The fee prescribed by Section 4-20-43, "Development Application Fees," B.R.C. 1981, for the type of review requested.

...

(e) Inactive Applications:

- (1) If, at any point in a development review process, the city manager has notified the applicant that additional or corrected materials are required, and the applicant has not submitted those materials within sixty days after the date of such notification, the application will be considered withdrawn. The city manager may extend the sixty-day period if requested by the applicant prior to its expiration and upon the applicant's demonstrating good cause for the additional delay.

- (2) Any ~~re-submittal~~resubmittal of the application after the ~~sixty-day~~sixty-day deadline will be treated as a new application for purposes of review, scheduling, public notice, and payment of application fees.

Section 8. Section 9-2-14, "Site Review," B.R.C. 1981, is amended to read as follows:

9-2-14. Site Review.

- (a) Purpose: The purpose of site review is to allow flexibility in design, to encourage innovation in land use development, to promote the most appropriate use of land, to improve the character and quality of new development, to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic features of open space, to ensure compatible architecture, massing and height of buildings with existing, approved, and known to be planned or projected buildings in the immediate area, to ensure human scale development, to promote the safety and convenience of pedestrians, bicyclists and other modes within and around developments and to implement the goals and policies of the Boulder Valley Comprehensive Plan and other adopted plans of the community. Review criteria are established to achieve the following:

...

- (b) Scope: The following development review thresholds apply to any development that is eligible or that otherwise may be required to complete the site review process:

(1) Development Review Thresholds:

...

- (E) Height Modifications: A development which exceeds the permitted height requirements of Section 9-7-5, "Building Height," or 9-7-6, "Building Height, Conditional," B.R.C. 1981, or of Paragraph 9-10-3(b)(2), "Maximum Height," B.R.C. 1981, to the extent permitted by that paragraph for existing buildings on nonstandard lots, is required to complete a site review and is not subject to the minimum threshold requirements. No standard other than height may be modified under the site review unless the project is also eligible for site review. A development that exceeds the permitted height requirements of Section 9-7-5 or 9-7-6, B.R.C. 1981, must meet any one of the following circumstances in addition to the site review criteria:

...

- (ix) The building is in the public zoning district and is exclusively used for hospital or medical office uses or is a parking structure serving those uses.

...

(h) Criteria: No site review application shall be approved unless the approving agency finds that the project is consistent with the following criteria:

(1) Boulder Valley Comprehensive Plan (BVCP) criteria:

(B) Subcommunity and Area Plans or Design Guidelines: If the project is subject to an adopted subcommunity or area plan or adopted design guidelines, the project is generally consistent with the applicable plan and guidelines.

...

(F) Housing Diversity and Bedroom Unit Types: Except in the RR, RE and RL-1 zoning districts, projects that are more than 50 percent residential by measure of floor area, not counting enclosed parking areas, meet the following housing and bedroom unit type requirements in Sub~~paragraph~~sections (i) through (vi). For the purposes of this subparagraph, qualifying housing type shall mean duplexes, attached dwelling units, townhouses, live-work units, or efficiency living units, and bedroom type shall mean studios, or units with different numbers of bedrooms such as one-bedroom units, and two-bedroom units, or three-bedroom units.

...

(4) Additional Criteria for Buildings Requiring Height Modification or Exceeding the Maximum Floor Area Ratio: Any building exceeding the by-right or conditional zoning district height as permitted by Section 9-2-14(b)(1)(E), B.R.C. 1981, and any building exceeding the by-right floor area limits as permitted by Section 9-2-14(h)(6)(B), B.R.C. 1981, shall meet the following requirements:

(A) Building Form and Massing: The building's form and massing are consistent with the character established in any adopted plans or guidelines applicable to the site or, if none apply, are compatible with the character of the area or improves upon that character, consistent with the intent of paragraph (3), Building Design Criteria. The building's form, massing and length are designed to a human scale and to create visual permeability into and through sites. In determining whether this is met, the approving authority will consider the following factors:

(i) The building does not exceed 200 feet in length along any public right-of-way.

(ii) All building facades exceeding 120 feet in length along a public street, excluding alleys, are designed to appear as at least two

distinct buildings. To achieve this, façade segments vary in at least two of the following design elements:

- a. Type of dominant material or color, scale, or orientation of that material;
- b. Facade recessions and projections;
- c. Location of entrance and window placements;
- d. Roof forms; and
- e. Building height.

(B) Building and Site Design Requirements for Height Modifications:

(i) Buildings requiring a height modification shall meet the following requirements:

- a. Height Modification Other than Height Bonus: For buildings no taller than three stories and subject to a height modification pursuant to Subparagraph 9-2-14(b)(1)(E)(i) through (vii) and (ix), the building's height, mass, and scale is compatible with the character of the surrounding area.
- b. Height Bonus: For buildings taller than three stories subject to a height modification pursuant to Subparagraph 9-2-14(b)(1)(E)(viii), B.R.C. 1981:

...

3. Additional Requirements for a Height Bonus - Views: The project preserves and takes advantage of prominent mountain views from public spaces and from common areas within the project. In determining whether this is met, the approving authority will consider the following factors:

- i. If there are prominent mountain views from the site, usable open spaces on the site or elevated common areas on the building are located and designed to allow users of the site access to such views;
- ii. If the proposed building is located adjacent to a ~~city-managed~~ city-managed public park, plaza, or open space, buildings are sited or designed in a manner that avoids or

minimizes blocking of prominent public views of the mountains from these spaces;

4. Additional Requirements for a Height Bonus - Open Space:

- i. If the project site is greater than one acre in size, an inviting ~~grade level~~ outdoor garden or landscaped courtyard is provided, designed as a gathering space for the building users. In determining whether this requirement is met, the approving authority will consider the following factors as The following are considered elements of successful design elements for such a space, as practicable considering site conditions and location;
- ii. The horizontal dimensions ~~width~~ of the space ~~is~~ are no less than the height of building walls enclosing the space;
- vii. The space is visible from an adjoining public sidewalk and is not elevated above the building's first story; and

(6) Land Use Intensity and Height Modifications: Modifications to minimum open space on lots, floor area ratio (FAR), maximum height, and number of dwelling units per acre requirements will be approved pursuant to the standards of this subparagraph:

(A) Land Use Intensity Modifications with Open Space Reduction:

- (i) In the DT, BMS, BR-2, and MU-3 Zoning Districts: The open space requirements in Chapter 9-8, "Intensity Standards," B.R.C. 1981, may be reduced in all DT districts and the BR-2, BMS, and MU-3 districts subject to the following standards:
 - a. In the DT, BMS, or MU-3 zoning districts, the reduction in open space is necessary to avoid siting of open space that is inconsistent with the urban context of neighborhood buildings or the character established in adopted

design guidelines or plans for the area, such as along a property line next to zero-setback buildings or along alleys: maximum one hundred ~~five~~ percent reduction.

...

Section 9. Section 9-2-16, "Form-Based Code Review, "B.R.C. 1981, is amended to read as follows:

9-2-16. Form-Based Code Review.

(a) Purpose: The purpose of form-based code review, is to improve the character and quality of new development to promote the health, safety and welfare of the public and the users of the development. The form-based code review regulations are established to create a sense of place in the area being developed or redeveloped and ensure a site and building design that:

...

(d) Application Requirements: An application for approval of a form-based code review, may be filed by any person having a demonstrable property interest in land to be included in a form-based code review on a form provided by the city manager that includes, without limitation:

...

(4) Site Plan: A site plan with a north arrow showing the major details of the proposed development, prepared on a scale of not less than one inch equals one hundred feet, providing sufficient detail to evaluate the features of the development required by this section. The site plan shall contain, insofar as applicable, the information set forth as follows:

(A) Topography. The existing topographic character of the land, showing contours at two-foot intervals;

(B) Flood Areas. If applicable, the areas subject to the ~~one hundred-year~~ one-hundred-year flood as defined in Chapter 9-16, "Definitions," B.R.C. 1981, and any area of the site that is within a designated space conveyance zone or ~~high hazard~~ high-hazard zone;

...

(14) Architectural Plans. Detailed architectural plans that include the following:

(A) Building Schematic Floor plans. Building floor plans shall be included for each floor, illustrating the location of uses, common spaces, doors, and windows;

(B) Building Details. Plans, sections, and elevations illustrating compliance with Sections M-1-13 through M-1-28 of Appendix M, "Form-Based Code," to this title;

(C) Building Elevations. Building elevations, at a scale of ~~one-sixteenth~~one-sixteenth inch equals one foot or larger, illustrating the following:

(i) Exceptions: Exceptions to the requirements of Appendix M, "Form-Based Code," may be approved under the form-based code review process pursuant to the following standards:

(2) Exceptions:

(A) An exception may be granted by the approving authority if the following criteria are met:

(i) The proposed exception is generally consistent with the goals and intents of the adopted subcommunity or area plan applied to the area, and

Section 10. Section 9-2-21, "Required Improvements and Financial Guarantees," B.R.C.

1981, is amended to read as follows:

9-2-21. Required Improvements and Financial Guarantees.

(g) Letter of Credit: If any letter of credit is due to expire before the end of the guarantee period and is not replaced no less than sixty days before its expiration with another letter of credit which is valid until the end of the guarantee period or for an additional year, whichever is less, the city manager shall call the letter of credit and shall hold the funds thereby received in a separate account, and shall return such funds as are not expended or to be expended for guarantee work to the applicant at the end of the guarantee period.

(hg) Additional Requirements In Addition: The requirements of this section are in addition to any requirements for financial guarantees under any other provision of this code.

Section 11. Section 9-5-2, "Zoning Districts," B.R.C. 1981, is amended to read as follows:

9-5-2. Zoning Districts.

(a) Classification: Zoning districts are classified according to the following classifications based on the predominant character of development and current or intended use in an area of the community:

- (1) R: Residential;
- (2) M: Mixed Use, a mix of residential and business;
- (3) B: Business;
- (4) DT: Downtown business zones;
- (5) I: Industrial;
- (6) P: Public;
- (7) A: Agricultural.

...

(c) Zoning District Purposes:

...

(3) Business Districts:

- (E) Business - Regional 1 and Business - Regional 2: Business centers of the Boulder Valley, containing a wide range of retail and commercial operations, including the largest regional-scale businesses, which serve outlying residential development; and where the goals of the Boulder Urban Renewal Plan are implemented.

...

Section 12. Section 9-6-2, "Specific Use Standards-General," B.R.C. 1981, is amended to read as follows:

9-6-2. Specific Use Standards - General.

(a) Purpose: The purpose of this chapter is to set forth additional requirements for specified uses of land. The requirements are intended to ensure that the use is compatible with the surrounding area.

...

(c) Specific Use Standards that Apply to Several Use Types: The specific use standards in this chapter are generally organized by use classification, use category, and use type. Some specific use standards apply to several use types that are part of different use classifications and use categories. Such standards that apply to use types within different classifications are set forth within this subsection (c).

(1) Specific Use Standards for Uses in the BC Zoning Districts:

(A) Review Process: In the BC-1 and BC-2 zoning districts, the following standards apply to the uses listed in Table 6-2:

...

(i) Allowed Use: The uses listed in Table 6-2 are allowed by right unless the use is located within an area designated in Appendix N "Business Community (BC) Areas Subject to Special Use Restrictions."

(ii) Conditional Use: If located in one of the mapped areas in Appendix N, the use may be approved as a conditional use if it meets all of the following standards:

a. The use shall not be located on the ground floor, with the exception of minimum necessary ground level access.

b. The combined floor area of any nonresidential uses in Table 6-2 shall be limited to ten percent of the total floor area on the lot or parcel except that if the use is located within an approved site review or planned unit development, the combined floor area of any nonresidential uses subject to this section shall be limited to ten percent of the total floor area within the boundaries of the site review or planned unit development approval in the BC zoning district.

c. A principal use of any automobile parking lot or garage shall be a park and ride facility.

...

Section 13. Section 9-6-3, "Specific Use Standards-Residential Uses," B.R.C. 1981, is amended to read as follows:

9-6-3. Specific Use Standards - Residential Uses.

...

HOUSEHOLD LIVING

...

(d) Dwelling Unit, Attached:

(1) In the RH-6 Zoning District:

- (A) In the RH-6 zoning district, attached dwelling units shall be located in a development that includes townhouse dwelling units. Attached dwelling units may only be located on a corner that has street frontage on two sides.

(2) In the BT-1, and BT-2, ~~IS-1, and IS-2~~ Zoning Districts:

- (A) Review Process: In the BT-1, and BT-2, ~~IS-1, and IS-2~~ zoning districts, attached dwelling units are allowed by right if the use is not located on the ground floor facing a street, with the exception of minimum necessary ground level access. Attached dwelling units that are not allowed by right may be approved only pursuant to a use review.

...

(f) Efficiency Living Unit:

~~(3) In the IS-1 and IS-2 Zoning Districts:~~

- ~~(A) Review Process: In the IS-1 and IS-2 zoning districts, efficiency living units are allowed by right if less than 40 percent of total units in the building are efficiency living units and the use is not located on the ground floor facing a street, with the exception of minimum necessary ground level access. Efficiency living units that are not allowed by right may be approved only pursuant to a use review.~~

(34) In the IMS Zoning District:

- (A) Review Process: In the IMS zoning district, efficiency living units are allowed by right if less than 40 percent of total units in the building are efficiency living units and at least fifty percent of the floor area of the building is for nonresidential use. Efficiency living units that are not allowed by right may be approved only pursuant to a use review.

...

GROUP LIVING

...

(j) Congregate Care Facility, Custodial Care Facility, and Residential Care Facility:

(1) Applicability: This subsection (j) sets forth standards for congregate care facilities, custodial care facilities, and residential care facilities that are subject to specific use standards pursuant to Table 6-1, Use Table.

(2) Standards: The following standards apply to any such facility that may be approved as a conditional use or pursuant to a use review:

~~(B) In order to prevent the potential creation of an institutional setting by concentration of custodial, residential or congregate care facilities in a neighborhood, no custodial, residential, or congregate care facility may locate within seven hundred fifty feet of another custodial, residential, or congregate care facility, but the approving agency may permit two such facilities to be located closer than seven hundred fifty feet apart if they are separated by a physical barrier, including, without limitation, an arterial collector, a commercial district or a topographic feature that avoids the need for dispersal. The planning department will maintain a map showing the locations of all custodial, residential, or congregate care facilities in the city.~~

...

Section 14. Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, is amended to read as follows:

9-7-1. Schedule of Form and Bulk Standards.

The purpose of this chapter is to indicate the requirements for lot dimensions and building form, bulk, location and height for all types of development. All primary and accessory structures are subject to the dimensional standards set forth in Table 7-1 of this section with the exception of structures located in an area designated in Appendix L, "Form-Based Code Areas," subject to the standards of Appendix M, "Form-Based Code." No person shall use any land within the City authorized by Chapter 9-6, "Use Standards," B.R.C. 1981, except according to the following form and bulk requirements unless modified through a use review under Section 9-2-15, "Use Review," B.R.C. 1981, or a site review under Section 9-2-14, "Site Review," B.R.C. 1981, or granted a variance under Section 9-2-3, "Variances and Interpretations," B.R.C. 1981, or as approved under the provisions of Section 9-2-16, "Form-based code review," B.R.C. 1981.

TABLE 7-1: FORM AND BULK STANDARDS

Zoning District	A R-1	R R-2 R E	R H-2 R H-	RL-1 RM-2	B T-2	B T-1 B C B	R L-2 R	R H-4	M U-1	R M-3 R H-1	RM X-2	R H-3 R	B CS	M U-3	B M S M	D T-1 D T-2	D T-4	M U-2 IM S	M H
-----------------	-------	-----------	------------	-----------	-------	-------------	---------	-------	-------	-------------	--------	---------	------	-------	---------	-------------	-------	------------	-----

			5 P	RM X-1		R IS -1 IS -2 IG I M	M- 1			R H- 6		H- 7			U- 4	D T- 3 D T- 5			
Form module	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s
BUILDING DESIGN REQUIREMENTS ⁽ⁿ⁾																			
Maxi mum % of 3 rd story floor area that can be in <u>any</u> <u>story</u> <u>above</u> <u>the 3rd</u> <u>story</u>	n/a			n/a			n/a			70 % (j)	n/ a	n/ a	n/a			n/ a	n/ a		

Footnotes to Table 7-1, Form and Bulk Standards:

In addition to the foregoing, the following miscellaneous form and bulk requirements apply to all development in the city:

(a) On corner lots, side yard must meet principal building front yard setback where adjacent lot fronts upon the street, unless the subject yard was platted as a side yard at a time when the adjacent lot did not front upon the street.

(b) For zero lot line development, including side yard setbacks from interior lot lines for townhouses, see Subsection 9-7-2(b), B.R.C. 1981.

(c) The permitted height limit may be modified only in certain areas and only under the standards and procedures provided in Sections 9-2-14, "Site Review," and 9-7-6, "Building Height, Conditional," B.R.C. 1981.

(d) For buildings over 25 feet in height, see Subsection 9-9-11(c), B.R.C. 1981.

(e) For other setback standards regarding garages, open parking areas, and flagpoles, see Paragraph 9-7-2(d), B.R.C. 1981.

(f) Where a rear yard backs on a street, see Paragraph 9-7-2(c), B.R.C. 1981.

(g) This maximum height limit applies to poles that are light poles at government-owned recreation facilities but not to other poles. Other poles

have a maximum height of 55 feet in all zones. For additional criteria regarding poles, see Section 9-2-14, "Site Review," B.R.C. 1981.

- (h) For front yard setback reductions, see Subsection 9-7-2(a), B.R.C. 1981.
- (i) For side yard setback requirements based on building height, see Section 9-7-2 (b)(8), "Setback Relative to Building Height," B.R.C. 1981.
- (j) The maximum percentage of the third story floor area that can be in any story above the third story standard may not be modified as part of a site review.
- (k) For properties located in the DT-5 and P zoning districts and shown in Appendix I, the minimum setback shall be as required by Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, Table 7-1, Form and Bulk Standards or sixty-five feet measured from the centerline of Canyon Boulevard right-of-way.
- (l) For buildings on nonstandard lots within the RMX-1, RL-1, RE, RR-1, and RR-2 zoning districts, refer to Table 10-1, Maximum Height Formulas, within Section 9-10-3, "Changes to Nonstandard Buildings, Structures and Lots and Nonconforming Uses."
- (m) For setback requirements on corner lots in the DT-5 zoning district, refer to Subsection 9-7-6(c), B.R.C 1981.
- (n) For principal and accessory buildings or structures located on a lot or parcel designated in Appendix L, "Form-Based Code Areas," and subject to the standards of Appendix M, "Form-Based Code," refer to Appendix M, "Form-Based Code," for design standards applicable to such lot or parcel. With the exception of Charter Section 84, "Height limit," and Sections 9-7-3, "Setback Encroachments," and 9-7-5, "Building Heights," 9-7-7, "Building Height, Appurtenances," B.R.C. 1981, the form and bulk standards of this chapter are superseded by the requirements of Appendix M, "Form-Based Code." Building heights in areas designated in Appendix L are not subject to the height limits of Table 9-7, Form and Bulk Standards.

Footnotes to Table 7-1, Form and Bulk Standards:

In addition to the foregoing, the following miscellaneous form and bulk requirements apply to all development in the city:

- (a) On corner lots, use principal building front yard setback where adjacent lot fronts upon the street.
- (b) For zero lot line development, including side yard setbacks from interior lot lines for townhouses, see Subsection 9-7-2(b), B.R.C. 1981.
- (c) The permitted height limit may be modified only in certain areas and only under the standards and procedures provided in Sections 9-2-14, "Site Review," and 9-7-6, "Building Height, Conditional," B.R.C. 1981.
- (d) For buildings over 25 feet in height, see Subsection 9-9-11(c), B.R.C. 1981.

- (e) ~~For other setback standards regarding garages, open parking areas, and flagpoles, see Paragraph 9-7-2(d), B.R.C. 1981.~~
- (f) ~~Where a rear yard backs on a street, see Paragraph 9-7-2(e), B.R.C. 1981.~~
- (g) ~~This maximum height limit applies to poles that are light poles at government-owned recreation facilities but not to other poles. Other poles have a maximum height of 55 feet in all zones. For additional criteria regarding poles, see Section 9-2-14, "Site Review," B.R.C. 1981.~~
- (h) ~~For front yard setback reductions, see Subsection 9-7-2(a), B.R.C. 1981.~~
- (i) ~~For side yard setback requirements based on building height, see Appendix B, "Setback Relative to Building Height," of this title.~~
- (j) ~~The maximum percentage of the third floor area that can be in a fourth story standard may not be modified as part of a site review.~~
- (k) ~~For properties located in the DT-5 and P zoning districts and shown in Appendix I, the minimum setback shall be as required by Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, Table 7-1, Form and Bulk Standards or sixty-five feet measured from the centerline of Canyon Boulevard right of way.~~
- (l) ~~For buildings on nonstandard lots within the RMX-1, RL-1, RE, RR-1, and RR-2 zoning districts, refer to Table 10-1, Maximum Height Formulas, within Section 9-10-3, "Changes to Nonstandard Buildings, Structures and Lots and Nonconforming Uses."~~
- (m) ~~For setback requirements on corner lots in the DT-5 zoning district, refer to Subsection 9-7-6(e), B.R.C. 1981.~~
- (n) ~~For principal and accessory buildings or structures located on a lot or parcel designated in Appendix L, "Form Based Code Areas," and subject to the standards of Appendix M, "Form Based Code," refer to Appendix M, "Form Based Code," for design standards applicable to such lot or parcel. With the exception of Charter Section 84, "Height limit," and Sections 9-7-3, "Setback Encroachments," and 9-7-5, "Building Heights," 9-7-7, "Building Height, Appurtenances," B.R.C. 1981, the form and bulk standards of this chapter are superseded by the requirements of Appendix M, "Form Based Code." Building heights in areas designated in Appendix L are not subject to the height limits of Table 9-7, Form and Bulk Standards.~~

Section 15. Section 9-7-2, "Setback Standards," B.R.C. 1981, is amended to read as

follows:

9-7-2. Setback Standards.

- (a) Front, Rear, and Side Yards: Front, rear, and side yards shall be identified consistent with the yard definition in Section 9-16-1, B.R.C. 1981.

(b) Front Yard Setback Reductions: The front yard setback required in Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, may be reduced for a principal structure on any lot if more than fifty percent of the principal buildings on the same block face or street face do not meet the required front yard setback. The setback for the adjacent buildings and other buildings on the block face shall be measured from the property line to the bulk of the building, excluding, without limitation, any unenclosed porches, decks, patios or steps. The bulk of the building setback shall not be less than the average bulk of the building setback for the principal buildings on the two adjacent lots. Where there is only one adjacent lot, the front yard setback reduction shall be based on the average of the principal building setbacks on the two closest lots on the same block face. (See Figure 7-1 of this section.)

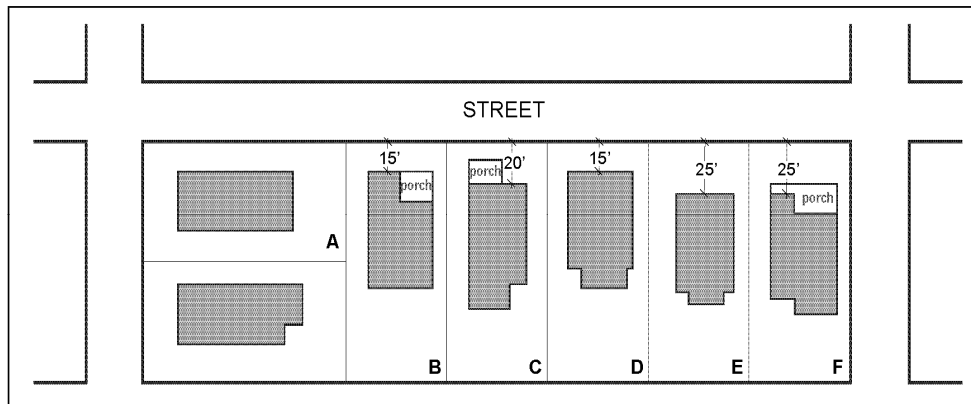


Figure 7-1: Setback Averaging Example

In this example, lots "B" through "F" are the face block. Lot "A" is not included in the face block, as the front of this lot is on a different street. Setback averaging is measured to the bulk of the buildings and does not include porches.

Assuming this block is zoned RL-1, the minimum required front yard setback would be twenty-five feet. The block face shown would qualify for setback averaging, as more than fifty percent of the principal buildings do not meet the required front yard setback. An addition to the front of lot "E" would require the averaging of the setbacks of lots "D" and "F", the two closest buildings on the same block face. In this example the resulting setback would be 20 feet - the average of lot "D" (fifteen feet) and lot "F" (twenty-five feet). An addition to the front of lot "F" would be based on the average of the two closest buildings on the same block face; in this case, lots "D" and "E."

(c) Side Yard Setback Standards:

...

(8) Setback Relative to Building Height: For buildings subject to the side yard setback requirements based on building height, the setback shall be determined consistent with Figure 7-3



Figure 7-3: Setback Relative to Building Height

- (de) Rear Yard Setbacks: Where a rear yard backs on a street, the rear yard shall have a minimum landscaped setback equal to the minimum front yard landscaped setback from a street for all buildings and uses required for that zone.
- (ed) Open Parking Areas, Flagpoles, and Detached Garages and Carports: Open parking areas, flagpoles, and detached garages and carports may be located in compliance with either the required principal building setbacks or accessory building setbacks.
- (fe) Swimming Pools, Spas, and Hot Tubs: Swimming pools, spas, and hot tubs shall be located according to the applicable accessory structure setbacks on a lot except that pools, spas, or hot tubs may be located in compliance with the required front yard principal building setback.
- (gf) Oil and Gas Operations and Other Uses: Oil and gas operations shall be set back from any residential use, residential zone, school, daycare center, hospital, senior living facility, assisted living facility, outdoor venue, playground, permanent sports field, amphitheater, public park and recreation use, or other similar public outdoor facility, but not including trails or City of Boulder open space, in accordance with the standards of Section 9-6-7(b)(2), B.R.C. 1981. No residential use, school, daycare center, hospital, senior living facility, assisted living facility, outdoor venue, playground, permanent sports field, amphitheater, public park and recreation use, or other similar public outdoor facility, but not including trails or City of Boulder open space, shall be located closer than two thousand feet from any single-well well pad of an oil and gas operation in pre-production, closer than two thousand five hundred feet from any multi-well well pad of an oil and gas operation in pre-production, closer than five hundred feet from any well pad of an oil and gas operation in production, and closer than two hundred fifty feet from an oil and gas operation that has been capped and abandoned pursuant to the requirements of Section 9-6-7(b)(16), B.R.C. 1981.

Section 16. Section 9-7-5, "Building Height," B.R.C. 1981, is amended to read as follows:

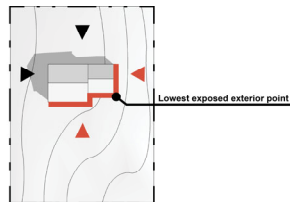
9-7-5. Building Height.

- (b) Measurement of Height: Height shall be measured as the vertical distance from the lowest point within twenty-five horizontal feet of the tallest side of the structure to the uppermost point of the roof or structure. The lowest point shall be calculated using the natural grade. The tallest side shall be that side whose lowest exposed exterior point is lower in elevation than the lowest exposed exterior point of any other side of the building (see Figure 7-43 Measurement of Height).

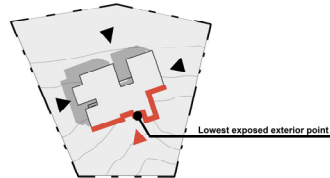
1 DETERMINE TALLEST SIDE

Determine the building side with the lowest exposed exterior point. This is the tallest side per the code.

- When the lowest exposed exterior point is at a corner, all adjoining sides are considered the tallest side.



- Buildings are considered to have four sides, regardless of layout or complexity of design.

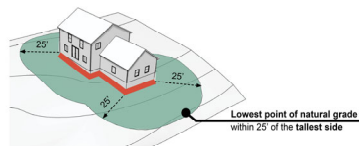


2 FIND LOWEST POINT OF NATURAL GRADE

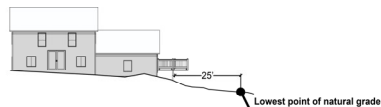
Find the lowest point of natural grade anywhere within 25' of the tallest side.

- Natural grade includes depressions, but does not include features like ditches or pools.

- The lowest point could be off-site on adjacent property or city right-of-way.



- Building additions or elevated building elements like decks or porches are considered part of the building side and may impact the lowest point of natural grade.



3 MEASURE TO UPPERMOST POINT

Measure the height from the lowest point of natural grade to the uppermost point of the roof or structure.

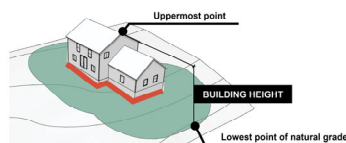
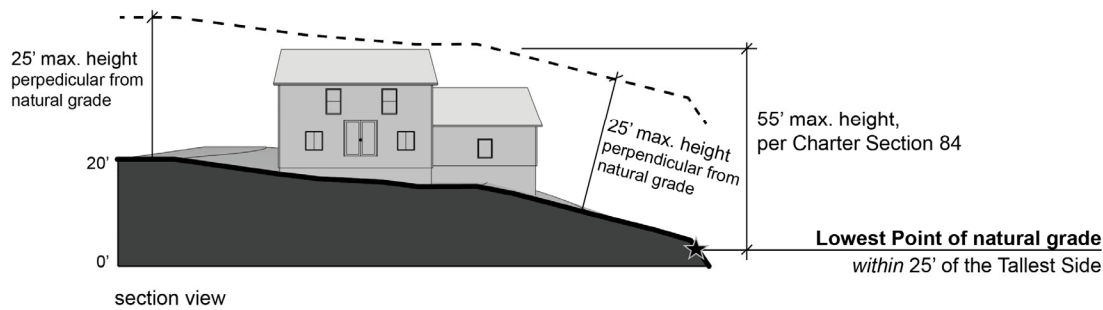


Figure 7-43: Measurement of Height

- (2) Slopes Greater Than Twenty Degrees: On a slope measured within the building envelope created by the required setbacks from property lines that is greater than twenty degrees (36.4 percent slope), the building height may not exceed twenty-five feet measured perpendicular from the natural grade below. (See Figure 7-54 of this section.) However, under no circumstances shall a structure exceed fifty-five feet as measured under charter section 84 except as provided for poles in Section 9-2-14, "Site Review," B.R.C. 1981. The slope percentage shall be calculated by measuring the difference between the high point and the low point within the building envelope and dividing it by the distance between the high and low points.



See section 9-7-5(b)(2), Slopes Greater than Twenty Degrees.

Figure 7-54: Building Height on a Slope Greater than Twenty Degrees

...

(e) Height Calculations for Attached Buildings:

- (1) The following shall be considered separate buildings for the purposes of calculating building height:
 - (A) Buildings that are connected only below grade (see Figure 7-65 of this section).
 - (B) Separate abutting buildings that may have an internal connection (see Figure 7-76 of this section).
 - (C) Buildings built to the common property line that may have an internal connection (see Figure 7-76 of this section).
 - (D) Buildings attached by an at-grade open or enclosed connection not more than fifteen feet high and twelve feet deep (see Figure 7-87 of this section).

...

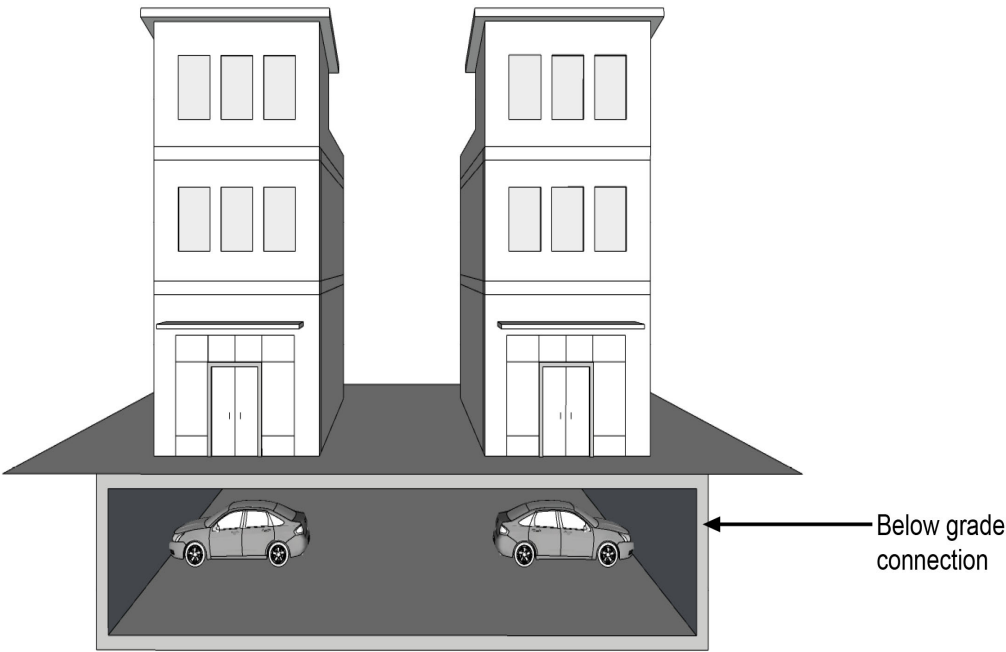


Figure 7-65: Below Grade Connection

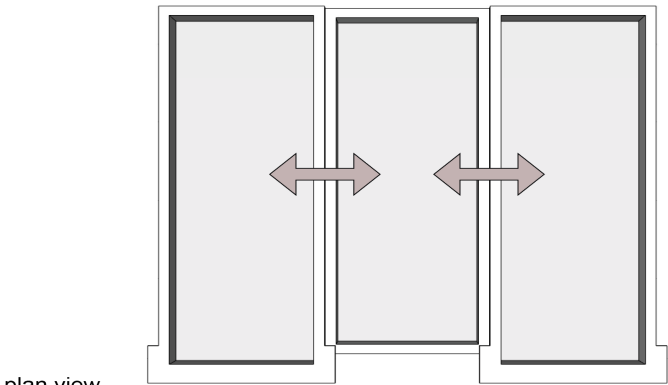


Figure 7-76: Internal Connection

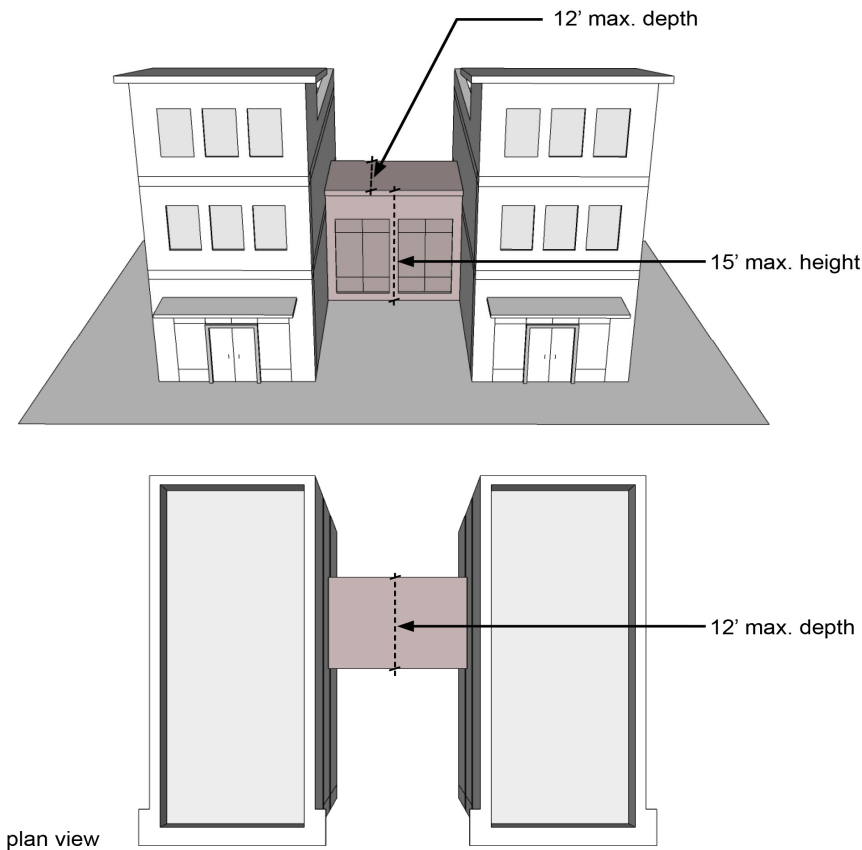


Figure 7-87: At-Grade Open or Enclosed Connection

Section 17. Section 9-7-8, “Accessory Buildings in Residential Zones,” B.R.C. 1981, is amended to read as follows:

9-7-8. Accessory Buildings in Residential Zones.

...

- (c) Breezeway Connections Between Accessory and Principal Buildings: In a residential zoning district, a single-family detached dwelling unit may be connected to an accessory building which is located partially or entirely within principal building rear yard setback by a breezeway if the breezeway meets the following standards:

- (1) No portion of the roof shall exceed a height of twelve feet, measured to the finished grade directly below it, or the height of the accessory building to which it is attached, whichever is less. (See Figure 7-98 of this section.)

...

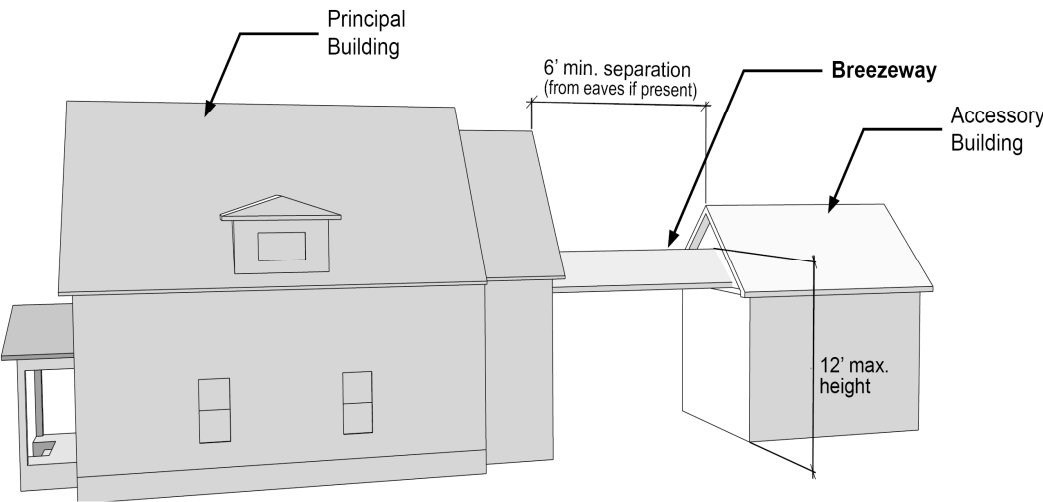


Figure 7-98: Breezeway

Section 18. Section 9-7-9, “Side Yard Bulk Plane,” B.R.C. 1981, is amended to read as follows:

9-7-9. Side Yard Bulk Plane.

- ...
- (c) Measurement standards: The bulk plane is a plane that begins twelve feet above the side lot lines of a lot or parcel, then rises over a slope at a forty-five-degree angle until it reaches the permitted height in the zoning district or intersects with the plane that is created by the lot line on the opposite side of the lot or parcel. See Figure 7-109.

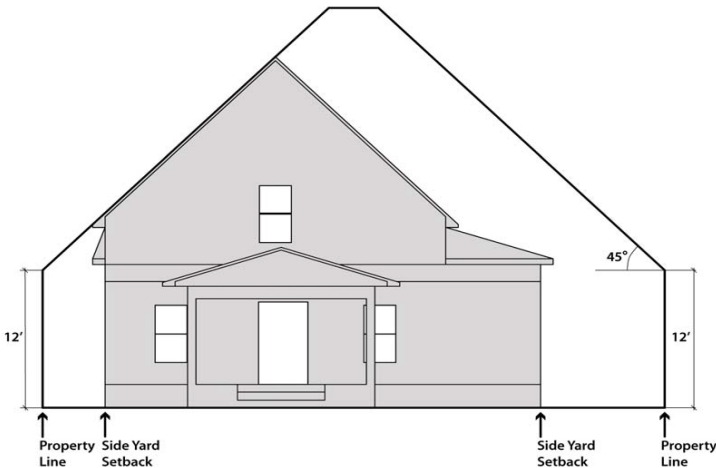


Figure 7-109: Side Yard Bulk Plane

The bulk plane begins at a point twelve feet above the side yard property line and then angles forty-five degrees until the bulk plane reaches the maximum building height or intersects with the plane that is created by the lot line on the opposite side of the lot or parcel.

The bulk plane shall be measured from the points described in Paragraph (1) or (2) below using one of the following methods:

- (1) Grade level point method: The bulk plane shall be measured from the grade level elevation points, which are found along the side property lines, that coincide with location of the midpoint of the lot or parcel, described as points that are equal distance between the front and rear yards. The grade level points shall be as close as possible to the natural grade, and in case a retaining wall is located on the side property line, the ground level point shall be taken from the base of the wall. See Figure 7-110. An applicant may request that the city manager determine the location of the grade level points and corresponding bulk plane for irregularly shaped lots or parcels, including flag lots; or

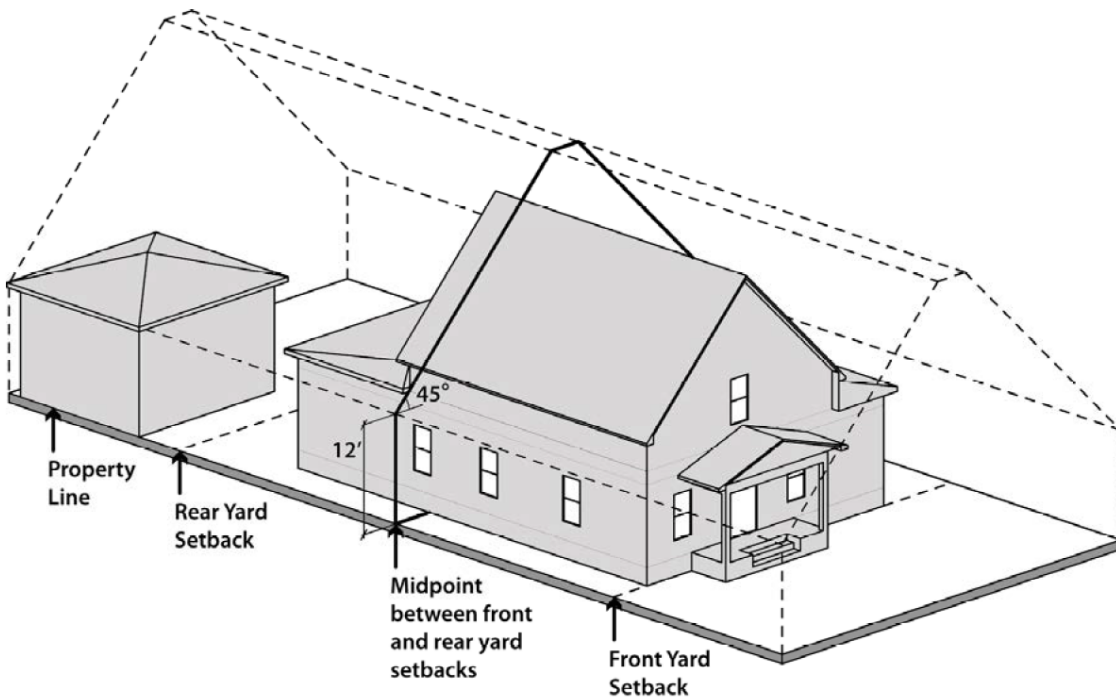


Figure 7-110: Side Yard Bulk Plane Measurement Using the Grade Level Point Method

Using the grade level point method, the bulk plane is measured from the midpoint between the front and rear yard setbacks.

- (2) Parallel points method: The bulk plane shall be measured from a series of measurement points that are separated horizontally by ten feet along the side yard property line. The measurement points shall be as close as possible to the natural

grade, and in case a retaining wall is located on the side property line, the measurement point shall be taken from the base of the wall. See Figure 7-124.

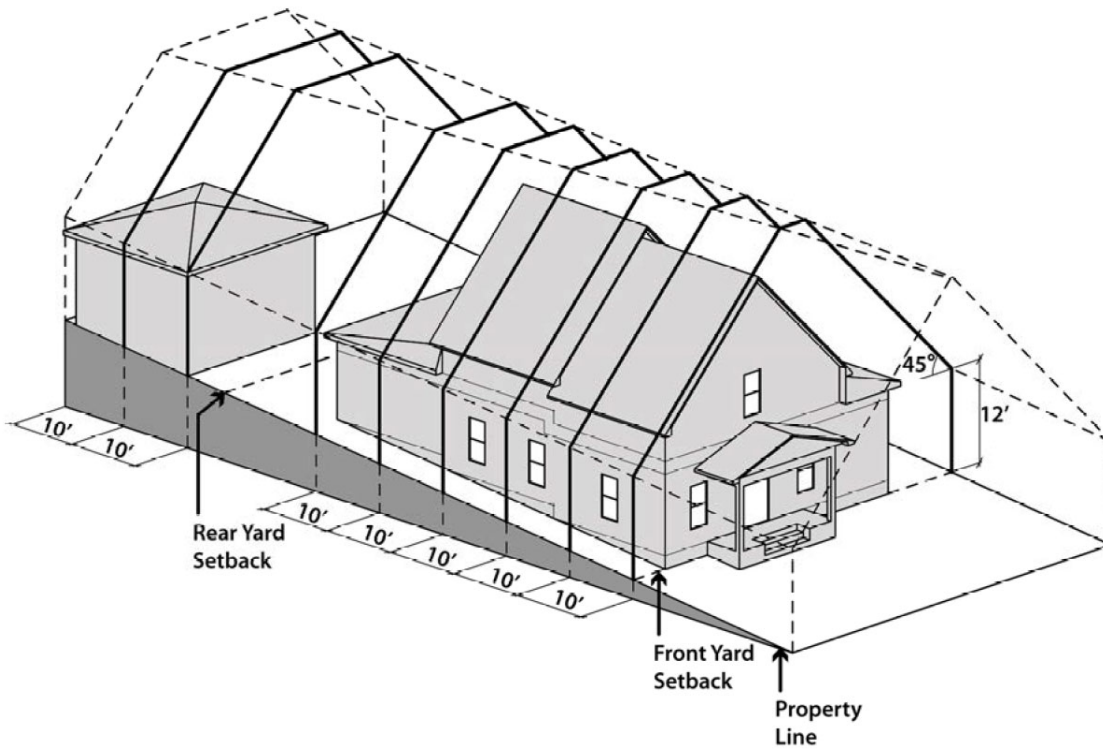


Figure 7-124: Side Yard Bulk Plane Measurement Using the Parallel Point Method

Using the parallel point method, the bulk plane is measured from a series of measurement points that are separated by ten feet along the side yard property line.

(d) Encroachments: No building or portion thereof shall be constructed or maintained beyond the required bulk plane except as provided for below:

...

(4) The gable end of a sloping roof form (see Figure 7-132), provided that:

...

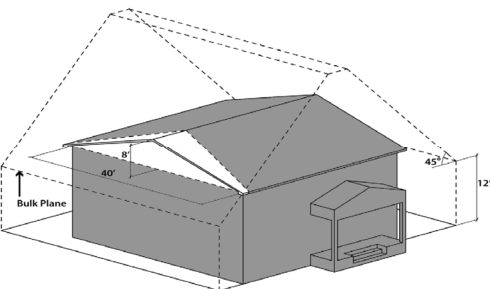


Figure 7-132: Gable Roof End Encroachment into the Side Yard Bulk Plane

The gable end of a sloping roof form may project through the side yard bulk plane by up to eight feet. Gable ends that project through the side yard bulk plane may be no more than forty feet wide.

(5) Dormers (see Figure 7-143), provided that:

(A) The highest point of any dormer is at or below the height of the primary roof ridge.

(B) The portion of any dormer that extends beyond the bulk plane limit does not exceed a maximum width of eight feet, including any roof overhang, and does not extend beyond the bulk plane more than six feet, measured as shown in Figure 7-143.

...

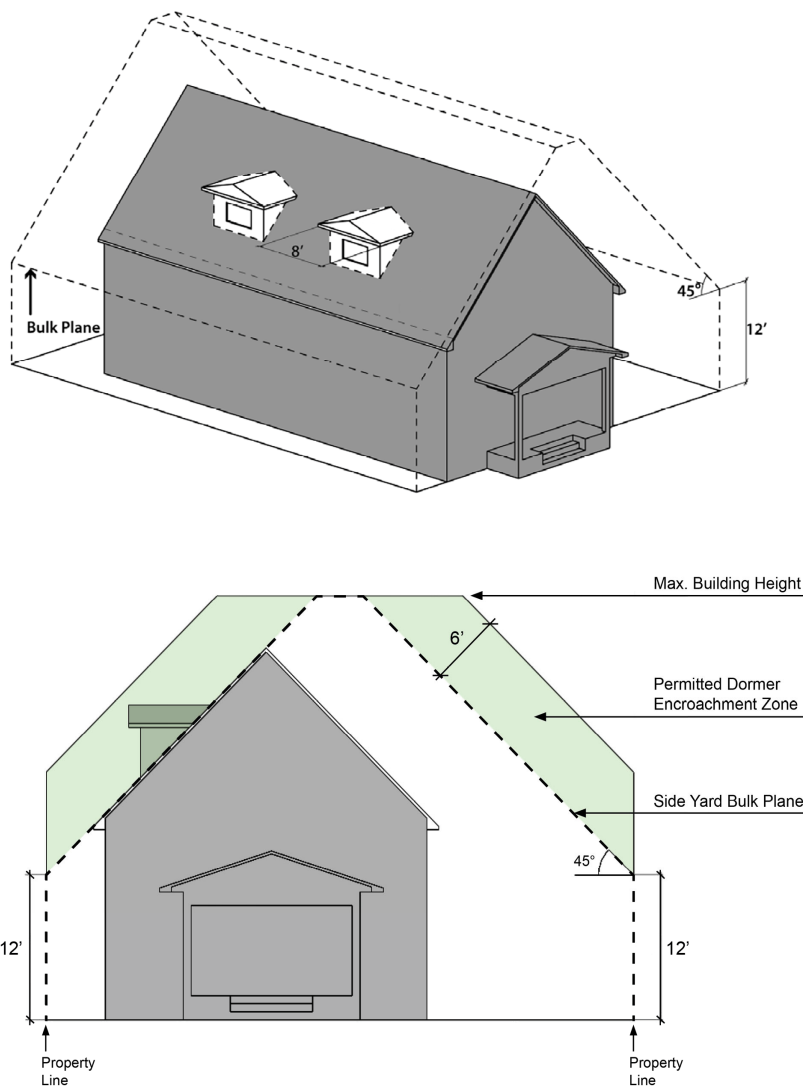


Figure 7-143: Dormer Encroachment beyond the Side Yard Bulk Plane

Section 19. Section 9-7-10, "Side Yard Wall Articulation," B.R.C. 1981, is amended to read as follows:

9-7-10. Side Yard Wall Articulation.

- (c) Side Yard Wall Standards: Along each side yard property line, the cumulative length of any walls that exceed a height of fourteen feet shall not exceed forty feet in length, unless they are set back at least fourteen feet from the side property line (see Figure 7-154). For the purposes of this section, wall height shall be measured from finished grade as follows:

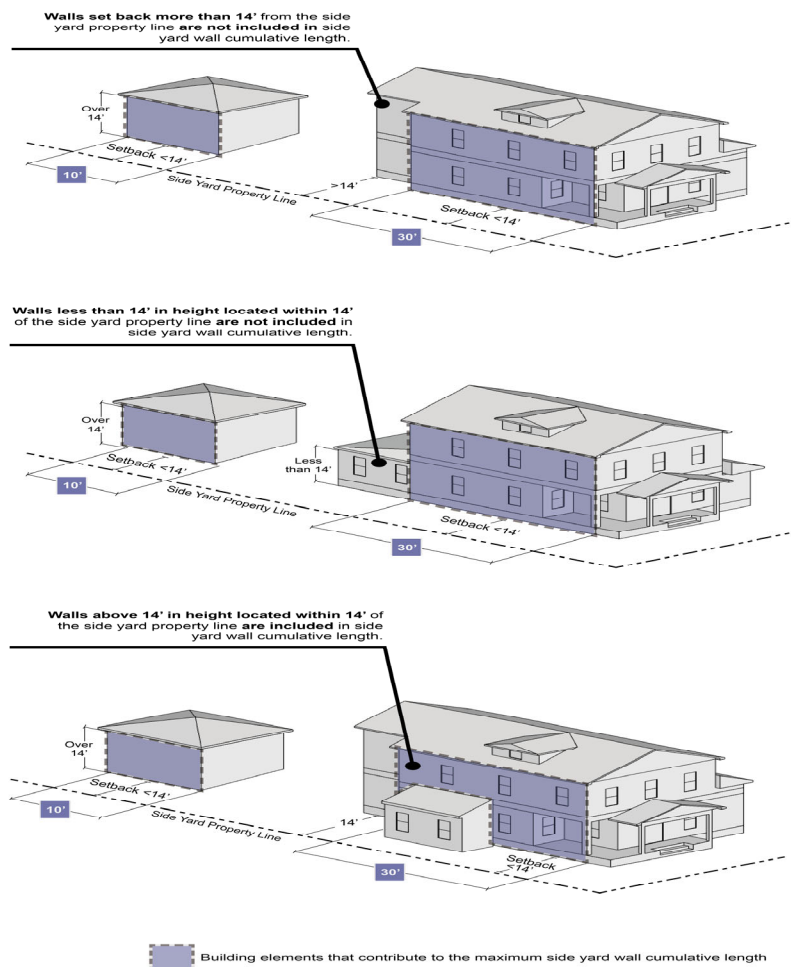


Figure 7-154: Side Yard Wall Length Articulation Examples

Section 20. Section 9-7-13, "Mobile Home Park Form and Bulk Standards," B.R.C.

1981, is amended to read as follows:

9-7-13. Mobile Home Park Form and Bulk Standards.

No person shall establish or maintain a mobile home park or mobile home on a lot within a mobile home park except in accordance with the following standards:

...

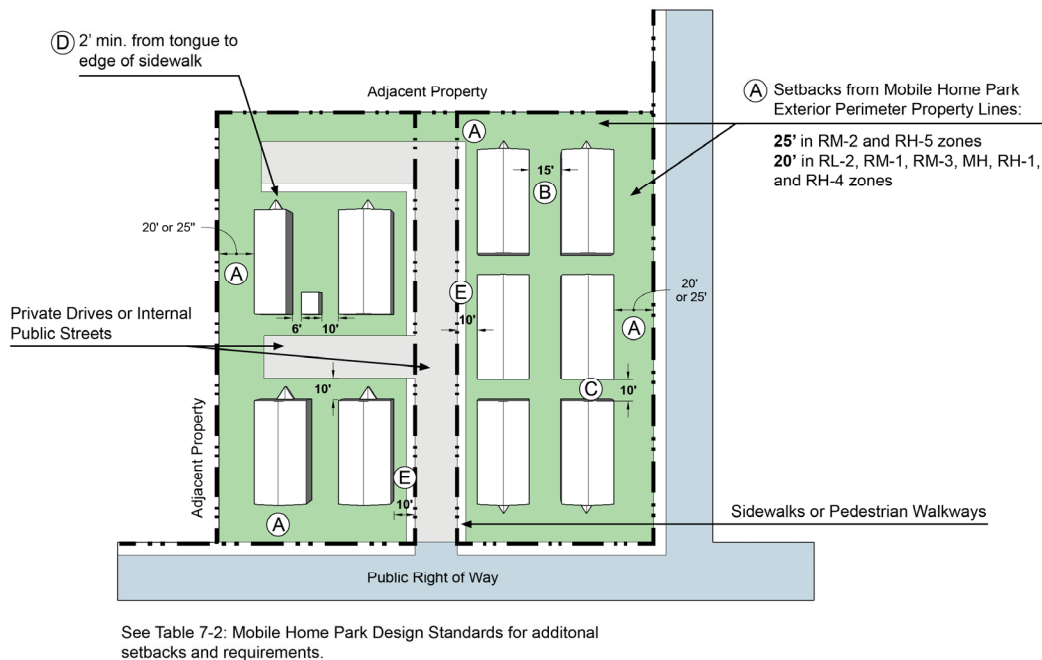


Figure 7-165: Mobile Home Park Setback & Separation Standards

The minimum setback from the exterior perimeter property lines of the mobile home park depends on the zoning district. All other setback requirements apply in all mobile home parks. The required setback from a private drive or internal public street is measured from the edge of pavement. The required tongue setback is measured to the edge of the sidewalk or pedestrian walkway. See Table 7-2 for corresponding setbacks and separation standards.

...

Section 21. Section 9-8-3, "Density in the RR-1, RR-2, RL-1, RMX-1, and RH-7

Districts," B.R.C. 1981, is amended to read as follows:

9-8-3. Density in the RR-1, RR-2, RL-1, RMX-1 AND RH-7 Districts

(a) Duplexes or Two Detached Dwelling Units in the RR-1, RR-2, and RL-1 zoning districts: A duplex or two detached dwelling units may be developed in the RR-1, RR-2, and RL-1 zoning districts if the lot or parcel meets the following standards:

...

(2) Minimum Lot Area: The lot or parcel meets the minimum lot area ~~of the applicable zoning district~~ established in Table 8-1, "Intensity Standards," for the zoning district or the lot or parcel is a nonstandard lot that is smaller than meets the minimum lot area established in Table 8-1 for the zoning district and size established for development of such lot in Subsection 9-10-3(b), "Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses," B.R.C. 1981, the following requirements are met:

(A) The building or buildings meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, and

(B) In the RR-1 and RR-2 zoning districts, the lot or parcel is at least 7,500 square feet, or

(C) In the RL-1 zoning district, the lot or parcel is at least 3,500 square feet.

...

Section 22. Section 9-9-2, "General Provisions," B.R.C. 1981, is amended to read as follows:

9-9-2. General Provisions.

No person shall use or develop any land within the city except according to the following standards, unless modified through a use review under Section 9-2-15, "Use Review," B.R.C. 1981, or a site review, Section 9-2-14, "Site Review," B.R.C. 1981, or a variance granted under Section 9-2-3, "Variances and Interpretations," B.R.C., 1981.

...

(d) Zoning Standards for Lots in Two or More Zoning Districts:

(1) Uses: Existing buildings located in more than one zoning district shall ~~be regulated according to the~~ meet the applicable use standards for the zoning district in which the majority of the existing building is located. ~~Any building additions or site improvements shall be regulated according to the zoning district in which such additions or improvements are located. In the event that~~ If an existing

building is split in half between two zoning districts, the city manager shall determine which zoning district's use standards shall apply based upon the historic use of the building and the character of the surrounding area.

(2) Form, Bulk, and Intensity: On lots or parcels located in two or more zoning districts, any building additions or site improvements shall meet the form, bulk, and intensity standards of the zoning district where additions or improvements are located.

(e) Entire Use Located on One Lot: All lot area, open space, off-street parking area, or yard requirements must be met on the lot or parcel creating the requirement for each building and use ~~No person shall include as part of a lot area, open space, off-street parking area, or yard required by this title for any building or use any part of a lot area, open space, off-street parking area, or yard required by this title for any other building or use, unless modified~~ approved under the provisions of Section 9-2-14, "Site Review," B.R.C. 1981.

Section 23. Section 9-9-5, "Site Access Control," B.R.C. 1981, is amended to read as follows:

9-9-5. Site Access Control.

...

(c) Standards and Criteria for Site Accesses and Curb Cuts: Any access or curb cut to public rights of way shall be designed in accordance with the City of Boulder Design and Construction Standards and the following standards and criteria:

...

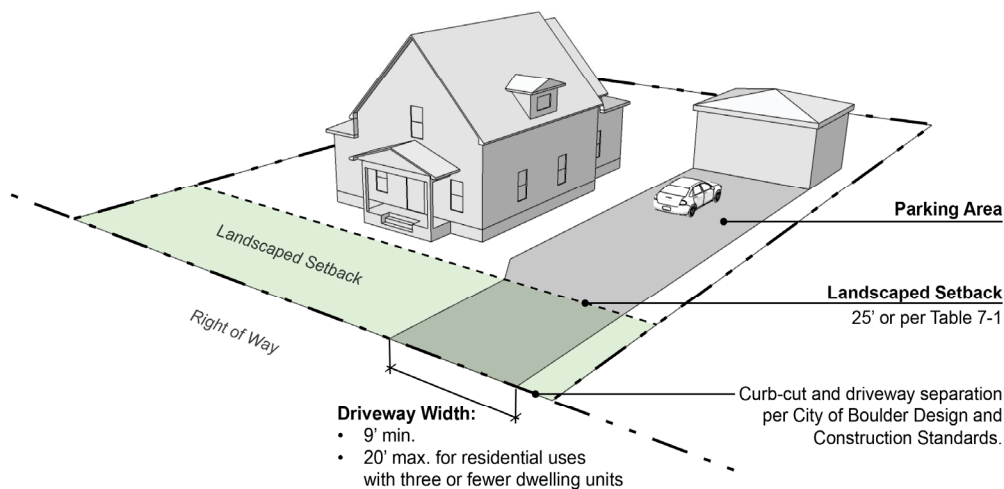


Figure 9-1: Driveway Width

(9) Modification: The standards of this section may be modified under the process of Section 9-2-14, "Site Review," B.R.C. 1981.

(10) Exceptions: The city manager may grant an exception to the requirements of this section ~~may be modified~~ under the provisions of Section 9-2-14~~2~~, "Site Administrative Review," B.R.C. 1981, to provide for safe and reasonable access. Exceptions to this section may be made if the city manager determines that following criteria are met:

...
Section 24. Section 9-9-6, "Parking Standards," B.R.C. 1981, is amended to read as follows:

9-9-6. Parking Standards.

(a) Rationale: The intent of this section is to provide adequate off-street parking for all uses, to prevent undue congestion and interference with the traffic carrying capacity of city streets, and to minimize the visual and environmental impacts of excessive parking lot paving.

...

TABLE 9-4: USE SPECIFIC MOTOR VEHICLE PARKING REQUIREMENTS FOR NONRESIDENTIAL USES IN ALL ZONES

<i>Use</i>	<i>Parking Requirement</i>
Large daycare (less than 50 children)	Determined through review; parking needs of the use must be adequately served through on-street or off-street parking
Nonresidential uses in General Improvement Parking Districts	No parking required
Restaurant, brewpub, or tavern - outside of retail centers greater than 50,000 square feet	Indoor Seats: 1 space per 3 seats.
	Outdoor Seats:
	1. If outdoor seats do not exceed 20% of the indoor seats, no additional parking is required.
	2. For the portion of the outdoor seats exceeding 20% of indoor seats: 1 space per 3 seats.
	3. Notwithstanding the requirements of (1) and (2) above, the following applies to uses that are

		nonconforming as to parking for indoor seats and the sole principal use of the site: No additional parking is required if the number of outdoor seats does not exceed 60% of the existing number of parking spaces on the site.
	Retail centers over 50,000 square feet of floor area that:	Less than 30 percent of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 250 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.
	i) Are under common ownership, or	
	ii) management, or	30 percent or more and less than 60 percent of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 175 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.
	iii) Are approved through a common site review approval, and	
	iv) Contain a mix of some or all of the following uses: retail, commercial, office, restaurants, brewpubs, and taverns, which	
	v) together comprise more than 50 percent of the total floor area, and	60 percent or more of the total floor area is occupied by restaurants, taverns, or brewpubs: 1 space per 100 square feet of floor area for retail, commercial, and office uses and restaurants, brewpubs, and taverns.
	vi) Where written consent of all property owners within the retail center are included with the application.	This use-specific parking standard shall not apply to other uses for which a use-specific parking standard is created in this Table 9-4 or to uses other than retail, commercial, and office uses, restaurants, brewpubs, and taverns. For those uses, parking shall be provided as required for each such use under this Section 9-9-6, B.R.C. 1981, and in addition to the requirement above.
	Restaurants in a regional park	Determined through review; parking needs of the use must be adequately served through on-street or off-street parking.
	Motels, hotels, and bed and breakfasts	1 space per guest room or unit, plus required spaces for nonresidential uses at 1 space per 300 square feet of floor area
	Theater	Greater of 1 parking space per 3 seats, or the parking ratio for the zone district
	Fuel service station	General ratio for the use zone plus storage of 2 vehicles per service bay
	Religious assembly:	(See Paragraph (f)(38)(C) of this section for permitted parking reductions)
	a. Religious assemblies created prior to 9/2/1993	1:300
	b. Religious assemblies created after 9/2/1993	1 space per 4 seats, or 1 per 50 square feet of assembly area if there are no fixed seats - assembly area includes

		the largest room plus any adjacent rooms that could be used as part of the assembly area
c. Uses accessory to a religious assembly and created after 9/2/1993		Uses accessory to the religious assembly shall meet the standards applicable to the use as if the use is a principal use
d. Total parking of a religious assembly and accessory uses created after 9/2/1993		Parking for the religious assembly use and any accessory use shall be for the use which has the greatest parking requirement
Small recycling collection facility		1 space for attendant if needed
Large recycling collection facility		General parking ratio for the zone plus 1 space for each commercial vehicle operated by the facility
Recycling processing facility		Sufficient parking spaces for a minimum of 10 customers, or the peak load, whichever is greater, plus 1 space for each commercial vehicle operated by the facility
Warehouse or distribution facility or uses in industrial zones with accessory warehouse spaces		1 space per 1,000 square feet of floor area used for warehousing or storage of goods, merchandise, or equipment. Parking for floor area used for associated office space or production areas and not for warehousing or storage as outlined above shall be provided consistent with Table 9-3.
Self-service storage facility		3 spaces for visitor parking, plus parking for any floor area used as office space or otherwise not used for self-service storage shall be provided consistent with Table 9-3.
Airport and aircraft hangers		1 space per outside airplane or glider tie down space;
		1 space per 1,000 square feet of floor area of private airplane hangar space (with or without external or internal walls);
		1 space per 2,000 square feet of floor area of commercial or executive airplane hangar space; and
		Parking for floor area used as office space or otherwise not used for airport hanger shall be provided consistent with the requirements of Table 9-3.

...

(d) Motor Vehicle Parking Design Standards:

...

(3) Drive Aisles:

- (A) There is a definite and logical system of drive aisles to serve the entire parking area. Drive aisles shall have a minimum eighteen-foot width clearance for two-way traffic and a minimum ~~ten-foot~~ ten-foot width clearance for one-way traffic unless the city manager finds that the parking stalls to be served require a greater or lesser width. A physical separation or barrier, such as vertical curbs, may be required in order to separate parking areas from the travel lanes. (See Figure 9-4 of this section.)

...

Section 25. Section 9-9-11, "Useable Open Space," B.R.C. 1981, is amended to read as follows:

9-9-11. Useable Open Space.

- (a) Purpose of Open Space: The purpose of useable open space is to provide indoor and outdoor areas for passive and active uses to meet the needs of the anticipated residents, tenants, employees, customers and visitors of a property, and to enhance the environment of a development or building. Open space can be used to:

...

- (b) Open Space Requirements: Open space shall be provided in the quantities specified in Cchapter 9-8, "Intensity Standards," B.R.C. 1981.

...

- (c) Types of Useable Open Space: Useable open space includes:

...

- (5) Exterior paved surfaces, except public sidewalks less than five feet in width and those paved areas specifically prohibited in subsection (i) of this section, may be used as open space subject to meeting the following additional standards:

...

- (B) The paved areas shall be accessible and open for use by the tenants, occupants or visitors of the building. To enhance the use of such areas, the paved areas shall include passive recreation amenities which include, without limitation, benches, tables, outdoor short-term bicycle parking areas, ornamental lighting, sculpture, landscape planters or movable planting containers, trees, tree grates, water features, or active recreation

amenities which include, without limitation, areas for basketball, volleyball or racquet sports.

(f) Special Open Space Requirements Applicable to Residential Uses: Useable open space for residential uses also includes:

...

(6) In the BMS, MU, IMS, ~~and BR-2~~, and DT zoning districts, individual balconies, decks, porches and patio areas that will not be enclosed count one hundred percent toward the private open space requirement, provided that such balcony, deck, porch or patio is not less than seventy-two inches in any dimension nor less than sixty square feet in total area. In the BR-2 zoning district, the dimensions and locations of private open space may be varied if the private open space adequately meets the needs of the occupants of the dwelling units and is approved as part of a site review pursuant to section 9-2-14, "Site Review," B.R.C. 1981.

...

Section 26. Section 9-10-3, "Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses," B.R.C. 1981, is amended to read as follows:

9-10-3. Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses.

Changes to nonstandard buildings, structures, or nonstandard lots and nonconforming uses shall comply with the following requirements:

(a) Nonstandard Buildings and Structures:

...

(2) Maintaining a Nonstandard Setback: If a foundation and the exterior walls above it that encroach into a required setback are removed and replaced, such foundation and wall shall be reconstructed in compliance with Chapter 9-7, "Form and Bulk Standards," B.R.C. 1981. As part of any activity requiring a building permit, in order to maintain a nonstandard setback, at a minimum, the applicant shall:

(A) Retain the exterior wall and the existing foundation that it rests upon. The exterior wall shall, at a minimum, retain studs and retain either the inner or exterior sheathing of the exterior wall. Interior sheathing includes, without limitation, plaster, ~~dry wall~~ drywall, or paneling; or

...

(b) Nonstandard Lots or Parcels:

- (1) Development Requirements: Vacant or parcels lots in all residential districts ~~except RR-1 and RR-2 which~~ that are smaller than the minimum lot size area indicated in Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981, ~~but larger than one-half of the required zoning district minimum lot size,~~ may be developed with a detached dwelling unit or, if in the RR and RL-1 zoning districts, pursuant to the standards in Subsection 9-8-3(~~ab~~), "Density in the RR-1, RR-2, RL-1, RMX-1, and RH-7 Districts," B.R.C. 1981, with a duplex or two detached dwelling units, if the following criteria are met:
- a. The building or buildings meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981; and
- b. In RR-1 and RR-2 districts, the lots or parcels is at least 7,500 square feet, or which are smaller than the minimum lot size but larger than one-fourth of the minimum lot size may be developed with a detached dwelling unit or, pursuant to the standards in subsection 9-8-3(b), with a duplex or two detached dwelling units, if the building or buildings meet the setback requirements.
- c. In all other zoning districts, the vacant lots which are is below- at least one-half of the required minimum lot size area for the zoning district shall not be eligible for construction of principal buildings.

...

Section 27. Section 9-12-5, "Minor Subdivision," B.R.C. 1981, is amended to read as follows:

9-12-5. Minor Subdivision.

- (a) Scope: A minor subdivision is a division of residentially zoned land that is already served by city services, will not require ~~the extension of streets or any~~ public improvements and will not result in more than one additional lot.
- (b) Standards for Minor Subdivisions: The approving authority will approve a minor subdivision after finding that the following standards have been met: ~~Limitations: The provisions of this section shall not apply to a replat that:~~
- (1) The land is in a residential zoning district described in Section 9-5-2, "Zoning Districts," B.R.C. 1981;
- (2) The resulting lots will contain either no more than two detached dwelling units or one duplex per lot as allowed under this title;

- 1 (3) The division of land will create no more than one additional lot;
- 2 (41) The subdivision does not r~~Requires any modifications-waivers pursuant to~~
3 Subsection 9-12-12(b), "Standards for Lots and Public Improvements Waiver of
4 Lot Standards," B.R.C. 1981;
- 5 (52) The subdivision does not r~~Requires the dedication of public or private access~~
6 easements or public right-of-way for new streets, alleys or shared access
7 driveways;
- 8 (63) The subdivision does not r~~Requires the extension of a construction of any public~~
9 improvement such as a street, alley, sidewalk, water main or sewer main;~~or~~
10 requires any engineering plans, including but not limited to drainage reports for
11 any public or private improvement;
- 12 (7) The subdivision does not require a drainage report for any public or private
13 improvement;
- 14 (84) The subdivision is not~~Is~~ located on lands containing slopes of fifteen percent or
15 greater;
- 16 (95) The subdivision does not r~~Requires the removal of an existing principal building;~~
17 or
- 18 (10) If the minor subdivision is a replat of a previously approved subdivision, the
19 document is named with the same name as that part of the original subdivision
20 and indicates that it is a replat of the original subdivision. Newly adjusted or
21 created lots are designed to adequately indicate that original lot lines have been
22 adjusted with a similar lot name;
- 23 (11) The lots and existing structures will comply with the lot standards of Section 9-
24 12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar
25 access requirements of Section 9-9-17, "Solar Access," B.R.C. 1981; and
- 26 (12) No portion of the property is located in the high-hazard zone or the conveyance
27 zone.
- 28 (6) ~~Is located in a nonresidential zone district described in Section 9-5-2, "Zoning~~
29 ~~Districts," B.R.C. 1981.~~
- 30 (c) Application Requirements: The subdivider shall submit to the City the following items:
- 31 (1) An application for a minor subdivision on a form provided by the city manager
32 and the fee prescribed by Section 4-20-43, "Development Application Fees,"
33 B.R.C. 1981;

- (2) A preliminary plat meeting all of the requirements of Section 9-12-6, "Application Requirements for a Preliminary Plat," B.R.C. 1981;
 - (3) A final plat meeting all of the requirements of Section 9-12-8, "Final Plat," B.R.C. 1981;
 - (4) A title commitment or attorney memorandum based upon an abstract of title, current as of the date of submitting the minor subdivision;
 - (5) A lot line and boundary verification required by Section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, if the requirements of Section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, have not been met on the original plat; and
 - (6) A shadow analysis for any existing buildings that is drawn in compliance with Section 9-9-17, "Solar Access," B.R.C. 1981, and any other standards as may be required by the city manager.
- (d) Notice Requirements: The subdivider shall satisfy the notice requirements in section 9-12-7, "Staff Review and Approval of Preliminary Plat," B.R.C. 1981.
- ~~(e) Standards for Minor Subdivisions: The city manager will approve the minor subdivision after finding that the following standards have been met:~~
- ~~(1) The land is in a residential zoning district described in Section 9-5-2, "Zoning Districts," B.R.C. 1981;~~
 - ~~(2) The division of land will create no more than one additional lot;~~
 - ~~(3) The division of land will not require the extension of any public improvements, including, without limitation, the extension of roads or utilities to serve the property;~~
 - ~~(4) If the minor subdivision is a replat of a previously approved subdivision, the document shall be named with the same name as that of the original subdivision and shall indicate thereon that it is a replat of the original subdivision. Newly adjusted or created lots shall be designated to adequately indicate that original lot lines have been adjusted with a similar lot name; and~~
 - ~~(5) The lots and existing structures will comply with the lot standards of section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar access requirements of section 9-9-17, "Solar Access," B.R.C. 1981.~~
- ~~(f) Existing Streets or Alleys, Dedication and Vacation of Easements: Right-of-way necessary to bring an existing street or alley up to a current City standard, or public easements for utilities or sidewalks may be dedicated on a minor subdivision plat. The City may approve the vacation of City utility easements on the replat.~~
- (g) Minor Subdivision Review Procedure: If the final plat and the required plans, specifications, agreements, and guarantees meet the requirements of this code, the City of

Boulder Design and Construction Standards, and other ordinances of the City or requirements determined by the city manager to be necessary to protect the public health, safety, or welfare, the manager shall approve the final plat in accordance with the procedure set forth in Section 9-12-10, "Final Plat Procedure," B.R.C. 1981. ~~If there are no public improvements associated with the minor subdivision, the city manager can waive the requirements for a subdivision agreement. A subdivision agreement is not required for a minor subdivision.~~

Section 28. Section 9-14-8, "Definitions," B.R.C. 1981, is amended to read as follows:

9-14-8. DEFINITIONS

The definitions in Chapter 1-2, "Definitions," and Chapter 9-16, "Definitions, B.R.C. 1981, apply to this chapter unless a term is defined different in this chapter or the context clearly indicates otherwise. For the purposes of this chapter, the following terms shall have the following meanings:

(c) **Coverage, Impervious.** Impervious coverage means the percentage of a lot or parcel developed with principal or accessory structures or other impervious surfaces.

(d) **Coverage, Semi-pervious.** Semi-pervious coverage means the percentage of a lot or parcel developed with semi-pervious surfaces.

(ee) **Expression Line.** Expression line means an architectural feature consisting of a decorative, three-dimensional, linear element, horizontal or vertical, protruding or recessed at least two inches from the exterior facade of a building. Vertical elements may include a column, pilaster, or other vertical ornamentation. Horizontal elements may include a cornice, belt course, molding, string courses, canopy, balcony, or other horizontal ornamentation and projections. Expression lines are typically utilized to delineate the top or bottom of floors or stories of a building or divide a facade into smaller sections. Expression lines are also subject to the following:

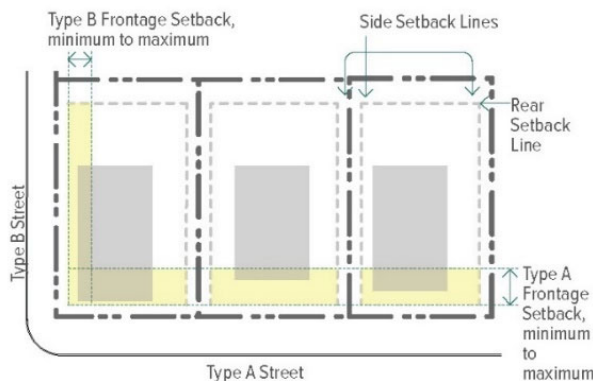


Figure 14-10. Minimum and Maximum Frontage Setback Lines

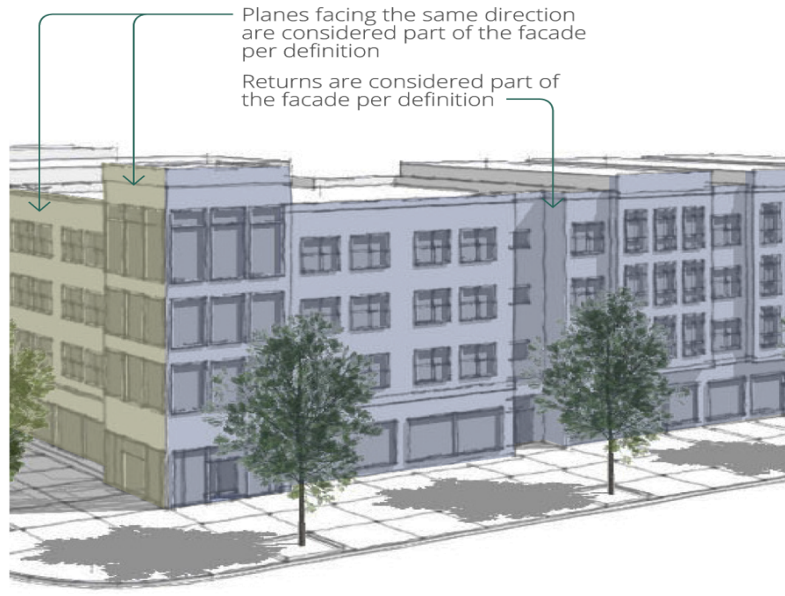


Figure 14-11. Facade Definition

- (f) **Facade.** Facade means the exterior walls of a building exposed to public view and includes walls as shown in Figure 14-11. Facade Definition.
- (g) **Frontage Setback.** Frontage setback means a minimum and maximum setback and is the area in which the facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The frontage setback dictates the minimum and maximum distance a structure may be placed from a lot or parcel line, easement, or outdoor space in accordance with the measurement requirements of Subsection 9-14-2(b), Frontage Setback,” B.R.C. 1981. Refer to Figure 14-10. Minimum and Maximum Frontage Setback Lines, and Figure 14-11. Facade Definition.
- ~~(f) **Impervious Site Coverage.** Impervious site coverage means the percentage of a lot or parcel developed with principal or accessory structures and other surfaces that prevent the absorption of stormwater into the ground, including without limitation, driveways, sidewalks, and patios.~~
- (h) **Major Material.** Major material means a façade material meeting the standards for major materials established in Section 9-14-28 "Façade Materials," B.R.C. 1981.
- (i) **Minor Material.** Minor material means a façade material meeting the standards for minor materials established in Section 9-14-28, "Façade Materials," B.R.C. 1981.
- (j) **Mobility Hub.** Mobility hub means a designated, easily accessible outdoor space where people can access and transfer between multiple transportation modes, such as public transit, bike share, ride-share, taxis, and micromobility devices.

- (kj) **Occupied Building Space.** Occupied building space means interior building spaces regularly occupied by the building users. It does not include storage areas, utility space, vehicle service areas, parking, or other uninhabitable spaces.
- (lk) **Parking Yard.** Parking yard means an area extending from the rear building facade to the rear property line between the side yards or, on a corner property, between the street adjacent side and side yards. Parking yards are fully screened from Type A frontages by the building and do not extend to any side lot line or street lot line.
- (ml) **Paseo.** Paseo means a path designed for use by pedestrians and by vehicles that may generally be operated on a sidewalk in the city. The paseo is located mid-block, allowing pedestrian movement through the block from one street to another without traveling along the block's perimeter.
- ~~(m) **Permeable Surface.** Permeable surface means a surface that allows water and air to permeate through it, for example, soil or a semi-pervious material.~~
- (n) **Porch.** Porch means a roofed, raised structure at the entrance to the building, providing a transition between the interior of the building and the exterior yard or adjacent sidewalk. Refer to Figure 14-12. Example of a Porch.
- (o) **Public Way.** Public way means streets, paseos, and multi-use paths, but not alleys.
- ~~(p) **Semi-Pervious Surface or Material.** Semi-pervious surface or material means a material such as pervious pavers, permeable asphalt and concrete, or a green roof that allows for absorption of water into the ground or roof.~~

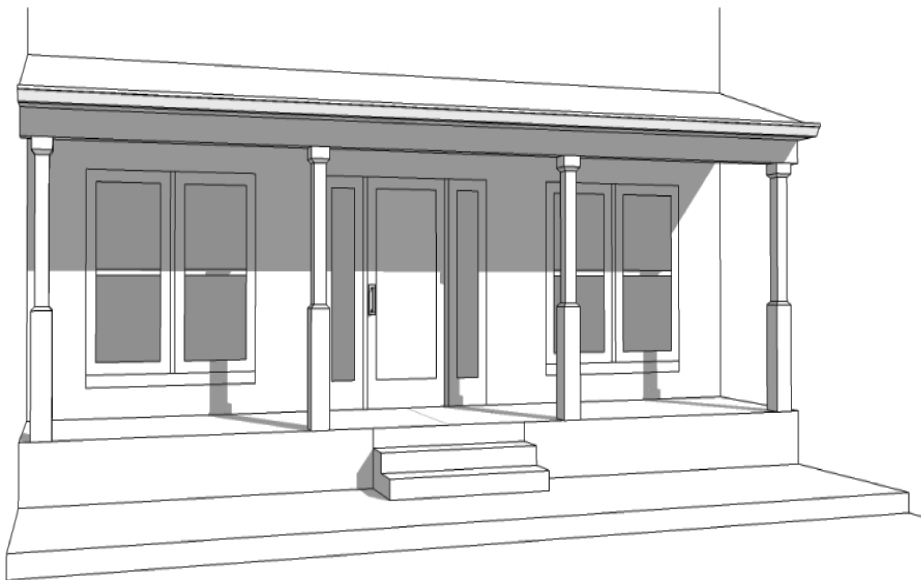


Figure 14-12. Example of a Porch



Figure 14-13. Example of a Stoop

- (pq) **Stoop.** Stoop means an elevated or at grade platform entranceway at the door to a building, providing a transition between the interior of the building and the sidewalk outside the building. A stoop may be covered by a canopy or awning. Refer to Figure 14-13. Example of a Stoop.
- (qr) **Story, Ground.** Ground story means the first floor of a building that is level to or elevated above the finished grade on the front and corner facades. The ground story excludes basements or cellars. Refer to Section 9-16-1, "General Definitions," B.R.C. 1981, for a definition for basement.
- (rs) **Story, Half.** Half story means either a story in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with windows or doors facing the street.
- (st) **Story, Upper.** Upper story means a story located one story or more above the ground story of a building.
- (tw) **Streetwall.** Streetwall means the portion of the building façade that is located generally parallel to and facing the street right-of-way line. Refer to definition of facade.
- (uv) **Street Yard.** Street yard means any yard located between the principal building and a street right-of-way.
- (v) **Surface, Permeable.** Permeable surface means a non-paved, landscape surface that allows water and air to freely permeate to the ground including, without limitation, soil, mulch, turf, and planting areas.

(w) **Surface, Semi-Pervious.** Semi-pervious surface means a porous surface or material that allows for water to pass through the soil including, without limitation, permeable pavers, permeable concrete, and a green roof.

(x) **Surface, Impervious.** Impervious surface means solid surface or material that prevents the absorption of water into the soil including, without limitation, asphalt, concrete, and building elements designed to shed water.

(yw) **Transparency.** Transparency means the measurement of the percentage of a facade that has highly transparent, low reflectance windows with

(1) on a storefront base, a minimum sixty percent transmittance factor and a reflectance factor of not greater than 0.25, and

(2) on any façade other than a storefront base, a minimum fifty percent transmittance factor and a reflectance factor of not greater than 0.25.

(zx) **Type A Frontage.** Type A frontage means a frontage along a Type A street or other feature as defined in this chapter that receives priority over other frontages in terms of locating principal entrances, prioritizing facade design elements, and incorporating design requirements associated with pedestrian orientation.

(ay) **Type A Street.** Type A street means a street designated on the regulating plan that receives priority over other streets in terms of setting front lot lines and locating building entrances.

(abz) **Type B Frontage.** Type B frontage means a frontage along a Type B street or other feature as defined in this chapter that allows for a lower level of facade treatment as well as permits limited locations for garage and parking lot driveway entrances.

(aca) **Type B Street.** Type B street means a street designated on the regulating plan that receives lower priority than Type A street in terms of building frontage and facade requirements; it allows for a lower level of facade treatment as well as permits locations for garage and parking lot driveways entrances.

(adb) **Type C Frontage.** Type C frontage means a frontage along a Type C street or other feature as defined in this chapter that allows for a lower level of façade treatment as well as typically permits limited locations for multiple garage and parking lot driveway entrances.

(aee) **Type C Street.** Type C street means a street designated on the regulating plan that receives lower priority than Type A and Type B street in terms of building frontage and facade requirements.

(afd) **Visible Basement.** Visible basement means a half story partially below grade and partially exposed above.

(age) **Yard Definition.** Yard is defined in Section 9-16-1, “General Definitions,” B.R.C. 1981. For the purposes of this chapter, the following standards shall supplement and, where inconsistent, supersede the definition of Section 9-16-1, B.R.C. 1981:

...

Section 29. Section 9-14-10, “Streetscape and Paseo Design Requirements,” B.R.C. 1981, is amended to read as follows:

9-14-10. STREETSCAPE AND PASEO DESIGN REQUIREMENTS

(a) **General Requirements.** In addition to the requirements of the Boulder Revised Code and the City of Boulder Design and Construction Standards, the streetscape of all new and existing streets, and the design of all paseos and enhanced paseos shall meet the standards of this section.

...

(3) **Additional Design Requirements.** The streetscape and paseo design shall meet the following standards:

...

(D) **Permeable Surface Area for Trees.** For each tree planted, permeable surface area shall be provided meeting the minimum size requirements established in Table 14-1. Permeable surface means the ground surface above the tree’s critical root area that allows water and air to penetrate down to the roots.

(i) Per Tree. Permeable surface area for one tree shall not count towards that of another tree.

(ii) Suspended Pavement System. When the required permeable surface area of a tree extends below any ~~non-permeable~~ impervious hardscape, a modular suspended pavement system, such as (Silva Cells, Root Space, or an ~~approved~~ approved-equivalent system.) shall be used below that hardscape to ensure root growth and access to air and water.

...

Section 30. Section 9-14-11, “Site Design Requirements,” B.R.C. 1981, is amended to read as follows:

9-14-11. SITE DESIGN REQUIREMENTS

(a) **Site Access.** Site access locations shall be consistent with Section 9-9-5, "Site Access Control," B.R.C. 1981, except as modified below:

...

(b) **Street Yard Design.** Street yards, including courtyards and streetscape plazas designed to meet the requirements of Subsection 9-14-14(h), "Required Streetwall Variation," B.R.C. 1981, shall be designed consistent with the following:

...

(3) **Trees.** At least one tree is planted for every 1,000 square feet of any street yard, courtyard, or streetscape plaza area, located in planting areas or tree wells. Street yard trees meet the minimum permeable surface area requirements in Paragraph 9-14-10(a)(3)(D), B.R.C. 1981.

...

(c) **Yards and Setbacks.** Setbacks and yards, with the exception of street yards, courtyards, street yard plazas, parking areas, driveways, loading zones, mechanical equipment, and refuse and recycling areas, shall meet the following standards:

(1) **Trees.** To the extent practical and achievable, trees shall be planted at a minimum of one per 1,500 square feet, located in planting areas or tree wells.

(2) **Landscape Areas.** Yards and setbacks shall be designed for a mix of paved and landscaped areas, consistent with the maximum impervious and semi-pervious coverage areas allowed per the building type.

...

Section 31. Section 9-14-12, "Outdoor Space Requirements," B.R.C. 1981, is amended to read as follows:

9-14-12. OUTDOOR SPACE REQUIREMENTS

(a) **Intent.** The intent of the outdoor space requirements is the provision of common outdoor spaces for gathering and socializing between neighbors as well as to provide breaks in the urban fabric of the area buildings. Outdoor spaces are intended to be directly accessible from the street and other public ways.

...

- (k) **Improvements.** When determining the specific improvement standards applicable to each outdoor space type, the following shall apply:

...

- (6) **Maximum Impervious and Semi-Pervious Surface.** Limitations on impervious and semi-pervious surfaces are provided separately for each ~~open outdoor space~~ type to allow an additional amount of semi-pervious surface area, ~~such as permeable paving, above the maximum permitted impervious surfaces area permitted, including, but not limited to, sidewalks, paths, and structures as permitted.~~

...

Table 14-3. PLAZA REQUIREMENTS

Dimensions	
Minimum Size	0.10 acres
Maximum Size	1 acre
Minimum Dimension	80 feet
Minimum Percentage of Street or Public Way Frontage Required	25%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Mobility Hub	Permitted
Fully Enclosed Structures	Permitted; may cover maximum 5% of plaza area
Maximum <u>Percentage of Outdoor Space That Is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface</u>	60%+ 20%
Maximum Percentage of Open Water	30%

...

- (n) **Green.** The intent of the green is to provide an informal outdoor space of medium scale for active or passive recreation located within walking distance for building occupants and visitors. The green is intended to be fronted mainly by streets. Greens shall be designed to meet the standards of Table 14-4. See Figure 14-20. Example of Green.

Table 14-4. GREEN REQUIREMENTS

Dimensions	
Minimum Size	0.25 acres
Maximum Size	2 acres
Minimum Dimension	45 feet
Minimum Percentage of Street or Public Way Frontage Required	100% for greens less than 1.25 acres; 50% for greens 1.25 or more acres in size
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Mobility Hub	Permitted
Fully Enclosed Structures	Not permitted
Maximum Percentage of Outdoor Space That Is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Impervious Surface + Semi-Pervious Surface	20% + 15%
Maximum Percentage of Open Water	30%

...

- (o) **Commons.** The intent of the commons is to provide an informal, small to medium scale outdoor space for active or passive recreation. Commons are typically internal to a block and tend to serve adjacent building occupants. Commons shall be designed to meet the standards of Table 14-5. See Figure 14-21. Example of Commons.

Table 14-5. COMMONS REQUIREMENTS

Dimensions	
Minimum Size	0.25 acres
Maximum Size	1.5 acres
Minimum Dimension	45 feet
Minimum Percentage of Street or Public Way Frontage Required	0%; requires a minimum of two access points (minimum 20 feet wide)

Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Mobility Hub	Not permitted
Fully Enclosed Structures	Not permitted
Maximum Percentage of Outdoor Space that is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface Impervious Surface + Semi- Pervious Surface	30% + 10%
Maximum Percentage of Open Water	30%

...

- (p) **Pocket Park.** The intent of the pocket park is to provide a small scale, primarily landscaped active or passive recreation and gathering space for neighborhood residents within walking distance. Pocket parks shall be designed to meet the standards of Table 14-6. See Figure 14-22. Example of Plaza.

Table 14-6. POCKET PARK REQUIREMENTS

Dimensions	
Minimum Size	0.10 acres
Maximum Size	1
Minimum Dimension	None
Minimum Percentage of Street Frontage Required	30%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Required
Mobility Hub	Permitted
Fully Enclosed Structures	Not permitted
Maximum Percentage of Outdoor Space That Is Impervious Surface + Maximum Additional Percentage	30% + 10%

of Semi-Pervious Surface Impervious Surface + Semi- Pervious Surface	
Maximum Percentage of Open Water	30%

- ...
(q) **Park/Greenway.** The intent of the park/greenway is to provide informal active and passive large-scale recreational amenities to local residents and the greater region. Parks have primarily natural plantings and are frequently created around an existing natural feature such as a water body or stands of trees. Parks/greenways shall be designed to meet the standards of Table 14-7. See Figure 14-23. Example of Parks/Greenways.

Table 14-7. PARK/GREENWAY REQUIREMENTS

Dimensions	
Minimum Size	2 acres
Maximum Size	None
Minimum Dimension	30 feet; minimum average width of 80 feet
Minimum Percentage of Street Frontage Required	30% for parks less than 5 acres; 20% for parks 5 or more acres in size
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Mobility Hub	Permitted
Fully Enclosed Structures	Permitted in parks 5 acres or larger in size
Maximum Percentage of Outdoor Space That Is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface Impervious Surface + Semi- Pervious Surface	20% + 10%
Maximum Percentage of Open Water	50%

Section 32. Section 9-14-14, "Requirements Applicable to all Building Types," B.R.C.

1981, is amended to read as follows:

BUILDING TYPES

9-14-14. REQUIREMENTS APPLICABLE TO ALL BUILDING TYPES

- (a) **Purpose.** The purpose of the building type requirements is to establish standards for building design, building form, siting of buildings, and specific uses based on the building type that may be utilized on a property pursuant to the applicable regulating plan or as otherwise authorized.

(m) ~~**Modifications.** The approving authority may approve the following modifications to building type requirements if it finds the proposed design substantially meets the intent of the requirement being modified:~~

~~(1) **Building Location.** The location of the building within up to one foot from any minimum setback or frontage setback width or location requirement.~~

~~(2) **Impervious Coverage.** Up to a ten percent increase in total impervious coverage, not to exceed the total amount of allowed impervious plus semi-pervious coverage.~~

~~(3) **Type A Frontage Streetwall.** For the commercial storefront building only, up to ten percent decrease in Type A frontage streetwall requirements.~~

~~(4) **Story Height.** An additional height of any floor-to-floor story height up to two feet, provided the overall building height does not exceed the maximum permitted height.~~

~~(5) **Transparency.** Up to two percent reduction of the required transparency on a non-Type A frontage facade; and up to four square feet increase of the blank wall area limitation of paragraph 9-14-26(g)(2) on a non-Type A frontage facade.~~

Section 33. Section 9-14-16, “Main Street Storefront Building Type,” B.R.C. 1981, is amended to read as follows:

9-14-16. MAIN STREET STOREFRONT BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

		BOULDER JUNCTION PHASE I	REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 14-25.			
1	Type A Frontage Streetwall, minimum	90%	Refer to Subsection 9-14-14(g), B.R.C. 1981, for courtyard allowance.
2	Type A Frontage Setback, minimum to maximum	0 ft. to 5 ft.	Refer to Subsection 9-14-26(b), B.R.C. 1981, for measuring minimum and maximum setbacks.

3	Type B Frontage Setback, minimum to maximum	0 ft. to 5 ft.	
4	Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5	Rear Yard Setback, minimum	10 ft.; minimum 25 ft. if no alley; 0 ft. required at paseo or multi-use path	
6	Building Length along any Type A & B Frontage, maximum	150 ft.	Refer to Section 9-14-31, B.R.C. 1981, for building massing requirements.
7	Site Impervious Coverage, maximum	70%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi-pervious coverage.
8	Additional Semi-Pervious Coverage, <u>maximum</u>	25%	
9	Surface or Accessory Parking Location	Parking yard only	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.
10	HEIGHT Refer to Figure 14-26.		
11	Overall: Minimum Height Maximum Height	2 stories minimum 3 stories maximum and up to 40' in height north of Goose Creek and west of Junction Place; 5 stories maximum elsewhere up to 55'	Refer to subsection 9-14-26(e) for height measuring requirements and section 9-14-31 for building massing requirements. Subsection 9-14-25(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint.
12		Heights shown may be otherwise regulated by Section 9-14-6, "Regulating Plans," and/or Section 9-14- 7, "View Corridors," B.R.C. 1981	

10	Story: Minimum Height Maximum Height	9' 12' Refer to allowed base types for story height requirements in the ground story.	Stories are measured floor to floor. Refer to subsection 9-14-26(f) for explanation of measurement.
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...

Section 34. Section 9-14-17, “Commercial Storefront Building Type,” B.R.C. 1981, is amended to read as follows:

9-14-17. COMMERCIAL STOREFRONT BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

		BOULDER JUNCTION PHASE I	REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 14-28.			
1	Type A Frontage Streetwall, minimum	60% required	
2	Type A Frontage Setback, minimum to maximum	12 ft. to 20 ft. along Valmont and 30th Street; 0 ft. to 10 ft. along new streets	
3	Type B Frontage Setback, minimum to maximum	0 ft. to 10 ft.	
4	Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5	Rear Yard Setback, minimum	15 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path	
6	Building Length any Type A & B Frontage, maximum	90 ft.	Refer to Section 9-14-31, B.R.C. 1981, for building massing requirements.

7	Site Impervious Coverage, maximum Additional Semi-Pervious Coverage, <u>maximum</u>	70% 25%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi-pervious coverage.
8	Surface or Accessory Parking	Parking yard & interior side yard	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.
HEIGHT Refer to Figure 14-29.			
9	Overall: Minimum Height Maximum Height	1 story 3 stories, 35 ft.	Refer to Subsection 9-14-26(e), B.R.C. 1981, for height measuring requirements and Section, B.R.C. 1981, for building massing requirements. Subsection 9-14-25(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint. 9-14-31, B.R.C. 1981, for building massing requirements. Subsection 9-14-25(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint.
10	Ground Story: Minimum Height Maximum Height	12 ft. 18 ft.	Stories are measured floor to floor. Refer to Subsection 9-14-26(f), B.R.C. 1981, for explanation of measurement.
11	Story Height: Minimum Height Maximum Height	9 ft. 14 ft.	Stories are measured floor to floor. Refer to Subsection 9-14-26(f), B.R.C. 1981, for explanation of measurement.

...

Section 35. Section 9-14-18, “General Building Type,” B.R.C. 1981, is amended to read as follows:

9-14-18. GENERAL BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

		BOULDER JUNCTION PHASE I	ALPINE- BALSAM	EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to FIGURE 14-31.					
1	Type A Frontage Streetwall, minimum	90%	80%	80%	Refer to 9-14-14(g) for allowed courtyards in the streetwall and 9-14-14(h) for definition of required streetwall variation.
2	Streetwall Variation for Type A and Type B Frontages	--	--	Required for buildings over 180 ft. in width	
3	Type A Frontage Setback, minimum to maximum	5 ft. to 10 ft.	5 ft. to 20 ft.	10 ft. to 25 ft.	Refer to Section 9-14-26, B.R.C. 1981, for measuring minimum and maximum setbacks.
4	Type B Frontage Setback, minimum to maximum	5 ft. to 10 ft.	5 ft. to 20 ft.	5 ft. to 20 ft.	
5	Type C Frontage Setback, minimum to maximum	--	--	0 to 15 ft.	
6	Side Yard Setback, minimum	5'; 0' required at paseo or multi-use path			For paseos and multi-use path locations, refer to the regulating plans and the connections plans for the form-based code area.
7	Rear Yard Setback, minimum	10 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path		15 ft.; 0 ft. required at paseo or multi-use path	
8	Building Length along Type A & B Frontage, maximum	150 ft.	65 ft. in General Mix 2 area; none in General	---	Refer to Section 9-14-31, B.R.C. 1981, for building massing requirements.

			Mix 1 area; refer to map, Figure 14-2.		
9	Site Impervious Coverage, maximum	70%	65%	65%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi-pervious coverage.
	Additional Semi-Pervious Coverage, maximum	25%	25%	25%	
10	Surface or Accessory Parking Location	Parking yard only	No surface parking allowed	Parking yard only except limited side yard parking allowed in Valmont Park West, Valmont Park East, and Flatiron Business Park	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading. Refer to Subsection 9-14-26(c) for limited side yard parking.
HEIGHT Refer to FIGURE 14-32.					
11	Overall: Minimum Height	2 stories	2 stories	2 stories	Refer to Subsection 9-14-26(e), B.R.C. 1981, for height measuring requirements and Section 9-14-31, B.R.C. 1981, for building massing requirements. Subsection 9-14-25(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint.
	Maximum Height	3 stories, 40 ft. north of Goose Creek and west of Junction Place; 5 stories, 55 ft. elsewhere	3 stories and 35' without pitched roof; 3 stories and 55' with pitched roof; or 4 stories and 55'; see regulati	5 stories, 55 ft.	

			ng plan for maximu m height location s		
	Location-Specific Maximum Height	Heights shown may be otherwise regulated by Section 9-14-6, B.R.C., “Regulating Plans,” and/or Section 9-14-7, “View Corridors,” B.R.C. 1981.			
12	All Stories:				Stories are measured floor to floor. Refer to Subsection 9-14-26(f), B.R.C. 1981, for explanation of
	Minimum Height Maximum Height	9 ft. 18 ft.	9 ft. --	9 ft. 18 ft.	measurement.
		Base Types: See allowances for additional height within specific base types allowed, line of this table			

...

Section 36. Section 9-14-19, “Row Building Type,” B.R.C. 1981, is amended to read as follows:

9-14-19. ROW BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

		BOULDER JUNCTION PHASE I			REFERENCES/ADDITIONAL REQUIREMENTS	
BUILDING SITING Refer to FIGURE 14-34. For the purposes of the Row Building, a building consists of multiple vertical units.						
1	Type A Frontage Streetwall, minimum	80%	80%	65%	Each unit shall have a facade located within the frontage setback, except 1 of every 2 units may front a courtyard or outdoor space type. Courtyards, minimum 30 feet wide and 30	

					feet deep, may count towards Type A streetwall.
2	Type A Frontage Setback, minimum to maximum	5 ft. to 15 ft.	5 ft. to 15 ft.	5 ft. to 25 ft.	Frontage setbacks are measured from the outside edge of any public access easement for sidewalk or the right-of-way, if no public access easement for sidewalk and streetscape is required or exists, or from the outside edge of any flood or drainage easement, where the frontage is along a flood or drainage area. Refer to subsections 9-14-26(b) for additional information.
3	Type B Frontage Setback, minimum to maximum	5 ft. to 15 ft.	5 ft. to 15 ft.	5 ft. to 25 ft.	
4	Side Yard Setback, minimum	7.5 ft.; 0 ft. required at paseo or multi-use path			
5	Rear Yard Setback, minimum	20 ft.; 30 ft. if no alley; 5 ft. for detached garage			
6	Building Length, minimum to maximum	3 to 6 units or 120 ft., whichever is less			
	Space between Buildings, minimum	10 ft.			
7	Site Impervious Coverage, maximum	60%	60%	60%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi-pervious coverage.
	Additional Semi-Pervious Coverage, <u>maximum</u>	20%	20%	20%	
8	Yard Area, minimum	225 square feet rear yard required for each unit not fronting a courtyard or outdoor space type.			
9	Surface or Accessory Parking Location	Parking yard only	Parking yard only	Parking yard only	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14

(j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.

...

Section 37. Section 9-14-20, “Workshop Building Type,” B.R.C. 1981, is amended to read as follows:

9-14-20 WORKSHOP BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

		EAST BOULDER	REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to FIGURE 14-37.			
1	2	65%	Refer to 9-14-14(g) for allowed courtyards in the streetwall and 9-14-14(h) definition of required streetwall variation.
3	4	Required	
5	6	5 ft. to 25 ft.	Refer to Section 9-14-26, B.R.C. 1981, for measuring minimum and maximum setbacks.
7	8	5 ft.	
9	10	5 ft.	
11	12	5 ft.; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and section 9-14-6 for locations and details.
13	14	10 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path	
15	16	70%	Refer to Section 9-14-8, “Definitions,” B.R.C. 1981, for semi-pervious coverage.
17	18	25%	
19	20	Limited side yard & parking yard only	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening
21	22		

			requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading. Refer to Subsection 9-14-26(c) for limited side yard parking.
HEIGHT Refer to FIGURE 14-38.			
10	Overall: Minimum Height	1 story	Refer to Subsection 9-14-26(e), B.R.C. 1981, for height measuring requirements and Section 9-14-31, B.R.C. 1981, for building massing requirements. Subsection 9-14-25(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint.
	Maximum Height	3 stories, 55 ft.	
11	All Stories: Minimum Height Maximum Height	9 ft. 18 ft.	Stories are measured floor to floor. Refer to Subsection 9-14-26(f), B.R.C. 1981, for explanation of measurement.
		Base Types: See allowances for additional height within specific base types allowed, line of this table	

...

Section 38. Section 9-14-21, "Civic Building Type," B.R.C. 1981, is amended to read as follows:

9-14-21. CIVIC BUILDING TYPE

The Civic building type is not mapped on the regulating plans. It is permitted in any location in any of the form-based code areas except it is prohibited in East Boulder. The uses permitted in this building type are very limited. Refer to Section 9-14-6, "Regulating Plans," B.R.C. 1981.

	BOULDER JUNCTION PHASE I	ALPINE- BALSAM	REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to FIGURE 14-40.			

1	Minimum Type A Streetwall, minimum	None required	None required	
2	Type A Frontage Setback, minimum	20'	20'	
3	Type B Frontage Setback, minimum	15'	15'	
4	Side Yard Setback, minimum	15'; 0' required at paseo or multi-use path		For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5	Rear Yard Setback, minimum	15'; 0' required at paseo or multi-use path		
6	Building Length, maximum	None required	None required	Refer to Section 9-14-31, B.R.C. 1981, for building massing requirements.
7	Site Impervious Coverage, minimum	50%	50%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi- pervious coverage.
	Additional Semi-Pervious Coverage, <u>maximum</u>	20%	20%	
8	Surface or Accessory Parking Location	Parking yard only	No surface parking allowed	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.
HEIGHT Refer to FIGURE 14-41.				
9	Overall: Minimum Height Maximum Height	1 story 5 stories up to 55'	1 story 5 stories up to 55'	Refer to Subsection 9-14-26(2), B.R.C. 1981, for height measuring requirements and Section 9-14-31, B.R.C. 1981, for building massing requirements. Subsection 9-14-25(g), "Towers," B.R.C. 1981,

				allows additional height in a limited footprint.
10	All Stories: Minimum Height Maximum Height	9' 18'; 24' on single story building	9' 18'; 24' on single story building	Stories are measured floor to floor. Refer to Subsection 9-14-26(f), B.R.C. 1981, for explanation of measurement.

Section 39. Section 9-14-26, “Measurement of Building Type Requirements,” B.R.C. 1981, is amended to read as follows:

9-14-26. MEASUREMENT OF BUILDING TYPE REQUIREMENTS

The standards outlined in the tables in Sections 9-14-16 through 9-14-21, B.R.C. 1981, applicable to each building type, shall be measured and calculated consistent with the following standards:

(d) **Maximum Site-Impervious and Additional Semi-Pervious Coverage.** ~~Site-Impervious~~ and additional semi-pervious coverage shall be calculated and measured as follows. Refer to Figure 14-53. ~~Site-Impervious and Semi-Pervious Coverage.~~

- (1) **Maximum Site-Impervious Coverage.** The maximum ~~site~~-impervious coverage is the maximum percentage of a lot permitted to be covered by structures, pavement, and other impervious surfaces.
- (2) **Additional Semi-Pervious Coverage.** In addition to the allowable impervious coverage on a site, a maximum amount of additional semi-pervious coverage is permitted.

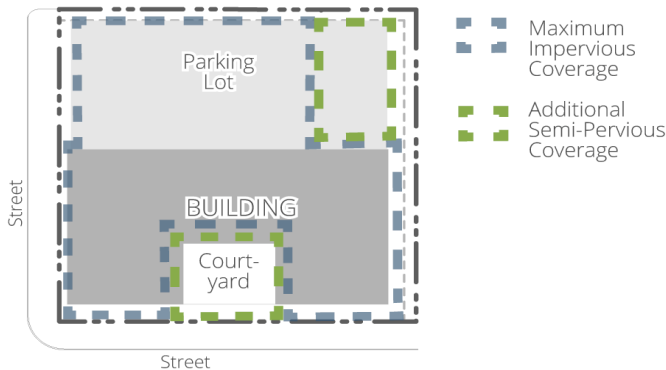


Figure 14-53. Site-Impervious and Semi-Pervious Coverage

1 ...

2 Section 40. Section 9-16-1, "General Definitions," B.R.C. 1981, is amended to read as
3 follows:

4 **9-16-1. General Definitions.**

5 (a) The definitions contained in Chapter 1-2, "Definitions," B.R.C. 1981, apply to this title
6 unless a term is defined differently in this chapter.

7 (b) Terms identified with the references shown below after the definition are limited to those
8 specific sections or chapters of this title:

- 9 (1) Airport influence zone (AIZ).
- 10 (2) Floodplain regulations (Floodplain).
- 11 (3) Historic preservation (Historic).
- 12 (4) Inclusionary housing (Inclusionary Housing).
- (5) Solar access (Solar).
- (6) Wetlands Protection (Wetlands).
- (7) Signs (Signs).

13 (c) The following terms as used in this title have the following meanings unless the context
14 clearly indicates otherwise:

15 ...

16 ***A—E***

17 ...

18 *Boarding house* means an establishment subject to the City of Boulder Building Code
19 where, for direct or indirect compensation, lodging, with or without meals, is offered for one
20 month or more. A boarding house does not include a fraternity, ~~or~~ sorority, or detached dwelling
21 unit.

22 ...

23 ***F—J***

24 ...

25 *Hostel* means a facility ~~for residence~~ that offers temporary lodging of under one month
that provides simple dormitory or sleeping rooms and common rooms for cooking, meeting,
recreational, and educational use; that is chartered or approved by the International Hostel
Federation or its national or regional affiliates, or similar organizations; and that is supervised by

resident house-parents or managers who direct the guests' participation in the domestic duties and activities of the hostel.

...

U—Z

...

Yard, front, rear, and side means the open space between the buildings and the property lines at the front, rear, and sides of the property, respectively and consistent with Figures 16-4 and 16-5 of this section. On a corner lot, the open space adjacent to the shorter street right-of-way shall be considered the front yard. The rear yard is opposite the front yard, and the side yard is between the rear yard and the front yard. (~~See Figures 16-4 and 16-5 of this section.~~)

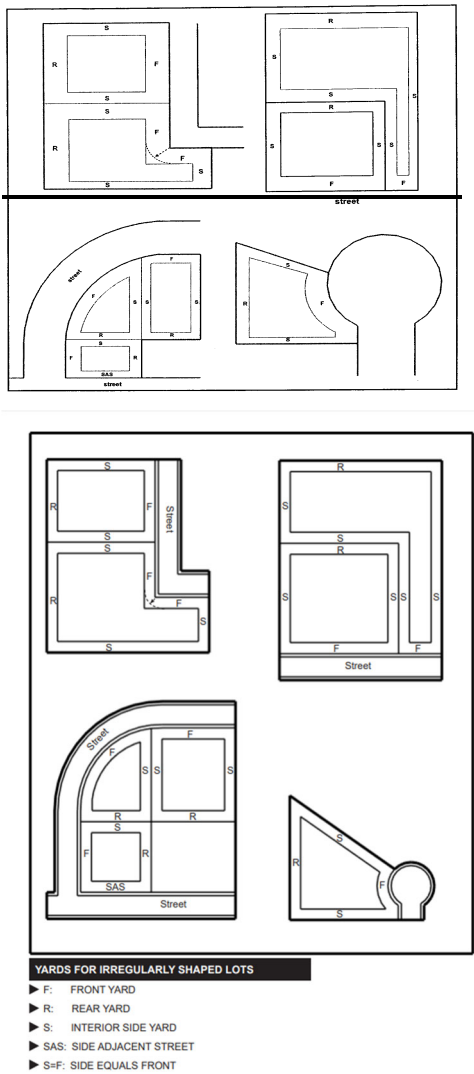
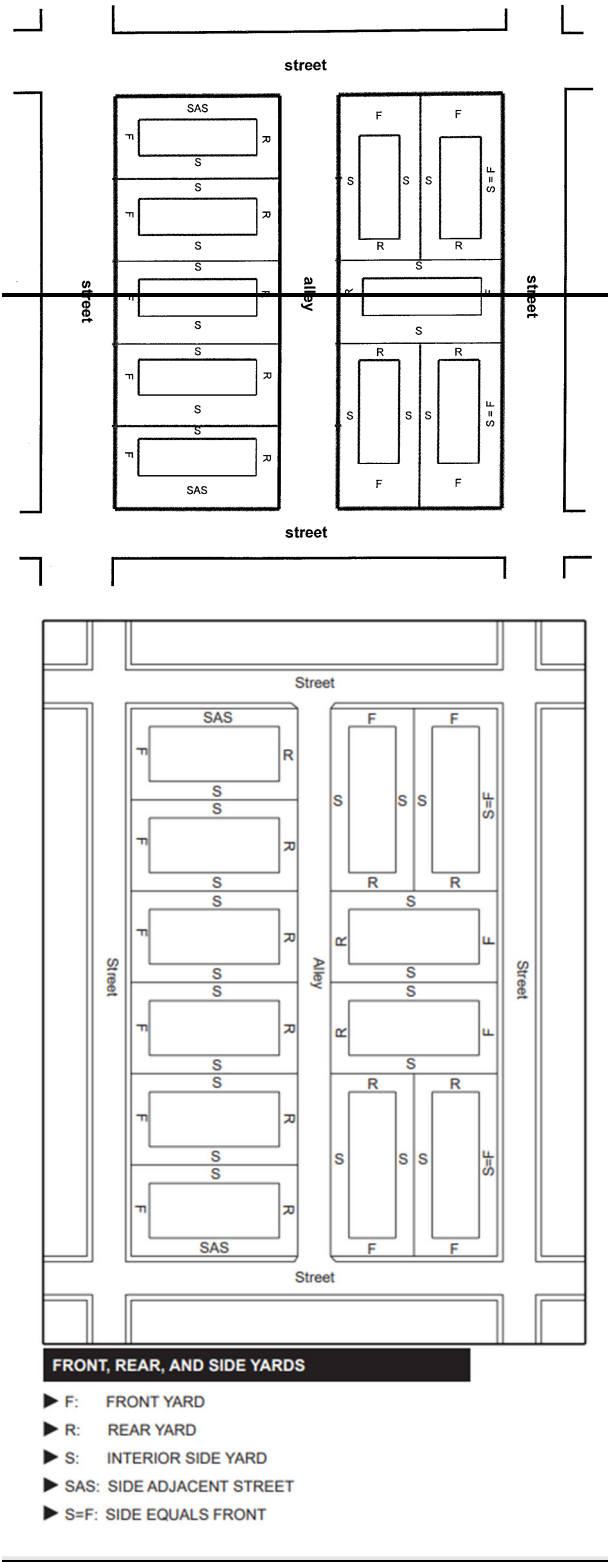


Figure 16-4: Yards for Irregularly Shaped Lots

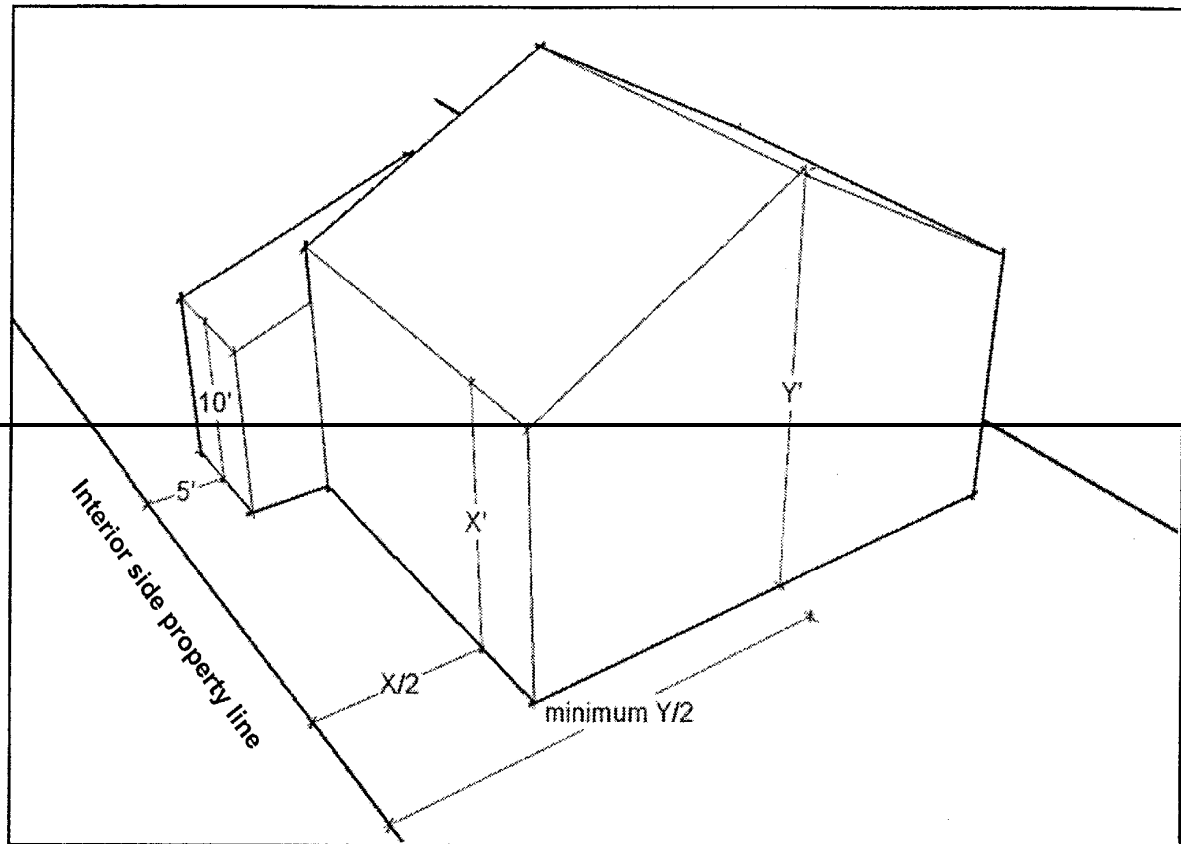
To the extent possible, setbacks of irregular lots will match the setbacks of adjacent lots.



1 F:— FRONT YARD
 R:— REAR YARD
 2 S:— INTERIOR SIDE YARD
 SAS:— SIDE ADJACENT STREET
 3 S=F:— SIDE EQUALS FRONT

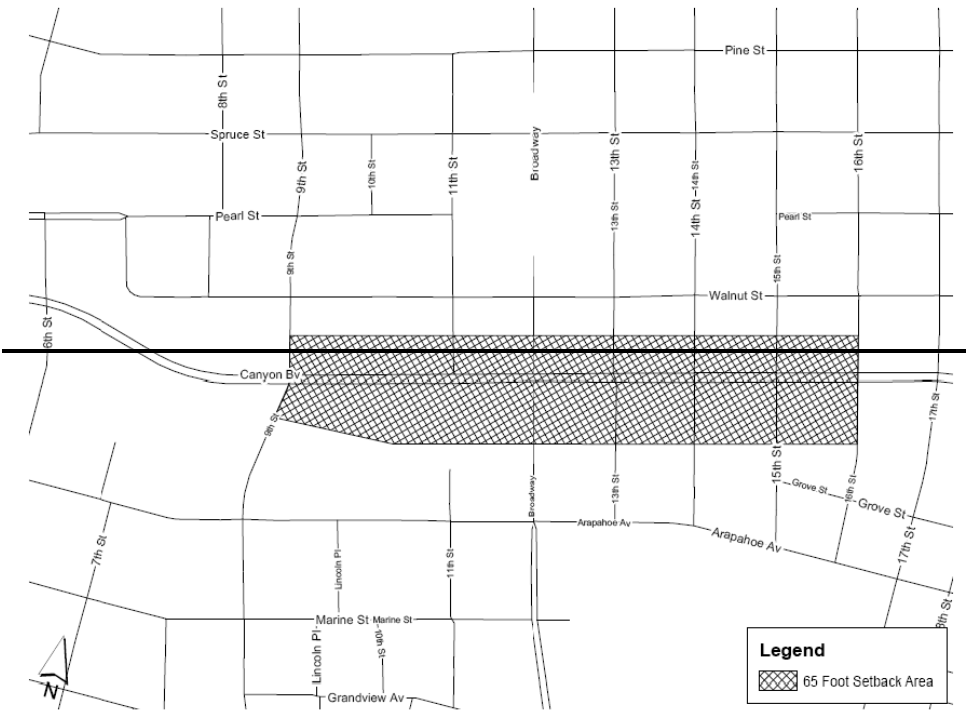
4 Section 41. Appendix B in Chapter 16, “Definitions,” B.R.C. 1981, is repealed and
 5 reserved as follows:

6 **APPENDIX B. SETBACK RELATIVE TO BUILDING HEIGHT RESERVED**

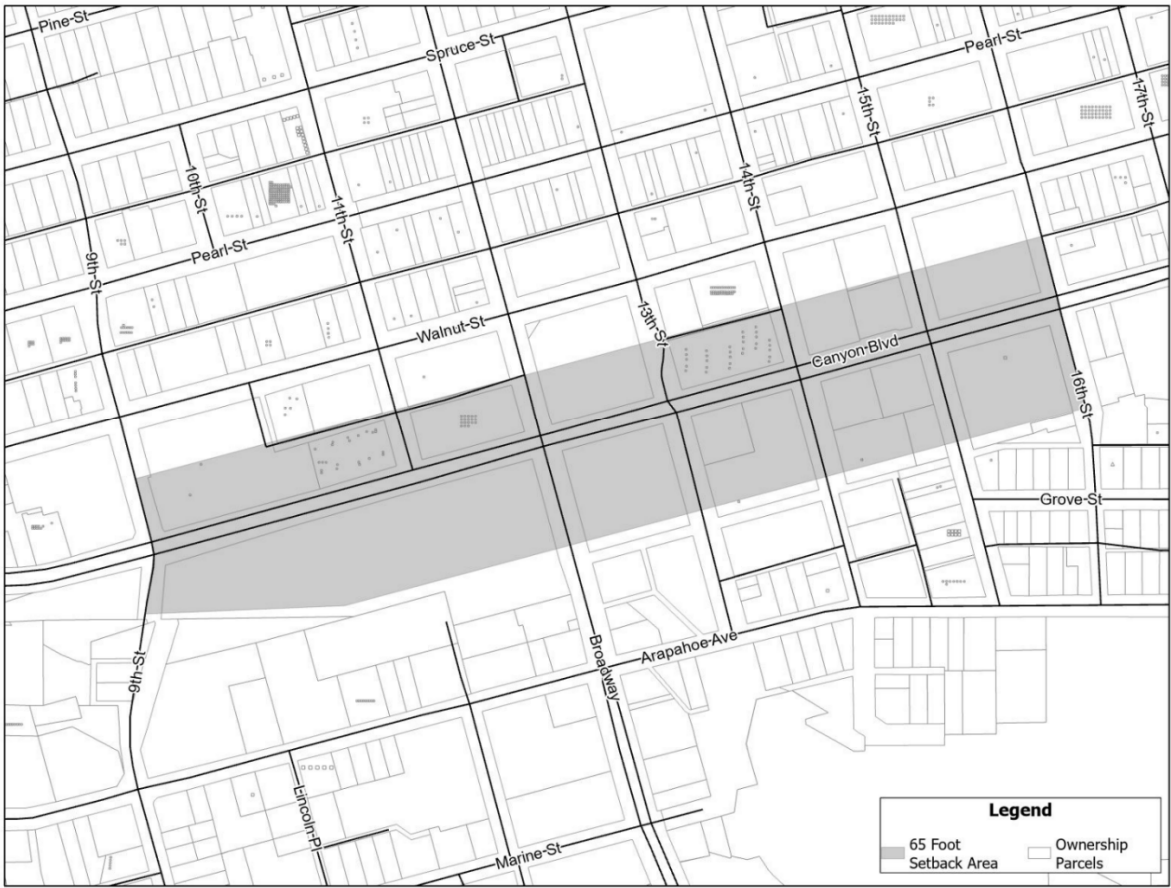


20
 21 Section 42. Appendix I in Title 9, “Land Use Code,” B.R.C. 1981, is amended to read as
 22 follows:

23 **Appendix I – FORM AND BULK STANDARDS**



Appendix I - Form and Bulk Standards



Section 43. Section 10-2-2, "Adoption of International Property Maintenance Code With Modifications," B.R.C. 1981, is amended to read as follows:

10-2-2. Adoption of International Property Maintenance Code With Modifications.

(a) The 2024 edition of the *International Property Maintenance Code* (IPMC) of the International Code Council is hereby adopted by reference as the City of Boulder Property Maintenance Code and has the same force and effect as though fully set forth in this chapter, except as specifically amended for local application by this chapter.

...

**APPENDIX C
ENERGY EFFICIENCY REQUIREMENT
EXISTING RESIDENTIAL RENTAL STRUCTURES
ENERGY CONSERVATION**

C101

SCOPE

C101.1 Scope. Appendix C sets standards for residential rental dwelling unit energy efficiency. ~~Effective January 2, 2019, the~~ The energy efficiency requirements of this section ~~shall~~ apply to all residential rental dwelling units licensed according to Chapter 10-3, "Rental Licenses," B.R.C. 1981, except:

1. Buildings that can be verified as meeting or exceeding the energy efficiency requirements of the Energy Conservation Code, Chapter 10-7, B.R.C. 1981; and
2. Any manufactured home; ~~and~~
3. ~~Attached accessory dwelling units as detailed in Section 9-6-3, "Specific Use Standards Residential Uses," B.R.C. 1981.~~

...

Section 44. This ordinance removes an exception in Section C101.1, Scope, of Chapter 10-2, "Property Maintenance Code, Appendix C – Energy Efficiency Requirements," B.R.C 1981, for attached accessory dwelling units. The exception exempted attached accessory dwelling units licensed under Chapter 10-3, "Rental Licenses," B.R.C. 1981, from the energy efficiency

requirements for residential rental dwelling units. Upon the effective date of this ordinance, issuance of any new or renewal license under Chapter 10-3, "Rental Licenses," B.R.C. 1981, for an attached accessory dwelling unit requires meeting the energy efficiency requirements of Chapter 10-2, "Property Maintenance Code, Appendix C – Energy Efficiency Requirements," B.R.C 1981. Attached accessory dwelling units with a current valid rental license on the effective date of this ordinance are not required to comply with the energy efficiency requirements for residential dwelling units during the remaining term of such license, but issuance of a new or renewal license for the unit requires meeting the energy efficiency requirements.

Section 45. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city and covers matters of local concern.

Section 46. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 22nd day of May, 2025.

Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

1 READ ON SECOND READING, PASSED AND ADOPTED this 5th day of June 2025.

2
3
4 Aaron Brockett,
Mayor

5 Attest:

6
7 Elesha Johnson,
8 City Clerk

ORDINANCE 8697, AMENDING TITLE 4, “LICENSES AND PERMITS,” TITLE 9, “LAND USE CODE,” AND TITLE 10, “STRUCTURES,” B.R.C. 1981, RELATED TO DEVELOPMENT ACTIVITIES, TO CORRECT ERRORS AND OMISSIONS, UPDATE GRAPHICS AND FORMATTING, CLARIFY STANDARDS AND PROCEDURES, CREATE CONSISTENCY WITH CERTAIN STATE REGULATIONS, AND REMOVE CERTAIN DEVELOPMENT RESTRICTIONS TO ALLOW FLEXIBILITY IN PROJECT DESIGN AND IN CERTAIN LOCATIONS; AND SETTING FORTH RELATED DETAILS.

4-4-2. Definition of Contractor.

...

- (b) The following persons are not *contractors* within the meaning of this chapter:
- (1) Subcontractors working for and under the supervision of a general contractor licensed under this chapter;
 - (2) Plumbers, electricians, mechanical, and fire or other specialized tradespeople for whom another license is required by the city; and
 - (3) A homeowner who builds, constructs, alters, repairs, adds to, moves, or wrecks any building or structure regulated by the Residential Code of the City of Boulder, or any portion thereof, that constitutes the owner's residence or a building or structure accessory thereto, that is intended for the owner's personal use. This exception is available only as to one such building or structure during a calendar year. This exception does not apply to such activities on a building or structure intended to be used or used as a long-term or short term rental property, owned by a business entity, or intended to be used or used for a home occupation that includes visits by customers or other visitors related to the home occupation.¹

9-2-1. Types of Reviews.

- (a) Purpose: This section identifies the numerous types of administrative and development review processes and procedures. The review process for each of the major review types is summarized in Table 2-1 of this section.
- (b) Summary Chart:

<i>I. ADMINISTRATIVE REVIEWS</i>	<i>II. DEVELOPMENT REVIEW AND BOARD ACTION</i>
Affordable housing design review pursuant to Section 9-13-4, B.R.C. 1981	Annexation/initial zoning

¹ The intent of the additional language is to be consistent with the type of work excepted by state licensing requirements for electricians and plumbers for both long-term and short-term rental properties. CRS 12-115-109, CRS 12-115-101 and CRS 12-155-108

Building permits	BOZA variances
Change of address	Concept plans
Change of street name	Demolition, moving, and removal of buildings with potential historic or architectural significance, per Section 9-11-23, "Review of Permits for Demolition, On-Site Relocation, and Off-Site Relocation of Buildings Not Designated," B.R.C. 1981
Conditional uses, as noted in Table 6-1: Use Table	Form-based code review
Demolition, moving, and removal of buildings with no historic or architectural significance, per Section 9-11-23, "Review of Permits for Demolition, On-Site Relocation, and Off-Site Relocation of Buildings Not Designated," B.R.C. 1981	Geophysical exploration permit
Easement vacation	Landmark alteration certificates other than those that may be approved by staff per Section 9-11-14, "Staff Review of Application for Landmark Alteration Certificate," B.R.C. 1981
Extension of development approval/staff level	Lot line adjustments
Landmark alteration certificates (staff review per Section 9-11-14, "Staff Review of Application for Landmark Alteration Certificate," B.R.C. 1981)	Lot line elimination
Landscape standards variance	Minor Subdivisions
Minor modification to approved site plan	Out of city utility permit
Minor modification to approved form-based code review	Rezoning
Noise barriers along major streets per Paragraph 9-9-15(c)(7), B.R.C. 1981	Site review
Nonconforming use extension	Subdivisions
Parking deferral per Subsection 9-9-6(e), B.R.C. 1981	Use review
Parking reduction of up to twenty-five percent per Subsection 9-9-6(f), B.R.C. 1981	Vacations of street, alley, or access easement
Parking reductions and modifications for bicycle parking per Paragraph 9-9-6(g)(6), B.R.C. 1981	
Parking stall variances	
Public utility	
Rescission of development approval	

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(Supp. No. 160, Update 2)

Revocable permit	
Right-of-way lease	
Setback variance	
Site access variance <u>exception</u> ²	
Substitution of a nonconforming use	
Solar exception	
Zoning verification	

9-2-6. Development Review Application.

- (a) Application Requirements for Use Review, Site Review, and Form-Based Code Review: A person having a demonstrable property interest in land to be included in a development review may file an application for approval on a form provided by the city manager that shall include the following:

...

- (2) An improvement survey of the land. The city manager may waive this application requirement for a minor modification, minor amendment, use review, or minor use review;³

...

9-2-14. Site Review.

...

- (b) Scope: The following development review thresholds apply to any development that is eligible or that otherwise may be required to complete the site review process:

- (1) Development Review Thresholds:

...

- (E) Height Modifications: A development which exceeds the permitted height requirements of Section 9-7-5, "Building Height," or 9-7-6, "Building Height, Conditional," B.R.C. 1981, or of Paragraph 9-10-3(b)(2), "Maximum Height," B.R.C. 1981, to the extent permitted by that paragraph for existing buildings on nonstandard lots, is required to complete a site review and is not subject to the minimum threshold requirements. No standard other than height may be modified under the site review unless the project is also eligible for site review. A development that exceeds the permitted height

² The change from variance to exception is to be consistent with language proposed in 9-9-5, "Site Access Control" with the intent to distinguish the review process that is not handled through the standard variance procedure of the Board of Zoning Adjustment (BOZA).

³ Staff has found that requiring a survey of the project for minor development procedures has been unnecessary and cumbersome to applicants. This proposed change is to be consistent with process changes that staff is already undertaking.

requirements of Section 9-7-5 or 9-7-6, B.R.C. 1981, must meet any one of the following circumstances in addition to the site review criteria:

...

(ix) The building is in the public zoning district and is exclusively used for hospital or medical office uses or is a parking structure serving those uses.⁴

...

(h) Criteria: No site review application shall be approved unless the approving agency finds that the project is consistent with the following criteria:

(1) Boulder Valley Comprehensive Plan (BVCP) criteria:

...

(B) Subcommunity and Area Plans or Design Guidelines: If the project is subject to an adopted subcommunity or area plan or adopted design guidelines, the project is generally⁵ consistent with the applicable plan and guidelines.

...

(F) Housing Diversity and Bedroom Unit Types: Except in the RR, RE and RL-1 zoning districts, projects that are more than 50 percent residential by measure of floor area, not counting enclosed parking areas, meet the following housing and bedroom unit type requirements in ~~Subparagraphs~~sections (i) through (vi). For the purposes of this subparagraph, qualifying housing type shall mean duplexes, attached dwelling units, townhouses, live-work units, or efficiency living units, and bedroom type shall mean studios, or units with different numbers of bedrooms such as one-bedroom units; and two-bedroom units. ~~or three-bedroom units.~~⁶

...

(4) Additional Criteria for Buildings Requiring Height Modification or Exceeding the Maximum Floor Area Ratio: Any building exceeding the by-right or conditional zoning district height as permitted by Section 9-2-14(b)(1)(E), B.R.C. 1981, and any building exceeding the by-right floor area limits as permitted by Section 9-2-14(h)(6)(B), B.R.C. 1981, shall meet the following requirements:

...

⁴ The Community Benefit requirements apply when a building is over the by-right height limit (typically 35 or 38 feet) up to 55 feet and for buildings that have a 4th or 5th story. The bonus floor area used to determine the amount of community benefit is based on the floor area within 4th or 5th stories. Buildings that are over the height and less than 4 stories are only permitted if the criteria for angled roof pitch, restrictive topography near the building, or if a building has to be raised above a minimum flood elevation. This is problematic for the hospital and associated buildings because hospitals often require higher floor to floor heights for medical apparatuses and ventilation. This new criterion would permit buildings up to 55 feet that are less than 4 stories that are for the hospital or medical office use in the public zone. The hospital in and of itself is considered a community benefit and therefore, no additional community benefit would be required for the hospital use to expand.

⁵ Compliance with adopted subcommunity or area plans or adopted design guidelines are not expected to meet every policy or guideline and is often a balancing of issues and different degrees of compliance. This addition of “generally” is intended to make that clear and be consistent with how the city has administered plans and guidelines for years.

⁶ Issues have been brought up previously about four-bedroom units or larger not being considered under this section. This language is to clarify that the original intent was to cover all bedroom unit sizes. A correction of paragraph language is also proposed for consistency.

(B) Building and Site Design Requirements for Height Modifications:

(i) Buildings requiring a height modification shall meet the following requirements:

... a.

- a. Height Modification Other than Height Bonus: For buildings no taller than three stories and subject to a height modification pursuant to Subparagraph 9-2-14(b)(1)(E)(i) through (vii) and (ix), the building's height, mass, and scale is compatible with the character of the surrounding area.
- b. Height Bonus: For buildings taller than three stories subject to a height modification pursuant to Subparagraph 9-2-14(b)(1)(E)(viii), B.R.C. 1981:

4. Additional Requirements for a Height Bonus - Open Space:

- ~~i.~~ If the project site is greater than one acre in size, an inviting ~~grade level~~ outdoor garden or landscaped courtyard is provided, designed as a gathering space for the building users. In determining whether this requirement is met, the approving authority will consider the following factors as
~~The following are considered elements of~~ successful design elements for such a space, as practicable considering site conditions and location;
~~i.~~
- ii. The ~~width horizontal dimensions~~ of the space ~~is are~~ no less than the height of building walls enclosing the space;⁷
- iii. Seating and other design elements are integrated with the circulation pattern of the project;
- ~~iv-iii~~ The space has southern exposure and sunlight;
- vi. Hard surface areas are paved with unit pavers, such as bricks, quarry tiles, or porous pavers, or poured-in-place materials. If poured-in-place materials are used, they are of decorative color or textures;
- vi. Amenities, such as seating, tables, grills, planting, shade, horseshoe pits, playground equipment, and lighting are incorporated into the space;
- vi. The space is visible from an adjoining public sidewalk and is not elevated above the building's first story; and
- viii. At least one tree is planted per 500 square feet of space. The trees are planted in the ground or, if over parking garages, in tree vaults.

...

- (6) Land Use Intensity and Height Modifications: Modifications to minimum open space on lots, floor area ratio (FAR), maximum height, and number of dwelling units per acre requirements will be approved pursuant to the standards of this subparagraph:

⁷ This section is slightly reorganized to follow the pattern of other code criteria sections where the criteria are meant as best practices and administered in "on balance" with others. Language is also clarified about the size and made more flexible as to not require the space "at grade", as before, but close to grade level.

(A) Land Use Intensity Modifications with Open Space Reduction:

- (i) In the DT, BMS, BR-2, and MU-3 Zoning Districts: The open space requirements in Chapter 9-8, "Intensity Standards," B.R.C. 1981, may be reduced in all DT districts and the BR-2, BMS, and MU-3 districts subject to the following standards:

- a. In the DT, BMS, or MU-3 zoning districts, the reduction in open space is necessary to avoid siting of open space that is inconsistent with the urban context of neighborhood buildings or the character established in adopted design guidelines or plans for the area, such as along a property line next to zero-setback buildings or along alleys: maximum ~~fifty-one hundred~~⁸ percent reduction.

...

9-2-16. Form-Based Code Review.

...

- (i) Exceptions: Exceptions to the requirements of Appendix M, "Form-Based Code," may be approved under the form-based code review process pursuant to the following standards:
 - (1) Application Requirements: If an application includes a request for an exception to the requirements of Appendix M, "Form-Based Code," the requested exceptions shall be noted on the plans and the application shall include a written statement describing how the standards applicable to the exception are being met.
 - (2) Exceptions:

- (A) An exception may be granted by the approving authority if the following criteria are met:

- (i) The proposed exception is generally consistent with the goals and intents of the adopted subcommunity or⁹ area plan applied to the area, and

...

9-2-21. Required Improvements and Financial Guarantees.

...

- (f) Collection: If the improvements are not completed within the required time, the city manager may cause them to be completed and collect against the financial guarantee, or, if the guarantee is exhausted, against the developer for their full cost of completion.
- (g) Letter of Credit: If any letter of credit is due to expire before the end of the guarantee period and is not replaced no less than sixty days before its expiration with another letter of credit which is valid until the end of the guarantee period or for an additional year, whichever is less, the city manager shall call the letter of credit

⁸ Staff has found situations where the open space requirement, even after the existing reduction, cannot be met due to the building's construction being prior to development code standards, such as downtown buildings with no setbacks. The intent is to provide flexibility to development projects for open spaces in these areas.

⁹ Compliance with adopted subcommunity or area plans or adopted design guidelines are not expected to meet every policy or guideline and is often a balancing of issues and different degrees of compliance. This addition of "generally" is intended to make that clear and be consistent with how the city has administered plans and guidelines for years.

and shall hold the funds thereby received in a separate account, and shall return such funds as are not expended or to be expended for guarantee work to the applicant at the end of the guarantee period.¹⁰

- (hg) ~~In Addition~~**Additional Requirements:** The requirements of this section are in addition to any requirements for financial guarantees under any other provision of this code.

9-5-2. Zoning Districts.

...

- (c) Zoning District Purposes:

...

- (3) Business Districts:

...

- (E) Business - Regional 1 and Business - Regional 2: Business centers of the Boulder Valley, containing a wide range of retail and commercial operations, including the largest regional-scale businesses, which serve outlying residential development ~~and where the goals of the Boulder Urban Renewal Plan are implemented.~~¹¹

...

9-6-2. Specific Use Standards - General.

...

- (c) **Specific Use Standards that Apply to Several Use Types:** The specific use standards in this chapter are generally organized by use classification, use category, and use type. Some specific use standards apply to several use types that are part of different use classifications and use categories. Such standards that apply to use types within different classifications are set forth within this subsection (c).

- (1) Specific Use Standards for Uses in the BC Zoning Districts:

- (A) Review Process: In the BC-1 and BC-2 zoning districts, the following standards apply to the uses listed in Table 6-2:

- (i) Allowed Use: The uses listed in Table 6-2 are allowed by right unless the use is located within an area designated in Appendix N "Business Community (BC) Areas Subject to Special Use Restrictions."
- (ii) Conditional Use: If located in one of the mapped areas in Appendix N, the use may be approved as a conditional use if it meets all of the following standards:

...

- b. The combined floor area of any nonresidential uses in Table 6-2 shall be limited to ten percent of the total floor area on the lot or parcel except that if the use is located within an approved site review or planned unit development, the combined floor area of any nonresidential uses subject to this section shall be limited to ten percent of the total floor area

¹⁰ This section was rewritten to align the financial guarantees with Section 9-12-14(c) for consistency. It was also to address the situation where a letter of credit will expire. The section was renumbered and added additional requirements as a new header to accommodate the additional descriptive language.

¹¹ The reference to the Boulder Urban Renewal Plan is proposed to be removed as it is no longer applicable to this section of code.

within the boundaries of the site review or planned unit development approval in the BC zoning district.¹²

...

9-6-3. Specific Use Standards - Residential Uses.

...

(d) Dwelling Unit, Attached:

...

(2) In the BT-1, and BT-2, ~~IS 1, and IS 2~~ Zoning Districts:

- (A) Review Process: In the BT-1, and BT-2, ~~IS 1, and IS 2~~ zoning districts, attached dwelling units are allowed by right if the use is not located on the ground floor facing a street, with the exception of minimum necessary ground level access. Attached dwelling units that are not allowed by right may be approved only pursuant to a use review.

...

(f) Efficiency Living Unit:

...

~~(3) In the IS 1 and IS 2 Zoning Districts:~~

- ~~(A) Review Process: In the IS 1 and IS 2 zoning districts, efficiency living units are allowed by right if less than 40 percent of total units in the building are efficiency living units and the use is not located on the ground floor facing a street, with the exception of minimum necessary ground level access. Efficiency living units that are not allowed by right may be approved only pursuant to a use review.~~¹³

~~(34)~~ In the IMS Zoning District:

- (A) Review Process: In the IMS zoning district, efficiency living units are allowed by right if less than 40 percent of total units in the building are efficiency living units and at least fifty percent of the floor area of the building is for nonresidential use. Efficiency living units that are not allowed by right may be approved only pursuant to a use review.

GROUP LIVING

(j) Congregate Care Facility, Custodial Care Facility, and Residential Care Facility:

- (1) Applicability: This subsection (j) sets forth standards for congregate care facilities, custodial care facilities, and residential care facilities that are subject to specific use standards pursuant to Table 6-1, Use Table.
- (2) Intensity: The number of dwelling units or sleeping rooms or accommodations shall be consistent with Section 9-8-6, "Density Equivalencies for Group Residences and Hostels," B.R.C. 1981.
- ~~(B) In order to prevent the potential creation of an institutional setting by concentration of custodial, residential or congregate care facilities in a neighborhood, no custodial, residential, or congregate~~

¹² This is a clarification that a use may be approved as a conditional use in the mapped area of Appendix N area if it is in the BC zoning District.

¹³ As a part of the Use Standards and Table updates, certain dwelling types were removed from the IS districts in Section 9-7-1. This is correcting an erroneous section from that change. Live/work units are still allowed in these zoning districts.

~~care facility may locate within seven hundred fifty feet of another custodial, residential, or congregate care facility, but the approving agency may permit two such facilities to be located closer than seven hundred fifty feet apart if they are separated by a physical barrier, including, without limitation, an arterial collector, a commercial district or a topographic feature that avoids the need for dispersal. The planning department will maintain a map showing the locations of all custodial, residential, or congregate care facilities in the city.~~¹⁴

9-7-1. - Schedule of Form and Bulk Standards.

...

TABLE 7-1: FORM AND BULK STANDARDS

Zoning District	A R R-1	R R-2 R E	R H-2 R H-5 P	RL-1 RM-2 RM X-1	B T-2	B T-1 B C B R IS -1 IS -2 I G I M	RL-2 R M-1	R H-4	M U-1	R M-3 R H-1 R H-6	RM X-2	RH -3 RH -7	BC S	M U-3	BM S M U-4	D T-1 D T-2 D T-3 D T-5	D T-4	M U-2 I M S	M H
Form module	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s
BUILDING DESIGN REQUIREMENTS ⁽ⁿ⁾																			
Maximum % of 3 rd story floor area that can be in a 4th story ^{any story above the 3rd story} ¹⁵	n/a				n/a				n/a			70 % (j)	n/a	n/a	n/a			n/a	n/a

¹⁴ The seven hundred fifty foot separation requirement for custodial, residential, or congregate care facilities was deemed severely restricting for adequate locations. The intent is to provide more flexible locations.

¹⁵ This language closes a loophole where a fifth story, or rarely higher, does not need to follow the standards listed. The intent of this language was for any story above the third story in the RH-3 and RH-7 zoning districts to provide a visual wedding cake building style. This language is proposed to be matched in footnote (j) below.

Footnotes to Table 7-1, Form and Bulk Standards:In addition to the foregoing, the following miscellaneous form and bulk requirements apply to all development in the city:

- (a) On corner lots, side yard must meet principal building front yard setback where adjacent lot fronts upon the street, unless the subject yard was platted as a side yard at a time when the adjacent lot did not front upon the street.¹⁶
- (b) For zero lot line development, including side yard setbacks from interior lot lines for townhouses, see Subsection 9-7-2(b), B.R.C. 1981.
- (c) The permitted height limit may be modified only in certain areas and only under the standards and procedures provided in Sections 9-2-14, "Site Review," and 9-7-6, "Building Height, Conditional," B.R.C. 1981.
- (d) For buildings over 25 feet in height, see Subsection 9-9-11(c), B.R.C. 1981.
- (e) For other setback standards regarding garages, open parking areas, and flagpoles, see Paragraph 9-7-2(d), B.R.C. 1981.
- (f) Where a rear yard backs on a street, see Paragraph 9-7-2(c), B.R.C. 1981.
- (g) This maximum height limit applies to poles that are light poles at government-owned recreation facilities but not to other poles. Other poles have a maximum height of 55 feet in all zones. For additional criteria regarding poles, see Section 9-2-14, "Site Review," B.R.C. 1981.
- (h) For front yard setback reductions, see Subsection 9-7-2(a), B.R.C. 1981.
- (i) For side yard setback requirements based on building height, see Section 9-7-2 (b)(8), "Setback Relative to Building Height," B.R.C. 1981.¹⁷
- (j) The maximum percentage of the third story floor area that can be in any story above the third story standard may not be modified as part of a site review.¹⁸
- (k) For properties located in the DT-5 and P zoning districts and shown in Appendix I, the minimum setback shall be as required by Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, Table 7-1, Form and Bulk Standards or sixty-five feet measured from the centerline of Canyon Boulevard right-of-way.
- (l) For buildings on nonstandard lots within the RMX-1, RL-1, RE, RR-1, and RR-2 zoning districts, refer to Table 10-1, Maximum Height Formulas, within Section 9-10-3, "Changes to Nonstandard Buildings, Structures and Lots and Nonconforming Uses."
- (m) For setback requirements on corner lots in the DT-5 zoning district, refer to Subsection 9-7-6(c), B.R.C. 1981.
- (n) For principal and accessory buildings or structures located on a lot or parcel designated in Appendix L, "Form-Based Code Areas," and subject to the standards of Appendix M, "Form-Based Code," refer to Appendix M, "Form-Based Code," for design standards applicable to such lot or parcel. With the exception of Charter Section 84, "Height limit," and Sections 9-7-3, "Setback Encroachments," and 9-7-5, "Building Heights," 9-7-7, "Building Height, Appurtenances," B.R.C. 1981, the form and bulk standards of this chapter are superseded by the requirements of Appendix M, "Form-Based Code." Building heights in areas designated in Appendix L are not subject to the height limits of Table 9-7, Form and Bulk Standards.¹⁹

Footnotes to Table 7-1, Form and Bulk Standards:In addition to the foregoing, the following miscellaneous form and bulk requirements apply to all development in the city:

- (a) On corner lots, use principal building front yard setback where adjacent lot fronts upon the street.
- (b) For zero lot line development, including side yard setbacks from interior lot lines for townhouses, see Subsection 9-7-2(b), B.R.C. 1981.

¹⁶ Staff has encountered situations where the combination of lots on a corner lot has changed the existing lot platting pattern of the block, moving the front yard to the other frontage. This puts an unnecessary burden on the adjacent property owner as it changes their side yard setback to a front yard setback affecting the buildable area and potentially creating a non-standard building. This proposal is to protect the development rights of adjacent property owners in this situation.

¹⁷ The reference to Appendix B is changed to Section 9-7-2 for continuity with side yard setback standards and to raise visibility with the added diagram.

¹⁸ Additional language was added to match the proposed condition in the table above.

¹⁹ To be consistent with other tables in Title 9, the existing footnotes are proposed to be moved into a row within the table.

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- ~~(c) The permitted height limit may be modified only in certain areas and only under the standards and procedures provided in Sections 9-2-14, "Site Review," and 9-7-6, "Building Height, Conditional," B.R.C. 1981.~~
- ~~(d) For buildings over 25 feet in height, see Subsection 9-9-11(c), B.R.C. 1981.~~
- ~~(e) For other setback standards regarding garages, open parking areas, and flagpoles, see Paragraph 9-7-2(d), B.R.C. 1981.~~
- ~~(f) Where a rear yard backs on a street, see Paragraph 9-7-2(e), B.R.C. 1981.~~
- ~~(g) This maximum height limit applies to poles that are light poles at government-owned recreation facilities but not to other poles. Other poles have a maximum height of 55 feet in all zones. For additional criteria regarding poles, see Section 9-2-14, "Site Review," B.R.C. 1981.~~
- ~~(h) For front yard setback reductions, see Subsection 9-7-2(a), B.R.C. 1981.~~
- ~~(i) For side yard setback requirements based on building height, see Appendix B, "Setback Relative to Building Height," of this title.~~
- ~~(j) The maximum percentage of the third floor area that can be in a fourth story standard may not be modified as part of a site review.~~
- ~~(k) For properties located in the DT-5 and P zoning districts and shown in Appendix I, the minimum setback shall be as required by Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, Table 7-1, Form and Bulk Standards or sixty five feet measured from the centerline of Canyon Boulevard right-of-way.~~
- ~~(l) For buildings on nonstandard lots within the RMX-1, RL-1, RE, RR-1, and RR-2 zoning districts, refer to Table 10-1, Maximum Height Formulas, within Section 9-10-3, "Changes to Nonstandard Buildings, Structures and Lots and Nonconforming Uses."~~
- ~~(m) For setback requirements on corner lots in the DT-5 zoning district, refer to Subsection 9-7-6(c), B.R.C. 1981.~~
- ~~(n) For principal and accessory buildings or structures located on a lot or parcel designated in Appendix L, "Form-Based Code Areas," and subject to the standards of Appendix M, "Form-Based Code," refer to Appendix M, "Form-Based Code," for design standards applicable to such lot or parcel. With the exception of Charter Section 84, "Height limit," and Sections 9-7-3, "Setback Encroachments," and 9-7-5, "Building Heights," 9-7-7, "Building Height, Appurtenances," B.R.C. 1981, the form and bulk standards of this chapter are superseded by the requirements of Appendix M, "Form-Based Code." Building heights in areas designated in Appendix L are not subject to the height limits of Table 9-7, Form and Bulk Standards.~~

9-7-2. Setback Standards.

~~(a) Front, Rear, and Side Yards: Front, rear, and side yards shall be identified consistent with the yard definition in Section 9-16-1, B.R.C.²⁰~~

~~(ba) Front Yard Setback Reductions: The front yard setback required in Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, may be reduced for a principal structure on any lot if more than fifty percent of the principal buildings on the same block face or street face do not meet the required front yard setback. The setback for the adjacent buildings and other buildings on the block face shall be measured from the property line to the bulk of the building, excluding, without limitation, any unenclosed porches, decks, patios or steps. The bulk of the building setback shall not be less than the average bulk of the building setback for the principal buildings on the two adjacent lots. Where there is only one adjacent lot, the front yard setback reduction shall be based on the average of the principal building setbacks on the two closest lots on the same block face. (See Figure 7-1 of this section.)~~

...

~~(cb) Side Yard Setback Standards:~~

...

²⁰ An added reference to the definition of yard list in Section 9-16-1 is intended to help raise visibility about the diagrams connected to the definition. The sections are subsequently relabeled to accommodate the proposed reference.

(8) Setback Relative to Building Height: For buildings subject to the side yard setback requirements based on building height, the setback shall be determined consistent with Figure 7-3.²¹



Figure 7-3: Setback Relative to Building Height

- (de) **Rear Yard Setbacks:** Where a rear yard backs on a street, the rear yard shall have a minimum landscaped setback equal to the minimum front yard landscaped setback from a street for all buildings and uses required for that zone.
- (ed) **Open Parking Areas, Flagpoles, and Detached Garages and Carports:** Open parking areas, flagpoles, and detached garages and carports may be located in compliance with either the required principal building setbacks or accessory building setbacks.
- (fe) **Swimming Pools, Spas, and Hot Tubs:** Swimming pools, spas, and hot tubs shall be located according to the applicable accessory structure setbacks on a lot except that pools, spas, or hot tubs may be located in compliance with the required front yard principal building setback.
- (gf) **Oil and Gas Operations and Other Uses:** Oil and gas operations shall be set back from any residential use, residential zone, school, daycare center, hospital, senior living facility, assisted living facility, outdoor venue, playground, permanent sports field, amphitheater, public park and recreation use, or other similar public outdoor facility, but not including trails or City of Boulder open space, in accordance with the standards of Section 9-6-7(b)(2), B.R.C. 1981. No residential use, school, daycare center, hospital, senior living facility, assisted living facility, outdoor venue, playground, permanent sports field, amphitheater, public park and recreation use, or other similar public outdoor facility, but not including trails or City of Boulder open space, shall be located closer than two thousand feet from any single-well well pad of an oil and gas operation in pre-production, closer than two thousand five hundred feet from any multi-well well pad of an oil and gas operation in pre-production, closer than five hundred feet from any well pad of an oil and gas operation in production, and closer than two hundred fifty feet from an oil and gas operation that has been capped and abandoned pursuant to the requirements of Section 9-6-7(b)(16), B.R.C. 1981.

...

²¹ The updated diagram below is proposed to be moved from Appendix B to this section for continuity with side yard setback standards and to raise visibility and to be consistent with the other diagrams of this section. A new reference to the figure is added. This matches footnote (i) of Table 7-1. The addition of this diagram and reference adjusts the numbering of the existing figures and references to the existing figures.

9-7-5. Building Height.

...

- (b) **Measurement of Height:** Height shall be measured as the vertical distance from the lowest point within twenty-five horizontal feet of the tallest side of the structure to the uppermost point of the roof or structure. The lowest point shall be calculated using the natural grade. The tallest side shall be that side whose lowest exposed exterior point is lower in elevation than the lowest exposed exterior point of any other side of the building (see Figure 7-~~43~~ Measurement of Height).
- (1) **Modifications to Natural Grade:** If there is evidence that a modification to the natural grade has occurred since the adoption of Charter section 84, "Height limit." B.R.C. 1981, on November 2, 1971, the city manager can consider the best available information to determine the natural grade. This may include, without limitation, interpolating what the existing grade may have been using the grade along property lines, topographic information on file with the City, or other information that may be presented to the city manager.

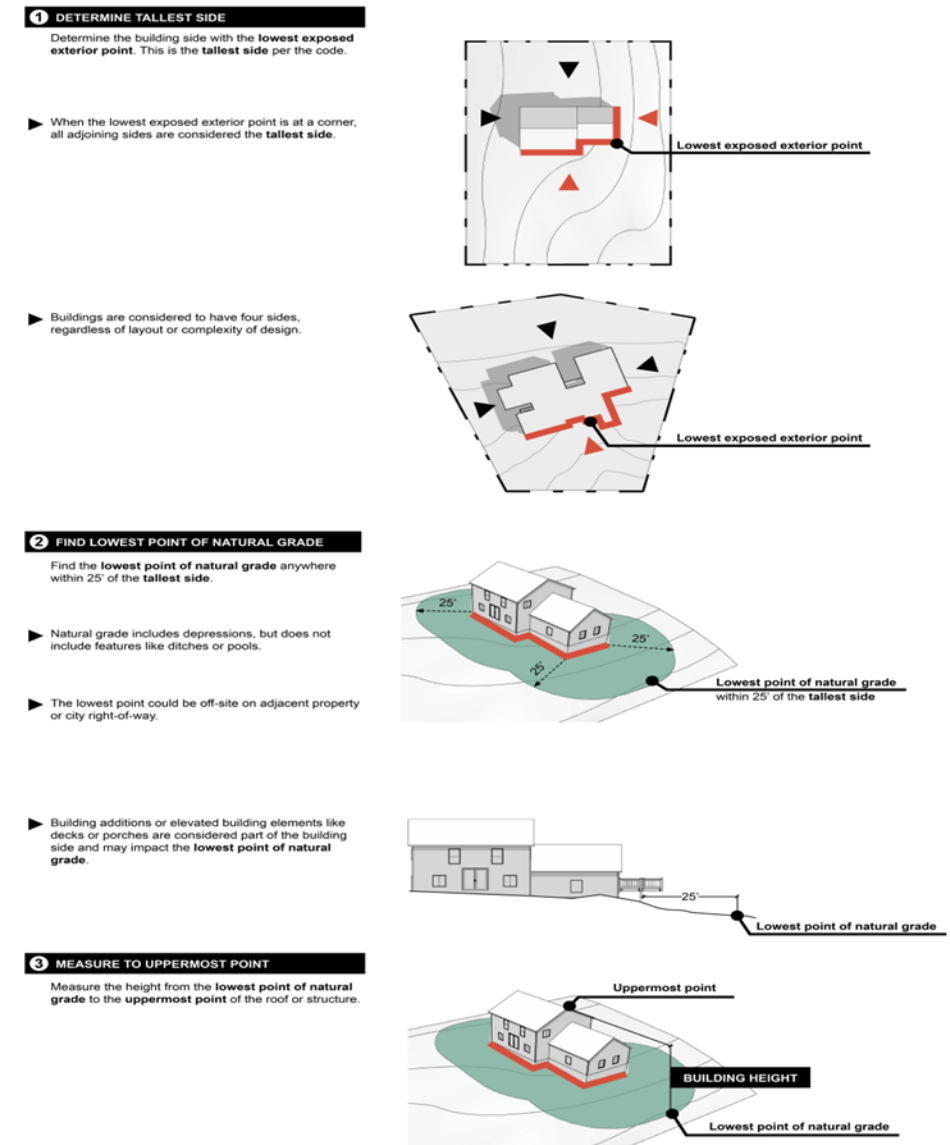


Figure 7-43: Measurement of Height

- (2) Slopes Greater Than Twenty Degrees: On a slope measured within the building envelope created by the required setbacks from property lines that is greater than twenty degrees (36.4 percent slope), the building height may not exceed twenty-five feet measured perpendicular from the natural grade below. (See Figure 7-54 of this section.) However, under no circumstances shall a structure exceed fifty-five feet as measured under charter section 84 except as provided for poles in Section 9-2-14, "Site Review," B.R.C. 1981. The slope percentage shall be calculated by measuring the difference between the high point and the low point within the building envelope and dividing it by the distance between the high and low points.

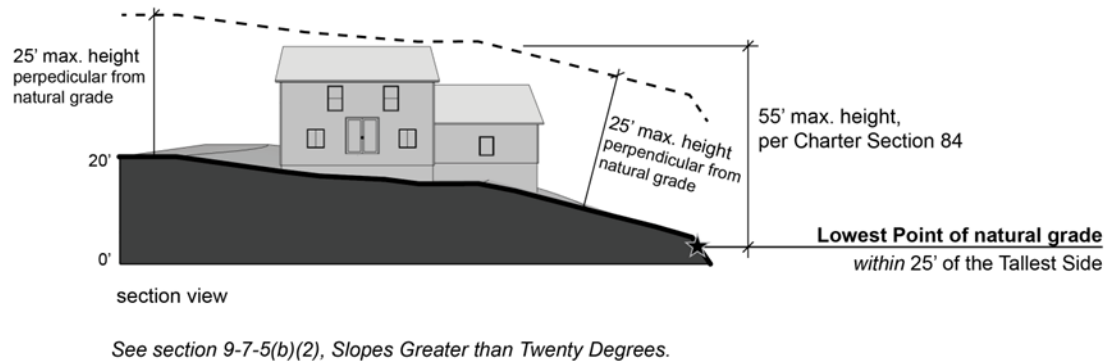


Figure 7-54: Building Height on a Slope Greater than Twenty Degrees

...

(e) Height Calculations for Attached Buildings:

- (1) The following shall be considered separate buildings for the purposes of calculating building height:
 - (A) Buildings that are connected only below grade (see Figure 7-65 of this section).
 - (B) Separate abutting buildings that may have an internal connection (see Figure 7-76 of this section).
 - (C) Buildings built to the common property line that may have an internal connection (see Figure 7-76 of this section).
 - (D) Buildings attached by an at-grade open or enclosed connection not more than fifteen feet high and twelve feet deep (see Figure 7-87 of this section).

...

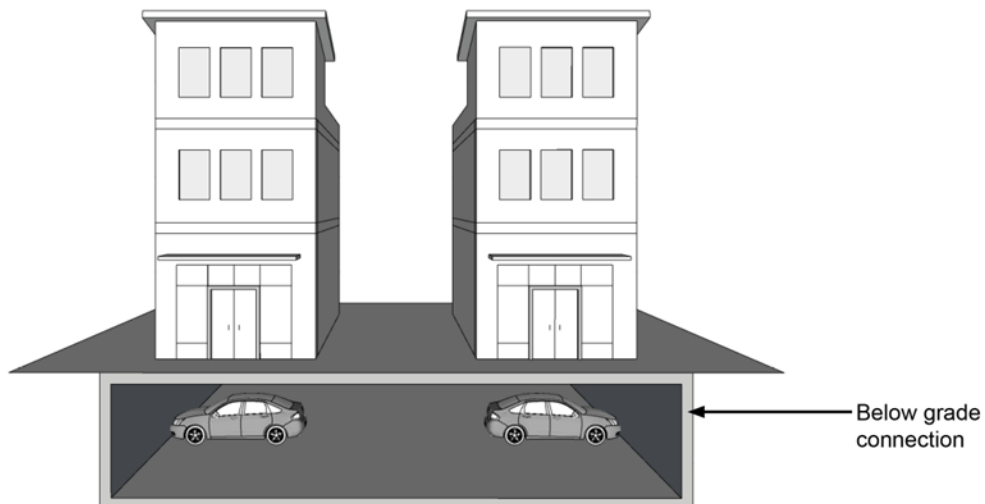


Figure 7-65: Below Grade Connection

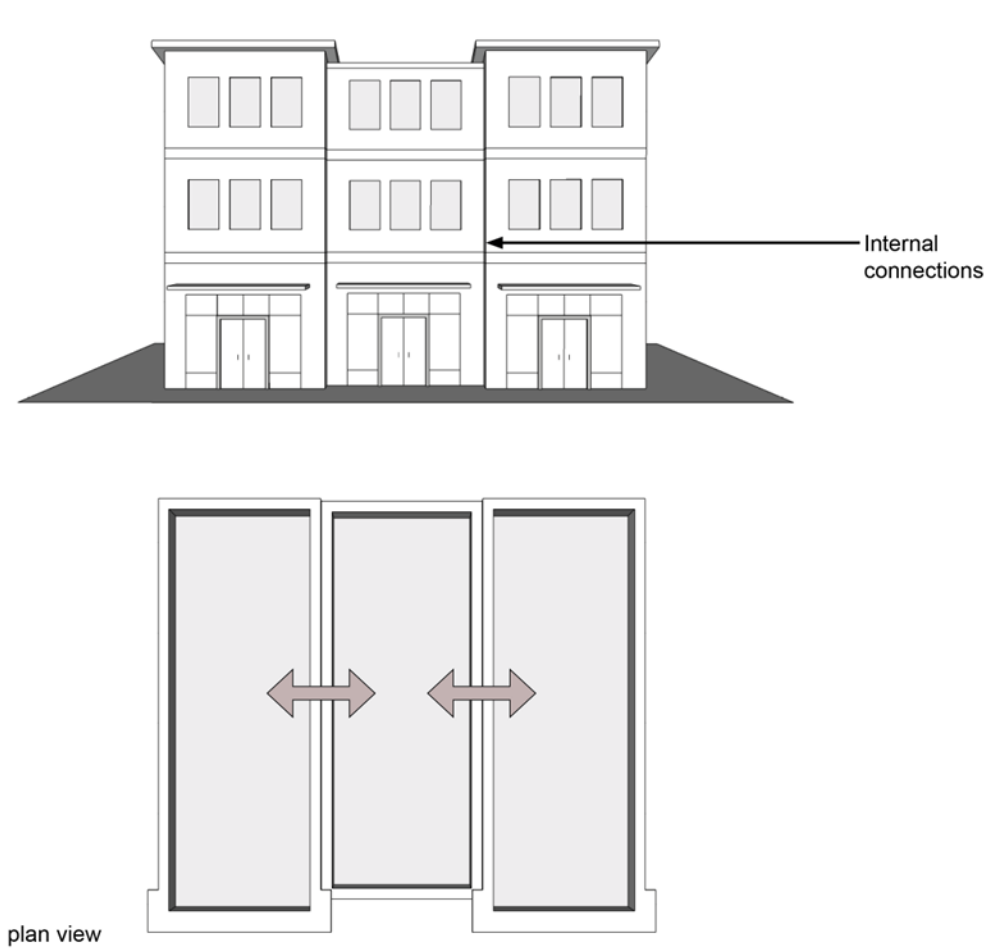


Figure 7-76: Internal Connection

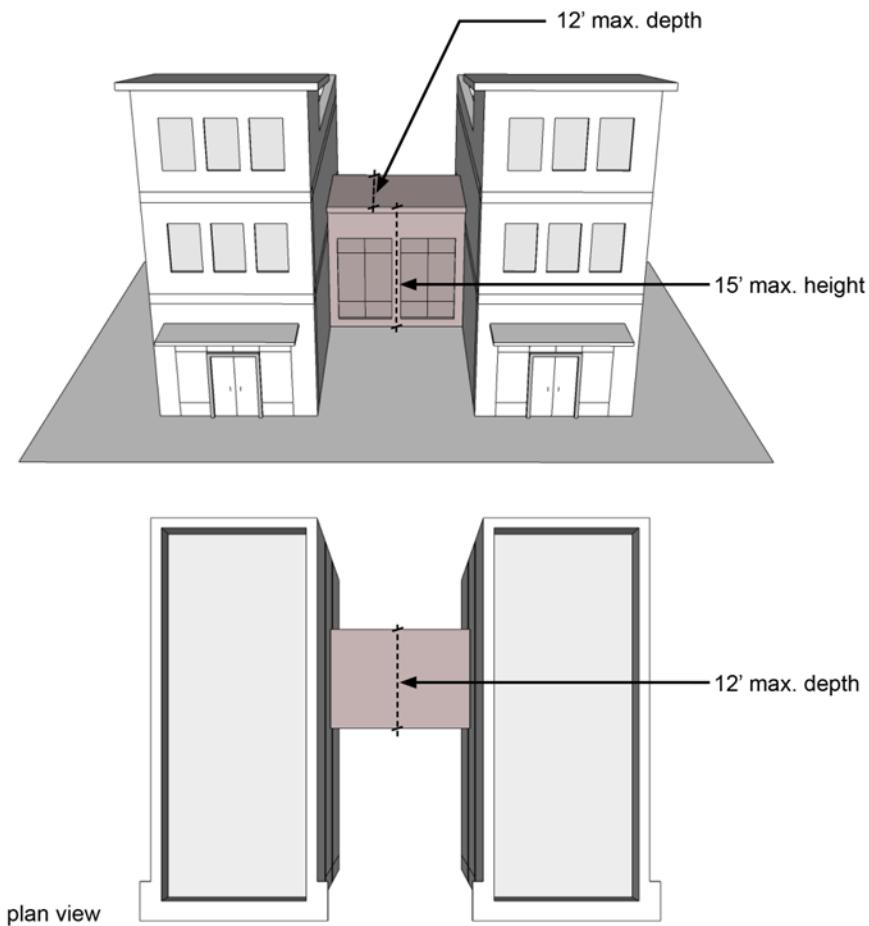


Figure 7-~~87~~: At-Grade Open or Enclosed Connection

9-7-8. Accessory Buildings in Residential Zones.

...

- (c) Breezeway Connections Between Accessory and Principal Buildings: In a residential zoning district, a single-family detached dwelling unit may be connected to an accessory building which is located partially or entirely within principal building rear yard setback by a breezeway if the breezeway meets the following standards:
 - (1) No portion of the roof shall exceed a height of twelve feet, measured to the finished grade directly below it, or the height of the accessory building to which it is attached, whichever is less. (See Figure 7-~~98~~ of this section.)

...

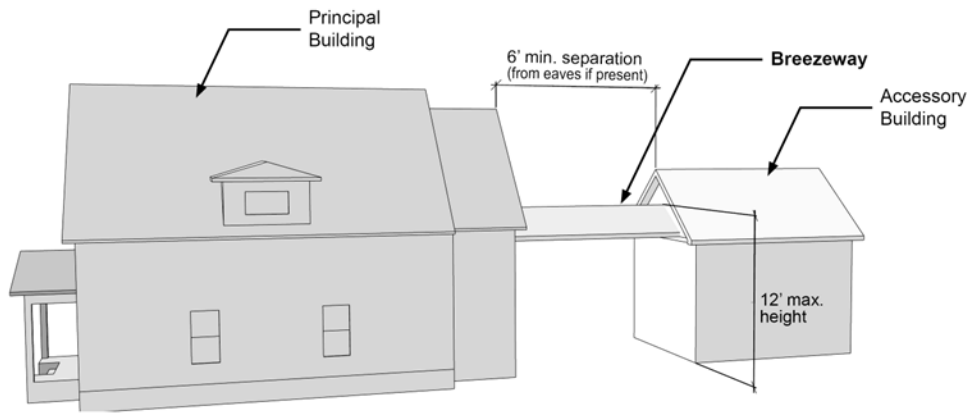


Figure 7-~~98~~: Breezeway

9-7-9. Side Yard Bulk Plane.

...

- (c) Measurement standards: The bulk plane is a plane that begins twelve feet above the side lot lines of a lot or parcel, then rises over a slope at a forty-five-degree angle until it reaches the permitted height in the zoning district or intersects with the plane that is created by the lot line on the opposite side of the lot or parcel. See Figure 7-109.

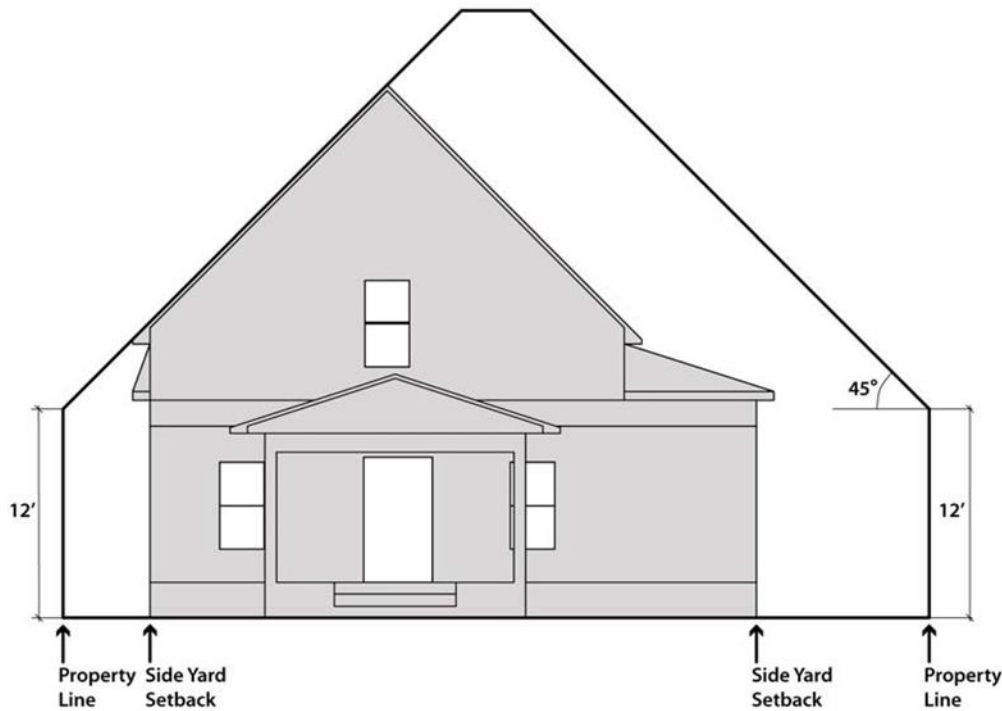
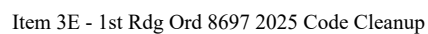


Figure 7-109: Side Yard Bulk Plane

The bulk plane shall be measured from the points described in Paragraph (1) or (2) below using one of the following methods:

- (1) Grade level point method: The bulk plane shall be measured from the grade level elevation points, which are found along the side property lines, that coincide with location of the midpoint of the lot or parcel, described as points that are equal distance between the front and rear yards. The grade level points shall be as close as possible to the natural grade, and in case a retaining wall is located on the side property line, the ground level point shall be taken from the base of the wall. See Figure 7-110. An applicant may request that the city manager determine the location of the grade level points and corresponding bulk plane for irregularly shaped lots or parcels, including flag lots; or

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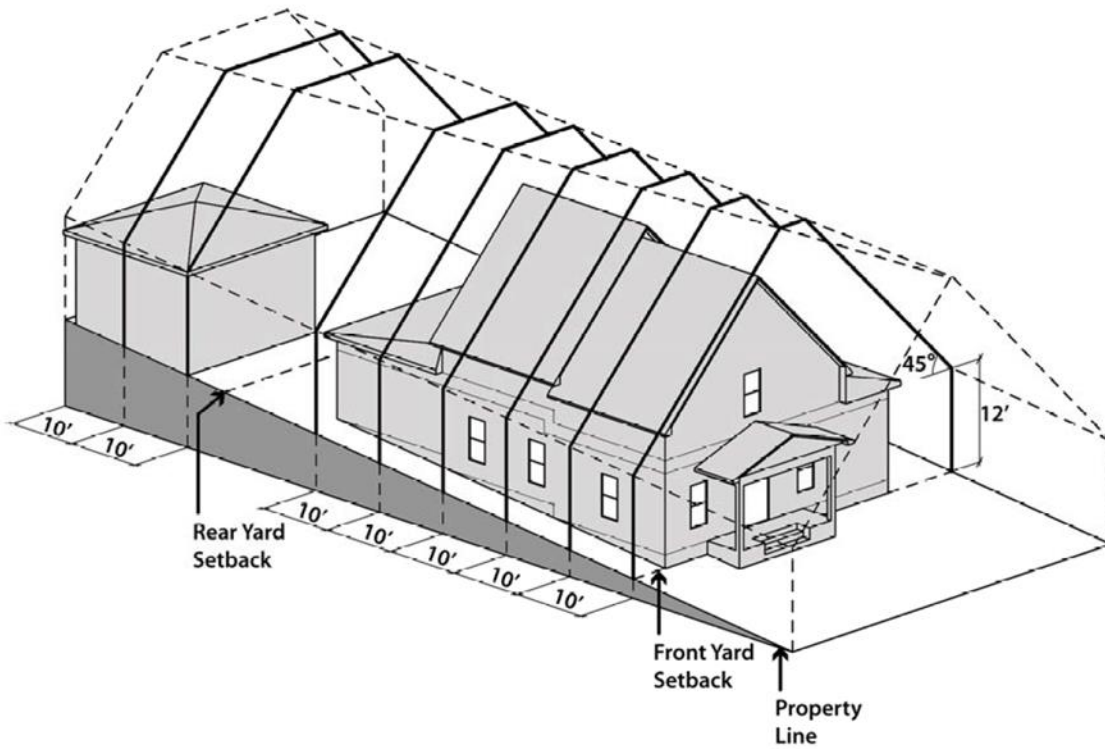


Figure 7-124: Side Yard Bulk Plane Measurement Using the Parallel Point Method

- (d) Encroachments: No building or portion thereof shall be constructed or maintained beyond the required bulk plane except as provided for below:

...

- (4) The gable end of a sloping roof form (see Figure 7-132), provided that:

...

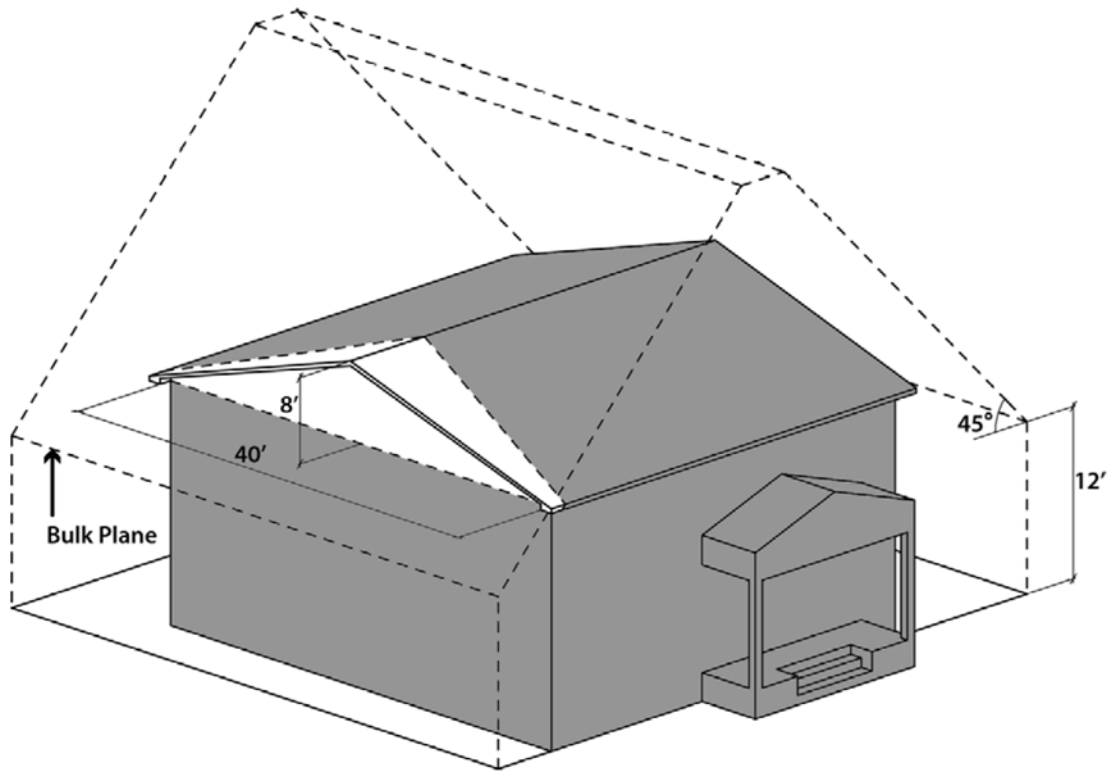


Figure 7-132: Gable Roof End Encroachment into the Side Yard Bulk Plane

(5) Dormers (see Figure 7-143), provided that:

...

- (B) The portion of any dormer that extends beyond the bulk plane limit does not exceed a maximum width of eight feet, including any roof overhang, and does not extend beyond the bulk plane more than six feet, measured as shown in Figure 7-143.

...

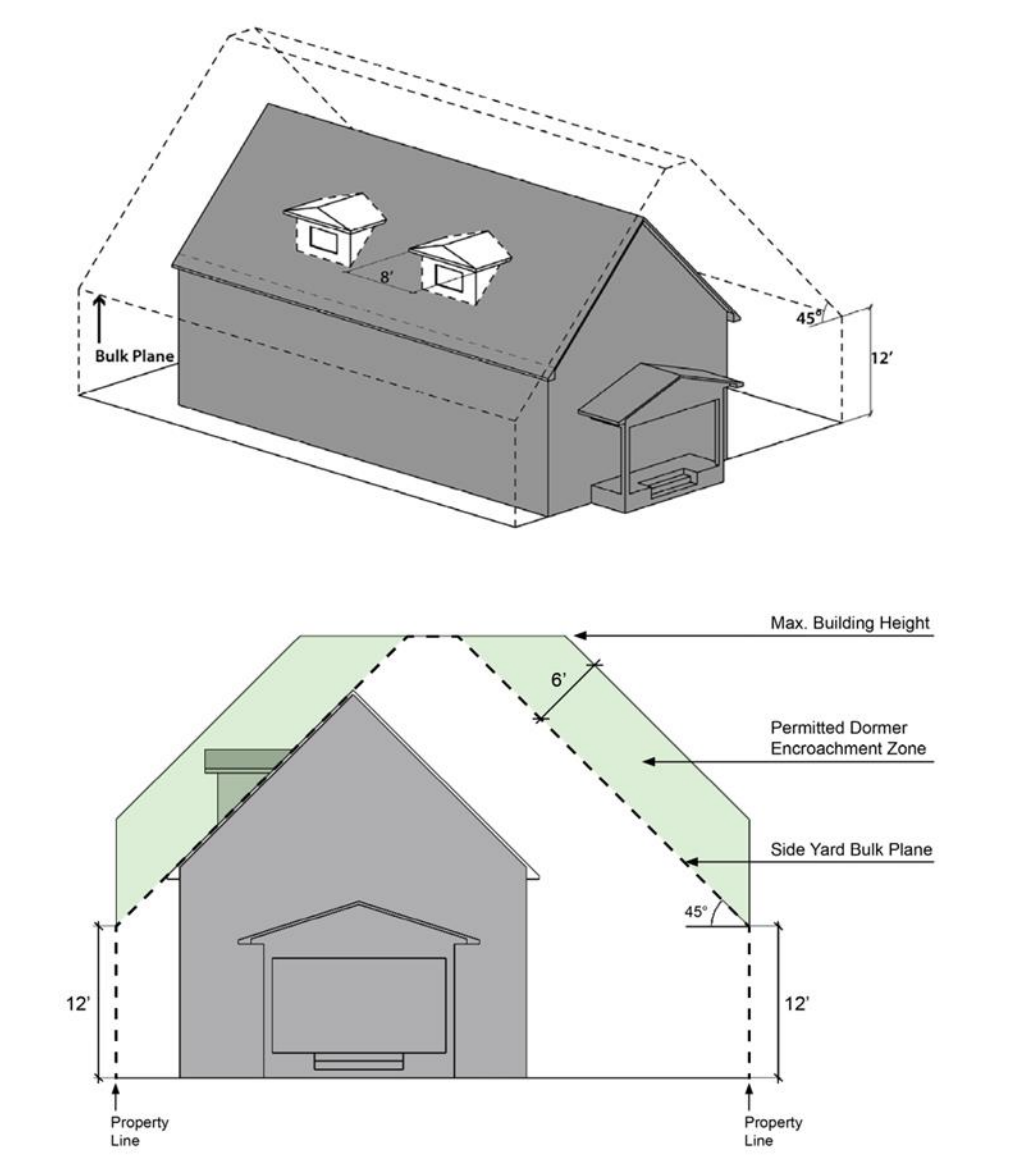


Figure 7-143: Dormer Encroachment beyond the Side Yard Bulk Plane

9-7-10. Side Yard Wall Articulation.

...

- (c) Side Yard Wall Standards: Along each side yard property line, the cumulative length of any walls that exceed a height of fourteen feet shall not exceed forty feet in length, unless they are set back at least fourteen feet from the side property line (see Figure 7-154). For the purposes of this section, wall height shall be measured from finished grade as follows:

...

...

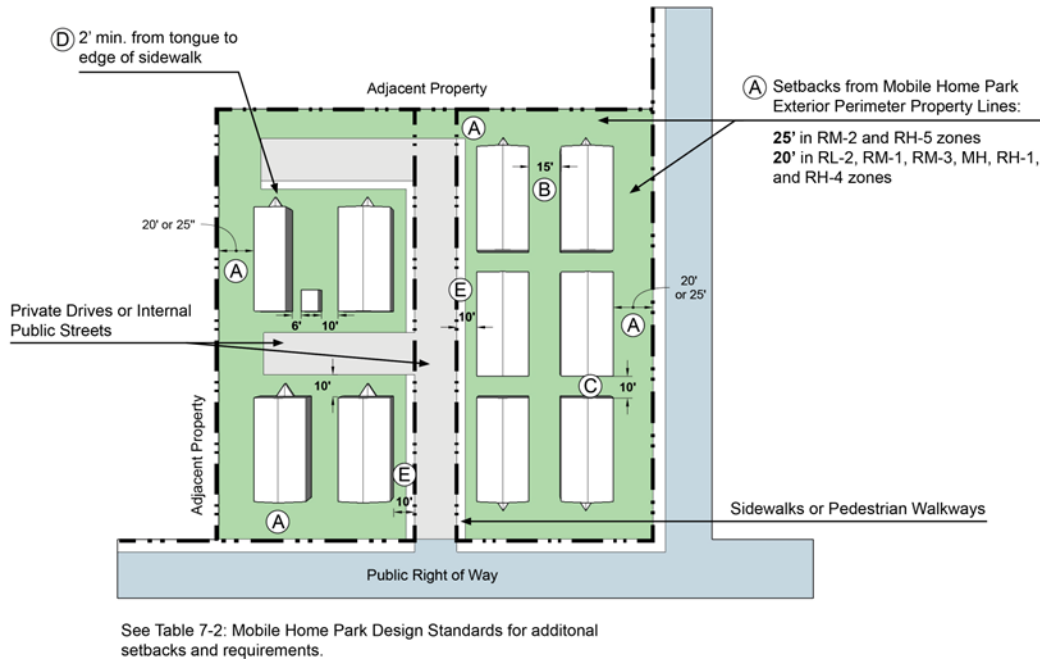


Figure 7-165: Mobile Home Park Setback & Separation Standards

...

9-8-3. Density in the RR-1, RR-2, RL-1, RMX-1, and RH-7 Districts.

(a) Duplexes or Two Detached Dwelling Units in the RR-1, RR-2, and RL-1 zoning districts: A duplex or two detached dwelling units may be developed in the RR-1, RR-2, and RL-1 zoning districts if the lot or parcel meets the following standards:

(1) Location Near Transit Corridors: The lot or parcel is located within 350 feet of a transit corridor identified in Appendix J, "Duplexes Along Transit Corridors," B.R.C. 1981. The distance shall be measured on an official city map, identified by the city manager, from the closest point on the perimeter of the applicant's property to the closest point on the edge of the public right-of-way of the transit corridor; and

(2) Minimum Lot Area: The lot or parcel meets the minimum lot area ~~of the applicable zoning district established in Table 8-1, "Intensity Standards," for the zoning district or the lot or parcel~~ is a nonstandard lot that ~~is smaller than meets~~ the minimum lot ~~area established in Table 8-1 for the zoning district and size established for development of such lot in Subsection 9-10-3(b), "Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses," B.R.C. 1981.~~ the following requirements are met:

(A) The building or buildings meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, and

(B) In the RR-1 and RR-2 zoning districts, the lot or parcel is at least 7,500 square feet, or

(C) In the RL-1 zoning district, the lot or parcel is at least 3,500 square feet.²²

9-9-2. General Provisions.

...

(d) Zoning Standards for Lots in Two or More Zoning Districts:

(1) Uses: Existing buildings located in more than one zoning district shall ~~be regulated according to the~~ meet the applicable use standards for the zoning district in which the majority of the existing building is located. ~~Any building additions or site improvements shall be regulated according to the zoning district in which such additions or improvements are located. In the event that~~ If an existing building is split in half between two zoning districts, the city manager shall determine which zoning district's use standards shall apply based upon the historic use of the building and the character of the surrounding area.

(2) Form, Bulk, and Intensity: ~~On lots or parcels located in two or more zoning districts, any building additions or site improvements shall meet the form, bulk, and intensity standards of the zoning district where additions or improvements are located.~~²³

9-9-5. Site Access Control.

...

(c) Standards and Criteria for Site Accesses and Curb Cuts: Any access or curb cut to public rights of way shall be designed in accordance with the City of Boulder Design and Construction Standards and the following standards and criteria:

- (1) Number of Access Points Permitted: One access point or curb cut per property will be permitted, unless a site plan or traffic study, approved by the city manager, demonstrates that additional access points and curb cuts are required to adequately address accessibility, circulation, and driveway volumes, and only where additional accesses and curb cuts would not impair any public use of any public right-of-way, or create safety or operational problems, or be detrimental to traffic flow on adjacent public streets.
- (2) Access Restrictions: On arterial and collector streets, or if necessary for the safe and efficient movement of traffic, all accesses shall be designed and constructed with physical improvements and appropriate traffic control measures to assist or restrict turning movements, including, without limitation, acceleration or deceleration lanes, access islands, street medians, and signage, as may be required of the development if the city manager finds that they are necessary to preserve the safety or the traffic-

²² This language from the Family-Friendly Vibrant Neighborhoods ordinance created confusion since the eligibility section referred to a section of the code that references “vacant” lots where it was erroneously interpreted to only apply to vacant lots, which was never the intent. The language here and in section 9-10 has been updated to be clearer. For instance, language saying “one fourth of the minimum lot size” or “one half of the minimum lot size” has simply been updated to be the exact size a lot must be to be developed.

²³ The proposed changes are meant to clarify the language for lots on two zoning districts by uses and form, bulk, and intensity. Staff had identified this paragraph as confusing and difficult to enforce based upon the different standards.

carrying capacity of the existing street. The city manager shall determine the length and degree of the required access restriction measures for the property.

- (3) Residential Access to Arterial and Collector Streets Restricted: No residential structures shall have direct access onto an arterial. However, if no alternative street access is possible, an access may be permitted subject to the incorporation of any design standards determined to be necessary by the city manager to preserve the safety and the traffic-carrying capacity of the arterial or collector.
- (4) Access From Lowest Category Street Required: A property that has frontage on more than one street, alley or public access shall locate its access or curb cut on the lowest category street, alley or public access frontage. If more than one access point or curb cut is necessary, an additional access or curb cut will be permitted only where the proposed access or curb cut satisfies the requirements in this section.
- (5) Property Right to Access: If a property cannot be served by any access point or curb cut that satisfies this section, the city manager will designate the access point or curb cut for the subject property based on optimal traffic safety.
- (6) Multiple Access Points for Single-Family Residential: The city manager will permit multiple access points on the same street for single-family residential lots upon finding that there is at least one hundred linear feet of lot frontage adjacent to the front yard on such street, the area has a limited amount of pedestrian activity because of the low density character, and there is enough on-street parking within three hundred feet of the property to meet the off-street parking needs of such area. The total cumulative width of multiple curb cuts shall not exceed the maximum permitted width of a single curb cut. The minimum spacing between multiple curb cuts on the same property shall not be less than sixty-five feet.
- (7) Shared Driveways for Residential Structures: A detached single-family residential lot that does not have frontage on the street from which access is taken may be served by a shared driveway that meets all of the standards and criteria for shared driveways set forth in the City of Boulder Design and Construction Standards.
- (8) Driveway Width: Driveways shall meet the following standards (see Figure 9-1 of this section):
 - (A) Minimum driveway width: The width of a driveway leading to an off-street parking space shall not be less than nine feet. A driveway, or portion of a driveway, may be located on an adjacent property if an easement is obtained from the impacted property owner.
 - (B) Maximum Driveway Width: For any property with three or fewer dwelling units, the driveway width within a landscaped setback, including any associated circulation or turnarounds, shall not exceed 20 feet.

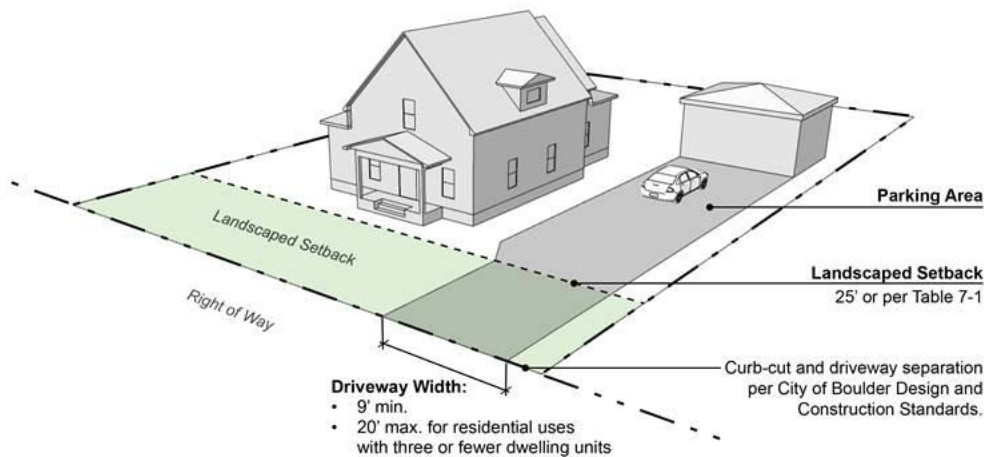


Figure 9-1: Driveway Width

- (9) Modification: The standards of this section may be modified under the process of Section 9-2-14, "Site Review," B.R.C. 1981.
- (10) Exceptions: The city manager may grant an exception to the requirements of this section ~~may be modified~~ under the provisions of Section 9-2-142, "Site-Administrative Review," B.R.C. 1981, ~~to provide for safe and reasonable access. Exceptions to this section may be made~~ if the city manager determines that following criteria are met:²⁴
- (A) The topography, configuration of a lot, or other physical constraints makes taking access from the lowest category street, alley or public access frontage impractical, or the character of the existing area is such that a proposed or existing access to the street, alley or public access frontage is compatible with the access of properties in such area;
 - (B) The site access and curb cuts would not impair public use of the public right-of-way; create safety or operational problems or be detrimental to traffic flow on adjacent public streets; and
 - (C) The site access and curb cuts will minimize impacts to the existing on-street parking patterns.

...

9-9-6. Parking Standards.

...

TABLE 9-4: USE SPECIFIC MOTOR VEHICLE PARKING REQUIREMENTS FOR NONRESIDENTIAL USES IN ALL ZONES

<i>Use</i>	<i>Parking Requirement</i>
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²⁴ Previously there was confusion in this section based upon the language of the request of a modification of site access under the site review process and specific exception granted under an administrative review. This proposal separates the review processes based upon either a general modification or specific criteria for an exception.

Religious assembly:	(See Paragraph (f)(83)(C) of this section for permitted parking reductions) ²⁵
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...

9-9-11. Useable Open Space.

...

(e) Types of Useable Open Space: Useable open space includes:

...

- (5) Exterior paved surfaces, except public sidewalks less than five feet in width and those paved areas specifically prohibited in subsection (i) of this section, may be used as open space subject to meeting the following additional standards:

...

- (B) The paved areas shall be accessible and open for use by the tenants, occupants or visitors of the building. To enhance the use of such areas, the paved areas shall include passive recreation amenities which include, without limitation, benches, tables, outdoor short-term bicycle parking areas,²⁶ ornamental lighting, sculpture, landscape planters or movable planting containers, trees, tree grates, water features, or active recreation amenities which include, without limitation, areas for basketball, volleyball or racquet sports.

(f) Special Open Space Requirements Applicable to Residential Uses: Useable open space for residential uses also includes:

...

- (6) In the BMS, MU, IMS, ~~and~~ BR-2, and DT²⁷ zoning districts, individual balconies, decks, porches and patio areas that will not be enclosed count one hundred percent toward the private open space requirement, provided that such balcony, deck, porch or patio is not less than seventy-two inches in any dimension nor less than sixty square feet in total area. In the BR-2 zoning district, the dimensions and locations of private open space may be varied if the private open space adequately meets the needs of the occupants of the dwelling units and is approved as part of a site review pursuant to section 9-2-14, "Site Review," B.R.C. 1981.

...

9-10-3, "Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses", B.R.C. 1981

(b) Nonstandard Lots or Parcels:

²⁵ This is a correction of an erroneous paragraph reference.

²⁶ Staff has encountered situations within a development review where outdoor short-term bicycle parking was proposed as open space, which were determined to meet the intent of the section by encouraging flexibility in design. Staff also determined that this particular type of bicycle parking was not unlike other passive recreation amenities listed.

²⁷ Adding flexibility to design projects in the downtown zoning districts by counting unenclosed balconies, decks, porches, and patio areas as the downtown area is limited in open space area and designs are not unlike the other zoning districts listed.

(1) ——— Development Requirements: Vacant or parcels in all residential districts ~~except RR-1 and RR-2 which that~~ are smaller than the minimum lot sizes area indicated in Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981, ~~but larger than one half of the required zoning district minimum lot size,~~ may be developed with a detached dwelling unit or, if in the RR and RL-1 zoning districts, pursuant to the standards in Subsection 9-8-3(b), "Density in the RR-1, RR-2, RL-1, RMX-1, and RH-7 Districts," B.R.C. 1981, with a duplex or two detached dwelling units, if the following criteria are met:

a. ~~building~~ The building or buildings meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981; ~~and~~

b. In RR-1 and RR-2 districts, ~~the lots or parcels are is no less than at least 7,500 square feet in size, or and which are smaller than the minimum lot size but larger than one fourth of the minimum lot size may be developed with a detached dwelling unit or, pursuant to the standards in subsection 9-8-3(b), with a duplex or two detached dwelling units, if the building or buildings meet the setback requirements.~~

a.c. In all other zoning districts, ~~the vacant lots which that are is below~~ at least one-half of the required minimum lot size area, ~~for the zoning district shall not be eligible for construction of principal buildings.~~²⁸

9-12-5. Minor Subdivision.

- (a) Scope: A minor subdivision is a division of residentially zoned²⁹ land that is already served by city services, will not require ~~the extension of streets or any~~ public improvements and will not result in more than one additional lot.
- (b) Standards for Minor Subdivisions: The approving authority will approve a minor subdivision after finding that the following standards have been met: ~~Limitations: The provisions of this section shall not apply to a replat that.~~³⁰
- (1) The land is in a residential zoning district described in Section 9-5-2, "Zoning Districts," B.R.C. 1981;
 - (2) The resulting lots will contain either no more than two detached dwelling units or one duplex per lot as allowed under this title;
 - (3) The division of land will create no more than one additional lot;
 - (4) The subdivision does not rRequires any ~~modifications-waivers pursuant to Subsection 9-12-12 (b), "Standards for Lots and Public Improvements Waiver of Lot Standards," B.R.C. 1981;~~
 - (5) The subdivision does not rRequires the dedication of public or private access easements or public right-of-way for new streets, alleys or shared access driveways;

²⁸ As with the edit in Section 9-8-5, the language here is confusing. Further, there is an incorrect code reference here that required updating. The language has been made clearer by changing the language from "one fourth of the minimum lot size" or "one half of the minimum lot size" to the exact size a lot must be to be developed.

²⁹ This is clarifying language that minor subdivisions only apply to residentially zoned land.

³⁰ The standards section is proposed to be rewritten to take duplicate information in the limitations section and combining existing language with standards that limit the minor subdivision process to the original intent of dividing a residential property into two lots with no public improvements required.

- (36) ~~The subdivision does not r~~Requires ~~the extension of a construction of any~~ public improvement such as a street, alley, ~~sidewalk,~~ water main, or sewer main; ~~or requires any engineering plans, including but not limited to drainage reports for any public or private improvement;~~
- (7) ~~The subdivision does not require a drainage report for any public or private improvement;~~
- (84) ~~The subdivision is not~~ Is located on lands containing slopes of fifteen percent or greater;
- (95) ~~The subdivision does not r~~Requires the removal of an existing principal building; ~~or~~
- (10) If the minor subdivision is a replat of a previously approved subdivision, the document is named with the same name as that of the original subdivision and indicates that it is a replat of the original subdivision. Newly adjusted or created lots are designated to adequately indicate that original lot lines have been adjusted with a similar lot name;
- (11) The lots and existing structures will comply with the lot standards of Section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar access requirements of Section 9-9-17, "Solar Access," B.R.C. 1981; and
- (12) No portion of the property is located in the high hazard zone or the conveyance zone.
- ~~(6) Is located in a nonresidential zone district described in Section 9-5-2, "Zoning Districts," B.R.C. 1981.~~
- (c) Application Requirements: The subdivider shall submit to the City the following items:
- (1) An application for a minor subdivision on a form provided by the city manager and the fee prescribed by Section 4-20-43, "Development Application Fees," B.R.C. 1981;
 - (2) A preliminary plat meeting all of the requirements of Section 9-12-6, "Application Requirements for a Preliminary Plat," B.R.C. 1981;
 - (3) A final plat meeting all of the requirements of Section 9-12-8, "Final Plat," B.R.C. 1981;
 - (4) A title commitment or attorney memorandum based upon an abstract of title, current as of the date of submitting the minor subdivision;
 - (5) A lot line and boundary verification required by Section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, if the requirements of Section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, have not been met on the original plat; and
 - (6) A shadow analysis for any existing buildings that is drawn in compliance with Section 9-9-17, "Solar Access," B.R.C. 1981, and any other standards as may be required by the city manager.
- (d) Notice Requirements: The subdivider shall satisfy the notice requirements in Section 9-12-7, "Staff Review and Approval of Preliminary Plat," B.R.C. 1981.
- ~~(e) Standards for Minor Subdivisions: The city manager will approve the minor subdivision after finding that the following standards have been met:~~
- ~~(1) The land is in a residential zoning district described in Section 9-5-2, "Zoning Districts," B.R.C. 1981;~~
 - ~~(2) The division of land will create no more than one additional lot;~~
 - ~~(3) The division of land will not require the extension of any public improvements, including, without limitation, the extension of roads or utilities to serve the property;~~
 - ~~(4) If the minor subdivision is a replat of a previously approved subdivision, the document shall be named with the same name as that of the original subdivision and shall indicate thereon that it is a replat of the original subdivision. Newly adjusted or created lots shall be designated to adequately indicate that original lot lines have been adjusted with a similar lot name; and~~

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- ~~(5) The lots and existing structures will comply with the lot standards of section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar access requirements of section 9-9-17, "Solar Access," B.R.C. 1981.~~³¹
- ~~(f) Existing Streets or Alleys, Dedication and Vacation of Easements: Right of way necessary to bring an existing street or alley up to a current City standard, or and public easements for utilities or sidewalks may be dedicated on a minor subdivision plat. The City may approve the vacation of City utility easements on the replat.~~³²
- ~~(ge) Minor Subdivision Review Procedure: If the final plat and the required plans, specifications, agreements, and guarantees meet the requirements of this code, the City of Boulder Design and Construction Standards, and other ordinances of the City or requirements determined by the city manager to be necessary to protect the public health, safety, or welfare, the manager shall approve the final plat in accordance with the procedure set forth in Section 9-12-10, "Final Plat Procedure," B.R.C. 1981. ~~If there are no public improvements associated with the minor subdivision, the city manager can waive the requirements for a subdivision agreement. A subdivision agreement is not required for a minor subdivision.~~³³~~

9-14-1. Form Based Code

...

9-14-8. DEFINITIONS

The definitions in Chapter 1-2, "Definitions," and Chapter 9-16, "Definitions, B.R.C. 1981, apply to this chapter unless a term is defined different in this chapter or the context clearly indicates otherwise. For the purposes of this chapter, the following terms shall have the following meanings:

- (a) **Balcony.** Balcony means a platform that projects from a facade of a building above grade and is enclosed by a parapet or railing but excludes false balconies False balconies consist of a rail and door, and any outdoor platform less than eighteen inches in depth.
- (b) **Courtyard.** A courtyard means any street-level area that is generally enclosed by a building or multiple buildings on three sides, is open to the sky, and includes landscape and pedestrian pathways, and may include patio, terrace, or deck space. Sides may be enclosed by buildings on abutting lots or lots across a street.
- ~~(c?)~~ Coverage, Impervious. Impervious coverage means the percentage of a lot or parcel developed with principal or accessory structures or other impervious surfaces.

³¹ This language has been combined into the previous limitations section to create a new standards section, removing duplicate language.

³² Removal of this language is to restore the original intent of the minor subdivision process, which is to divide a residentially zoned property into two lots with no public improvements required.

³³ With the intention of this section to restore the original intent of the minor subdivision process, replacement language is proposed not requiring a subdivision agreement as there would be no public improvements. Any public improvements needed would move the proposal to the full plat process.

(d²) Coverage, Semi-pervious. Semi-pervious coverage means the percentage of a lot or parcel developed with semi-pervious surfaces.³⁴

(ee) **Expression Line.** Expression line means an architectural feature consisting of a decorative, three-dimensional, linear element, horizontal or vertical, protruding or recessed at least two inches from the exterior facade of a building. Vertical elements may include a column, pilaster, or other vertical ornamentation. Horizontal elements may include a cornice, belt course, molding, string courses, canopy, balcony, or other horizontal ornamentation and projections. Expression lines are typically utilized to delineate the top or bottom of floors or stories of a building or divide a facade into smaller sections. Expression lines are also subject to the following:

- (1) Expression lines must extend continuously the full length of the facade. Breaks may occur in the expression line provided that they are no more than two feet in length and the cumulative length of the breaks does not exceed twenty percent of the facade length.
- (2) The minimum protrusion or recession of an expression line in brick masonry may be achieved through the use of up to three consecutively vertically stacked bricks that are corbeled or racked.

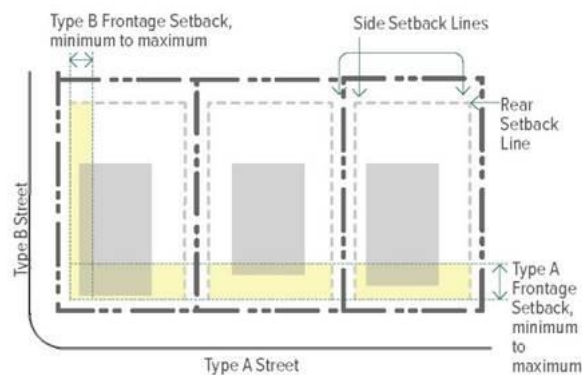


Figure 14-10. Minimum and Maximum Frontage Setback Lines

³⁴ In the most recent adopted version of the form-based code, it was discovered that terminology for impervious, semi-pervious, permeable surfaces, coverage and material were being used inconsistently. This proposal is to create concise definitions of impervious coverage, semi-pervious coverage, impervious surface, semi-pervious surface, and permeable surface. The definitions were also relabeled for consistency.

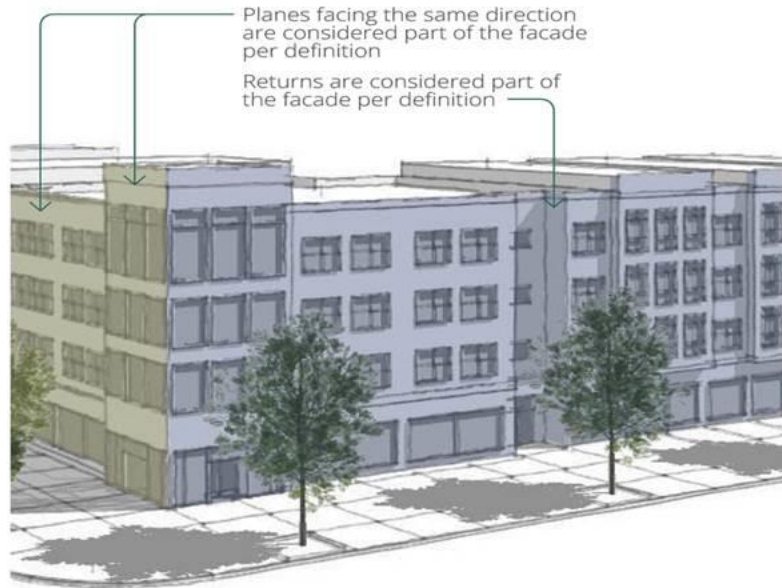


Figure 14-11. Facade Definition

- (fd) **Facade.** Facade means the exterior walls of a building exposed to public view and includes walls as shown in Figure 14-11. Facade Definition.
- (ge) **Frontage Setback.** Frontage setback means a minimum and maximum setback and is the area in which the facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The frontage setback dictates the minimum and maximum distance a structure may be placed from a lot or parcel line, easement, or outdoor space in accordance with the measurement requirements of Subsection 9-14-2(b), Frontage Setback," B.R.C. 1981. Refer to Figure 14-10. Minimum and Maximum Frontage Setback Lines, and Figure 14-11. Facade Definition.
- ~~(f) **Impervious Site Coverage.** Impervious site coverage means the percentage of a lot or parcel developed with principal or accessory structures and other surfaces that prevent the absorption of stormwater into the ground, including without limitation, driveways, sidewalks, and patios.~~
- (hg) **Major Material.** Major material means a façade material meeting the standards for major materials established in Section 9-14-28 "Façade Materials," B.R.C. 1981.
- (ih) **Minor Material.** Minor material means a façade material meeting the standards for minor materials established in Section 9-14-28, "Façade Materials," B.R.C. 1981.
- (ji) **Mobility Hub.** Mobility hub means a designated, easily accessible outdoor space where people can access and transfer between multiple transportation modes, such as public transit, bike share, ride-share, taxis, and micromobility devices.

- (k) **Occupied Building Space.** Occupied building space means interior building spaces regularly occupied by the building users. It does not include storage areas, utility space, vehicle service areas, parking, or other uninhabitable spaces.
- (l) **Parking Yard.** Parking yard means an area extending from the rear building facade to the rear property line between the side yards or, on a corner property, between the street adjacent side and side yards. Parking yards are fully screened from Type A frontages by the building and do not extend to any side lot line or street lot line.
- (m) **Paseo.** Paseo means a path designed for use by pedestrians and by vehicles that may generally be operated on a sidewalk in the city. The paseo is located mid-block, allowing pedestrian movement through the block from one street to another without traveling along the block's perimeter.
- (n) **Permeable Surface.** ~~Permeable surface means a surface that allows water and air to permeate through it, for example, soil or a semi-pervious material.~~
- (o) **Porch.** Porch means a roofed, raised structure at the entrance to the building, providing a transition between the interior of the building and the exterior yard or adjacent sidewalk. Refer to Figure 14-12. Example of a Porch.
- (p) **Public Way.** Public way means streets, paseos, and multi-use paths, but not alleys.
- (q) **Semi-Pervious Surface or Material.** ~~Semi-pervious surface or material means a material such as pervious pavers, permeable asphalt and concrete, or a green roof that allows for absorption of water into the ground or roof.~~

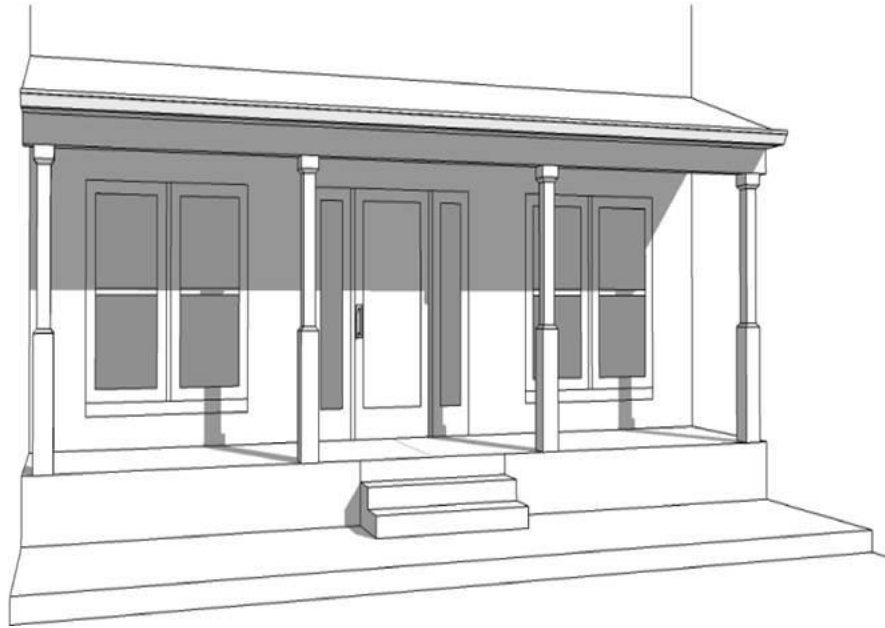


Figure 14-12. Example of a Porch



Figure 14-13. Example of a Stoop

- (pq) **Stoop.** Stoop means an elevated or at grade platform entranceway at the door to a building, providing a transition between the interior of the building and the sidewalk outside the building. A stoop may be covered by a canopy or awning. Refer to Figure 14-13. Example of a Stoop.
- (qf) **Story, Ground.** Ground story means the first floor of a building that is level to or elevated above the finished grade on the front and corner facades. The ground story excludes basements or cellars. Refer to Section 9-16-1, "General Definitions," B.R.C. 1981, for a definition for basement.
- (rs) **Story, Half.** Half story means either a story in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with windows or doors facing the street.
- (st) **Story, Upper.** Upper story means a story located one story or more above the ground story of a building.
- (th) **Streetwall.** Streetwall means the portion of the building façade that is located generally parallel to and facing the street right-of-way line. Refer to definition of facade.
- (uv) **Street Yard.** Street yard means any yard located between the principal building and a street right-of-way.
- (v2) **Surface, Permeable.** Permeable surface means a non-paved, landscape surface that allows water and air to freely permeate to the ground including, without limitation, soil, mulch, turf, and planting areas.
- (w2) **Surface, Semi-Pervious.** Semi-pervious surface means a porous surface or material that allows for water to pass through to the soil including, without limitation, permeable pavers, permeable concrete, and a green roof.
- (x2) **Surface, Impervious.** Impervious surface means a solid surface or material that prevents the absorption of water into the soil including, without limitation, asphalt, concrete, and building elements designed to shed water.³⁵
- (yw) **Transparency.** Transparency means the measurement of the percentage of a facade that has highly transparent, low reflectance windows with
- (1) on a storefront base, a minimum sixty percent transmittance factor and a reflectance factor of not greater than 0.25, and
 - (2) on any façade other than a storefront base, a minimum fifty percent transmittance factor and a reflectance factor of not greater than 0.25.

³⁵ In the most recent adopted version of the form-based code, it was discovered that terminology for impervious, semi-pervious, permeable surfaces, coverage and material were being used inconsistently. This proposal is to create concise definitions of impervious coverage, semi-pervious coverage, impervious surface, semi-pervious surface, and permeable surface. The definitions were also relabeled for consistency.

- (~~zx~~) **Type A Frontage.** Type A frontage means a frontage along a Type A street or other feature as defined in this chapter that receives priority over other frontages in terms of locating principal entrances, prioritizing facade design elements, and incorporating design requirements associated with pedestrian orientation.
- (~~aa~~) **Type A Street.** Type A street means a street designated on the regulating plan that receives priority over other streets in terms of setting front lot lines and locating building entrances.
- (~~ab~~) **Type B Frontage.** Type B frontage means a frontage along a Type B street or other feature as defined in this chapter that allows for a lower level of facade treatment as well as permits limited locations for garage and parking lot driveway entrances.
- (~~ac~~) **Type B Street.** Type B street means a street designated on the regulating plan that receives lower priority than Type A street in terms of building frontage and facade requirements; it allows for a lower level of facade treatment as well as permits locations for garage and parking lot driveways entrances.
- (~~ad~~) **Type C Frontage.** Type C frontage means a frontage along a Type C street or other feature as defined in this chapter that allows for a lower level of facade treatment as well as typically permits limited locations for multiple garage and parking lot driveway entrances.
- (~~ae~~) **Type C Street.** Type C street means a street designated on the regulating plan that receives lower priority than Type A and Type B street in terms of building frontage and facade requirements.
- (~~af~~) **Visible Basement.** Visible basement means a half story partially below grade and partially exposed above.
- (~~ag~~) **Yard Definition.** Yard is defined in Section 9-16-1, “General Definitions,” B.R.C. 1981. For the purposes of this chapter, the following standards shall supplement and, where inconsistent, supersede the definition of Section 9-16-1, B.R.C. 1981:
- (1) **Side and Rear Yards.** On a property located in an area designated in Appendix L, “Form-Based Code Areas,” only yards not abutting a Type A, B, or C frontage as designated on the regulating plan are considered side or rear yards.
 - (2) **Front Yards, Side Adjacent Street Yards, and Side Equals Front Yards.** Front yards, side adjacent street yards, and side equals front yards are regulated through the designation of Type A, Type B, and Type C frontages on the regulating plan.

...

9-14-10. STREETSCAPE AND PASEO DESIGN REQUIREMENTS

- (a) **General Requirements.** In addition to the requirements of the Boulder Revised Code and the City of Boulder Design and Construction Standards, the streetscape of all new and existing streets, and the design of all paseos and enhanced paseos shall meet the standards of this section.

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- (1) **Conformance to Plans.** The streetscape and paseos shall be designed and completed consistent with the streetscape guidelines of the connections plan of the applicable area or subcommunity plan.
- (2) **Compatible Design.** The design, including but not limited to paving patterns, seating areas, and bulb-outs, of all street frontages and paseos within the development shall be compatible in character.
- (3) **Additional Design Requirements.** The streetscape and paseo design shall meet the following standards:

...

- (D) **Permeable Surface Area for Trees.** For each tree planted, permeable surface area shall be provided meeting the minimum size requirements established in Table 14-1. Permeable surface means the ground surface above the tree's critical root area that allows water and air to penetrate down to the roots.
 - (i) Per Tree. Permeable surface area for one tree shall not count towards that of another tree.
 - (ii) Suspended Pavement System. When the required permeable surface area of a tree extends horizontally below any ~~non-permeable~~ impervious hardscape, a modular suspended pavement system, such as ~~(Silva Cells, Root Space, or an approved equivalent system.)~~ shall be used below that hardscape to ensure root growth and access to air and water.

...

9-14-11. SITE DESIGN REQUIREMENTS

- (a) **Site Access.** Site access locations shall be consistent with Section 9-9-5, "Site Access Control," B.R.C. 1981, except as modified below:
 - (1) **Frontage Hierarchy.** For the purposes of this chapter and determining site access, Type C frontages are lower category streets than Type B frontages, and Type B frontages are lower category streets than Type A frontages.
 - (2) **Service Base Access.** Multiple access points will be allowed on a lot or parcel to serve a building with a service base, provided the requirements of Section 9-14-24, "Service Base," B.R.C. 1981, are met.
 - (3) **Driveways.** Driveways may not be located in any street yard or setback unless consistent with Section 9-9-5, "Site Access Control," B.R.C. 1981, to cross perpendicularly through the setback to access or connect to an adjacent parking lot per subsection (d), Inter-Lot Drives, of this section.

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- (4) **Trash and Recycling Areas.** One mountable, rolled curb section is allowed at a Type B or C street per development, maximum ten feet in width, in order to roll receptacles out to the street.
- (b) **Street Yard Design.** Street yards, including courtyards and streetscape plazas designed to meet the requirements of Subsection 9-14-14(h), "Required Streetwall Variation," B.R.C. 1981, shall be designed consistent with the following:
- (1) **Coordinated Design.** The combined streetscape and street yard area from building facade to the back of curb is coordinated and comprehensively designed with a combination of hardscape and landscape areas, although differences in materials and functional areas may exist.
- (2) **Shopfront Streetscape.** Where the shopfront base is required, hardscape is located within 24 inches or less of the shopfront windows and that hardscape is connected to the path between the public sidewalk and the building entrances.
- (3) **Trees.** At least one tree is planted for every 1,000 square feet of any street yard, courtyard, or streetscape plaza area, located in planting areas or tree wells. Street yard trees meet the minimum permeable surface-area requirements in Paragraph 9-14-10(a)(3)(D), B.R.C. 1981.
- (4) **Hardscape.** Hardscape areas are paved with unit pavers, such as bricks, quarry tiles, porous pavers, or poured-in-place materials. If poured-in-place materials are selected, they must be of decorative color or textures.
- (5) **Landscape Beds.** A minimum of twenty-five percent of the street yard areas, including courtyards and streetscape plazas to meet the requirements in Subsection 9-14-14(h), B.R.C. 1981, include landscape beds with shrubs, perennials, grasses, and/or annual plants.
- (6) **Seating and Amenities.** Seating and amenities shall be provided in courtyards and streetscape plazas required per Subsection 9-14-14(h), B.R.C. 1981, consistent with the following:
- (A) Temporary or permanent seating is provided. Temporary seating shall be available or in place between March 15 and November 15.
- (B) In addition to seating, at least one other amenity is provided, such as a pergola, multiple trellises, catenary or string overhead lighting, a fountain, or artwork (sculpture or mural).
- (c) **Yards and Setbacks.** Setbacks and yards, with the exception of street yards, courtyards, street yard plazas, parking areas, driveways, loading zones, mechanical equipment, and refuse and recycling areas, shall meet the following standards:
- (1) **Trees.** To the extent practical and achievable, trees shall be planted at a minimum of one per 1,500 square feet, located in planting areas or tree wells.

- (2) **Landscape Areas.** Yards and setbacks shall be designed for a mix of paved and landscaped areas, consistent with the maximum impervious and semi-pervious ~~areas~~ coverage allowed per the building type.
- (d) **Inter-Lot Drives.** Adjacent parking lots in a development shall be connected with a shared drive that perpendicularly crosses any side and/or rear setback.
- (e) **Mid-Block Pathways.** In East Boulder, mid-block pathways are required on longer blocks consistent with the following:
- (1) **Pathway Location.** Mid-block pathways shall continuously connect the two opposite frontages specified in Paragraph 9-14-6(c)(2), B.R.C. 1981, and be located within 50 feet of the midpoint of the frontage.
 - (2) **Pathway Width.** The minimum width of the pathway area between building facades shall be ten feet with a minimum pathway of five feet. The unpaved areas shall be landscaped.
 - (3) **Path Construction Standards.** The pathway shall be constructed to accommodate pedestrians and vehicles that may generally be operated on a sidewalk in the city and shall meet the construction standards of a concrete walk and multi-use paths in the City of Design and Constructions Standards.
 - (4) **Open-Air.** Mid-block pathways shall be open to the sky, except buildings may bridge over the pathways for distances along the pathway of no more than thirty feet and covering no more than thirty percent of the length of the mid-block pathway. The clear opening under the bridge shall be at least fifteen feet in height.

9-14-12. OUTDOOR SPACE REQUIREMENTS

...

- (k) **Improvements.** When determining the specific improvement standards applicable to each outdoor space type, the following shall apply:
- (1) **Designated Sports Fields.** Designated sports field shall mean sports fields or ball courts designated for one or more particular sports, including but not limited to baseball fields, softball fields, soccer fields, basketball courts, football fields, and tennis courts.
 - (2) **Playgrounds.** Playgrounds shall mean a defined area with play structures and equipment typically designed for children under twelve years of age, such as slides, swings, climbing structures, and skate parks. Where a playground is required, it shall include soft surfacing and structures and shall be a minimum of 1,800 square feet in total area.

- (3) **Mobility Hub.** Mobility hubs may be incorporated into an outdoor space if noted in the applicable outdoor space type table. Mobility hubs may range from pick-up locations for taxis or ride-share services to stations for bike-share systems and may range in size. A mobility hub incorporated into an outdoor space shall have a designated space and include paving, seating, and landscaping.
- (4) **Fully Enclosed Structures.** Where permitted, fully enclosed structures may include such uses as small cafes, kiosks, community centers, and restrooms. For some outdoor space types, fully enclosed structures are subject to a maximum building coverage limitation, limiting the building coverage to a percentage of the outdoor space area.
- (5) **Semi-Enclosed Structures.** Semi-enclosed structure shall mean open-air structure, such as a gazebo. Semi-enclosed structures are permitted in all outdoor space types.
- (6) **Maximum Impervious and Semi-Pervious Surface.** Limitations on impervious and semi-pervious surfaces are provided separately for each ~~open-outdoor~~ space type to allow an additional amount of semi-pervious surface area coverage, such as permeable paving, above the maximum permitted impervious surface areas permitted, including, but not limited to, sidewalks, paths, and structures as permitted.
- (7) **Maximum Percentage of Open Water Body.** Maximum percentage of open water body shall mean the maximum amount of area within the outdoor space that may be covered by an open water body, including but not limited to ponds, lakes, and pools.

...



Figure 14-19. Example of a Plaza

- (m) **Plaza.** The intent of the plaza is to provide a formal outdoor space of medium scale that may serve as a gathering place for civic, social, and commercial purposes. The plaza may contain a greater amount of impervious coverage than any other type of outdoor space regulated in this section. Special features, such as fountains and public art installations, are encouraged. Plazas shall be designed to meet the standards of Table 14-3. Plaza Requirements. See Figure 14-19. Example of a Plaza.

Table 14-3. PLAZA REQUIREMENTS

Dimensions	
Minimum Size	0.10 acres
Maximum Size	1 acre
Minimum Dimension	80 feet
Minimum Percentage of Street or Public Way Frontage Required	25%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Mobility Hub	Permitted
Fully Enclosed Structures	Permitted; may cover maximum 5% of plaza area
Maximum <u>Percentage of Outdoor Space with That Is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface</u> ³⁶	60%+ 20%
Maximum Percentage of Open Water	30%

**Figure 14-20. Example of a Green**

³⁶ Language was added to clarify what type and maximum percentages of impervious and semi-pervious surfaces.

- (n) **Green.** The intent of the green is to provide an informal outdoor space of medium scale for active or passive recreation located within walking distance for building occupants and visitors. The green is intended to be fronted mainly by streets. Greens shall be designed to meet the standards of Table 14-4. See Figure 14-20. Example of Green.

Table 14-4. GREEN REQUIREMENTS

Dimensions	
Minimum Size	0.25 acres
Maximum Size	2 acres
Minimum Dimension	45 feet
Minimum Percentage of Street or Public Way Frontage Required	100% for greens less than 1.25 acres; 50% for greens 1.25 or more acres in size
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Mobility Hub	Permitted
Fully Enclosed Structures	Not permitted
<u>Maximum Percentage of Outdoor Space That Is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface + Semi-Pervious Surface</u> ³⁷	20% + 15%
Maximum Percentage of Open Water	30%

³⁷ Language was added to clarify what type and maximum percentages of impervious and semi-pervious surfaces.



Figure 14-21. Example of a Commons

- (o) **Commons.** The intent of the commons is to provide an informal, small to medium scale outdoor space for active or passive recreation. Commons are typically internal to a block and tend to serve adjacent building occupants. Commons shall be designed to meet the standards of Table 14-5. See Figure 14-21. Example of Commons.

Table 14-5. COMMONS REQUIREMENTS

Dimensions	
Minimum Size	0.25 acres
Maximum Size	1.5 acres
Minimum Dimension	45 feet
Minimum Percentage of Street or Public Way Frontage Required	0%; requires a minimum of two access points (minimum 20 feet wide)
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Mobility Hub	Not permitted
Fully Enclosed Structures	Not permitted
<u>Maximum Percentage of Outdoor Space that is Impervious Surface + Maximum Additional Percentage</u>	30% + 10%

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of Semi-Pervious Surface CoverageMaximum Impervious Surface + Semi-Pervious Surface ³⁸	
Maximum Percentage of Open Water	30%



Figure 14-22. Example of a Pocket Park

- (p) **Pocket Park.** The intent of the pocket park is to provide a small scale, primarily landscaped active or passive recreation and gathering space for neighborhood residents within walking distance. Pocket parks shall be designed to meet the standards of Table 14-6. See Figure 14-22. Example of Plaza.

Table 14-6. POCKET PARK REQUIREMENTS

Dimensions	
Minimum Size	0.10 acres
Maximum Size	1
Minimum Dimension	None
Minimum Percentage of Street Frontage Required	30%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Required

³⁸ Language was added to clarify what type and maximum percentages of impervious and semi-pervious surfaces.

Mobility Hub	Permitted
Fully Enclosed Structures	Not permitted
Maximum Percentage of Outdoor Space That is <u>Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface</u> Maximum Impervious Surface + Semi-Pervious Surface ³⁹	30% + 10%
Maximum Percentage of Open Water	30%



Figure 14-23. Example of a Park/Greenway

- (q) **Park/Greenway.** The intent of the park/greenway is to provide informal active and passive large-scale recreational amenities to local residents and the greater region. Parks have primarily natural plantings and are frequently created around an existing natural feature such as a water body or stands of trees. Parks/greenways shall be designed to meet the standards of Table 14-7. See Figure 14-23. Example of Parks/Greenways.

Table 14-7. PARK/GREENWAY REQUIREMENTS

Dimensions	
Minimum Size	2 acres
Maximum Size	None
Minimum Dimension	30 feet; minimum average width of 80 feet
Minimum Percentage of Street Frontage Required	30% for parks less than 5 acres; 20% for parks 5 or more acres in size

³⁹ Language was added to clarify what type and maximum percentages of impervious and semi-pervious surfaces.

Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Mobility Hub	Permitted
Fully Enclosed Structures	Permitted in parks 5 acres or larger in size
Maximum Percentage of Outdoor Space That Is Impervious Surface + Maximum Additional Percentage of Semi-Pervious Surface – Maximum Impervious Surface + Semi Pervious Surface ⁴⁰	20% + 10%
Maximum Percentage of Open Water	50%

...

BUILDING TYPES

9-14-14. REQUIREMENTS APPLICABLE TO ALL BUILDING TYPES

...

- (m) **Modifications.** The approving authority may approve the following modifications to building type requirements if it finds the proposed design substantially meets the intent of the requirement being modified:
- (1) **Building Location.** The location of the building within up to one foot from any minimum setback or frontage setback width or location requirement.
 - (2) **Impervious Coverage.** Up to a ten percent increase in total impervious coverage, not to exceed the total amount of allowed impervious plus semi pervious coverage.
 - (3) **Type A Frontage Streetwall.** For the commercial storefront building only, up to ten percent decrease in Type A frontage streetwall requirements.
 - (4) **Story Height.** An additional height of any floor to floor story height up to two feet, provided the overall building height does not exceed the maximum permitted height.
 - (5) **Transparency.** Up to two percent reduction of the required transparency on a non Type A frontage facade; and up to four square feet increase of the blank wall area limitation of paragraph 9-14-26(g)(2) on a non Type A frontage facade.⁴¹

⁴⁰ Language was added to clarify what type and maximum percentages of impervious and semi-pervious surfaces.

⁴¹ Staff determined that these particular modifications were difficult to measure how they substantially meet the intent of the requirement and that any modification can already be requested through the existing exception process.

...

9-14-16. MAIN STREET STOREFRONT BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

			REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 14-25.			
1	Type A Frontage Streetwall, minimum	90%	Refer to Subsection 9-14-14(g), B.R.C. 1981, for courtyard allowance.
2	Type A Frontage Setback, minimum to maximum	0 ft. to 5 ft.	Refer to Subsection 9-14-26(b), B.R.C. 1981, for measuring minimum and maximum setbacks.
3	Type B Frontage Setback, minimum to maximum	0 ft. to 5 ft.	
4	Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5	Rear Yard Setback, minimum	10 ft.; minimum 25 ft. if no alley; 0 ft. required at paseo or multi-use path	
6	Building Length along any Type A & B Frontage, maximum	150 ft.	Refer to Section 9-14-31, B.R.C. 1981, for building massing requirements.
7	Site Impervious Coverage, maximum Additional Semi-Pervious Coverage, <u>maximum</u> ⁴²	70% 25%	Refer to Section 9-14-8, “Definitions,” B.R.C. 1981, for semi-pervious coverage.
8	Surface or Accessory Parking Location	Parking yard only	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to

⁴² This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

			Subsections <u>9-14-14</u> (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.
--	--	--	--

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9-14-17. COMMERCIAL STOREFRONT BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

			REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 14-28.			
1	Type A Frontage Streetwall, minimum	60% required	
2	Type A Frontage Setback, minimum to maximum	12 ft. to 20 ft. along Valmont and 30th Street; 0 ft. to 10 ft. along new streets	
3	Type B Frontage Setback, minimum to maximum	0 ft. to 10 ft.	
4	Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5	Rear Yard Setback, minimum	15 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path	
6	Building Length any Type A & B Frontage, maximum	90 ft.	Refer to Section <u>9-14-31</u> , B.R.C. 1981, for building massing requirements.
7	Site Impervious Coverage, maximum	70% 25%	Refer to Section <u>9-14-8</u> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.

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	Additional Semi-Pervious Coverage, <u>maximum</u> ⁴³		
8	Surface or Accessory Parking	Parking yard & interior side yard	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection <u>9-14-11(a)</u> , B.R.C. 1981, for driveway access. Refer to Subsections <u>9-14-14</u> (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.

...

9-14-18. GENERAL BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

					REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to FIGURE 14-31.					
1	Type A Frontage Streetwall, minimum	90%	80%	80%	Refer to 9-14-14(g) for allowed courtyards in the streetwall and 9-14-14(h) for definition of required streetwall variation.
2	Streetwall Variation for Type A and Type B Frontages	--	--	Required for buildings over 180 ft. in width	
3	Type A Frontage Setback, minimum to maximum	5 ft. to 10 ft.	5 ft. to 20 ft.	10 ft. to 25 ft.	Refer to Section 9-14-26, B.R.C. 1981, for measuring minimum and maximum setbacks.
4	Type B Frontage Setback, minimum to maximum	5 ft. to 10 ft.	5 ft. to 20 ft.	5 ft. to 20 ft.	
5	Type C Frontage Setback, minimum to maximum	--	--	0 to 15 ft.	

⁴³ This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

6	Side Yard Setback, minimum	5'; 0' required at paseo or multi-use path			For paseos and multi-use path locations, refer to the regulating plans and the connections plans for the form-based code area.
7	Rear Yard Setback, minimum	10 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path		15 ft.; 0 ft. required at paseo or multi-use path	
8	Building Length along Type A & B Frontage, maximum	150 ft.	65 ft. in General Mix 2 area; none in General Mix 1 area; refer to map, <u>Figure 14-2</u> .	---	Refer to Section <u>9-14-31</u> , B.R.C. 1981, for building massing requirements.
9	Site Impervious Coverage, maximum	70%	65%	65%	Refer to Section <u>9-14-8</u> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
	Additional Semi-Pervious Coverage, <u>maximum</u> ⁴⁴	25%	25%	25%	
10	Surface or Accessory Parking Location	Parking yard only	No surface parking allowed	Parking yard only except limited side yard parking allowed in Valmont Park West, Valmont Park East, and Flatiron Business Park	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection <u>9-14-11(a)</u> , B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading. Refer to Subsection 9-14-26(c) for limited side yard parking.

...

⁴⁴ This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

9-14-19. ROW BUILDING TYPE

Refer to Section 9-14-6, "Regulating Plans," B.R.C. 1981, for the locations of buildings in the form-based code areas.

					REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to FIGURE 14-34. For the purposes of the Row Building, a building consists of multiple vertical units.					
1	Type A Frontage Streetwall, minimum	80%	80%	65%	Each unit shall have a facade located within the frontage setback, except 1 of every 2 units may front a courtyard or outdoor space type. Courtyards, minimum 30 feet wide and 30 feet deep, may count towards Type A streetwall.
2	Type A Frontage Setback, minimum to maximum	5 ft. to 15 ft.	5 ft. to 15 ft.	5 ft. to 25 ft.	Frontage setbacks are measured from the outside edge of any public access easement for sidewalk or the right-of-way, if no public access easement for sidewalk and streetscape is required or exists, or from the outside edge of any flood or drainage easement, where the frontage is along a flood or drainage area. Refer to subsections 9-14-26(b) for additional information.
3	Type B Frontage Setback, minimum to maximum	5 ft. to 15 ft.	5 ft. to 15 ft.	5 ft. to 25 ft.	
4	Side Yard Setback, minimum	7.5 ft.; 0 ft. required at paseo or multi-use path			
5	Rear Yard Setback, minimum	20 ft.; 30 ft. if no alley; 5 ft. for detached garage			
6	Building Length, minimum to maximum	3 to 6 units or 120 ft., whichever is less			
	Space between Buildings, minimum	10 ft.			
7	Site-Impervious Coverage, maximum Additional Semi-	60%	60%	60%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi-pervious coverage.

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	Pervious Coverage, maximum⁴⁵	20%	20%	20%	
8	Yard Area, minimum	225 square feet rear yard required for each unit not fronting a courtyard or outdoor space type.			
9	Surface or Accessory Parking Location	Parking yard only	Parking yard only	Parking yard only	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection <u>9-14-11(a)</u> , B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.

...

9-14-20 WORKSHOP BUILDING TYPE

Refer to Section 9-14-6, “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas.

		REFERENCES/ADDITIONAL REQUIREMENTS	
BUILDING SITING Refer to FIGURE 14-37.			
1	Type A Frontage Streetwall, minimum	65%	Refer to 9-14-14(g) for allowed courtyards in the streetwall and 9-14-14(h) definition of required streetwall variation.
2	Streetwall Variation for Type A Frontages	Required	
3	Type A Frontage Setback, Minimum to maximum	5 ft. to 25 ft.	Refer to Section 9-14-26, B.R.C. 1981, for measuring minimum and maximum setbacks.
4	Type B Frontage Setback, minimum	5 ft.	
5	Type C Frontage Setback, minimum	5 ft.	
6	Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	

⁴⁵ This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

7	Rear Yard Setback, minimum	10 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and section 9-14-6 for locations and details.
8	Site Impervious Coverage, maximum Additional Semi-Pervious Coverage, <u>maximum</u> ⁴⁶	70% 25%	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for semi-pervious coverage.
9	Surface or Accessory Parking Location	Limited side yard & parking yard only	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection 9-14-11(a), B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading. Refer to Subsection 9-14-26(c) for limited side yard parking.

...

9-14-21. CIVIC BUILDING TYPE

The Civic building type is not mapped on the regulating plans. It is permitted in any location in any of the form-based code areas except it is prohibited in East Boulder. The uses permitted in this building type are very limited. Refer to Section 9-14-6, "Regulating Plans," B.R.C. 1981.

				REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to FIGURE 14-40.				
1	Minimum Type A Streetwall, minimum	None required	None required	
2	Type A Frontage Setback, minimum	20'	20'	

⁴⁶ This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

3	Type B Frontage Setback, minimum	15'	15'	
4	Side Yard Setback, minimum	15'; 0' required at paseo or multi-use path		For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5	Rear Yard Setback, minimum	15'; 0' required at paseo or multi-use path		
6	Building Length, maximum	None required	None required	Refer to Section <u>9-14-31</u> , B.R.C. 1981, for building massing requirements.
7	Site-Impervious Coverage, minimum	50%	50%	Refer to Section <u>9-14-8</u> , "Definitions," B.R.C. 1981, for semi- pervious coverage.
	Additional Semi- Pervious Coverage, <u>maximum</u> ⁴⁷	20%	20%	
8	Surface or Accessory Parking Location	Parking yard only	No surface parking allowed	Refer to Sections 9-9-12 and 9-9-14, B.R.C. 1981, for landscaping and screening requirements. Refer to Subsection <u>9-14-11(a)</u> , B.R.C. 1981, for driveway access. Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.

...

9-14-26. MEASUREMENT OF BUILDING TYPE REQUIREMENTS

The standards outlined in the tables in Sections 9-14-16 through 9-14-21, B.R.C. 1981, applicable to each building type, shall be measured and calculated consistent with the following standards:

⁴⁷ This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

...

- (d) **Maximum Site Impervious and Additional Semi-Pervious Coverage.** ~~Site~~ Impervious and additional semi-pervious coverage shall be calculated and measured as follows. Refer to Figure 14-53. ~~Site~~ Impervious and Semi-Pervious Coverage.
- (1) **Maximum Site Impervious Coverage.** The maximum ~~site~~ impervious coverage is the maximum percentage of a lot permitted to be covered by structures, pavement, and other impervious surfaces.⁴⁸
 - (2) **Additional Semi-Pervious Coverage.** In addition to the allowable impervious coverage on a site, a maximum amount of additional semi-pervious coverage is permitted.

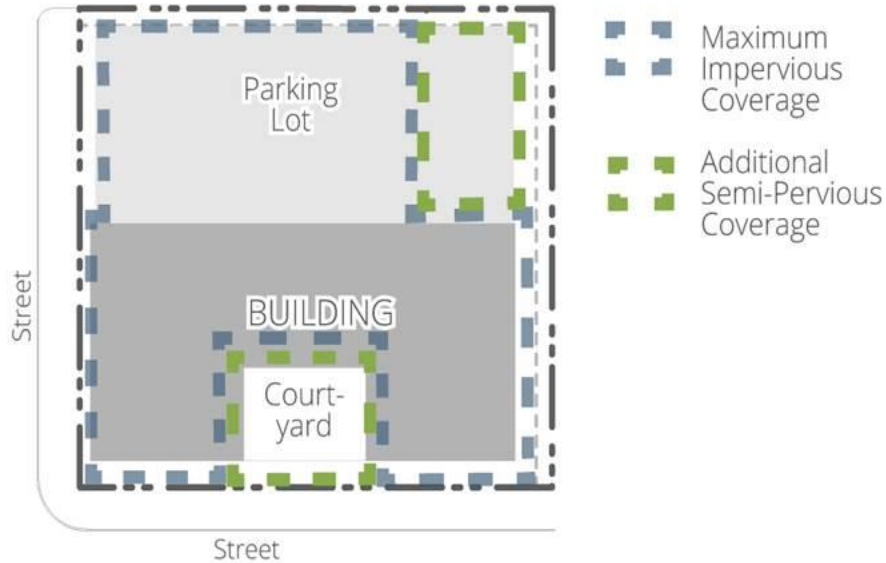


Figure 14-53. ~~Site~~ Impervious and Semi-Pervious Coverage

...

9-16-1. General Definitions

⁴⁸ This is language to clarify the impervious coverage and a maximum additional semi-pervious coverage.

A—E

Boarding house means an establishment subject to the City of Boulder Building Code where, for direct or indirect compensation, lodging, with or without meals, is offered for one month or more. A boarding house does not include a fraternity, ~~or~~ sorority, or detached dwelling unit.⁴⁹

F—J

Hostel means a facility ~~for residence that offers temporary lodging~~ of under one month that provides simple dormitory or sleeping rooms and common rooms for cooking, meeting, recreational, and educational use; that is chartered or approved by the International Hostel Federation or its national or regional affiliates, or similar organizations; and that is supervised by resident house-parents or managers who direct the guests' participation in the domestic duties and activities of the hostel.⁵⁰

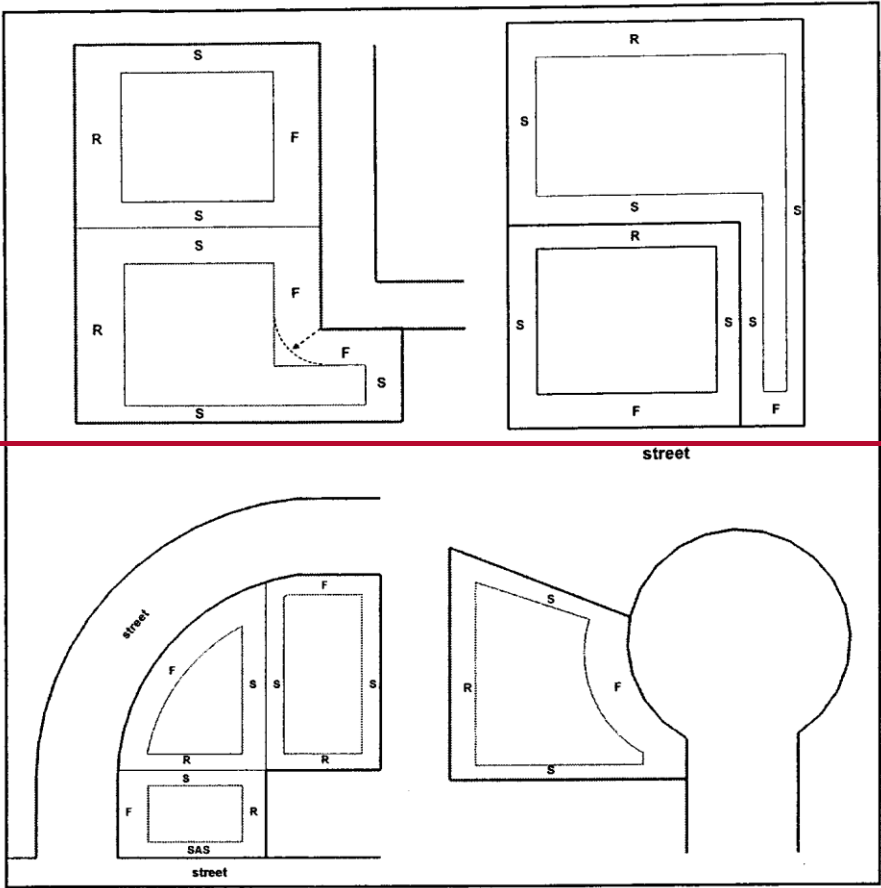
U—Z

Yard, front, rear, and side means the open space between the buildings and the property lines at the front, rear, and sides of the property, respectively and consistent with Figures 16-4 and 16-5 of this section.⁵¹ On a corner lot, the open space adjacent to the shorter street right-of-way shall be considered the front yard. The rear yard is opposite the front yard, and the side yard is between the rear yard and the front yard. ~~(See Figures 16-4 and 16-5 of this section.)~~

⁴⁹ This proposed additional language is to address an issue about defining a boarding house due to the removal of occupancy requirements from state direction by making boarding houses subject to the building code and excluding detached dwelling units. The intent is for boarding houses to be treated to higher standard of building code and removing the possibility of conversion of any detached dwelling unit.

⁵⁰ The proposed replacement language is to align this definition with existing hotel and motel definition language and remove the potential for the conversion of any detached dwelling unit.

⁵¹ This language is intended to incorporate the figures into the definition in a more visible way along with updated diagrams that are consistent with other diagrams from recent code changes.



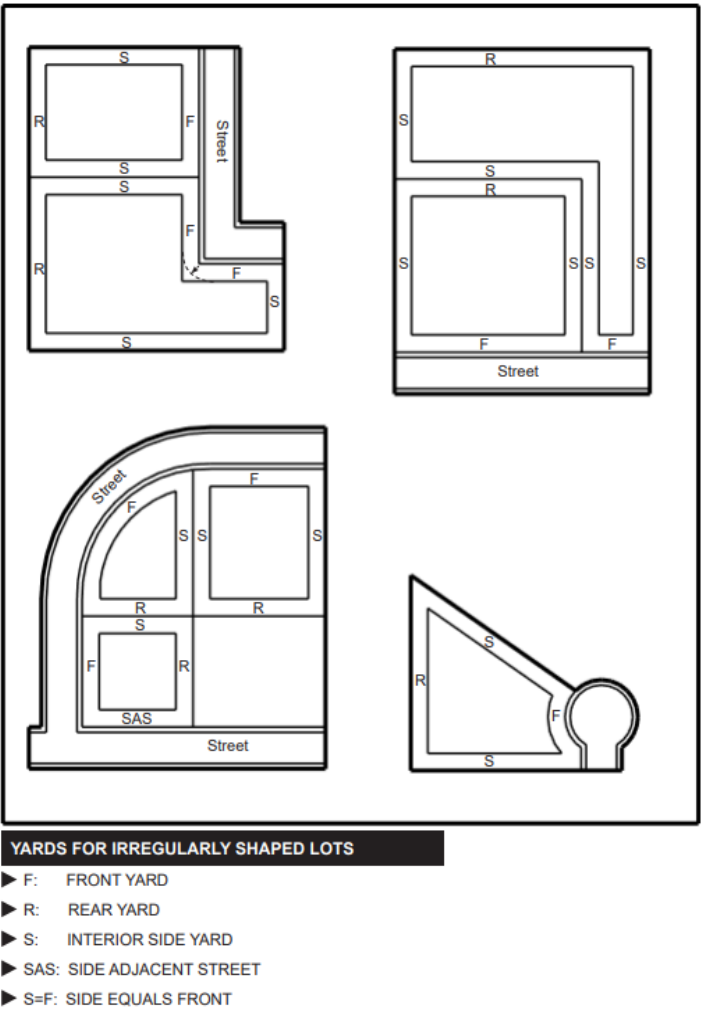
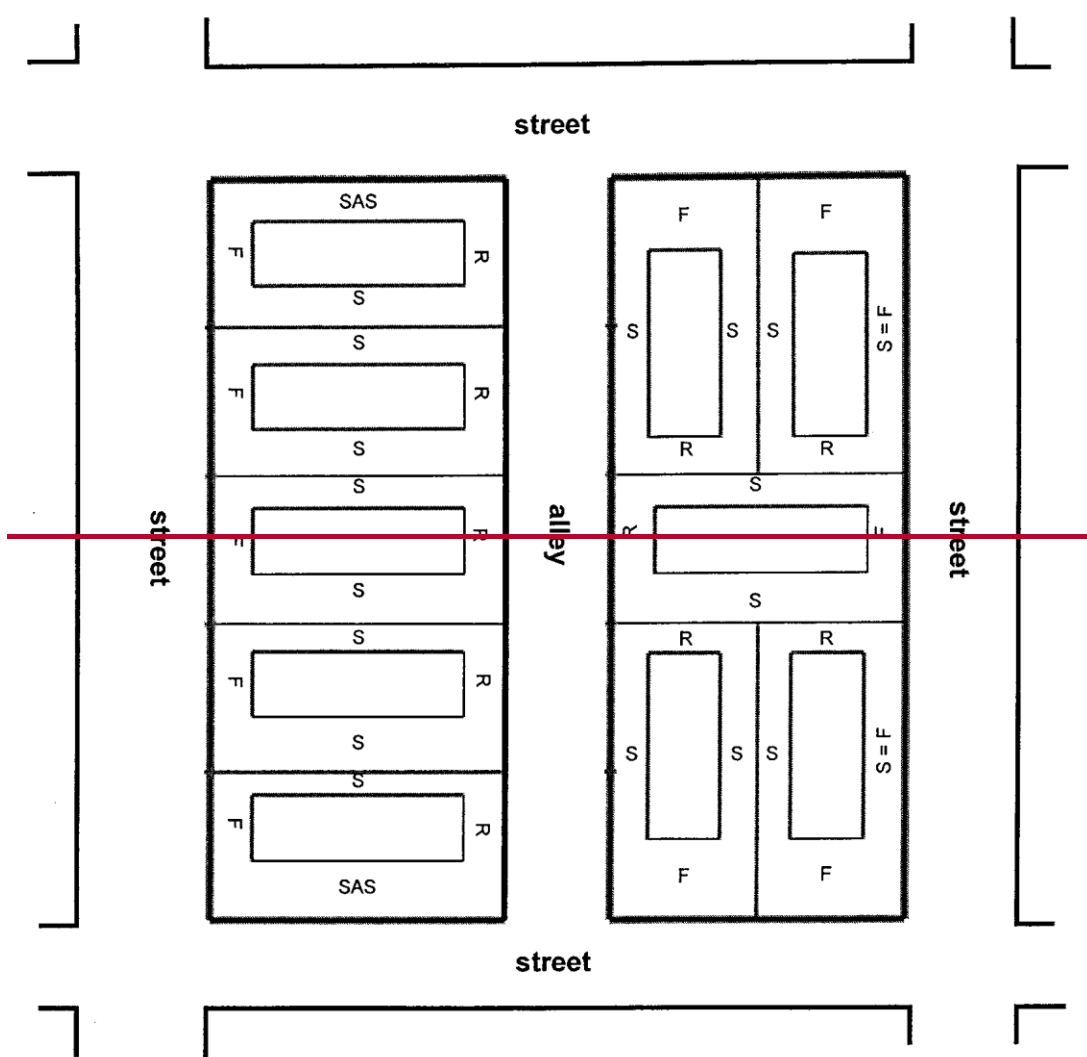


Figure 16-4: Yards for Irregularly Shaped Lots

~~To the extent possible, setbacks of irregular lots will match the setbacks of adjacent lots.~~



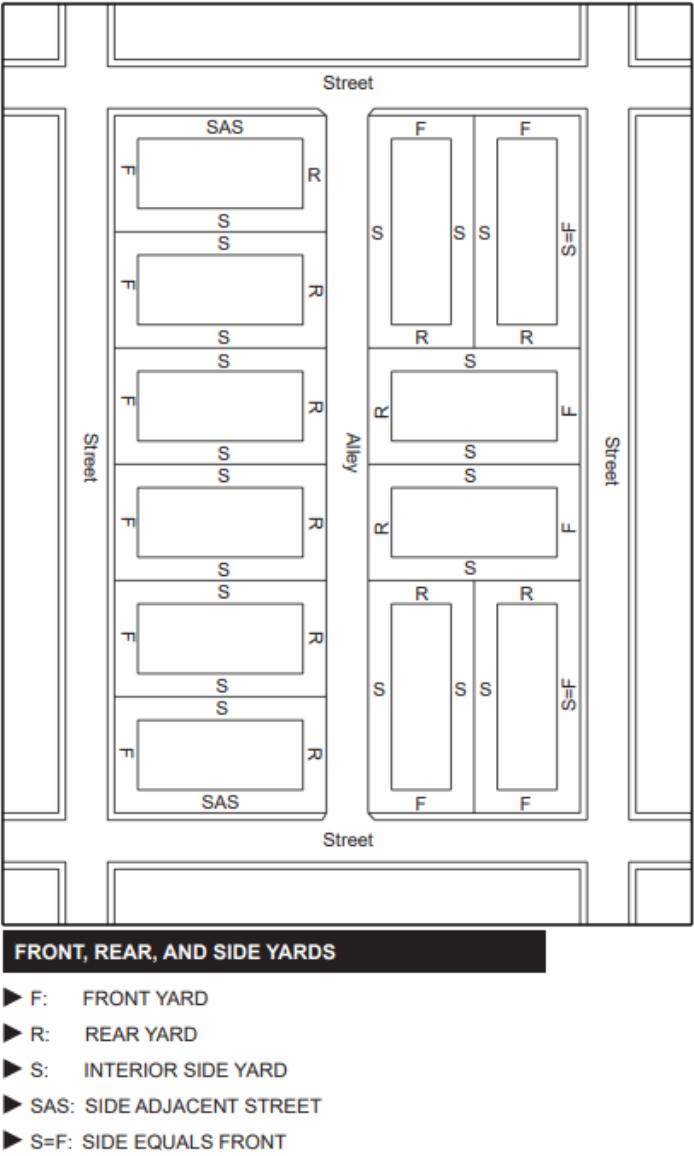


Figure 16-5: Front, Rear, and Side Yards

F: FRONT YARD

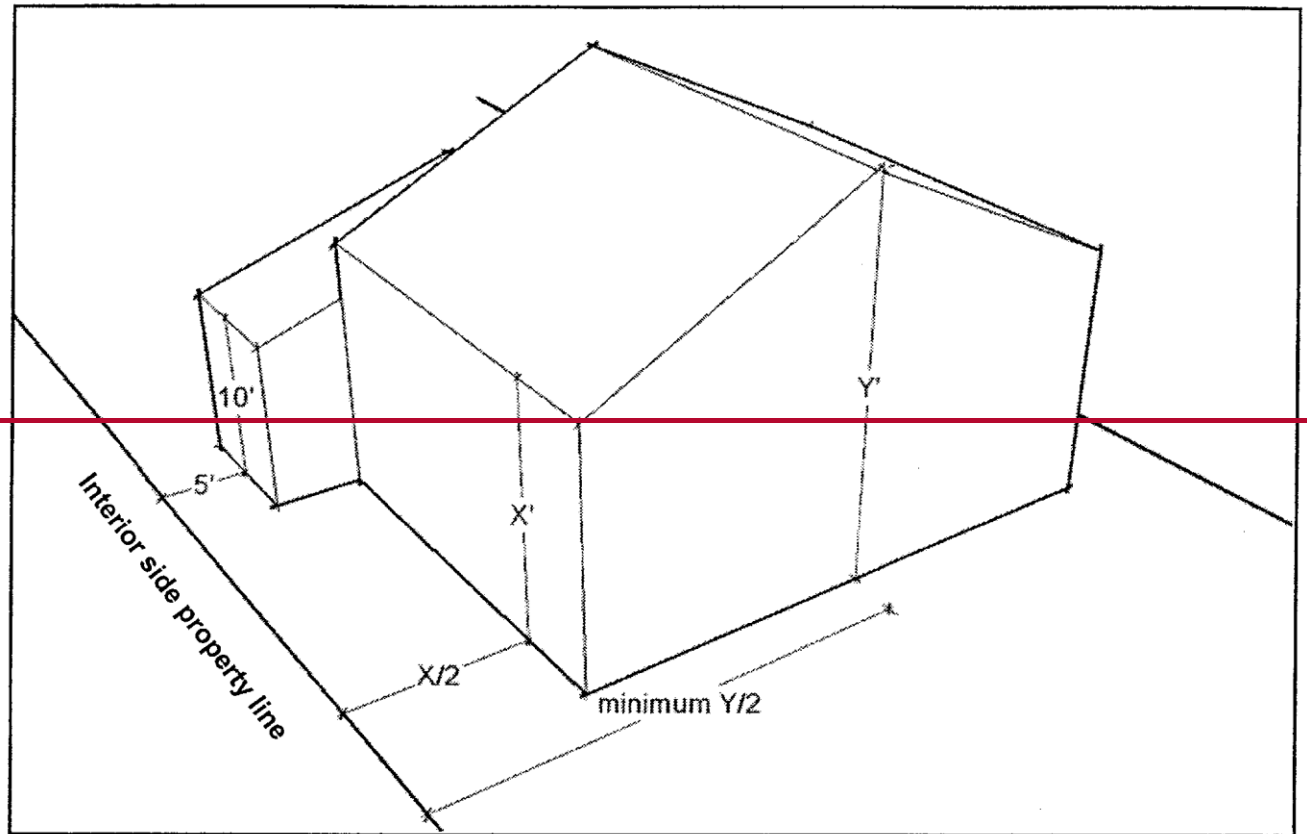
R: REAR YARD

S: INTERIOR SIDE YARD

SAS: SIDE ADJACENT STREET

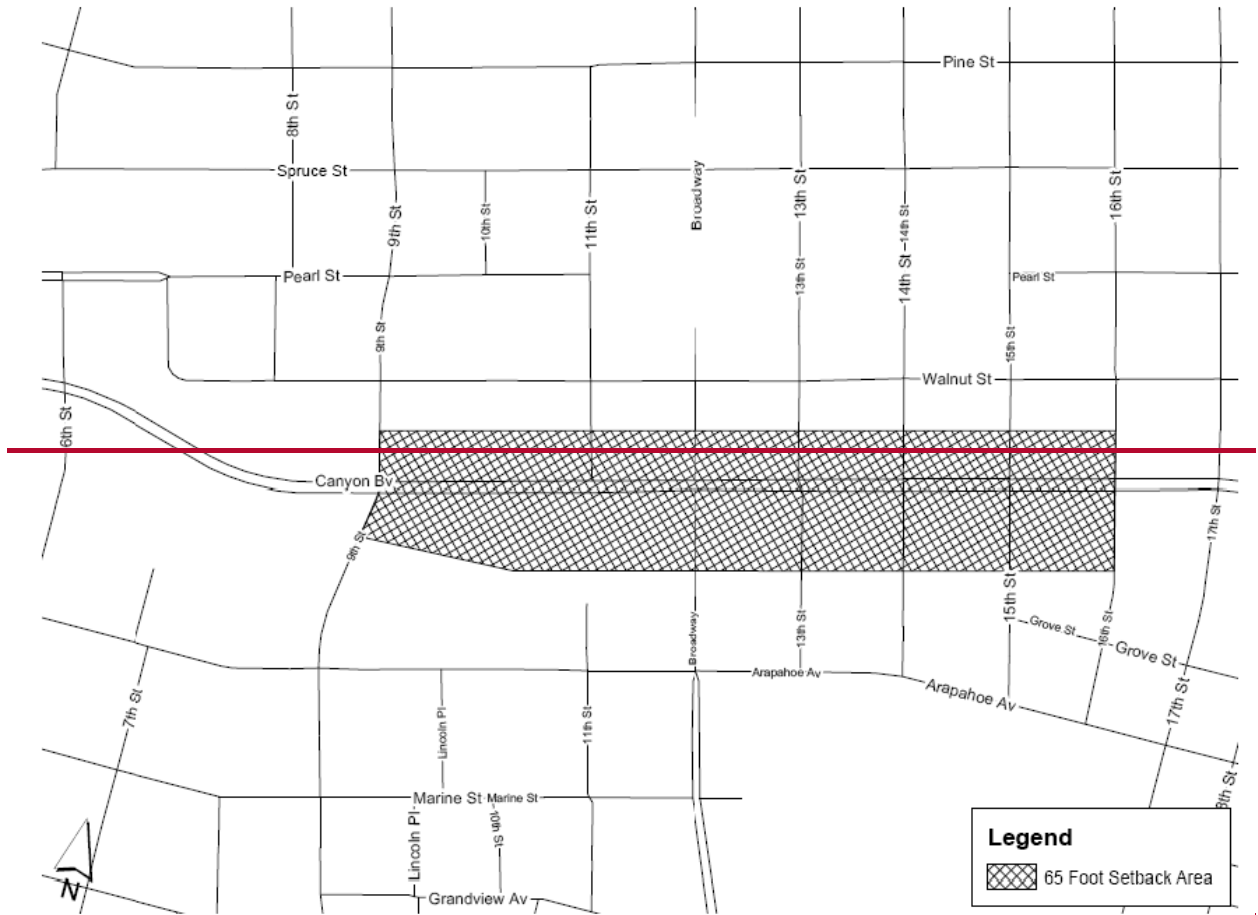
S=F: SIDE EQUALS FRONT

Appendix B - ~~SETBACK RELATIVE TO BUILDING HEIGHT RESERVED~~⁵²



Appendix I – FORM AND BULK STANDARDS

⁵² This information is proposed to be moved from Appendix B to Section 9-7-2 for continuity with side yard setback standards and to raise visibility and to be consistent with the other diagrams of this section.

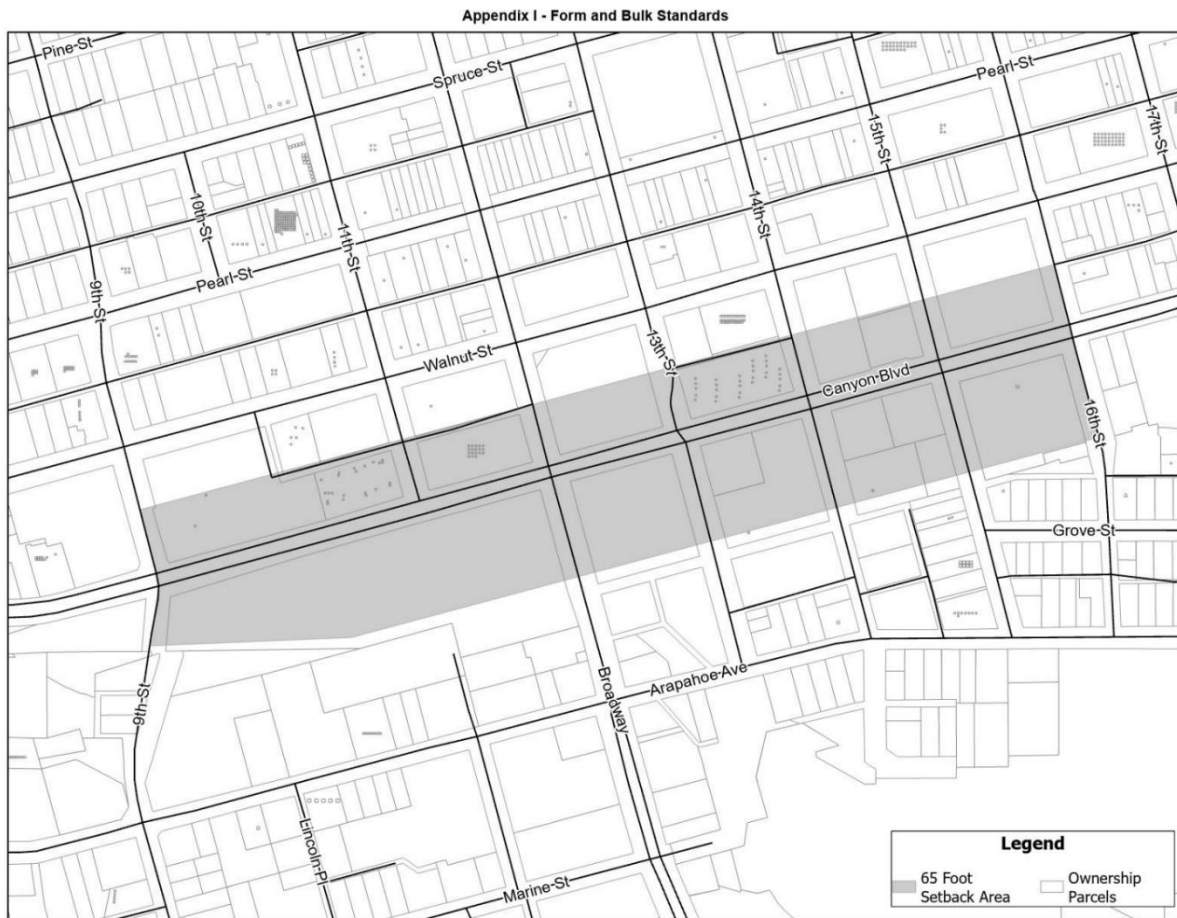


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⁵³ The map has been updated to be consistent with other maps in this title.

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10-2-2. Adoption of International Property Maintenance Code With Modifications.

APPENDIX C ENERGY EFFICIENCY REQUIREMENT EXISTING RESIDENTIAL RENTAL STRUCTURES ENERGY CONSERVATION

C101

SCOPE

C101.1 Scope. Appendix C sets standards for residential rental dwelling unit energy efficiency. Effective January 2, 2019, the energy efficiency requirements of this section shall apply to all residential rental dwelling units licensed according to Chapter 10-3, "Rental Licenses," B.R.C. 1981, except:

1. Buildings that can be verified as meeting or exceeding the energy efficiency requirements of the Energy Conservation Code, Chapter 10-7, B.R.C. 1981; and
2. Any manufactured home ~~and~~

3. ~~Attached accessory dwelling units as detailed in Section 9-6-3, "Specific Use Standards Residential Uses," B.R.C. 1981.~~⁵⁴

⁵⁴ The reason for this proposal is due to a change in rental licensing for detached dwellings away from owner-occupancy and those properties that have attached accessory dwelling units. A rationalization was made by Staff that the nature of rental detached dwellings with an attached accessory dwelling unit are treated similarly to a duplex, in which both units are rented and is subject to the energy efficiency requirements. This change is still being contemplated with the idea of imposing a future implementation date to bring existing attached accessory dwelling units into compliance or remove the full exception with this ordinance.

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COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8698 relating to the financial affairs of the City of Boulder, Colorado, making supplemental appropriations for the fiscal year ending December 31, 2024, to the Medical Self-Insurance Fund; and setting forth related details

PRIMARY STAFF CONTACT

Charlotte Huskey, Budget Officer

REQUESTED ACTION OR MOTION LANGUAGE

Motion to introduce and order published by title only Ordinance 8698 relating to the financial affairs of the City of Boulder, Colorado, making supplemental appropriations for the fiscal year ending December 31, 2024, to the Medical Self-Insurance Fund; and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 3F - 1st Rdg Ord 8698 relating to the financial affairs of the City of Boulder, Colorado, making supplemental appropriations for the fiscal year ending December 31, 2024**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8698 relating to the financial affairs of the City of Boulder, Colorado, making supplemental appropriations for the fiscal year ending December 31, 2024, to the Medical Self-Insurance Fund; and setting forth related details

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Chris Meschuk, Deputy City Manager
Krista Morrison, Chief Financial Officer
David Bell, Chief Human Resources Officer
Joel Wagner, Deputy Finance Director
Charlotte Huskey, Budget Officer
Erin Williams, Total Rewards Senior Manager

EXECUTIVE SUMMARY

The attached supplemental appropriation ordinance (**Attachment A**) appropriates \$312,800 to the Medical Self-Insurance Fund from fund balance and additional unbudgeted revenue. Staff recommends the appropriation increases as a response to unanticipated needs where existing appropriation was not sufficient.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce and order published by title only Ordinance 8698 relating to the financial affairs of the City of Boulder, Colorado, making supplemental appropriations for the fiscal year ending December 31, 2024, to the Medical Self-Insurance Fund; and setting forth related details

BACKGROUND AND ANALYSIS

The city established the self-insurance plan, and subsequent Medical Self-Insurance Fund, in 2022 for the purpose of paying medical claims of eligible city employees and their covered dependents. The Medical Self-Insurance Fund is an internal service fund, which is a governmental fund that receives revenues from internal charges of other operating funds. The city has a self-insurance plan with Cigna Healthcare, whereby the city pays for administrative costs and claims.

As part of the self-insurance plan, staff utilize HUB International Insurance Company (HUB) to help inform anticipated expenses throughout the fiscal year. In 2024, self-insurance plan costs exceeded 2024 fund appropriation by \$312,800. Actual costs exceeded the revised budget primarily due to two reasons: 1) increased employee usage of the plan, including heightened utilization of services, and 2) increased medical and health care expenses.

Employee healthcare plans, which contribute to the revenues of the medical self-insurance plan, are reviewed on an annual basis and adjusted as necessary to ensure stability of the health of the fund. Fund revenues, generated by employee and employer healthcare contributions, are intended to offset all employee claims and administrative costs of the plan. In the first three years of the establishment of the fund, the General Fund transferred \$800,000 to build fund reserves. As part of this Special ATB, staff recommends a total of \$312,800 in 2024 supplemental appropriation to the Medical Self-Insurance Fund, with \$134,774 supported by additional revenues from employee and employer contributions and \$178,026 from fund balance supported by a reserve established within the fund. After accounting for the \$178,026 draw from fund balance, the fund balance remains at \$1.7M at the end of 2024.

In addition, staff reviewed other city budgeting practices for internal service funds, as well as language within the Colorado Revised Statute § 29-1-102(13), (CRS), which enables local governments to consider insurance pools as unbudgeted funds. Currently, in the annual appropriations ordinance, internal service funds double-count appropriation levels due to the transfers of all revenues coming from other operating funds. Due to the

administrative nature of appropriating internal service fund budgets within the annual appropriations ordinance, and home rule municipalities ability to remove line-item appropriation for insurance funds within the appropriations ordinance, staff has reviewed the CRS, City Charter, and related city ordinances, and is recommending removing the Medical Self-Insurance Fund and the Dental Self-Insurance Fund from the current fiscal year 2025 appropriations ordinance. This proposed change is incorporated for council consideration in ATB1 2025 Item 3G

It is important to note that this removal is administrative in nature only; the removal of appropriation to these two internal service funds will not remove the operational and budgetary transfer of revenues from other operating funds and expenses from the internal service fund to perform direct payment on medical and dental claims and administrative costs. Additionally, all operating funds will remain included in the appropriations ordinances, which is the originating source of revenue for the internal service funds.

NEXT STEPS

Second reading of Proposed Ordinance 8698 is scheduled for the June 5, 2025, City Council meeting.

ATTACHMENT

A – Proposed Ordinance 8698

ORDINANCE 8698

AN ORDINANCE RELATING TO THE FINANCIAL AFFAIRS
OF THE CITY OF BOULDER, COLORADO, MAKING
SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL
YEAR ENDING DECEMBER 31, 2024, TO THE MEDICAL
SELF-INSURANCE FUND; AND SETTING FORTH RELATED
DETAILS

THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, FINDS AND
RECITES THE FOLLOWING:

WHEREAS, Section 102 of the Charter of the City of Boulder provides that: “At any time
after the passage of the annual appropriation ordinance and after at least one week’s public notice,
the council may transfer unused balances appropriated for one purpose to another purpose, and
may by ordinance appropriate available revenues not included in the annual budget.”;

WHEREAS, the City Council now desires to make certain supplemental appropriations for
purposes not provided for in the 2024 annual budget; and

WHEREAS, required public notice has been given.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BOULDER, COLORADO, that the following amounts are appropriated from additional projected
revenues and from unused fund balances to the listed funds:

Section 1. 7140 Medical Self Insurance Fund

Appropriation from Fund Balance:	\$178,026
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Appropriation from Additional Revenues:	\$134,774
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Section 2. This Ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 3. The City Council deems it appropriate that this Ordinance be published by title only and orders that copies of this Ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 15th day of May 2025.

Aaron Brockett,
Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED AND ADOPTED this 5th day of June 2025.

Aaron Brockett,
Mayor

Attest:

City Clerk



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8699 approving annual carryover and supplemental appropriations to the 2025 Budget

PRIMARY STAFF CONTACT

Charlotte Huskey, Budget Officer

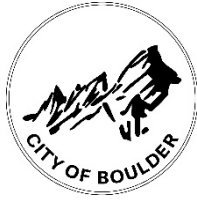
REQUESTED ACTION OR MOTION LANGUAGE

Motion to introduce and order published by title only Ordinance 8699 approving supplemental appropriations to the 2025 Budget and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 3G - 1st Rdg Ord 8699 approving annual carryover and supplemental appropriations to the 2025 Budget**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8699 approving annual supplemental appropriations to the 2025 Budget.

PRESENTERS:

Nuria Rivera-Vandermyde, City Manager
Chris Meschuk, Deputy City Manager
Krista Morrison, Chief Financial Officer
Charlotte Huskey, Budget Officer

EXECUTIVE SUMMARY

Each year at least two supplemental appropriation ordinances known as adjustments-to-base (ATB), or budget supplementals, are presented to City Council for review and approval. City Council receives the First Budget Supplemental, or ATB1, in May and June and the Second and Final Budget Supplemental, or ATB2, in November and December.

Mid-year adjustments to the original budget are necessary for governmental operations as Colorado law requires an annual budget appropriation by December 31st of each year, however government business continues year-round. Given that mid-year adjustments are performed outside of the annual budget cycle, staff performs careful review prior to advancing recommended adjustments. There are common instances when adjustments are required, such as appropriating new grant funds received mid-year. In special circumstances, unplanned investments may be necessary due to emergencies, voter-approved changes, and emerging community needs. These special circumstances are generally presented as one-time investments and adjustments to the original budget.

In the 2025 ATB1, staff recommends a total of \$11.6M in adjustments, including \$6.4M from fund balance, \$2.6M from grants received mid-year and those not yet appropriated, and \$2.6M from additional unbudgeted revenue, including revenue from donations, interlocal agreements, or additional anticipated revenue above forecast that was not captured in the original budget. Staff recommends the below appropriation increases to respond to unanticipated needs and citywide

priorities where it is projected that existing appropriation is not sufficient, including unbudgeted city building maintenance issues and advancing key city projects.

A proposed ordinance is provided in **Attachment A** and an itemized list of appropriations by fund and department is included in **Attachment B**.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce and order published by title only Ordinance 8699 approving supplemental appropriations to the 2025 Budget.

OVERVIEW

- Fiscal: This ordinance will appropriate a total of \$11,591,502 across funds.
- In the **General Fund**, this ordinance will appropriate a total of \$3,818,558, \$1,175,154 from additional revenues, \$2,305,347 from fund balance, and \$337,057 from grant revenues.
- In **restricted funds**, this ordinance will appropriate a total of \$7,772,994, \$1,405,347 from additional revenues, \$4,110,261 from fund balance, and \$2,257,336 from grant revenues.
- Appropriation authority for capital projects, grant projects, and encumbrances that cross fiscal years is included in the annual adoption of the budget and therefore are not included in this adjustment.
- Staff also is performing an amendment to the budget appropriations ordinance to remove the Medical and Dental Self-Insurance Funds from the ordinance language in alignment with Colorado Revised Statute § 29-1-102(13), (CRS), which enables local governments to consider insurance pools as unbudgeted funds. This is included as part of the ATB packet, with additional detail provided below.

ANALYSIS

There are three types of supplemental appropriations:

Supplement appropriations from fund balance are the most common and are only for one-time expenses as fund balance is a one-time source of funds. Fund balance arises when revenue exceeds budget or expenditures are under budget. Interfund transfers, including the expense appropriation between funds, are included in this category, when applicable.

Supplement appropriations from additional revenues include unanticipated funds received for city programs and services, including donations, reimbursements for services, fundraisers, or cooperative agreements between municipalities as well as additional revenues above forecasted amounts based on revised revenue projections.

Supplemental appropriations from grant revenues are required throughout the year since either the grant was not anticipated and was therefore not included in the original budget. In 2024, City Council approved an amended budget appropriations ordinance to allow for multi-year carryover of grant funds until the grant has been fully expended or the grant period ends. This has allowed for greater flexibility and continuity for grant expenses and reimbursements.

Table 1: Type of Supplemental Request – All Funds

Source of Funds	Amount
Additional Revenues	\$2,581,501
Grant Revenues	\$2,594,393
Fund Balance	\$6,415,608
Total	\$11,591,502

Supplemental appropriation requests can also be categorized according to fund and source.

Table 2 provides a summary of all supplementals in this 1st ATB totaling \$11,591,502 across funds.

Table 2: 1st ATB Supplemental Appropriations by Fund and Source

Fund	Additional Revenue	Grant Revenue	Fund Balance	Total
General Fund	\$1,176,154	\$445,057	\$2,305,347	\$3,818,558
Governmental Capital Fund	\$200,000	\$0	\$0	\$200,000
Capital Development Fund	\$0	\$0	\$925,000	\$925,000
Lottery Fund	\$0	\$0	\$287,000	\$287,000
Planning and Development Svc Fund	\$563,937	\$0	\$0	\$563,937
Affordable Housing Fund	\$0	\$0	\$573,000	\$573,000
.25 Cent Sales Tax Fund	\$187,393	\$0	\$0	\$187,393
Recreation Activity Fund	\$0	\$380,231	\$0	\$380,231
Climate Tax Fund	\$0	\$0	\$250,000	\$250,000
Open Space Fund	\$289,601	\$651,198	\$189,037	\$1,129,836
Arts, Culture and Heritage Fund	\$0	\$0	\$150,000	\$150,000
Transportation Fund	\$0	\$1,225,907	\$1,571,224	\$2,797,131
Permanent Parks & Recreation Fund	\$20,825	\$0	\$0	\$20,825
Workers Compensation Ins Fund	\$140,000	\$0	\$0	\$140,000
Facility Renovation & Replace Fund	\$143,591	\$0	\$0	\$143,591
CAGID			\$25,000	\$25,000
Total	\$2,581,501	\$2,594,393	\$6,415,608	\$11,591,502

Overview of Select Supplemental Appropriations

The recommended adjustment of \$11,591,502 includes several investments to address emerging community needs and inflationary pressures.

Below are several highlights of specific initiatives and programming proposed through the supplemental appropriation. A line-item summary table of the supplemental requests by fund and type can be found in **Attachment B**.

Capital Maintenance Needs and Infrastructure Replacement – \$155,000

- **Radio Shop Renovation and Radio Tower Electrical Service Upgrades:** One-time request of \$115,000 to appropriate funding from cellular tower lease revenues towards the relocation and renovation of the radio shop, and for the upgrade of electrical services at radio tower sites that require 200amp service in connection to recent radio infrastructure upgrades.
- **Alpine-Balsam Garage Fire Suppression:** One-time request of \$40,000 to appropriate unbudgeted revenue to address maintenance issues with the fire suppression system at the Alpine-Balsam garage.

Public Safety and Emergency Response - \$1.95M

- **Emergency Medical Ambulance Transport Renewal.** One-time amount of \$1.45M to support renewal of an existing emergency medical services contract with American Medical Rescue for living wage implementation. This mid-year contract renewal extends through December 31, 2025, and will be reviewed again for the upcoming the 2026 renewal period.
- **Fire Trucks Replacement.** One-time request of \$250,000 for additional appropriation to replace an aging type 6 fire engine at Fire Station 7. This will expand capabilities for wildfire response coverage for the eastern parts of the response system and enhance the move to closest unit dispatching county wide.
- **Police Vehicles.** One-time request of \$251,500 to reappropriate operating funds previously approved for vehicle purchases and associated upfitting. Due to nationwide police vehicle supply issues, the vehicles and their upfit costs were not able to be purchased in 2024. This request appropriates the amount to purchase in Spring 2025.

Transportation Improvements – \$2.5M

- **28th Street – Valmont to Iris Transportation Project.** The 28th Project has incurred additional costs of \$1.5M due to existing private utility relocations taking longer than expected. Xcel Gas and Power lines have been relocated, along with Comcast, Century Link (Lumen), Zayo, AT&T Fiber and Telecom Lines. While the relocation of these facilities is not a city expense, the city has paid for relocation coordination, traffic control, stormwater control and perform some demolition and removal work to accommodate the removals.

- **Highway Safety Improvement Program (HSIP) Boulder Traffic Signal Upgrades.** One-time additional grant funding of \$947,400 from the Colorado Department of Transportation to support the HSIP Boulder Traffic Signal Upgrades Project due to cost escalations. Cost escalations were attributed to price increases in traffic signal equipment, poles, and technology.

Other Select Grants and Donations Funding - \$171,800

- **Primos Park – Safe Routes to Park.** The Safe Routes to Parks Colorado Activating Communities Program donations for Primos Park (\$9,500) to develop and initiate an action-oriented strategy to make local parks safer and more accessible. This one-time amount will support temporary transportation activations surrounding Primos Park.
- **EXPAND Boulder County Developmental Disability Grant.** One-time grant of \$22,200 This request appropriates extension funding from the Boulder County Developmental Disability Grant used to help fund EXPAND's efforts for inclusion support for 2025 summer programming which assists individuals with disabilities to be successful in recreation programs.
- **Peace Officer Mental Health Grant.** One-time grant of \$30,000 from the Department of Local Affairs (DOLA) to promote officer wellness. This grant will provide funding for Peer Support Team training and various wellness events.
- **Edward Byrne Justice Assistance Grant (JAG).** Recurring grant from the U.S. Department of Justice for the FY2024 Edward Byrne Justice Assistance Grant (JAG) for a joint submission with the Longmont Police Department. The grant will provide \$58,100 for the Boulder Police Department to purchase equipment and supplies and to fund the Longmont Ending Violence Initiative (LEVI).
- **Colorado State Forest Service Restoration and Wildfire Risk Mitigation Grant.** OSMF was awarded a Forest Restoration & Wildfire Risk Mitigation Grant by Colorado State Forest Service in partnership with Four Mile Fire Protection District. The work, supported by \$52,000 in grant funding, will form a strategic fuel break next to the City of Boulder, the Knollwood and Canyonside neighborhoods, various private properties in the Sunshine and Boulder Canyon areas, and a wide variety of Open Space and Mountain Parks recreational resources.

Finally, as part of ATB1 2025, staff recommends an amendment to the budget appropriations ordinance to remove the Medical and Dental Self-Insurance Funds in alignment with the Colorado Revised Statute § 29-1-102(13), (CRS), which enables local governments to consider insurance pools as unbudgeted funds. Currently, in the annual appropriations ordinance, internal service funds double-count appropriation levels due to the transfers of all revenues coming from other operating funds. Due to the administrative nature of appropriating internal service fund budgets within the annual appropriations ordinance, and home rule municipalities ability to remove line-item appropriation for insurance funds within the appropriations ordinance, staff has reviewed the CRS, City Charter, and related city ordinances, and is recommending removing the

Medical Self-Insurance Fund and the Dental Self-Insurance Fund from the current fiscal year 2025 appropriations ordinance. This proposed change is incorporated for council consideration within Attachment A – ATB1 2025 Ordinance 8699 Supplemental Appropriations to the 2025 Budget.

The Medical Self-Insurance Fund and Dental Self-Insurance Fund are internal service funds, which are governmental funds that receive revenues from internal charges and transfers from other operating funds. It is important to note that this removal is administrative in nature only; all operating funds will remain included in the appropriations ordinances, which is the originating source of revenue for the internal service funds. The removal of appropriation to these two internal service funds will not remove the operational and budgetary transfer of revenues from other operating funds and expenses from the internal service fund to perform direct payment on medical and dental claims and administrative costs.

NEXT STEPS

The second reading and public hearing of this item is scheduled for the June 5, 2025, City Council meeting.

ATTACHMENTS

- A. Ordinance 8699 containing supplemental appropriations to the 2025 Budget
- B. Supplemental Appropriations to the 2025 Budget by Fund and Department

ORDINANCE 8699

AN ORDINANCE APPROPRIATING MONEY TO DEFRAY
EXPENSES AND LIABILITIES OF THE CITY OF BOULDER,
COLORADO, FOR THE 2025 FISCAL YEAR OF THE CITY OF
BOULDER; AND SETTING FORTH RELATED DETAILS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
COLORADO:

Section 1. The following appropriations are made for the City of Boulder's 2025 fiscal
year for payment of 2025 city operating expenses, capital improvements, and general obligation
and interest payments:

.25 Cent Sales Tax Fund	
Appropriation from Additional Revenue	\$ 187,393
Affordable Housing Fund	
Appropriation from Fund Balance	\$ 573,000
Arts, Culture & Heritage Fund	
Appropriation from Fund Balance	\$ 150,000
Capital Development Fund	
Appropriation from Fund Balance	\$ 925,000
Climate Tax Fund	
Appropriation from Fund Balance	\$ 250,000
Dental Self-Insurance Fund	
Unappropriate from Additional Revenue	-\$1,230,684
Facility Renovation and Replacement Fund	
Appropriation from Additional Revenue	\$ 143,591
General Fund	
Appropriation from Additional Revenue	\$ 1,513,211
Appropriation from Fund Balance	\$ 2,305,347
Governmental Capital Fund	

1	Appropriation from Additional Revenue	\$ 200,000
2	Lottery Fund	
3	Appropriation from Fund Balance	\$ 287,000
4	Medical Self-Insurance Fund	
5	Unappropriate from Additional Revenue	-\$18,555,804
6	Open Space Fund	
7	Appropriation from Additional Revenue	\$ 940,799
8	Appropriation from Fund Balance	\$ 189,037
9	Permanent Parks and Recreation Fund	
10	Appropriation from Additional Revenue	\$ 20,825
11	Planning and Development Services Fund	
12	Appropriation from Additional Revenue	\$ 563,937
13	Recreation Activity Fund	
14	Appropriation from Additional Revenue	\$ 380,231
15	Transportation Fund	
16	Appropriation from Additional Revenue	\$ 1,225,907
17	Appropriation from Fund Balance	\$ 1,571,224
18	Worker's Compensation Insurance Fund	
19	Appropriation from Fund Balance	\$ 140,000

20 Section 2. Appropriations for individual capital projects or encumbrances or any grant-
21 funded projects in the above-mentioned funds for fiscal year 2025 shall not lapse at year end but
22 continue until the project is completed or cancelled.

23 Section 3. The City Council may transfer unused balances appropriated for one purpose
24 to another purpose.

25 Section 4. Pursuant to Section 18 of the Boulder City Charter, this Ordinance shall take
effect immediately upon publication after final passage.

1 Section 5. These appropriations are necessary for the protection of the public peace,
2 property, and welfare of the residents of the city and cover matters of local concern.

3 Section 6. The City Council deems it appropriate that this Ordinance be published by
4 title only and orders that copies of this Ordinance be made available in the office of the city clerk
5 for public inspection and acquisition.
6

7 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
8 TITLE ONLY this 15th day of May 2025.
9

10 _____
11 Aaron Brockett,
12 Mayor

13 Attest:

14 _____
15 City Clerk

16 READ ON SECOND READING, PASSED AND ADOPTED this 5th day of June 2025.

17 _____
18 Aaron Brockett,
19 Mayor

20 Attest:

21 _____
22 City Clerk

2025 ADJUSTMENT to BASE | ATB1

CITY OF BOULDER | COLORADO

REQUEST by FUND	ADDITIONAL REVENUE	DONATION REVENUE	GRANT REVENUE	FUND BALANCE	GRAND TOTAL
1100FD - General Fund	\$ 1,052,087	\$ 124,067	\$ 337,057	\$ 2,305,347	\$ 3,818,558
City Manager's Office					
SBDC (Small Business Development Center) - Cash not declared as match/reserves	\$ 543,422				\$ 543,422
FLEX Regional Bus Route to Fort Collins Rebate				\$ 603,825	\$ 603,825
Climate Initiatives					
Renewable Energy Program: Solar Grants	\$ 45,114				\$ 45,114
Renewable Energy Program: Solar Rebates	\$ 131,750				\$ 131,750
Facilities and Fleet					
Alpine Balsam Garage Maintenance and Fire Suppression System	\$ 40,000				\$ 40,000
Purchase and Upfit of 3 Police Vehicles				\$ 251,517	\$ 251,517
Finance					
CityWide Security Facility Assessment	\$ 140,000				\$ 140,000
Fire-Rescue					
Emergency Ambulance Service and Transport Contract Increase				\$ 1,450,005	\$ 1,450,005
Fundwide / Citywide					
Insurance Payment - Cherryvale Eligible Project	\$ 126,801				\$ 126,801
Housing and Human Services					
Family Resource Schools (FRS) Basic Needs Donation		\$ 50,000			\$ 50,000
Silver Sneakers Program for Older Adult Services (OAP) Support	\$ 25,000				\$ 25,000
Police					
2025 Click It Or Ticket Grant (CIOT)			\$ 7,000		\$ 7,000
A Coordinated Response to Homelessness Grant			\$ 204,517		\$ 204,517
Additional Grant Funding for DUI Enforcement			\$ 10,232		\$ 10,232
FY2024 Edward Byrne Justice Assistance Grant (JAG)			\$ 58,119		\$ 58,119
New Canine Costs to be funded from Police Foundation		\$ 55,000			\$ 55,000
Peace Officer Mental Health (POMH) Grant			\$ 30,000		\$ 30,000
Police Foundation Donation		\$ 19,067			\$ 19,067
BATTLE (Beating Auto theft Through Law Enforcement) FY2025 Grant			\$ 27,189		\$ 27,189
1300FD - Governmental Capital Fund	\$ 200,000				\$ 200,000
Facilities and Fleet					
Alpine-Balsam Floodway Project - BUSH (Boulder Urban Stream Health) Program Grant	\$ 200,000				\$ 200,000
2100FD - Capital Development Fund				\$ 925,000	\$ 925,000
Parks and Recreation					
Tom Watson Park Renovation and Redesign				\$ 925,000	\$ 925,000
2110FD - Lottery Fund				\$ 287,000	\$ 287,000
Parks and Recreation					
Tom Watson Park Renovation and Redesign				\$ 287,000	\$ 287,000
2120FD - Planning and Development Svc Fund	\$ 563,937				\$ 563,937
Planning and Development Services					
Four new utility trucks supporting four new P&DS Inspector positions.	\$ 224,800				\$ 224,800
Four new P&DS ROW (Right-of-Way) Inspector positions.	\$ 339,137				\$ 339,137
2140FD - Affordable Housing Fund				\$ 573,000	\$ 573,000
Housing and Human Services					
Ponderosa Development Carryover				\$ 573,000	\$ 573,000
2180FD - .25 Cent Sales Tax Fund	\$ 163,073	\$ 24,320			\$ 187,393
Parks and Recreation					
Tree Mitigation and Forestry Donations	\$ 163,073				\$ 163,073
Bill Bower Park Donation for Interpretive Garden Design		\$ 24,320			\$ 24,320
2300FD - Recreation Activity Fund			\$ 380,231		\$ 380,231
Parks and Recreation					
Mobile Rec Van SSBDT Grant (YSI)			\$ 50,000		\$ 50,000
Scholl Foundation			\$ 25,000		\$ 25,000
Recquity Program- Recreation Center Visits SSBDT Grant			\$ 150,000		\$ 150,000
Boulder County Developmental Disability Grant (EXPAND)			\$ 122,986		\$ 122,986
Boulder County Developmental Disability Grant (EXPAND - Enhancing the lives of people with disabilities)			\$ 22,245		\$ 22,245
Colorado Respite Coalition Grant (EXPAND - Enhancing the lives of people with disabilities)			\$ 10,000		\$ 10,000

Item 3G - 2025 ATB1

10

2400FD - Climate Tax Fund				\$ 250,000	\$ 250,000
Fire-Rescue	Attachment B - ATB1 Supplemental Appropriations				
Fire-Rescue Brush Truck Type 6 Replacement				\$ 250,000	\$ 250,000
2500FD - Open Space Fund	\$ 126,801	\$ 162,800	\$ 651,198	\$ 189,037	\$ 1,129,836
Open Space and Mountain Parks					
FEMA Marshall Mesa Trailhead Eligible Project			\$ 71,000		\$ 71,000
FEMA/Insurance Cherryvale Eligible Expenses	\$ 126,801		\$ 338,886	\$ 189,037	\$ 654,724
St Vrain & Left Hand Water Conservancy District Grant Crocker Ditch			\$ 22,500		\$ 22,500
Arthur Moss Estate Donation to Support Wetland Restoration and Vegetation Management Projects		\$ 102,800			\$ 102,800
BOSC (Boulder Open Space Conservancy) Donation for Trail Repairs		\$ 60,000			\$ 60,000
Cherryvale Electrification Grant for Fleet Charging Ports, HVAC, and Heat Pumps			\$ 166,812		\$ 166,812
Colorado State Forest Service Forest Restoration & Wildfire Risk Mitigation Grant			\$ 52,000		\$ 52,000
2620FD - Arts, Culture and Heritage Fund				\$ 150,000	\$ 150,000
Community Vitality					
Additional Arts and Culture Grants Program Funding				\$ 150,000	\$ 150,000
2800FD - Transportation Fund			\$ 1,225,907	\$ 1,571,224	\$ 2,797,131
Transportation and Mobility					
28th St - Valmont to Iris Project				\$ 1,500,000	\$ 1,500,000
CDOT Geocoding 2025 Grant			\$ 17,400		\$ 17,400
Highway Safety Improvement Program Boulder Traffic Signal Upgrades Award -additional funding			\$ 974,407		\$ 974,407
Culvert Lining Project			\$ 234,100		\$ 234,100
Highway Safety Improvement Program Boulder Traffic Signal Upgrades Award				\$ 71,224	\$ 71,224
3300FD - Permanent Parks & Recreation Fund	\$ 11,325	\$ 9,500			\$ 20,825
Parks and Recreation					
Harbeck House Lease Revenue to Support General O&M	\$ 11,325				\$ 11,325
Primos Park- Safe Routes to Park Grant to Fund Temporary Transportation Improvements		\$ 9,500			\$ 9,500
6300FD - Stormwater & Flood Mgt Utility Fund				\$ -	\$ -
Facilities and Fleet					
BUSH (Boulder Urban Stream Health) Program Grant Interfund Transfer				\$ -	\$ -
6400FD - CAGID				\$ 25,000	\$ 25,000
Facilities and Fleet					
Pearl Street Mall Restrooms Security (Fleet & Facilities)				\$ 25,000	\$ 25,000
7120FD - Workers Compensation Ins Fund				\$ 140,000	\$ 140,000
Finance					
CityWide Security Facility Assessment				\$ 140,000	\$ 140,000
7500FD - Facility Renovation & Replace Fund	\$ 143,591				\$ 143,591
Facilities and Fleet					
Gunbarrel Emergency Generator Reimbursement	\$ 28,591				\$ 28,591
Radio Shop Renovation	\$ 40,000				\$ 40,000
Radio Tower Site Electrical	\$ 75,000				\$ 75,000
Grand Total	\$ 2,260,814	\$ 320,687	\$ 2,594,393	\$ 6,415,608	\$ 11,591,502



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Left Hand Water District's request for comment regarding a water tap for a property in Area III of the Boulder Valley Comprehensive Plan (5887 Woodbourne Hollow Rd).

PRIMARY STAFF CONTACT

Christopher Ranglos, City Planner Senior

ATTACHMENTS:

Description

- ▣ **Item 4A - Left Hand Water District Referral 5887 Woodbourne Hollow Road**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE: Left Hand Water District's request for comment regarding a water tap for a property in Area III of the Boulder Valley Comprehensive Plan (5887 Woodbourne Hollow Rd).

REQUESTING DEPARTMENT / PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Mark Woulf, Assistant City Manager
Brad Mueller, Director, Planning & Development Services
Kristofer Johnson, Comprehensive Planning Senior Manager
Mark Garcia, Civil Engineering Senior Manager
Hella Pannewig, Senior Counsel, City Attorneys Office
Charles Ferro, Development Review Planning Senior Manager
Chris Ranglos, City Senior Planner

EXECUTIVE SUMMARY

The city and the District have a long history of coordination of utility services within the Planning Area. Special districts are quasi-municipal corporations and political subdivisions under state law. While there are a number of special districts that provide various services within the Boulder Valley, the city and Boulder County have discouraged the expansion of such districts. Since the early 1970's, the city and the District have worked to prevent conflicts between city and District water service and to ensure that any utility service within the Boulder Valley is done in a manner that is consistent with the BVCP.

The present arrangement between the city and District is in the 1995 Amended and Restated Agreement. Per the terms of the Agreement, the District will seek comments from the city and give due consideration to these comments prior to expanding its water supply utility or granting requests for new water taps in the Boulder Valley. The city may request a full hearing before the District's Board of Directors as part of this process if there are concerns about the proposed service. The city prefers that service be provided

by District water contracts rather than expansion of the District as articulated in the BVCP.

The Agreement provides for an administrative process that the city uses to review expansion requests such as new tap requests. The requests are reviewed by the Planning and Public Works staff in the city's Development Review Committee (DRC) process. Those comments are also reviewed by the city's Policy Resolution Group (PRG), which consists of representatives from the senior management of Planning, Public Works and the City Attorney's Office. The request at issue has been reviewed by both DRC and PRG members.

BACKGROUND

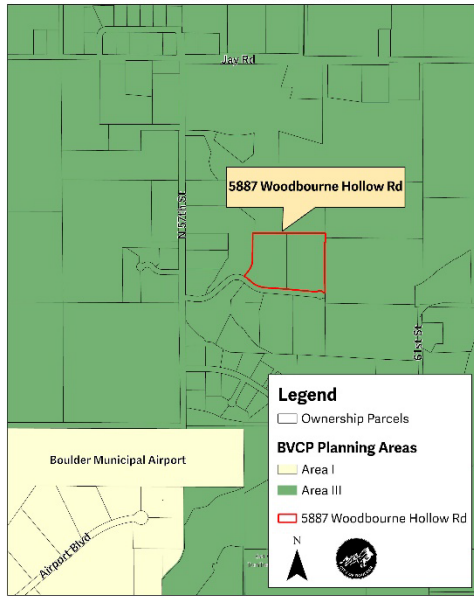
The city and the District have a long history of coordination of utility services within the Planning Area. Special districts are quasi-municipal corporations and political subdivisions under state law. While there are a number of special districts that provide various services within the Boulder Valley, the city and Boulder County have discouraged the expansion of such districts. Since the early 1970's, the city and the District have worked to prevent conflicts between city and District water service and to ensure that any utility service within the Boulder Valley is done in a manner that is consistent with the BVCP.

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The Agreement provides for an administrative process that the city uses to review expansion requests such as new tap requests. The requests are reviewed by the Planning and Public Works staff in the city's Development Review Committee (DRC) process. Those comments are also reviewed by the city's Policy Resolution Group (PRG), which consists of representatives from the senior management of Planning, Public Works and the City Attorney's Office. The request at issue has been reviewed by both DRC and PRG members.

ANALYSIS

Two issues are at the center of the review of the water tap application:



1) Does the granting of the tap constitute new urban development under the BVCP?

The property requesting a water tap is located within Area III – Rural Preservation. The intent of the Area III is to preserve existing rural land uses and character, and to discourage “over-intensive rural development.” BVCP policies 1.14 and 1.15 define and describe “new urban development” and acknowledge that through joint planning of the city and county, new urban development will only occur where adequate urban services are available. The city has determined that no new urban development or over-intensive rural development will result from the grant of a new tap by the District. The property will be used or developed in compliance with the existing County Land Use Regulations and current BVCP policies.

2) Does the District have the capacity to serve the properties requesting water taps?

Per the letter from Left Hand Water dated April 11, 2025 to the city, “The District has the ability to serve this property with a 5/8” water tap”. The property is currently a single family home currently served by a cistern within the Left Hand Water District boundary. The Agreement contains a covenant that “in the event that the District agrees to provide a water tap to an existing use or parcel, the District agrees to provide such tap solely by means of a service contract with the District, not by an expansion of the District.”

Per the Intergovernmental Agreement between the City of Boulder and the Left Hand Water District (the “District”), dated April 11, 1995:

- (1) the requested water tap for the existing residence at 5887 Woodbourne Hollow Rd. may be provided solely by means of a service contract with the District, not by an expansion of the District;
- (2) any replacement, enlargement, or extension of the District’s water supply utility within the Boulder Valley must be designed and constructed to meet or exceed currently applicable requirements of the City of Boulder; and

- (3) the District must require the owners of the property requesting the new tap to covenant that additional requests for services for new taps or units will not be made during the term so of the service contract.

NEXT STEPS

The city manager will be asked to sign a letter to the District indicating that the city will not oppose the extension of the water tap pursuant to service contracts with the District to the identified property.



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Second reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Consideration of a motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

PRIMARY STAFF CONTACT

Lisa Houde and Rob Adriaens

REQUESTED ACTION OR MOTION LANGUAGE

Motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum

ATTACHMENTS:

Description

- ▣ **Item 5A - 2nd Rdg Ord 8695 WUI Code Updates**
- ▣ **Item 5A - Addendum Memo**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Second reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Consideration of a motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

REQUESTING DEPARTMENT / PRESENTERS

Nuria Rivera-Vandermyde, City Manager

Mark Woulf, Assistant City Manager

Pam Davis, Assistant City Manager

Planning & Development Services

Brad Mueller, Director of Planning & Development Services

Rob Adriaens, Chief Building Official

Charles Ferro, Senior Planning Manager

Karl Guiler, Senior Policy Advisor

Lisa Houde, Principal City Planner

Fire-Rescue

Mike Calderazzo, Fire Chief

David Lowrey, Division Chief - Fire Marshal

EXECUTIVE SUMMARY

City Council identified Wildfire Hardening & Waterwise Landscaping Policies & Regulation as one of its 2024-2025 work program priorities. The proposed changes in Ordinance 8695 represent the first step in changes for the wildfire hardening project.

There is already significant work being done throughout the city organization to mitigate wildfire risk, which is summarized in the [Dec. 12, 2024 study session memo](#). This code change focuses solely on the building code regulatory changes that could further support wildfire hardening of buildings and properties in the Wildland-Urban Interface (WUI) area of the city.

For 11 years, Boulder has had special building regulations for the WUI area. To regulate this, Boulder has adopted the 2012 and 2018 International Wildland Urban Interface Codes with local amendments; the 2018 code is currently in effect. The International Code Council (ICC) updates the International Wildland Urban Interface Code (IWUIC) every three years through a collaborative and consensus-based process involving experts, stakeholders and public comment throughout the country. ICC's approach to code development ensures that building codes are robust, adaptable, and reflective of current safety and construction standards.

The proposed code change includes adoption of the ICC's 2024 edition of the IWUIC as well as new local amendments designed to address specific wildfire concerns in the City of Boulder. An annotated version of the IWUIC with the local amendments redlined is included in [Attachment A at this link](#). The proposed ordinance is available in [Attachment B](#).

This agenda item also includes a reevaluation and update to the WUI area map that identifies where the IWUIC requirements apply (see [Attachment D](#)). This second reading memo recommends a separate motion to officially declare the Wildland-Urban Interface area for Boulder as identified in the attached proposed WUI area map. The map significantly increases the number of properties included, though the vast majority of new WUI area properties are within the Class 3 ignition resistant zone, which has the simplest property management implications.

If the ordinance is adopted, the 2024 IWUIC would go into effect on August 1, 2025 along with the other ICC codes.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

Motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Motion to declare a revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

BOARD AND COMMISSION FEEDBACK

Planning Board – Planning Board reviewed the ordinance on April 15, 2025 and provided the following recommendation to City Council.:

K. Nordback made a motion seconded by L. Kaplan that Planning Board recommends that City Council adopt Ordinance 8695, amending Chapter 10- 8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details and Planning Board recommends that City Council update the Wildland-Urban Interface area to which the Wildland Code applies, as proposed in the staff memorandum. Planning Board voted 6-1 (C. Hanson Thiem dissenting). Motion passed.

C. Hanson Thiem made a motion seconded by K. Nordback that Planning Board recommend that City Council direct staff to research methods to protect opportunities for vegetation and green space in multi-unit housing, higher-density zones, and areas of the city with small lots and minimal setbacks. Planning Board voted 6-1 (J. Boone dissenting). Motion passed.

Since the Planning Board meeting, staff has completed additional research to provide statistics on housing types in the proposed WUI area. Based on city records, about 49 percent of dwelling units in the proposed WUI area are duplexes, triplexes, townhomes, condominiums, or apartments. The IWUIC does not differentiate fire safety requirements by housing type and Boulder Fire-Rescue does not recommend having separate requirements for multi-unit or higher density housing. In fact, the noncombustible zone may be even more vital for fire safety in areas with small lots and minimal setbacks. The Insurance Institute for Business & Home Safety (IBHS) notes the following in their [Suburban Wildfire Adaptation Roadmaps](#) document:

“The zone within 0–5 ft from a home plays an important role in preventing deposited embers from transitioning into flames near the home...Having small shrubs or perennials increases the risk, depending on the home’s level of fire resistance—keeping these maintained is key to managing the risk. Any type of combustible structural fuel or vehicles in this area creates a high risk. Additionally, embers can ignite a house directly if there are combustible building materials at ground level...

Surface fuel management is extremely important at the base of vertical solid surfaces such as walls and fences. Having a 0–5 ft noncombustible zone prevents the conversion of embers to flames around the home.”

Further, the document identifies recommendations for light commercial construction, including multifamily housing. Just like other use types, the IBHS recommends:

“vegetation in the 0–5 ft ignition zone will need to remove those plants and/or trees to establish a noncombustible zone. This zone is an extremely important area to focus on. A routine maintenance plan for the building is necessary to keep fire or embers from igniting materials and spreading fire to your building.”



Figure 11. Importance of 0-5 ft noncombustible zone (home ignition zone) for a home under ember attack.

COMMUNITY FEEDBACK

A *consult* level of engagement was used for this project. Relevant feedback on wildfire hardening efforts was also received during the recent update to the [Community Wildfire Protection Plan](#) in 2024. Since some of the proposed changes to the WUI area are based on the state's Wildfire Resiliency Code Board model code, elements of the map changes are limited to an *inform* level of engagement.

A postcard was mailed to all property owners, renters, and business owners at properties within the proposed WUI to let community members know about the proposed changes and opportunity to provide input at the City Council public hearing. In addition, notification of the upcoming changes has been announced in several editions of the Planning and Development Services monthly newsletter, which reaches over 5,000 people. Two community meetings were held in March, an in-person event attended by about 35 people and an online meeting with about 15 attendees. A presentation of the proposed updates was shared at both meetings and staff from both the Planning & Development Services and Fire-Rescue departments were available to answer questions.

Feedback received in the community meetings was generally positive regarding both the expansion of the WUI area and the proposed local amendments to the code. Some attendees were concerned about the limited applicability of the proposed changes, specifically that the requirements would not apply to properties until a building permit is sought and would only apply to the specific scope of work. Staff is continuing to analyze the staffing and resource implications of requiring a greater level of compliance, such as at the time of property sale or rental license; this will be addressed in later aspects of the Wildfire Hardening project. A summary of questions asked at the community meetings is provided in [Attachment D](#).

An online engagement page was also developed on [Be Heard Boulder](#) to summarize the proposed changes, provide important documents and updates on engagement

opportunities, and include an ideas wall for community members to leave comments. Comments received so far can be viewed on the Be Heard Boulder page linked above. Staff is also planning to hold office hours to answer resident questions on May 8 and 9 after the publication of this memorandum.

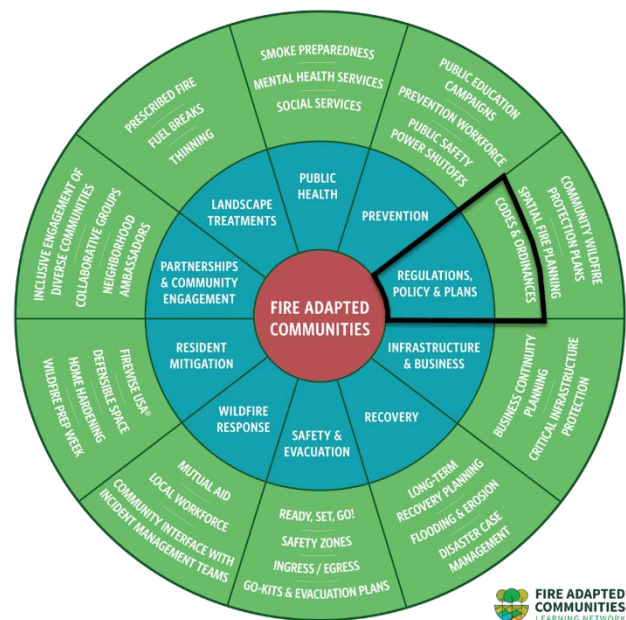
Council and Board Input

City Council

City Council identified Wildfire Hardening & Waterwise Landscaping Policies & Regulation as one of its 2024-2025 work program priorities. At its retreat, Council agreed to establish a priority that encompasses a review of policies and regulations focused on wildfire hardening strategies (building and properties) and waterwise landscaping (such as native plant use). The proposed changes in Ordinance 8695 represent the first step in changes for the wildfire hardening project.

The council priority project kicked off this fall and is a multi-departmental collaborative effort. There is already significant work being done throughout the city organization to mitigate wildfire risk and to implement the many recommendations of the Community Wildfire Protection Plan. This code change focuses on the building code regulatory changes that could further support wildfire hardening of buildings and properties.

The graphic at right from the Fire Adapted Communities Learning Network describes a set of components that make up community wildfire adaptation and gives examples of specific programs and activities that communities can undertake to reduce their wildfire risk and increase their resilience. Codes and ordinances, within the Regulations, Policies, and Plans, is one of many tools that cities like Boulder are currently implementing to adapt the community to wildfire risk.



City Council provided direction on the project at the [December 12, 2024](#) study session (see [summary of council comments](#)). Notably, the City Council directed staff not to move forward with applying regulations retroactively to properties, but rather to apply requirements to properties at the time of building permits. Several council members also indicated interest in expanding the WUI area. Additionally, City Council asked that staff study opportunities to require compliance with wildfire hardening requirements upon property sale or rental license, as well as the staffing and resource implications of this work. This is still being studied and will be addressed separately, later in the project.

Planning Board

The Planning Board was introduced to the project at the [December 17, 2024](#) meeting. The board expressed general support for staff's initial recommendations related to the IWUIC.

Several topics were discussed including the interaction of historic preservation review with wildfire requirements, how the WUI map and regulations are updated with new data or fire science understanding, how to incentivize neighborhood compliance, the importance of education and outreach, the classification of new WUI areas, concerns that complaint-based enforcement can be inequitable, and questions about whether identifying properties within the WUI affects insurance coverage.

BACKGROUND

International Wildland Urban Interface Code

The City of Boulder routinely adopts and enforces a full set of codes that regulate buildings and construction in the city (Title 10, B.R.C., 1981). Most of these codes are based on model building codes developed by the International Code Council (ICC), with local amendments to address issues specific to the Boulder community. For example, through local amendments, Boulder has prohibited wood roof coverings and required Class A (most restrictive) roofing to mitigate fire risk since 1994.

The IWUIC Boulder first adopted the IWUIC in 2013, and it was effective on January 31, 2014. In 2019, the 2018 version was adopted and is the version the city is currently enforcing. The ICC model codes are updated on a three-year cycle and the city typically adopts every other cycle of these codes. Boulder most recently adopted the 2024 set of codes but the IWUIC was set on a separate timeline to allow for more robust engagement.

The purpose of the IWUIC is to regulate the use, condition, and construction of structures within WUI areas to mitigate the risk to life and structures associated with the spread of wildland fires into the interface area and to minimize the potential spread of structure fires into wildland fuels. It establishes minimum regulations for the safeguarding of life and for property protection.

The IWUIC requires new construction and additions or remodels to homes within the identified WUI area to meet additional regulations beyond the standards found in the general construction requirements of the city's building code. These additional regulations include fire resistant materials, underfloor areas, roof coverings, eaves, rain gutters, windows, and ventilation openings.

The 2024 IWUIC update with proposed local amendments is intended to significantly reduce the wildfire risk of new construction within the city of Boulder. This code only applies to new construction, modifications, and relocated structures in the WUI area.

State of Colorado Wildfire Resiliency Code Board

SB23-166

In 2023, [Senate Bill 23-166](#), a city-supported bill, was adopted and established a wildfire resiliency code board to adopt model codes, requiring governing bodies with jurisdiction in an area within the WUI to adopt codes that meet or exceed the model code standards.

By July 1, 2025, the board is required to adopt rules concerning the adoption of codes and standards for the hardening of structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface in Colorado. The bill states that

jurisdictions like Boulder are required to adopt codes that meet or exceed the state's model codes and apply that to all properties identified by the state as located within the WUI. Drafts of the state model code and map have been released, but the public hearing process is still underway as of the publication of this memorandum and the state code has not been finalized. City staff ensured that the proposed code changes aligned with initial drafts of state requirements and has submitted comments to the state as part of the public comment process.

If any updates are provided between the publication of this memorandum and the City Council public hearing date, staff will provide those in the presentation. Should provisions be incorporated into the finally adopted state model code that are stricter than the code proposed in Ordinance 8695, staff will consider proposing additional code changes as part of a future phase of the wildfire hardening project. Generally, the proposed Boulder Wildland Code exceeds the requirements of the recent draft of the state model code.

SB25-142

Another wildfire related bill, [SB25-142, Changes to Wildfire Resiliency Code Board](#), was introduced this legislative session. City staff is tracking the bill. As initially drafted, this bill would have established a different definition of the wildland-urban interface than SB23-166. The current draft no longer includes such a different definition. The bill also provides more time for local jurisdictions to adopt the minimum standards. The legislative session ends on May 7, and as of the publication of this memorandum, the revised bill had passed both the Senate and the House.

HB25-1302

Also relevant to this issue is [HB25-1302, Increase Access Homeowner's Insurance Enterprises](#), which involves creation of a wildfire catastrophe reinsurance enterprise. The program would enable reinsurance payments to insurers that offer homeowner's insurance on properties to partially mitigate losses in the event of a wildfire-related disaster. The enterprise would be financed through a homeowner policy fee. The purpose is to stabilize the homeowner's insurance market in the state and to attract and retain homeowner's insurers. In exchange for access to the program, insurers are required to sell homeowner's insurance in areas of the state that are at high risk for wildfires. This bill passed the House but was postponed indefinitely at the Senate Committee on Finance on May 6.

HB25-1182

Another important bill related to this topic is [HB25-1182, Risk Model Use in Property Insurance Policies](#) which concerns the tools to assess risk for the purpose of underwriting property insurance policies. The bill requires insurers who use a wildfire risk model, a catastrophe model, a combination of models, or a scoring method to adhere to specific requirements that concern the sharing of information with the commissioner of insurance and the public, the inclusion of property-specific and community-led wildfire mitigation activities in the models, and providing notices to policyholders. If mitigation activities are not included in models, insurers must offer discounts for property-specific or community-level mitigation efforts. This bill has passed and awaits the Governor's signature.

SUMMARY OF PROPOSED CHANGES IN ORDINANCE 8695

The main changes proposed include adopting the [2024 IWUIC](#) and local amendments to the IWUIC. Several local amendments have been carried forward from previous versions of the IWUIC. The local recommendations new for the 2024 code are summarized below and are available to review as redlined changes to the IWUIC in **Attachment A** [at this link](#).

2024 IWUIC

The 2024 version of the IWUIC incorporates a few changes to note:

- Administrative formatting updates to align with the other I-Code format
- Updates what is considered "Ignition-resistant (IR) building material"
- Added a flashing requirement to Class 1 Ignition Resistant Construction
- Updated requirements for vents for both Class 1 and Class 2 Ignition Resistant Construction
- Added requirements for vents to Class 3 Ignition Resistant Construction

Proposed Local Amendments to the 2024 IWUIC

As with other ICC codes, the 2024 IWUIC is recommended to be adopted with several local amendments. Aside from local amendments being carried forward from the 2018 version, the following are new to highlight:

Chapter 2: Definitions

- Amends definition of “defensible space.”
- Adds definition of “noncombustible zone” which establishes a five-foot area around a building or other structure where no vegetation and no combustible material is allowed

Chapter 5: Special Building Construction Requirements

- Requires noncombustible decking material and screening below new decks in the Class 3 zone.
- Requires all new fences and gates within 8 feet of a structure to be constructed of noncombustible material in the WUI area.

Chapter 6: Fire Protection Requirements

- For new construction, requires fuel modification distance in accordance with level of hazard.
- For new construction, requires all new habitable buildings and structures to have a 5-foot noncombustible zone.
- For new construction, limits plants in defensible space (5-30 feet) to only low-flammability plants.
- For new construction, prohibits the planting of new junipers.

An annotated and redlined version of the IWUIC with the proposed local amendments is available in [Attachment A](#) and **Attachment B** contains the draft ordinance.

SUMMARY OF PROPOSED WUI AREA

Proposed WUI Area

The IWUIC requires the WUI to be identified and reviewed at least every three years. This project includes reevaluation and an update of the identified WUI area. This second reading memorandum includes a motion to officially identify the map area. The proposed map would increase the number of properties subject to the Wildland Code from 4,667 parcels, mostly located on the western side of town, to 16,391 properties, including areas on the eastern side of Boulder.

The map is delineated by the areas of the three tiers of ignition resistant construction required by the IWUIC. The vast majority (11,517 or 98%) of new WUI area properties are identified within the Class 3 ignition resistant zone, which has the least restrictive requirements. 207 properties are identified in the Class 2 ignition resistant zone, which has more restrictive requirements (see summary of varying class requirements in [Attachment C](#)).

The map in [Attachment D](#) identifies the current and proposed WUI area, as determined by Boulder Fire-Rescue staff (or [view the interactive map](#)). The degree of fire resistance required for construction in the WUI area depends on several factors, including available water supply for firefighting, the fuel hazard, and the number of days of critical fire weather. Most areas in the interface area in Boulder require 1-hour fire resistance materials. In addition to construction standards, the IWUIC requires vegetation management plans as a part of building permit applications in the interface areas.

Fire-Rescue staff also completed additional modeling based on fire behavior data and applied research about ember travel and home exposure to embers. This included areas where torching and crown fire could occur, combined with commonly cited research about home exposure to long range ember cast. This ember modeling informed the expansion of the WUI boundary east of Broadway in portions of north and South Boulder, and to Broadway in central Boulder.

The WUI area has also been updated to ensure that all parcels included in the state's draft Wildfire Resiliency Code Board WUI map, scheduled for adoption soon, are also incorporated in the city's WUI area.

Anticipated Building Permit Impact

Based on building permit history since 2014 when the IWUIC was first in effect in Boulder, staff anticipates the average number of building permits per year that would be subject to the WUI code requirements in the proposed WUI area are as follows:

- Total building permits (new construction, additions, alterations): 203 permits per year (based on 2014-2024 average)
- New construction: 131 permits per year (based on 2014-2024 average)
- Windows and siding permits: Unknown -- this requirement will go into effect on August 1 as part of the other 2024 building codes.

Findings of Fact for WUI Area

Per Section 302.1 of the IWUIC, the “legislative body shall declare the wildland-urban interface areas within the jurisdiction. The wildland-urban interface areas shall be based on the findings of fact. The wildland-urban interface area boundary shall correspond to natural or man-made features.” The following findings of fact support the proposed WUI area:

The City of Boulder has adopted the 2024 Edition of the International Wildland-Urban Interface Code (IWUIC) published by the International Code Council, Inc. with local amendments in Chapter 10-8.5, “Wildland Code,” B.R.C. 1981. The territorial jurisdiction of this Wildland Code specifically includes the attached mapped area of wildland-urban interface within the City of Boulder. Pursuant to Section 302.1 of the IWUIC, the City Council shall declare the wildland-urban interface areas within the city and the declaration shall be based on the following findings of facts.

Finding 1: Boulder experiences critical weather, including low humidity and high winds. Vegetation surrounds the city and there are natural vegetation areas within the city limits. Some areas surrounding the city, in particular to the west, contain steep terrain. These features and a dense built environment within the city create an increased wildfire risk within the community and, in particular, in the area identified as the Wildland-Urban Interface. Emergency services planning, response, and recovery will be impacted by these features. The adoption of the wildland-urban interface area and application of the Wildland Code to that area can facilitate mitigation and reduce the impact of wildfire to those features.

Finding 2: The United States Forest Service considers the City of Boulder at a very high risk from wildfire – higher than 97% of other communities in the country.

Finding 3: The City of Boulder previously adopted a Wildland-Urban Interface area map in 2013. Since the adoption of the previous Wildland Urban Interface area map, there has been additional risk analysis completed through the city’s 2024 Community Wildfire Protection Plan, and updated fire science understanding of ember cast ignition.

Finding 4: Several models were utilized to predict and evaluate potential ember cast threatening homes in the City of Boulder. The evaluation included custom fire behavior modeling and fire behavior models available through the Colorado State Forest Service. These models were assessed by city fire management professionals. The WUI boundaries are a realistic expectation of locations where potential ember cast could retain enough energy to ignite combustible materials and threaten homes in the City of Boulder.

Finding 5: The WUI boundaries reflect the potential for spotting distances of up to 1,500 feet from natural areas and wildland fuels causing ignitions that could potentially damage or destroy residential property. The boundaries of the WUI area are delineated using logical natural and man-made features like public rights-of-way.

Finding 6: The WUI area is divided into three classifications according to the ignition-resistant construction requirements in the Wildland Code. Class 1 is associated with extreme fire hazard, Class 2 with high fire hazard, and Class 3 with moderate hazard. These fire hazard determinations have been made based on vegetative fuels, topography, critical fire weather frequency, and fire behavior modeling data. Specifically, proximity to wildland fuels, steep terrain, structure density, and potential for ember production were considered higher risk areas.

Finding 7: Conditions in the local fire environment support the implementation of fire protection requirements as set forth in the Wildland Code. The aforementioned conditions support the imposition of fire protection requirements greater than those set forth in the building code.

Finding 8: Use of fire adapted community practices for wildfire safety further support the implementation of fire protection requirements as set forth in the Wildland Code.

ANALYSIS

Staff has identified the following key issue for the City Council’s consideration:

1. Does the City Council recommend any modifications to the draft ordinance or the proposed WUI area?

The following analysis is provided to demonstrate how the project objective is met through the proposed ordinance and accompanying change to the WUI area.

What is the reason for the ordinance and what public purpose will be served?

The purpose of the larger Wildfire Hardening project is to reduce Boulder’s wildfire risk to homes by updating codes and policies, such as ignition-resistant building code requirements and landscaping codes, and by enhancing, expanding, and further operationalizing education and incentive programs that help residents reduce risk on their property. This ordinance will adopt the latest 2024 IWUIC with local amendments specific to Boulder that mitigate potential risk.

The project would also significantly expand the WUI area where the code will apply. This will serve the public purpose of contributing to Boulder’s multifaceted approach at reducing wildfire risk.

How is the ordinance consistent with the purpose of the zoning districts or code chapters being amended?

The purpose of the city’s WUI code is to “protect public health and safety by regulating the use, condition, construction, alteration, repair, and maintenance of buildings, structures, and premises within the wildland-urban interface areas in the city in order to prevent the spread of fire and risk of harm to persons and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures, as well as to prevent structure fires from spreading to wildland fuels.” With this ordinance, the city would adopt the 2024 IWUIC update with local amendments.

The project will also expand the mapped WUI area to further reduce wildfire risk. The expanded map area is based on the soon-to-be adopted state requirements as well as ember modeling as described in the memorandum above.

Note that this agenda item focuses solely on changes to the building code regulations. Accompanying changes to the land use code are anticipated to be reviewed and adopted by the council in the early fall.

Are there consequences in denying this ordinance?

If this ordinance is not adopted, the 2018 IWUIC would remain in effect. While this provides significant protection, important new standards like the noncombustible zone, low-flammability plants, and others would not be regulated. Additionally, if the WUI is not updated, the WUI would remain limited to the far western edge of the city, despite ember modeling knowledge that indicates additional risk in other areas of the city.

What adverse effects may result with the adoption of this ordinance?

The city currently has the 2018 IWUIC in effect with local amendments, which provides risk mitigation beyond what many other communities have, with extensive requirements for ignition-resistant building materials in particular. The proposed 2024 IWUIC with local amendments would further strengthen the code requirements by incorporating more of the defensible space protections like a noncombustible zone, low-flammability landscaping requirements, noncombustible fence connections, and ignition-resistant decking requirements in Class 3. The updated WUI area would also expand the applicability of these requirements.

The requirements that have been incorporated also ensure that the city is in alignment with the state model code – in many cases, the city’s requirements even exceed the state model code requirements. In addition, the new WUI area map includes the same properties identified by the State Wildfire Resiliency Code Board in their draft maps.

Some concerns have been raised about the effect that classification within the WUI area may have on home insurance. Staff discussed this issue with the State Department of Regulatory Affairs Division of Insurance. The Deputy Commissioner of Property and Casualty Insurance confirmed that a local government’s designation of a WUI area or risk mapping is not expected to affect underwriting or pricing decisions of insurance carriers. Insurance carriers rely upon their own risk mapping and modeling.

What factors are influencing the timing of the proposed ordinance? Why?

As noted previously, the city adopts the suite of ICC codes every six years. The other ICC codes were adopted on March 20th with an effective date of August 1, 2025. The intent is to adopt the IWUIC to have the same effective date of August 1, 2025 as the other codes. Additionally, the city is required to comply with the state’s Wildfire Resiliency Code Board model codes within 3 months of the final adoption on July 1, 2025. Furthermore, this is an important step in the City Council 2024-2025 work program priority related to wildfire hardening.

How does the ordinance compare to practices in other cities?

To better understand the various approaches to regulating the WUI, staff researched 15 peer communities, primarily located in Colorado, with some additional communities out of state that are known to have strong fire mitigation efforts. This research found that there were generally a few different approaches to fire mitigation regulation.

- Austin, TX and Chaffee County, CO have adopted the IWUIC code without additional wildfire mitigation standards in their zoning code -- this is the current approach in the City of Boulder as well. In just the last few weeks, [Austin adopted the 2024 IWUIC](#) and adopted a new WUI map that identifies over 51% of the city's habitable land within the WUI.

Later steps in the wildfire hardening project may consider additional changes to the land use code, similar to those of the following communities:

- Ashland, OR and Boise, ID have established a WUI overlay district within their zoning or land use codes rather than incorporating specific requirements for the WUI in their building codes.
- Many Colorado communities such as Colorado Springs, Douglas County, Jefferson County, and Loveland have incorporated both building code and land use code requirements, often with a WUI overlay district established in the land use code.

In addition, staff spoke with Boulder County Wildfire Partners staff to better understand the County's requirements in their Wildfire Mitigation Code. Boulder County requires wildfire mitigation for all new buildings, additions, alterations, and repairs, including buildings designed and constructed in accordance with the International Building Code and the International Wildland Urban Interface Code. Every property in unincorporated Boulder County is designated within either Wildfire Zone 1 or Wildfire Zone 2. A five-foot noncombustible perimeter is required around structures for all properties for new construction. There are stricter requirements regarding defensible space for properties in Wildfire Zone 1, the western part of the county. Ignition resistant material requirements have applied to Wildfire Zone 2 since 2022.

In terms of applicability, wildfire requirements in building or zoning codes almost always only apply to new construction. Most communities recognize that while adopting regulations is a successful approach for new construction, there are inherent limitations and that additional efforts are critical to engaging residents and achieving mitigation goals. Educational outreach and voluntary mitigation work, in addition to programs and operations, are all vital for communities to also focus on to further mitigate risk. Boulder acknowledges this already through the city's multifaceted approach to wildfire mitigation underway daily through almost every city department and through the implementation of the Community Wildfire Protection Plan.

How will this ordinance implement the comprehensive plan?

The Boulder Valley Comprehensive Plan (BVCP) is the overarching policy document for the city. Several relevant policies are adopted within the BVCP, with the following most directly applicable to this project:

Natural Environment Policy 3.20: Wildfire Protection & Management

As Boulder County's climate changes, the intensity and frequency of wildfires is likely to increase. The city and county will require onsite and off-site measures to guard against the danger of fire in developments adjacent to natural lands and consistent with forest and grassland ecosystem management principles and practices. Recognizing that fire is a widely accepted means of managing ecosystems and wildfire risk, the city and county will integrate ecosystem management principles with wildfire hazard mitigation planning and urban design.

Natural Environment Policy 3.10 Climate Change Mitigation & Adaptation & Resilience

The city and county are working to help mitigate climate change globally and recognize that climate change adaptation is an important area for consideration.

Preserving large ecological reserves enhances the resilience of native ecosystems and reduces the loss of native biodiversity, ecological processes and ecosystems as the climate changes.

Additionally, the city and county will use an adaptive management approach to assess potential impacts from changes in the local climate. Open space management plans guide other strategies related to climate change, such as changes to visitation rates or visitor experiences (e.g., heat exposure or scenic quality) on open space. Overall strategies may include:

1. Actively improve our understanding of the effect of climate change on local ecosystems and of actions that may help maintain or restore the ecological functions of natural systems under a changing climate;
2. Actively identify and monitor ecosystems most vulnerable to climate change using biological indicators of sensitivity and response;
3. Protect large reserves of open space land to support the long-term viability of native plants and animals;
4. Conduct restoration of degraded environments and management of natural ecosystems to enhance their resilience in the presence of climate change, using existing management plans and the best available science. In some cases, this may involve ecosystem transition to alternate states or novel ecosystems (e.g., to ecosystems now found at different elevations, to variations of current ecosystems, or ecosystems changing in other ways that cannot be forecast with certainty today);
5. On-going attention to the wildland urban interface environments to improve management of both natural resources and human-wildlife conflicts and to reduce the potential for catastrophic wildfire; and
6. Including specific management guidance and direction regarding climate change mitigation, adaptation and resilience when city and county agencies prepare master plans.

Community Well-Being & Safety Policy 8.09 Resilience in Public Safety & Risk Prevention

The city and county will provide focused efforts around public safety, risk prevention and early intervention. Working with the community, the city, and county will strive to prepare all segments of the community for uncertainty and disruptions by encouraging community and individual preparedness and creating a culture of risk awareness. The city and county will prepare for, respond to and manage wildfire hazards by implementing wildland-urban interface regulations and developing, updating and implementing multi-hazard mitigation programs and plans.

ATTACHMENTS

- Attachment A: [Redlined and Annotated IWUIC](#)
- Attachment B: Ordinance 8695
- Attachment C: WUI Class Requirement Comparison
- Attachment D: Proposed WUI Area Map
- Attachment E: Summary of Community Meeting Questions

Attachment A: Redlined and Annotated IWUIC

Please [view the document at this link](#).

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ORDINANCE 8695

AN ORDINANCE AMENDING CHAPTER 10-8.5, "WILDLAND CODE," B.R.C. 1981; TO ADOPT BY REFERENCE THE 2024 EDITION OF THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE OF THE INTERNATIONAL CODE COUNCIL WITH CERTAIN AMENDMENTS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 10-8.5-1, "Legislative Intent," B.R.C. 1981, is amended to read as follows:

10-8.5-1. Legislative Intent.

The purpose of this chapter is to protect public health and safety by regulating the use, condition, construction, alteration, repair, and maintenance of buildings, structures, and premises within the defined wildland-urban interface areas in the city in order to prevent the spread of fire and risk of harm to persons and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures, as well as to prevent structure fires from spreading to wildland fuels. The city council hereby adopts the ~~2024~~2018 edition of the *International Wildland-Urban Interface Code* with certain amendments, additions, and deletions thereto found to be in the best interests of the city.

Section 2. Section 10-8.5-2, "Legislative Intent," B.R.C. 1981, is amended to read as follows:

10-8.5-2. Adoption of the International Wildland-Urban Interface Code With Modifications.

- (a) The ~~2024~~2018 edition of the *International Wildland-Urban Interface Code* of the International Code Council is adopted by reference as the City of Boulder Wildland Code and has the same force and effect as though fully set forth in this chapter, except as specifically amended by the provisions of this chapter.
- (b) Appendix B, "Vegetation Management Plan," and Appendix C, "Fire Hazard Severity Form," and sections contained therein are adopted.

(c) Section 101.1, "Title," is repealed and reenacted to read:

101.1 Title. These regulations shall be known as the City of Boulder Wildland Code or Wildland Code or wildland code, hereinafter referred to as "this code."

(de) Section 102.4.1, "Conflicts," is amended to read:

102.4.1 Conflicts. Where conflicts exist between provisions of this code and the referenced standards or the building, residential, or fire code, the most restrictive provisions shall govern.

(ed) Section 103.1, "Creation of ~~an enforcement~~ agency," is repealed and reenacted to read:

103.1 Division of Building Safety. "Division of Building Safety" means the administrative unit established by the city manager or the manager's delegates, and the personnel assigned to the unit by the manager. The Division of Building Safety administers the City of Boulder Wildland Code assisted by a Community Risk Reduction, established within the fire department, under the direction of the manager.

(fe) Section 104.~~83~~, "Liability of the code official," is repealed and reenacted to read:

104.~~83~~ Liability. The Wildland Code shall not be construed to hold the City of Boulder or any of its employees, officials, or agents responsible for any damage to persons or property by reason of inspection or reinspection or failure to inspect or reinspect as herein provided or by reason of the approval or disapproval of any equipment as herein provided. No employee, official, or agent of the city who enforces, attempts to enforce, or is authorized to enforce the Wildland Code renders him or herself or the city liable to third parties for any damage or injury to the person or property of such third parties as a result of enforcement or nonenforcement of the ~~fire code~~ Wildland Code. The city assumes no duty of care by virtue of the adoption of the Wildland Code. No person is justified in relying upon the approval of a plan, the results of an inspection, or the issuance of a certificate of inspection or occupancy, and such approvals, inspections, and certificates are not a guarantee that the plan or work so approved, inspected, or certificated in fact complies with all requirements of the Wildland Code. It is the duty of the person owning, controlling, ~~or constructing~~, altering, or maintaining any building, ~~or structure, or premises~~ to ensure that the work is done in accordance with the requirements of the ~~fire code~~ Wildland Code, and it is such persons and not the city who are responsible for damages caused by negligent breach of such duty.

(f) ~~Section 106, "Appeals," is repealed and reenacted to read:~~

SECTION 106 APPEALS

~~106.1 Appeals.~~

(a) ~~Any appeal under this section shall be heard by the Board of Building Appeals~~

established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) ~~Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:~~

1. ~~The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;~~

2. ~~The code official erroneously failed to approve an alternative material or method pursuant to Section 105.3 prior to its installation or use. In determining such an appeal, the board shall apply the standards of Section 105.3, but the board shall have no jurisdiction to consider if a material or method expressly prohibited by this code is an acceptable alternative; or~~

3. ~~The code official has erroneously failed to grant a modification pursuant to Section 105.1. In determining such an appeal, the board or hearing officer shall apply the standards of Section 105.1.~~

~~The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.~~

(a) ~~An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.~~

(b) ~~An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.~~

(c) ~~The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 105.1, Practical difficulties, or Section 105.3, Alternative materials or methods, of the Wildland Code.~~

(d)(b) ~~The board or hearing officer has no authority to interpret chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.~~

(g) A new section 104.11, "Compliance with Federal and State Law," is added to read as follows:

104.11 Compliance with Federal and State Law.

The code official may modify for individual cases the provisions of this code to allow a design, installation, construction, use, or maintenance not in compliance with the provisions of this code, if otherwise the provisions of this code would result in a violation of federal or state law, legislation, or regulation, and the modification would be the minimum modification that provides relief.

(hg) Section 105~~7~~, "Permits," is repealed and reenacted to read as follows:

105~~7~~ Permits. The provisions of Section 105, "Permits," of the City of Boulder Building Code, Section 105, "Permits," of the City of Boulder Fire Code, and Section 105, "Permits," of the City of Boulder Residential Code, apply, as otherwise applicable to the work requiring the permit.

(ih) Section 106~~8~~.1, "General," is repealed and reenacted to read as follows:

106~~8~~.1 General. The requirements of Section 107.1, "General," of the City of Boulder Building Code apply.

(j) Section 106.2, "Information on plans and specifications," is repealed and reenacted to read as follows:

106.2. Information on plans and specifications. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations.

(k~~i~~) Section 109.3.6~~10.4.6~~, "Prosecution of violation," is repealed and reenacted to read as follows:

109.3.6~~10.4.6~~ Violations.

(a) General Provisions.

- (1) No person shall erect, construct, enlarge, alter, extend, repair, move, remove, improve, convert, demolish, equip, use, occupy, or maintain any building, ~~or structure, or premises~~ in the city or cause or permit the same to be done except in conformity with all of the provisions of this code and in conformity with the terms and conditions of approval issued under this code, or of any directive of the code official. No person shall violate the

provisions of this code, fail to comply with any requirements thereof, or fail to comply with any order issued by the code official under this code.

- (2) In accordance with the provisions of Section 5-2-11, "Prosecution of Multiple Counts for Same Act," B.R.C. 1981, each day during which illegal construction, alteration, maintenance, occupancy, use, or violation continues constitutes a separate offense remediable through the enforcement provisions of this code.
- (3) The owner, tenant, and occupant of a structure or land and the agents of each of them are jointly and severally liable for any violation of this code with respect to such structure or land.
- (4) The remedies for any violation of any provision of this code or of any permit, certificate, or other approval issued under this code or other City of Boulder codes or of any directive of the code official may be pursued singly or in combination.
- (5) If any person fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due and unpaid charges to the Boulder County Treasurer for collection as provided by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.
- (6) The code official may charge the cost of any action taken to correct or abate a violation, as authorized by this code, plus up to fifteen percent of such cost for administration, to the property owner. If any property owner fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due any unpaid charges, including interest, to the Boulder County Treasurer, to be levied against the person's property for collection by the county in the same manner as delinquent general taxes upon such property are collected, under the procedures described by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.

(b) Administrative Procedures and Remedies.

- (1) If the code official finds that a violation of any provision of this code or any approval granted under this code exists, the city manager, after notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or more of the following actions to remedy the violation:

(A) Impose a civil penalty according to the following schedule:

- (i) For the first violation of the provision or approval, \$100;
 - (ii) For the second violation of the same provision or approval, \$300; and
 - (iii) For the third violation of the same provision or approval, \$1,000;
 - (B) For a violation concerning the use of a residential building under a rental license, revoke such license;
 - (C) Require the filing of a declaration of use as provided in subsection (e); or
 - (D) Issue an order reasonably calculated to ensure compliance with the provisions of this code or any approval granted under this code.
- (2) Prior to the hearing, the code official may issue an order that no person shall perform any work on any structure or land, except to correct any violation found by the code official to exist with respect to such structure or land.
 - (3) If notice is given to the code official at least forty-eight hours before the time and date set forth in the notice of hearing on any violation that the violation has been corrected, the code official will reinspect the structure or land. If the code official finds that the violation has been corrected, the manager may cancel the hearing.
 - (4) No person shall fail to comply with any action taken by the code official under this section.
- (c) Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.
 - (d) Other Remedies. The city attorney may maintain an action for damages, declaratory relief, specific performance, injunction, or any other appropriate relief in the District Court in and for the County of Boulder for any violation of any provision of this code or any approval granted under this code.
 - (e) Declaration of Use. If the code official determines that a person is using a structure in a way that might mislead a reasonable person to believe that such use is a use by right or otherwise authorized by this title, the code official may require such person to sign under oath a declaration of use that defines the limited nature of the use and to record such declaration in the office of the Boulder County Clerk and Recorder against the title to the land. In addition to all other remedies and actions that the code official is authorized to use under the Boulder Revised Code or other applicable federal, state, or local laws to enforce the provisions of this

code, the code official is authorized to withhold any approval affecting such structure or land, including, without limitation, a building permit, use review, site review, subdivision, floodplain development permit, or wetland permit, until such time as the person submits a declaration of use that is in a form acceptable to the code official.

(lj) Section 109.34.7, "Violation penalties," is repealed and reserved.

109.3.7 Reserved.

(m) Section 112, "Means of Appeals," is repealed and reenacted to read as follows:

SECTION 112- MEANS OF APPEALS

112.1 Appeals.

(a) Any appeal under this section shall be heard by the Board of Building Appeals established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:

(1) The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;

(2) The code official erroneously failed to approve an alternative material, design, or method pursuant to Section 104.2.2, Alternative materials, design and methods, prior to its installation or use. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.2, but the board or hearing officer shall have no jurisdiction to consider if a material, design, or method expressly prohibited by this code is an acceptable alternative; or

(3) The code official has erroneously failed to grant a modification pursuant to Section 104.2.3, Modifications. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.3, Modifications.

The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.

(d) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.

(e) The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 104.2.2, Alternative materials, designs and methods, or Section 104.2.3, Modifications, of the Wildland Code.

(f) The board or hearing officer has no authority to interpret Chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.

(nk) The definition of "Code Official" in Section 202, "Definitions," is amended in that the definition of "Code Official" and "Defensible Space" are repealed and reenacted and in that a definition for "Noncombustible Zone" is added to read:

CODE OFFICIAL. Code official means the city manager or the city manager's delegate.

DEFENSIBLE SPACE. An area that has been modified and is maintained to reduce fire risk, intensity, and spreading by disconnecting fuel loads both vertically and horizontally. In this area, natural and manmade fuels are treated, removed, and reduced to slow the spread of wildfire and alter fire behavior.

NONCOMBUSTIBLE ZONE. A five-foot area around a building or other structure having no vegetation and no combustible material.

(ol) Section 403.2, "Driveways," is repealed and reenacted to read as follows:

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 100 feet (30,480 mm) from a fire apparatus access road.

(pm) Section 403.2.1, "Dimensions," is repealed and reenacted to read as follows:

403.2.1 Dimensions. Driveways shall be provided as defined in ~~Section 503.2.1, "Dimensions,"~~ of the City of Boulder Fire Code, as locally amended in Paragraph 10-8-2(b)(116), B.R.C. 1981, for an "accessible private drive" and with a minimum unobstructed height of 15 feet (4572 mm).

(q) Section 403.2.4, "Turnarounds," is repealed and reenacted to read as follows:

403.2.4 Turnarounds. Driveway turnarounds shall have a turning radius to accommodate an SU-30 vehicle. Driveways that connect with a road or roads at more than one point shall be considered as having a turnaround if all changes in direction meet the radii requirements for driveway turnaround.

(r) Section 403.3, "Fire apparatus access road," is repealed and reenacted to read as follows:

403.3 Fire apparatus access road. When required, fire apparatus access roads shall meet the requirements of the City of Boulder Design and Construction Standards.

(s) Section 404.2, "Water sources," is repealed and reenacted to read as follows:

404.2 Water sources. Water sources shall be designed and installed in accordance with the City of Boulder Design and Construction Standards.

(t) ~~503.2 Ignition-resistant building material. Add the following, as option 5:~~

- ~~5. — Deck surface. Approved wood thermoplastic composite lumber with an ASTM E84 flame-spread index no greater than 200, or any approved Class A roof assembly.~~

A new section 503.2.4.4, "Decks, appendages, and projections," is added to read as follows:

503.2.4.4 Decks, appendages, and projections. Decks and other unenclosed structures attached to buildings shall be constructed of a material meeting the following:

503.2.4.4.1 Surface. The surface shall be constructed of approved wood thermoplastic composite lumber with a flame-spread index no greater than 200 or any approved Class A roof assembly.

503.2.4.4.2 Framing. Framing shall be constructed with one of the following methods:

1. 1-hour fire resistance-rated construction.
2. Heavy timber construction.
3. Approved noncombustible materials.
4. Fire-retardant-treated wood labeled for exterior use.

(u) Section 504.2, "Roof assembly," but not including, Section 504.2.1, "Roof valleys," is repealed and reenacted to read as follows:

504.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Code, as applicable.

(v~~f~~) Section 505.2, "Roof ~~covering~~ assembly," but not including Section 505.2.1, "Roof valleys," is repealed and reenacted to read as follows:

505.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(w~~s~~) Section 506.2, "Roof ~~covering~~ assembly," but not including Section 506.2.1, "Roof valleys," is repealed and reenacted to read as follows:

506.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(x) A new Section 506.6, "Appendages and projections," is added to read as follows:

506.6 Appendages and projections. The surface of decks, projections, and unenclosed structures attached to buildings with habitable space shall be constructed of material that complies with Section 503.2.4.4.1 "Surface".

(y) A new Section 506.6.1, "Screening," is added to read as follows:

506.6.1 Screening. Appendages and projections shall have a noncombustible corrosion-resistant mesh with openings not to exceed 1/8 inch around the perimeter or shall be designed and approved to prevent flame or ember penetration under the appendage or projection.

Exception: The framing material meets the ignition-resistant building material requirements of Section 503.2, "Ignition-resistant building material."

(z~~t~~) Section 507.1, "Replacement or repair of roof coverings," is repealed and reenacted to read as follows:

507.1 Replacement or repair of roof coverings. Replacement or repair of any wood roof shall meet the requirements of Section 10-5-5, "Wood Roof Covering Materials Prohibited," B.R.C. 1981.

(aa) A new Section "508 - FENCING" is added to read as follows:

SECTION 508 – FENCING

508.1 Installation and replacement of fences. All fence and gate sections within 8 feet (2.4 m) of buildings with habitable spaces or within any structure within 10 feet of a building with habitable spaces shall be constructed of noncombustible materials in accordance with Section 503.2.1, "Noncombustible material."

(u) Section 601.1, "Scope," is repealed and reenacted to read:

601.1 Scope. ~~The provisions of this chapter establish general requirements for new buildings, structures, and premises located within wildland-urban interface areas. Only the requirements of Sections 607.1, "General," and 607.2, "Storage for off-site use," shall apply to new and existing buildings, structures, and premises located within wildland-urban interface areas.~~

(bb*) Section 603.2, "Fuel modification," is repealed and reenacted to read as follows:

603.2 Fuel modification. Buildings and structures constructed in compliance with the conforming defensible space category (moderate hazard, high hazard, or extreme hazard) as identified within the wildland urban interface area by the code official shall comply with the applicable fuel modification distance established in Table 603.2 or with fuel modification to the lot line, whichever is less. The distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as shown in Figure 603.2

(cc) A new Section 603.2.4, "Noncombustible Zone," is added to read as follows:

603.2.4 Noncombustible Zone. All new buildings with habitable space and all new structures shall have a noncombustible zone.

(dd) A new Section 603.2.5, "Fuels planted within defensible space," is added to read as follows:

603.2.5 Fuels planted within defensible space. Fuels planted within the defensible space, in the area that is between 5 feet (1.5 m) from the building or structure and the property lot line, but not to exceed 30 feet (9.1 m) in width, shall be low-flammability plants with a rating score between 7.5 and 10 as identified by the Colorado State Forest Service.

(ee) A new Section 603.2.6, "Junipers," is added to read as follows:

603.2.6 Junipers. No species of Junipers (*Juniperus* spp) shall be planted.

(ff) The first sentence of Appendix C, "Fire Hazard Severity Form," is repealed and reenacted to read as follows:

The appendix may be used in place of Table 502.1 to determine the fire hazard severity.

Section 3. The city council deems it appropriate to repeal the adoption of the 2018 edition of the International Wildland-Urban Interface Code and adopt by reference the 2024 edition of the International Wildland-Urban Interface Code. The International Wildland-Urban Interface

1 Code prescribes standards of construction, alternation, movement, repair, maintenance, and use
2 of any building, structure, and premises within the wildland-urban interface areas of the City of
3 Boulder. The city council orders that at least one copy of the International Wildland-Urban
4 Interface Code being considered for adoption by reference in this ordinance be on file with the
5 city clerk, Municipal Building, 1777 Broadway, City of Boulder, County of Boulder, State of
6 Colorado, and open for public inspection during the business hours of the city. Such copy shall
7 be certified to be true by the mayor and the clerk.

8 Section 4. Unless expressly provided otherwise, any violation of the provisions of the
9 code adopted by reference herein shall be punishable as provided in Section 5-4-2, “General
10 Penalties,” B.R.C. 1981.

11 Section 5. The city council orders and directs the city manager to make any additional
12 citation and reference changes not included in this ordinance that are necessary to properly
13 implement the adoption of the 2024 edition of the International Wildland-Urban Interface Code
14 and all related local amendments.

15 Section 6. This ordinance shall take effect on August 1, 2025. It shall be applied to
16 building permit applications submitted on or after the effective date. Building permits applied
17 for before the effective date shall be considered under the code in effect at the time of
18 application.

19 Section 7. The city council intends that the sections, paragraphs, clauses, phrases, items,
20 and compliance options of this ordinance and the code adopted herein by reference be severable.
21 If any compliance option, item, phrase, clause, sentence, paragraph or section of this ordinance
22 or the code adopted herein by reference is declared unconstitutional or invalid by the valid
23 judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity
24
25

1 does not affect any of the remaining compliance options, items, phrases, clauses, sentences,
2 paragraphs and sections of this ordinance or the code adopted herein, unless it appears to the
3 court that the valid provisions of the section or ordinance are so essentially and inseparably
4 connected with, and so dependent upon, the void provision that it cannot be presumed the
5 council would have enacted the valid provisions without the void one; or unless the court
6 determines that the valid provisions, standing alone, are incomplete and are incapable of being
7 executed in accordance with the legislative intent. If the provision of an exception invalidates a
8 prohibition, but the prohibition without the exception would be valid, then it is council's intent in
9 such cases that the exception be severed, and the prohibition upheld.

10 Section 8. This ordinance is necessary to protect the public health, safety, and welfare of
11 the residents of the city and covers matters of local concern.

12 Section 9. The city council deems it appropriate that this ordinance be published by title
13 only and orders that copies of this ordinance be made available in the office of the city clerk for
14 public inspection and acquisition.

15
16 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
17 TITLE ONLY this 17th day of April 2025.
18

19
20 _____
Aaron Brockett,
Mayor

21 Attest:

22
23 _____
Elesha Johnson,
24 City Clerk
25

1 READ ON SECOND READING, PASSED AND ADOPTED this 15th day of May 2025.

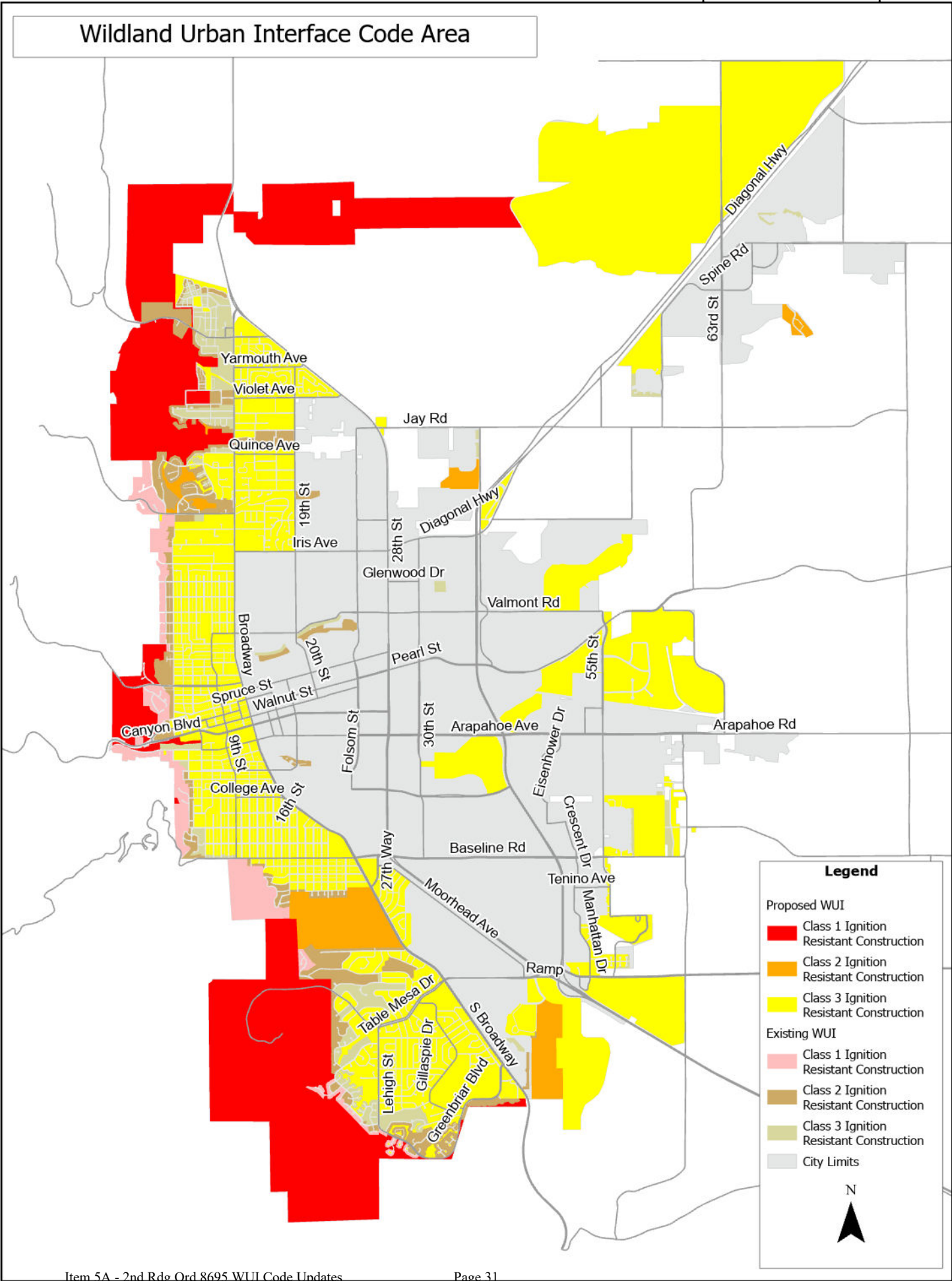
4 _____
Aaron Brockett,
Mayor

5 Attest:

7 _____
8 Elesha Johnson,
City Clerk

2024 IWUIC Requirements – Ignition Resistant Class Comparison

REQUIREMENT	IGNITION-RESISTANT CONSTRUCTION		
	CLASS 1	CLASS 2	CLASS 3
Roofs	x	x	x
Eaves– ignition resistant enclosure	x		
Eaves – Solid enclosure no exposed rafter tails		x	
Gutters and downspouts	x	x	x
Exterior walls	x	x	
Flashing	x		
Underfloor enclosure	x	x	x
Appendages and projections	x	x	x (local amendment)
Underfloor enclosure of appendages and projections	x	x	x (local amendment)
Exterior glazing	x	x	
Exterior doors	x	x	
Vents	x	x	x
Vents: Performance requirements	x	x	
Vents: Prescriptive requirements	x	x	
Vent locations	x	x	
Detached accessory structures	x	x	
Underfloor enclosure of detached accessory structure	x	x	
Fencing – noncombustible connection	x (local amendment)	x (local amendment)	x (local amendment)



WUI Code Community Meeting

03/19/2025

6-8 pm

Penfield Tate II Municipal Building, Conference Room N101

Approximately 30 attendees

Introduction

Lisa Houde (Planning & Development Services) introduced the item. Chief David Lowrey (Boulder Fire-Rescue) presented the WUI code and the proposed changes.

Discussion

Retroactive Enforcement

- Are there parts of this that should be applied retroactively? Phase over a time frame. Can it be enforced retroactively?
- Could we just apply code retroactively and deal with enforcement staffing later?
- A certain percentage of population will follow the law so make the rules mandatory on a retroactive basis. Focus on lower cost things?

General Comments and Questions

- What constitutes non-combustible?
- Concern that 0-5 foot distance around houses will exacerbate urban heat island effect.
- Concerns expressed about vegetation around 311 Mapleton and that new rules won't be retroactive. The right-of-way people aren't doing their job. Sidewalks are being covered with pine trees/ADA issues.
- In the newly defined WUI area, how many homes fall into the area? How many permits have been pulled in the WUI? We need this data to be pulled and shared.
- City Council does not have the relevant info about how important these changes are and the positive impacts of doing the changes even on existing properties. City Council did not have a full idea of these topics when they provided direction.
- Sorry to not see more design professionals here tonight. Communities need to get together. If your neighbors don't make changes then it makes no difference. We need to get groups together to get buy in.
- Would be good to get together with insurance companies to help lower insurance rates if there is more compliance.
- You have to meet fire mitigation requirements in Boulder County, right? Defensible space. Within the WUI, you should be able to do that. Not everyone pulls permits, but many will and it will make a

difference. With neighborhoods and people caring, hopefully we help monitor that (low hanging fruit).

- Decks and porches – (appendages and projections) – a porch would have the same requirement as a deck. What about with the Landmarks Board?
- How are conflicts between departments reconciled?
- What's happening in the wildland areas?
- Many landmarks cases where they can't get a metal roof. Metal roofs should be required.
- Most of the people will not be compelled to meet the requirements. We would like a list of all the things that we should do (low hanging fruit). I did a search for fire resistant fencing, couldn't find anything. Get it out now and people will start paying attention.
- Get people together at the library to teach them these things.
- What plans do you have for outreach to the design build community?
- Real Estate professionals- would like Fire-Rescue staff to come speak to our group.
- Are taller, denser buildings more at risk for spreading fire?
- Do you have examples of renovations, alterations to existing houses that would trigger the new code? What about roofing permits?
- In regard to the LA fires, are you aware of what caused the extensive range of the spread?

What's Next?

Lisa Houde summarized the next steps, upcoming meetings, Planning Board and City Council dates, Be Heard Boulder, and discussed waterwise landscaping as the next phase. Also discussed the detailed home assessment program.

Final Questions and Comments

- Is the detailed home assessment program run by city staff?
- Very surprised when a condenser was installed along side yard – dangerous – how could this have happened? Need to be able to get around my house.
- Are the city and county coordinating on grants in the same timeframe? Are HOAs in this new cycle?

WUI Code Virtual Community Meeting

03/20/2025

2-3:30 pm

Zoom Meeting

Approximately 15 attendees

Introduction

Welcomed community members. Use the chat for any clarifications, it will be monitored throughout the presentation. Take questions after the presentation.

Discussion

During Presentation

- Are there ANY requirements for properties in the WUI that are not making changes to their home people need to follow? It sounds like there are not but I just wanted to be sure I have the information correctly or if I am missing something?
- I assume these are required for remodel - is there a percentage of remodel where these are triggered, or it is it any change?
- It appears State WUIC will have a map only showing two color zone - red and orange will be high and will probably also extend out from map limit 1 mile - will you be following that final map?
- Will you require new decking that needs to be ignition resistant to be Class A or Class B - Trex decking is rated Class B?
- How will you deal with landscaping being installed at any time by homeowners not part of building permits?
- Will a permit for new windows then need to follow WUIC - especially in Class 1 zone which required the fire rated or tempered glass?

After Presentation

- I understand the results of the straw poll council took back in Dec about considering required measures for existing parcels. Since then, the L.A. fires have occurred. Has this topic been reconsidered by the council or do you expect it will be?
- What about those who aren't educatable, but would be amenable to a menu of foliage? Not worth the expense?
- Can you do a gallery view for these zoom meetings? Is that too expensive? I would like to know who I am present with and their questions in the audio.

Attachment E - Summary of Community Meeting Questions

- (Re: Insurability) Will conforming to these amendments enable a building designation as a "WILDFIRE PREPARED HOME" from the Insurance Institute for Business and Home Safety or similar, pursuant to proposed house bill "hb25-1182"?
- Why is a condenser that completely obstructs my sideboard setback acceptable? This causes tunneling alterations.
- How will a homeowner know they are in the WUI area? Is there a map online can they refer to?
- What about accessibility? The 311 project is going to be driving the demand for evacuation, and I am going to need to access my own place to defend it myself. The condenser blocks me from my house.
- What does defensible space mean for low flammability?
- Can anyone just block their side yard setbacks? How could this possibly be the case with all the new anti-gas utilities improvements demanding large condensers?
- It's not the 5 ft. combustible zone I am concerned about. The condenser is obviously not combustible unless the power was not cut and wind ripped out the 220 current serving as ignition. This is why it needs to be dialogue.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA ITEM

Item 5A – 2nd Rdg Ord 8695 WUI Code Updates

Second reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, “Wildland Code,” B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments; and setting forth related details;

AND

Consideration of a motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

PAGE NUMBERS

Page 9 of amended Ordinance 8695, lines 10 to 19
Page 9 of amended Ordinance 8695, lines 23 to 25
Page 10 of amended Ordinance 8695, lines 2 to 3
Page 10 of amended Ordinance 8695, lines 21 to 25
Page 11 of amended Ordinance 8695, lines 1 to 3
Page 11 of amended Ordinance, lines 12 to 13

DESCRIPTION

Proposed Ordinance 8695 has been revised to clarify and correct the following based on council feedback received through HOTLINE:

- Clarify that the ignition-resistant construction classes are identified by the code official on the Wildland Urban Interface map, but that Table 502.1 and 503.1 or Appendix C can be alternatively used to identify a specific class.
- Modifies language in 503.2.4.4, 506.5, and 506.6.1 related to appendages and projections to align with terminology used throughout the IWUIC.
- Corrects language in 503.2.4.4.1 related to surface of decks, appendages, and projections to apply as an alternative to other identified ignition-resistant materials.
- Corrects a cross-reference in 506.6 to a more general section about ignition-resistant materials.
- Specifies in 506.6.1 that only appendages and projections that are 48 inches in height or lower are required to be screened.
- Corrects clerical error in proposed 508.1 regarding fences.

All new amendments are highlighted in yellow within the proposed amended Ordinance 8695 (**Attachment F**). The amended Ordinance 8695 (**Attachment F**) is intended to replace the **Attachment B** proposed version. If the amended version is passed on second reading, it would trigger a third reading for Ordinance 8695 due to the substantive changes proposed. Staff also recommends that the motion language be amended to read as follows.

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

*Motion to **amend and pass** Ordinance 8695, amending Chapter 10-8.5, “Wildland Code,” B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details:*

AND

Motion to declare a revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

ATTACHMENT

Attachment F – Proposed Amended Ordinance 8695

ORDINANCE 8695

AN ORDINANCE AMENDING CHAPTER 10-8.5, “WILDLAND CODE,” B.R.C. 1981; TO ADOPT BY REFERENCE THE 2024 EDITION OF THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE OF THE INTERNATIONAL CODE COUNCIL WITH CERTAIN AMENDMENTS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 10-8.5-1, “Legislative Intent,” B.R.C. 1981, is amended to read as follows:

10-8.5-1. Legislative Intent.

The purpose of this chapter is to protect public health and safety by regulating the use, condition, construction, alteration, repair, and maintenance of buildings, structures, and premises within the defined wildland-urban interface areas in the city in order to prevent the spread of fire and risk of harm to persons and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures, as well as to prevent structure fires from spreading to wildland fuels. The city council hereby adopts the ~~2024~~²⁰¹⁸ edition of the *International Wildland-Urban Interface Code* with certain amendments, additions, and deletions thereto found to be in the best interests of the city.

Section 2. Section 10-8.5-2, “Legislative Intent,” B.R.C. 1981, is amended to read as follows:

10-8.5-2. Adoption of the International Wildland-Urban Interface Code With Modifications.

- (a) The ~~2024~~²⁰¹⁸ edition of the *International Wildland-Urban Interface Code* of the International Code Council is adopted by reference as the City of Boulder Wildland Code and has the same force and effect as though fully set forth in this chapter, except as specifically amended by the provisions of this chapter.
- (b) Appendix B, "Vegetation Management Plan," and Appendix C, "Fire Hazard Severity Form," and sections contained therein are adopted.

(c) Section 101.1, "Title," is repealed and reenacted to read:

101.1 Title. These regulations shall be known as the City of Boulder Wildland Code or Wildland Code or wildland code, hereinafter referred to as "this code."

(de) Section 102.4.1, "Conflicts," is amended to read:

102.4.1 Conflicts. Where conflicts exist between provisions of this code and the referenced standards or the building, residential, or fire code, the most restrictive provisions shall govern.

(ed) Section 103.1, "Creation of ~~an enforcement~~ agency," is repealed and reenacted to read:

103.1 Division of Building Safety. "Division of Building Safety" means the administrative unit established by the city manager or the manager's delegates, and the personnel assigned to the unit by the manager. The Division of Building Safety administers the City of Boulder Wildland Code assisted by a Community Risk Reduction, established within the fire department, under the direction of the manager.

(fe) Section 104.~~83~~, "Liability of the code official," is repealed and reenacted to read:

104.~~83~~ Liability. The Wildland Code shall not be construed to hold the City of Boulder or any of its employees, officials, or agents responsible for any damage to persons or property by reason of inspection or reinspection or failure to inspect or reinspect as herein provided or by reason of the approval or disapproval of any equipment as herein provided. No employee, official, or agent of the city who enforces, attempts to enforce, or is authorized to enforce the Wildland Code renders him or herself or the city liable to third parties for any damage or injury to the person or property of such third parties as a result of enforcement or nonenforcement of the ~~fire code~~ Wildland Code. The city assumes no duty of care by virtue of the adoption of the Wildland Code. No person is justified in relying upon the approval of a plan, the results of an inspection, or the issuance of a certificate of inspection or occupancy, and such approvals, inspections, and certificates are not a guarantee that the plan or work so approved, inspected, or certificated in fact complies with all requirements of the Wildland Code. It is the duty of the person owning, controlling, ~~or constructing~~, altering, or maintaining any building, ~~or structure, or premises~~ to ensure that the work is done in accordance with the requirements of the ~~fire code~~ Wildland Code, and it is such persons and not the city who are responsible for damages caused by negligent breach of such duty.

~~(f) Section 106, "Appeals," is repealed and reenacted to read:~~

SECTION 106 APPEALS

~~106.1 Appeals.~~

~~(a) Any appeal under this section shall be heard by the Board of Building Appeals~~

1 established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981,
2 unless the city manager determines, due to the nature of the issues in a particular
3 appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and
4 Determinations," B.R.C. 1981.

5 (b) ~~Any person directly affected by a decision of the code official or an order issued~~
6 ~~under this code may appeal the decision or order on the ground that:~~

7 1. ~~The decision or order was based on an error of fact or an erroneous~~
8 ~~interpretation of this code or the rules legally adopted thereunder;~~

9 2. ~~The code official erroneously failed to approve an alternative material or~~
10 ~~method pursuant to Section 105.3 prior to its installation or use. In~~
11 ~~determining such an appeal, the board shall apply the standards of Section~~
12 ~~105.3, but the board shall have no jurisdiction to consider if a material or~~
13 ~~method expressly prohibited by this code is an acceptable alternative; or~~

14 3. ~~The code official has erroneously failed to grant a modification pursuant~~
15 ~~to Section 105.1. In determining such an appeal, the board or hearing~~
16 ~~officer shall apply the standards of Section 105.1.~~

17 The code official has the burden of proof under paragraph 1. The appellant has the burden
18 of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer
19 shall determine the appeal and decide whether the code official's interpretation or
20 application of such code was correct or in error at a hearing under the procedures
21 described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

22 (a) ~~An application for appeal must be filed in writing with the city manager within~~
23 ~~fourteen days after the date the decision or order was served.~~

24 (b) ~~An applicant for an appeal shall pay the fee prescribed by Section 4-20-47,~~
25 ~~"Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee~~
for an appeal heard by a hearing officer shall be the same as the fee for an appeal
heard by the Board of Building Appeals.

(c) ~~The city manager may apply to the Board of Building Appeals, without fee, for an~~
advisory opinion concerning alternative methods, applicability of specific
requirements, approval of equipment and materials, and granting of special
permission as contemplated in Section 105.1, Practical difficulties, or Section
105.3, Alternative materials or methods, of the Wildland Code.

(d)(b) ~~The board or hearing officer has no authority to interpret chapter 1 (the~~
administrative requirements) of this code except as expressly provided in this
section, nor, because this code sets minimum standards, to waive any requirement
of this code.

(g) A new section 104.11, "Compliance with Federal and State Law," is added to read as follows:

104.11 Compliance with Federal and State Law.

The code official may modify for individual cases the provisions of this code to allow a design, installation, construction, use, or maintenance not in compliance with the provisions of this code, if otherwise the provisions of this code would result in a violation of federal or state law, legislation, or regulation, and the modification would be the minimum modification that provides relief.

(hg) Section 105~~7~~, "Permits," is repealed and reenacted to read as follows:

105~~7~~ Permits. The provisions of Section 105, "Permits," of the City of Boulder Building Code, Section 105, "Permits," of the City of Boulder Fire Code, and Section 105, "Permits," of the City of Boulder Residential Code, apply, as otherwise applicable to the work requiring the permit.

(ih) Section 106~~8~~.1, "General," is repealed and reenacted to read as follows:

106~~8~~.1 General. The requirements of Section 107.1, "General," of the City of Boulder Building Code apply.

(j) Section 106.2, "Information on plans and specifications," is repealed and reenacted to read as follows:

106.2. Information on plans and specifications. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations.

(k~~i~~) Section 109.3.6~~10.4.6~~, "Prosecution of violation," is repealed and reenacted to read as follows:

109.3.6~~10.4.6~~ Violations.

(a) General Provisions.

- (1) No person shall erect, construct, enlarge, alter, extend, repair, move, remove, improve, convert, demolish, equip, use, occupy, or maintain any building, ~~or structure, or premises~~ in the city or cause or permit the same to be done except in conformity with all of the provisions of this code and in conformity with the terms and conditions of approval issued under this code, or of any directive of the code official. No person shall violate the

provisions of this code, fail to comply with any requirements thereof, or fail to comply with any order issued by the code official under this code.

- (2) In accordance with the provisions of Section 5-2-11, "Prosecution of Multiple Counts for Same Act," B.R.C. 1981, each day during which illegal construction, alteration, maintenance, occupancy, use, or violation continues constitutes a separate offense remediable through the enforcement provisions of this code.
- (3) The owner, tenant, and occupant of a structure or land and the agents of each of them are jointly and severally liable for any violation of this code with respect to such structure or land.
- (4) The remedies for any violation of any provision of this code or of any permit, certificate, or other approval issued under this code or other City of Boulder codes or of any directive of the code official may be pursued singly or in combination.
- (5) If any person fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due and unpaid charges to the Boulder County Treasurer for collection as provided by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.
- (6) The code official may charge the cost of any action taken to correct or abate a violation, as authorized by this code, plus up to fifteen percent of such cost for administration, to the property owner. If any property owner fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due any unpaid charges, including interest, to the Boulder County Treasurer, to be levied against the person's property for collection by the county in the same manner as delinquent general taxes upon such property are collected, under the procedures described by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.

(b) Administrative Procedures and Remedies.

- (1) If the code official finds that a violation of any provision of this code or any approval granted under this code exists, the city manager, after notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or more of the following actions to remedy the violation:

(A) Impose a civil penalty according to the following schedule:

- (i) For the first violation of the provision or approval, \$100;
 - (ii) For the second violation of the same provision or approval, \$300; and
 - (iii) For the third violation of the same provision or approval, \$1,000;
 - (B) For a violation concerning the use of a residential building under a rental license, revoke such license;
 - (C) Require the filing of a declaration of use as provided in subsection (e); or
 - (D) Issue an order reasonably calculated to ensure compliance with the provisions of this code or any approval granted under this code.
- (2) Prior to the hearing, the code official may issue an order that no person shall perform any work on any structure or land, except to correct any violation found by the code official to exist with respect to such structure or land.
 - (3) If notice is given to the code official at least forty-eight hours before the time and date set forth in the notice of hearing on any violation that the violation has been corrected, the code official will reinspect the structure or land. If the code official finds that the violation has been corrected, the manager may cancel the hearing.
 - (4) No person shall fail to comply with any action taken by the code official under this section.
- (c) Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.
 - (d) Other Remedies. The city attorney may maintain an action for damages, declaratory relief, specific performance, injunction, or any other appropriate relief in the District Court in and for the County of Boulder for any violation of any provision of this code or any approval granted under this code.
 - (e) Declaration of Use. If the code official determines that a person is using a structure in a way that might mislead a reasonable person to believe that such use is a use by right or otherwise authorized by this title, the code official may require such person to sign under oath a declaration of use that defines the limited nature of the use and to record such declaration in the office of the Boulder County Clerk and Recorder against the title to the land. In addition to all other remedies and actions that the code official is authorized to use under the Boulder Revised Code or other applicable federal, state, or local laws to enforce the provisions of this code, the code official is authorized to withhold any approval affecting such

structure or land, including, without limitation, a building permit, use review, site review, subdivision, floodplain development permit, or wetland permit, until such time as the person submits a declaration of use that is in a form acceptable to the code official.

(l) Section 109.34.7, "Violation penalties," is repealed and reserved.

109.3.7 Reserved.

(m) Section 112, "Means of Appeals," is repealed and reenacted to read as follows:

SECTION 112- MEANS OF APPEALS

112.1 Appeals.

(a) Any appeal under this section shall be heard by the Board of Building Appeals established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:

(1) The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;

(2) The code official erroneously failed to approve an alternative material, design, or method pursuant to Section 104.2.2, Alternative materials, design and methods, prior to its installation or use. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.2, but the board or hearing officer shall have no jurisdiction to consider if a material, design, or method expressly prohibited by this code is an acceptable alternative; or

(3) The code official has erroneously failed to grant a modification pursuant to Section 104.2.3, Modifications. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.3, Modifications.

The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.

(d) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.

(e) The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 104.2.2, Alternative materials, designs and methods, or Section 104.2.3, Modifications, of the Wildland Code.

(f) The board or hearing officer has no authority to interpret Chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.

(nk) The definition of "Code Official" in Section 202, "Definitions," is amended in that the definition of "Code Official" and "Defensible Space" are repealed and reenacted and in that a definition for "Noncombustible Zone" is added to read:

CODE OFFICIAL. Code official means the city manager or the city manager's delegate.

DEFENSIBLE SPACE. An area that has been modified and is maintained to reduce fire risk, intensity, and spreading by disconnecting fuel loads both vertically and horizontally. In this area, natural and manmade fuels are treated, removed, and reduced to slow the spread of wildfire and alter fire behavior.

NONCOMBUSTIBLE ZONE. A five-foot area around a building or other structure having no vegetation and no combustible material.

(ol) Section 403.2, "Driveways," is repealed and reenacted to read as follows:

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 100 feet (30,480 mm) from a fire apparatus access road.

(pm) Section 403.2.1, "Dimensions," is repealed and reenacted to read as follows:

403.2.1 Dimensions. Driveways shall be provided as defined in ~~Section 503.2.1, "Dimensions,"~~ of the City of Boulder Fire Code, as locally amended in Paragraph 10-8-2(b)(116), B.R.C. 1981, for an "accessible private drive" and with a minimum unobstructed height of 15 feet (4572 mm).

(q) Section 403.2.4, "Turnarounds," is repealed and reenacted to read as follows:

403.2.4 Turnarounds. Driveway turnarounds shall have a turning radius to accommodate an SU-30 vehicle. Driveways that connect with a road or roads at more than one point shall be considered as having a turnaround if all changes in direction meet the radii requirements for driveway turnaround.

(r) Section 403.3, "Fire apparatus access road," is repealed and reenacted to read as follows:

403.3 Fire apparatus access road. When required, fire apparatus access roads shall meet the requirements of the City of Boulder Design and Construction Standards.

(s) Section 404.2, "Water sources," is repealed and reenacted to read as follows:

404.2 Water sources. Water sources shall be designed and installed in accordance with the City of Boulder Design and Construction Standards.

(t) Section 502.1, "General," is repealed and reenacted to read as follows:

502.1 General. The fire hazard severity of building sites for buildings hereafter constructed, modified or relocated into wildland-urban interface areas shall be established by the code official based on the class of ignition-resistant construction identified for the building site on the wildland-urban interface area mapping or, alternatively, in accordance with Table 502.1. See also Appendix C.

(u) Section 503.1, "General," is repealed and reenacted to read as follows:

503.1 General. Buildings and structures hereafter constructed, modified or relocated into or within the wildland-urban interface areas shall meet the construction requirements for Class 1, Class 2, or Class 3 ignition-resistant construction based on the class identified for the building site on the wildland-urban interface area mapping or, alternatively, in accordance with Table 503.1. Class 1, Class 2 or Class 3, ignition-resistant construction shall be in accordance with Sections 504, 505 and 506, respectively. Materials required to be ignition-resistant building materials shall comply with the requirements of Section 503.2.

(v) ~~503.2 Ignition-resistant building material. Add the following, as option 5:~~

- ~~5. Deck surface. Approved wood thermoplastic composite lumber with an ASTM E84 flame spread index no greater than 200, or any approved Class A roof assembly.~~

A new section 503.2.4.4, "Appendages and projections," is added to read as follows:

503.2.4.4 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed of a

material meeting the following:

503.2.4.4.1 Surface. The surface shall be constructed of ignition-resistant building material meeting the requirements of Section 503.2 or of approved wood thermoplastic composite lumber with a flame-spread index no greater than 200 or any approved Class A roof assembly.

503.2.4.4.2 Framing. Framing shall be constructed with one of the following methods:

1. 1-hour fire resistance-rated construction.
2. Heavy timber construction.
3. Approved noncombustible materials.
4. Fire-retardant-treated wood labeled for exterior use.

(w) Section 504.2, “Roof assembly,” but not including, Section 504.2.1, “Roof valleys,” is repealed and reenacted to read as follows:

504.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Code, as applicable.

(xf) Section 505.2, “Roof covering assembly,” but not including Section 505.2.1, “Roof valleys,” is repealed and reenacted to read as follows:

505.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(ys) Section 506.2, “Roof covering assembly,” but not including Section 506.2.1, “Roof valleys,” is repealed and reenacted to read as follows:

506.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(z) A new Section 506.6, “Appendages and projections,” is added to read as follows:

506.6 Appendages and projections. The surface of unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed of material that complies with Section 503.2, “Ignition-resistant building material”.

(aa) A new Section 506.6.1, “Screening,” is added to read as follows:

506.6.1 Screening. Unenclosed accessory structures attached to buildings with habitable

spaces and projections, such as decks, that are 48 inches or less above the ground, measured from the lowest point of the appendage or projection to the ground, shall have a noncombustible corrosion-resistant mesh with openings not to exceed 1/8 inch around the perimeter or shall be designed and approved to prevent flame or ember penetration under the unenclosed accessory structure or projection.

Exception: The framing material meets the ignition-resistant building material requirements of Section 503.2, "Ignition-resistant building material."

(bbt) Section 507.1, "Replacement or repair of roof coverings," is repealed and reenacted to read as follows:

507.1 Replacement or repair of roof coverings. Replacement or repair of any wood roof shall meet the requirements of Section 10-5-5, "Wood Roof Covering Materials Prohibited," B.R.C. 1981.

(cc) A new Section "508 - FENCING" is added to read as follows:

SECTION 508 – FENCING

508.1 Installation and replacement of fences. All fence and gate sections within 8 feet (2.4 m) of any structure shall be constructed of noncombustible materials in accordance with Section 503.2.1, "Noncombustible material."

(u) Section 601.1, "Scope," is repealed and reenacted to read:

601.1 Scope. The provisions of this chapter establish general requirements for new buildings, structures, and premises located within wildland-urban interface areas. Only the requirements of Sections 607.1, "General," and 607.2, "Storage for off-site use," shall apply to new and existing buildings, structures, and premises located within wildland-urban interface areas.

(ddv) Section 603.2, "Fuel modification," is repealed and reenacted to read as follows:

603.2 Fuel modification. Buildings and structures constructed in compliance with the conforming defensible space category (moderate hazard, high hazard, or extreme hazard) as identified within the wildland urban interface area by the code official shall comply with the applicable fuel modification distance established in Table 603.2 or with fuel modification to the lot line, whichever is less. The distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as shown in Figure 603.2

(ee) A new Section 603.2.4, "Noncombustible Zone," is added to read as follows:

603.2.4 Noncombustible Zone. All new buildings with habitable space and all new

1 structures shall have a noncombustible zone.

2 (ff) A new Section 603.2.5, “Fuels planted within defensible space,” is added to read as
3 follows:

4 **603.2.5 Fuels planted within defensible space.** Fuels planted within the defensible
5 space, in the area that is between 5 feet (1.5 m) from the building or structure and the
6 property lot line, but not to exceed 30 feet (9.1 m) in width, shall be low-flammability
7 plants with a rating score between 7.5 and 10 as identified by the Colorado State Forest
8 Service.

9 (gg) A new Section 603.2.6, “Junipers,” is added to read as follows:

10 603.2.6 Junipers. No species of Junipers (Juniperus spp) shall be planted.

11 (hh) The first sentence of Appendix C, "Fire Hazard Severity Form," is repealed and reenacted
12 to read as follows:

13 The appendix may be used in place of Table 502.1 to determine the fire hazard severity.

14 Section 3. The city council deems it appropriate to repeal the adoption of the 2018 edition
15 of the International Wildland-Urban Interface Code and adopt by reference the 2024 edition of
16 the International Wildland-Urban Interface Code. The International Wildland-Urban Interface
17 Code prescribes standards of construction, alternation, movement, repair, maintenance, and use
18 of any building, structure, and premises within the wildland-urban interface areas of the City of
19 Boulder. The city council orders that at least one copy of the International Wildland-Urban
20 Interface Code being considered for adoption by reference in this ordinance be on file with the
21 city clerk, Municipal Building, 1777 Broadway, City of Boulder, County of Boulder, State of
22 Colorado, and open for public inspection during the business hours of the city. Such copy shall
23 be certified to be true by the mayor and the clerk.

24 Section 4. Unless expressly provided otherwise, any violation of the provisions of the
25 code adopted by reference herein shall be punishable as provided in Section 5-4-2, “General
Penalties,” B.R.C. 1981.

1 Section 5. The city council orders and directs the city manager to make any additional
2 citation and reference changes not included in this ordinance that are necessary to properly
3 implement the adoption of the 2024 edition of the International Wildland-Urban Interface Code
4 and all related local amendments.

5 Section 6. This ordinance shall take effect on August 1, 2025. It shall be applied to
6 building permit applications submitted on or after the effective date. Building permits applied
7 for before the effective date shall be considered under the code in effect at the time of
8 application.

9 Section 7. The city council intends that the sections, paragraphs, clauses, phrases, items,
10 and compliance options of this ordinance and the code adopted herein by reference be severable.
11 If any compliance option, item, phrase, clause, sentence, paragraph or section of this ordinance
12 or the code adopted herein by reference is declared unconstitutional or invalid by the valid
13 judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity
14 does not affect any of the remaining compliance options, items, phrases, clauses, sentences,
15 paragraphs and sections of this ordinance or the code adopted herein, unless it appears to the
16 court that the valid provisions of the section or ordinance are so essentially and inseparably
17 connected with, and so dependent upon, the void provision that it cannot be presumed the
18 council would have enacted the valid provisions without the void one; or unless the court
19 determines that the valid provisions, standing alone, are incomplete and are incapable of being
20 executed in accordance with the legislative intent. If the provision of an exception invalidates a
21 prohibition, but the prohibition without the exception would be valid, then it is council's intent in
22 such cases that the exception be severed, and the prohibition upheld.
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1 Section 8. This ordinance is necessary to protect the public health, safety, and welfare of
2 the residents of the city and covers matters of local concern.

3 Section 9. The city council deems it appropriate that this ordinance be published by title
4 only and orders that copies of this ordinance be made available in the office of the city clerk for
5 public inspection and acquisition.
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1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 17th day of April 2025.

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6 Attest: Aaron Brockett,
Mayor

7
8 Elesa Johnson,
City Clerk

9
10 READ ON SECOND READING, AMENDED AND PASSED this 15th day of May 2025.

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14 Attest: Aaron Brockett,
Mayor

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16 Elesa Johnson,
City Clerk

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18 READ ON THIRD READING, PASSED, AND ADOPTED this 5th day of June 2025.

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20
21 Attest: Aaron Brockett,
Mayor

22
23 Elesa Johnson,
City Clerk



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Update on the Child Friendly Cities Initiative (CFCI) & Youth Presentation of Draft Action Plan

PRIMARY STAFF CONTACT

Sarah Huntley - Communications & Engagement Director

ATTACHMENTS:

Description

- ▣ **Item 6A - Update on CFCI & Youth Presentation of Draft Action**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA TITLE

Update on the Child Friendly Cities Initiative (CFCI) & Youth Presentation of Draft Action Plan

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Sarah Huntley, Communications and Engagement Director
Ali Rhodes, Parks and Recreation Director
Elizabeth Crowe, Housing and Human Services Deputy Director
Mario Martinez-Varelas, Youth Opportunities Program Manager
YOAB and Youth Council Members

EXECUTIVE SUMMARY

The City of Boulder, in partnership with Growing Up Boulder and UNICEF USA, is involved in a multi-year, youth-led process to assess and enhance child wellbeing in the Boulder community. The primary goal of this work is to ensure that the city is offering services and programs that help young people thrive in Boulder, addressing their most pressing issues and concerns. The priority actions identified through this process will inform future decisions by the city about how best to leverage approximately \$2 million the city has received in connection with the sale of the Denver Broncos.

The city chose to perform this effort in conjunction with UNICEF'S Child Friendly Cities Initiative (CFCI) because the UNICEF-guided process centers best practices to ensure that communities are considering the rights of children, as defined in The [United Nations Convention on the Rights of the Child](#). This partnership has also allowed the city to tap into a valuable network of other communities conducting similar evaluations. If successful, the city will not only improve outcomes for young people in

Boulder but also become part of an early adopter cohort of cities in the US to receive official designation as a Child Friendly City.

The purpose of this memo and study session agenda item is to update the Boulder City Council on the work performed to date, highlight the key findings that were recently released in a State of the Child Report (Attachment A), and share an 80% draft of the resulting Youth Action Plan.

While official City Council adoption is not required as a part of this process, the youth leaders and staff involved in this effort are seeking feedback and guidance from elected officials, who are key partners in ensuring that youth voices, experiences and needs are reflected in city policymaking.

Process Overview:

- **Community Engagement:** Over 1,400 individuals participated in assessing the current state and identifying key issues. Participants included 900 children and teens, and 500 parents, caregivers, and service providers, including people affiliated with 48 community organizations. Staff from all city departments also actively contributed.
- **Data Collection:** The process included a dual-method “situation analysis”—a government assessment of quantitative data (using 49 indicators) and qualitative insights from 32 community conversations designed to be inclusive for all.
- **Youth Leadership:** Youth played a central role through the Youth Opportunities Advisory Board (YOAB) and a dedicated CFCI Youth Council. These groups guided priority-setting and are leading the development of Boulder’s first-ever Youth Action Plan.
- **An Equity Focus:** Bilingual and culturally relevant materials, stipends, childcare, and translation services ensured accessibility and equity in participation throughout the process.

Key Findings:

During the engagement process, young people, parents/caregivers and youth service providers shared feedback about strengths and issues needing urgent attention:

- **Strengths:** Improvements in access to nutritious food and internet connectivity, and the availability of parks and playgrounds
- **Challenges:** Participants cited concerns about:
 - **Public safety**, especially related to harassment, drug use, and unsafe conditions in shared outdoor spaces.
 - **Mental health**, including high levels of stress, identity-based bullying, and lack of belonging.
 - **Equity in play and leisure**, particularly for youth with disabilities and from low-income or historically excluded communities.
 - **Lack of representation**, with many young people feeling unheard in school and city decision-making.
 - **Rising child poverty**, with the rate doubling between 2019 and 2022.

Outcomes:

The top three youth-selected priorities for Boulder's upcoming Youth Action Plan are:

- **Priority 1: Address and Reduce Bullying**
Bullying emerged as a top concern for youth throughout engagement, and it shows up in two different ways: 1: youth-to-youth bullying (in and outside of school, including on social media); and 2: failure of adults, especially in schools, stepping in when they see bullying happening or hear about it.
- **Priority 2: Improve Safety and Belonging**
Young people in Boulder have safety concerns in public spaces due to unsocial and sometimes dangerous behaviors, frequently by community members who are unhoused. Additionally, youth have expressed safety concerns related to racism and discrimination, as well as a lack of culturally inclusive spaces.
- **Priority 3: Share Opinions with the City**
Young people are eager to play an active role in driving change within their communities. They seek not only the opportunity to affect meaningful change but also to have a valued and respected voice in decision-making processes.

QUESTIONS FOR COUNCIL:

- Does council have any feedback for the youth participants and staff about the priority focus areas?
- Does council have reactions or reflections on the proposed action items?
- Does council have any other suggestions or considerations that youth leaders and staff should keep in mind as they work on finalizing and implementing this action plan?







BACKGROUND

While partners in the Boulder community have been working collaboratively and intentionally to make Boulder a better place for children for many years, the decision to begin working with UNICEF USA to become an official Child Friendly City was made in 2023.

The process provides participating cities with structure, guidance and rights-focused best practices to help them become safer, fairer and more welcoming for all children.

The core tenet of this work is that when children help plan and improve their communities, everyone benefits.

City staff engaged the city's Youth Opportunities Advisory Board (YOAB), and contracted with a longtime youth engagement partner, Growing Up Boulder, to plan and execute engagement that met the requirements of the UNICEF Child Friendly Cities Initiative while also reflecting the needs and desires of the local community. The following chart shows the steps the city has been following:

Join CFCI	Recruit Partners	Collect Data	Create Youth Action Plan	Implement Youth Action Plan	Become an official CFCI
					
2021-23 2 years	2023 4 months	2023-24 5 months	2024-25 9 months	2025-26 1 year	2026
Conduct a CFCI readiness assessment Sign MOU Celebrate launch!	City of Boulder Growing Up Boulder Nonprofits BVSD Boulder County Other partners	Situation analysis = Government Data + Community Conversations data Write State of the Child report	A CFCI Youth Committee (YOAB + community youth) works with adult allies to create a City plan Celebrate Plan and State of the Child Report!	Implement Youth Action Plan in coordination with spending Broncos funding Evaluate the Plan	Apply for recognition Celebrate recognition! Plan CFCI renewal

The city is currently almost finished with the “Create Youth Action Plan” step and about to start the “Implement Youth Action Plan” step.

UNICEF USA strongly encourages cities to involve young people in their Child Friendly City Initiatives and the City of Boulder recognized the value of empowering youth in its process, choosing to invite youth leaders to design and steer the process. YOAB, with the guidance of Youth Opportunities Program Manager Mario Martinez-Varelas, made CFCI one of its core focus areas in the 2023-2024 and 2024-2025 school years. Council members may recall seeing this [kick-off video scripted and produced by YOAB leaders](#), created in partnership with the city’s Communications and Engagement Department and shown at the 2024 YOAB Dinner with Council. The city also [featured CFCI in a Let’s Talk, Boulder podcast episode](#).

Because youth experiences and needs can vary dramatically by race/ethnicity, income, and other factors, the city committed to centering equity throughout the processes. Growing Up Boulder subcontracted with Mayamotion Healing and Uka Consulting to help ensure that perspectives of historically excluded young people, while perhaps smaller in number, were heard and prioritized as the focus areas and potential actions were considered. Community organizations that work with young people, generally, and with diverse populations, specifically, were important partners in gathering and sharing perspectives.

The vision for Boulder as a Child-Friendly City is:

“Our vision for Boulder is a community where every child and youth feels valued, supported and respected. In this inclusive city, young people have opportunities to lead, share their voices, and thrive, supported by systems that prioritize their health, education, play and leisure, culture and safety.”

Through a combination of quantitative assessment and qualitative feedback, the team working on CFCI sought first to understand the current state. As outlined in detail in the State of the Child Report (Attachment A): the following themes rose to the top for young people in Boulder today:

- **Public safety**, especially related to harassment, drug use, and unsafe infrastructure
- **Mental health**, including high levels of stress, identity-based bullying, and lack of belonging, especially for young people in historically excluded populations
- **Equity in play and leisure**, particularly for youth with disabilities and from low-income or historically excluded communities
- **Lack of representation**, with many young people feeling unheard in school and city decision-making
- **Rising child poverty**, with the rate doubling between 2019 and 2022.

Through additional engagement, including the formation of, and deliberations by, a Youth Council, young adult leaders narrowed the list to three top concerns to be addressed in Boulder's first-ever Youth Action Plan. The following are the focus areas, along with a summary of the problem, as defined through this process:

- **Priority 1: Address and Reduce Bullying**
Bullying emerged as a top concern for youth throughout engagement, and it shows up in two different ways: 1: youth-to-youth bullying (in and outside of school, including on social media); and 2: failure of adults, especially in schools, stepping in when they see bullying happening or hear about it.
- **Priority 2: Improve Safety and Belonging**
Young people in Boulder have safety concerns in public spaces due to unsocial and sometimes dangerous behaviors, frequently by community members who are unhoused. Additionally, youth have expressed safety concerns related to racism and discrimination, as well as a lack of culturally inclusive spaces.
- **Priority 3: Share Opinions with the City**
Young people are eager to play an active role in driving change within their communities. They seek not only the opportunity to affect meaningful change but also to have a valued and respected voice in decision-making processes.

Since then, the Youth Council has been working to identify actions the city (in anticipated partnership with other organizations) could take to address these concerns.

ANALYSIS

The following is a snapshot of the proposed strategies developed to date, by priority area:

Priority 1: Address and Reduce Bullying

Youth leaders identified the following vision: *In Boulder, young people experience a sense of security at home and school, protected from bullying both in-person and online.*

The draft Youth Action Plan calls for three key strategies, or over-arching efforts, to address this focus area:

1. Assess and launch updated anti-bullying curriculum for students, with students
2. Educate adults about how to be effective upstanders
3. Implement online anti-bullying and good habits training, with a focus on children and teens getting phones for the first time

To advance this vision, youth are recommending the following action steps for CFCI partners to consider:

- Facilitate dialogue with the school district around students' vision for revamped and youth-centered anti-bullying and adult upstander curricula
- Create a group of youth partners to assess any current trainings and collect youth impact/experience examples to inform updated training, with a goal of ensuring it feels real and relevant
- Work with this group and learning specialist(s) to build out three training modules/preferred approaches for general students, for adults, and for cellphone users
- Train and pay youth facilitators to lead sessions
- Implement curriculum, followed by evaluation and evolution

Priority 2: Improve Safety and Belonging

Youth leaders identified the following vision: *Young people are aware of the safe outdoor play areas and gathering spots in the community and know what to do in other locations to enhance safety and belonging.*

The draft Youth Action Plan calls for four key strategies, or over-arching efforts, to address this focus area:

1. Continue to provide homeless services to Boulder's unhoused population and increase substance abuse resources to address the underlying issues that are causing young people's experiences and concerns
2. Develop and implement strategies to provide youth with confidence, skills and systems to better address instances when they feel unsafe in public space, such as parks, on shared paths and while at transit stops
3. Consider ways to boost attendance at, or develop, hubs for youth gatherings and hangouts; ensure this space celebrates multi-culturalism and diversity and is welcoming for all
4. Address underlying bias and discrimination in the community

To advance this vision, youth are recommending the following action items for CFCI partners to consider:

- Increase access to affordable housing in appropriate locations, enhance response teams that would work directly with homeless health, collaborate with Boulder Bridge house partnership, and work with partners to increase funding for substance abuse programs.
- Develop and implement training and enhanced, youth-specific safety systems, tailored to appropriate ages. These could include call boxes or special button for cellphones that connect young people directly with dispatchers who are trained to support children and teens; increasing adult presence on busy paths and at bus stops before and after school; creating a buddy system for young people who are walking and biking through public spaces by themselves; and analyzing lighting in public spaces

- Evaluate existing teen spaces and assess why they are not heavily used; consider spaces outside of the public library; continue to support youth in activities and hobbies that do not involve them being absorbed in their phone
- Work with young people of color, with LGBTQ+ identities and/or different physical identifies on an awareness campaign about how discrimination and racism affect them and calling upon our community to do better. Promote this in buses, flyers, social media, parks and recreations centers, the library and in business districts. Provide concrete ways adult upstanders can intervene when this happens.
- Ensure that all youth have equal access to parks - build more accessible parks that are friendly for people who use wheelchairs or with other disabilities

Priority 3: Share Opinions with the City

Youth leaders identified the following vision: *Youth in Boulder are aware of where to find government support and are participating in a range of opportunities to actively contribute to improving our community.*

The draft Youth Action Plan calls for four key strategies, or over-arching efforts, to address this focus area:

1. Organize a ballot box/voting day in schools to identify the topics young people are most interested in influencing; use this data to identify desired areas of focus – shift priority to what youth care about instead of what city government cares about
2. Identify topics that already have relevant boards and commissions and work with these city entities to incorporate youth voices and participation quarterly
3. Build youth leadership capacity in younger ages through a youth leadership fair/workshops and YOAB listening sessions involving elementary and middle school students
4. Update youth-focused civic volunteer catalogue, to add more options for middle school-aged students as well as internships, grouped by age ranges, and then better publicize this resource

To advance this vision, youth are recommending the following action items for CFCI partners to consider:

- Planning and collaboration with the school district to host a ballot box/voting day to gauge civic topics of interest to young people
- City leadership around discussions with boards and commissions about changing expectations and structures for meetings in which youth leadership and collaboration are prioritized
- Planning and coordination of annual youth leadership fair/workshops and YOAB listening sessions involving elementary and middle school students
- Work with the city's Volunteer Cooperative, the library district and nonprofit child friendly organizations to identify opportunities, catalogue them by age ranges, and publicize.

The Draft Youth Action Plan (YAP) (Attachment B) includes more detail about the recommendations, which are still being evaluated by city representatives and leadership. This work continues to evolve, and the draft document represents about an 80% draft. For all priority areas, youth leaders, city staff and other partners will continue to clarify agency roles, responsibilities and expectations as part of the next phase of work.

NEXT STEPS

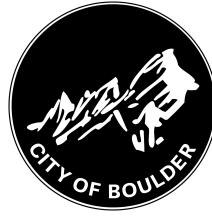
Between now and the end of 2025, the city will work with youth leaders and its other CFCI partners to:

- Refine the youth recommendations, incorporating feedback received from council
- Evaluate resource and funding needs, creating a proposal that best leverages the \$2 million currently identified for this effort, which includes \$500,000 appropriated as part of the city's 2025 budget to fund immediate actions, as needed
- Develop measurements that can be used to assess progress toward the goals
- Chart an implementation pathway, which will include a preferred approach to governance and CFCI accountability
- Design a Boulder-specific Youth Action Plan (the draft was prepared using a template from UNICEF USA)
- Submit the Youth Action Plan to UNICEF USA for its review and consideration and plan a celebration of completion of this key milestone

ATTACHMENTS

A – [Boulder State of the Child Report – Final](#)

B – Draft Youth Action Plan



The State of the Child Report

Boulder's Child Friendly Cities Initiative (CFCI)



Prepared by Growing Up Boulder
April 2025

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Welcome Letter

Dear Boulder Community,

We are thrilled to present the State of the Child Report for Boulder, a vital milestone in Boulder's journey to becoming a UNICEF Child Friendly City. This report reflects the collective effort of our community—children, youth, parents, caregivers, service providers, city departments and partner organizations—all united by a shared vision of creating a city where every child thrives.

The numbers speak to the scale of this collaboration: 1,400 children, youth and adults engaged; 17 city departments involved; and 48 community partners, including schools, youth-serving programs and early childhood programs, working together. These partnerships have strengthened relationships, inspired citywide collaboration, and gathered invaluable insights directly from those most affected—our children and the adults who care for them.

The impact of this work extends beyond the process itself. The data collected will inform citywide initiatives, including the city's first-ever Youth Action Plan, the Boulder Valley Comprehensive Plan, the Nature Everywhere initiative, and projects undertaken by local nonprofits and schools. Together, these efforts ensure that our city reflects the priorities and voices of its youngest residents.

For those seeking a more accessible approach to this work, the bilingual, youth-friendly Youth Action Plan will be released in 2025. We remain committed to making this work inclusive and actionable for everyone in Boulder.

As we celebrate this progress, we are reminded that this report is not just an end—it is a foundation for ongoing efforts to shape a more inclusive, equitable and vibrant future for Boulder's children.

Sincerely,

Mara Mintzer
Executive Director, Growing Up Boulder

Nuria Rivera-Vandermyde
City Manager, City of Boulder

Part 1: About the UNICEF Child Friendly Cities Initiative

Introduction to the UNICEF Child Friendly Cities Initiative

In 2009, a team of University of Colorado Boulder academics, City of Boulder leaders, Boulder Valley School District (BVSD) educators, and youth, gathered together to create a grassroots version of the UNICEF Child Friendly Cities Initiative model in Boulder, CO. The Child Friendly Cities Initiative (CFCI) is UNICEF's roadmap for building safe, equitable, just, inclusive, and child-responsive cities and communities around the world. The initiative uses the 1989 United Nations Convention on the Rights of the Child (UNCRC) as a framework to help local governments prioritize the needs of children and elevate the voices of youth in local governance and decision-making. While CFCI wasn't formally adopted in the US until 2020, "Growing Up Boulder" was the aforementioned partnership's informal version of CFCI in 2009. In 2023, after UNICEF USA had started a pilot of CFCI in the US, the City of Boulder and Growing Up Boulder (now a nonprofit) officially signed on to partner with UNICEF USA toward recognition as a Child Friendly City.

Since its inception, CFCI has been adopted in over 3,500 municipalities in over 40 countries. In the United States, UNICEF USA is currently piloting CFCI with partners in Alton, Illinois; Boulder, Colorado; Decatur, Georgia; Houston, Texas; Minneapolis, Minnesota; and Prince George's County, Maryland as the first cohort to implement an ambitious, multi-year process toward recognition as a UNICEF Child Friendly City or County.

UNICEF's Child Friendly Cities Initiative (CFCI) mission is to create cities and communities where the rights of every child are respected, protected, and fulfilled, ensuring that children have a voice in shaping the environments they live in. Using a child rights framework, the initiative aims to make urban areas more inclusive, equitable, and responsive to children's needs, promoting their safety, well-being, and active participation.

UNICEF USA defines a Child Friendly City as one that is committed to adopting a Child Rights Approach to local governance. A child rights approach gives young people the gift of creating positive change for themselves and others in the world around them.

"Applying a child rights approach is one of the most sustainable ways to identify and implement long-term solutions with and for children."

Interventions benefit children most when children are actively involved in assessing needs, shaping strategies, and executing solutions.”

–UNICEF USA

Five Goal Areas

UNICEF divides the elements of a child friendly city into five goal areas. These include:



Safety and inclusion: Every child and young person is valued, respected and treated fairly in their communities and by local authorities.



Children's participation: Every child and young person has their voice, needs and priorities heard and taken into account in public laws, policies, budgets, programs and decisions that affect them.



Equitable social services: Every child and young person has access to quality essential social services.



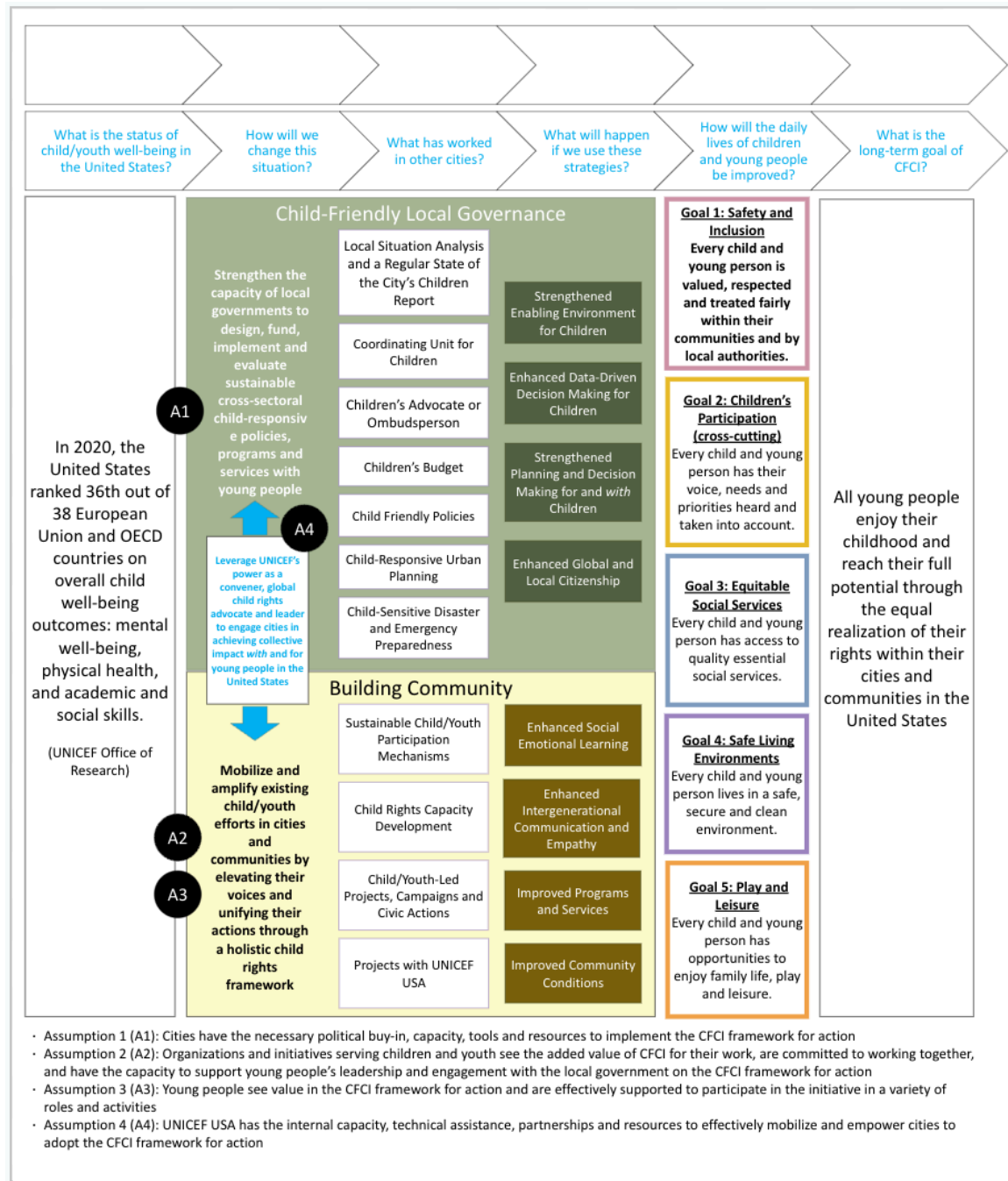
Safe living environments: Every child and young person lives in a safe, secure, and clean environment.



Play and leisure: Every child and young person has opportunities to enjoy family life, play, and leisure.







UNICEF USA's CFCI Theory of Change

In adapting the global CFCI process to the United States' context, UNICEF USA developed the following Theory of Change for the CFCI pilot:



CFCI Recognition Process

To receive official recognition by UNICEF USA as a UNICEF Child Friendly City or County, a municipality must follow a structured process and meet specific criteria. The following are the key steps Boulder has taken toward recognition:

Join CFCI	Recruit Partners	Collect Data	Create Youth Action Plan	Implement Youth Action Plan	Become an official CFCI
					
2021-23 2 years	2023 4 months	2023-24 5 months	2024-25 9 months	2025-26 1 year	2026
Conduct a CFCI readiness assessment Sign MOU Celebrate launch!	City of Boulder Growing Up Boulder Nonprofits BVSD Boulder County Other partners	Situation analysis = Government Data + Community Conversations data Write State of the Child report	A CFCI Youth Committee (YOAB + community youth) works with adult allies to create a City plan Celebrate Plan and State of the Child Report!	Implement Youth Action Plan in coordination with spending Broncos funding Evaluate the Plan	Apply for recognition Celebrate recognition! Plan CFCI renewal

1. **Join CFCI:** Before a city decides to commit to CFCI, it must assess whether it is ready to do so. Once it decides to pursue CFCI, the city or county leadership must formally commit to the process by signing a Memorandum of Understanding (MOU) with UNICEF USA, demonstrating their dedication to children's rights.
2. **Recruit Partners:** Establish a multi-stakeholder working group or task force that includes local government representatives, community organizations, and children. This group is responsible for guiding the process.
3. **Collect Data:** The city or county must assess the current state of children's rights and well-being in the community. This involves gathering data on various aspects of children's lives, such as education, health, safety, and participation, to identify gaps and areas for improvement.
4. **Create Youth Action Plan:** Based on the findings of the situation analysis, the city or county must create a comprehensive action plan. This plan should outline specific goals, strategies, and activities aimed at promoting and protecting children's rights. It must also include measurable objectives and a timeline for implementation.
5. **Implement Youth Action Plan:** The city or county must begin to implement the action plan, integrating child-friendly policies and practices into local governance, services and community initiatives.

6. **Become an Official CFCI:** Once the city or county has successfully implemented the action plan and demonstrated measurable progress, the government may apply for official recognition. An independent evaluator will evaluate their efforts and, if the criteria are met, UNICEF USA will grant them the status of a recognized UNICEF Child Friendly City.
7. **(Optional) Renewal:** Upon recognition as a UNICEF Child Friendly City, the city may renew its CFCI status for another cycle, helping to ensure sustainability of the initiative and deepening its commitments and positive impacts for children and young people.

By following these steps and meeting the necessary standards, the City of Boulder hopes to receive official recognition from UNICEF USA for its commitment to promoting and protecting children's rights.

Part 2: Child Friendly Boulder

History of Child and Youth Engagement in Boulder

Boulder has a long and proud history of considering youth needs and elevating young people's voices in its programs, policies and places. This began when the city developed a Youth Services division in 1969, progressed with the launch of the Youth Opportunities Advisory Board in 1994, and continued with the creation of Growing Up Boulder in 2009. Making Boulder a more child-friendly city continues today through YOAB, through the partnership between the City of Boulder and Growing Up Boulder to elevate young people's voices, and through the CFCI process with UNICEF USA.¹

Boulder's CFCI Mission and Vision

Mission

Boulder's Child Friendly Cities Initiative (CFCI) is dedicated to creating a city where the rights of every child are respected, protected, and fulfilled. By prioritizing equity and using a child's rights framework, we ensure that all children—regardless of age, gender, race, physical and neurological abilities, sexual orientation, immigration or housing status, or family income level—are empowered to shape the environment they live in. Through collaborative and innovative approaches, we aim to promote well-being and active participation for Boulder's youngest residents.

¹ For a more thorough documentation of Boulder's history supporting children and youth, see the Appendix.

Vision

Our vision for Boulder is a community where every child and youth feels valued, supported and respected. In this inclusive city, young people have opportunities to lead, share their voices, and thrive, supported by systems that prioritize their health, education, play and leisure, culture and safety.

Through the Child Friendly Cities Initiative, Boulder strives to build a future where the well-being of children is at the center of decision-making—ensuring that our neighborhoods, public spaces, schools and governments nurture creativity, belonging and hope. Recognition as a UNICEF Child Friendly City will signify Boulder’s commitment to a brighter, more equitable future for all its young residents.

Part 3: Boulder’s CFCI Teams

UNICEF Child Friendly Cities Initiative brings together local stakeholders and UNICEF USA to create safe, equitable, just, inclusive, and child-responsive cities and communities. Throughout this process, the City of Boulder and Growing Up Boulder staff committed to strengthening support networks for children by supporting innovative ideas, developing relationships, and leveraging the expertise of community partners. CFCI Boulder organized its teams as described below.



Executive Committee

The purpose of the Executive Committee was to provide strategic guidance and direction on the implementation of CFCI, as well as to leverage connections, expertise, and resources to raise awareness and mobilize networks on behalf of youth and in support of CFCI. Boulder's Executive Committee consisted of:

- City of Boulder, Communication and Engagement, Director
- City of Boulder, Housing and Human Services, Deputy Director
- City of Boulder, Parks and Recreation, Director
- City of Boulder, Parks and Recreation, Senior Landscape Architect
- Growing Up Boulder, Executive Director

Project Management Team

The Project Management team was responsible for day-to-day operations and members of the team served as liaisons with UNICEF USA. The composition of the team changed throughout the CFCI process in response to varied needs. Over time, it has included:

- City of Boulder, Communications and Engagement, Communication Program Manager
- City of Boulder, Housing and Human Services, Youth and Family Services Manager
- City of Boulder, Housing and Human Services, Youth Opportunities Program Manager
- City of Boulder, Parks and Recreation, Senior Landscape Architect
- Growing Up Boulder, Education Director
- Growing Up Boulder, Planning Manager
- Community partner representative, Mayamotion Healing
- UNICEF USA, Community Engagement Associate

YOAB and CFCI Youth Council

Youth leadership is an essential component to any CFCI process. Boulder's CFCI has engaged youth leaders in two ways: first, through the city's Youth Opportunities Advisory Board (YOAB) and also through a CFCI Youth Council, comprised of YOAB students and other teens in Boulder. YOAB and other diverse youth groups, such as Rocky Mountain Equality's youth group and Raíces Vivas youth groups, have offered input to the design of CFCI steps. Further, YOAB has been instrumental in publicizing CFCI to their peers. The CFCI Youth Council will work with the city and Growing Up

Boulder to design the Youth Action Plan, drawing from the rich engagement conducted during the State of the Child assessment phase, in Spring 2025.



Growing Up Boulder CFCI Team

Growing Up Boulder staff and consultants were responsible for executing the key daily operations of the CFCI process. This team worked with city partners to collect and analyze government assessment data. They then designed, conducted outreach for, and implemented the extensive community conversation process. Compiling and analyzing data from 32 community conversations, the team created documentation and presentations for the Youth Action Plan Workshops. The team also combined community conversations data with government data to create the situation analysis, which has been used in presentations, posters, the Boulder Valley Comprehensive plan, and this report. Growing Up Boulder served as the primary author of this State of the Child Report.

Growing Up Boulder staff managed logistics and the analysis for the Youth Action Plan workshops, and their leadership was essential in developing new community partner relationships and deepening existing relationships. Finally, Growing Up Boulder staff collaborated with city staff on aligning the CFCI process and outcomes with the 2025 Boulder Valley Comprehensive Plan. The Growing Up Boulder CFCI team consists of:

- Growing Up Boulder, Assistant Director
- Growing Up Boulder, Education Director
- Growing Up Boulder, Executive Director

- Growing Up Boulder, Planning Manager
- Mayamotion Healing
- Uka Consulting



City Staff Champions

The role of the city Staff Champions was to liaise with their respective city departments. Staff Champions helped collect and share relevant and available data to support the government assessment and city budget analysis, and they offered input to the Community Conversation indicators. They helped assess alignment between department master plans and CFCI goal areas. Some staff champions

participated in the Youth Action Plan workshops, and they will offer input to the Youth Action Plan.

Staff Champions include representatives from 15 city departments:

City Manager's Office - Office of Equity and Belonging
 Climate Initiatives
 Communications and Engagement
 Community Vitality
 Facilities and Fleet
 Fire-Rescue
 Housing and Human Services
 Innovation and Technology
 Open Space and Mountain Parks
 Parks and Recreation
 Planning and Development Services
 Police
 Finance/Risk Management
 Transportation and Mobility
 Utilities



CFCI Community Partners

“Community Partners” describes groups such as nonprofits, government programs, and schools that serve or care about young people in Boulder. All of the 48 groups listed below have participated in one or more CFCI engagements. Their participation

ranges from hosting the CFCI launch event to attending CFCI Partnership Roundtable meetings to holding Community Conversations with their children, youth, parents, elders, and caregivers. Including community partners ensures an inclusive, equitable and strategic project.

Association for Community Living
 Autism Society Boulder County
 Blue Sky Bridge
 Boulder Chamber of Commerce
 Boulder Community Hospital
 Boulder Country Day School
 Boulder County Head Start
 Boulder County Public Health Department–Generations, Genesis
 Boulder County Public Health Department–Healthy Future Youth Coalition
 Boulder County Public Health Department–Inspire Youth Connections
 Boulder County Public Health Department–Open and Affirming Sexual Orientation and Support (OASOS)
 Boulder County Public Health Department–Early Childhood
 Boulder County Transportation and Mobility for all
 Boulder Families with Disabilities
 Boulder Museum of Contemporary Art (BMoCA)
 Boulder Housing Partners
 Boulder Journey Preschool
 Boulder Public Library
 Boulder Valley School District (Administration)
 BVSD–American Indian Parent group
 BVSD–Whittier Elementary School
 BVSD–Manhattan Middle School
 BVSD–Casey Middle School
 BVSD–Heatherwood Elementary School
 BVSD–Columbine Elementary School
 Growing Up Boulder families of kids with disabilities
 Clinica
 Colorado Statewide Parent Coalition
 EcoArts Connections
 El Centro Amistad
 Emergency Family Assistance Association
 Family Learning Center
 I Have a Dream Foundation
 Imagine!
 Mayamotion Healing
 Mental Health Partners

National Wildlife Federation–Early Childhood Health and Outdoors (ECHO)
New Horizon Preschool
Raices Vivas
Rise Against Suicide
Rocky Mountain Equality (formerly Out Boulder County)
Safehouse Progressive Alliance for Non-Violence (SPAN)
Uka Consulting
United Nations Boulder County Association
University of Colorado Boulder–Crown Institute
University of Colorado Boulder–Geography Department
Women’s Wilderness
City of Boulder–Youth Service Initiative (YSI)



UNICEF USA

The Boulder CFCI effort would not be possible without the support of our colleagues at UNICEF USA, which includes:

- Assistant Director, Municipal Partnerships
- Community Engagement Associate
- Deputy Director, Municipal Partnerships
- Managing Director, Community Alliance for Child Rights
- Senior Director, Research, Evaluation and Research Operations US Programs

Part 4: From Launch to Situation Analysis

The City of Boulder, Growing Up Boulder, community partner organizations, and young people themselves have spent years working to make Boulder a good place for young people. Signing on to make Boulder a recognized UNICEF Child Friendly City is the latest step in this commitment to child and youth well-being. The following section describes the steps the Boulder CFCI team and its partners have taken towards making Boulder a UNICEF Child Friendly City.²

CFCI Launch Event

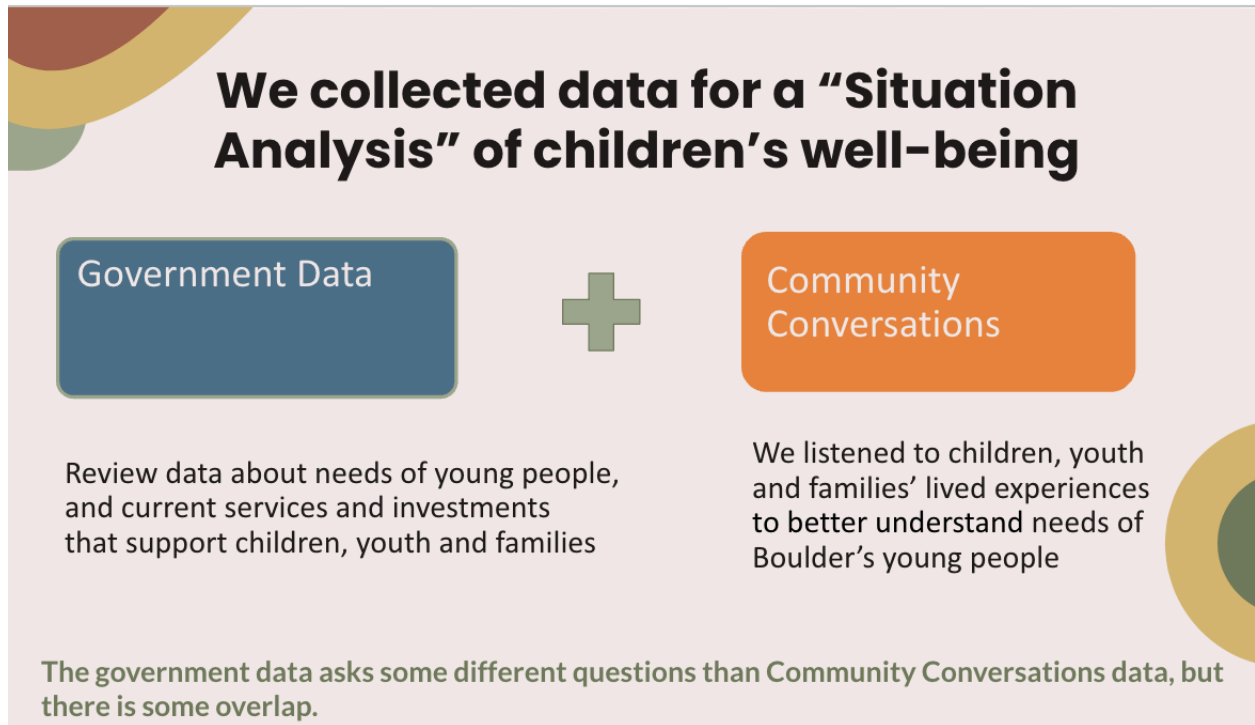


² For a more detailed timeline, see the Appendix.

To publicly recognize the partnership between UNICEF USA, the City of Boulder and Growing Up Boulder towards making Boulder a UNICEF Child Friendly City, Boulder leveraged an existing community event, the Boulder Museum of Contemporary Art (BMoCA)'s Día del Nino celebration. Well-attended by children, families, and child-serving organizations, the April 29, 2023 event included remarks from the Mayor, UNICEF USA leadership, and partner organizations. It was co-hosted with Youth Opportunities Advisory Board (YOAB) board members and highlighted youth performers. UNICEF USA staffed a UNICEF CFCI and child rights table and Growing Up Boulder hosted a CFCI table; the organizations worked collaboratively with young people and community members on a public art project to showcase the hopes and dreams of young people in Boulder.

Situation Analysis

From 2023 to 2024, the CFCI team worked with children, youth, parents, elders, and caregivers, and service providers who work with children and youth to identify what is working well in young people's lives and what could be improved. They learned about youth well-being by collecting and analyzing publicly available government data and by asking young people, and those who care for them, about their own lived experiences. UNICEF calls this process of collecting and analyzing data a "situation analysis," as it reveals the situation of children in a community. It consists of a "government assessment" (quantitative data) and a "community assessment" or "community conversations" (qualitative data). The Boulder CFCI team, composed of Growing Up Boulder staff, city staff, and community consultants Mayamotion Healing and Uka Consulting, prioritized hearing from communities whose well-being is most impacted by systemic inequities and, as a result, the team focused outreach efforts on those groups.



Overview of the data

Goal area

As discussed previously, the UNICEF CFCI framework divides child well-being into 5 goals areas.

Both government data and community conversations data are organized according to these 5 goal areas; however, the overall data findings are not constrained by these categories, and instead, are organized according to overarching themes or topics.

Types of data

As mentioned above, two different types of data were considered in the “situation analysis.

Government data

- Consists of a “child equity profile” and data about each of the 5 CFCI goal areas
- Teens, city staff, Growing Up Boulder, and community partners narrowed down a list of 100+ potential indicators recommended by UNICEF to 49 government indicators that felt relevant to the Boulder community. This included data from:
 - American Community Survey 2020 Census

- Boulder Valley School District
- Colorado Department of Education
- Growing Up Boulder project analysis, 2009-2024
- Boulder County Healthy Kids Colorado Survey Data 2023
- City of Boulder, Housing and Human Services grantee reports
- City of Boulder, Parks and Recreation, EXPAND records, Parks and Recreation Master Plan
- City of Boulder, Transportation and Mobility
- City of Boulder, Office of Emergency Management
- Composite data from:
 - Annie E. Casey Foundation–Kids Count Data Book 2023
 - Boulder County Trends Report
 - City of Boulder Racial Equity Index
 - Emergency Family Assistance Association 2023 Dashboard
 - The Lancet


It is important to note that the data within the government assessment:

- Is not directly comparable, as it varies from source to source in terms of the year collected and jurisdictional/geographic scale
- Is displayed in a variety of formats, including city-generated maps, a digital dashboard with graphs, and spreadsheets analyzing existing city funding to support young people, broken down by department

Community Conversations data

- Teens, city staff, Growing Up Boulder, and community partners narrowed down a list of 100+ potential indicators recommended by UNICEF to focus on 29 indicator questions
- Was collected via 2 formats
 - In-person “focus group” conversations; greater weight was given to this data, as participant groups were intentionally selected to prioritize hearing from historically marginalized groups
 - Online feedback form via Be Heard Boulder; the participants in the online opportunity were primarily well-resourced, white, English speaking, and adults (parents)

Each Community Conversation indicator question included an image and was adapted to use inclusive, developmentally appropriate language, and was translated into Spanish. For example, instead of using the gender binary language of “girls and boys” as in “girls and boys are treated equally,” a change was made to say “all children” are treated equally. The table below offers an example of one question, broken out by age.

Safety and Inclusion <u>Seguridad de la Comunidad</u>	Topic <u>Tema</u>	Children 6-11 <u>Niños 6-11</u>	Youth 12-18 <u>Jóvenes 12-18</u>
	Safe from bullying <u>A salvo del acoso escolar</u>	I feel safe from being teased or bullied <u>Siento que nadie me va a acosar en mi comunidad</u>	I feel safe from being bullied by other youth at school and/or online <u>Siento que nadie me va a acosar en mi comunidad o en línea</u>

Important considerations

This information is not intended to be absolute or to represent the only issues that matter to young people. Instead, it represents a moment in time, reflecting input from children and those who care about children, as well as information from public sources. While this data is not academic research, the data collected here remains credible and contributes to a valuable understanding of young people's situation in Boulder, CO.

Participants in the CFCI process

Since May 2023, more than 1,400 people have participated in CFCI, including:

- 1,000 children, teens, parents, elders, and caregivers and service providers via Community Conversations and Youth Action Plan workshops
- 48 community partners (nonprofits, government programs serving youth, schools)
- City of Boulder staff from 17 departments
- City of Boulder's Youth Opportunities Advisory Board (YOAB)
- Growing Up Boulder and its consultants, Mayamotion Healing and Uka Consulting

Priorities issues identified through Situation Analysis

The story the combined data tells

By collecting both qualitative and quantitative data, then reviewing the data together, a rich and nuanced story emerged. The Youth Action Plan, which will focus on **only the top 3 youth-selected** priorities for improvement, varies from the overall youth well-being priorities described below, which result from a **combination of youth-selected priorities and government data priorities**.

What is going well?

- Access to Nutritious Food³
- More Reliable Internet⁴
- Feeling Safe at Home
- Great parks and playgrounds
- Less vaping

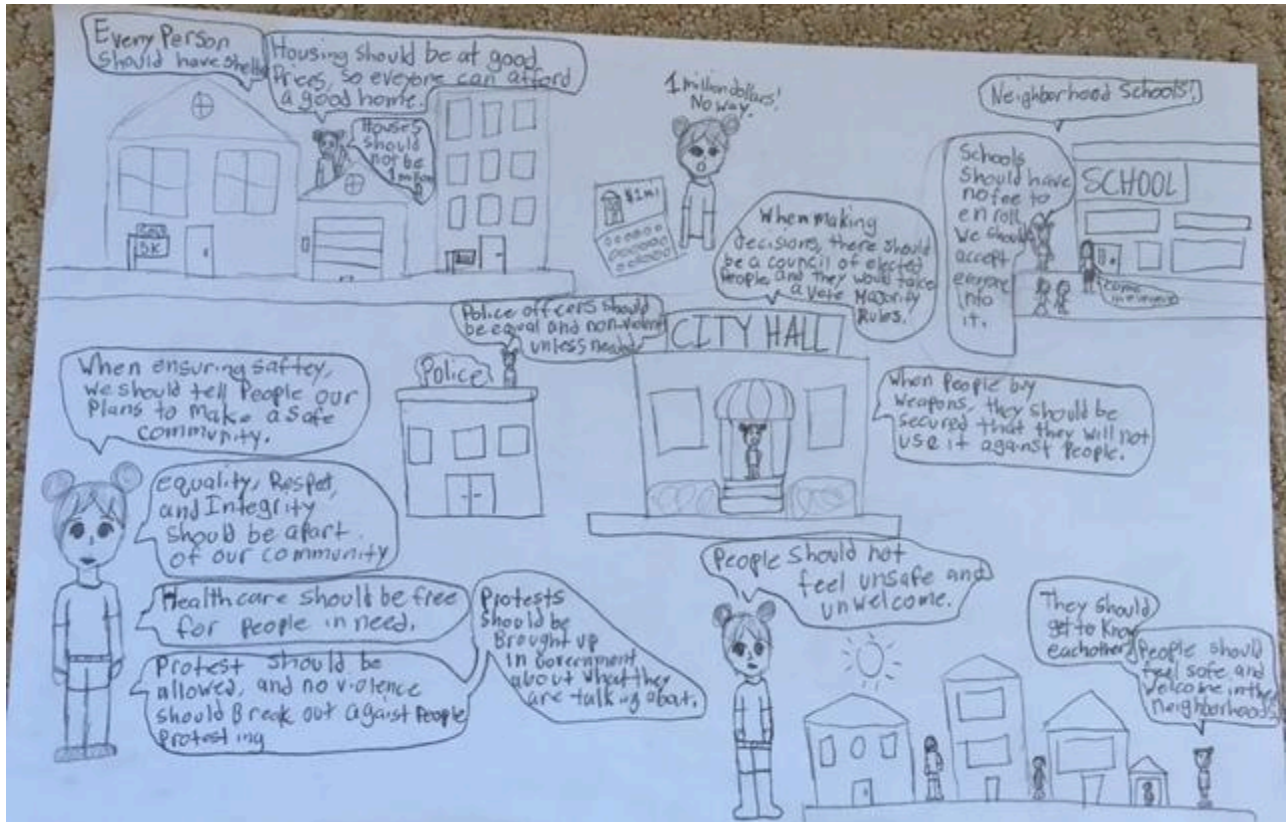
Summary of what needs improvement

Below is a list of topics that young people and government data describe as being areas of concern. Each topic is explained further in the proceeding sections.

- **Safety in Public**
 - Verbal harassment, physical harassment and lack of safety due to drug use and unpredictable behavior by unhoused individuals in public spaces, such as parks, bus stops and pathways
 - Discrimination and a felt sense of being unwelcome in public spaces for members of minoritized groups based on their identities
- **Mental Health**
 - Bullying (based on identity)
 - Stress and sadness
 - Too much screentime
 - Not enough time in nature
- **Equitable Play and Leisure**
 - Accessible after school activities for Latinx youth
 - Accessible outdoor spaces for children with disabilities
- **Youth Voice/Participation**
 - Voice at school and in the city
- **Child Poverty**
 - High cost of living, low pay

³ Up to 20% of children in Boulder receive free or reduced lunch. Young people in Boulder's community have been well-supported since the pandemic by programs like universal free school breakfast and lunch at BVSD schools. In addition, local food banks have been meeting a higher demand for their services over the past 5 years. It is unclear whether this positive trend will continue, given existing or potential budget cuts on the local, school district, state and/or federal levels.

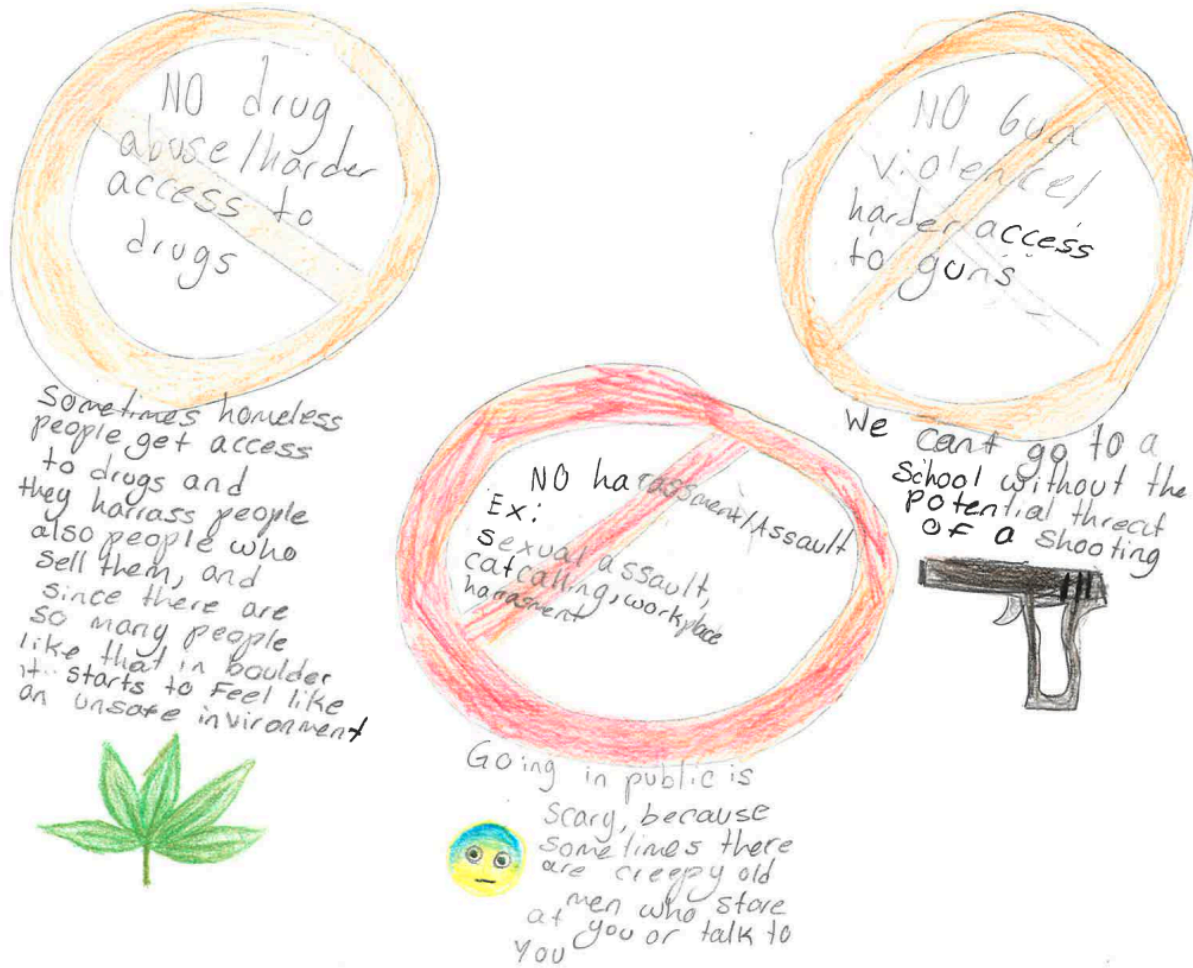
⁴ More children have better access to the internet thanks to improvements made by the city during the Covid-19 pandemic, and plans for expanded access beyond 2025.



Combined Data Breakdown

Safety in Public Spaces

One of the top priorities for teens and parents that emerged from the Community Conversations was that young people don't feel safe in public spaces due to open air drug use, verbal harassment and physical harassment, which they cite as coming primarily from unhoused individuals.



Groups of all ages disagreed or strongly disagreed with these Community Conversation statements:

- Children and parents: "My play areas are safe."
- Teens and parents: "I feel safe riding the bus, walking and/or biking in my community."
- Teens and parents: "I am safe from harassment when in public spaces (i.e. based on my gender expression, sexual orientation, race, ethnicity, language, or disability)."

In addition, many youth and parents, elders, and caregivers of color expressed feeling unsafe or unwelcome in public spaces due to their race, ethnicity or speaking a language other than English.

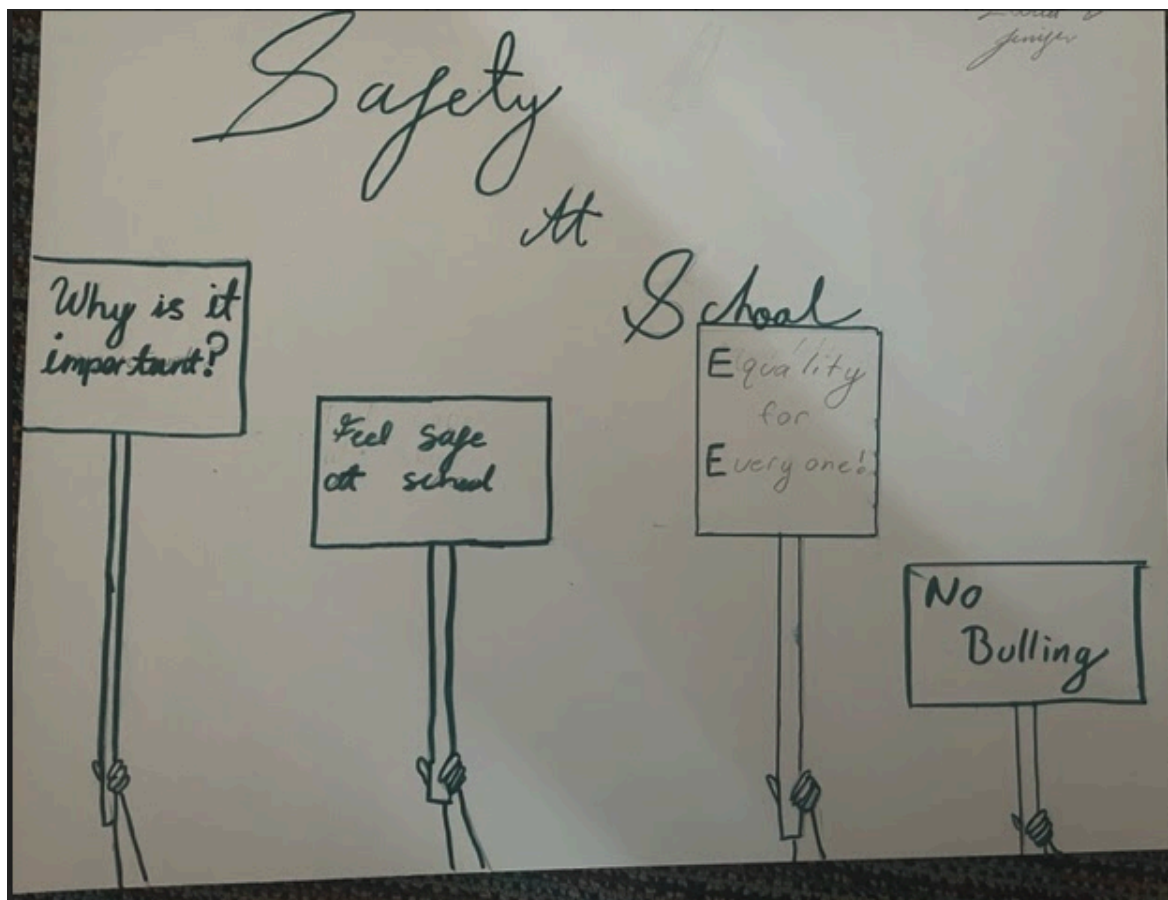
This theme of lack of safety in public spaces, either due to drug use or unpredictable behavior by unhoused people, or due to discrimination and harassment of minoritized young people by the general public, was described by almost every group engaged in the CFCI process. The lack of safety attributed to unsocial behaviors of unhoused individuals was expressed across all ages and all races in Community Conversations and Youth Action Plan workshops.

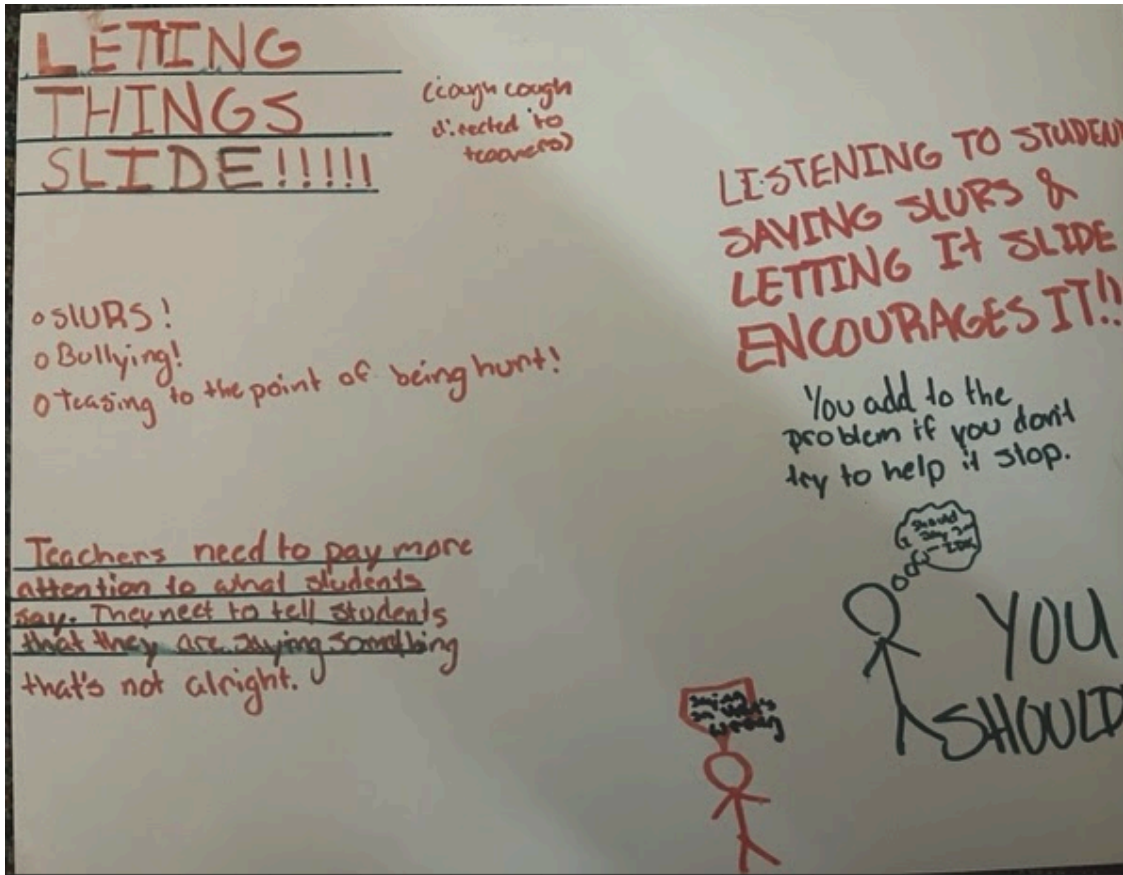
Mental Health

Bullying

In Community Conversations, children, teens and parents disagreed or strongly disagreed with the following statements:

- 6-11 year olds: "I feel safe from being teased or bullied."
- 12-18 year olds: "I feel safe from being bullied by other youth at school and/or online."



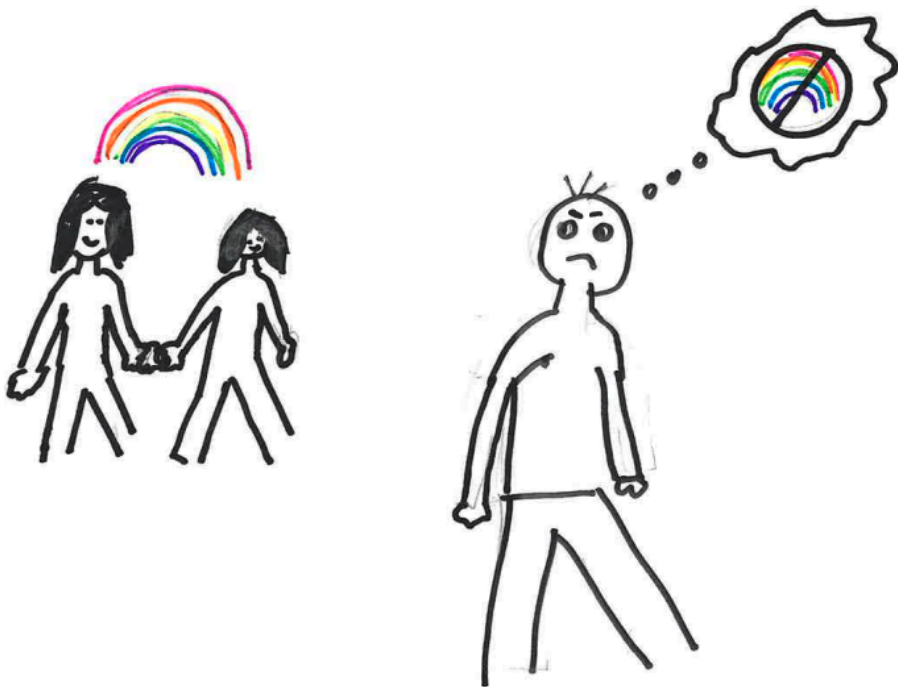


In Community Conversations, youth described being bullied by other youth primarily at school and occasionally online, especially based on their identities (race, ethnicity, LGBTQ, disability, how they look/dress); they also described many situations where teachers and other adult bystanders did not intervene when witnessing bullying behaviors.

According to the 2023 Boulder County Healthy Kids Survey (HKCS), physical appearance, LGBTQ identity and race/ethnicity were the top reasons BVSD high school students reported being teased/bullied.

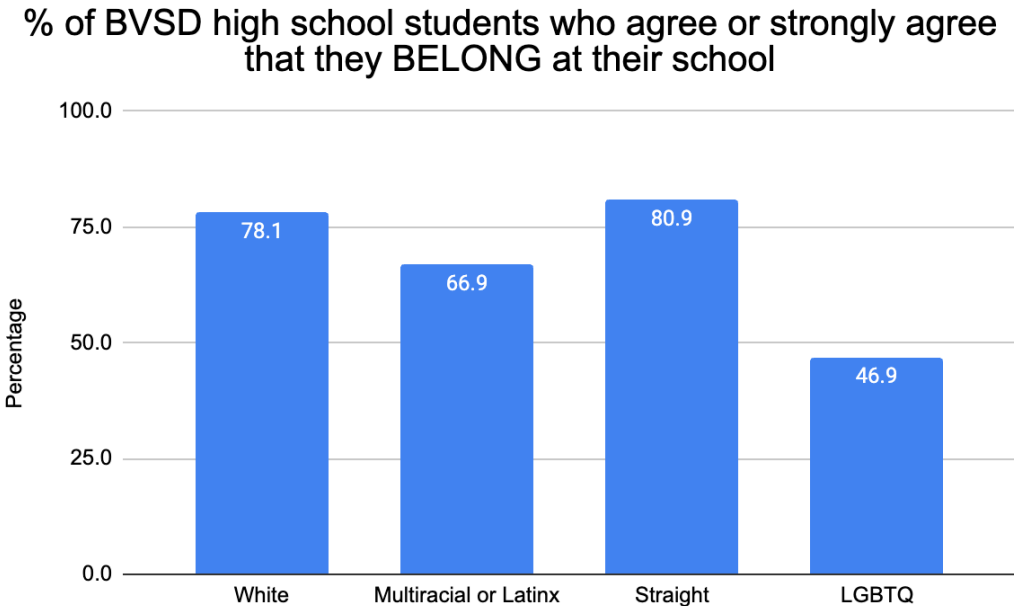
All identities not treated equally

In Community Conversations, youth ages 12-18, disagreed or strongly disagreed with, "Youth of all races, religions, nationalities, culture, abilities and sexualities are equally respected in my community."



Sense of belonging

According to the 2023 Healthy Kids Colorado Survey, LGBTQ+ and multiracial and Latinx youth felt less belonging compared to their straight and white peers.





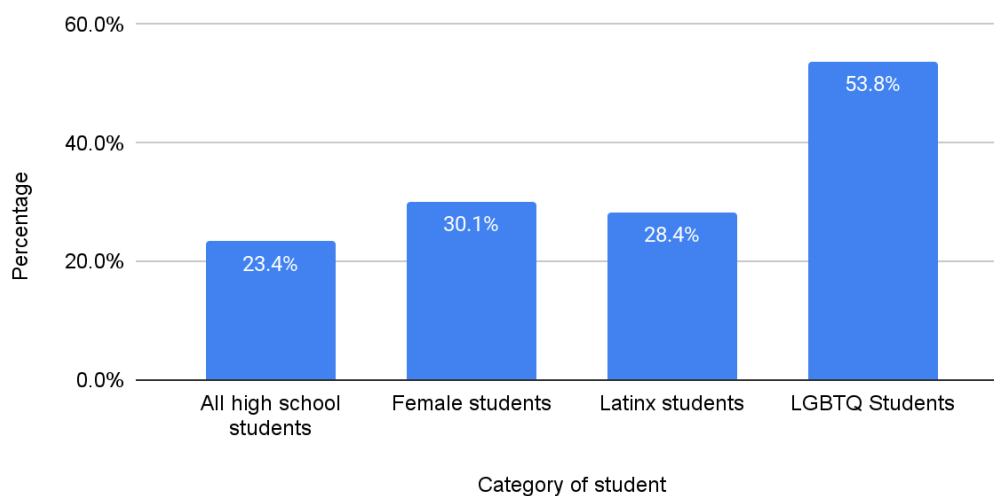
High levels of stress

While stress levels are down since the pandemic, they are still high, with 42.5% of BVSD high school students saying they do not feel their stress level is manageable most days (HKCS).

Sad and hopeless

While students' mental health in 2023 improved compared with during the pandemic (2021), a majority of LGBTQ students felt sad and hopeless, and more than a quarter of female and Latinx students also felt sad and hopeless (HKCS).

% of BVSD High School students who felt SAD or HOPELESS every day for 2 weeks & stopping usual activities



Too much time on screens, too little time in nature



Data from the Healthy Kids Colorado Survey (HKCS) data presented concerning data that mirrors a national trend: young people are spending many hours in front of screens and few hours outdoors and in nature. This is problematic because research shows that excessive time on screens and minimal time in nature leads to issues of depression and anxiety.⁵

The HKCS data showed:

- 68.6% of BVSD teens spend more than 3 hrs/day on screens for purposes other than schoolwork.
- Only 3.8% of BVSD middle school students went outdoors to spend time in nature at least once a week during the past 12 months.
- Only 5.2 % of BVSD high school students went outdoors to spend time in nature at least once a week during the past 12 months.

This was the first time the Healthy Kids Colorado Survey included the question, “During the past 12 months, did you go outdoors to spend time in nature at least once a week?” While the meaning of the responses to this new question are not yet fully established, the results indicate a worrisome trend: children are likely not spending enough time in nature to support their well-being.

⁵ Jonathan Haidt, *The Anxious Generation: How the Great Rewiring of Childhood Is Causing an Epidemic of Mental Illness* (New York: Penguin Press, 2024)

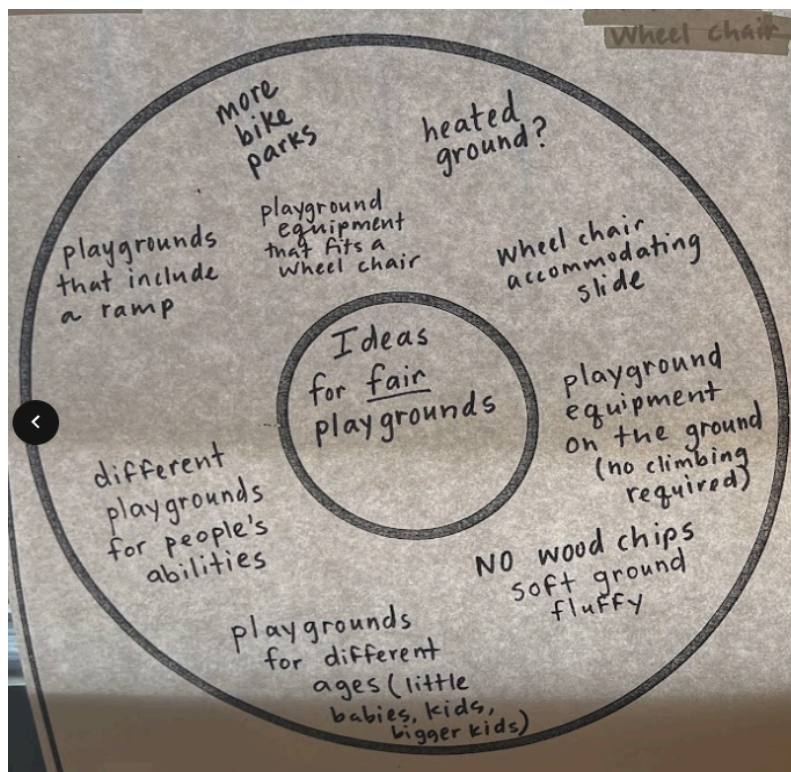
Equitable Play and Leisure

Equitable play and leisure was an important topic in both Community Conversations and Youth Action Plan workshops. This overarching category actually includes three subcategories, which were lack of equitable play and leisure for:

1. Children experiencing disabilities
 - a. Because playground, parks, hikes and activities are not universally accessible
2. Young people from families with low incomes
 - a. Because the cost of out-of-school activities, like sports, is prohibitive to many families
3. Youth from minoritized groups
 - a. Because spaces and activities often feel culturally exclusive instead of inclusive

Equitable play and leisure for children with disabilities

For children ages 6-11 participating in Community Conversations, one of their universal top priorities was, "The places for play in my community can be used by youth with physical disabilities."





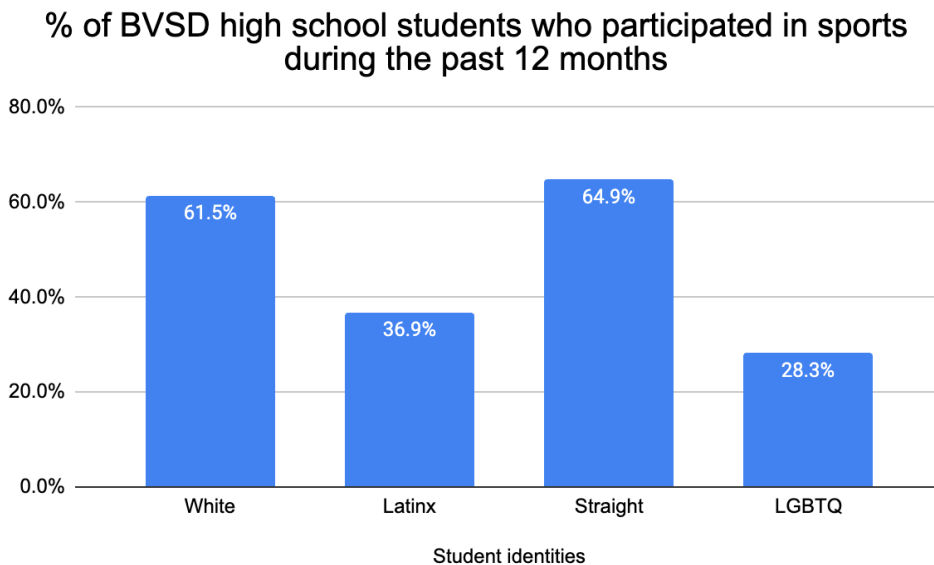
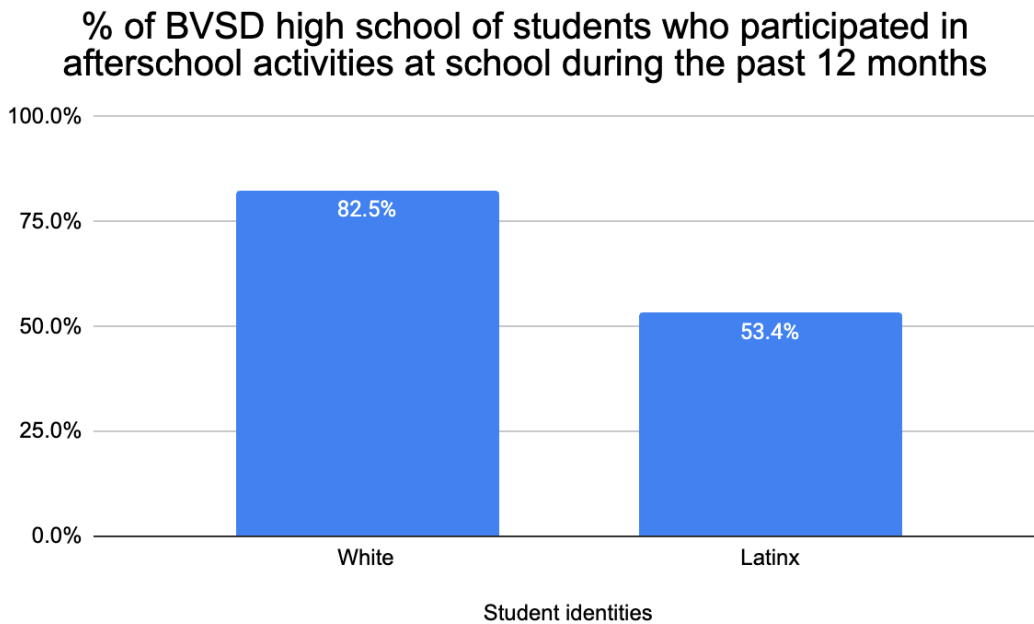
Data from the city of Boulder's Parks and Recreation Department show there has been an increase in requests for recreation programs that support children with disabilities.

Equitable play and leisure for young people from families with low incomes and youth from minoritized communities

The data show that:

- Teen participation in after-school activities varies significantly by identity (HKCS).
- Latinx parents stated that many after school sports and activities are out of reach due to the high costs of participation (CC).
- More children and youth need help paying for recreation programs than there is support available⁶.

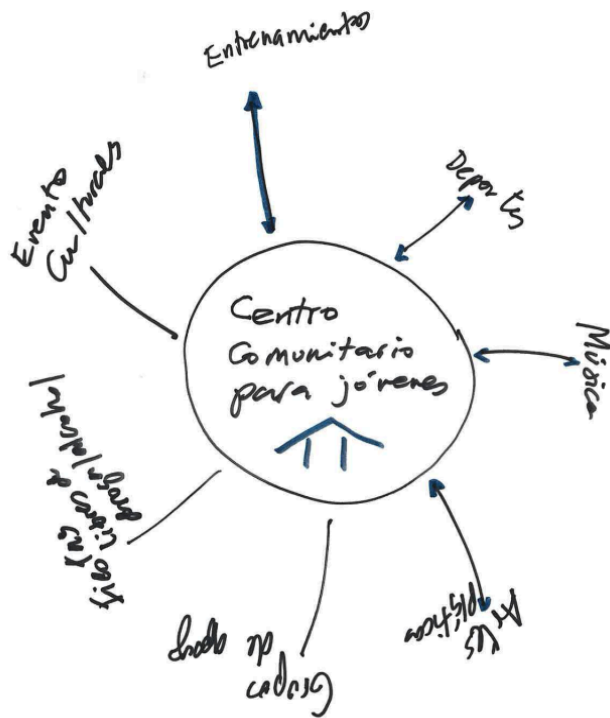
⁶ In 2024, the Play Foundation served 325 youth via their Playpass Program, which subsidizes participation in out-of-school sports activities; 100 children remained on their waiting list.



Based on the data above, collected both through public, quantitative sources and through Community Conversations and Youth Action Plan workshops, it is clear that play and leisure in Boulder are not accessible to all due to the cost of participation and lack of culturally-responsive spaces and activities.

Proposed solution by community members

It is interesting to note that during at least one of the Community Conversation sessions, conducted in Spanish (and translated below into English), community members designed their own solution to the lack of inclusive spaces. This is an example of the concept that “those closest to the problem are closest to the solution,” and demonstrates the promise of young people creating a youth-driven “Youth Action Plan.”



Youth Voice/ Youth Participation

Some youth are participating in civic engagement/sharing their voices. However, many other children and youth told us that they are not sharing their voices because:

- They do not know how to do so,
- There are not easily accessible opportunities for them to do so, and/or
- They do not feel safe sharing their ideas and opinions because unequal power dynamics exist around age, race, sexual identity, etc.

The City of Boulder’s Youth Opportunities Advisory Board (YOAB) and Growing Up Boulder each offer a variety of yearly opportunities for young people to influence city decision-making. Since 2009, kids have influenced:

- 7 department or comprehensive plans
- 16 public spaces
- The distribution of Substance Education and Awareness Fund grants

- The Youth Opportunities Program budget

Growing Up Boulder and YOAB's work with the city are a great start and demonstrate a city commitment to hearing from young people. But more children and youth wish to be heard. Children want to share their opinions with their schools and with the city (children, youth and parents prioritized this topic during community conversations), and they hope to find more ways for more children to participate in both school and city decision-making.



7

Child Poverty

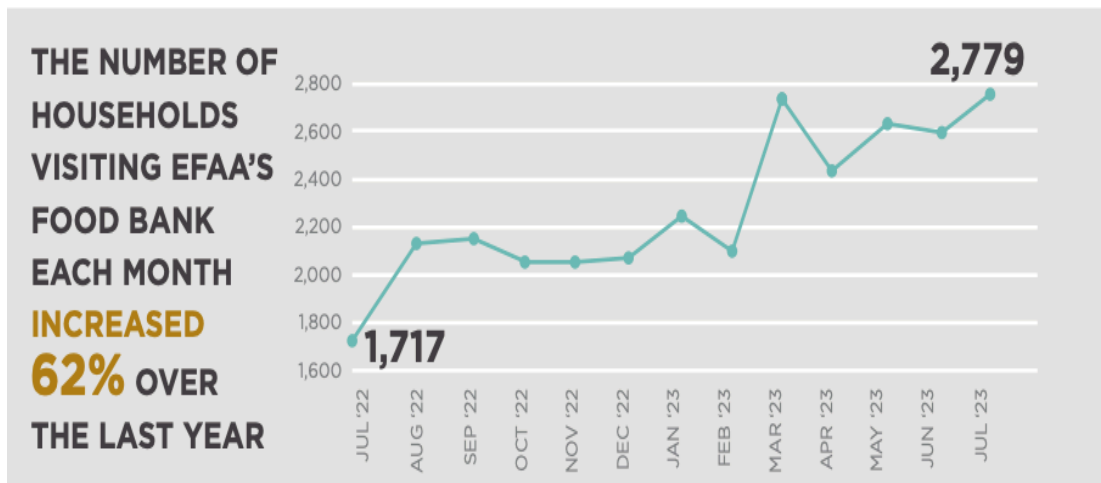
While Boulder is often considered a wealthy community, and many families are able to live comfortably despite Boulder's high cost of living, a significant percentage of the Boulder community experiences poverty. According to the Emergency Family Assistance Association's (EFAA) 2023 Boulder County Community Wellbeing Dashboard⁸:

⁷ Translation: the right to speak your mind!

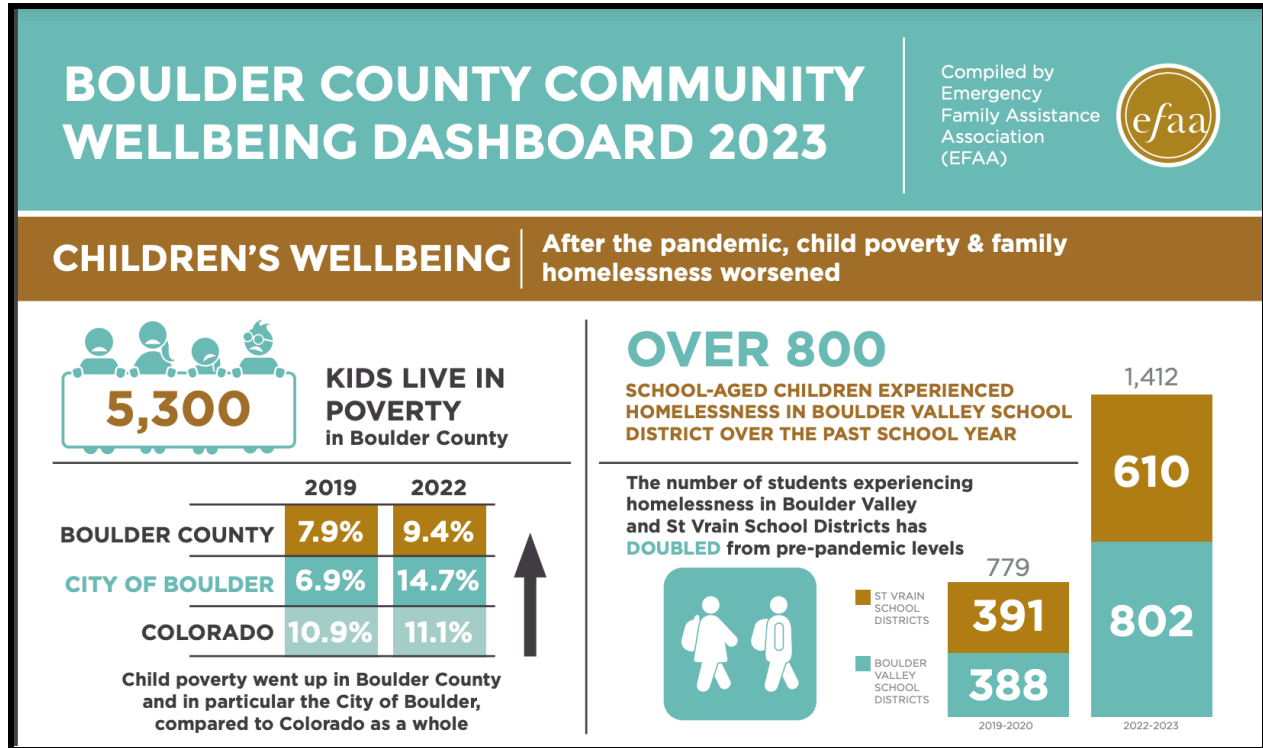
⁸ EFAA has a new, 2024 dashboard available. This report was written before the 2024 data was available, but to review the latest dashboard, visit:

<https://www.efaa.org/wp-content/uploads/2024/12/2024-Final-Web-Boulder-wellbeing-infographic-8.5x11.pdf>.

- 1 in 4 households in Boulder County do not earn enough to make ends meet without public or private support
- In 2019-2022, the child poverty rate in the City of Boulder DOUBLED, increasing from 6.9% to 14.7%
- 25% of BVSD children qualify for free or reduced lunch (in the 2022-23 school year⁹)
- Visits to EFAA food bank are up by 62%



⁹ BVSD data



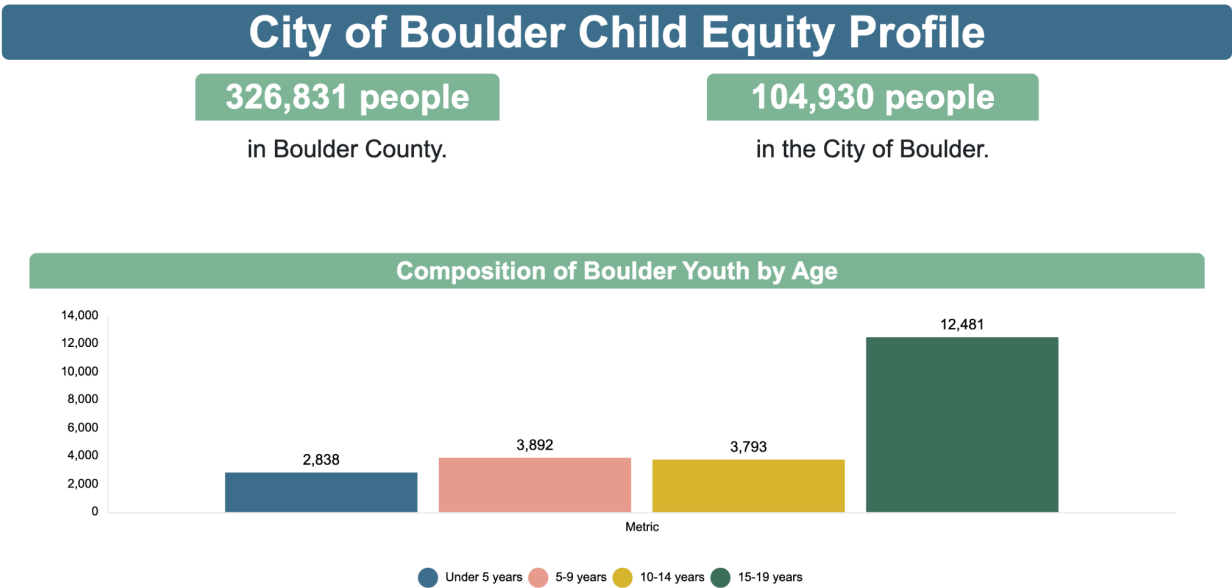
Data from the Government Assessment only

A UNICEF Government Assessment tasks a city with collecting government data on child well-being, then displaying that data in public and user-friendly formats, which inform the eventual Youth Action Plan. The city's Parks and Recreation department and Growing Up Boulder partnered to collect data from across the City of Boulder and from other governmental sources. The city's Innovation and Technology department then designed a digital dashboard, which is displayed below. Other city departments, such as Parks and Recreation, Open Space and Mountain Parks, Transportation, and the Office of Equity and Belonging, designed several youth equity maps. Some of the funding and staff time for map development came from the National League of Cities' Nature Everywhere initiative, which the City of Boulder has engaged in for several years, with partnership from Growing Up Boulder.

The maps help the city and community understand the locations of highest priority to improve youth equity and also, locations that are more or less walkable, bikeable, and have amenities for children. Finally, as part of CFCI, cities create a "child equity profile," which is a summary of various indicators relating to health, education, safety, and access to services, with a particular focus on identifying disparities among different groups.

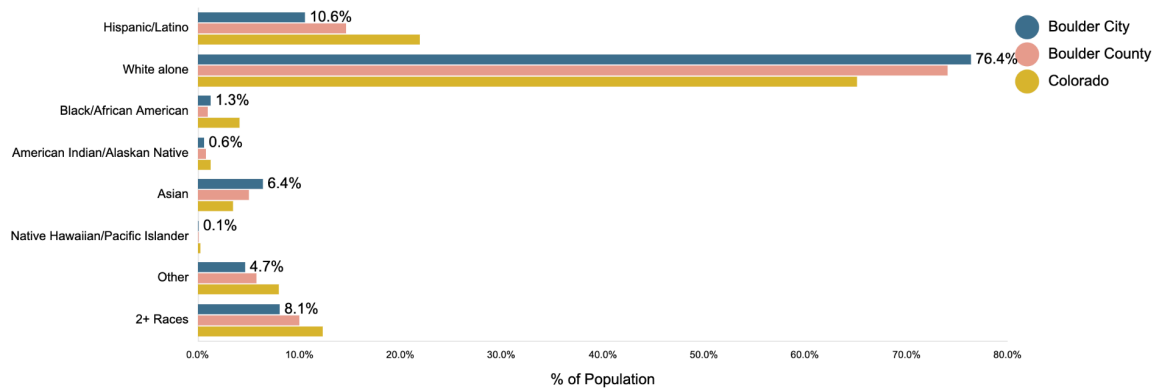
Below, various visual representations of the data are presented.

Child Equity Profile¹⁰



¹⁰ Data sources for the Child Equity Profile and Goal Areas are included in the Appendix of this document. In addition, the data contained in this visualization will be updated in 2025 to match the data heretofore mentioned in this document. The data currently displayed here is outdated, as it comes from the 2021 Healthy Kids Colorado Survey; however, Growing Up Boulder used the updated 2023 Healthy Kids Colorado Survey data in the “combined analysis” section below. Finally, the Community Foundation Boulder County developed a new, online Trends Dashboard tool in 2024. This tool contains current government data, and we recommend referring to it, along with using data analyzed from the 2024 Emergency Family Assistance Association Boulder Wellbeing Dashboard.

Race & Ethnicity



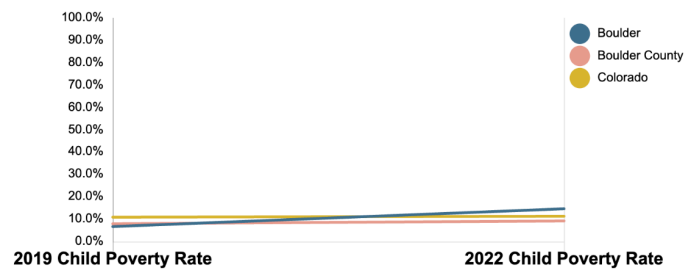
5,300 Kids

in Boulder County live in poverty

1 in 4 Households

in Boulder County do not earn enough to make ends meet without public or private support

Child Poverty Rates (2019-2022)

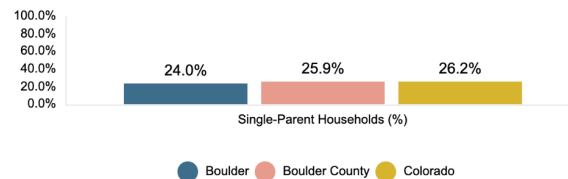


3,640 Households

were served by City Housing and Human Services in 2023*

*This number does not include households assisted indirectly via funding provided to local nonprofits under the Health Equity and Human Services funds.

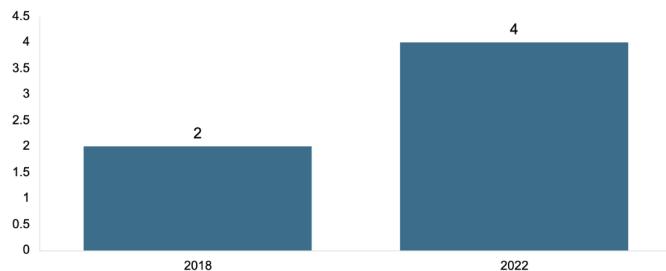
Single-Parent Homes (% of Homes with Children)



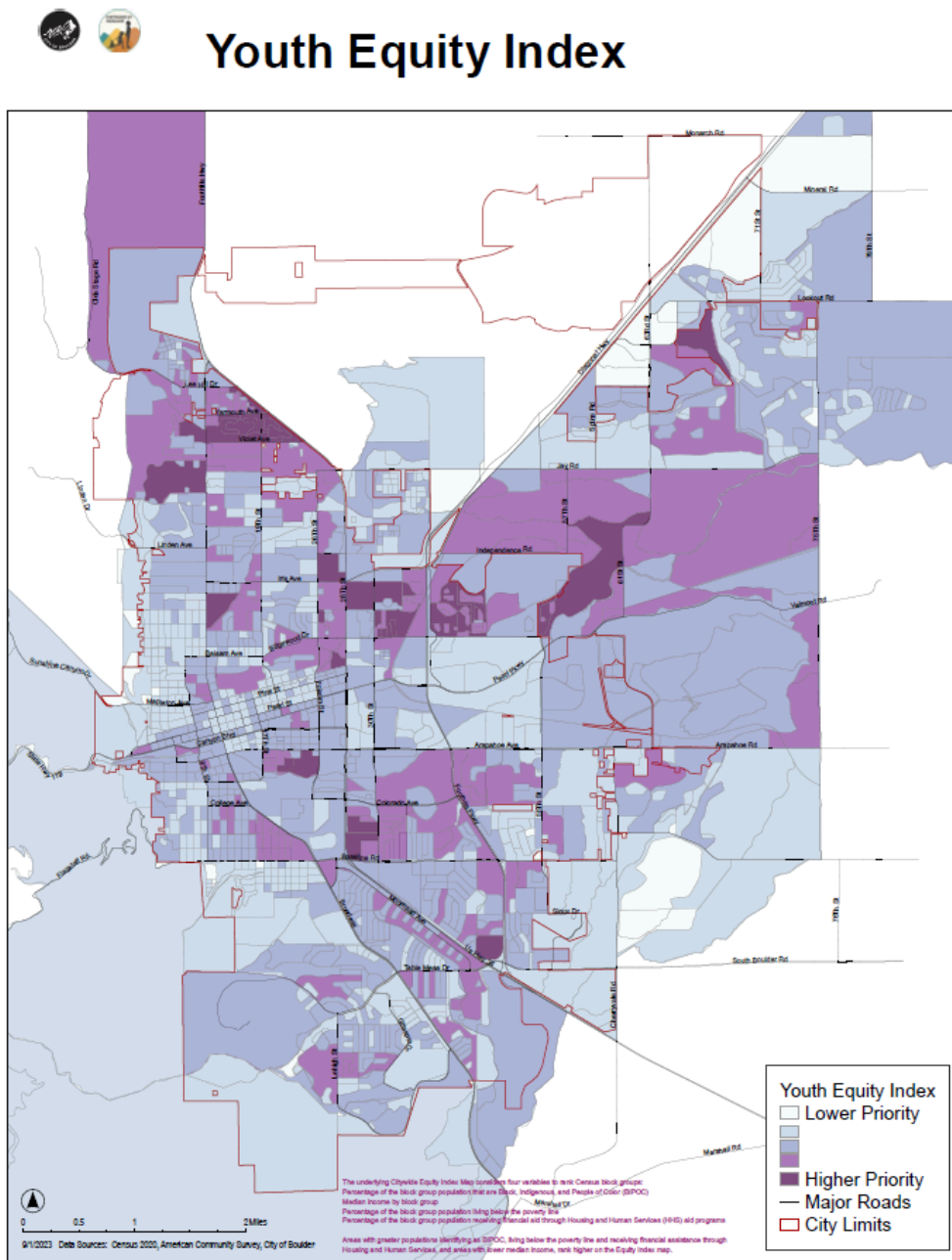
14% of Children under 5

in Colorado lived with families that needed to quit, change, or refuse a job due to a lack of childcare options

Minimum Wage Jobs Needed to Support Family of 4*

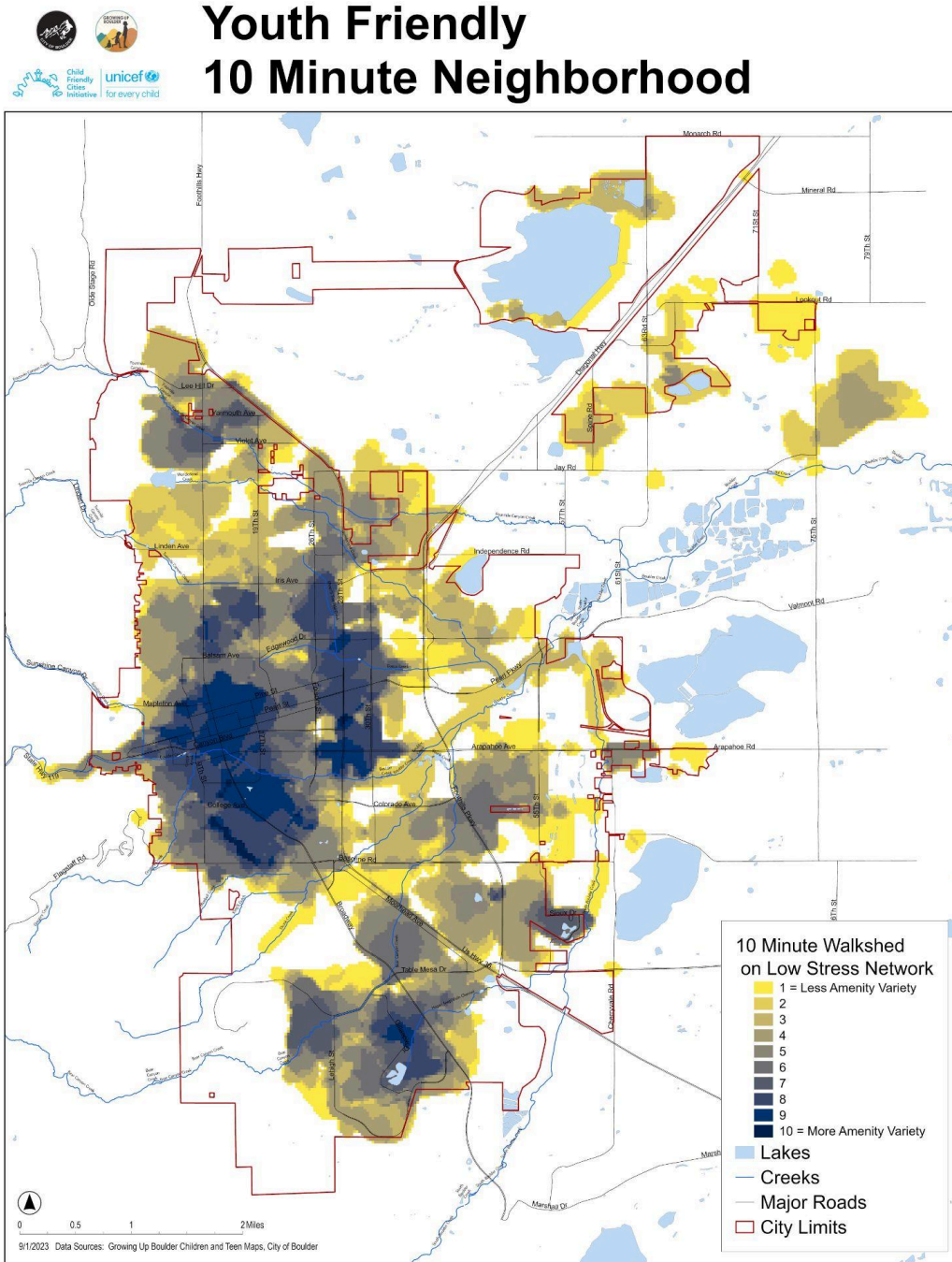


*In this case, a family of four is two adults, one preschool-aged child, and one school-aged child. (Measure for Boulder County)

Youth Equity Index Map¹¹

¹¹ This Youth Equity Index mapped overlaying census data about where youth live along with COB racial equity index created with city Community Connectors. The CFCI team recommends using this map to guide investment in facilities and programs, to support equitable policies.

Youth Friendly 10 Minute Neighborhood Map¹²



¹²The City of Boulder's Transportation and Parks and Recreation departments designed this walkshed map. It makes visible that some outlying communities are less walkable (i.e. Gunbarrel, Linden, and East Boulder). Because most children and their caregivers report that they are only allowed to walk a 10 minute distance from their home (vs. the more widely adopted "15 minute neighborhood concept"), this map displays a 10 minute walkshed.

Goal 1: Safety and Inclusion

Goal 1: Safety and Inclusion

Stress is not manageable for high school youth

51% of Boulder Valley School District (BVSD) high school students do not feel their stress level is manageable most days

1 in 6 Students

in BVSD high schools seriously considered attempting suicide in 2021

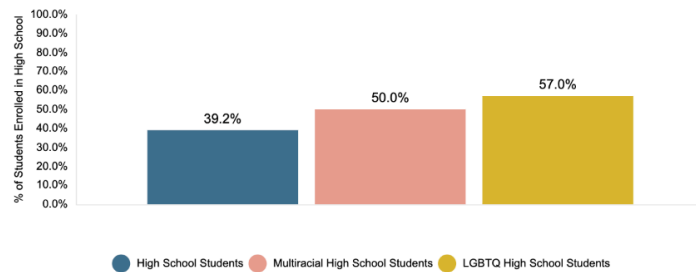
Teasing and Bullying

Race/Ethnicity and Sexual Orientation are the top two reasons BVSD high school students report being teased.

4.5 Out of Every 1,000 Children

in Boulder County were abused or neglected in 2021

Sadness/Hopelessness Among High School Students*



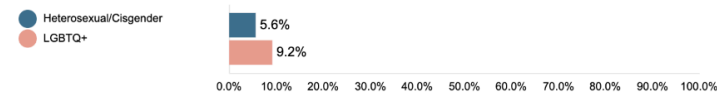
* These metrics cover students who reported having felt so sad or hopeless almost every day for at least 2 weeks that they stopped usual activities.

Climate Anxiety Among Teens & Young Adults

In a worldwide survey of 10,000 young people aged 16-25, 84% of respondents said they're at least moderately **worried about climate change**.

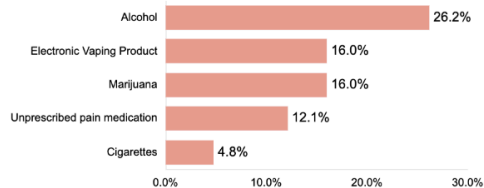
59% are very or extremely worried.

% of High Schoolers Subjected to Dating Violence*

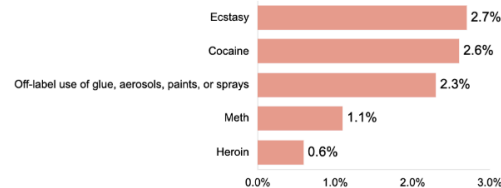


* As a percentage of high school students that have dated in the past 12 months. Dating violence is any purposeful physical harm inflicted by a dating partner.

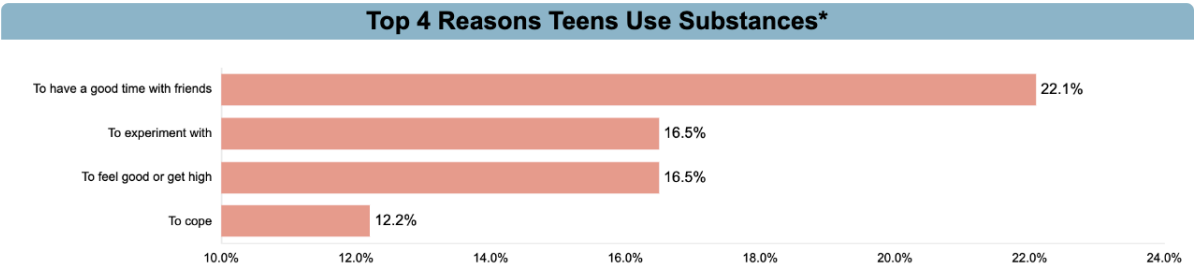
% Teens Using Substances in Last 30 days



% Teens Who Have Used Harder Drugs



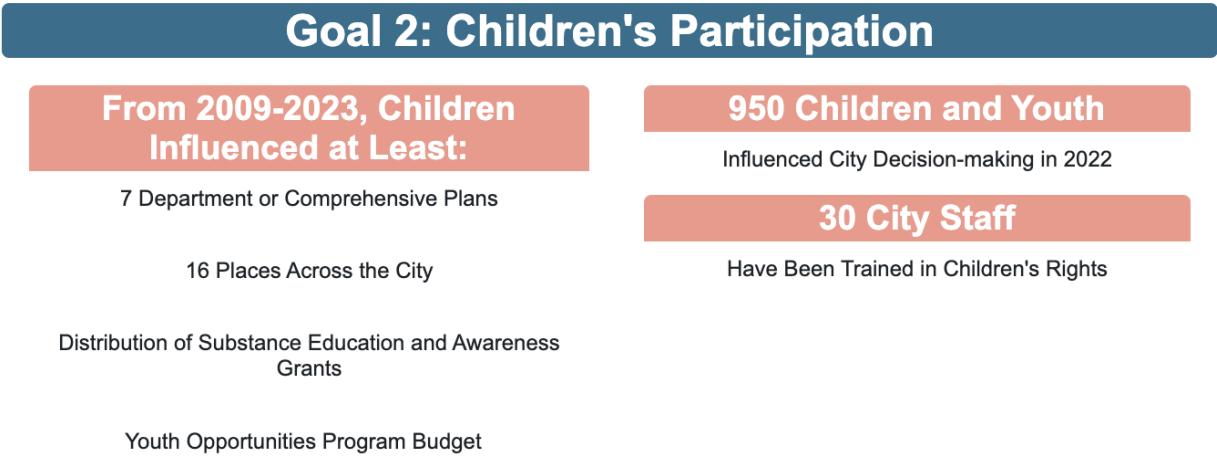
*Used one or more times during their life



*BVSD, 2021

Goal 2: Children’s Participation

As mentioned previously, while there is room for improvement when it comes to young people sharing their opinions at school and in the city, the city has already engaged with youth in many impactful ways since YOAB was founded in 1994 and Growing Up Boulder was founded in 2009.



Overall Youth Priority Issues, 2009 - 2024

Since Growing Up Boulder’s inception, it has tracked the top priorities for youth well-being as identified by Boulder’s youth themselves. The following table lists the themes, and descriptions of the themes, that children and youth repeatedly discuss in youth participatory planning projects with the City of Boulder. This table was developed by Growing Up Boulder staff, who during the situation analysis, reviewed all Growing Up Boulder project reports from 2009-2024, including reports of CFCI data.

Overarching theme	Desired Outcomes
Affordability	<ul style="list-style-type: none"> • Inexpensive housing, retail, restaurants, cafes, and activities geared to young people • Kids want to fully engage in Boulder's social opportunities, regardless of income
Art and design	<ul style="list-style-type: none"> • Spaces built with varied, colorful, eco-friendly, high quality materials that last • Art and beauty integrated throughout spaces • Interactive art (climbable, touchable, musical, responsive, changing)
Independent mobility	<ul style="list-style-type: none"> • Neighborhoods within a city that are walkable, bikeable, bus-able and where young people do not need to rely upon adults as chauffeurs • Safety from cars and people, including well-lit underpasses and safe bus waiting spaces
Inclusivity	<ul style="list-style-type: none"> • A city that works for, and is welcoming to, all ages, abilities, genders, races, ethnicities, languages and income levels
Mental health	<ul style="list-style-type: none"> • More mental health services, easier access to them, and more holistic approaches <ul style="list-style-type: none"> ◦ i.e. Not just traditional therapy but more wellness and healing opportunities including onsite wellness centers/relaxation spaces at schools and culturally supportive experiences
Nature connection	<ul style="list-style-type: none"> • More time in nature • Idea that time in nature builds eco-stewardship and nature connection and nature connection brings hope • Green spaces/vegetation that is easily accessible, plentiful, varied, and beautiful

Overarching theme	Desired Outcomes
	<ul style="list-style-type: none"> • Green spaces that encourage or host wild animals (birds, squirrels, butterflies) and/or domesticated animals (dogs, petting zoos) • Gardens and fruit trees, edible landscapes
Playful	<ul style="list-style-type: none"> • Play for all ages, including teens • Play that is not limited to playgrounds—it can and should be integrated into everyday spaces • Play that includes healthy risks • Play in nature, not just on plastic play structures
Safety (Emotional and Physical)	<ul style="list-style-type: none"> • Spaces where young people feel safe hanging out and traveling independently • Public spaces free from drugs and alcohol • Public spaces free from anti social behaviors, such as harassment • Well-kept public spaces that do not have trash, graffiti, feces or drug paraphernalia
Spaces for youth to hang out	<ul style="list-style-type: none"> • More free or low cost spaces, such as cafes, parks (especially where teens can hammock or have social play equipment), public plazas, or teen-only spaces and/or programs • Opportunity for leadership roles • Teen Center in downtown Boulder that is welcoming to a diversity of teens (not just one clique) • Belonging and affinity spaces
Voice and decision-making	<ul style="list-style-type: none"> • Children and youth want a voice at the table when it comes to decisions that affect them. This is especially true in their schools, their neighborhoods, and overall in the city. • Teens, especially, want leadership roles
Water features	<ul style="list-style-type: none"> • Access to natural water or fountains, pools and water jets for cooling off, playing in, and relaxation

Goal 3: Equitable Social Services

Goal 3: Equitable Social Services

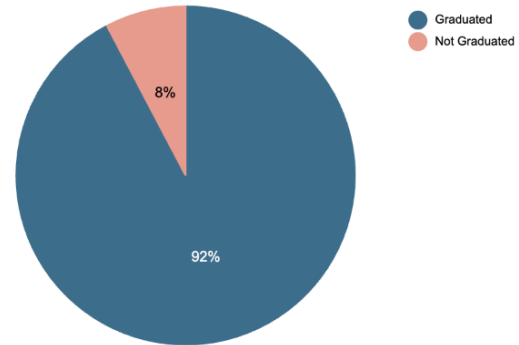
1 in 5 children

qualify for free or reduced lunch in BVSD

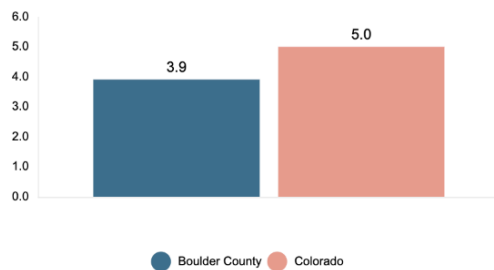
Visits to EFAA Food Bank Up 62%



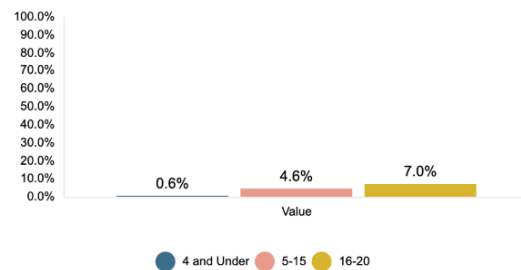
High School Graduation Rate



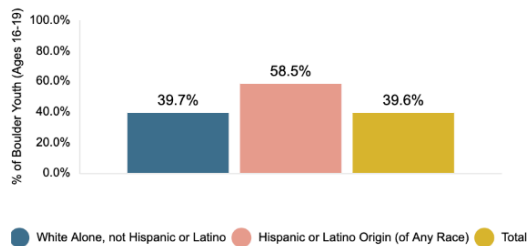
Infant Mortality Rate (per 1,000 Live Births)



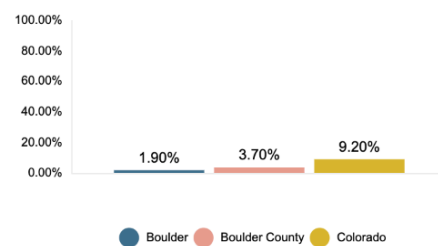
% of Colorado Youth with Disabilities



% of Youth (16-19) Employed*



% of Children Without Insurance

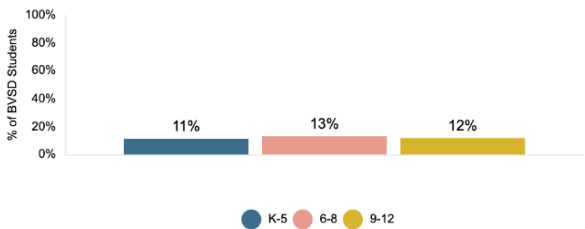


* Only includes measures from the American Community Survey 5-year estimates (2021) with margins of error less than 20% of the estimate. Reliable estimates are unavailable for other groups.

Goal 4: Safe Living Environments

Goal 4: Safe Living Environments

% BVSD Students Living in Manufactured Homes



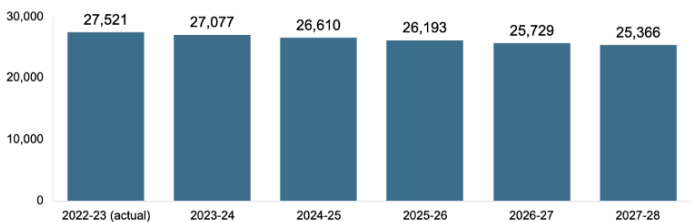
91.7% of Housing Units

in Boulder are not affordable to low- and middle-income households.

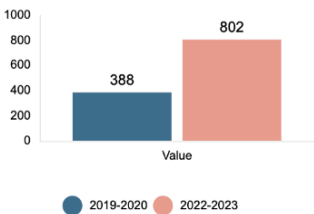
For 35 Days in 2021

Outdoor Air Quality in Boulder WAS UNHEALTHY FOR CHILDREN

BVSD Projected Enrollment



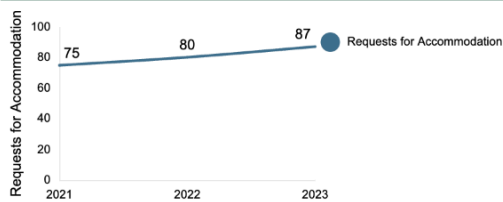
BVSD Children Experiencing Homelessness



Goal 5: Play and Leisure

Goal 5: Play and Leisure

Disability Accommodations in Recreation Programs*



* Each request accounts for one week of accommodations in city Parks and Recreation programs.

Subsidized Youth Visits to City Rec Centers

1,106 Low-income Youth Under 18 Received Fully Subsidized Passes to City Recreation Centers in 2022, Accounting for 5,975 Youth Visits That Same Year (valued at \$35,850).

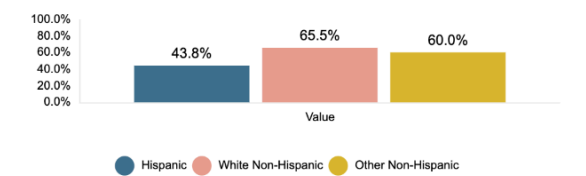
Subsidized Youth Passes in Community-Led Play

In 2022, the PLAY Boulder Foundation put \$64,750 towards supporting participation in community-wide recreation programs for 259 low-income youth. Physical activity increased for 90% of these young people.

Teens on Screens

73.2% of BVSD high school students spent **more than 3 hours** a day in front of a TV, computer, smart phone, or other electronic device for something other than schoolwork.

% Teens Participating in Organized Sports



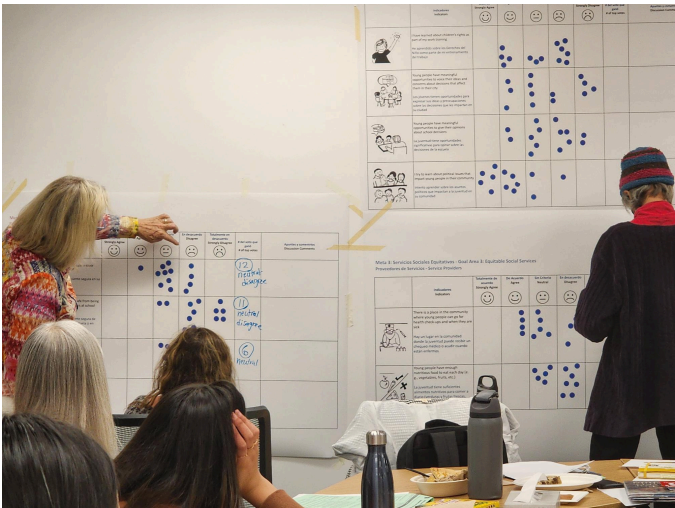
Acres of Urban Parkland

Overall, Boulder has about 18 acres of urban parkland per 1,000 residents - on par with other comparable cities. However, total neighborhood park acreage falls short of other cities by about 100 acres.

Youth Participation in City's Nature Programs

In 2022, the City's Open Space and Mountain Parks department reached 12,765 young people through field trips, assemblies, youth employment, family programs and bilingual adventures.

Data from Community Conversations only



Community Conversation Approach

Community conversations were conducted either in-person, in a focus group-type approach, or online, using a digital feedback form on the city's "Be Heard Boulder" website. Growing Up Boulder and its consultants, Mayamotion Healing and Uka Consulting, led the in-person community conversation process, and the City of Boulder led the online community conversation process. The Growing Up Boulder-consultant team trained both community partners and YOAB in the community conversations approach so partners and young people alike could facilitate their own engagements, if desired.

Growing Up Boulder, alongside Mayamotion Healing and Uka Consulting, implemented decolonized practices¹³ to facilitate "community conversations" as part of the UNICEF Child Friendly Cities Initiative. These conversations prioritized building relationships and recognizing the lived experiences of participants, particularly those from historically marginalized communities. Storytelling was emphasized as a key method for participants to share their experiences and insights. Through continuous check-ins with participants and community partners, the process embraced both reciprocity and mutual respect throughout engagements. When surveyed about the community conversations, 86% of participants agreed that, "My ideas about the health and wellbeing of youth were heard in Community Conversations" and 86% also agreed that, "'I believe I am helping our community by participating in the Community Conversations."

Barriers to participation were reduced through the provision of stipends, food, and child care, and efforts to demonstrate respect for participants' time and commitments. Transparent communication fostered trust and clarity with community partners, while a community-centered perspective allowed participants to maintain autonomy and ownership over their contributions. The process adopted a holistic approach, considering the broader context of participants' lives, which created an inclusive environment for authentic engagement. This effort reflected a deep commitment to equity, inclusion, and co-creating a vision for a more child-friendly city.

¹³ Thambinathan, V., and Kinsella, E. A. (2021). Decolonizing methodologies in qualitative research: Creating spaces for transformative praxis. *International Journal of Qualitative Methods*, 20, 1–9. <https://doi.org/10.1177/16094069211014766>



When considering qualitative data (community conversations) vs. quantitative data (government data), greater weight was given to the qualitative data. In community conversations, participants were intentionally selected from underserved communities and conversations focused on lived experiences. Sessions were presented in English, Spanish, and bilingually, respecting the wishes and needs of community groups. Interpretation, translation, and for out-of-school gatherings, meals or snacks, child care, and stipends were offered to thank participants for their time. These inclusive practices led to a high number of community organizations participating in the CFCI community conversation process.

Indicator selection

To narrow down the indicators, or questions, for the community conversations, the CFCI team held four workshops of various sizes: one for Boulder's Youth Opportunity Advisory Board (YOAB), another peer-to-peer workshop with YOAB working with Rocky Mountain Equality's youth group, a third with Boulder's CFCI Partnership Roundtable, and a fourth with Raíces Vivas youth. Organizations in the Partnership Roundtable were strategically identified as serving community groups most impacted by inequity. In both the youth and adult partner meetings, groups learned about the UNICEF Child Friendly Cities Initiative, Boulder's CFCI process and timeline, reviewed wellness indicators, and voted on the indicators most important to them. Data from the both meetings were analyzed and final priority indicators identified.

Community Conversation Toolkit

Growing Up Boulder, with support from Mayamotion Healing and Uka Consulting, designed a “Boulder Community Conversation Toolkit” to help the community engage young people in meaningful discussions about their needs, ideas, and experiences living in Boulder. The toolkit, which drew from several UNICEF USA documents, consisted of practical tools, step-by-step activities, and guidance for initiating conversations with youth. The toolkit focused on genuine dialogue, inclusivity, equity, and mutual respect. It helped facilitators create an environment where young people felt heard and valued, and provided an easy way for partners to share their community conversation data with the CFCI team through the use of Google Sheets.

Community Conversation Approaches in the toolkit included:

- a. Community conversations, aka “focus groups” (large, small, 1:1)
- b. Storytelling/experience-sharing sessions
- c. Artistic expression (arts, media, performance)
- d. Voting on priority indicator survey posters with colored dots (as a stand-alone approach and as a means to vote at the end of other methods used)
- e. Digital feedback form at the end of community conversations
- f. Digital feedback form through Be Heard Boulder (City of Boulder website)

At the end of in-person conversations, participants either completed a digital feedback form or voted on the priority poster corresponding to their specific age with colored dots. Some groups combined approaches, i.e. participating in a focus group or completing a digital feedback form or drawing their top priority and then using colored dots to vote.

Community Conversation Trainings

With the goal of reaching as many community partners as possible, the Boulder CFCI team facilitated four, two-hour Community Conversation trainings using the toolkit. Two trainings were hosted in English to 19 Boulder School District teachers and administrators. One training was hosted in English to 20 community partners and area youth, including members of the Youth Opportunity Advisory Board. One training was facilitated in Spanish with 12 community partners. All logistics and materials were managed and prepared by Growing Up Boulder staff.

During the trainings, the CFCI team reviewed the CFCI process as well as how to effectively facilitate a community conversation using the team’s approaches outlined in the Community Conversation Planning section above. Organizational leaders

practiced co-creating engagements during the trainings, giving the CFCI team insight into the unique wishes and needs of each group. Treating children and youth as the experts of their own lived experience was emphasized. Whichever community conversation activity was chosen, the goal of each conversation was to authentically connect with young people, facilitate a meaningful discussion, and to vote on their top 3 priorities. The trainings encouraged staff reflection after each engagement in order to “reflect, evolve, adapt.”

Community Conversation In-Person Focus Groups

The Boulder CFCI team engaged with local schools, nonprofit organizations, City of Boulder and Boulder County out of school programs, and Boulder’s youth leadership team, YOAB. In total, 683 children, youth, parents, elders, caregivers, and service providers participated in 32 Community Conversations (see summary table below).

Demographics of Community Conversation In-Person Focus Groups

Age	Number of Groups/ Participants	Demographic	Community Conversation Approach
Parents 0-5	8 groups: 127 participants total	Predominantly Latinx	Storytelling, discussion, and voting
Preschool	1 group: 107 participants	Varied race and income	Art activity
Youth 6 -11	13 groups: 275 participants total	White and other race; mixed income levels	Discussion, paper survey and voting Drawing, experience writing, and whole class chart making
Youth 12 - 18	9 groups: 165 participants total	Predominantly Latinx	Storytelling, discussion, digital surveys, and voting
Service Providers	1 group: 9 participants	Mental Health Providers	Discussion, digital survey, and voting
Total	32 groups/683 participants		



The results of community conversations, sorted by age groups, are summarized in the tables below.

Children's (6 - 11) Top Priorities in Focus Groups

<p><u>Group 1 N = 7</u> All Latinx Fabricated Homes</p> <p>Green and blue spaces Safe Outside areas Time in nature</p>	<p><u>Group 2 N = 23</u> Whittier Elementary Mixed SES¹⁴ - 5 FRL 8 Bilingual</p> <p>Voice ideas to the city Opinions about school Safe from bullying</p>	<p><u>Group 3 N = 22</u> Whittier > 5 countries</p> <p>Safe from bullying Accessible play areas Emergency Preparedness</p>	<p><u>Group 4 N = 40</u> Heatherwood Elementary 3 nonbinary</p> <p>Voice ideas to the city Emergency Preparedness Get enough sleep Walk, bus, bike safety</p>
<p><u>Group 5 N = 18</u> Whittier 5 bilingual 9 bicultural 3 FRL</p> <p>Opinions about school Accessible play areas Safe from bullying Get enough sleep</p>	<p><u>Group 6 N = 18</u> Whittier 9 bilingual approx 7 FRL</p> <p>Accessible play areas Safe from bullying Get enough sleep</p>	<p><u>Group 7 N = 35</u> Heatherwood</p> <p>Get enough sleep Voice ideas to the city Opinions about school Safe Outside play area</p>	<p><u>Group 8 N = 28</u> Heatherwood</p> <p>Green and blue spaces All identities equally respected Opinions about school Voice ideas to the city</p>

¹⁴ SES = Socioeconomic Status, FRL = Free and Reduced Lunch

<p><u>Group 9 N = 16</u> Heatherwood</p> <p>Voice ideas to the city Safe Outside areas Accessible play areas Know child rights</p>	<p><u>Group 10 N = 16</u> Heatherwood</p> <p>Safe in my community Voice ideas to the city Accessible play areas</p>	<p><u>Group 11 N = 13</u> Whittier</p> <p>Safe outside play spaces Time in nature Green and blue spaces</p>	<p><u>Group 13 N= 29</u> Heatherwood Mixed SES English L1 speakers</p> <p>Walk, bus, bike safety Voice ideas to the city Safe in my community Accessible play areas</p>
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Teens' (12-18) Top Priorities in Focus Groups

<p><u>Group 1 N = 11</u> High School Youth Advisors with A La Raiz, OASOS, TEPP, IYC, HFYC</p> <p>Get enough sleep Child Rights Give opinions about school Time in nature</p>	<p><u>Group 2 N = 7</u> 7th grade AVID class. MHP</p> <p>All identities equally respected Give opinions about school Safe from bullying Safe at School</p>	<p><u>Group 3 N = 17</u> Raizes BIPOC middle school</p> <p>All identities equally respected Get enough sleep Safe places to play Time in nature</p>
<p><u>Group 4 N = 4</u> All Latinx San Lázaro</p> <p>Safe drinking water Voice ideas to the city Voice opinions about school Emergency preparedness</p>	<p><u>Group 5 N =15</u> MHP BVSD Middle and High</p> <p>All identities equally respected Safe from bullying Affordable housing</p>	<p><u>Group 6 N = 22</u> YOAB Town Hall</p> <p>All identities equally respected Unhappy with education Safe from bullying</p>
<p><u>Group 7 N = 34</u> All Latinx FLC</p> <p>All identities equally respected Safe from bullying Safe from harassment in public</p>	<p><u>Group 8 N = 16</u> Sources of Strength Casey MS - Mixed group</p> <p>Safe from harassment in public Get enough sleep Give opinions about school Safe from bullying</p>	<p><u>Group 9 N = 39</u> Private Middle School</p> <p>All identities equally respected Safe from harassment in public Walk bus, bike safety Safe at School</p>

Parents'/Elders'/Caregivers' Top Priorities in Focus Groups

<p><u>Group 1 N = 7</u> All Latinx FET Safe Places to Play Safe from harassment in public Time in nature Voice ideas to the city</p>	<p><u>Group 2 N = 7</u> All Latinx 2 Fabricated home residents Safe Places to Play Walk bus, bike safety Safe from bullying</p>	<p><u>Group 3 N = 7</u> All Latinx Centro Amistad 2 Fabricated home residents NEED TO LOOK AT PACKETS</p>
<p><u>Group 4 N = 28</u> New Horizons preschool Centro Amistad Mixed group, mostly Latinx Safe Places to Play Safe from harassment in public Affordable health care Affordable housing</p>	<p><u>Group 5 N = 19</u> All Latinx Family Learning Center Safe from harassment in public Safe Places to Play Safe from bullying Safe drinking water</p>	<p><u>Group 6 N = 9</u> All Latinx San Lázaro Safe Places to Play Safe drinking water Voice ideas to the city</p>
	<p><u>Group 7 N = 34</u> Autism Society Walk bus, bike safety Safe from harassment in public Safe from bullying Voice ideas to the city</p>	<p><u>Group 8 N = 16</u> All Latinx Centro Amistad Walk bus, bike safety Safe from harassment in public Safe from bullying Affordable housing Time in nature Accessible Playgrounds</p>



Community Conversation–Online feedback form data from Be Heard Boulder

Using the City of Boulder’s “Be Heard Boulder” online platform, community members completed an online feedback form about Boulder’s child-friendliness. Be Heard Boulder serves as a digital hub where residents can share their ideas, provide feedback, and stay informed about ongoing and upcoming projects. This feedback form was voluntary and open to anyone in the community. The majority of respondents were: white-identifying, adults, and affluent. Below, the numbers are further explained:

respondents by age:

- 14 children
- 46 teens
- 130 parents
- 17 service providers
- Total: 207 respondents

Demographics of parent/elder/caregiver respondents:

- 63% make \$100,000+/year + 15% prefer not to say
- 82.8% homeowners
- 70% white + 10% prefer not to say race

Children 6-11 N=14	Youth 12-18 N=46	Parents /elders /caregivers N=130	Service providers N=13
Accessible play areas, Share opinions with city Safe outdoor play areas, Bus, bike, walk safety, safe in my community	All identities equally respected Share opinions with school Accessible play areas	Share opinions with city Walk, bus, bike safety Safe from harassment in public	Affordable housing Safe from being bullied All identities equally respected

Community Conversation Results (Focus Groups + Online Feedback Form)

In keeping with the UNICEF CFCI principle of combating discrimination, the Boulder CFCI team prioritized hearing from children, youth, and parents, caregivers and elders, from historically marginalized groups. Feedback responses were collected on Google Forms and sorted by demographic and age groups. Priority areas were tallied and analyzed. Nearly 70% of the participants in community conversations identified as being part of an underrepresented group, with the majority of participants identifying as Latinx.

Safety and child/youth voice were overall themes in the data. “Safe from Bullying” was a priority issue that all three groups identified. Older youth and adults noted bullying based on identities such as race, gender expression, sexuality, income, and immigration status, and included some online bullying, although it was primarily focused on in-person, at-school bullying. Five priority issues were identified by 2 groups: Safe outdoor Play Areas, Give My Opinions About School, Share Opinions With City, Safe from Harassment in Public, and Walk, Bike, Bus Safety.

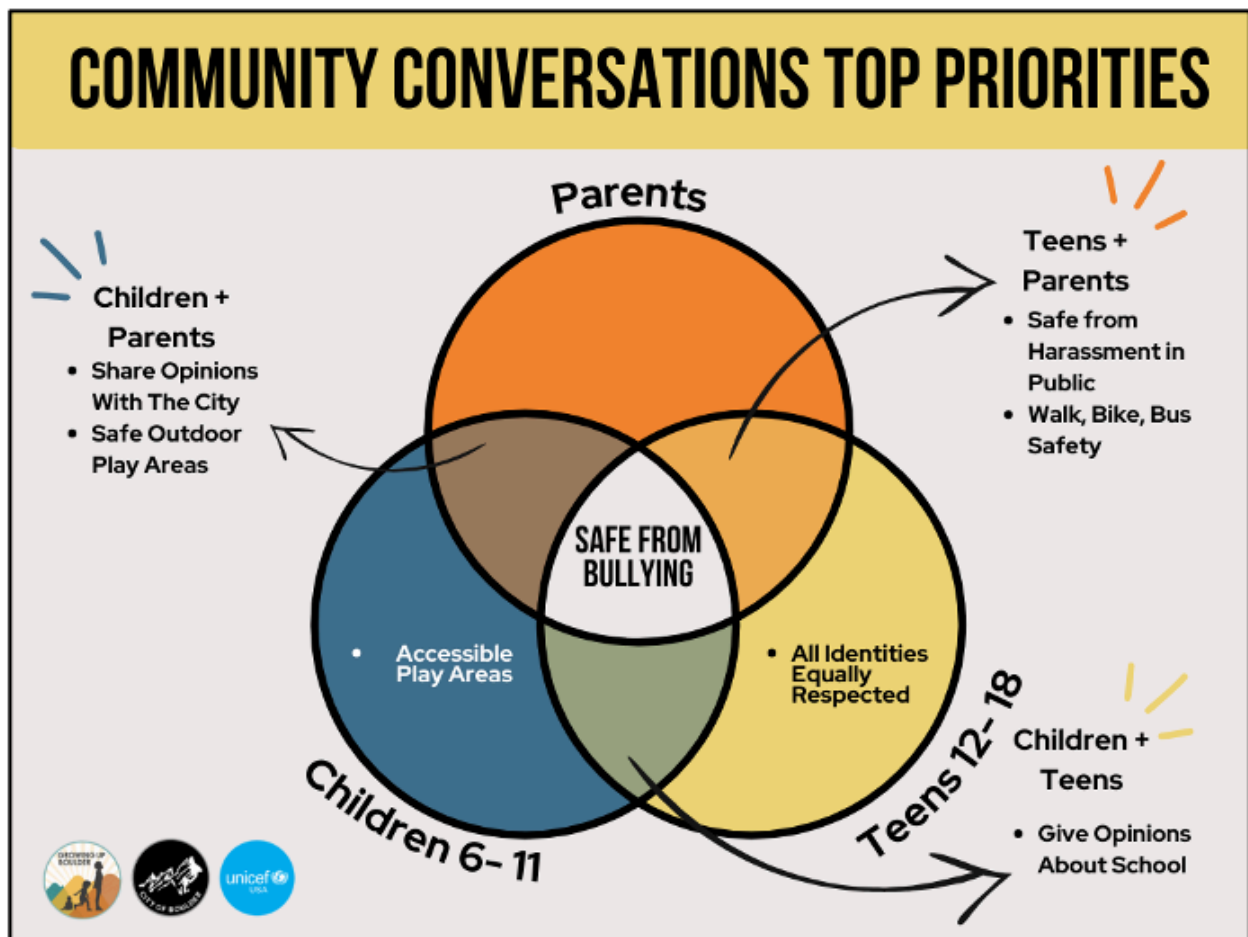
- **Safe from Bullying** - a priority for all three groups
- **Safe outdoor Play Areas** - a priority for two groups
- **Give My Opinions About School** - a priority for two groups
- **Share Opinions With City** - a priority for two groups
- **Safe from Harassment in Public** - a priority for two groups
- **Walk, Bike, Bus Safety** - a priority for two groups

The table below summarizes the top priorities for each age group, and it combines data collected in person and online. Please note that service providers are not included in this table, as there were few participants from this group.

Ages 6-11 Focus gps 13 groups - 275 participants + BHB survey 14 participants	Ages 12-18 Focus gps 10 groups - 174 participants + BHB survey 46 participants	Parents Focus gps 8 groups - 127 participants + BHB survey 130 participants
Accessible Play Areas	All Identities Equally Respected	Safe from Harassment in Public
Safe Outdoor Play Areas	Safe from Bullying	Safe Outdoor Play Areas

Ages 6-11 Focus gps 13 groups - 275 participants + BHB survey 14 participants	Ages 12-18 Focus gps 10 groups - 174 participants + BHB survey 46 participants	Parents Focus gps 8 groups - 127 participants + BHB survey 130 participants
Share Opinions With The City	Give My Opinions About School	Walk, Bike, Bus Safety
Give Opinions About School	Safe from Harassment in Public	Safe from Bullying
Safe from Bullying	Walk, Bike, Bus Safety	Share Opinions With The City

This infographic highlights the top priorities by age group:



Part 5: Creating a Youth Action Plan

Youth Action Plan Workshops



After collecting and analyzing the Situation Analysis, the next step in the CFCI process was to move towards the creation of a Youth Action Plan, also known as a Local Action Plan by UNICEF USA. During the Fall 2024, youth from YOAB and staff from the City of Boulder, Growing Up Boulder, and Mayamotion Healing held two Youth Action Plan (YAP) Workshops at a city building. These intergenerational workshops were attended by young people in 6th-12th grade, parents and elders, and adult representatives of community partner organizations. This included:

- Workshop 1: 10 youth, 25 adults
- Workshop 2: 27 youth, 15 adults

As described in the previous section, the top six priorities going into the Youth Action Plan Workshops were:

- 1) Safe From Bullying (Goal Area 1: Safety and Inclusion)
- 2) Safe Outdoor Play Areas (Goal Area 5: Play and Leisure)
- 3) Safe From Harassment in Public (Goal Area 5: Play and Leisure)
- 4) Walk, Bike, and Bus Safety (Goal Area 5: Play and Leisure)
- 5) Give My Opinions About School (Goal Area 2: Child Participation)
- 6) Share Opinions About the City (Goal Area 2: Child Participation)

The purpose of Youth Action Plan Plan Workshop 1 was to:

- ❖ Continue to invite diverse youth perspective into this part of the process
- ❖ Review the six priority areas indicated from the Situation Analysis Data
- ❖ Discuss lived experiences relating to the six priorities
- ❖ Vote on which three priorities were most important to youth, and
- ❖ Recruit for the Youth Action Plan Committee.

Youth attending this workshop selected the following as their top three areas of concern:

- Safe from Bullying
- Safe from Harassment in Public
- Give My Opinions About School

Because a small number of youth attended the first workshop, youth were asked about their top priority areas again in the second workshop.

Using a similar engagement framework, Workshop 2 offered an opportunity to diverse youth to share their views. The purpose was to:

- ❖ Review the Boulder CFCI process
- ❖ Review the six priority areas indicated from the Situation Analysis Data
- ❖ Discuss lived experiences relating to the six priorities
- ❖ Identify possible root causes behind the priority issues
- ❖ Narrow the six priorities down to three priorities
- ❖ Begin brainstorming possible activities to address priority issues, and
- ❖ Recruit for the Youth Action Plan Committee.

YOAB members summarized the meeting, then shared the information with Boulder CFCI stakeholder groups.

Following the two primary workshops, Growing Up Boulder and consultant, Mayamotion Healing, facilitated two additional workshops with community groups that either weren't able to attend Workshop 2 or felt more comfortable attending Workshop 2 in their regular group setting. Mayamotion Healing facilitated a Spanglish workshop with 19 middle school youth in the Raíces Vivas program of the nonprofit, El Centro Amistad, and Growing Up Boulder facilitated an English/Spanish/Spanglish workshop with 10 youth at the Family Learning Center.

Youth Voting on Priority Areas from Youth Action Plan Workshop

The table below summarizes voting from the 52 youth who participated in the Youth Action Plan workshops.

Youth Voting on Priority Areas ¹⁵				
Priority area	Priority totals	YAP Workshop	Raíces Vivas	Family Learning Center
Description of youth participants		27 middle and high school youth, youth from a variety of youth organizations and youth not affiliated with organizations	19 middle school youth of color, representing immigrant, Spanish-speaking, mixed-immigration status, and newcomer communities	6 middle and high school youth identifying as BIPOC and living in affordable housing
Safe from harassment in public	Priority for 2 groups	25 votes Priority 1	7 votes Priority 3 ¹⁶	1 vote
Walk, bike, bus safety	Priority for 1 group	11 votes	5 votes	6 votes Priority 1
Safe outdoor play areas	Priority for 2 groups	7 votes	29 votes Priority 1	4 votes Priority 2
Safe from bullying	Priority for all 3 groups	22 votes Priority 2	14 votes Priority 2	5 votes Priority 3
Give my opinions about school	Priority for 1 group	12 votes Priority 3	5 votes	1 vote
Share opinions with city		5 votes	3 votes	0 votes

¹⁵ For detailed reports from each workshop, read [Youth Action Plan Workshop 2 report](#) by YOAB, [Raíces Vivas YAP workshop report](#) by Mayamotion Healing, and [Family Learning Center YAP workshop report](#) by Luciana Escribens.

¹⁶ We estimated the total number of votes, as Raíces Vivas youth each received approximately 10 stickers vs other groups, whose students received 3 stickers each. In order to make voting more comparable, for Raíces Vivas, we divided the total number of stickers per priority area by 3 to estimate the number of votes per priority area.

Explanation of priority results

Bullying

One top priority clearly emerged: all 3 youth groups prioritized “safe from bullying.” Not only did discussions in all 4 Youth Action Plan workshop groups center around bullying, but in Community Conversations, a) bullying from peers and b) teachers not acting as upstanders when witnessing peer-to-peer bullying, emerged repeatedly.

Safety

While there was no consensus among the youth groups on which location of safety (bus stops, playgrounds, or all public spaces) mattered most to them, there was consensus on the reasons they felt unsafe in various locations around Boulder.

Lack of safety due to unsocial behaviors attributed to unhoused populations

Whether they chose “safe from harassment in public,” “walk, bike, bus safety” or “safe outdoor play areas,” all 3 groups of youth expressed feeling unsafe due to unsocial behaviors exhibited by community members who appeared to be unhoused. This lack of safety was expressed by youth from all demographics—it spanned across age, race, gender expression, and where youth live or go to school.

Youth expressed concerns over open air drug use, which included viewing people using drugs, being offered drugs, and seeing needles frequently in parks, at bus stops, public restrooms, and in other public spaces. Some youth shared that they were unable to use the park next to their elementary school for a month due to needles and a bag of drugs being discovered on site.

Youth also described feeling unsafe when graffiti was present, such as at the downtown Boulder bus station.

Finally, youth felt unsafe due to unpredictable behaviors from unhoused individuals, including strangers talking to them, making unwanted comments to youth, individuals arguing with themselves or others, and more.

Lack of safety due to racism, discrimination and lack of culturally inclusive spaces

Another cause of youth feeling unsafe was due to racism, discrimination, and a lack of culturally inclusive and welcoming spaces. Youth, particularly those with marginalized identities, described not having enough community spaces where they felt safe to gather, play, and simply be themselves. They highlighted how their identities—rooted in immigration, cultural heritage, language, and mixed-immigration status, diverse gender identities and sexual orientations, and

those experiencing disabilities—often left them feeling excluded or unsafe in public spaces¹⁷. These conversations explored root causes of these barriers, including:

- Experiences of racism and discrimination in their schools and communities
- The lack of culturally inclusive and welcoming spaces where they feel they truly belong
- The impact of immigration-related stigma, queer stigma, and disability stigma systemic inequities
- Hate speech and harmful rhetoric, including from figures like President-Elect Trump, which heightened their fears of exclusion and hostility
- Uncertainty and anxiety tied to the recent election results, amplifying concerns about safety and community well-being

Give Opinions About School

While some youth at Youth Action Workshops expressed interest in sharing their opinions at school, for other young people, this was not a priority area. For example, some youth from Raíces Vivas expressed that, because they did not feel a sense of belonging at their schools or in their city and they did not feel valued for who they were, it seemed unlikely that adults would take their opinions seriously; therefore, they were skeptical about the idea of sharing their opinions with decision-makers. Before sharing their opinions with schools, they would want to know that schools would value them and truly consider their input.



¹⁷ This language comes from Mayamotion Healing's description of the Raíce Vivas engagement, but it is edited to include LGBTQ+ and disabled identities, as this was similarly reflected by youth identifying as LGBTQ+ and neurodiverse.

Part 6: Next Steps and Priority Areas

CFCI Youth Council

In December 2024, YOAB began recruiting teens for the CFCI Youth Council. The committee, which will be comprised of youth in 6th-12th grade, will be tasked with creating a city Youth Action Plan that describes the top 3 youth-selected CFCI priority areas, and outlines activities to improve each priority area. City of Boulder staff, Growing Up Boulder, and Mayamotion Healing will support the Youth Council in designing the Youth Action Plan. The creation of the plan will take place from January through April 2025, with the goal of presenting a draft of the plan to City Council in May 2025.

Part 7: Acknowledgements

Working towards becoming a UNICEF Child Friendly City is a substantial effort. Thank you to the following people, who have tirelessly and whole-heartedly contributed to this process.

CFCI Leadership Teams

- Ali Rhodes, City of Boulder, Parks and Recreation, Director
- Amber Stone, UNICEF USA, Deputy Director, Municipal Partnerships
- Cathy Hill, Growing Up Boulder, Education Director
- Christy Spielman, City of Boulder, Parks and Recreation
- Danielle Goldberg, UNICEF USA, Managing Director, Community Alliance for Child Rights
- Deryn Wagner, City of Boulder, Parks and Recreation, Senior Landscape Architect
- Elizabeth Crowe, City of Boulder, Housing and Human Services, Deputy Director
- Jean Sanson, City of Boulder, Transportation and Mobility Services
- Luciana Escribens, Growing Up Boulder, Planning Manager
- Lyric Vigil, UNICEF USA, Community Engagement Associate
- Mara Mintzer, Growing Up Boulder, Executive Director
- Mario Martinez Varelas, City of Boulder, Housing and Human Services, Youth Opportunities Program Manager
- Maya Sol Dansie, Mayamotion Healing and El Centro Amistad
- Nicole Sager, Uka Consulting

- Sam Clusman, City of Boulder, Communications and Engagement, Communication Program Manager
- Sarah Huntley, City of Boulder, Communication and Engagement, Director
- Stew LaPan, City of Boulder, Innovation and Technology
- Wanda Pelegrina Caldas, City of Boulder, Housing and Human Services, Youth and Family Services Manager
- Zoe Zawisa, former UNICEF USA, Community Engagement Associate

YOAB, 2022-25

Amelia Grayson
Avery Stuhlbarg
Chloe Manning
Claire Neslage
Daniel Lin
Elias Weatherley
Elliot Dobbs
Finley Wheeler
Gavin Robinson
Henry Keig
Ivy Maximon
Jackson Kirshner
Jonny Staffor
Josephine Orth
Josue Hernandez Gomez
Lexi Oder
Lucy Hessling
Maddie Vandenoever
Madelyn Barnes
Marina Griffin
Osvaldo Garcia Barron
Payton Allman
Rachel Tilton
Rafael Hernandez Guerrero
Ryler Horansky
Saiyora Keilbach
Sasha Framularo
Sasha Livingwell
Wendell Lewis

Community Partners

These community partners engaged with CFCI many times throughout the process.

- Ana Casas and Maya Sol Dansie, El Centro Amistad
- Alysia Hayes, Whittier Elementary School
- Isolde Stewart, New Horizons Preschool
- Katie Volkmar, Heatherwood Elementary School
- L'Shawn Howard, Family Learning Center
- Stephanie Morgan, Manhattan Middle School
- Tamar van Vliet, Whittier Elementary School

CFCI Community Partners

The following community partner organizations participated in at least one or more CFCI activities.

Association for Community Living
 Autism Society Boulder County
 Blue Sky Bridge
 Boulder Chamber of Commerce
 Boulder Community Hospital
 Boulder Country Day School
 Boulder County Head Start
 Boulder County Public Health Department–Generations, Genesis
 Boulder County Public Health Department–Healthy Future Youth Coalition
 Boulder County Public Health Department–Inspire Youth Connections
 Boulder County Public Health Department–OASOS
 Boulder County Public Health Department–Early Childhood
 Boulder County Transportation and Mobility for all
 Boulder Families with Disabilities
 Boulder Museum of Contemporary Art (BMoCA)
 Boulder Housing Partners
 Boulder Journey Preschool
 Boulder Public Library
 Boulder Valley School District (BVSD–administration
 BVSD–American Indian Parent group
 BVSD–Whittier Elementary School
 BVSD–Manhattan Middle School
 BVSD–Casey Middle School
 BVSD–Heatherwood Elementary School
 BVSD–Columbine Elementary School
 Growing Up Boulder families of kids with disabilities
 Clinica

Colorado Statewide Parent Coalition
EcoArts Connections
El Centro Amistad
Emergency Family Assistance Association
Family Learning Center
I Have a Dream Foundation
Imagine!
Mayamotion Healing
Mental Health Partners
National Wildlife Federation–Early Childhood Health and Outdoors (ECHO)
New Horizons Preschool
Raices Vivas
Rise Against Suicide
Rocky Mountain Equality (formerly Out Boulder County)
Safehouse Progressive Alliance for Non-Violence (SPAN)
Uka Consulting
United Nations Boulder County Association
University of Colorado Boulder–Crown Institute
University of Colorado Boulder–Geography Department
Women’s Wilderness
City of Boulder–Youth Service Initiative (YSI)

Appendix

Those desiring greater detail about Boulder’s CFCI process will find expanded explanations and document links in this Appendix.

History of Child and Youth Engagement in Boulder (expanded)

The City of Boulder’s Youth Opportunities Program History

Youth engagement in Boulder, Colorado, has a rich history shaped by the city's culture of progressive politics, environmental stewardship and innovation. The city of Boulder’s Youth and Family Services Manager, Wanda Pelegrina Caldas, researched and compiled the following history of the city’s Youth Opportunities Program (YOP). While a few details remain unclear (i.e., there are two “origin stories” in the Youth and Family Services files), this comprehensive timeline offers a good overview of city programs dedicated to serving young people and their families.

1969: Youth Services began when Boulder received a grant from the Federal office of Juvenile Justice and Delinquency Prevention (OJJDP) to establish Colorado’s first Youth Services Bureau with the intent to assess needs of

first-time offenders (teens) in the criminal justice system, and to coordinate and provide services to decrease the likelihood of re-offending.

1970: In response to a rise in delinquency, pregnancies, violent behaviors and suicide, the City of Boulder (COB) established the Youth Services Division under a Federal Law Enforcement Administration grant to provide services to Boulder youth and families including counseling, community organization, program development and youth advocacy. City analysis found a need for increased community involvement and intervention, with an emphasis on youth participation in planning, development and coordination of services. (Source: YFS historical files)

1972: Youth Services (YS) programs looked to address the issue of “things for kids to do.” YS offered space for kids to hang out, including a drop-in center, a coffee house, and later a no-alcohol nightclub.

YS ran the Youth Action Center, a multi-service outreach program that targeted out of school youth. When the OJJDP funding ended, the COB began a closer relationship with BVSD. The partnership consisted of referrals from schools to assess youth identified as being involved with drugs and/or alcohol and provide treatment recommendations. (See 1983 Peer Counseling timeline item below. Source: YFS historical files)

24 Feb. 1981: Daniel Escalante, a city HR employee, applied for and successfully obtained a vending permit to sell burritos, tamales, nachos and lemonade on the west end of the “Downtown Boulder Mall,” directly in front of Hurdle’s Jewelry store. The intent was for the cart to raise money to sponsor a Lafayette junior frisbee team, covering the cost of t-shirts, frisbees and travel expenses.

In addition, Escalante, who had experience as a counselor and youth advocate, wanted to use the cart to teach young adults how to run a small business, supporting their need to find part- or full-time employment (in response to a high rate of teen unemployment). He also hoped to offer a relatively inexpensive menu that “more accurately represented the food of Boulder County Chicanos” and brought a “touch of diversity and regional authenticity” to the mall. (Source: COB Laserfiche Boards and Commissions files: 03.11.81 – DMC Packet – letter from Escalante -packet includes drawing of cart building specs, a letter of support from Old Chicago General Manager, Gary Foreman and Escalante’s curriculum Vitae)

April 1982: Burritos Bros. applied for a menu addition/revision to sell cold foods during hot weather months including popsicles and chocolate covered bananas. (Source: COB Laserfiche Boards and Commissions files: 04.14.82 – DMC Packet)

25 May 1982: The Burrito Brothers, Inc., leased their business, a burrito vending cart, to Youth Services for the term of two years for \$3000, with the option to buy at the end of the lease. The cart, which sold burritos on the 1400

- block of Pearl Street, was run by youth and operated at least seven to eight months out of each year, open at least six to eight hours daily, six days a week. Customers were “100s of people working within a 6-block radius of the cart location, mall strollers and tourists and groups and organizations, etc. who would buy burritos and tamales by the dozen for parties, luncheons and meetings.” An information market survey was conducted at the location to survey interest. (Source: YFS historical files and COB Laserfiche Boards and Commissions files: 03.11.81 – DMC Packet)
- 1983: A survey of 400 youths confirmed the belief that drug and alcohol abuse was at an all-time high for local teens. Boulder (and CO) young people were using “more frequently and more abusively” than youth nationally. (Source: YFS historical files)
- With the help of a youth leadership team, a no alcohol nightclub, UP THE CREEK, was established for youth 12-18. UP THE CREEK sponsored weekend parties, Alcoholics Anonymous meetings for young people, parent education and training, and a facility for peer counseling training. Over 3,000 young people were admitted to UP THE CREEK in its first year.
- 1983: YS began teaching Peer Counseling at Boulder High School. (See 1987 Boulder County Intervention Program timeline item below. Source: YFS historical files)
- 1984: With support from the city's Community Development Program, UP THE CREEK facilities expanded. The expanded facility became a model for drug and alcohol prevention in several communities statewide.
- UP THE CREEK was managed by the nonprofit, Youth Enterprises, Inc., which trained youth in the operation of management of business enterprises. By the end of 1984, over 40 youth volunteers received on the job training as disc jockeys, waitpersons, bartenders and security personnel. (Source: YFS historical files)
- 1987: Peer Counseling partnership formalized as the Boulder County Intervention Program (BCIP) as a collaboration between COB, St. Vrain and Boulder Valley School Districts, Boulder County Public Health, the Mental Health Center and other community agencies in Lyons and other nearby towns. This marked the first time BVSD contributed financially to the partnership. (Source: YFS historical files)
- 1988: [WPC1] YS Mediation Program (originally known as the Parent-Adolescent Mediation Program (PAMP) and a predecessor the city's Community Mediation Program) begun with a federal grant to address school dropout and absenteeism by providing a forum through which parents and teens could constructively resolve family conflicts. (See 1994 Community Mediation Service (CMS) timeline item below. Source: YFS historical files)

1991: Peer Counseling program changed emphasis to become the Multi-Cultural Peer Leadership program with focus on a wider diversity of students that became more involved in addressing school and community issues through service projects presentation, assemblies and other means. The BCIP would continue to focus on health and wellness as the Boulder County Prevention and Intervention Program (BCPIP). (Source: YFS historical files)

June 1993: Council approved the formation of the Youth Opportunities Program (YOP), which grew out of two convergent initiatives: 1) the results of a survey to Boulder youth and a report to city council about the extent to which city programs and services were meeting youth needs, and 2) the approval by Boulder citizens in Nov. 1992 of the .15% sales tax and its earmarking a percentage for "youth opportunities."

Among staff recommendations resulting from the youth survey was the suggestion that young people have a mechanism for ongoing input to Council. Council created the Youth Opportunities Advisory Board (YOAB) and charged it with 1) advising the city on youth-related programs and policy, and 2) recommending expenditures of the Youth Opportunities Fund (about \$150,000 per year). (Source: YFS historical files)

1994: Community Mediation Service (CMS) became part of the YS after the termination of the grant for the PAMP. The YS Mediation Program (YSMP) expanded to include training for teens to become mediators and take on a wider variety of cases involving young people. By 1994, the YSMP and CMS were operating in close collaboration under one steering committee. (Source: YFS historical files)

1994: First round of funding from the Youth Opportunities Fund: Distribution of \$5,758 to the youth community through the Individual Grants Fund. (Source: YFS historical files)

1995: Youth Opportunities Fund expanded to include the Special Projects/Annual Grants Fund: Distribution of \$167,840 to individuals and community groups. (Source: YFS historical files)

1997: Addition of the Community Service Fund: Distribution of \$67,588. (Source: YFS historical files)

March 1999: Planning Board approved a request from HHS to add a 950 square foot expansion to the Youth Services Building at 2160 Spruce Street. This would become the space to co-located all the programs of the Children, Youth and Families Division. (Source: COB Laserfiche Land Use Review files: Use Review #UR-98-19 lots of documents)

2000: Addition of the Group Activities Fund: Distribution of \$140,302. (Source: YFS historical files)[WPC3]

2015: Children, Youth and Families Division closed Child Care Services and became Family Services (comprised of the Child Care Subsidy and Family Resource Schools programs); YOP moved under Community Relations.

2018: YOP moved back to the Family Services Division. (Family Services becomes Youth and Family Services).

2019: YOP piloted the Youth Opportunities Internship program in collaboration with city manager and Parks and Recreation. Ten high school aged interns worked in city offices assisting city staff in summer programs.

April 2020: All YOP programs and events were discontinued due to closures related to the COVID-19 pandemic. Youth Opportunities Fund closed indefinitely.

July 2020: YOP reopened; YOAB reinstated remotely.

Aug. 2021 to Aug. 2022: YOAB underwent a yearlong evaluation to determine changes in youth need and program effectiveness post-pandemic.

Sept. 2022: YOAB launched with a new model.

June 2023: Post-pandemic relaunched YOI with a new model to include a professional and leadership skills development and competitive wage.

Growing Up Boulder's Roots¹⁸

The roots of Growing Up Boulder, the City of Boulder and the Child Friendly Cities Initiative are also historically fused. Growing Up Boulder and the City of Boulder's partnership towards becoming a recognized CFCI is an outcome of relationships that began more than twenty years ago, during preparations for Habitat II, the Second United Nations Conference on Human Settlements, held in Istanbul, Turkey in 1996. The Convention on the Rights of the Child had been ratified by the United Nations in 1989, and both UNICEF and UNESCO (the United Nations Educational, Scientific and Cultural Organization) wanted to embed respect for children's rights into the Habitat Agenda, the document emerging from Habitat II discussions, and to integrate it into urban programs internationally.

Recognizing that the majority of the world's children would soon live in cities, UNICEF commissioned the book Cities for Children: Children's Rights, Poverty and Urban Management (1999) by Sheridan Bartlett, Roger Hart, David Satterthwaite, Ximena de la Barra and Alfredo Missair on strategies for local authorities and urban policies to create supportive conditions for children, including the most disadvantaged. As representatives of UNICEF, the authors advocated for the

¹⁸ This section was excerpted from reflections by Professors Willem van Vliet- and Louise Chawla in 2023.

recognition of all children's rights during the drafting of the Habitat Agenda, including rights to positive involvement in their communities. At the conclusion of Habitat II, UNICEF continued its research and advocacy on behalf of urban children, resulting in the establishment of the Child Friendly Cities Initiative in 2000, headquartered at that time in UNICEF's Innocenti Research Center in Florence, Italy.

On its side, UNESCO supported the revival of Growing Up in Cities as its contribution to Habitat II. Growing Up in Cities was originally conceived by Kevin Lynch, a professor of urban planning and design at MIT. He proposed it to UNESCO in 1970 using the reasoning that children and youth need to be involved in creating sustainable cities. Beginning in four countries, the program pioneered participatory methods to engage young people in evaluating their local urban areas and creating good communities in which to grow up.

From the beginning, the emergence of the Child Friendly Cities Initiative and revival of Growing Up in Cities were allied. Four of the authors of Cities for Children (Bartlett, Hart, Satterthwaite and de la Barra) served as advisors for Growing Up in Cities as it gained new life, and Louise Chawla, who coordinated new Growing Up in Cities sites, joined UNICEF meetings during the drafting of the Habitat Agenda. The Preamble to the Habitat Agenda prominently includes children's rights to participation:

"The needs of children and youth, particularly with regards to their living environment, have to be taken fully into account. Special attention needs to be paid to the participatory processes dealing with the shaping of cities, towns and neighbourhoods: this is in order to secure the living conditions of children and youth and to make use of their insight, creativity, and thoughts on the environment."

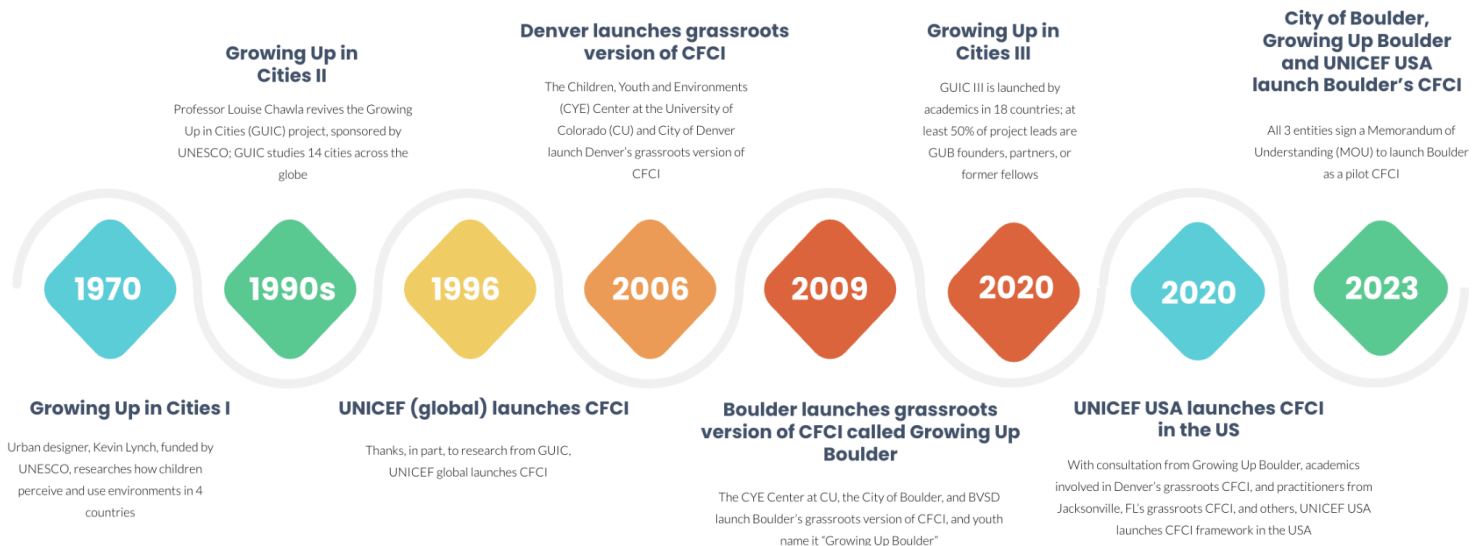
From the beginning, Growing Up Boulder was designed as a fusion of the Child Friendly Cities Initiative and Growing Up in Cities. In 2006, Professor Willem van Vliet created a Children, Youth and Environments (CYE) Center in the Program in Environmental Design at the University of Colorado. Professor Louise Chawla joined the design program to help develop the new center.

Growing Up Boulder came about in 2009 in the wake of Denver's Child- and Youth-Friendly Initiative, a program initiated by the University of Colorado's Community Design and Research (CEDaR) center's predecessor, the Children, Youth and Environments Center (CYE). That program was a partnership with several city departments in Denver's mayor's office and the nonprofit Assets for Colorado Youth (ACY), working with other city-wide organizations and involving active participation by youth from across the city. This Denver initiative ran from 2004 till 2007. It produced important lessons for Growing Up Boulder.

When David Driskell arrived in Boulder in December of 2008 as the City of Boulder's Director of Community Planning and Sustainability, he reacted enthusiastically to a suggestion by Professor van Vliet– that they launch a new initiative to make Boulder a CFCI, based on principles of the UNCRC. This new initiative directly benefited from the Denver experience. It made CYE and CU Boulder at large the central axis of a partnership with the City of Boulder's Community Planning and Sustainability department and Boulder Valley School District. It also embarked on concrete projects with the goal of setting precedents to demonstrate young people's competence and show the value of their contributions to local planning.

Begun in 2009, the name of this new initiative, Growing Up Boulder, came from participating youth. Its overall goal was to bring about a culture change so that youth participation in local affairs would no longer be extraordinary, but mainstream and routine. Professor Chawla joined the initiative, bringing her experience leading UNESCO's revival of Growing Up in Cities, and Mara Mintzer additionally joined the team, contributing with her background in organizing and running programs for underserved children and families. With Growing Up Boulder, the City of Boulder, and UNICEF USA now partnering in the 2020s to make Boulder a recognized CFCI, the spirit of collaboration between UNESCO's Growing Up in Cities program and UNICEF's Child Friendly Cities Initiative, formed more than twenty years ago, comes together again full circle.

Child Friendly Cities Initiative Timeline



Boulder CFCI Timeline

Date	Activity	Description
2021-2022	CFCI Readiness Assessment	The City of Boulder and Growing Up Boulder conducted and submitted a CFCI Readiness Assessment to UNICEF USA, thereby solidifying the city's intent to participate in the CFCI process.
April 29, 2023	MOU signing and Boulder's CFCI launch at Día del Niño Celebration	The City of Boulder, Growing Up Boulder and UNICEF USA celebrated the commitment to make Boulder a UNICEF Child Friendly Cities Initiative at the Boulder Museum of Contemporary Arts (BMOCA's) Día del Niño celebration with 400 community members. All three entities signed a Memorandum of Understanding.
May-July 2023	CFCI Kickoff and Workshop with YOAB	Growing Up Boulder worked with YOAB to explain CFCI and to narrow down government indicators. YOAB conducted outreach with Out Boulder County (later renamed Rocky Mountain Equality) to narrow down community conversation indicators.
May 9, 2023	CFCI City Staff Champion Kickoff Workshop	The City of Boulder and Growing Up Boulder provided representatives from 15 city departments with an overview of CFCI and invited them to participate in the process. Staff helped narrow down community conversation indicators.
Sept. 8, 2023	Community Conversation Indicator Workshop with YOAB	Growing Up Boulder worked with YOAB to narrow down the most important Community Conversation indicators.
Sept. 19, 2023	CFCI Kickoff Workshop: Partnership	The City of Boulder and Growing Up Boulder provided representatives from 30 community

Date	Activity	Description
	Roundtable	partner organizations with an overview of CFCI and invited them to participate in the process. Partners helped narrow down Community Conversation indicators.
October 2023	Community Conversation Indicator Workshop with Raíces Vivas	Growing Up Boulder consultant, Mayamotion Healing, worked with El Centro Amistad's Raíces Vivas teens to narrow down the most important Community Conversation indicators.
October-November 2023	Community Conversation indicators finalization	Growing Up Boulder, the city, and consultants Mayamotion Healing and Uka Consulting finalized Community Conversation indicator selection and wording. Indicators were translated into Spanish and formatted by age.
October-November 2023	Community Conversation implementation tools	Growing Up Boulder and consultants expanded upon UNICEF USA's methods for Community Conversations (CC), developing tools for CC implementation with Community Partners and youth. Materials were translated into Spanish.
Nov. 8, 2023	Community Conversation Training for BVSD Teachers and Administrators	Growing Up Boulder and consultants trained interested Boulder-based BVSD teachers and administrators how to conduct CCs with their youth and parents/caregivers.
Nov. 13, 2023	Partners and Youth Community Conversation English/Spanish Trainings	Growing Up Boulder and consultants trained interested organizations that work with youth in the community, as well as YOAB, on how to conduct CCs with youth and parents/caregivers. Training was offered in English and Spanish.
November 2023-February 2024	Community Conversation engagement	Growing Up Boulder, YOAB, and community partners conducted 32 Community Conversations, engaging nearly 900 people and using methods from storytelling to surveys. 70% of participants were from underserved

Date	Activity	Description
		communities.
March - July 2024	Summary, analysis, and presentation of CFCI Situation Analysis data (Government Assessment + Community Conversations)	Growing Up Boulder, consultants Mayamotion Healing and Uka Consulting, YOAB, and Youth Opportunities Program interns collaborated to analyze and make sense of the CFCI Situation Analysis data (Government Assessment + Community Conversations).
May 3, 2024	Situation Analysis presentation to YOAB	Data from the Situation Analysis was presented and discussed with YOAB.
June 10, 2024	Situation Analysis presentation to city Staff Champions	Data from the Situation Analysis was presented and discussed with city Staff Champions.
Sept. 30, 2024	Youth Action Plan Workshop 1	Data from the Situation Analysis was presented and discussed with youth and adult community partners. Participants voted on priority issues for the Youth Action Plan.
Nov. 13, 2024	Youth Action Plan Workshop 2	Data from the Situation Analysis was presented and root causes discussed with youth and adult community partners. Participants voted on priority issues for the Youth Action Plan.
Nov. 19, 2024	Raíces Vivas Youth Action Plan Workshop	Data from the Situation Analysis was presented and root causes discussed with Raíces Vivas middle school youth. Participants voted on priority issues for the Youth Action Plan.
Dec. 6, 2024	Family Learning Center Youth Action Plan Workshop	Data from the Situation Analysis was presented and root causes discussed with Family Learning Center middle and high school youth. Participants voted on priority issues for the Youth Action Plan.

Date	Activity	Description
December 2024	Final analysis of Youth Action Plan Workshop Data	Growing Up Boulder compiled and analyzed youth priority voting results from the Youth Action Plan Workshops.
December 2024	Recruitment for CFCI Youth Council begins	YOAB began recruiting middle and high school teens for the CFCI Youth Council.
December 2024	Draft of State of Child Report	Growing Up Boulder drafted and shared the State of the Child Report with the City of Boulder
Spring 2025	CFCI Youth Council meets to create Boulder's Youth Action Plan	A group of 6th-12th grade students from YOAB and the general community will meet periodically to create the Youth Action Plan.
May 1, 2025	Presentation to Boulder City Council	CFCI Youth Council will present the final Youth Action Plan to Boulder city council.

Additional Documentation

Many additional documents were created to support the CFCI process or complement it. These include:

- [Community Conversations Raw Data](#)
- [Government data sources](#)
- [City Programs and Services by CFCI Goal Area](#) as described by Staff Champions
- [How Young People's Ideas Have Been Implemented in Boulder 2009-2024](#)
- Youth Action Plan Workshop Notes
 - [Youth Action Plan Workshop 2 report](#) by YOAB
 - [Raíces Vivas YAP workshop report](#) by Mayamotion Healing
 - [Family Learning Center YAP workshop report](#) by Luciana Escribens



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Situation Analysis Summary | UNICEF Child Friendly Cities Initiative:

City of [Insert City] | Mayor's Office of [Insert Implementing Office]



FOREWORD



[Option to include a letter or opening remarks from a mayor, CFCI board member, or program leaders. Utilize [boiler plate language](#) to describe UNICEF USA's role in the CFCI process, and clarify the city's pilot status. Recommend introducing CFCI's five goals areas in this initial opening.]







INTRODUCTION TO BOULDER CFCI

Where and Why We Started

As detailed more fully in the 2025 [State of the Child Report](#), the City of Boulder has a rich history of supporting and empowering young people. At the time of this initiative's launch, 17 different city departments were able to identify programs and services focused on infants, children and teens. In addition, the city had forged a deep and celebrated working relationship with a local nonprofit, Growing Up Boulder, to lift youth voice in key policy decisions and planning efforts. Recognizing that effective support takes a village, the city also partnered regularly with the Boulder Valley School District, Boulder County, the Boulder Library District, and incredibly valuable child-focused community organizations to achieve its goals.

Over the past few years, however, and after becoming aware of UNICEF's Child Friendly Cities Initiative (CFCI), the city organization began to realize its commitment might not be enough. The truth is, an ecosystem is not the same as a strategy. Efforts were disparate and often uncoordinated. While significant resources were being allocated, there wasn't always a clear understanding of the desired outcomes or a method of evaluating whether programs were having the intended benefits. Perhaps most concerning of all, adults – not young people – were calling the shots about what youth needed most from their local government.

The UNICEF's Child Friendly Cities Initiative provided Boulder with a unique opportunity to confront this challenge. UNICEF CFCI brings UNICEF – a powerful and authoritative champion for children around the world – together with local governments and their partners to establish safer, more just, equitable, inclusive and child-centered communities. CFCI uses the UN Convention on the Rights of the Child as a framework to help prioritize and meet the needs of young people. The initiative launched globally in 1996. Since its start, CFCI has been adopted in over 3500 municipalities in over 40 countries. On Aug. 12, 2020, International Youth Day, UNICEF USA launched the initiative in the US. Boulder is in the first cohort of cities to undergo the ambitious, multi-year process of earning recognition as a UNICEF Child Friendly City.

Join CFCI	Recruit Partners	Collect Data	Create Youth Action Plan	Implement Youth Action Plan	Become an official CFCI
					
2021-23 2 years	2023 4 months	2023-24 5 months	2024-25 9 months	2025-26 1 year	2026
Conduct a CFCI readiness assessment Sign MOU Celebrate launch!	City of Boulder Growing Up Boulder Nonprofits BVSD Boulder County Other partners	Situation analysis = Government Data + Community Conversations data Write State of the Child report	A CFCI Youth Committee (YOAB + community youth) works with adult allies to create a City plan Celebrate Plan and State of the Child Report!	Implement Youth Action Plan in coordination with spending Broncos funding Evaluate the Plan	Apply for recognition Celebrate recognition! Plan CFCI renewal

This Youth Action Plan represents a momentous milestone. It is intended to serve as a touchstone for future decisions, partnerships and financial expenditures. As a companion document to the Boulder Valley Comprehensive Plan, the Youth Action Plan will guide the city for years to come.

A YOUTH-LED APPROACH

The development of Boulder's Youth Action Plan involved many city staff members, incredible nonprofit and community partners - most notably, Growing Up Boulder and subcontractors Mayamotion Healing and Uka Consulting – and a team of experienced and exceedingly helpful UNICEF USA guides. Since May 2023, more than 1,400 residents, 17 city departments and 48 community partners have participated in Boulder's CFCI work. Community participants included children and teens, as well as parents/elders/caregivers, advocates and service providers. A more complete overview of the city's formal structure is included in the State of the Child Report.

Boulder's CFCI effort in general, and this Youth Action Plan, in particular, would not have been possible, however, without the leadership of young people themselves. Determined to not have this be an adult-led plan, the city tapped the expertise and energy of its Youth Opportunities Advisory Board (YOAB). YOAB is a diverse group of high school students, appointed by the city manager, to share their perspectives about issues affecting young people and to cultivate and use their leadership skills to create meaningful engagement opportunities for their peers. YOAB members helped design each step of the process and participated fully in gathering and evaluating data, prioritizing needs, developing and vetting possible solutions, and creating this plan. They were intentional about inviting and involving other young people, with a particular focus on communities that have been historically excluded from government. When it became clear that even more representation would be helpful, they created and facilitated a Boulder CFCI Youth Council. Four YOAB leaders supported the council, providing 10 additional middle school students and teens a paid opportunity to shape this plan.

Boulder's CFCI Mission

Boulder's Child Friendly Cities Initiative (CFCI) is dedicated to creating a city where the rights of every child are respected, protected, and fulfilled. By prioritizing equity and using a child's rights framework, we ensure that all children—regardless of age, gender, race, disability, sexual orientation, immigration or housing status, or family income level—are empowered to shape the environment they live in. Through collaborative and innovative approaches, we aim to promote well-being and active participation for Boulder's youngest residents.

Vision for a Child Friendly Boulder

Our vision for Boulder is a community where every child and youth feels valued, supported, and respected. In this inclusive city, young people have opportunities to lead, share their voices, and thrive, supported by systems that prioritize their health, education, play and leisure, culture, and safety. Through the Child Friendly Cities Initiative, Boulder strives to build a future where the well-being of children is at the center of decision-making—ensuring that our neighborhoods,



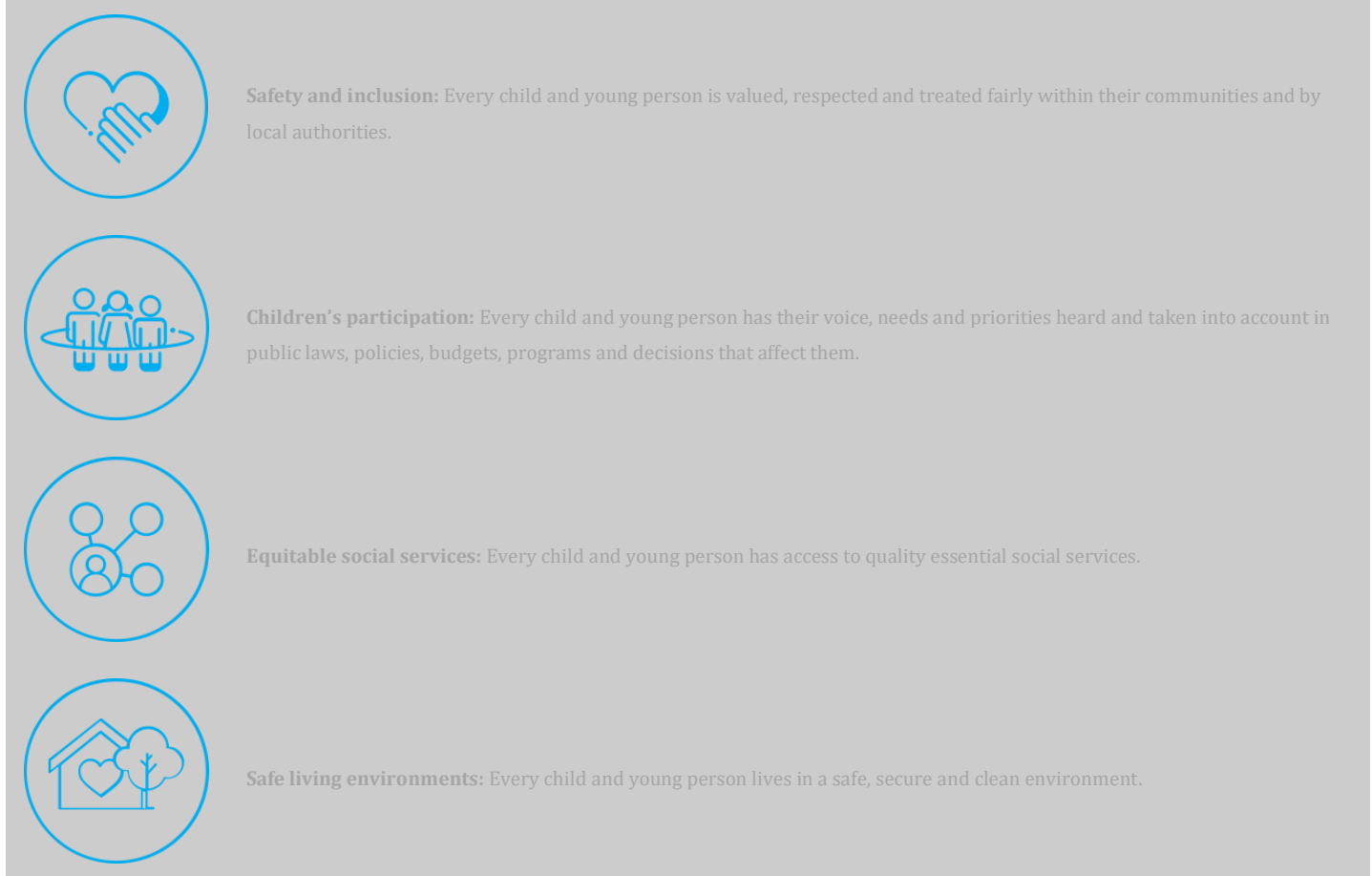
public spaces, schools, and governments nurture creativity, belonging, and hope. Recognition as a UNICEF Child Friendly City will signify Boulder's commitment to a brighter, more equitable future for all its young residents.

CFCI Theory of Change and Goal Areas

Cities that participate in UNICEF CFCI benefit from a theory of change that demonstrates the value of systemic and collective planning. The theory includes the following assumptions:

- If we leverage UNICEF's power as a convener, global child rights advocate and leader to engage cities in achieving collective impact with and for young people in the United States; and
- If we mobilize and amplify existing child/youth efforts in cities and communities by elevating their voices and unifying their actions through a holistic child rights framework; and
- If we strengthen the capacity of local governments to design, fund, implement and evaluate cross-sectoral child-responsive policies, programs and services with young people;
- Then all young people will enjoy their childhood and reach their full potential through the equal realization of their rights within their cities and communities in the United States.

UNICEF divides the elements of a Child Friendly city into five goal areas. These are:





Play and leisure: Every child and young person has opportunities to enjoy family life, play and leisure.

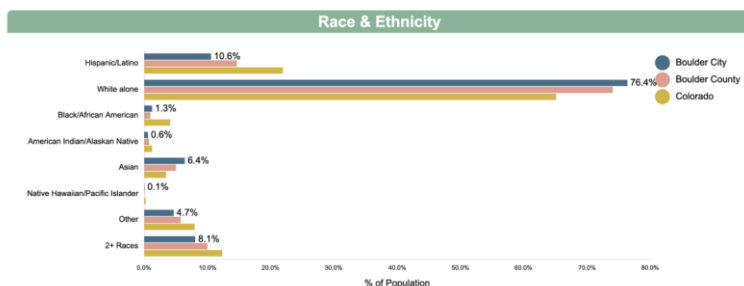
While all communities that are seeking recognition as a UNICEF Child Friendly City must ask young people and partners to evaluate current conditions and gaps under each of these important goal areas, it is not unusual for one or two to emerge as those that are most in need of attention. This might be because the goal areas were previously unrecognized. More often, however, it is because they were either under-resourced or their importance has been heightened by external, societal factors that are creating harmful impacts for young people. Such was the case in Boulder.

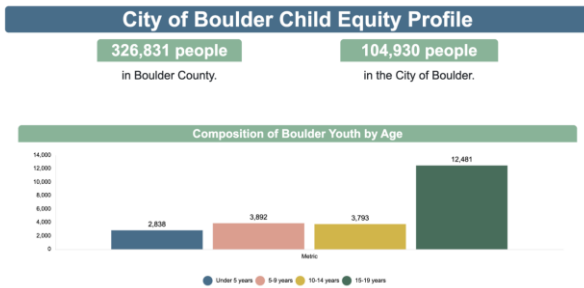
SITUATION ANALYSIS RESULTS AND PRIORITIES

Boulder Today

While Boulder has a reputation for being a forward-thinking and educated community, with pockets of extreme wealth, it is not without significant challenges. Economic inequality causes a hardship for a growing number of community members who struggle to access essential services. The community's purported vision is for all to thrive, but affordability and underlying institutional and systemic racism remain undeniable and unfortunate barriers.

Within our community, over 20% of the population lives in poverty, a figure that is increasing daily and a quarter of households in Boulder County struggle to meet basic needs without public assistance. For families with young children, the economic pressures are exacerbated by a lack of affordable childcare. In Colorado, 14% of children under 5 live in families that must quit or change jobs due to childcare challenges. In the Boulder Valley School District, 1 in 5 children rely on free or reduced-price lunch. These trends underline the urgent need for greater investment in childcare, public assistance programs, and other services to support low-income families and ensure equal opportunities for all youth, regardless of their background. More information, data and analysis can be found in the State of the Child Report for Boulder.





What Do Children and Young People Say

Initial Feedback during Situational Analysis

As detailed fully in the State of the Child Report, youth leaders and adult partners created a meaningful, inclusive and logical engagement process, which started in 2023 and continued throughout 2024. It included collection and assessment of both qualitative and quantitative data. As mentioned previously, all five focus areas were explored.

The following is a snapshot of what was heard during the broadest period of engagement:

What is going well?

- Access to nutritious food
- More reliable Internet
- Feeling safe at home (for most children and youth)
- Great parks and playgrounds
- Less vaping

What needs improvement?

- **Safety in Public:** Concerns about verbal and physical harassment, and safety issues due to drug use and unpredictable behavior by unhoused individuals in public spaces like parks, bus stops, and pathways. Discrimination and a sense of being unwelcome, particularly for historically marginalized groups, were also significant issues.
- **Mental Health:** Bullying, stress, sadness, too much screen time, and not enough time in nature. Many youth reported feeling unsafe from bullying at school and online, especially based on their identity (race, LGBTQ, disability). High stress levels and feelings of sadness, particularly among LGBTQ and multiracial youth, were also prevalent.
- **Equitable Play and Leisure:** Lack of accessible after-school activities for Latinx youth, and outdoor spaces for children with disabilities. Many youth from marginalized communities and low-income families struggle to access recreational activities due to cost and the lack of culturally inclusive spaces.
- **Youth Voice/Participation:** Some youth are engaging in civic activities, but many feel disconnected due to a lack of knowledge, accessible opportunities, or feelings of unsafe power dynamics around age, race, and identity. While the City of Boulder's Youth Opportunities Advisory Board (YOAB) and Growing Up Boulder

provide avenues for influence, more youth wish for expanded opportunities to share their opinions and influence school and city decisions.

- **Child Poverty:** Despite Boulder's reputation as a wealthy community, a significant portion of the population experiences poverty. According to the 2023 Boulder County Community Wellbeing Dashboard, many families struggle with the high cost of living, with a large percentage of children facing financial hardship.

The following chart and illustration shows initial breakdowns, based on the feedback of participants.

Children's (6 - 11) Top Priorities in Focus Groups

Group 1 N = 7 All Latinx Fabricated Homes Green and blue spaces Safe Outside areas Time in nature	Group 2 N = 23 Whittier Elementary Mixed SES ¹ - 5 FRL 8 bilingual	Group 3 N = 22 Whittier > 5 countries Safe from bullying Accessible play areas Emergency Preparedness	Group 4 N = 40 Heatherwood Elementary 3 nonbinary Voice ideas to the city Emergency Preparedness Get enough sleep Walk, bus, bike safety
Group 5 N = 18 Whittier 5 bilingual 9 bicultural 3 FRL Opinions about school Accessible play areas Safe from bullying Get enough sleep	Group 6 N = 18 Whittier 9 bilingual approx 7 FRL Accessible play areas Safe from bullying Get enough sleep	Group 7 N = 35 Heatherwood Get enough sleep Voice ideas to the city Opinions about school Safe Outside play area	Group 8 N = 28 Heatherwood Green and blue spaces All identities equally respected Opinions about school Voice ideas to the city
Group 9 N = 16 Heatherwood Voice ideas to the city Safe Outside areas	Group 10 N = 16 Heatherwood Safe in my community Voice ideas to the city	Group 11 N = 13 Whittier Safe outside play spaces Time in nature	Group 12 N = 28 Heatherwood Mixed SES English L1 speakers

¹ SES = Socioeconomic Status, FRL = Free and Reduced Lunch

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Teens' (12-18) Top Priorities in Focus Groups

Group 1 N = 11 High School Youth Advisors with A La Raiz, OASOS, TEPP, IYC, HFYC Get enough sleep Child Rights Give opinions about school Time in nature	Group 2 N = 7 7th grade AVID class. MHP All identities equally respected Give opinions about school Safe from bullying Safe at School	Group 3 N = 17 Raizes BIPOC middle school All identities equally respected Get enough sleep Safe places to play Time in nature
Group 4 N = 4 All Latinx San Lázaro Safe drinking water Voice ideas to the city Voice opinions about school Emergency preparedness	Group 5 N = 15 MHP BVSD Middle and High All identities equally respected Safe from bullying Affordable housing	Group 6 N = 22 YOAB Town Hall All identities equally respected Unhappy with education Safe from bullying
Group 7 N = 34 All Latinx FLC All identities equally respected Safe from bullying Safe from harassment in public	Group 8 N = 16 Sources of Strength Casey MS - Mixed group Safe from harassment in public Get enough sleep Give opinions about school Safe from bullying	Group 9 N = 39 Private Middle School All identities equally respected Safe from harassment in public Walk bus, bike safety Safe at School

Accessible play areas Know child rights	Accessible play areas	Green and blue spaces	Walk, bus, bike safety Voice ideas to the city Safe in my community Accessible play areas
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Parents'/Elders'/Caregivers' Top Priorities in Focus Groups

Group 1 N = 7 All Latinx FET Safe Places to Play Safe from harassment in public Time in nature Voice ideas to the city	Group 2 N = 7 All Latinx 2 Fabricated home residents Safe Places to Play Walk bus, bike safety Safe from bullying	Group 3 N = 7 All Latinx Centro Amistad 2 Fabricated home residents NEED TO LOOK AT PACKETS
Group 4 N = 28 New Horizons preschool Centro Amistad Mixed group, mostly Latinx Safe Places to Play Safe from harassment in public Affordable health care Affordable housing	Group 5 N = 19 All Latinx Family Learning Center Safe from harassment in public Safe Places to Play Safe from bullying Safe drinking water	Group 6 N = 9 All Latinx San Lázaro Safe Places to Play Safe drinking water Voice ideas to the city
	Group 7 N = 34 Autism Society Walk bus, bike safety Safe from harassment in public Safe from bullying Voice ideas to the city	Group 8 N = 16 All Latinx Centro Amistad Walk bus, bike safety Safe from harassment in public Safe from bullying Affordable housing Time in nature Accessible Playgrounds

Overview of Youth Workshops

In Fall 2024, youth from YOAB and staff from the City of Boulder, Growing Up Boulder, and Mayamotion Healing held two Youth Action Plan Workshops with young people (grades 6-12), parents, elders, and community organization representatives to further explore and refine priorities. These workshops focused on the top priorities identified from the Situational Analysis, which included:

1. Safe From Bullying
2. Safe Outdoor Play Areas
3. Safe From Harassment in Public
4. Walk, Bike, and Bus Safety
5. Opportunities to Share Opinions About School
6. Opportunities to Share Opinions About the City

The goal was to review the priorities, discuss lived experiences, vote on top priorities and recruit for a Youth Action Plan Council that would integrate this feedback into a plan with clear actions and measurements. In total, 37 young people and 40 adults attended the workshops. Additionally, Growing Up Boulder and Mayamotion Healing facilitated follow-up workshops to include community groups that missed the workshops or preferred a different setting. This resulted in feedback from 25 more young people.

Priority Issues and Youth Voting

After reviewing the data together, considering diverse lived experiences shared by young participants, and voting, a rich and nuanced story emerged.

From the 52 youth who participated, the following themes emerged:

1. **Bullying:** Consistently identified as the top concern, with discussions highlighting both peer-to-peer bullying and the lack of adult intervention, especially by teachers.
2. **Safety:** Youth expressed concern about unsocial behaviors, such as drug use and unpredictable actions, which made public spaces feel unsafe.
3. **Racism and Discrimination:** Youth, particularly from marginalized identities, highlighted experiences of exclusion due to racism, discrimination, and lack of culturally inclusive spaces.
4. **School Participation:** Some youth wanted more opportunities to share opinions about and within their schools. This priority was tempered somewhat, however, by others, especially those from marginalized groups, who were skeptical that their voices would be taken seriously, given past experiences of exclusion.

The City of Boulder YOAB and Growing Up Boulder selected a diverse group of individuals to consider these issues and shape them into three priority areas. These individuals were chosen through an application process where they completed a Google form, and YOAB selected participants based on the strength of their applications and commitment to the cause.

Once the group was assembled, the Youth Council engaged in a thoughtful discussion about the three priority areas, each accompanied by a detailed description of the proposed options. The first two priorities came easily, based on general consensus. Because of the skepticism shared by some youth participants about the likelihood of success with more engagement in the school content, the council decided to adapt the third priority. After careful deliberation, the council felt that having a voice in decisions affecting the city as a whole was more crucial and perhaps more achievable than focusing solely on issues within schools. This decision reflects the council's desire to create broader, more inclusive changes that could positively affect the community at large.

LOCAL ACTION PLAN PRIORITY AREAS



Priority 1: Address and Reduce Bullying

Bullying emerged as a top concern for youth throughout engagement, and it shows up in two different ways: 1: youth-to-youth bullying (in and outside of school, including on social media); and 2: failure of adults, especially in schools, stepping in when they see bullying happening or hear about it.



Priority 2: Improve Safety and Belonging

Young people in Boulder have safety concerns in public spaces due to unsocial and sometimes dangerous behaviors, frequently by community members who are unhoused. Additionally, youth have expressed safety concerns related to racism and discrimination, as well as a lack of culturally inclusive spaces.



Priority 3: Share Opinions with the City

Young people are eager to play an active role in driving change within their communities. They seek not only the opportunity to affect meaningful change but also to have a valued and respected voice in decision-making processes.

PRIORITIES IN MORE DETAIL: CAUSES/VISION/STRATEGIES/PROPOSED ACTIONS

Priority 1: Address and Reduce Bullying



Problem

Bullying is common among young people, both in person and online, and adults frequently fail to support youth who are experiencing this harmful behavior. This issue threatens the Safety and Inclusion goal area identified by UNICEF and represents an opportunity for Boulder and community partners to make a positive difference.

Causes

The most common reason bullying occurs is that all identities are not treated equally in Boulder. Young people shared throughout the phases of engagement that differences in physical appearance, LGBTQ+ identity and race/ethnicity are key factors in whether someone is bullied. Technology has expanded the spaces where this bullying occurs. Youth can now experience discrimination and harassment online often outside the view of any adult. Boulder youth reported that even when an adult is present, the adult frequently fails to recognize their responsibility to assist and simply “let it slide.” Cultural norms and Boulder’s demographics (prominently white) create an acceptance for this type of behavior.

Objective: Every child should feel safe and free from bullying, both online and in-person.

Vision: In Boulder, young people experience a sense of security at home and school, protected from bullying both in-person and online.

Target Group/Audience: Youth: ages 5-18 and adults in roles that support youth

Strategies to Address the Issue:

1. Assess and launch updated anti-bullying curriculum for students, with students
2. Educate adults about how to be effective upstanders
3. Implement online anti-bullying and good habits training, with a focus on children and teens getting phones for the first time

To advance this vision, youth are recommending the following action items for CFCI partners:

- Facilitate dialogue with school district around students' vision for revamped and youth-centered curricula
- Create a group of young people to assess any current trainings and collect youth impact/experience examples to inform updated training, with a goal of ensuring it feels real and relevant
- Work with this group and learning specialist(s) to build out three training modules/preferred approaches for general students, for adults, and for cellphone/social media users
- Train and pay youth facilitators to lead sessions
- Implement curriculum, followed by evaluation and evolution

Youth have identified the following resource needs:

- Time, energy and relationship-building between the city, the school district and youth leaders
- Data and input from students on what is taught
- Partnership (perhaps paid) with learning specialist for input and to work with students to review and revise the curriculum
- Training partners (perhaps paid) to build youth capacity as paid facilitators/trainers - funding for stipends
- Funding to create and print training materials and pamphlets, as well as advertising for parent and online bullying workshops
- Method for real-time collection of data to evaluate satisfaction and learning, so program can evolve

In advancing this focus area, Boulder CFCI partners will strive for the following outcomes/measurements:

- TBD- logic model to be created in next phase of work

- Some measurements already suggested by Youth Council
 - Youth feedback
 - Monthly surveys that ask teens/children if they have experienced any bullying - these surveys should also ask teachers/faculty
 - Schools could also have reporting systems (like safe to tell) where students report when they have experienced bullying, and the City could track the number of reports
 - Surveys to show understanding of usage / how it's going
 - Sessions on phone usage to understand comprehension

Priority 2: Improve Safety and Belonging



Problem: In Boulder, youth feel unsafe in public places, largely due to the behaviors of other community members who are unhoused and/or using drugs. For young people of color, safety is even more of an issue because they also face racism and discrimination. This issue spans two UNICEF goal areas: Safe Living Environments (with a slight amendment to reflect public spaces) and Safety and Inclusion.

Causes

Boulder, like many cities across America, is experiencing an increased number of individuals that are unhoused and/or under the influence of drugs in its public spaces. The behaviors of some of these individuals include physical and verbal harassment, and criminal activity including sale and use of drugs, display of guns, fighting within the unhoused community, and reports of sexual assault. Similar to bullying, racism and discrimination make it more likely that young people of color, women, people with LGBTQ+ identities or disabilities face a greatest risk.

Objective: Every child and young person feels safe in our community and is empowered to be their true selves.

Vision: Young people are aware of the safe outdoor play areas and gathering spots in the community and know what to do in other locations to enhance safety and belonging.

Target Group/Audience: Youth: ages 10-18, community organizations that provide social service support and policy makers.

Strategies to Address the Issue:

1. Continue to provide homeless services to Boulder's unhoused population and increase substance abuse resources to address the underlying issues that are causing young people's experiences and concerns
2. Develop and implement strategies to provide youth with confidence, skills and systems to better address instances when they feel unsafe in public space, such as parks, on shared paths and while at transit stops
3. Consider ways to boost attendance at, or develop, hubs for youth gatherings and hangouts; ensure this space celebrates multi-culturalism and diversity and is welcoming for all
4. Address underlying bias and discrimination in the community

To advance this vision, youth are recommending the following action items for CFCI partners to consider:

- Increase access to affordable housing in appropriate locations, enhance response teams that would work directly with homeless health, collaborate with Boulder Bridge house partnership, and work with partners to increase funding for substance abuse programs
- Develop and implement training and enhanced, youth-specific safety systems, tailored to appropriate ages. These could include call boxes or special button for cellphones that connect young people directly with dispatchers who are trained to support children and teens; increasing adult presence on busy paths and at bus stops before and after school; creating a buddy system for young people who are walking and biking through public spaces by themselves; and analyzing lighting in public spaces
- Evaluate existing teen spaces and assess why they are not heavily used; consider spaces outside of the public library; continue to support youth in activities and hobbies that do not involve them being absorbed in their phone
- Work with young people of color, with LGBTQ+ identities and/or different physical identifies on an awareness campaign about how discrimination and racism affect them and calling upon our community to do better. Promote this in buses, flyers, social media, parks and recreations centers, the library and in business districts. Provide concrete ways adult upstanders can intervene when this happens.
- Ensure that all youth have equal access to parks - build more accessible parks that are friendly for people who use wheelchairs or with other disabilities

Youth have identified the following resource needs:

- Funding for help buttons and call boxes that will be installed throughout Boulder
- Time and energy from police and other self-defense organizations to create and administer self-confidence and defense curriculum
- Money/resources to advertise trainings

In advancing this focus area, Boulder CFCI partners will strive for the following outcomes/measurements::

- TBD- logic model to be created in next phase of work

Priority #3: Share Opinions with the City



Problem: Youth feel that there is a lack of platforms where they can voice their opinions and ideas to the city in order to enhance their quality of life. As a result, their perspectives often go unheard, limiting opportunities for meaningful engagement and progress.

Causes

Youth in Boulder often feel that they lack the opportunity to make meaningful, impactful change in their community. Many young people desire a stronger platform to have their voices heard within city government, especially around the issues that matter most to them, believing that doing so would help address their needs and concerns.

Objective: Every child and young person should have the opportunity to voice their opinions and contribute to the decisions made by the city government.

Vision: Youth in Boulder are aware of where to find government support and are participating in a range of opportunities to actively contribute to improving our community.

Target Group/Audience: Youth (ages 13-18 years)

Strategies to Address the Issue:

1. Organize a ballot box/voting day in schools to identify the topics young people are most interested in influencing; use this data to identify desired areas of focus – shift priority to what youth care about instead of what city government cares about
2. Identify topics that already have relevant boards and commissions and work with these city entities to incorporate youth voices and participation quarterly
3. Build youth leadership capacity in younger ages through a youth leadership fair/workshops and YOAB listening sessions involving elementary and middle school students
4. Update a youth-focused civic volunteer catalogue, to add more options for middle school-aged students as

To advance this vision, youth are recommending the following action items for CFCI partners:

- Planning and collaboration with the school district to host a ballot box/voting day to gauge civic topics of interest to young people
- City leadership around discussions with boards and commissions about changing expectations and structures for meetings in which youth leadership and collaboration are prioritized
- Planning and coordination around annual youth leadership fair/workshops and bi-annual YOAB listening sessions in elementary and middle schools
- Work with the city's Volunteer Cooperative, the library district and nonprofit child friendly organizations to identify opportunities, catalogue them by age ranges, and publicize.

Youth have identified the following resource needs:

- Adult partners to help support these efforts
- Funding for supplies and events, especially the fair and workshops

In advancing this focus area, Boulder CFCI partners will strive for the following outcomes/measurements::

- TBD- logic model to be created in next phase of work

WHAT'S NEXT

Implementation

[Summary of implementation plans, including the creation of any committees or task force and the inclusion of any implementation partners.]

Monitoring & Evaluation

[Summary of Monitoring & Evaluation plans, including benchmark reports or reporting mechanisms.]

CFCI Logic Model

GOALS	ACTIVITIES	SHORT TERM OUTCOMES	LONG TERM IMPACTS	MONITORING
<ul style="list-style-type: none"> Highlight goals areas here to align activities with goals areas 	<ul style="list-style-type: none"> List activities here to outline actions that will be taken toward achieving the goal areas 	<ul style="list-style-type: none"> List expected outcomes that will be achieved in the first 3 years or less here. If possible, provided an expected timeframe 	<ul style="list-style-type: none"> List anticipated long-term impacts here. This may align closely with the goal areas. 	<ul style="list-style-type: none"> List ways in which progress on this activity will be demonstrated. This can include data sources, documents, or other evidence of progress.

How You Can Get Involved

[Highlight opportunities for youth, service providers, and community organizations to support the implementation, monitoring and evaluation of the Local Action Plan.]

- Youth:
- Community Organizations:
- General Updates:
- [Option: Use city-specific Phone2Action CFCI advocacy activation]

[Can include a detailed contact line. With sign-up or learn-more www.hyperlink.com for interested parties.]

Appendix



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Discussion on Council responses to Open Comment

PRIMARY STAFF CONTACT

NA

ATTACHMENTS:

Description

No Attachments Available



COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Nepal Day Declaration

PRIMARY STAFF CONTACT

Megan Valliere, City Council Program Manager

ATTACHMENTS:

Description

- ▣ **Nepal Day Declaration**

Nepal Day
June 1, 2025

Diversity of peoples and cultures is integral to the development and advancement of a community.

Local Nepali community members contribute greatly to bringing diversity of life and culture to Boulder.

Boulder welcomes more and more Nepali people each year, thereby increasing the local Nepali community and its contributions to Boulder.

Nepal and Boulder share similar topography, thereby attracting numerous climbers, hikers, and bikers to visit Nepal from Boulder each year.

The Boulder community has been very active in providing help in health and education to Nepal and her people.

Helping Hands Health Education has brought medical and educational help to Nepal's people since 1988 and has initiated a celebration known as Nepal Day.

Nepal Day is designed to celebrate the pride of being a Nepali in the United States of America.

We, the City Council of the City of Boulder, Colorado, declare June 1, 2025, as

Nepal Day

And call upon the people of Boulder to join the celebration on this day to strengthen our community by supporting diversity in our culture.



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Mental Health Awareness Month Declaration

PRIMARY STAFF CONTACT

Megan Valliere, City Council Program Manager

ATTACHMENTS:

Description

- ▣ **Mental Health Awareness Month Declaration**

Mental Health Awareness Month

May

Mental health is essential to everyone's overall health and well-being. Mental illnesses are real and prevalent in our nation, and half of us will have a mental health diagnosis at some point in our lives. These conditions are a leading cause of disability in the United States and affect millions of children, adolescents, and adults nationwide. Mental illness includes such conditions as schizophrenia, depression, anxiety, and post-traumatic stress disorders.

All people experience times of difficulty and stress in their lives and should feel comfortable in seeking help and support to manage these times. Engaging in prevention, early identification, and early intervention are as effective ways to reduce the burden of mental illnesses as they are to reduce the burden of other chronic conditions. With effective and early treatment, many individuals with mental illnesses - even serious mental illnesses - can make progress toward recovery and lead full lives. However, jails and prisons have often been the default places of custodial care for even nonviolent people with serious mental illnesses.

Each business, school, government, healthcare provider, organization and community member has a responsibility to promote mental health and well-being for all. Sharing personal knowledge and experience of what living with mental illness means can reduce the barriers and stigma associated with individuals seeking mental health treatment to live a longer, healthier life.

The Boulder City Council acknowledges with appreciation the many organizations who serve as essential community partners in providing services that directly and indirectly support mental health in our community. These include organizations that serve adults, children and youth, and families of all income levels and needs; community members who identify as LGBTQ, people of color, and immigrants; and people with diverse abilities and diagnoses; for services that range from counseling support to suicide prevention and substance use treatment.

We, the City Council of the City of Boulder, Colorado declare May as

Mental Health Awareness Month

A handwritten signature in dark ink, appearing to read 'Aaron Brockett', written over a horizontal line.

Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Memorial Day Declaration

PRIMARY STAFF CONTACT

Megan Valliere, City Council Program Manager

ATTACHMENTS:

Description

- ▣ **Memorial Day Declaration**

Memorial Day

May 26, 2025

Memorial Day - originally called Decoration Day - is a day of remembrance for those who died in our Nation's service. It was initially proclaimed on May 5, 1868, by General John Logan, National Commander of the Grand Army of the Republic, in his General Order No. 11. The holiday was first observed on May 30, 1868, when flowers were placed on the graves of Union and Confederate soldiers at Arlington National Cemetery.

Memorial Day each year serves as a solemn reminder of the scourge of war and its bitter aftermath of sorrow. This day has traditionally been devoted to paying homage to lost loved ones and their families.

We, the City Council of the City of Boulder, Colorado declare May 26, 2025, as

Memorial Day

And honor the lives lost serving our country on land, sea, and air.



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Jewish American Heritage Month Declaration

PRIMARY STAFF CONTACT

Megan Valliere, City Council Program Manager

ATTACHMENTS:

Description

- ▣ **Jewish American Heritage Month Declaration**

Jewish American Heritage Month

May

Jewish American Heritage Month is an annual celebration of Americans of Jewish faith who have helped weave the fabric of our history, culture, and society. This annual celebration of the achievements and contributions made by Jewish Americans started with the establishment of Jewish American Heritage week in 1980 and expanded in 2006 to encompass the month of May.

Jewish American Heritage Month acknowledges achievements of American Jews in the fields of literature, arts, entertainment, medicine, business, science, government, military service, music and more. Jewish Americans have played indispensable roles in our civic and community life, making invaluable contributions through their leadership and achievements.

Unfortunately, Jewish communities in this nation continue to be challenged by bigotry, hostility, discrimination and violence. As we remember the lessons of the Holocaust, our commitment to religious freedom in America obligates us to root out prejudice and combat anti-Semitism. The Jewish American story is an essential chapter of the American narrative, and we recognize, honor and celebrate Jewish Americans who strengthen our community every day.

We, the City Council of the City of Boulder, Colorado, declare May as

Jewish American Heritage Month



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 15, 2025

AGENDA ITEM

Bolder Boulder 45th Anniversary Declaration

PRIMARY STAFF CONTACT

Megan Valliere, City Council Program Manager

ATTACHMENTS:

Description

- ▣ **BOLDERBoulder 45th Anniversary Declaration**

BOLDERBoulder - Celebrating 45 Years

May 26, 2025

The BOLDERBoulder, founded in 1979 by Steve Bosley, is one of the largest and most acclaimed 10K races in the world. Inspired by Olympian Frank Shorter, the race grew from 2,400 finishers at North Boulder Park to more than 50,000 finishing at CU's Folsom Field beginning in 1981. Since 1979, over 1.5 million runners, joggers, and walkers of all ages have answered the race's call of Oh Yes You Can every Memorial Day. The race was named "America's All-Time Best 10K" by Runner's World Magazine and is the 4th largest running race in the U.S. generating over \$23 million in economic impact for the Boulder community.

Commitment to the Sport

The BOLDERBoulder International Team Challenge is the largest and most competitive race of its kind outside the Olympics and World Championships. Professional runners compete for one of the largest non-marathon prize purses in the United States.

Commitment to the Community

The race is a cornerstone of Boulder, involving neighborhoods, schools, volunteers, and the University of Colorado. Over 1,800 volunteers help stage the event, with over \$100,000 donated annually to local groups.

Honoring American Warriors

The BOLDERBoulder hosts the one of the nation's largest Memorial Day tributes, to honor over 1.3 million American warriors who paid the ultimate sacrifice protecting America's freedom while honoring veterans and active-duty military. Discounts are offered to military members, and "In Memory" bibs are worn by participants to honor fallen service members. The Military Base Race program, since 2006, has provided the opportunity to over 30,000 military personnel deployed worldwide to run their BOLDERBoulder race.

Commitment to Innovation

The BOLDERBoulder pioneered industry innovations like wave starts, separate women's and men's pro races, parity in prize money, electronic timing, and single-age awards. Its legacy of continuous improvement ensures a world-class experience for participants.

Celebrating Loyalty

Forty-seven runners have demonstrated Fortitude completing every single race, earning the title of BOLDERBoulder's BOLDEST.

Join the City of Boulder in celebrating the 45th running of this iconic event on May 26, 2025, and experience the spirit of fitness, community, and patriotism that defines the BOLDERBoulder.



Aaron Brockett, Mayor

