

Mayor

Aaron Brockett

Council Members

Matt Benjamin

Lauren Folkerts

Rachel Friend

Junie Joseph

Nicole Speer

Mark Wallach

Tara Winer

Bob Yates



Council Chambers

1777 Broadway

Boulder, CO 80302

May 4, 2023

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. Asian American and Pacific Islander Heritage Month Declaration *5 min*
presented by Council Member Winer**
- B. Jewish Heritage Month Declaration presented by Mayor Pro Tem *5min*
Wallach**

2. Open Comment

3. Consent Agenda

- A. Consideration of a motion to accept the April 13th Study Session Summaries regarding conversation with Boulder County: Overall Homelessness Strategies including Adult Homelessness, Family Homelessness and SAMPS**
- B. Consideration of a motion authorizing the City Manager to convey the permanently affordable housing units at 1187 Bear Mountain Unit A, Boulder, CO and 180 South 31st, Boulder, CO to eligible buyers and sign all associated agreements**
- C. Consideration of a motion to ratify the Library District Board of Trustees Selection Committee's appointment of seven trustees to the initial Boulder Public Library District Board of Trustees as specified in the Analysis section of this Agenda Memorandum**
- D. First reading and consideration of motion to order published by title only the following ordinances that would amend the Boulder Revised Code (BRC) to allow e-biking on open space trails.**

Staff recommended ordinance:

1. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8575 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Repealing Section 7-5-25, “No Electric Assisted Bicycles on Open Space;” Amending Section 8-3-6, “Vehicle Regulation”; and adding a new Section 8-8-12, “Electric Assisted Bicycles on Open Space,” B.R.C. 1981; and setting forth related details.

OR

OSBT recommended ordinance:

2. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8576 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Amending Sections 7-5-25, “No Electric Assisted Bicycles on Open Space,” and 8-3-6, Vehicle Regulation,” B.R.C. 1981; and setting forth related details.

E. Consideration of the following motions related to the Findings of Fact and Conclusion of Law from Special Counsel concerning the Police Oversight Panel Member selection process:

1. Consideration of a motion to accept the findings and recommendations of Special Counsel and remove Lisa Sweeney-Miran as a member of the Police Oversight Panel

OR

2. Consideration of a motion to acknowledge and reject the findings and recommendations of Special Counsel and affirm the appointment of Lisa Sweeney-Miran as a member of the Police Oversight Panel

4. Call-Up Check-In

A. Consideration of a Landmark Alteration Certificate application to rehabilitate and add on to Building L, the former Nurse's Dormitory at the Academy of Mapleton Hill at 2543 4th St (previously addressed 311 Mapleton Ave.) (HIS2023-00018) a pending individual landmark, pursuant to Section 9-11-18 of the Boulder Revised Code 1981

B. Consideration of a final subdivision plat approval #TEC2020-00009 located at 2150 Folsom Street pursuant to a court order

remanding to Planning Board for additional findings

5. Public Hearings

- A. Second reading and consideration of a motion to adopt Ordinance 8571 amending Section 4-20-18, "Rental License Fee," Title 9, "Land Use Code," and Title 10 "Structures," B.R.C. 1981, to update the regulations for accessory dwelling units, and setting forth related details** **120 min**

6. Matters from the City Manager

7. Matters from the City Attorney

8. Matters from the Mayor and Members of Council

9. Discussion Items

10. Debrief

11. Adjournment

3:50 hrs

Additional Materials

Presentations

Item Updates

Information Items

Boards and Commissions

A. March 1, 2023 Environmental Advisory Board Meeting Minutes

Declarations

A. National Mental Health Awareness Week Declaration

B. Archeology and Historic Preservation Month Declaration

C. Shrink the Lawn, Plant for Pollinators! Declaration

D. National Child Abuse Awareness Month 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 4, 2023

AGENDA ITEM

Asian American and Pacific Islander Heritage Month Declaration presented by Council Member Winer

PRIMARY STAFF CONTACT

Taylor Reimann

ATTACHMENTS:

Description

- ▣ **Asian American and Pacific Islander Heritage Month 2023**

Asian American and Pacific Islander Heritage Month

May 2023

Asian American and Pacific Islander (AAPI) Heritage in the United States started in 1978 and seeks to honor and recognize the lives, histories, and contributions of AAPI community members.

AAPI is a broad term for many unique identities including approximately 50 ethnic groups speaking over 100 languages, with connections to Chinese, Indian, Japanese, Filipino, Indonesian, Vietnamese, Korean, Hawaiian, and other Asian and Pacific Islander ancestries. This community has endured a long history of injustice -- such as the Page Act of 1875, the Chinese Exclusion Act of 1882, the Expatriation Act of 1907, the incarceration of Japanese American citizens during World War II, the Watsonville Riots of 1930, the murder of Vincent Chin, the mass shooting of Southeast Asian refugee children in 1989, and the targeting of South Asian Americans, especially those who are Muslim, Hindu, or Sikh, after the national tragedy of 9/11.

This month also observes the birthday of Vincent Chin, who was born on May 18 and brutally murdered in a hate crime in 1982. His murder fueled a national Asian American activist movement that continues to this day. We have seen a staggering rise in bullying, discrimination, and hate crimes against the Asian American and Pacific Islander (AAPI) community since the start of the COVID-19 pandemic. Every day, kids of all ages suffer from being bullied in schools and online across the country. In the AAPI community, this problem is often compounded by cultural, religious, and linguistic barriers that can keep these youth from seeking and receiving help. And certain AAPI groups - including South Asian, Muslim, Sikh, Micronesian, LGBTQ+, immigrant, and limited English proficient youth - are more likely to be the targets of bullying.

Acts of anti-Asian bias are wrong, they are un-American, and they must stop. The Boulder City Council will continue to stand shoulder to shoulder with AAPI communities in condemning, denouncing, and preventing these acts of violence. We will continue to look for opportunities to heal together and fight against the racism and xenophobia that still exists in our communities.

We, the City Council of the City of Boulder, Colorado declare May 2023 as

Asian American and Pacific Islander Heritage Month

And encourage everyone in the community to support organizations and causes that uplift and empower AAPI communities; learn about their cultures and histories; buy from AAPI-owned businesses; amplify AAPI creators, educators, and activists; and celebrate the accomplishments and joy of this community.



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 4, 2023

DECLARATIONS ITEM

Jewish Heritage Month Declaration presented by Mayor Pro Tem Wallach

PRIMARY STAFF CONTACT

Taylor Reimann

ATTACHMENTS:

Description

- ▣ **Jewish American Heritage Month**

Jewish American Heritage Month

May 2023

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 year marks the 43rd annual celebration of the achievements and contributions made by Jewish Americans, starting 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. Jewish Americans have advanced our collective efforts for a more just and fair society, leading movements for social justice and working to ensure that the opportunities they have secured are extended to others.

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, 2023 as

Jewish American Heritage Month



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Consideration of a motion to accept the April 13th Study Session Summaries regarding conversation with Boulder County: Overall Homelessness Strategies including Adult Homelessness, Family Homelessness and SAMPS

PRIMARY STAFF CONTACT

Vicki Ebner/Operating and Homelessness Senior Manager

REQUESTED ACTION OR MOTION LANGUAGE

Motion to accept the April 13th Study Session Summaries regarding conversation with Boulder County: Overall Homelessness Strategies including Adult Homelessness, Family Homelessness and SAMPS

ATTACHMENTS:

Description

- ▣ **Family Homelessness Study Session Summary**
- ▣ **Adult Homelessness Study Session Summary**
- ▣ **SAMPS Study Session Summary**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE: Consideration of a motion to accept the April 13, 2023 study session summary regarding homelessness strategy - Family Homelessness

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Elizabeth Crowe, Deputy Director, Housing and Human Services
Julie Van Domelen, Executive Director, Emergency Family Assistance Association
Whitney Wilcox, Family Resource Network Manager, Boulder County Housing and Human Services

EXECUTIVE SUMMARY

As part of a study session on homelessness, city staff and partners with the Emergency Family Assistance Association (EFAA) and Boulder County Housing and Human Services (BCHHS) provided an update on the

SUGGESTED MOTION LANGUAGE

Staff requests council consideration of this matter and action in the form of the following motion:
Motion to accept the study session summary from April 13, 2023 on Family Homelessness.

ANALYSIS

Overview. Staff from city HHS, EFAA and Boulder County provided an overview of family homelessness and how it manifests in Boulder. Primary drivers are economic, related to lack of affordable housing and other household costs; changes in family economic circumstances or structures, including domestic violence. Compared to single adult homelessness, family homelessness tends to be episodic; experienced by people already established and living in Boulder; among people who are already working. Referencing the Colorado Center for Law and Policy's Self-Sufficiency Standard, staff noted the significant gap between income that low-income community members receive through work and government or nonprofit assistance, and

what is needed for a Boulder family to sustain itself. Family homelessness tends to be less visible, as encampments, substance use and mental health challenges.

Among the negative impacts of family homelessness, is that for children it can be an indicator of adult homelessness. Other lasting impacts on children include developmental and educational delays, decreased school performance, and increased mental and behavioral health challenges.

The numbers of families experiencing homelessness, or who are at risk of homelessness in the city and in Boulder County, is at a record high. This is evidenced in the number of families receiving hoteling support, who are requesting rental assistance through eviction prevention programs and otherwise. The McKinney-Vento data provided by Boulder Valley School District indicates that for the 2022-23 school year so far, more than 750 children throughout the district are receiving services required for students experiencing homelessness.

Strategies for addressing family homelessness are also different than those for single adult individuals experiencing homelessness. Prevention tends to be the most successful intervention, through housing retention (rental assistance, case management, financial assistance for other basic needs). For families already experiencing homelessness, the goals are safety and stabilization through hotel/motel vouchers and temporary sheltering when the cause is domestic violence; and stabilization through temporary housing and supportive services. These services are primarily provided through nonprofit agencies including EFAA and Safehouse Progressive Alliance for Nonviolence (SPAN), and with investment support from the city HHS and county government agencies. In the long-term, subsidizing affordable housing resolves these challenges and the city works with county and nonprofit partners to utilize housing vouchers and make available permanently affordable units.

Collaborative Spaces and Strategies.

Boulder County staff provided an overview of the Family Resource Network (FRN) structure and its Family Homelessness Subcommittee, through which city HHS staff and a wide, diverse range of nonprofit partners engage with county staff for shared strategies and action. The Family Homelessness Subcommittee in particular, focuses on common Assessment, Training, Data & Analytics and Hoteling strategies. The value-add of FRN strategies and activities also includes resource mapping that help government and nonprofit staff more effectively and efficiently serve community members in need of rental assistance and homelessness prevention services; and in 2023 will include a new rental assistance dashboard which will provide the most up-to-date and comprehensive information on available rental assistance and housing options.

City Strategies and Interventions.

HHS provides a wide range of services and interventions that help keep families housed, and to address the needs of families already experiencing homelessness. These include:

- Support, navigation assistance and financial assistance through the Family Resource Schools;

- Eviction prevention services and assistance – through legal guidance, mediation and rental assistance – through the Eviction Prevention and Rental Assistance Services (EPRAS) program;
- Annual investments in EFAA’s Keep Families Housed program and for hoteling, which in 2022-23 includes grants to EFAA and SPAN;
- Annual Human Services Fund and Health Equity Fund grants, including for food, health care and other basic needs;
- Funding allocations from the city’s American Rescue Plan Act, for basic needs including rental assistance, food, and innovative programs such as the Left Behind Workers Fund and the guaranteed income pilot project.

Joining the city in investments and other response services, are the county’s \$5M through the Emergency Rental Assistance Program (2020-22); EFAA through its government and private funded-programming; roughly \$4M in Boulder County local and HUD grant funds for housing support. Staff acknowledge the benefits from other public and private foundations and donors and encourage community members to support local agencies in this effort.

Staff note that the high demand for rental assistance has resulted in a resource crisis for the city HHS and nonprofit partners. The 2023 EPRAS budget for rental assistance through city staff, has been completely expended and staff plan to use ARPA and reserve funds to help stretch the impacts. The high demands are also causing backups at EFAA and other nonprofit agencies as the need is vastly outpacing the collective resources available.

Staff will continue to engage with partners for prompt action where we are able to take it to continue providing homelessness prevention financial assistance; seek other funding sources; adjust program processes as necessary; monitor and explore policy initiatives; and maintain current prevention response and investments.

Council Questions and Comments. Questions and comments by council members included the following:

- Request for clarification on whether or not the city is experiencing a shortage of available housing for low-income families (e.g. three-bedroom homes). City staff shared that there is often an increased wait list for multi-bedroom homes, and that staff are engaging with Boulder Housing Partners (BHP) about ways in which rental rates could be reduced. Staff also note that developments like Rally will increase the availability of multi-bedroom homes.
- A council member also questioned whether or not the city and BHP are adequately prioritizing family housing options. Staff will consult with BHP and provide a response. This may be a point for continued discussion.
- The city and county planning on minimum wage is advancing, which may address some of the core economic challenges that affect families.
- Questions regarding how families experience homelessness: 85% of families experiencing homelessness are “doubling up” residence with other friends or family

members. A much smaller number of families are in recreational vehicles or cars in order to stay sheltered when homeless. The success rate for family temporary housing and hoteling is roughly 50% -60% transition to permanent housing solutions.

- A council member commented that Boulder as a community has resources with which we could collectively be investing to address the socio-economic challenges that lead to family homelessness; and that we have decisions to make about prioritizing investments and policies to do so.

NEXT STEPS

HHS staff will provide clarification more information as necessary, to council members regarding the level of affordable family housing options are available, and any challenges identified by staff, BHP and nonprofit partners in more effectively making these options available to families at risk of, or experiencing homelessness.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Consideration of a motion to accept the April 13, 2023 study session summary regarding homelessness strategy - single adult homelessness.

PRESENTER(S)

Nuria Rivera-Vandermyde, City Manager
Kurt Firnhaber, Director of Housing & Human Services
Megan Newton, Homelessness Policy Advisor
Heidi Grove, Boulder County HSBC System Manager

EXECUTIVE SUMMARY

This agenda item provides a summary of the April 13 study session on single adult homelessness. The purpose of this item was for Council to provide input on collaborative efforts with Boulder County.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to accept the study session summary from April 13, 2023 on Single Adult Homelessness.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Homelessness is associated with multiple economic impacts. First, homelessness is at its heart a housing issue, primarily caused by an individual’s inability to access or maintain housing. Individuals experiencing homelessness are often faced with barriers that impact their ability to obtain and maintain gainful employment.

In addition to economic impacts to the individuals experiencing homelessness, unsheltered homelessness can impact the business community. Community responses to homelessness can also be costly, affecting available resources needed for other community initiatives.

- **Environmental** – Homelessness, particularly unsheltered homelessness in or near waterways or areas that are environmentally vulnerable, disproportionately creates harmful levels of debris, water contamination, or other negative impacts.
- **Social** – While BIPOC people experiencing homelessness are overrepresented in the overall homeless community, they are also over-represented in homelessness exits. The SAMPS program continues to embrace outreach efforts that lead to successful exits from homelessness. People experiencing homelessness are often over-represented in underserved communities including people of color, LGBTQ+, non-binary persons, older adults, and people dealing with disabling conditions.

OTHER IMPACTS

- **Fiscal** – Sustaining some of the programs and initiatives will require sustained and increasing financial commitment.
- **Staff time** – The Housing and Human Services department increased its staffing in the homelessness response system, partly in the creation of the Operations Senior Manager who serves as the logistic manager of camping response and supervises the HHS homelessness team, and with the addition of a Homelessness Program Manager position. The Homelessness Policy Advisor continues to be the lead for adult homelessness responses and supervises the Homelessness Program Manager, who coordinates shelter and outreach work.

QUESTIONS TO COUNCIL

Study Session questions were:

- Does Council have further input on how HSBC collaborates with its partners?
- Does Council support the direction of HSBC, focusing on housing and supportive services?

BOARD AND COMMISSION FEEDBACK

None

PUBLIC FEEDBACK

This is a complex topic and engenders significant feedback from members of the community.

BACKGROUND

- The annual homelessness update was provided on [Sept. 1, 2022](#).

ATTACHMENT(S)

- A. Summary of the April 13, 2023 Study Session on Homelessness Strategy – Single Adult Homelessness.

ATTACHMENT A
April 13, 2023 Study Session Summary
Single Adult Homelessness

PRESENT

City Council: Mayor Aaron Brockett, Study Session Facilitator Matt Benjamin, Mayor Pro Tem Mark Wallach, Lauren Folkerts, Rachel Friend, Junie Joseph, Nicole Speer, Tara Winer, Bob Yates.

Staff: Nuria Rivera-Vandermyde, City Manager; Kurt Firnhaber, Housing and Human Services Director; Megan Newton, Homelessness Policy Advisor; Heidi Grove, Boulder County HSBC System Manager; Susana Lopez-Baker Boulder County Deputy Director of Housing; Vicki Ebner, HHS Operating and Homelessness Strategy Senior Manager

OVERVIEW

The study session provided the opportunity for council members to receive an update and discuss success metrics, collaborative activities and challenges.

SUMMARY OF PRESENTATION & DISCUSSION

City and County staff provided an overview of:

- Local homelessness strategy
- Homeless Solutions for Boulder County (HSBC) structure
- US Interagency Council on Homelessness (USICH) strategic plan
- Funding Structures

City and County staff provided an update on successes, trends, and challenges, including a discussion of Boulder County's Behavioral Health Roadmap.

City staff provided updates on upcoming initiatives:

- Summer Point in Time Count
- High Utilizer workgroup
- Building Home program

Staff announced the new location for the Day Service Center, at 1844 Folsom and updated council on the timeline for the opening of the center.

Housing and Human Services (HHS) Director Kurt Firnhaber answered questions about the CARE program. While not exclusively for people experiencing homelessness, the CARE program will provide on-street mental health services in lieu of Police interactions. Staff is currently in the hiring process for a potential program launch within three months.

Homelessness Policy Advisor Megan Newton provided additional information about the Building Home program and how the housing retention team.

Kurt Firnhaber discussed changes in the homelessness system and the characteristics of the people experiencing homelessness.

- HHS has added staff capacity which allows for increased coordination with and between the organizations providing services.
- Within the unhoused community, there is a higher vulnerability.
- The work of the city and of the nonprofits has gotten more expensive.

Kurt Firnhaber answered questions about options for people living unsheltered.

Boulder County HSBC System Manager Heidi Grove answered questions about Veteran Homelessness Functional Zero and moving to a focus on single adult homelessness through Built For Zero. Heidi Grove also responded to questions concerning data sharing, how the system defined “inactive” persons on the housing priority list, and the impact of landlord recruitment staff.

Kurt Firnhaber and HHS Operating and Homelessness Strategy Senior Manager Vicki Ebner answered questions about the Point in Time Count and the number of people experiencing homelessness in Boulder. Kurt Firnhaber also answered questions about the role of other Boulder County jurisdictions in the HSBC system.

NEXT STEPS

Council requested further conversation about sanctioned camping and updates on the day service center.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Consideration of a motion to accept the April 13, 2023 study session summary regarding Homelessness strategy - Safe and Managed Public Spaces program in Boulder.

PRESENTER(S)

Nuria Rivera-Vandermyde, City Manager
Sandra Llanas, Deputy City Attorney
Maris Herold, Police Chief
Ali Rhodes, Director of Parks and Recreation
Joe Taddeucci, Director of Utilities
Kurt Firnhaber, Director of Housing & Human Services
Stephen Redfearn, Deputy Police Chief
Daniel Reinhard, Police Data Analyst Senior

EXECUTIVE SUMMARY

This agenda item provides a summary of the April 13 study session on the Safe and Managed Public Spaces (SAMPS) program. The purpose of this item was for Council to receive an update on the program's activities, outcomes, and challenges. Council also reviewed recent improvements to the Abatement Protocol.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to accept the study session summary from April 13, 2023 on the Safe and Managed Spaces program.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Increased misuse of public spaces leads to an increase in the cost to mitigate the effects of such misuse. Perceptions of safety issues in public spaces can lead to loss of revenue from nearby businesses, events, and general decreases in visitation.
- **Environmental** – Trash, organic materials, and debris in waterways can cause significant environmental harm. Biohazards can also have environmental impacts.
- **Social** – While BIPOC people experiencing homelessness are overrepresented in the overall homeless community, they are also over-represented in homelessness exits. The SAMPS program continues to embrace outreach efforts that lead to successful exits from homelessness. The unmitigated impact of camping, however, created societal impacts for the community at large. Crime associated with camping can lead to unsafe conditions which impact the use of public spaces by all members of the community.

OTHER IMPACTS

- **Fiscal** – Sustaining some of the programs initiated during the pilot period will require financial support. This need will be discussed as part of the 2024 Budget process.
- **Staff time** – The SAMPS team added an additional operations team in the 2023 Budget. Additional Police and Park Ranger assistance may be needed and will be discussed as part of the 2024 Budget process.

RESPONSES TO QUESTIONS FROM COUNCIL AGENDA COMMITTEE

Information was provided as an update, and no questions were posed to Council. The key topics of the Study Session were:

- The SAMPS program addresses symptoms of homelessness; it does not try to solve homelessness.
- Revised Abatement Protocols and an Action Plan were created in 2023.
- SAMPS has seen preliminary results but continues to face challenges.

BOARD AND COMMISSION FEEDBACK

None

PUBLIC FEEDBACK

This is a complex topic and produces significant feedback from members of the community.

BACKGROUND

The SAMPS program update was provided at the [April 13, 2023, Council Meeting](#). Prior discussions occurred including:

- Jan. 19, 2021 – [City Council Meeting](#)
- April 27, 2021- [City Council Meeting](#)
- May 11, 2021 – [City Council Meeting](#)
- June 7, 2022 - [Information Packet](#)
- Aug. 4, 2022 – [City Council Meeting](#)

ATTACHMENT(S)

- A. Summary of the April 13, 2023 Study Session on the Safe and Managed Public Spaces program.

ATTACHMENT A
April 13, 2023 Study Session Summary
Safe and Managed Public Spaces Update

PRESENT

City Council: Mayor Aaron Brockett, Study Session Facilitator Matt Benjamin, Mayor Pro Tem Mark Wallach, Lauren Folkerts, Rachel Friend, Junie Joseph, Nicole Speer, Tara Winer, Bob Yates.

Staff: Nuria Rivera-Vandermyde, City Manager; Maris Herold, Police Chief; Ali Rhodes, Parks and Recreation Director; Joe Taddeucci, Utilities Director; Kurt Firnhaber, Housing and Human Services Director; Cris Jones, Interim Community Vitality Director; Stephen Redfearn, Deputy Police Chief; Daniel Reinhard, Police Data Analyst Senior; Vicki Ebner, HHS Operating and Homelessness Strategy Senior Manager

OVERVIEW

The study session provided the opportunity for council members to receive an update and discuss success metrics, changes to processes and challenges.

SUMMARY OF PRESENTATION & DISCUSSION

Staff provided an overview of current Safe and Managed Public Spaces (SAMPS) program services:

Staff discussed the holistic, multi-disciplinary approach to SAMPS and stated that a second operational team is currently being added.

- Internal Operations and Clean-up
- Urban Park Rangers
- Downtown Ambassadors
- BTHERE Outreach
- Dedicated Boulder Police Support
- Data, Analytics, Legal, and Communications

Staff discussed program outputs and actions.

- Output
 - Urban Park Rangers: 1,200 patrols, 1,100 general info contacts, 1,400 park regulation contacts, 895 enforcement contacts.
 - Downtown Ambassadors: 18,392 business contacts, 8,286 welfare checks, 8,300 instances of graffiti addressed, 2,000 bags of trash collected, Cleaned up biohazard waste from more than 250 humans and animals.
 - Boulder Targeted Homeless Engagement and Referral Effort (BTHERE): 1,130 interactions with approximately 419 unique individuals, 28 Coordinated Entry screenings, helped 156 people with obtaining documents.
 - Boulder Police Department: 50,454 hours, 7,007 proactive patrols, 2,772 medical calls facilitated, 949 tickets for encampments in hotspots.

- Clean-Up/Operations: 1,316 Encampment assessments, 836 Clean-Ups
195.4 Tons of trash collected.
- An Action Plan was created for 2023 and was attached to the meeting agenda.
- Outcome-based metrics related to each SAMPS program goal were presented to council.

Staff provided an update on Police-related activities, including:

- A discussion of the variety of staff-level support provided by BPD
- Crime rates and patterns of criminal activity in designated areas. From Jan. 2020 through Dec. 2022:
 - One in five people issued camping tickets received four or more camping tickets.
 - These top 88 people were responsible for 783 camping charges.
 - These 88 people engaged in 967 crimes, excluding camping, during this time.

Staff provided council with an operational update.

- Staff provided information related to the evolution of program and approach.
- Staff discussed changes to the Abatement Protocol and how areas are prioritized for clean-up.
- Staff provided an update on the hiring of the new crew.

Staff updated council on the changes to the Abatement Protocol.

- Recent situations reflect changing conditions:
 - Fires/Propane
 - Issues on Pearl Street Mall and the Bandshell
 - Overdoses
 - Situations along school routes and path obstructions
 - Increased community concerns
 - Reduced voluntary compliance by campers
- The Abatement Protocol was updated to provide clarity on:
 - Tent/propane ordinances applicability
 - Notice and situations that are exceptions to 72-hour notice
 - Re-occupancy prohibitions
- Signage has also recently been updated, partly in response to the recent increase in fires. Signage provides clarity on rules concerning camping, tents, and propane. Signs also include QR code information to connect people to Coordinated Entry and sheltering. Signs have initially been posted along Boulder Creek in the downtown area, around Boulder High School, and in the Goose Creek area.

Staff discussed the challenges faced by operations workers and the community at large.

- The community is divided, which makes it hard to define success, and the distribution of food, sleeping bags and other items contribute to debris and creates a disincentive to engage with services.

- Poly-substance or methamphetamine addictions often lead to disengagement with service providers, increased criminal activity and inability/unwillingness to access limited resources.
- Criminal histories or other barriers limit the system's ability to successfully house certain individuals.
- Disease, contamination, weather, public health risks, victimization occur in encampments.
- Campsites increase wildfire risks and impact/endanger wetlands or ecologically sensitive areas. Biohazards can create dangerous situations on pathways or in parks.
- Ticketing is not effective in reducing illegal camping. Bond reform removed jail as an opportunity for intervention, and there is a shortage of jail beds.
- Crime disproportionately concentrates in encampment areas and creates harmful work environments.

Chief of Police Maris Herold and Interim City Attorney Sandra Llanes answered questions about camping citations.

- Most camping citations are dismissed.
- Community Court provides alternative sentencing for people cited for crimes usually associated with homelessness.
- Staff is exploring Exclusion Zones for repeat offenders of the camping ban.
- Zones are defined by a geographic area rather than by tent.

Chief Herold and Dr. Daniel Reinhard, police researcher, answered questions about Boulder Police Department data collection and trends. They also answered questions about the ability to seize propane cannisters. Boulder Police Department cannot collect propane tanks that are within tents; this requires a warrant. They explained that people are obtaining propane tanks, grills, and heaters in a variety of ways including theft, purchase, and donations from community members.

Deputy Chief of Police Stephen Redfearn answered questions about overdoses and treatment options.

- People often refuse medical assistance.
- People often have their own Narcan, so some overdoses go unreported.
- Once Narcan is administered, people often do not reach the threshold of instability required for detox center or jail admission.
- Police officers assist people who refuse medical assistance with connection to support systems.

Director of Utilities Joe Taddeucci answered questions as to the definition of "impact on neighborhood livability". He explained that this is one factor that goes into a formula and is generally considered the quantification of the amount of trash or debris that has spilled onto property.

Director of Housing and Human Services Kurt Firnhaber answered questions about housing and the value of outreach services.

There are at least 9 coordinated outreach services – including city staff such as the Homeless Outreach Team and the Municipal Court Homeless Navigators – that work collaboratively to engage with people. The pathway to housing is complicated and is different for different people. As a result, any exit from homelessness is accomplished through the work of a team of people, rather than by one organization.

NEXT STEPS

Staff identified the next steps for the SAMPS team, including:

- Improving both internal and community communications to clearly explain the challenges faced by the SAMPS team, increase transparency about what can and cannot be accomplished, and to better communicate successes to the public.
- Fully implement the strategies and actions laid out in the 2023 Action Plan including implementation of the updated Abatement Protocol, development of a communication plan and reviewing responses from worker safety surveys with the aim of implementing improvements
- Putting forth recommendations for the 2024 Budget

City Council requested further conversation about program needs and key issues impacting the work and requested an update to follow at least 45 days from the implementation of the Abatement Protocol changes.



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Consideration of a motion authorizing the City Manager to convey the permanently affordable housing units at 1187 Bear Mountain Unit A, Boulder, CO and 180 South 31st, Boulder, CO to eligible buyers and sign all associated agreements

PRIMARY STAFF CONTACT

Eric Swanson, Homeownership Program Coordinator

REQUESTED ACTION OR MOTION LANGUAGE

Motion authorizing the City Manager to convey the permanently affordable housing units at 1187 Bear Mountain Unit A, Boulder, CO and 180 South 31st, Boulder, CO to eligible buyers and sign all associated agreements.

ATTACHMENTS:

Description

- ▣ **05.04.23 convey Affordable housing units to eligible buyers**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Consideration of a motion authorizing the City Manager to convey the permanently affordable housing units at 1187 Bear Mountain Unit A, Boulder, CO and 180 South 31st, Boulder, CO to eligible buyers and sign all associated agreements.

PRESENTER/S

Nuria Rivera-Vandermyde, City Manager
Kurt Firnhaber, Director of Housing & Human Services
Jay Sugnet, Housing & Human Services Senior Manager
Eric Swanson, Homeownership Manager

EXECUTIVE SUMMARY

Approval from City Council is required to dispose of City property. In October 2022 and November 2022, the City, through its Housing & Human Services Department, purchased the homes at 1187 Bear Mountain Unit A, Boulder, CO and 180 South 31st, Boulder, CO. The homes were purchased with the intention of providing homeownership opportunities to middle income buyers. The homeownership program seeks approval to sell the properties to program qualified buyers. This will allow the homes to be added to the City's Permanently Affordable Homeownership Program.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to authorize the City Manager to dispose of the permanently affordable housing units at 1187 Bear Mountain Unit A, Boulder, CO and 180 South 31st, Boulder, CO to eligible buyers and sign all associated agreements.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The City of Boulder Permanently Affordable Homeownership Program is committed to making homes in our community available to a variety of people. We offer opportunities for homeownership to those with low, moderate, and middle incomes throughout the city. Authorizing the City Manager to dispose of 1187 Bear Mountain Unit A and 180 South 31st to certified applicants, through the Permanently Affordable Homeownership Program Fair Selection Process, will provide properties for permanently affordable homeownership in the City of Boulder.
- Social - The sale of these homes will give income qualified applicants the opportunity to purchase an affordable home in Boulder.

OTHER IMPACTS

Fiscal – The purchase and sale of these properties will have a net cost of approximately \$207,000, with an average per unit subsidy of approximately \$103,500.00. The majority of this represents the subsidy needed to convert these homes from market rate homes to permanently affordable homes. To make them affordable the price needed to be lowered. In addition, some of the systems in the two homes were in need of maintenance or replacement. The net cost was anticipated and budgeted for within the new Housing & Human Services initiative that creates middle-income affordable homes and the Homeownership risk fund.

Table A – Property Purchase, Rehabilitation and Resale Costs

	1187 Bear Mountain Unit A	180 South 31 st , Boulder, CO
Purchase Amount	(\$564,400.00)	(\$306,000.00)
Rehabilitation Costs	≈ (\$32,400.00)	≈ (\$51,000.00)
Resale Costs	≈ (\$13,100.00)	≈ (\$10,000.00)
Total Costs	≈ (\$609,900.00)	≈ (\$367,000.00)

Table B – Property Sale

Property Resale Amount	\$402,900.00	\$367,000.00
Total Costs	≈ (\$609,900.00)	≈ (\$367,000.00)
Affordable Housing Fund	≈ (\$207,000.00)	≈ \$0

- Staff time - Staff time needed to facilitate the property sale would be a part of the normal work plan. No additional staff resources would be required.

BACKGROUND

To build the inventory of permanently affordable homes available to middle-income earners (80-120% AMI), the Housing and Human Service department established a new initiative in 2021. The goal of this initiative is to buy homes at market prices and resell them at lower prices that are in line with the Permanently Affordable Program specific to middle-income. A permanently affordable covenant is attached to the property with the goal of maintaining affordability into the future. 1187 Bear Mountain Unit A was purchased at market rate with the intention to convert it to a permanently affordable home. 180 South 31st was an existing home in the Permanently Affordable program. The previous owner wanted to sell this older home. The home was in need of repairs to meet the affordable program's quality standard that were above what most newer homes in the program require. The city purchased the home with the intention of making the needed repairs and then bringing the home into the middle-income program.

ANALYSIS

The Housing & Human Service's mission is to preserve and provide safe, quality and affordable housing opportunities through collaborative community planning and funding of programs. The purchase and resale of these properties upholds the mission of the program. The disposal of these properties will afford certified applicants' opportunities to own a home in the city. These properties will serve applicants who earn up to 120% of the Area Median Income. Approval from City Council is required to dispose of City property, § 2-2-8(a) "Conveyance of Real Property Interests," B.R.C. 1981.



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Consideration of a motion to ratify the Library District Board of Trustees Selection Committee's appointment of seven trustees to the initial Boulder Public Library District Board of Trustees as specified in the Analysis section of this Agenda Memorandum

PRIMARY STAFF CONTACT

Janet Michels, Senior Attorney
Erin Poe, Co-Acting City Attorney
303.441.3020

REQUESTED ACTION OR MOTION LANGUAGE

Motion to ratify the Library District Board of Trustees Selection Committee's appointment of seven trustees to the initial Boulder Public Library District Board of Trustees as specified in the Analysis section of this Agenda Memorandum

ATTACHMENTS:

Description

- ▣ **Item 3C - Ratification of board of trustee members**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Consideration of a motion to ratify the Library District Board of Trustees Selection Committee's appointment of seven trustees to the initial Boulder Public Library District Board of Trustees as specified in the Analysis section of this Agenda Memorandum

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Chris Meschuk, Deputy City Manager
Erin Poe, Co-Acting City Attorney
Janet Michels, Senior Counsel
David Gehr, Senior Counsel

EXECUTIVE SUMMARY

The purpose of this agenda item is for City Council to consider ratifying the appointment of seven trustees to the Boulder Public Library District Board of Trustees. The citizen petition to form and fund the Boulder Public Library District (the "District") was approved by the electors on November 8, 2022. Pursuant to Colorado Library Law, City Council and the Board of County Commissioners for Boulder County ("BOCC") must establish the District forthwith. The Colorado Library Law also requires City Council to appoint two of its members to a committee to select the initial District Board of Trustees (the "Selection Committee"). The BOCC must also appoint two commissioners to the Selection Committee. Mayor Brockett and Council Member Speer were nominated and appointed to represent the city and Commissioner Claire Levy and Commissioner Marta Loachamin were nominated and appointed to represent the county on the Selection Committee.

Trustees selected by the Selection Committee must be ratified by a two-thirds majority vote of City Council and a two-thirds majority vote of the BOCC. City Council and the BOCC must act on the Selection Committee's recommendation within 60 days, or the recommended trustees are automatically ratified.

The initial trustee appointments (set by state law) must be for terms of one, two, three, four, and five years respectively. The Selection Committee agreed that seven trustees should be appointed to the initial Library District Board of Trustees. Two trustees will have four-year terms and two will have five-year terms. The remaining trustees will be appointed to the residual terms. Thereafter, the length and number of terms is determined by the Library District by-laws. Trustees may only be removed by a majority vote of the council and the commissioners upon a showing of good cause. Trustees shall not receive a salary nor other compensation for their service as a trustee but will be reimbursed for necessary travel and expenses directly related to service.

The list in **the Analysis section below** indicates the Selection Committee's recommended appointments to the initial Library District Board of Trustees. Each recommended appointment is followed by a term of office the trustee will serve.

The BOCC is considering the Selection Committee's recommendations on May 2, 2023.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to ratify the Library District Board of Trustees Selection Committee's appointment of seven trustees to the initial Boulder Public Library District Board of Trustees as specified in the Analysis section of this Agenda Memorandum

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** - Once the initial board of trustees is ratified, city and city staff support will be necessary for at least the first year while the library transitions to the District. The District is expected to reimburse the city for library operations during the transition time.
- **Environmental** - None.
- **Social** - The Boulder Public Library District Board of Trustees will be solely responsible to the community for overseeing how the District's resources are used to provide library services which will enhance the quality of life for community members.

OTHER IMPACTS

- **Staff time** - City staff support will be necessary during the transition period. The District is expected to reimburse the city for library operations during the transition time.
- **Fiscal** - The formation of the District and the appointment of a Board of Trustees together with elector-approved funding will eliminate the need for the city to provide library services. It is estimated that \$9.5 to \$10.25 million may be available for reallocation to other city priorities.

BACKGROUND

The Selection Committee met for one hour each on February 6, March 8 and April 3, 2023. In these three meetings, the committee agreed to: 1. proceed with recommending a seven-member board of trustees, 2. the board of trustee application layout and questions, 3. the application process, 4. the candidate interview questions, and 5. the candidate interview process.

The application collected demographic information that included address, age, race and ethnicity as well as seven questions for an applicant to answer. The questions posed were meant to collect information on a candidates desire to serve on the board, experience with serving on a nonprofit or governmental board, what skills they believe are needed to get a library district up and running, personal characteristics that would make them a good candidate for the board, related decision making skills, equity work, and whether they or a family member have worked or served for the City of Boulder or Boulder County.

The application process included a three-week window in which applicants could submit their application via a link on the county's website. The application opened on March 8 and closed on March 29, 2023. Thereafter, city staff verified eligibility of each applicant and on March 31, 2023, sent the Selection Committee a packet of 30 applications for review. At the April 3 meeting, the Selection Committee agreed to move 11 of the 30 applicants to the interview process. The Selection Committee took care to make sure that a broad demographic was represented in the final 11 candidates.

The Selection Committee held 20-minute virtual interviews with each of the 11 candidates on [April 10](#), [April 11](#) and [April 20](#), 2023. April 10 included four interviews; April 11 included two interviews; and, April 20 included five interviews.

On [April 24](#), 2023, the Selection Committee came together to nominate and recommend appointments to the board of trustees. Below is the nomination process that the committee followed.

- i. Appoint by seat, with longest seats first.

- ii. Committee members made nominations, and members spoke to the nominees' qualifications. Once all individuals were nominated, committee members took a vote.
- iii. Appointments were made by majority vote. A majority of committee members, three, must have voted for a candidate for an appointment to be made. A tie meant no appointment.
- iv. The committee strove to meet rough proportionality of district population within the city of Boulder and unincorporated county.
- v. Appointment order:
 1. Seat 1: 5 years – must reside within the jurisdiction of unincorporated Boulder County
 2. Seat 2: 5 years – must reside within the jurisdiction of the city of Boulder
 3. Seat 3: 4 years
 4. Seat 4: 4 years
 5. Seat 5: 3 years
 6. Seat 6: 2 years
 7. Seat 7: 1 year

ANALYSIS

Colorado law states that trustees selected by the Selection Committee must be ratified by a two-thirds majority vote of City Council and a two-thirds majority vote of the BOCC. City Council and the BOCC must act on the Selection Committee's recommendation within 60 days, or the recommended trustees are automatically ratified. If a trustee is not ratified, the committee would reconvene to consider additional candidates for the trustee(s) that are not ratified.

The committee has appointed the following community members to the Boulder Public Library District Board of Trustees:

Seat	Term Length	Appointee	Jurisdiction
1	5 years	Benita Duran	Boulder
2	5 years	Jennifer Yee	Unincorporated Boulder County
3	4 years	Sylvia Wirba	Boulder
4	4 years	Doug Hamilton	Boulder
5	3 years	Cara O'Brien	Unincorporated Boulder County
6	2 years	Sam Fuqua	Boulder
7	1 year	Joni Teter	Boulder

NEXT STEPS

Once the initial board of trustees is ratified, the District, city, and county will negotiate an Intergovernmental Agreement ("IGA"). State law requires that an IGA between the city, county, and the District be executed within 90 days. This date can be modified by mutual agreement of the parties. The IGA must determine the rights, obligations, and

responsibilities, financial and otherwise, of the parties to the agreement. An estimated timeline is the following:

May – July 2023 – City, county, and District negotiate an IGA.

August 2023 – City Council/County Commissioner consideration/approval of IGA.

ATTACHMENT

A – Applications received for the Library District Board of Trustees

Boulder Library District Board Application

COMPLETE #9


Please submit your application on later than 5pm on Wednesday, March 29, 2023


Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED

IP ADDRESS

PUBLIC
Mar 10th 2023, 1:19:23 pm



* Date of Application

3/10/2023

* Applicant's Name

Amy Boal

* Applicant's Address

Boulder
Colorado
80302
United States

* Phone Number

* Email Address

* What is your age range?

25 to 34

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

Most of my earliest childhood memories are of libraries. My mom would take me on weekends to our local library (I grew up in Oregon), which was on the edge of a park full of huge fir trees. She would let me loose in the kids section to grab as many picture books as our checkout limit allowed. At my preschool, we'd often take field trips to different libraries around town, and each student would be able to check out a book to bring back to the classroom. I thought then-and still do-that it was so amazing that all these books were there for community members to explore and learn from.

My husband and I moved to Boulder in 2019, just before the pandemic, and had a baby in January 2021. Thanks to lockdowns and newborn life, we are still building community for ourselves in Boulder, and the library has been an important part of that. Noah has loved storytimes at the Main Library, and at Holiday Park, and checked out his first library book a few months ago from the NoBo Corner Library. It would be an honor, privilege, and natural next step to serve as a Trustee for the Library District, building my relationships with my library in a new way, and more deeply embedding myself and my family in the community.

*** Do you have experience serving on a nonprofit or governmental board?**

Straightforwardly, no, though I do have extensive experience in collaborating with boards, from the nonprofit staff side. I am currently employed as Brand & Communications Director for River Network, a national nonprofit with headquarters in Boulder. A small organization, with about 15-20 staff at various points in time during my tenure, all staff are called upon at various times to engage with and educate the board. I have presented at numerous board meetings, organize impact metrics we report quarterly to the board, and interface regularly with board members both virtually and during in-person opportunities (at our national conference, staff and board retreats, etc.). Our board is all volunteer and dispersed nationally, which presents logistic and accountability challenges. I've seen first hand what works and what doesn't in keeping a volunteer board engaged and have navigated all different kinds of personalities, learning to quickly assess what works best for specific individuals and how to get the most out of folks.

I also see the importance of bringing in new voices and opportunities for individuals who have not previously served on boards - both to build skills in the community and ensure a more inclusive board, rather than one with all the same names that have served on local boards previously.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

Budgeting and communications are essential pieces of my professional role at River Network, and would apply well to the library district getting off the ground. While other applicants may be from the finance sector and be able to lead in a way I can't on budgeting and fiscal topics, I do build and manage my department budget and have collaborated on the budget process for our national conference each year as well. River Network's particular finances are quite complex, with funding from a huge variety of sources, including individual donors, single- and multi-year grants, and fee for service projects (within each there might be communications funding hiding as well!). I am comfortable reading Budget to Actual documents, collaborating to build budgets, and thinking holistically about a budget that may appear piecemeal and complex, and balance program desires with true need.

More directly in my role at River Network, I manage and execute the entirety of our communications efforts, tailoring messaging to different audiences and constituents. These communications skills would be a real asset to the Library District-I could see myself working seamlessly with any library communications staff to translate Board decisions, processes, and thinkings for the library's audiences.

I also have experience in collaborating on community-led research topics, and know the best practices for connecting with the community to represent the needs of the community, as well as deep experience with equity, diversity, and inclusion efforts, trainings, and programs.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

Dedication and curiosity come to mind most immediately. Once I'm involved in something, I tend to stay and go deep. All my full time job experience has been for a number of years in each position, and I have to actively work at my current job to step back, take breaks, and find time for rest and resetting. Libraries are in my top three causes and areas of interest and I would relish the opportunity to deepen that commitment and dedication on the Board of Trustees.

As well, I see myself as a lifelong learner, who regularly explores new topics, whether through books, other reading, hands on practice, or Googling things I come across but am not familiar with. I would approach the role of Trustee in a similar way, staying open to new ideas and suggestions from other Trustees and the community, and actively explore and learn in areas where my direct experience may not be as strong.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

River Network hosts a national conference, called River Rally. In 2020 and 2021, our staff shifted the conference to a virtual format, and then returned to an in-person event in 2022, taking place in Washington, DC. This event is a bear to put on, and most of the work over those last three events fell to myself and one other staff person, as we are generally seen as “admin” or “support” staff, who can jump in anywhere. We were burnt out. Around the 2022 conference, our CEO announced she would be leaving the organization. The rest of our Leadership Team saw an opportunity: would we want to shift the conference to every other year? Would that help with staff morale (especially mine and my other colleague who focus on the event)? The two of us replied with a resounding yes, but then had to do the work to bring this option to the rest of our staff and board and lead them through the decision-making process.

The decision was multifold. We had to consider our budget (did we need the event revenue to stay afloat?), reputational risk, funder commitments, and more, on top of the core issue of whether our team could turn around the event again in under a year without a CEO’s leadership in place and not want to quit. We used a mix of virtual meetings (our team is spread around the country), asynchronous feedback opportunities (jamboards, shared documents, etc), surveys, and one on one conversations. There were a lot of difficult conversations that revealed deeper splits among our team (and which we are now also working through!), additional pressure on me and my colleague in particular, and a fascinating use of ranked choice voting that did not turn out the way we expected.

In the end, we got to a place of, if not agreement, perhaps acceptance, and ultimately we are not hosting a conference in 2023. Instead, planning has begun for 2024, and our communications team is exploring and expanding in ways we couldn’t before. Staff and board members are already seeing the benefit of this shift, and lately we’ve heard nothing but gratitude for the process and the ways the decision is having positive effects on us all, even those who weren’t initially supportive.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

Equity work is at the center of and embedded into everything that River Network does and as a result, has flowed into my personal life and beliefs as well. I have just entered into year two of a two-year term co-chairing our staff Equity, Diversity, and Inclusion committee (see our work on this webpage I built: <https://www.rivernetwork.org/about-us/mission-vision-values/equity-diversity-inclusion-at-river-network/>).

I firmly believe that equity is not just an outcome - equity is a PROCESS. I would ensure our processes and work are centered equity and the community (i.e. let’s not just share info about public meetings just online, in case interested folks do not have reliable internet access; could we offer childcare during public meetings so parents could attend; are there transportation barriers we can address). I would also support a library district that is welcoming and inclusive of all, starting with those who have inhabited and stewarded the lands the district occupies for millennia. What tribes and Native peoples are still living in Boulder and how are they centered in decisions about the library district? The district will be a powerful ally in ensuring that librarians and all library staff have access and the time to participate in antiracism and other relevant equity trainings (and perhaps there are even programs for the community on this!), making sure the district has books from a diverse range of authors, and is supportive of inclusive events, such as drag storytimes and other similar events. Boulder is known for being a progressive community, and the library district should exemplify this as well, serving as a model for other libraries and library districts around the country. I would also be interested to learn more about how the Board plans to prioritize distributing funding, using some kind of equity tool to help make those decisions (something akin to the federal Justice 40 principles perhaps; River Network has an equity assessment tool that could likely be adapted for the district as well), and ensure that there are not unnecessary barriers for accessing that funding. Another piece I’ve played a role in at River Network is evaluating and improving our hiring practices—with the Board’s role of employing the Library Director, how is equity considered in that process? As well, let’s weave equity directly into the bylaws, rules, and regulations of the board, so that it is firmly part of all our processes and seen as an ongoing journey, not just something we hope to “achieve” and check off.

In closing, I would underscore too that as a white woman, I would not want to serve on the board if that meant taking up space that could otherwise be held by a community member of color.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #16

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 20th 2023, 11:57:45 am</div></div></div>	<div></div>

* Date of Application

03/20/2023

* Applicant's Name

Tiffanie Beal

* Applicant's Address

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I am an avid supporter and user of libraries, and find our library system in Boulder such a wonderful resource for the community. I am pleased to see the formation of the library district, and would love to be a part of helping to make it a success, as well as establish health and longevity to our local library system.

*** Do you have experience serving on a nonprofit or governmental board?**

I am the Finance Director at a local nonprofit (International Mountain Bicycling Association-IMBA) and have worked for them for over 13 years. While I am not on the Board but instead an active employee in leadership position, I still have many touch points and insight with our Board, and I work extensively with our Board members to maintain a successful organization.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I manage the budget, gift acceptance policies, annual reporting, audits, and much more as part of my day job at IMBA. I manage direct relationships with our Board of Directors and help in facilitating any needs for updates to organizational structures, bylaws, committee creation, and onboarding. I understand nonprofit formation and a great deal of the admin that goes into that.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am organized and precise, which shows in my annual clean nonprofit audits with no material changes or comments. I also hit all my deadlines, which is extremely important support for employees, organization/Board due diligence for reporting and financial requirements, and seamless running of the organization on a day-to-day basis.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I love the outdoors for all sorts of activities, which is no surprise with someone in Boulder. But in that process I have seen the most interesting dynamics with a group in route-finding and map work when traveling in the backcountry. Getting lost is a big stress for a lot of people, and learning to assess the situation without panicking is a great skill. In a group, I make sure to understand everyone's skill level up front and before the activity, then if the group needs direction we default to understand who is best with compass, who understands terrain and space, and who is paying attention to noticeable features. Getting the group to work together while at the same time employing everyone's best skills is super important. I think this works in all avenues in life. Translate that to a working group, and I would work closely with my co-trustees to understand strengths and make sure everyone understands mine too. The keys to a group working together are teamwork, communication, and known skillsets.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

Through my work in mountain biking advocacy, I have worked on specific initiatives to promote more women in the sport. I volunteered for the Little Bellas for eight summers as a coach/mentor. They are an organization that works with girls age 7-12 to achieve goals, have confidence, and find empowerment through riding bikes. And have lots of fun and play games in the process too! Additionally, at IMBA we are working on "Trails Close to Home", which essentially is making sure that all those in a community have access to trails, regardless of their race, income, gender, accessibility to trailheads, and resources. We look for ways to partner with other organizations to further this equity work.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.



Boulder Library District Board Application

COMPLETE #13

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 18th 2023, 3:42:10 pm</div></div></div>	<div></div>

* Date of Application

3/18/23

* Applicant's Name

Wade Branstetter

* Applicant's Address

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I have lived in Boulder most of my life and raised 2 kiddos that are now young adults. I have utilized the library for books, videos, research, computers, meetings, a place to meet others and a central hub for my years in the area.

My son, who is on the Autistic spectrum, loves the Boulder library system as a fun and relaxing place to look for books, movies and music. It was often one of the few places that he looked forward to going to every weekend while in middle and high school. My son and I have been to every library in Boulder as we have lived near each one at one point or another (the Main, G Reynolds, Meadows and N Boulder).

My son also volunteered for 3 summers for the Summer Reading Program and went to several library events and game nights. We do not have much discretionary money to spend, so the library has given my family a place to feel welcome and grow.

I would like to have the opportunity to share my experiences personally and professionally as a social caseworker to continue the wonderful work of the public library system to encourage folks of all ages, financial status, cultures and backgrounds to feel welcome and look forward to their time at the library, as my family has.

*** Do you have experience serving on a nonprofit or governmental board?**

I have not served on an official nonprofit or governmental board; however, I have been employed by them and presented to them in the past as a governmental workers and non-profit liaison for Boulder County for over 20 years.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I believe that I have knowledge of the library's history in Boulder over the past 30 years, but also can look at it from someone who has grown personally, professionally and fiscally in the region over that same time period and used the library. I have utilized library services myself as well as my family.

I have met friends, colleagues and clients there on many occasions and feel like I understand the role that the library plays in the lives of so many people.

As a social caseworker who has worked extensively with the homeless and those who are underserved and disenfranchised, I also know how vital the libraries are to them, as well as the challenges that serving everyone in the population can entail. My experience working with diverse backgrounds, cultures and individuals is also a strength that I can bring to this role.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am a stickler for treating folks fairly and with dignity, no matter who they are or where they come from. Additionally, I feel that great customer service is imperative when dealing with the public in ways that help build relationships that can grow and strengthen over time.

Finally, I respect and honor diversity and leveling the playing field for those who need it, while offering great services to everyone of all social levels, religions, creeds, etc.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I was in charge of helping transition a Holiday gift program that was a solid program for low-income families for over 30 years and had to bring on board new members and find a way to help transition the program to a gift card program. I had to find ways to keep our donors, families and staff happy during this process.

Of course, not everyone was happy with the final outcome, but they understand the need for change, and I supported a transition/hybrid year that helped transform the program and bring it to the level that was expected to be and made most, at a minimum, pretty content with it. It has now grown into a very successful program.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I feel that this type of work is just part of my personal and professional experience as mentioned in previous answers that I have given. It is therefore, woven into my daily experiences and enhanced by my work with diverse individuals with various backgrounds, ability levels, financial statuses, etc. in human services and housing.

Additionally, I was a trainer for Diversity, Equity and Inclusion with some programs with Boulder County and local nonprofits, and I feel that I have a firm grasp of the importance of DEI in the field of public service and as an ally to those who have a history of disenfranchisement.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

I was employed with Boulder County for over 20 years until 2021. I left to pursue more diversity training opportunities with the Financial Health Institute in Denver, and I now work with the Area Agency on Aging with the Denver Regional Council of Governments (DRCOG). Thank you for the opportunity to share my experience, passion and background with you. WB

Boulder Library District Board Application



COMPLETE

 #25

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div> PUBLIC Mar 28th 2023, 9:23:32 am</div>	<div></div>

* **Date of Application**

March 28, 2023

* **Applicant's Name**

Tom Cosgrove

* **Applicant's Address**

* **Email Address**

* **What is your age range?**

65 or older

* **Which race or ethnicity do you identify with most?**

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I've had a strong interest in libraries ever since my first visit to a BookMobile in the 1960s. As a child in one of the ruralist parts of America, books were my ticket to explore the world beyond.

I've been looking for the right opportunity to give back to a community - Boulder and Boulder County - that I've come to love and treasure over the past six years. Last fall I added my voice and expertise in support of the library district in this Daily Camera opinion piece -Limit Misinformation by Funding our Libraries

*** Do you have experience serving on a nonprofit or governmental board?**

Yes, I first served on a board in the 1990s - Americans for the Environment, a grassroots organization that was on the forefront of understanding and defeating the anti-environmental protection property rights movement. Currently I serve as President of the board of Democracy Corp which uses public opinion research "to help people reclaim their democratic government." I am also the President and board member of New Voice Strategies, a 501c-3 organization that I co-founded in 2011.

For most of my career - beginning in 1980 - I have worked for or with a range of nonprofit organizations in the fields of education, healthcare, feminism, environment, democracy and human rights.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have a deep understanding of civil discourse and good political instincts that help me build collaborations. These two skills provide me with a unique perspective for the board at this present moment.

A moment when, across the nation, we are witnessing a small and increasingly loud minority attempt to make libraries a target in a culture war. A war that in some communities has already succeeded in banning books in schools and public libraries.

We should not pretend that Boulder is immune from this trend, or as Sinclair Lewis wrote in 1935, that "It Can't Happen Here." We need to be proactive in protecting this important community resource and giving it the necessary tools to positively engage with our community.

I have successfully created projects that address polarization and bridge divides.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

First, an enjoyment of people of all sorts and a passion to have a positive impact on my family, friends, community and country.

I have been thoughtfully engaged in supporting thoughtful civil dialogue on some of the crucial issues of our time. For example, not content to watch the country spiraling in a polarization vortex I set out to create a documentary that brings people together. I co-created and produced the public television documentary Divided We Fall: Unity Without Tragedy in partnership with Rocky Mountain PBS. Our film was broadcast in 2020-2021 on 140 PBS member stations across the country. I developed a "conversation choreography" that we twice used to film a dozen strangers divided red/blue witnessing how they came to listen to each other with curiosity, not animosity. This Denver Post opinion piece was written when our film was released in 2020 by American Public Television. I wrote this Daily Camera piece last spring when we had our first live showing of our film, post-covid, at the Dairy Arts Center.

Second, a willingness to learn new things and to learn from my mistakes - An example is how I've learned in the recent past that I'm not innocent with regards to the systemic workings of both privilege and oppression. As a result I formed a partnership with Creative Workforce Solutions and The Folke Institute to use WikiWisdom, the peer collaboration platform I created, as a tool for engaging a workforce in conversations around Diversity, Equity and Inclusion.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I believe in the power of deep listening.

Early in my career I learned the power of listening and the weakness of arrogance when it comes to building successful coalitions. As a young, 23, Field Director of the National Clean Air Coalition I used this skill to bring the voices of grassroots activists to the table to challenge arrogant and reckless strategies that were often being promoted by more senior lawyers and lobbyists.

This discovery of witnessing the collaborative power of listening to and lifting up grassroots voices led me to create WikiWisdom, a peer collaboration process and platform that gives frontline peer groups a voice in decision making. I've used WikiWisdom dozens of times in the past dozen years with teachers, nurses, physicians, patients, students, college professors, small business leaders, women in the C-Suite, ministers and social workers.

The thesis of WikiWisdom is that there is wisdom found among people who work at the bottom, or foundation, of an organization or institute that is rarely discovered by those at the top of a power pyramid. In my own work and career I have always engaged with this peer group.

One WikiWisdom project in particular is important to this position. In 2021 we created -Standing Up for Truth: The Role of Libraries in the Mis/Disinformation Age - for the Library of Congress. This report created by 330 librarians from across the country lays out the support needed to help librarians do their part to create an informed and engaged citizenry.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I grew up as a White, cisgendered male in a homogenous White community - the second ruralist county by population density - in Pennsylvania. My parents raised me to stand up to injustice, to be intolerant of prejudice and welcoming to all. Perhaps more importantly they encouraged me to be curious about the world and its people. It's a value and a habit that still serves me today. Witness the range of people on the board of New Voice Strategies, as advisors to Divided We Fall: Unity Without Tragedy, the distinguished Americans I filmed for the Preamble Project: We the People and or the elders for Wisdom of Stories.

These values are why in recent years I've spent time learning more about the systemic workings of both privilege and oppression.

Throughout my career, I made strategic choices to hire or advance women, LGBTQ members and people of color in campaigns, projects and organizations. It started in 1983 when I was proud to choose David Hahn-Baker to replace me as the Field Director of the National Clean Air Coalition. As NCAC's Field Director, David became one of just two Black environmental staffers in D.C. in the early 1980s.

Managing Michael Dukakis' Texas Presidential campaign in 1988, I had the privilege to know and learn from many great Latinx leaders including the late, great Willie Velasquez, founder of the Southwest Voter Registration project.

In 1998 I helped Marie Wilson, President of the Ms. Foundation, create the White House Project (WHP). The mission of the WHP was to change the culture in ten years so that multiple women might run for the Presidency. I worked with her and her team to create the Twenty Women Who Could Be President ballot featured on the cover of Parade Magazine to launch it.

In 1999, outraged by the news report of Senate Majority Leader Trent Lott's past relationship with the racist Conservative Citizen Councils, I formed Citizens for Tolerance and filed the first ever online Senate ethics complaint against a U.S. Senator. It led to this Washington Post story.

Since moving to Boulder in 2016, I have provided strategic advice to Motus Theater to promote their local, regional and national performances uplifting the voices of people on the frontlines of violence sharing autobiographical monologues about the racial bias of the criminal justice system (JustUs), dehumanizing immigration policies (UndocuAmerica), and their new work supporting civil rights of transgender people (TRANSformative Stories).

In 2022, I created the Solution Studio, a new candidate forum at Metropolitan State University in Denver designed to give young Coloradans the opportunity to challenge the candidates for the U.S. Senate and Governor to discuss solutions to the biggest problems facing Colorado. MSU students are 65% first generation students, 50% students of color and 80% working adults. Their work was broadcast or streamed by CPR, PBS12, Colorado Sun and Colorado Univision. I'm working now with a new group of students to host two Denver Mayoral Runoff Solution Studios in late April. Other partners in this work included the Colorado League of Women Voters and the Colorado Latino Leadership and Research Organization (CLLARO).

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #29

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 28th 2023, 5:22:28 pm</div></div></div>	<div></div>

* Date of Application

March 28, 2023

* Applicant's Name

Lansing Crane (Lanse)

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

As I understand it, the Library District Board will be a newly created board with seven members and will have fiduciary rather than advisory responsibilities. As an experienced member of both for-profit and nonprofit boards, I believe I can add value to this new board as it comes together and addresses the special challenges of a start-up board with significant authority and responsibility and a very engaged constituency. As a member of the Boulder community since 2007, this would be an opportunity for me to contribute to the success of a critical community resource as it embarks on a very new chapter in its service to the community.

*** Do you have experience serving on a nonprofit or governmental board?**

Yes. While I have not served on a governmental board, I have served on multiple nonprofit and private corporate boards which, I would argue, are very relevant to the challenges facing the Library District. They entail oversight of contracting; management of real estate and tangible assets; recruitment, compensation, and oversight of leadership; budgeting; and the establishment and execution of strategic plans. These will be responsibilities of the new Board.

Corporate Boards: Canal Insurance Company 2008 to present, Wells Enterprises 2010 to Jan 2023, SOG Knives and Tools 2011 to 2016, Ginsey Home Solutions 2012 to 2017, Crane & Co 1985 to 2007. Nonprofit Boards: Austen Riggs Center (psychiatric hospital) 2000 to 2020, Family Firm Institute 2011-2014, The Henry Stimson Center 2018 to present.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have experience and skills in law, finance, budgeting, real estate, strategic planning, board best practices, risk management, and communication with constituents.

But we start with a recognition that the board needs to be a working, collaborative, group focused on helping to create the conditions that will enable our director and leadership to be successful. My principle skills are organizational, and I would work with others to collectively educate ourselves about the mission, resources (human, physical, and financial), operating practices, customers and constituencies of the library, and anything else critical to understand the organization as we find it. We also would need to organize the board to understand our obligations under the Library District regulations and work effectively together. I believe I could be helpful in that.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

Respect for others and a commitment to trusting collaboration. This will be a new group trying to find itself and establish an effective working culture. I try to be respectful of other board members at all times, and I am a very collaborative person. I believe these qualities will be helpful to launching the board on positive ground. I have other characteristics, such as effective listening, patience, and openness to understand other points of view, but I believe respect for others and a commitment to collaboration are two critical characteristics for a good board member, and especially where the board is just getting started.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

My most recent experience was last year, as board chair of a multi-billion-dollar 4th generation family business, helping the board and shareholders arrive at the decision to sell their 110-year-old company and achieve agreement on the sale and its terms among all 40 family owners. Patience, respect for all voices, and a commitment to transparency were essential to determining the will of the shareholders and achieving the result they sought.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

The role of the board is not to administer or execute policies. That would be the function of the library director and his or her staff. In exercising its planning and oversight roles, the board can and should set expectations and provide an example for all of the importance of equitable plans, performance, and values. Expectations can be set by making it a priority to adopt equitable organizational policies, as well as performance and service goals in the library district's strategic plan. Sensitivity to the diverse needs of the community can be achieved in forums for bilateral communication, and in the qualifications prioritized for hiring and training library staff.

Two tools I have used as a board chair are (1) the establishment of board committees focused on environment, social, and governance (ESG) and diversity, equity, and inclusion (DEI) matters and (2) recruitment of board members with an emphasis on diversifying the membership of the boards. For example, the last four directors we hired were women and helped set an example for the 1500-employee organization in addition to significantly enhancing the performance of the board itself.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

My wife, Katharine Crane, is a member of the Board of Zoning Appeals (BOZA). Otherwise, no employment, contract, or board, commission, or advisory committee membership with the City of Boulder or Boulder County.

Boulder Library District Board Application

COMPLETE #7

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED

IP ADDRESS



PUBLIC

Mar 9th 2023, 3:11:57 pm

* Date of Application

March 9, 2023

* Applicant's Name

Kitty L. deKieffer

* Applicant's Address

Boulder
CO
80301
United States

* Phone Number

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I wish to represent East Boulder County. I have lived and owned my farm since 1989 and believe I have the qualifications in leadership, finance and non profit service to be of assistance. And I have a large love of reading and believe that libraries should be available to all citizens who wish to partake.

*** Do you have experience serving on a nonprofit or governmental board?**

I have raised over \$100 million for non profits and have led several boards in this county. I am Past President of the Boulder Philharmonic, the YWCA of Boulder Valley, the Women's Wilderness Institute, the Mental Health Foundation and the Boulder Valley Humane Society. I have chaired national organizations such as the Alpha Chi Omega Foundation and the Foundation for Fraternal Excellence. I was the Past Executive Director of the Mental Health Foundation and the Gamma Phi Beta Foundation. I currently am the Chair of the Boulder Rotary Foundation, sit on the board of Tru Community Care, and sit on the Fraternity and Sorority Political Action Committee and the Fraternity and Sorority Action Fund Boards. I have sat on over 20 other non profit boards and have won numerous awards.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

In my "past" life I was an accountant at the Solar Energy Resource Institute (now NREL), the Boulder Daily Camera and the now defunct Career Track. I then moved into fundraising and worked with numerous non profits in setting the vision, the mission and the strategic plan for the entity. Having run a \$10 million dollar non profit, I understand staffing, personnel, legal and financial responsibilities that are needed to adequately support an organization in perpetuity.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am not afraid of work and believe that the library district will, at least initially, require hours of time to achieve the vision of the Commissioners and Voters of Boulder County. I retired two years ago and know that I have the time to dedicate to this work.

As a fundraiser, I understand the value of building coalitions and consensus amongst various people...and I understand that not everyone in this county supports the district philosophy so having a communications plan and being transparent will be an important piece of this work. I have the personality to do this.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

For the first time in my career, I joined a PAC board three years ago whose sole purpose is to raise money for legislators who support the fraternity and sorority efforts. While the PAC gives equally to Democrats and Republicans, we have had some interesting conversations particularly over the past two years. In my position on the Executive Committee (I currently serve as Treasurer) I have had the opportunity to work with leaders who have varying opinions about who we should give money to and why. I have worked very hard to make each decision a win win and have mostly been successful.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I have a rare disease (which is why I left the accounting field at the time when we discovered it) and it gave me a profound sense of needing to be fair. At some points in my disease, I was in so much pain that I could not do a lot and needed a handicapped parking sticker to not walk quite so far. The way people are treated when they are deemed disabled, or the way in which people might believe you are faking it (because in my case you cannot tell from the outside that anything is wrong with me) resulted in every decision I made, regardless of the work I was doing; to look at things from all perspectives. Having run the Mental Health Foundation, it was even more apparent that empathy and fairness were called for and as I said earlier, I believe that all people have a right to use the library services.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No. Many years ago, I did sit on the Social Services Advisory Committee.

I want to thank you for considering my application and am happy to send you my full resume and/or picture.



Boulder Library District Board Application

COMPLETE #32

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 29th 2023, 11:51:33 am</div></div></div>	<div></div>

* Date of Application

3/29/2023

* Applicant's Name

Benita Duran

* Applicant's Address

Boulder

CO

80304

United States

* Phone Number

* Email Address

* What is your age range?

55 to 64

* Which race or ethnicity do you identify with most?

Two or more races

*** Why are you interested in serving on the Library District Board of Trustees?**

I am interested in contributing my professional skills and expertise to this volunteer effort because I so value the role that our library system plays in community building and democracy. I want to contribute to a successful transition of the human and physical infrastructure to an independent and sustainable district for benefit of generations to come. It would be an honor and a privilege to be able to bring my unique set of expertise and experience to this opportunity to serve the community I've lived in for over 25 years, as a taxpayer and home owner, and as someone who raised my son here in the Boulder school district and ran my own independent consulting business for over 10 years. These experiences allow me to state that I understand the regulatory side of public finances and public infrastructure, I bring expertise to public asset management and public trust issues. I also understand and have been directly engaged in the policy and programming elements of the Boulder Public Library (BPL), having been for these past 2 years, a Council-appointed commissioner. I have reviewed the information on the state's Office of Library Development & Innovation and am knowledgeable about other resources available. All this to say that I believe it is an appropriate and timely next step for me. It is a role that I would enthusiastically embrace, and you would have my commitment that I will help the city and the county see that we have a transition in which all can take pride.

*** Do you have experience serving on a nonprofit or governmental board?**

Yes, I do have extensive experience in serving on both non-profit and governmental boards. I have had the experience of serving on one of the largest non-profit boards of Boulder, the hospital board (Boulder Community Health), which holds assets over \$400 million, and is one of the top three employers of the County, with responsibility of not only governance of the hospital system but also its CEO/President. I served a nine-year term and was the board secretary for 2 years. During my tenure, we hired a new CEO/President, and we also sold a major asset to the city of Boulder – at Broadway and Alpine in my neighborhood.

And at the same time and in stark contrast, I have been on the board of Feet Forward for almost a year and my focus is on trying to align a program that can better meet our clients needs and builds on the expertise of the leader who has unique and valued experiences.

In one of my past board roles, I was the Chair of the Boulder County Community Foundation Board of Trustees, which had asset oversight roles along with policy roles at that time. One of the first board's I joined when I moved from Denver to Boulder for my job in the City Manager's Office, was the Family Learning Center, at the urging of Penfield Tate, II, who was a co-founder of the Center and then a long-time board member. I have gained extensive community knowledge through sitting on community boards and learning about their programs and services. At the level of governmental or governance board service, in addition to BCH, I was appointed for six years to serve on the state economic development commission that determined funding and tax incentives of the multi-million dollar investments throughout the state. I have also sat on the State Judicial Nominating Commission of the 20th Judicial District which makes recommendations to the Governor on the judicial applicants for judicial seats in the district.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I suggest that the inaugural board needs to bring a combination of technical skills and knowledge of local government systems to help advise and guide the governance, structuring agreements – MOUs and IGAs – and related processes, along with financial planning. Knowledge of local government systems and structures of budget and human resources, pensions, and hiring of an organization's leader are equally important skills. As a commissioner, I would suggest that the programming elements are important but would not anticipate that they require extensive time and attention of the board in the first year of the transition. One other "skill" would be demonstrated ability to manage one's own assets. For the benefit of public trust, I believe the trustees need to affirm that they have no tax liens and that they are current on their government tax payments and filings.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

Curiosity and enthusiasm. I recently heard a speaker at a public meeting suggest that the elected body needed to be more curious. It caught my ear as this is a quality that I hold and celebrate all the time! At this stage in my life and career, I have the earned privilege of living a life that allows me to explore with curiosity the things that intrigue and interest me. The BPL system and this transition to a district is one of them. Though I have worked for governmental institutions throughout my career, I have not ever had the opportunity to help in shaping a special district or authority. So with this curiosity I have about this, I bring enthusiasm to make it the best – to apply logic and balance to approaches and not get us caught in a bureaucratic maze.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

My career and life's work has been in shaping models and facilitating community engagement and consensus building in the field – meaning with people sitting around a table and having hard conversations together. I am a good listener and I come from a place of leading with inclusiveness. That's my brand of engagement. Whether it's been roles I've held within an organization as a staff team member or in leading a team in a volunteer role, I've had the experiences of managing calm and volatile processes of collaboration and engagement. In broad community engagement for new schools development for Denver Public Schools (which neighbors could be opposed to), to being a solo advocate for more equity and diversity in membership on the hospital board, I know that I have demonstrated capacity to work with others who often don't look like me, relate or experience the world (Boulder in this case) as I do.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

First, I hope we are ALL library proponents with this shared vision here! My life's work has been in this equity arena – and my experiences are in real time, as a long time resident of Boulder and as a woman of color, I have been the 'only one' and I have witnessed many changes. I've said goodbye to a number of friends of color who were here when I moved to Boulder in 1993. I guess you could say I've been "done to" – and what I have "done" is that I've chosen to stay here in Boulder and continue to be a proponent of equity by shining the light and showing up to address issues of inequity when they present.

I've witnessed the changing social dynamics and related economics that impact equity. Certainly, my quality of life has been impacted over these years. My social and cultural circles have been impacted, they are certainly much smaller today than they were in 1993 when I started working for the City of Boulder in the Manager's Office. I have experienced and contributed directly to the BPL system of programming that does broaden the social and cultural circles for me and many others.

I am presently leading efforts across the country in my role as the Senior Director of equity and civic engagement for a national non-profit organization and am witnessing a changed level of engagement within organizations and within communities. There is a lot of focus on ways of engagement that requires more thoughtful attention. I continue to learn about best practices in communities and library systems across the country.

I have come to know well and directly experienced the legacy that BPL continues to build on in seeing that the library continues to stand for equity in all aspects of its human and physical infrastructure. I have no concerns that this will be slowed in this transition period, in fact, I envision the opportunity for these efforts to be accelerated and enhanced through the district.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

Yes, I serve as a City of Boulder Library Commissioner.

Boulder Library District Board Application

COMPLETE #31


Please submit your application on later than 5pm on Wednesday, March 29, 2023


Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED

IP ADDRESS

PUBLIC
Mar 29th 2023, 10:17:34 am



* Date of Application

03/29/2023

* Applicant's Name

Lenora Dyer

* Applicant's Address

* Email Address

* What is your age range?

55 to 64

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I am a passionate advocate of reading, literacy, and lifelong learning. I am recently retired from the nonprofit world – 28 years in executive director roles. Twelve of those years I worked for Recording for the Blind and Dyslexic, a national organization headquartered in Princeton, NJ.

*** Do you have experience serving on a nonprofit or governmental board?**

My experience serving and working with nonprofit boards is extensive. I served for years as a board member of Sexual Assault Nurse Examiners Board and the Child Fatality Review Board, both in Georgia. In the role of Executive Director for Prevent Child Abuse Athens (8 years), Recording for the Blind and Dyslexic (12 years), and Director of Leadership Giving at Georgia Public Broadcasting (Georgia's NPR and PBS station; 8 years), I appreciated and respected the roles and responsibilities of a nonprofit board member. I am also a member of BoardSource, a wonderful resource to support excellence in nonprofit governance and leadership.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

The skills and experience I would bring to help get the Library District Board up and running is my extensive nonprofit experience and board training. I have been on committees to establish bylaws. I was involved with getting the 501c3 for an organization early in my career. I have been to Board Member trainings and would be able to help guide best-practices for my fellow board members.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

One example that makes me a good fit for the initial Library District Board is that I have strong relationship building skills that easily establish rapport and credibility with diverse groups – in my past experience I worked with community partners, volunteers, donors, and individuals who benefitted from our services...all to best meet the mission of the nonprofit I was leading. The second example would be my past work as a strategic member (Southeast Regional Executive Director, RFB&D) that streamlined a decentralized organization. Recording for the Blind and Dyslexic is a national organization that at one time had 22 recording studios (and boards) across the country. I was one of a small group of senior leadership who brought the organization to its present state of one board, one organization. As you would expect, this was trying at times. But necessary.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

My experience with group decision making is again related to my work at Recording for the Blind and Dyslexic. When we were centralizing the organization to make it more efficient and effective, I traveled up and down the east coast meeting with local RFB&D boards. My role was to share, listen, and help the local board members understand the importance of this new initiative for the organization. I stayed on message of what's best for the organization's future and the population we serve. I helped set up local advisory councils that shared the ideas and needs of each of our recording studio locations – and as expected, this dissolved much of the controversy.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

We do not all start in the same place so we must acknowledge and adjust the gap. This can easily be applied to the Library District when we offer services to low-income residents, unhoused individuals, those with literacy issues, and such. Since retiring and moving to downtown Boulder in December 2022 (from Georgia), I have methodically looked at how I will spend my time. It didn't take long to see the need outside my door with the number of unhoused individuals. It is a simple act, but I collect clothing from my condo residents (1301 Canyon) and take them to the park across the street every Tuesday when Feet Forward sets up their tables. And when I saw the call for applications for the Library District Board, it felt like such a good fit and something I would be able to contribute.

(And for fun...I am in and out of the library twice a week reading everything I didn't have time for while working!)

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.

Boulder Library District Board Application



COMPLETE

 #19

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div> PUBLIC Mar 22nd 2023, 3:25:18 pm</div></div>	<div><div></div></div>

* **Date of Application**

3/22/23

* **Applicant's Name**

Adriana Farmer

* **Applicant's Address**

* **Email Address**

* **What is your age range?**

25 to 34

* **Which race or ethnicity do you identify with most?**

Hispanic or Latino/Latina

* **Why are you interested in serving on the Library District Board of Trustees?**

I am a huge proponent of equal access to education and know that libraries can be a great equalizer in this regard. It is important to me that we have the right people in place to prioritize learning and development through the libraries public programs + resources.

*** Do you have experience serving on a nonprofit or governmental board?**

I do not have experience at this time, but I've never been one to shy away from new opportunities to learn, grow and connect through service.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

In my current role at Doordash, I have facilitated the strategic annual planning cycle for my business unit (\$800M revenue) and individual team. I also have experience managing to and setting OKRs on a quarterly basis to help drive towards expected outcomes. My core strength is execution - and as an inaugural board member getting things done and setting the library and its beneficiaries up for success should be our top priority.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

Tongue in cheek, I actually use the library resources on an almost weekly basis - I wouldn't apply to be a part of an organization I had no personal connection to. Tactically speaking however, I have experience in the following:

Budget/Fiscal Management: I serve as co-chair of the Unidos @ Doordash ERG, which serves Hispanic community members with the opportunity to foster connection with one another and share in professional and personal development opportunities. In my first year as a co-chair, I am managing the budget for all initiatives, working through multiple layers of red tape to get approvals - something I'm sure we'll likely need to do in setting our policies, budget and plans for the year as BoT members.

Defining Strategic Vision: Over the past 2+ years, I have been focused on developing and executing Doordash's evolution in the Pizza delivery space. I work across a team of 50+ cross functional stakeholders, spanning all levels from senior leadership to analysts. In the last year I have successfully launched a business line within Doordash from idea to nationwide adoption which was recently featured across multiple industry media channels. Coverage here: https://www.linkedin.com/posts/adrianajenings_introducing-cash-on-delivery-enabling-restaurateurs-activity-7043963846209769472-VTUX?utm_source=share&utm_medium=member_desktop

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

So much of what I work on daily is trying to reach group consensus or buy in on a decision. One example that comes to mind is that recently my team was trying to lobby for additional engineering resources to support improvements to one of our products. The product manager (PM) in charge of resourcing was obstinate and digging their heels in to their position that the product was "fine as is". Using data and merchant feedback, we were able to come back to the PM and substantiate our claim that no, in fact, the product was not fine as is and by investing in it we would see an outsized rate of return.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I mentioned in an earlier response that I serve as a co-chair on the Doordash Unidos@ ERG (employee resource group). The primary purpose of the ERG is to provide resources for personal and professional development as well as create opportunities for members to build community. Of the 700 members in this community, many of these individuals are operating in support/customer service roles and have not been made aware of opportunities outside of this career path. I am proud that through the initiatives we ran in the last year (i.e., career panel, internal mobility resume workshops), several members have reached out indicating they were able to secure more stable jobs and feel much more in control of their career. Like I said, knowledge is power!!

Our library district should serve as a hub for thought leadership, connection and community - we have a world class university right in the center of the district! Let's establish partnership programs and resources for Boulder County to educate themselves and enrich their minds and lives. Example programs that come to mind: skills fairs (connecting people who want to learn about X with those who have experience and a passion to teach), author readings, book studies, resume building workshops, tax prep workshops. Libraries are for learning and community building.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No

Boulder Library District Board Application



COMPLETE

 #24

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div> PUBLIC Mar 28th 2023, 6:37:40 am</div></div>	<div><div></div></div>

* **Date of Application**

3-28-23

* **Applicant's Name**

Sam Fuqua

* **Applicant's Address**

Boulder
Colorado
80304
United States

* **Phone Number**

* **Email Address**

* **What is your age range?**

55 to 64

* **Which race or ethnicity do you identify with most?**

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I think of my interest in the Board of Trustees as an extension of three interconnected areas:

1. Personal. I'm a lifelong library lover. I remember frequent childhood visits with my mom to the local library in the Michigan town where I grew up. Later, I worked there three summers during high school and college. Not long after coming to Boulder in the early '90's, our family became regular users of the Boulder libraries. As a family of five living on one modest nonprofit salary, the library was an accessible and enriching part of our lives together. We were frequent attendees to free public programs in the Canyon Gallery and our kids were devoted participants in the excellent summer reading program for many years. Although the empty nest and COVID has reduced my usage, I still go to the library often as a free, quiet place to work. And I am a huge fan of the Building 61 maker space! I've attended the U Fix It Clinics and last summer when I had a home improvement project that needed a little welding, I took a free welding class there.

2. Public. I focus my public service on helping local institutions that advance educational equity and where I feel a personal connection. I served on the Boulder Library Commission from 2007 to 2012 and was the commission representative to the Boulder Library Foundation during part of that term. I advocated for a community center/branch library in North Boulder (where I've lived since 1992) and for sustainable library funding, including the library district model. I was an elected member of the Boulder Valley Board of Education from 2011 to 2019, including a two-year term as the board president. I advocated for strengthening the partnerships between the Boulder libraries, the BVSD and individual Boulder public schools.

3. Societal. Public libraries, like public schools, are among the best ideas humans have ever had and it's important that we not take them for granted. Libraries and librarians remain trusted sources of information, according to the Pew Research Center. 78% of respondents in Pew's survey felt libraries helped them find trustworthy and reliable information and 76% said libraries help them learn new things. A free and open place to learn, meet, celebrate and grow has never been more important.

*** Do you have experience serving on a nonprofit or governmental board?**

Yes. I worked in non-profit organizations for almost 30 years, including over ten years in the top management positions. As stated above, I served as a Boulder Library Commissioner (2007-2012) and an elected member of the Boulder Valley Board of Education (2011-2019). I've also served on the boards of the Boulder Library Foundation, Open Media Foundation and the Boulder Municipal Employees Federal Credit Union. I am currently a member of the Bolder County Cultural Council.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

Top skills needed on the first board:
Contract and lease negotiation
Meeting management
Public communications
Consensus-based decision making
Implementation of good governance best practices
Budget planning and oversight

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I'm collaborative--I would rather take the time necessary to involve and listen to all interested parties and perspectives, instead of moving forward faster with less input and engagement. I understand the importance of making timely decisions but, in my experience, process matters and good collaborative process builds trust.

I'm strategic in my thinking and my advocacy. In addition to the nuts and bolts of the library district transition, I think trustees will need to understand how our plans, policies and programs both serve the community and position the district for future success.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

When I was BVSD Board President, an organized group of parents of children with dyslexia began campaigning for major changes to the school district's approach to assessing and addressing dyslexia. While not unsympathetic, district administration opposed many of the parent group's recommendations. Board members were divided. I was able to bring the administration, board members and parents together in working group conversations that included listening to personal stories, reviewing district data, exploring evidence-based best practices and consensus-based decisions on how improve our service to children with dyslexia. The outcome was an expanded dyslexia screening program and a significant shift in the district's methods of supporting children with dyslexia.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

My current professional work includes producing and co-hosting a podcast (Well, That Went Sideways) that addresses topics related to conflict and conflict resolution, often related to equity and racial justice. I'll be attending the 2023 White Privilege Conference next month with our podcast team. A primary intention of this work is to present ideas, tools, strategies and language that listeners can use both in their personal lives and in their efforts to create a more just and equitable world.

As a BVSD board member, I was a board representative at trainings of PARITY (Parents Advocating Responsibly in the Interest of Their Youngsters), a program for Latino parents aimed at helping them engage with the school system and advocate for their children. I was also one of several advocates on the board for increased funding to programs targeted at students living in poverty but not attending Title I schools. A Title I school is defined by a certain threshold of students receiving Free or Reduced Lunch (FRL) and those schools receive important and necessary additional state and federal funds. But there are low income kids in every school and we wanted ensure that those students received needed support and opportunities as well.

One critical piece of building an equitable library system involves strengthening partnerships with Boulder area organizations that work with low-income people and non-native English speakers as well as listening to those communities about how the library can best serve them. I would also prioritize hiring diverse staff with an emphasis on native Spanish speakers. I would advocate for specific targeted programs with partners such as the BVSD and EL PASO (Engaged Latino Parents Advancing Student Outcomes). For example, coordinating individual family visits to the library. A culturally appropriate outreach specialist—from the library or a partner organization—would facilitate an introductory library visit for one or two families at a time.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

I currently serve on the Boulder County Cultural Council. My term ends later this year and I do not intend to seek reappointment.



Boulder Library District Board Application

COMPLETE #10

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 14th 2023, 12:47:50 pm</div></div></div>	<div></div>

* Date of Application

March 14, 2023

* Applicant's Name

Stanley M. Guralnick, PhD

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

As a well educated former academic, I have had a lifetime of interest in libraries and books; my own publications are in libraries around the world.

My wife, Elissa S. Guralnick, PhD, who once served as President of the Boulder Library Foundation, would probably consider divorce if I did not apply; thus, I have no choice.

*** Do you have experience serving on a nonprofit or governmental board?**

Many: Boulder Bach Festival; Boulder College of Massage Therapy, Rocky Mountain Center for Musical Arts; Pro Musica Colorado Chamber Orchestra.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

As a longtime user of libraries (Including the Library of Congress, when I was a postdoctoral fellow at the Smithsonian Institution in Science and American Civilization) I have a profound appreciation for the value of a library in civilized communities.

In addition to my academic career of 15 years, I spent 30 years at major financial institutions in problem debt restructuring, and have a knowledge of all financial instruments, including those related to real estate. For instance, in 2006 as a member of the Board of the Boulder College of Massage Therapy (one of only two non-profit schools in the country), I arranged for the purchase of its building with Industrial Revenue Bonds, which lowered occupancy costs by \$137, 000 per year, enabling the school to survive until 2013.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

With advanced degrees from Yale University in physical chemistry and from the University of Pennsylvania in history and business, I have a broad understanding of many topics and am old enough to have witnessed many issues in community life.

Because I can have no effect upon the nation, I am always looking for ways to serve the local community. At present, I am the Rotary Club advisor to the Rotaract Club at CU; a tutor for I Have a Dream Foundation; a member of the AIN (Audio Information Network) real estate search committee.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

A Federal judge in Newark, N.J. once praised me in open court for finding a solution between international financial actors that had eluded many others for many years.

I have a certificate in Mediation and once served at Jefferson County Mediation Services.

One day, every spring, I conduct mediations at the University of Denver Law school for the law student competition. {I have also served as community member for both the CU Restorative Justice Program and the Longmont Restorative Justice Center}

Thus, my approach is always first to understand other approaches.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

When I was a workout officer at Hypovereinsbank in New York, where there were no female officers, there was a female support analyst who, as was common in the 1990's, was much more competent than most of the men she supported. When I left to head up a restructure team at GMAC Commercial Finance team, she was my first hire.

In the spring of 1969, when I was finishing my doctoral dissertation at Penn, I was a long term (two month) math substitute at an inner city, all-black, junior high. There was one quiet girl, who was clearly at the top of the class, who had never been told that the all city Girls High academic magnet school was only a mile away; so I told her and urged her to apply.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No!

But as stated above, my wife Elissa Guralnick was on the Boulder Library Foundation Board (2004-2013; President, 2007-2010)



Boulder Library District Board Application

COMPLETE #5

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 9th 2023, 9:28:38 am</div></div></div>	<div></div>

* Date of Application

03/09/2023

* Applicant's Name

Douglas Hamilton

* Applicant's Address

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I was one of the named petitioners for the 6C ballot measure that voter approved in November of 2022. I was also a co-chair of the Library Champions campaign and worked to organize the community to, ultimately, pass 6C.

As an organizer and petitioner have spoke to thousands of people about the Boulder Library District, and. I have a good understanding of Colorado's Library Law.

Because of my history with the campaign and the Library Law, I am interested in becoming a Trustee in order to carry out the will of the people of the district who voted on 6C. That is, expand library services to Gunbarrel (where I reside), restore library hours, and reopen the Maker Space. I want the library district to be a strong, vibrant community asset that enriches our community for the next 100 years and beyond.

Furthermore, I have a drive to expand and maintain access to our entire community to our public spaces. A place for our community to gather, celebrate, grieve, start businesses, research, and communicate that is free and open to all.

Additionally, I am interested in safely and securely, transitioning library staff from city of Boulder employees to library district employees.

Finally, as the petitioner, I understood the immense amount of trust the people of the library district (both supporters and not) ceded to the district for the care and stewardship of the district assets and property tax revenue. I want to insure that the district responsibly spends tax revenues for the benefit of all in the community.

*** Do you have experience serving on a nonprofit or governmental board?**

I have served and do serve as a corporate secretary for several privately held corporations. I have also served on the board of my HOA for the past 3 years as the secretary.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have a deep understanding of the library law. I created the first draft of the ballot measure language.

I am also a lawyer versed in corporate practices necessary for the formation of a district.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am good at organizing and working well others. As co-chair of the campaign, I helped inspire hundreds of volunteers to write articles, talk with their neighbors, donate money, and successfully pass the 6C measure.

I love our public library and I am fully committed to seeing it as a successful institution that serves the entire community. I am committed to integrity.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I come to groups with two, sort of, philosophies about decision making processes. The first, i believe in consensus driven decisions where a majority or, in some cases, a super majority of the group reaches a consensus about a particular decision. The second, people should have a say in the decisions that effect them, to the extent that the decision effects them. Both of these philosophies, require longer deliberative processes, but produce better results.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I continue to work on myself, my internal oppressor. I am an avid reader and have read countless books by Bell Hooks, Roxanne Dubar Ortiz, Angela Davis, Mikki Kendal, Naomi Klein, Tressie McMillan-Cotton, Brittney Cooper, Damon Young, Tony Morrison, Jack Halberstam, and many, many more. I am also taking a course around Anti-Racism and local Indigenous nations. I am not perfect, I am constantly learning, and my greatest strength is to listen to feedback and endeavor to not make the same mistake twice.

As part of the campaign, we worked hard to listen and seek input from voices all over our community - these include NAACP of Boulder County, El Centro Armistad, El Paso, and outreach work to Boulder's mobile home communities. With each of these endorsements were conversations and questions and investments in relationships - they weren't easily gained.

Finally, I volunteer with the Veterans Community Project. we are building a tiny home community in Longmont for unhoused vets.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #8

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 10th 2023, 10:50:20 am</div></div></div>	<div></div>

* Date of Application

3/10/2023

* Applicant's Name

Mindy Kittay

* Applicant's Address

* Email Address

* What is your age range?

55 to 64

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I love Libraries and what they stand for. I have been a long term patron of the Boulder Library and have some experience that I think would make me an asset for the new District. I would like to be of assistance and give back to my community. Libraries are an essential service and I would be greatly honored to be able to assist with the upcoming transformation.

*** Do you have experience serving on a nonprofit or governmental board?**

Yes. I have been a part of numerous board over the years, mostly in relation to Libraries or the communities in which I was a library director. These include the Finance Committee of the Southern California Library Consortium and I have been on the Board of the Altadena Chamber of Commerce, Rotary and on select committees for the Colorado State Library. I was also the Director of Organizational Development for a social justice non-profit, Pasadenans Organizing for Progress. I have helped to create and been a part of Friends and Foundation Organizations for Libraries including being on the Board of the Joshua Tree Friends of the Library.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have been either a Library Director or Library Finance Director for three different Library Districts, two in Colorado. I helped to make the transition for two Colorado Libraries from Local Government to Independent Library Districts - Garfield County Library District (Acting Library Director) and Adams County Library District (Anythink Libraries) as the Finance Director. I have also played an integral part of design, budget and finance for over \$43 Million in new Library Construction here in Colorado and in California. I am very familiar with the processes that are necessary for this transition and have worked with Libraries Boards and local government extensively in the creation of Library Districts in Colorado from start to finish.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

What comes to mind are hard-working, reliable, creative, resourceful and dedicated.

It is because of my love and dedication for Libraries that I believe I have been successful in playing a part in the creation and/or operation of innovative, cost effective and responsive Library Districts such as Anythink Libraries (Adams County), Garfield County Library District, and Altadena Library District.

I have done this through being a part of numerous strategic and operational initiatives. These include everything from Policy Creation, Strategic Planning, Fundraising, Operational Planning, Budgeting, Facility Operations and Creation, Technology Projects (this includes creating staff training, contracting and purchasing technology and overseeing installation), Grant Writing, Annual Reporting, Statistical Analysis, etc.

I have been a part of projects for Library support organizations such as the Public Library Association, and the Colorado State Library. In these roles I worked on the PLA PLDS Statistical Report Advisory Committee and on the CSL State Library Standards by being the lead on the Finance Section.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

As a Library Director and/or Leader I have used group decision making formats for everything from Strategic to Operational Planning. This includes creating policies, staff manifestos, and budgets. I have worked with staff, board, friends/foundation, community organizations and members to gather information and collaborate on multiple projects.

One that I am most proud of happened in 2017 when the Altadena Library District led the way for California libraries looking to “turn outward” to their communities and to revolutionize the role of the modern library by undertaking an innovative initiative called “Community Conversations.” Our team met with hundreds of neighbors in homes, local businesses, and organizations across Altadena to discuss aspirations for the community, challenges it faces, and practical action steps toward change. We shared our feedback in the form of a comprehensive report at a Town Hall meeting with Altadena stakeholders and all interested community members as well as Los Angeles County, non-profits, schools, businesses and many more.
<https://www.altadenalibrary.org/community-conversations/>

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

All Libraries I have worked for have a core value of equal access to information and intellectual freedom. We have always strived to create service delivery models that will make sure that community members have the resources they need and we recognize these needs are different not only as the result of race and ethnicity but also owing to religious beliefs, sexual orientation, gender identification, socioeconomic status, or physical ability.

This work starts with the policies and procedures of the Library but extends to every area from the physical structure to the on-line services and beyond. It is through thoughtful and inclusive decision making processes that an equitable library is created. I have been a part of this collaborative creative process for every library I have worked for.

The example above (Community Conversations in Altadena) was just one way that I worked with all stakeholders to provide a library that was equitable and responsive to the needs and aspirations of the community.

I also worked almost exclusively on equity for our community as the Director of Organizational Development for a social justice non-profit, Pasadenans Organizing for Progress. Some of the projects we focused on during my time were raising the minimum wage and other workers' rights, affordable housing, tenants rights, and police reform.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #18

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 22nd 2023, 2:37:24 pm</div></div></div>	<div></div>

* Date of Application

3/22/23

* Applicant's Name

Kenneth Ronald Laughery

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I am an avid reader and a long time user of the Boulder library. I would like to be part of the decision making with respect to both facilities and book selection. I am also committed to ensuring that our libraries are uncensored and reflect the reading interests of all Boulder residents.

*** Do you have experience serving on a nonprofit or governmental board?**

I have served as an elected representative on the Board of the professional society (the Human Factors and Ergonomics Society) that I have belonged to for 45 years. I have also served on several National Academy of Sciences panels.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have a doctorate in Systems Engineering, so I appreciate the educational value of library resources. I am a good communicator as evidenced by my success in founding and growing a technology company in Boulder over a 25 year period. I am also a good writer as evidenced by my list of over 100 technical publications as well as a 12 year history in being a community columnist for the Boulder Daily Camera.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am open-minded and seek to influence by first developing an understanding of all sides of a problem and then seeking to fully appreciate and understand the opposing arguments to whatever position I may adopt. Perhaps the best demonstration of this is the columns I wrote during my tenure with the Daily Camera, which can be viewed at www.bikeandsail.net.

I have a sense of humor that facilitates enlightened conversation and debate. Again, a good example of how I have put this to use can be seen through the body of work I have done with the Daily Camera.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

In building and running my company, I was often confronted with internal conflicts that needed to be resolved. The first key to resolving these conflicts was to facilitate a climate of open and honest discussion in all interactions with the staff and managers I worked with. Second, when specific issues arose, I sought to deal with these issues in a timely manner rather than avoiding the conflicts when they occurred. Third, I insisted on civil debate without personal attacks nor favoritism. Finally, I sought to build consensus whenever possible and, when not possible, make decisions in a manner consistent with established management research on corporate decision making (e.g., Vroom and Jago, 1974).

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

My company's board included a majority of women.

My company's staff, including engineers and managers, was always approximately 50% women.

My family is racially mixed.

I will work to serve the interests of the community by building a library system that equally serves the interests of everyone in the community.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #4

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 9th 2023, 7:34:02 am</div></div></div>	<div></div>

* Date of Application

03/09/2023

* Applicant's Name

VICTORIA MARSCHNER

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

i believe that a robust library is essential for a strong democracy, successful education system and an informed community. I served as Treasurer on the Boulder Library Foundation for a number of years. And I read a lot so I need to have books to read.

*** Do you have experience serving on a nonprofit or governmental board?**

I have served on the Board of Directors of a number of Nonprofits in the various roles from Board member to President. I served for six years for the City of Boulder Committee for allocating funds to health and education non profits.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have a strong financial and accounting background as I am a CPA. I am also very familiar with the structure and financial requirements of special districts. I was a partner for a firm that did the accounting and auditing for a number of Special Districts.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

The best personal characteristics that I have for being on any board is that I am easy going and am able to work with almost everyone. I am also very organized and able to keep tasks and meetings focused on the long term goals.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I was the President of the Colorado Music Festival during the time that it merged with another non profit. The merger was a solution for the two organization however, both sides were invested in keeping their ways the same. I facilitated the compromise on almost everything while still accomplishing a successful merger.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

Working on the City of Boulder Health and Education committee that distributed city funds, I visited many of the non profits and saw the various demands for services and funds. I also served on the United Way Board and the committee that awarded funds to various applicants. Again, I visited many of the organizations and became more familiar with the groups of Boulder county that are striving to answer the needs of our community. While on the Boulder Library Foundation Board, the goal was to to provide wide range of experiences and services to the community at no or low cost.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

I am not employed by the City of Boulder or Boulder County in any capacity.



Boulder Library District Board Application

COMPLETE #27

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 28th 2023, 3:13:30 pm</div></div></div>	<div></div>

* Date of Application

03/28/2023

* Applicant's Name

Cara O'Brien (formerly Schenkel)

* Applicant's Address

Boulder

CO

80302

United States

* Phone Number

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I have always loved libraries and would welcome the opportunity to help guide the Boulder Public Library system into its next chapter. I learned to read when I was three and ever since have sought both books and haven in libraries. When I was a child, I frequently maxed out the allowed number of checked out books. When I was a law student I virtually lived in the library; I studied there, I rested there, and I wrote there. As an adult, I continue to have a constant rotation of library books, both hard copy and electronic, checked out from the library. As important as the library is to me, I know it's even more important to people who utilize it for English-language and technology education, children's programs, and other resources. I think libraries tell you a lot about the communities they support, and I want to ensure the Boulder Library remains as vibrant and resource-full as it is today as it grows and evolves in the future. I was delighted to have the opportunity to work with the LDAC in 2021 and 2022 and would love to continue to help with the process now that the library district is becoming a reality.

*** Do you have experience serving on a nonprofit or governmental board?**

In 2021 and 2022 I served on the Library District Advisory Committee (LDAC)

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I understand that many of the first steps in setting up the library district will involve the negotiation of contracts, with the city of Boulder and library employees, among others. I have been practicing law since 2012 and in the last six years have focused my practice on negotiating contracts as part of a wide array of transactions involving the companies for which I have worked as in-house counsel. As such, I have developed both the practical and legal skills associated with negotiating contracts as well as skill in the collaboration and cooperation needed to successfully negotiate and close a contract.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

The two personal characteristics that make me most suited for the Library District Board of Trustees are, first, my ability to collaborate with other people and facilitate collaboration among a group and, second, my unflappable nature when working through difficult issues.

On the first characteristic, over the years I have developed strong skills working with people from all walks of life, listening to people's needs, and making sure people are heard and understood and that a group is then able to work together toward solutions. This is a skill that has served me well both professionally – first as a journalist and then as a lawyer – and personally, in that I have been able to provide a safe space for friends and family when they needed to work through problems.

On the second characteristic, I am frequently praised for my ability to stay calm under pressure and remain unflappable when I deal with stressful situations. This characteristic, too, has served me in both my personal and professional lives, whether it was supporting family through illness or floods or guiding business and legal teams through complex deal negotiations under tight deadlines.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I have many years of experience negotiating complex business transactions for large corporations. In those situations, the tension lies in meeting the needs and priorities of everyone involved in the deal, whether they be the cost-consciousness of the customer, the procurement restrictions on either company, or the pressures on sales teams to close deals. I have found that coming to the table first with the goal of hearing out each of the parties to fully understand their needs, concerns, and priorities allows for smoother conversations and negotiations as the group moves forward. This approach allows everyone involved to feel they are working toward a common goal and has the added benefit of narrowing the scope of issues at the outset to those that actually matter to the parties involved.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

Equity was a strong theme that drove the decision-making of the LDAC. Additionally, in my professional capacity, I have frequently participated in internal discussions and groups associated when assuring that the voices of women were heard in the typically male-dominated spaces of both law and technology. I believe a strong library is one that supports the development of every member of a community and this ethos would be a fundamental driver in the work I would do as part of the Library District Board of Trustees.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

N/A



Boulder Library District Board Application

COMPLETE #28

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 28th 2023, 4:06:52 pm</div></div></div>	<div></div>

* Date of Application

3/28/2023

* Applicant's Name

Joseph "Joe" Pezzillo

* Applicant's Address

Boulder

CO

80304

United States

* Phone Number

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I am a 35 year resident of Boulder who seeks to find ways to give back to the community that has been so good to me for so long. Of all the many parts of the city that I care about, the Library and this opportunity feel perfectly suited to my personal interests and professional experience.

Professionally, I have worked in information technology since the early 90s, including: three years at the Apple Electronic Media Lab here in Boulder; I started one of the earliest internet radio companies; worked for an internet radio search engine company; built software to collect large volumes of information from the internet that was used by government information publishers, universities and forensic accountants; developed one of the first iPhone applications for a major U.S. bank; and most recently built a company that powered push notifications for news broadcasters and sports leagues that we ultimately sold to Oracle.

Personally, I have many interests that intersect with the library, as a parent, as an amateur book, music and art collector, as a fan of the maker movement, live performances, movies and eclectic exhibitions, and as an autodidactic lover of history.

*** Do you have experience serving on a nonprofit or governmental board?**

Yes, for the last 15 years I have been a board member of the Denver Area Educational Telecommunications Consortium (DAETC), skills from which I'll detail in the skills question that follows. I also served on the City Counsel special committee on the future of community access TV in the mid-2000s.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

In my role on the board of DAETC I have worked extensively on governance and operational matters including work on bylaws, operating agreements, budgets and philanthropy. I believe those are some of the foundational skills that are needed to help structure and guide the new library district and position it for success. While not a lawyer, I have worked with lawyers over the years and am comfortable reading/revising all manner of governing documents, agreements and contracts and work comfortably alongside counsel to ensure such matters are handled competently and completely. I also generally consider myself a "people person" who gets along with people from all walks of life which I'll share more about in the next section.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

As mentioned, I consider myself an outgoing, gregarious person who is able to interact with and enjoy the company of all types of people.

As a parent, citizen and volunteer (not to mention as an employer and manager) I have worked and interacted with a wide range of people and personalities.

As one example, I was a regular volunteer at KGNU for more than 20 years in both on- and off-air capacities that required engaging with hundreds of people on a weekly basis.

As another, I was an organizer and chosen spokesperson and for a local group that championed the use of paper ballots in Boulder County and the state of Colorado, Citizens for Verifiable Voting. In this role I had to balance requirements and input from opposing viewpoints to present a unified message to local and state political leaders and the press and public at large.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I can think of many examples from the business world where these types of decisions need to be made constantly and in such a way that teams can and will rally behind the decisions to achieve success, but I think a better example comes from my time as a volunteer at KGNU.

As you may know, KGNU started in Boulder with a limited FM signal. I was part of the committee at the station involved in the decision to purchase an AM frequency in Denver to help the station expand to serve both a larger geographic region but also new community groups.

The decision to purchase the AM signal was not universally supported for several reasons, including the cost, which greatly exceeded the station's annual budget with unclear returns, and the desire of some to limit the station's audience to the historical boundaries of the Boulder community.

Ultimately the station decided to buy the AM signal and I think it was the right decision (for both Boulder and Denver audiences), but it was not without a great amount of collaboration among the different internal factions and making a strong case for the potential upsides of the expansion and making sure that the concerns of everyone were articulated and heard by all.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I have participated in multiple trainings in DEI initiatives over the years in both corporate and non-profit contexts, but I believe what's important is to think about not just the standard meaning of the term, but its practical application in the library environment and community at large, the diversity of the types of library users across age, socio-economic status, ability, parental status and more.

These issues affect not only the physical library facilities but the "future of libraries" aspects including digital divide issues, and as shown by the pandemic and other recent events, how the community interacts with meeting spaces, performance/exhibit spaces and maker spaces in addition to the core collections and at-home digital services such as Kanopy.

I am also very concerned about the rise of attacks on libraries and freedom of speech issues that seem to be growing nationwide and would want Boulder to be a strong champion for equity and representation of all voices in these issues as well.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No/none



Boulder Library District Board Application

COMPLETE #15

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 20th 2023, 9:12:35 am</div></div></div>	<div></div>

* Date of Application

March 20, 2023

* Applicant's Name

Peter L Pollock

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I want to help realize the opportunities and help face the challenges that will come with the birthing of the Boulder Library District. I believe I have a skill set that could be very helpful in setting the library district up for long-term success.

The question of whether a library district should be formed has been answered. But given the relative closeness of the election, at least by Boulder standards, it is also clear that there are still many skeptics. As we transition from campaigning to governance, it will be important to get the details right, and build community confidence. As Mario Cuomo famously observed: “You campaign in poetry. You govern in prose.”

I served on the Library District Advisory Committee (LDAC) the latter part of 2021 and early 2022, and I got a good look at the specific issues that will need to be resolved through the intergovernmental agreement (IGA) negotiation. I was helpful in dealing with questions regarding district boundaries and relationships with surrounding communities; the property, buildings, and land at play; and the importance of the policy framework as laid out in the Boulder Valley Comprehensive Plan.

In addition to dealing with the particulars of the IGA, the Trustees will need to engage the community. This means building trust, perhaps especially with those who opposed district formation, by opening lines of communication and dealing fairly with any concerns. The district’s by-laws will be important in documenting the processes of the district, and also its values. The budget, and the process by which it is developed, must reflect those values, and be transparent to all. And the Library’s 2018 master plan goals, initiatives, and associated timelines will need to be updated.

I see libraries as an essential part of our civic “architecture.” Doing the work, building trust, sharing successes, and working through problems: I am ready to do those things.

*** Do you have experience serving on a nonprofit or governmental board?**

I have extensive experience with nonprofit and governmental boards, but primarily from the perspective of professional staff.

- In the late 1970’s I was appointed to Boulder’s energy task force as a citizen member.
- As a member of the city of Boulder planning staff, I directly served as the staff liaison to the Landmarks Board and its design review committee for about five years; and over my 25-year career with the city I presented often to other city boards, the City Council, and the Board of County Commissioners. As Boulder’s planning director for about 7 years, I oversaw the functioning of the Landmarks Board and its design review committee, the board of zoning adjustment, the design advisory board, and of course the planning board. As defined in the Charter, the planning director serves as the secretary to the planning board, a role I took seriously, attending all of their meetings.
- As manager of western programs for the Lincoln Institute of Land Policy, I helped found, fund, and lead three networks: the Intermountain West Funders’ Network; the Consortium for Scenario Planning, and the Network for Landscape Conservation.
- As mentioned before, I was a member of the Library District Advisory Committee, appointed by Boulder City Council in 2021.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

- I am an accomplished urban and environmental planner. After my graduate education in environmental design at UC Berkeley, I came to Colorado in 1978 and was the first urban planner at the National Renewable Energy Lab. For three years I promoted the use of energy conservation and renewable energy in communities across the country. Starting in 1981, I served 25 years with the city of Boulder planning department, the last seven as director of the department. From 2006 to 2018 I managed western programs for the Lincoln Institute of Land Policy, where I worked on climate resilience, collaborative landscape conservation, scenario planning tools, and peer to peer learning for planning directors.
- I am personally familiar with the library system. When I arrived in town in 1978, the library system consisted of the main library, the Carnegie library, and the George Reynolds branch. I was in the planning department in 1988 when the question of whether to expand the main library downtown or expand in the Boulder Valley regional center was debated and voted upon. I was involved in securing space for the Meadows Branch Library, opened in 1989. For both the North Boulder branch and the potential Gunbarrel corner library, I was involved in the subcommunity and area planning that laid the groundwork for these improvements.
- I am a good communicator, including writing and speaking. I also have the ability to listen closely to conversations at a range of scales and offer up helpful summations of interests and positions.
- I am good at building relationships because I look beyond any contentious issue at hand and assume the best of intentions. I respect the right of anyone to disagree with me, and don't think any less of them for it.
- I have deep knowledge of civics and its "architecture." This is particularly true of our local context, but also nationally. This includes governance and organizational structures, budgeting and funding, taxation, regulation, planning, and the roles and inter-relationships between cities, counties, districts, and the state and federal government
- I have hands-on experience with the planning, financing, regulation, construction, and operations and maintenance of buildings and infrastructure.
- I am an experienced facilitator and negotiator. In particular, I have been involved in intergovernmental negotiations between the city of Boulder and Boulder County on the Boulder Valley Comprehensive Plan, and with property owners and developers for annexation and development agreements.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I act with integrity.

In public life I think it's critical to always act with integrity; to be honest, transparent, and consistent with the expressed values of the government you serve. This is also called out as a value in the library master plan, where the library acts as stewards of the public's trust, committed to service that is transparent and consistent with law and policy.

Many times public servants are put in a position where no one is satisfied. City planners are asked to review developments for consistency with community standards. That can be personally challenging because rarely is anyone pleased: the neighborhood often doesn't want change, the developer doesn't really want to be in the review process, and the decisionmakers may hope for something that doesn't just meet our standards, but exceeds them. I have found that I need to keep my eyes on the values of the community as expressed in its plans, policies, and laws, and to act with honesty and transparency.

I solve problems.

Government has to continually meet new challenges. Often our means to deal with these challenges can be outmoded. This can sometimes lead to a failed effort to meet the challenge, but should also be seen as an opportunity to improve.

One example for me was the challenge of siting a homeless shelter in Boulder. The original application for the use of a building along Broadway (adjacent to the site where New Vista High School sits) ran into a political buzzstorm of outraged parents of students from Baseline Middle School and was denied. A major contributor to the problem was a land use code that was ill equipped to deal with the compatibility questions that were raised, and the general lack of zoning districts where a shelter could even be contemplated. We proceeded to fix the broken code with an inclusive community process that started with the premise that there must be somewhere in Boulder where a homeless shelter is allowed. It sometimes takes more effort to achieve community goals than simply asking others to solve the problem.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I have been involved in many, sometimes contentious, projects here in Boulder. For example: creating a local wetlands protection law, reviewing and then developing new land use regulations for the siting of a homeless shelter, and deciding whether to proceed with a solid waste composting facility and fire training facility on Valmont Butte.

I conceived of my role as helping the community achieve important goals by taking action, (which sometimes means no action, as was the case for Valmont Butte.) Because people in Boulder care so deeply, and are very smart, we can sometimes get caught in analysis paralysis and spin unproductively.

I find that a well-designed, deliberative process helps bring people to solutions. The process outlined below isn't taken from any one project, but based on my cumulative experience:

1. Pre-brief (What is the problem we are trying to solve. What are the important precedents? What policies and laws apply? Who are the important voices to consult?)
2. Get direction from the decision makers.
3. Break the problem into pieces if you can.
4. Be clear about the process: What are the steps? Who will make the decision, and how? Where does the public come in?
5. Identify options and analyze them against important criteria.
6. Along the way, actively seek input from many perspectives to determine important areas of agreement and disagreement.
7. Decide, and revisit as necessary.
8. Debrief

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

The library is one of our best avenues for creating a more equitable community. The 2018 library master plan emphasizes the need for the library to focus on people: showing respect, welcoming diversity, and creating inclusive access to its resources. Specific groups of people, who have been marginalized in the past, are called out for special treatment: low-income, youth, seniors, community members with special needs, and Latinx community members. The library district must continue along this path.

Expanding the geography of library services will give us an opportunity to further broaden community equity goals. The district will need to assess how the addition of diverse new areas, like unincorporated Gunbarrel, Eldorado Springs, Marshall, Lake of the Pines, and mountain communities like Gold Hill and Sugarloaf, will affect its service goals.

In my professional life I have worked on creating opportunities for the inclusion of diverse groups of people in long range planning efforts. From the award winning 1993 integrated planning project, to area planning efforts, such as the North Boulder Subcommunity Plan, to regulatory reform projects, I led teams who explicitly worked to expand community engagement in our planning efforts.

The Valmont Butte project, where the City's proposed solid waste composting facility and fire training center were under review, included a Tribal consultation as a key element of our community engagement. After leaving the city of Boulder, I continued to include the tribes in networks built by the Lincoln Institute, including for large landscape conservation and the future of water in the Colorado River Basin.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #12

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 16th 2023, 2:17:36 pm</div></div></div>	<div></div>

* Date of Application

03/16/2023

* Applicant's Name

M. Sue Pullin-Black

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

Libraries have been my favorite places, since I was a child. I volunteered in High School. worked in the Pharmacy Library in College, volunteered at Foothill Elementary, in Boulder, when our son attended school, there. The future of the Boulder Library is very great importance, and I hope that it will continue to be the valuable asset to our community that I have enjoyed since I moved her from MS in 1973. Libraries are necessary for the mental health of any town.

*** Do you have experience serving on a nonprofit or governmental board?**

My life, since High School, has always included volunteer organizations, in elected positions of service. They have included National Cancer Society, Red Cross, Student Pharmacy Assoc., Hospital Pharmacy Assoc., Women of the Church, P.E.O., D.O.K, and other volunteer organizations. My work on the Organ Donor Bank in Denver, while I was a member of Junior League was most fulfilling; I gave presentations to many civic groups, with informative speeches and slide presentation.

Yes, I have had leadership positions in several nonprofits.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

The major skill that I would bring to the board is an enthusiasm for the positive future of our library system. As a retired pharmacist, I have scientific knowledge, and am very detail oriented. As a community volunteer, I have organized many projects: fund-raising, service and management of funds to benefit the appropriate causes.

Boulder is my home, and I want our library to reflect the population of my beloved city. We are many parts: old Boulder, campus Boulder, diverse Boulder, caring Boulder, and so many others.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

My personality is outgoing, but, I can be reserved, if needed.

I enjoy public speaking, and feel very strongly about the success and future of our library system.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

When faced with decision in a group, (unnamed), of which I was President, we decided on projects that fit the desires and needs of the group, as a whole. I was able to put my desires aside, and convince members to choose project(s) that fit the mission of our group.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

The mission of groups in which I have volunteered have included all ethnic groups, and we have been especially aware of the needs of the diverse population.

In my career as a pharmacist, equity among employees was always my goal. While I did not serve in management, I often was the training pharmacist. So, it was part of my job to welcome and help persons of all background to feel comfortable in their new job.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #22

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 26th 2023, 4:28:21 pm</div></div></div>	<div></div>

* Date of Application

3/26/2023

* Applicant's Name

Joanna Rosenblum

* Applicant's Address

Boulder

CO

80304

United States

* Phone Number

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I am a big believer in the value of vibrant libraries. My main interest in serving as a Trustee is to roll up my sleeves and do the work needed to set this new district up for success. I want to ensure that it has effective governance mechanisms, a meaningful mission and vision, dynamic community engagement and outreach, and the processes to help balance the launching of new initiatives with investments that keep the foundation of the library strong and resilient. I certainly don't have the answers of what all of this looks like, but I have dealt with these issues both in my professional career and my volunteer activities, and I believe that I have tools and processes to help the Board get there. I am hoping that you will consider me for one of the shorter terms. Ideally, I'd like to be on the Board for a couple of years to help get it up and running, and then cede my seat to another member of the community.

*** Do you have experience serving on a nonprofit or governmental board?**

I retired from a Corporate 50 company as a General Manager and Vice President in charge of one of its divisions. In that capacity, I was exposed to a multitude of governance issues and trained extensively on how to approach them. In my post-retirement life, I have served on multiple Boards including:
 Colorado Public Radio: Board Vice Chair, Strategy Committee Chair, Finance Committee, DEI Committee, Community Advisory Board Chair, volunteer
 Boulder Ensemble Theater Company: Board Vice Chair, Development Committee Chair, Finance Committee
 SCORE Denver (non-profit small business consulting): Board Vice Chair, Finance Committee, Consultant
 Boulder Library Foundation: Board Member
 I was also a member of the Library District Advisory Board

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

The skills I have that would be most valuable to launching the Library Districts include:

- Knowledge of Governance Models, Tools and Best Practices
- Budgeting
- Strategic Planning
- Benchmarking
- Metric Setting
- Finance
- Community Engagement
- Contract Negotiation

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

The first characteristics that come to mind is my ability to transfer experience and learnings from one situation to other seemingly unrelated situations. An example is in 2021, the management team of an organization I was affiliated with received very bad feedback on the organization's DEI culture from the employees. The feedback was so swift and candid, and at such odds with management's perception of the organization, that the feedback felt like a personal rebuke to the management team. They called an emergency session with the Board to get some coaching on what to do. As I listened to their account of the feedback, I recognized similarities to how I felt the first time I was called on the carpet by a large corporate account for messing up a service delivery. It felt pretty awful. I also remembered that over time, I discovered that if we responded quickly and effectively to a customer complaint, the customer's trust in our service actually improved. In fact, they became some of our most loyal customers because they trusted that we would make it right if something went wrong, as it inevitably would from time to time. I shared this observation on the call with the management team and it changed the focus of the meeting. Instead of getting stuck on how surprised they were to get the feedback, we started brainstorming on how to respond and meaningfully engage the employees. We ended the session with the commitment to organize an empowered, cross-organizational task force to put together an action plan to address the employee issues and the funding to hire an outside consultant steeped in equity issues to guide the team and educate the organization. That task force has now been elevated to a standing committee and they continue to hammer away at the issues. The changes that have been implemented over the last couple of years have been meaningful and progress has been made. So while I have minimal experience with government entities and my knowledge of libraries is mostly based on my experience as a patron, I am confident that there will be times that I can apply my experiences from the tech industry and from the non-profit boards on which I've served and glean best (and worst) practices that are relevant to the new Library District.

Another personal characteristic that will be helpful is that I have a high attention to detail. By nature, I come to meetings having reviewed the material and documented my questions. In my career, I spent four years working on the Mergers and Acquisition team where this trait was very valuable. We always went into a negotiation wanting to make the deal work. I learned how to read contracts, how to work with lawyers and how to listen carefully to the other party so we could find satisfactory compromises and keep our forward momentum. I learned how to separate the really important details from the ones that were interesting but not really consequential to the deal structure. I think that some of the activities during the first years of launching the Library District will involve working through a variety of issues at a level of mind-numbing detail, and I would happily sign up to be on that team.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

Four years ago, one of the Boards I served on was presented with the opportunity to acquire another organization that was tangentially in the same market as our organization. As I listened to management's presentation, I could see a number of reasons to move forward with the acquisition. The organization in play had a solid base in a demographic with which we struggled to make inroads. They had a much stronger digital platform than we did. They had a small but very talented and diverse staff that we could leverage. To me, the deal presented an opportunity to quickly and cost-effectively address some of the things that needed to be done to meet our long-term goals. As we went around the table giving our opinions about the deal, I was surprised to find myself very much in the minority. Most of my colleagues felt that the acquisition would be a distraction for our management team which already had its hands full executing our strategic plan. From their perspective, it was a highly risky move with the potential to leave us in a worse position over the long term.

The Board got through this issue when we stopped promoting our individual perspectives and started discussing why we were evaluating the risk so differently. That led us to a discussion about what it would take to make the deal work. Was it possible to mitigate the short-term risks of making the acquisition and shore up the potential to reap the long-term benefits? We came up a list of things we'd like management to address before we approved the deal. For example, how would they retain and leverage the new staff? Would they rebrand the acquired organization or keep the brands separate? How would they ensure that the acquired digital platform would be successfully leveraged post-acquisition? We came up with about ten big questions which we turned over to the management team to answer. The next month management came back with a much better thought-out integration plan and more clarity on how the new organization could enhance the existing organization.

The Board conflict dissipated as we were given additional data and a plan that made success seem much more likely than failure. If the management team had failed to come up with a solid plan, the Board would have had consensus on turning the deal down. This exercise also identified critical terms that needed to be included in the deal that hadn't been identified in the initial discussion. The key in bringing the Board back together was identifying how differing assumptions were driving different conclusions about the deal and then getting information to test and ultimately align the assumptions.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I haven't been in an organization where inclusiveness wasn't a core value, but it wasn't until 2021 that it got real. I was on two Boards at the time, and both organizations required Board training and encouraged participation in community sessions on EDI, both of which I did. However, I quickly realized that I was way behind the line in terms of really understanding the issue and it honestly made me very uneasy. As a result, I invested a significant amount of time reading and listening to other people's experiences of what it's like to live in our country when you're not white. It took a lot of work, but I started to recognize a multitude of systemic biases that had been clearly visible but easily ignored. I became very comfortable with the voices of people demanding change and the way they expressed their reality.

As my organizations started to tackle the issues, I pretty much kept in listening mode and took more of a support role. I was on the Finance Committee in both organizations and as plans emerged, I worked on shuffling the budget so the new plans could be implemented and worked on fundraising when the budget couldn't accommodate new expenses. I wasn't in the mix on putting together the plans – that was rightfully led by others. I was, however, able to help figure out how to operationalize those plans.

This experience has got me thinking about EDI goals may necessitate flattening hierarchical organizational structures. Here are a few thoughts I've been kicking around for the Library District based upon this experience:

- Giving community members a voice in what services the Library provides and how it operates is critical. Ultimately, I believe that the Trustees are accountable to the taxpayers and the Trustees should make sure that they understand what the taxpayers want. This means that the Library can't just tell the community about what it's doing, but must listen and internalize what different parts of the community want.
- One of the biggest governance challenges for the Trustees is that there are only seven members. This makes it difficult to form Board Committees to work with staff in key operational areas such as Finance. It also makes it virtually impossible to have a Board that reflects the community as there are more community segments than there are Trustee slots. It is probably not realistic that the Board of Trustees can get adequate community representation through the composition of the Board alone.
- A potential vehicle to address this challenge is to supplement the Board with non-Trustee committee members and to establish both standing and ad hoc Community Advisory Boards (CABs) to give input on specific projects or activities, such as the Gunbarrel branch or a major revamp of a key service like the literacy program.
- While the Board Committees are pretty straightforward, CABs can be tricky. Well run ones are extremely effective, but they often take years to build. The CAB members need to be truly engaged with the Library in order to be motivated to volunteer their time. However, if you want to include voices from different parts of the community, you can't count on members from that community to spontaneously volunteer. Often you have to develop relationships within the community and then recruit members to join your CAB. That takes resources and time. Given the magnitude of this effort, recruiting volunteers would need to be a joint effort between the Trustees and Library Staff so the Library could cast as wide of a net as possible. In other words, it would be a core activity of the entire organization, with a funnel and metrics.
- To supplement this, the Library needs to continue to invest in community engagement. My impression is that the Library is dedicated to inclusiveness and actively seeks partnerships to reach various segments of the community. To make this investment as fruitful as possible, the Library might benefit from benchmarking with other libraries to glean best practices in community engagement.
- The Library must be thoughtful in how it defines its "diversity". It might encompass race, socioeconomic status, age, geographical location, etc., and some strategic decisions may also need to include things like degrees of fiscal conservatism as not all of the taxpayers will support an expansive Library. At the end of the day, the goal should be to give voice to all community members so the Library reflects the values of the community to the best of its ability. No one group gets everything it wants but each member should be able to see where their perspectives impacted the final outcome.
- If the Library embraced the CAB concept, I would want to ensure that mechanisms are in place to ensure that the CAB inputs actually impact what is implemented. This has implications for staffing that may ultimately limit the number of CABs that are launched and the number of projects that are pursued. However, a toothless Advisory Board is not a good use of the members' time. While the CABs will be defined and organized by staff, the CABs should have regular face time with the Board of Trustees so the Trustees can hear their thoughts unfiltered.
- If the Library were successful in bringing non-Trustees onto Board Committees and Advisory Boards, it would have the additional benefit of building a diverse pipeline for future Trustee candidates who would be highly qualified to join the Board.

These are just ideas, not definitive proposals. It is an ambitious vision not at all easy to pull off and the time, effort and risk may be too much for the new District. However, if I'm a Trustee, I would definitely want to put them on the table and see where the discussion takes us.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No



Boulder Library District Board Application

COMPLETE #21

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 24th 2023, 2:18:59 pm</div></div></div>	<div></div>

* Date of Application

2023-03-24

* Applicant's Name

Andy Sayler

* Applicant's Address

Boulder

CO

80304

United States

* Phone Number

* Email Address

* What is your age range?

25 to 34

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I've been a user of the Boulder library system for many years and live near the planned North Boulder library branch. I was active in the campaign to form the Library District, and would welcome an opportunity to join the inaugural Board of Trustees to assist with the transition to the library district model. My professional background is in technology, information security, and privacy, and as libraries continue to transform to provide a wide range of digital resources to their patrons, I believe my skill set would be well suited to assist the new district. I am excited to see what the library can do to serve all facets of our community as it transitions to the district model, and would be honored to lend my skills and expertise to assist with this transition.

*** Do you have experience serving on a nonprofit or governmental board?**

I am currently a member of the Silicon Flatirons Community Advisory Board (a CU Law-based organization that focuses on the future of law, policy, and entrepreneurship in the digital age). I am also a member of the Boulder Xcel Community Advisory Panel. In both of these roles, I have experience working with a diversity of board members to deliberate and advise on topics of interest to the group. I was previously the general manager of a non-profit radio station (WMFO) and have volunteered with a range of nonprofit efforts over the years.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

Having been involved with the library district campaign since the beginning of that effort, I am already fairly familiar with the goals and mechanics of how library districts operate. I also was responsible for all bookkeeping and digital operations of the campaign, skills that would serve the board of trustees well. In my professional career, I've led large teams (25+) to oversee major projects that impact thousands of employees and millions of users across the globe. I am also an expert in information technology, digital security and privacy, and would be happy to lend these skills to support the board as it considers the growing digital mission of our libraries. As an example of this sort of work, I assisted the Boulder Public Library in supporting a pandemic-era program to provide free wifi hotspots to families and individuals who lacked sufficient internet access, helping to enable these folks to stay connected to friends, work, and school during the early years of the pandemic.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am a strong communicator and writer, and like to use that skill to distill complex topics to be approachable by a wide audience. As an example of these skills, please see this blog post I authored while serving as a security engineer at Twitter: https://blog.twitter.com/en_us/topics/product/2020/stronger-security-for-your-twitter-account. I also like to leverage these skills to teach, and have led open-to-the-public digital security courses at the Boulder Public Library in the past, as well as having taught a range of complex course topics during my time at CU Boulder.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

When making decisions as a group, I value building consensus across a diverse range of stakeholders. As an example of this skill, in my professional job I routinely am asked to represent the interests and security of end users in discussions with other stakeholders about how we designed and architected digital systems. These discussions often involve competing equities (including monetization-driven business interests and the privacy rights of users), and I value my ability to work with other stakeholders to balance these equities in a way that also ensures the safety and security of platform end users.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

In my professional role, I have long worked to promote diversity in hiring and team composition. Given the tech sector's historic struggles in this space (and especially the diversity challenges within the security community), I have undertaken efforts to overhaul our interview and advancement process to better accommodate a wider range of backgrounds and experiences. These efforts successfully led to a significant increase in the diversity of our team over a multi-year period.

I have also advocated for equity concerns in my work as a member of the Boulder-Xcel Community Advisory Panel. This panel is focused on ensuring the city's partnership with Xcel aligns with the city's climate and energy goals. These decisions often involve tension between these goals and the costs of achieving them. We have taken an equity-focused approach to these discussions, and strive to ensure the costs of solutions we're pursuing do not fall disproportionately on those least able to pay.

Similarly, the library is a critical resource to the wider community, and we must ensure that it is setup to serve the entire community, from families, to retirees, to professionals, to those living in poverty or without stable homes. Ensuring the library can effectively serve all of these populations will be a critical task facing the district. I'd like to see the Trustees receive a wide range of input from different library users, and consider the needs of those users, when seeking to make equitable decisions in this space.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

I am a member of the Boulder/Xcel Community Advisory Panel.



Boulder Library District Board Application

COMPLETE #17

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 20th 2023, 12:39:42 pm</div></div></div>	<div></div>

* Date of Application

03/20/23

* Applicant's Name

Allison C Schwartz

* Applicant's Address

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

My family and I are devoted BPL users. We live a few blocks from the Main Branch of BPL and visit multiple times per week. My children know the librarians, my middle schooler calls the teen room his favorite place and I personally am a current One Book, One Boulder Book Circle leader. The Boulder Public Library is deeply embedded in my life and the life of my family. I am thoroughly committed to making sure that the new Library District makes the Boulder Public Library even better than it is now.

*** Do you have experience serving on a nonprofit or governmental board?**

I am currently the Co-Chair of the Boulder JCC's women's programming board. We create and host dozens of community events per year, everything from hiking groups, book clubs, speaker series and community-building dinners. These events are open to the public and generally very well attended.

I've also been an active member of our local BVSD neighborhood school Parent Teacher Organization, including being on the interview committee for hiring a new school principal.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have an undergraduate degree in Writing & Rhetoric, so I have a keen eye for detail and the written word. I also have a J.D., and while I am not a member of the Colorado Bar, I do have a deep understanding of legal issues. I worked for a time at the 20th Judicial District in Boulder and have experience with Boulder County Judicial programs.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I'm a people-person. I genuinely enjoy getting to know people and work well with others. I'm generally easy-going, but not a push-over when it matters.

I'm confident. I'm not afraid to ask questions if I don't understand something. I feel equally comfortable in a room full of professors or a room of teenagers.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

My JCC programming board recently hosted a speaker discussing her recovery from trauma and family mental illness. As a board, we had to carefully balance being protective of the speaker herself against the curiosity of the audience. Many in the audience wanted the speaker to answer questions about herself and her family that the speaker was not comfortable discussing. Rather than having a traditional Q&A, we asked audience members to write their questions on index cards and then screened out inappropriate questions before giving them to the speaker. We were able to protect the speaker and answer most of the audience's questions.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

As the co-chair of the women's programming board at the Boulder JCC, I've strived to create diverse programming. I understand that different people are comfortable in different settings, so I've made sure we offer some programming both outside and in small groups, as well as traditional larger events.

For the new Library District, a mobile library truck to bring access to underserved neighborhoods would be a great place to start.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.

Boulder Library District Board Application



COMPLETE

 #26

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 28th 2023, 12:06:45 pm</div></div></div>	<div></div>

*** Date of Application**

March 28, 2023

*** Applicant's Name**

Daniella Shoshan

*** Applicant's Address**

Boulder
CO
80304
United States

*** Phone Number**

*** Email Address**

*** What is your age range?**

35 to 54

*** Which race or ethnicity do you identify with most?**

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I'm interested in serving on the Library District Board of Trustees because reading and loving books has been the most impactful influence on who I am. My earliest memories are of my grandmother taking me to the library; watching her scour shelves of everything from novels to newspapers; her encouraging me to find favorite genres but always aim to borrow one outside-my-usual book. The libraries at my high school, college and graduate school were havens to me throughout my life, as well as how I got myself out into the neighborhood when I moved to new cities. Perhaps most significantly, my passion for being a reader is what led me to become a writer, and identifying as both has fueled my educational and professional pursuits, as well as my connection to and understanding of myself.

Besides this more personal affinity for and conviction of the power of reading, I'm drawn to the Library District Board of Trustees because I believe access to libraries and the services they provide is vital and transformative. I consider the library one of a rapidly dwindling number of public spaces that truly serves, connects and revitalizes, and establishes common ground. I would appreciate and enjoy the opportunity to support the city of Boulder, to collaborate with fellow trustees, and to apply my skills and spirit to the tasks at hand.

Lastly, I'm interested in serving on the Board because of the opportunity it presents to learn from those around me and to potentially grow with it, so that I might continue to add value over time and in meaningful ways. I do have more of a programmatic than a financial or acquisitions background, but I think my contributions to the collective could be additive and adaptive.

*** Do you have experience serving on a nonprofit or governmental board?**

I don't yet have experience serving on a nonprofit or governmental board, but I do have many years of experience working in nonprofits. As a Program Manager at an arts education nonprofit, and later as a Program Director at an education nonprofit, I gained various perspectives on how board members and trustees guide and govern quarter-to-quarter and year-to-year goals, and in turn, how this affects the day-to-day experience of employees and the population served. I also come from a theater background, in which small or emerging artistic companies I worked with were shaped and steered (some for better, some for worse) by the contributions and counsel of nonprofit board members.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I have experience leading, creating and administering programming in a range of educational and artistic spaces, both in the nonprofit and for-profit sectors. Prior to managing and directing programs for young learners and adults alike, I assisted with or implemented them directly, having been everything from a volunteer in public school literacy initiatives, to an intern in theater companies, to a teaching artist and tutor designing curriculum.

In two previous professional roles I've held, I was responsible for leading rigorous, high-volume national recruitment efforts. While Program Director at a STEM-education nonprofit, I had to interview, select and onboard applicants for positions in a diverse array of under-resourced schools and learning spaces across the country. In this effort I had to pay particular attention to dynamics, team-building and "match-making" strengths and challenges so that I could ensure the educational partners' needs were appropriately met, and that I was pairing compatible team members who could effectively and beneficially work together. Years later, in my role as Director of an alternative arts and education day camp, I had to recruit, train and manage a staff of over 25 counselors, many of whom were working for the first time. Executing these initiatives with success while also cultivating positive relationships in the process required interpersonal and organizational skills which I think would be useful as the Library District Board seeks to hire and develop the necessary role-players to fulfill its obligations.

A particular charge of the previously mentioned nonprofit program was building capacity, an emphasis on establishing or redesigning infrastructures at urban schools and small organizations with the end-goal that they'd eventually evolve past the need for our program and governmental aid. To do this effectively, I had to problem-solve through a sustainable and adaptive lens, to look several steps ahead while still maintaining a keyed-in awareness of the immediate, and balance maximizing impact with the least amount of strain on resources. The demographics served by these programs were often differently abled, culturally diverse, or traditionally underrepresented. All of this experience feels applicable to the charges and landscape of the Library District.

Along with experience managing and tracking a large-scale budget; direct and considered communication skills; and aptitude in note-taking, summarizing information and maintaining consistency in messaging, I believe myself to have high emotional intelligence. I lead with empathy, and strive to be a sensitive and astute listener. I think these skills, too, have worth and relevance in the early stages of development for this new form of governance.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees?
Please provide two examples.**

As a writer, I have a dramaturgical instinct and ability for identifying and remaining consistent to a narrative arc. I'm drawn to seeking out and defining beginnings, middles, and ends; discerning and then tracking, tracing and fine-tuning through-lines of thought; to weighing the roles and strengths of lead and supporting figures, and attuning to nuances of character. Viewing situations through a story lens – considering backstory and exposition, dot-connecting key catalysts for and contributions to the rising action, keeping the super-objective along with the conclusion in mind – aids in organizing and prioritizing necessary steps, and strengthens the dexterity and creativity of my thoughts. My innate sense for remaining true to a core narrative acts as a compass. I find that it also expands my perspective and allows me to toggle between chronological or more structured thinking, and remaining open to the potential for tangential discoveries or nonlinear approaches.

My academic and artistic background in theater arts has also equipped me with a “both/and” set of tools and traits for collaboration. At first, a playwright works in isolation or some form of solitude; later, a cooperative team is needed to realize the vision, further the story, and bring it to life. It's both an independently generative and creative venture, and a group effort; it's both carefully scripted and planned, and a product of spontaneous adjustments, adaptation, even improvisation. A playwright has to be able to discern when to hold firm and when to be more malleable; when an edit or rewrite is enriching and additive, and when it risks the integrity of the whole. My experiences in writing and rehearsal rooms, cross-discipline workshops, and behind-the-scenes of productions (some well-funded, some bare bones, a few conflict-fraught) mean that I'm able to give and receive feedback, navigate through differences of opinion or vision, and share the work of getting a project on its feet.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

During my tenure with an alternative day camp, a group of regional Directors in the Silicon Valley and South Bay Area had to convene and make decisions about how to fairly share resources, collaborate on marketing events, and divide seasonal employee recruitment “territories” or pipelines. Each Director had their own set of priorities and preferences for what best benefited their individual site, not to mention different leadership styles and approaches to managing budget. Group discussions often involved contributing factors that make any collective decision-making tricky: ambition, self-interest, financial implications, communication mishaps, and unseen or underlying concerns that may not be expressed. In these meetings, I tried to rely on a personal practice of weighing and balancing needs and outcomes – sort of an internal costs/benefits analysis. What did I want out of that meeting or given discussion topic, specifically? What and who would that outcome serve, and to what end? Was it needed, beyond being wanted? Could there be opportunities for partnership or mutual gain? By doing some of this work within myself first, I gave time and space to listen to those around me, avoided (most times) reacting too quickly, and laid the groundwork for establishing the kind of working environment wherein when I did make a request, take the lead, or advocate more strongly, my colleagues took my input seriously, assumed positive intent, and trusted my intuition. Likewise, if I knew I wasn't the best voice to speak on something or that I had less “skin in the game,” I learned to step back or speak less, reserving energy and emphasis for matters that mattered more.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

Three examples of my experience with equity work come to mind:

The first involves an initiative I helped spearhead and launch while working part-time at a career services center during graduate school. It was called Clothing Closet, and was essentially a lending library of professional wear – slacks and skirts, blazers, ties, even dress shoes – so that job seekers who didn't have the means for or access to that kind of attire could borrow outfits in which they could interview. I wrote grant letters to obtain funding that could be used for dry-cleaning between returns and reservations, so that all borrowers could have access to the Closet at no personal cost. This experience taught me that creating an opportunity to level even one corner of the playing field is not only necessary but, sometimes, surprisingly doable; a "small" effort, the impact of Clothing Closet illustrated a simple and straightforward exemplification of equitable opportunity. Bolstering confidence, reflecting self-worth, and seeing and receiving others for their inherent potential and value costs very little, and shouldn't be afforded to only some.

A second instance involves the aforementioned STEM-education nonprofit program I directed, which partnered with AmeriCorps to increase the equity of access to STEM learning in under-resourced settings with the overarching aim of eradicating poverty through education reform. This meant not only securing grants for tools and tech, but also setting up systems, professional development training, and resource generation for sustainable and ongoing development of programs that could grow with the needs and populations of a teeming middle school in the San Fernando Valley, or a small rural library in Salmon, Idaho, or an after-school clubhouse in Baltimore. My work with these and other partners in this program, and the AmeriCorps organization on a governmental level, taught me that deeply entrenched issues of equity and disparity are not magically solved by a one-time donation, a shallow or temporary injection of "charity" or attention, but by authentic, immersive understandings of need, of values, of culturally relevant problem-solving and agency-building that community members are bought-into and legitimately served by.

A final example is just to briefly share my experience working for a for-profit corporation and serving on a team of colleagues seeking to establish company-wide DEI norms and practices. The process was painstaking, charged, and despite the task force's original good intentions, a frequently demoralizing undertaking. I wanted to include this because I think it's difficult but imperative to acknowledge that addressing, engaging with, unpacking and dismantling barriers to equity is often slow, sticky, stubborn and struggle-y. But we can't shy away from that, or use that as justification for shortcuts or glossings-over. And, I humbly but assuredly offer that I wouldn't.

I don't yet have a specific or strategic vision for exactly how the Board would build an equitable system, but it's crucial that it does and that's part of why I am interested in the role and invested in the Board's charges. In today's world/climate/culture, people in varying positions of power are quick to say they're sure they know The Way; or, they're at least convinced of The Absolute Wrong Way. It feels more rare for people to say, hey, I'm not sure, but I'm Absolutely Committed to Trying. And, importantly, I'll keep trying and learning, because the likelihood is that any Way forward is going to involve mistakes and return trips to the drawing board. That, too, is more rare: to not get distracted or immediately dismissive of an effort when progress is slow.

I don't want to speculate or pretend I know The Way towards equity in the library system, but my instinct is that it involves an initial stage of debrief, identification and same-paging around what is meant by equity, the obstacles to it, and the commitments going forward; early-stage listening to the library branches' day-to-day workers and/or voices from people directly engaging with the gamut of library users; an audit and examination of practices that have and have not worked in the past, challenges that have occurred or recur, previous successes, feedback from the community and/or relevant relationship stakeholders; an articulation of what's urgent and a corresponding timeline of whens and who's-needed-s in order to work towards deliverables or benchmarks; then, clear and considered alignment on longer-term goals around equity, and shorter or more medium term equity attainables; a communication and messaging blueprint, so that both internal and community audiences are appropriately informed and engaged; and throughout, a smaller sub-team or appointed Board member who regularly pauses and prompts check-ins tying back to the goals and intentions around equity agreed upon at the outset, as means of accountability and maintaining a mindful and meaningful pulse or temperature check.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

N/A



Boulder Library District Board Application

COMPLETE #30

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 28th 2023, 10:09:41 pm</div></div></div>	<div></div>

* Date of Application

March 28, 2023

* Applicant's Name

Scott Steinbrecher

* Applicant's Address

* Email Address

* What is your age range?

55 to 64

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I currently serve as a Library Commissioner, and the transition to a District means some significant changes that require strong people, especially in this transition stage, as many important policies will be determined that will impact the Library District for years into the future. Those policies and activities have to be done right the first time. I'm a very good Library Commissioner, and a positive force on all the boards that I've participated in the past.

I'd also put a plug in for the three other continuing Library Commissioners, if they have applied- Steven Frost, Benita Duran, and Sylvia Wierba. The four of us already have a working relationship with each other and with the Library Director and staff and we bring varying aspects of "diversity" to the Library Commission. In my case, I'm a "senior" and have a congenital hearing condition. We also understand the library and this familiarity will be important for the new Board of Trustees to coalesce quickly and get into those meaty discussions the new district will engage.

*** Do you have experience serving on a nonprofit or governmental board?**

Yes, I have a great deal of experience serving in such capacities. I served for seven years on the City of Lafayette Library Board, including two years as chair. I also was a City of Lafayette Planning Commissioner for ten years. Currently I serve on the Board of Directors of the University of Colorado Buffalo Bicycle Classic, the largest scholarship fund raising program in the state of Colorado and have just started my third year on the City of Boulder Library Commission. For the past two years I've served as one of two Commission Liaisons to the Boulder Library Foundation.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

The Library District is a different animal than the Library Commission and many other appointed boards given the fiduciary, policy making and personnel responsibilities of District Trustees. Some of the skills necessary will be program evaluation, policy analysis, budget and finance, the capacity to ask good questions and project into the future. Some real estate background may be also useful given the questions related to the transfer of building assets to the Library District. The District trustees will be counted upon to work closely with the Library Director and library staff on the district budget, evaluate and approve personnel and other operational policies.

I possess many of those attributes from various work and volunteer experiences. I have reviewed library budgets while in Lafayette and from participating on a HOA Board of Directors. I teach public administration and policy concepts to international students. I've developed a strong capacity to listen, ask questions, and make projections from work on various boards and as a Planning Commissioner.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I have vision and am pragmatic. I also am a good listener simply because I have to work harder at hearing things. Years ago, when studying to be a school administrator, the director of the program looked at me and said, "you are a scary person", upon hearing this I asked the director what she meant. She responded with, "you have something that most people don't have, you have vision, you see things". But along with this vision, which I bring to every board and group that I am involved, I bring pragmatism. This pragmatism stems from my policy background where one has to consider how to implement something and how it may be perceived by various constituent groups.

As the Chair of the Lafayette Library Commission the City Manager at that time called me about two internal candidates for our vacant Library Director position. I told him what I thought: one was better for the job as the Library Director, and the other, their passions were better aligned with Arts related work. The City Manager hired them both: the first as the Library Director, and the other as the City Public Art Director. It worked well as both had successful careers in those positions.

Both of these personal characteristics (vision and pragmatism) are highly important and relevant to the skills question above. One needs to have sort of a crystal ball to look into the future in determining these first sets of policies and programs the district will embark upon and then seeing how those should/could be implemented.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

This sounds like many planning commission meetings. One time we had a development review for a project that was essentially “affordable housing”. The only neighbors to the east of the project were adamant that the project was going to negatively impact them. The development team was a consortium of non-profits, and part of their urgency to get the project approved was that they planned on applying for some grant funding to assist in building the project. The project was not perfect, and various members of the commission had different issues with the project, and at one point during the hearing I said, no, this is not a perfect project, but it is something that benefits the community as a whole, and something that we need to approve. A few days after the hearing, the Planning Director pulled me aside and said that I had it absolutely right, this is a project that has a community benefit.

Over the years I’ve developed a habit of starting off listening- a lot of listening. This does not mean that I don’t have an opinion, but I want to see where my thinking fits with the others.

When on the Planning Commission I always read the staff report and before nearly every meeting I would talk with staff about questions/concerns that I had about the proposal as I did not want to surprise the staff with questions. This also gave me some insights into staff, applicant, and sometimes other commissioners views, so that once the hearing rolled along, I had some idea of the various positions.

A long time ago as a graduate student, when enrolled in a class on Political Advocacy, the instructor, a lobbyist, told the class that there are no enemies, just positions. Meaning that someone may have a different position on X issue, but on Y issue that same person has the same thinking that I have. The lesson is that we have to play for a different “game” sometimes.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I live “equity” every single day. As someone with a significant hearing impairment, I am a forgotten member of the most forgotten aspect of “diversity”, individuals with disabilities and more specifically, the deaf and hearing impaired. In short, I like to say that I am the ultimate outsider, because research shows that the deaf and hearing impaired are the most socially members of society.

Many people believe that the District will be adequately funded and have a more stable budget than under the current Library set-up. I’m not so certain of that given inflation, possible changes involving property taxes, and other factors. Under the District set-up the Library will be better able to project their financial needs and revenues more accurately than currently, but still, there will be some degree of uncertainty to this financial model.

The meth situation at the Library has made them essentially insurable, or at a greater premium cost. All of these factors will impact the Library District Budget, and as I like to tell my students, “one can have the best program in the world, but if there is no budget, there is no program”. So, I would start by making sure that the Library District has a stable budget so that good services can be provided to all users- in short, the fundamentals of the library. Are the book collections fully stocked with books that patrons want? Can they be checked out in a timely manner without waiting months and months? Are the buildings clean? That sort of thing. Many of these things are happening at present, but the goal is to continue and expand upon them. If these basic, fundamental pieces of the library are not fully addressed, it is difficult to get into things like “equity” or what one might call the shiny new toy of library programs and services.

One problem with the concept of “equity” is that it is ill-defined, hard to measure, and it depends upon where one sits if something is “equitable” or not.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

Yes, I currently serve on the City of Boulder Library Commission.



Boulder Library District Board Application

COMPLETE #14

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 18th 2023, 4:30:20 pm</div></div></div>	<div></div>

* Date of Application

March 18, 2023

* Applicant's Name

Katharine (Joni) Teter

* Applicant's Address

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

*** Why are you interested in serving on the Library District Board of Trustees?**

I believe strongly in the mission of the public library, expressed by our Boulder Public Library as “Connecting people, ideas, and information to transform lives and strengthen our community.” Public libraries are a critical part of our shared social infrastructure, providing people with safe spaces and free and equal access to knowledge, resources and services regardless of who they are or how much they have. As income inequality grows and cultural divides deepen in our community and beyond, strong public libraries are needed now more than ever to level the playing field across these economic and social divides.

Libraries must be financially sustainable to meet their communities’ needs. For the last ten years, I have worked with others to develop a path to financial sustainability for our Boulder Public Library, and the library district is the culmination of that work. I have knowledge, skills and experience that can be useful in setting up the library district for long term success. I’d like to put those skills to use during the district’s transition and start up period, then step back to let other community members take leadership roles in building our library’s future. For this reason, I would prefer to serve a one year, or at most two year, term as trustee.

*** Do you have experience serving on a nonprofit or governmental board?**

I have extensive experience serving on both governmental and non profit boards. Governmental boards include:

Boulder Planning Board, 1996-1991, including terms as chair and vice chair. Primary work items included the first major update to the Boulder Valley Comprehensive Plan, transforming it from a collection of aspirational policies to an enforceable planning document; and a major overhaul of the city’s land use regulations with the aim of simplifying and providing more certainty in the planning process.

Boulder Urban Renewal Authority, 1997-2002, including 2 years as vice chair. Primary work items included development of a sub-community level plan for the commercial area between 28th and 30th streets, and development of a collaborative plan (including a financial prospectus) with the primary landowner to redevelop the Crossroads Mall (now 29th Street.)

Boulder Library Commission, 2014-2019, including 3 years as chair and 1 year as vice chair. Primary work items included updates to almost all library policies and rules; updates to the library commission’s bylaws and handbook; development of a charter amendment clarifying the role of the library commission; and development of the 2018 Library Master Plan, which stands as the library’s current long range business plan.

Non-profit boards include:

EcoCycle, 1992-1996. At this time, EcoCycle was transitioning from a volunteer driven recycling collection service to a professional recycling materials management organization.

Shadowcliff, 2003-2013, including 3 years as chair. Shadowcliff is a Colorado based mountain lodge and training center located in Grand Lake. Over these ten years, the organization transitioned from an informal, loosely organized operation to a professional management model. In addition to developing bylaws, budget procedures and operational policies, the board addressed ongoing and long term financial stability and developed a facilities master plan to address long-deferred building maintenance needs in the context of green building upgrades.

Boulder Library Foundation, 2014-2015 (Library Commissioner seat). I worked as part of a 3 person team to modernize Foundation internal operations and establish clearly defined working relationship with Boulder Public Library. This work included benchmarking other library foundations; updating articles of incorporation; revising bylaws; developing an annual budget cycle and timeline with associated procedures, and developing a signed agreement with BPL, outlining expectations and responsibilities of both parties with respect to BPL grant requests and BLF board decisions.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

1. I am a trained facilitator with broad experience in framing presentations and discussions to effectively solicit individual and group input from diverse perspectives, and to then move the group towards consensus.

2. I am an interest-based negotiator with two decades experience in negotiating complex and often contentious matters, on Superfund sites and in wetlands enforcement. Success hinged on working effectively with community members, responsible parties and partner governmental agencies to achieve positive outcomes.

3. My experience with real and personal property acquisition and disposition is in the context of green building construction/renovation and includes:

As Move Coordinator for EPA Region 8, I oversaw decision-making around retention, disposition and acquisition of office fittings and equipment for an 800 person workforce moving from one facility to a new building, and served as a member of the team managing building construction in the context of a performance based contract.

As Sustainability and Green Buildings Program Advisor, Office of Federal High Performance Green Buildings, U.S. General Services Administration (Washington, D.C.), I developed and coordinated green buildings projects and programs across the Federal Government's real estate portfolio, including in depth review of green building certification systems; development of a high performance green building research demonstration program; and coordinated development of a sub metering initiative aimed at developing guidance & best practices for use of sub-metering to reduce energy use.

4. As a library commissioner, I took particular interest in the library's budget and I am very knowledgeable about the interplay between library funding and the library's programs and services. I have been an interested observer of the city's budget process since my days on planning board, and am very well versed in the city's budget and budget process.

5. As noted in the discussion of governmental and non-profit boards, I have substantial experience in the development of bylaws and procedures to ensure smoothly functioning organizations.

6. I have experience as both a manager and a union representative (chief steward) working in a public sector, union-based work environment.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I am an active listener and collaborative problems solver who has spent almost all of my career (professional and volunteer) working in teams. When serving on each of the boards of which I was a member, I began with a focus on building open and respectful relationships among board members and staff. For example, when I joined the Boulder Library Foundation Board, there were varying - and conflicting - opinions about how the organization should move forward after years of relative inactivity. After getting to know fellow members, I proposed establishing a subcommittee to explore alternatives and bring ideas and options to the full board. Over a period of several months, our subcommittee facilitated productive discussions centered around evidence-based proposals, and moved the board towards consensus on next steps.

I am skilled at asking hard questions in a non-confrontational way, then working with staff and fellow board members to develop and analyze information that will address everyone's concerns. For example, as a planning board member, I developed a personal practice of reviewing packets, writing down questions, then sending those questions in to staff at least 2 days before the meeting so staff had adequate time to prepare responses. I've continued this practice on all my boards (and recommended it to fellow board members), since, in my experience, airing issues early helps everyone become better informed and better engages everyone in problem solving.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

In December 2015, the Boulder Library Commission was addressed by a patron who stated that she felt unsafe in the Main library when armed guards were present. She asked that the library disarm its security guards. We asked staff to add this question to next month's agenda and, in January, we voted to recommend that security guards be disarmed, without a lot of discussion.

Thereafter, I was approached by some library staff and patrons who were unhappy with the decision to disarm guards. These people (some of whom had long history with our library) felt safer with armed security guards on the premises. I realized that there were multiple perspectives around this issue, and that we commissioners had acted without taking these multiple perspectives into account. At our February meeting, I asked that the commission reconsider our January vote and reopen discussion on whether to eliminate or retain armed guards, taking into account other points of view and the nature of the safety threats occurring in the Main library. After considerable discussion, all commissioners agreed to suspend our January vote and reopen consideration of the question. We asked staff to bring us information on the nature and volume of behavioral incidents in Main; how other Colorado libraries were handling this question; and what options were available around unarmed guards, including kinds of training and alternatives to use of force.

In March we learned that "serious incidents" in the library (the highest level, resulting in suspension of library privileges) were almost all a result of verbal disruptive behavior. For the handful of incidents involving physical behavior or illegal acts, the Boulder Police Department was immediately called and promptly responded. We also learned that Boulder's library was alone among Colorado libraries in having armed guards, and that there were several alternatives available to address incidents without armed force. The commission reaffirmed our January vote, with the following additional recommendations:

That library security guards be trained in de-escalation;

That the partnership with the Boulder Police Department be strengthened;

And that BPL's rules of behavior be tightened with more "bright lines" around unacceptable behavior.

I found that the additional information and "next steps" underlying our March recommendation provided a more clear rationale - and a broader degree of comfort - for staff and patrons around the decision to disarm guards.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

As a negotiator in EPA's Superfund program, I worked on several environmental justice sites (where disadvantaged communities disproportionately bear the burden of environmental impacts). Our approach was to begin by building strong relationships with local officials and thought leaders - people who served as touch-points in the community - to build a table where multiple voices and interests could be heard. Our teams then worked with the community to develop remediation plans that, to the extent possible, addressed local economic and social needs in the context of protecting public health and environment. (The Midvale Slag Superfund Site in Utah is an example <https://www.kuer.org/energy-environment/2015-04-20/midvale-superfund-site-praised-as-model-redevelopment>) I also served a co-manager of EPA's Federal Women's Program at a time when women were being mainstreamed into the professional and managerial workforce. In that role, I provided support to individual women and worked with teams to develop education and support for women in the workplace. I also volunteered with Community Table for several years when it was operating in Boulder.

I believe our library is already a leader in addressing equity within the Boulder community, and that the predictability in funding provided by the library district will provide the means for our library to accelerate its equity approach. Our library's approach to achieving equity is straightforward: the first step is outreach and listening, followed by building relationships and, ultimately, creating partnerships with organizations that represent and reflect the interests of those underserved. Library staff have learned that it is most effective to meet people where they, rather than assuming that people will come to library facilities to use programs and services or to attend meetings to share their views. Our library has developed a number of successful outreach pilot programs that can be scaled up, once it has the ability to add staff and resources to its partnerships and programs teams.

The 2018 Library Master Plan was a good example of outreach focused on learning community needs to develop an equitable system. Outreach examples included focus groups held for geographic areas, for teens and for Spanish speakers; interviews at events like Book Rich Environments (where free books are offered to underserved families, held in Boulder Housing Partners spaces), in the maker space (which has featured apprenticeship programs for underserved youth), and in Canyon Gallery events; dialogues with community thought leaders representing a broad diversity of views; and a broad-based community survey.

Most of the adopted equity-related goals in the 2018 Master Plan (many of which were also adopted in the 2007 Master Plan) remain unfunded or underfunded today. A predictable revenue stream, dedicated to library purposes, will allow our library to finally address these long-standing community goals. Examples include:

Provide resources and facilities to encourage civil civic dialogue and create a forum of ideas to address local, regional and national issues.

Increase branch library and youth services personnel and non-personnel budget to address recent growth in demand.

Develop an outreach plan that includes a policy definition of underserved communities, identifies and prioritizes strategies to expand outreach. (Plan completed, but not implemented.)

Strengthen relationships with Latinx community members.

Create a forum for Latinx community members to directly provide input on library programs.

Initiate an outreach campaign through the neighborhood branch libraries and youth services partners to share information about the library, identify needs, and gather input from Latinx community members about overcoming barriers to access.

Continue to focus on recruiting new staff members in public service and outreach roles that are bilingual and/or bicultural.

Provide adequate resources for library collections and their maintenance (including growing the Spanish language collection).

Expand opportunities for patrons to gain technical skills and practice speaking other languages, and to educate and demonstrate climate, resiliency, and sustainability goals to test community interest.

Increase personnel and non-personnel budget to expand the holds service. (Seniors are heavy users of the holds system, and many rely heavily on these materials, and on the volunteer-driven homebound program for both materials and social interaction.)

Expand maker program offerings. (The maker space provides free access to technology, resources and hands-on learning that is otherwise only available to people and families of means.)

Expand WiFi infrastructure at select branch facilities to provide no-cost WiFi access to residents of adjacent low-income neighborhoods.

Conduct an analysis of need and peak times to provide appropriate level of security personnel and equipment at all facilities.

Fund additional security personnel who are trained to de-escalate disruptive situations.

For details on all of our library's adopted goals and the status of funding, see the memo provided to the Library District Advisory Committee at its first meeting, Appendix A. <https://boulderlibrary.org/wp-content/uploads/2021/10/10.13.21-LDAC-Meeting-Materials-1.pdf>

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.



Boulder Library District Board Application

COMPLETE #6

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 9th 2023, 11:45:52 am</div></div></div>	<div></div>

* Date of Application

3/9/2023

* Applicant's Name

Max R.Weller

* Applicant's Address

Boulder

Colorado

80304

United States

* Phone Number

* Email Address

* What is your age range?

65 or older

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I can see the need to improve Boulder Public Library administration to further the best interest of patrons.

*** Do you have experience serving on a nonprofit or governmental board?**

Thirty years ago, I served as an elected member of Lexington, MO City Council.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I can fairly consider all perspectives related to creating a new library district, and have no difficulty speaking up in a polite but firm way.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I possess intelligence and patience.

- 1) As a homeless camper in Boulder, CO for a decade after moving here in 2008, I learned how to survive challenging conditions year-round with people from all walks of life;
- 2) I understand the need to question certain assumptions held by many citizens regarding the behavior of homeless people.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

During my time as a city councilman in Lexington, MO I took the lead in stopping the condemnation proceedings against a private utility company and cooperated with the FBI in their investigation related to this scheme.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

As a long-time homeless camper I always behaved with respect for myself, respect for others, and respect for the community. I would expect library patrons to live up to the same standards, and would work to create a more comprehensive Code of Conduct applicable to every library patron.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.



Boulder Library District Board Application

COMPLETE #20

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 24th 2023, 9:46:58 am</div></div></div>	<div></div>

* Date of Application

3/24/2023

* Applicant's Name

Teddy Weverka

* Applicant's Address

* Email Address

* What is your age range?

55 to 64

* Which race or ethnicity do you identify with most?

White

* Why are you interested in serving on the Library District Board of Trustees?

I want to serve the people of Boulder to insure we get value, and have a broad array of services that address everyone in the community regardless of means. The library is providing more than books and I want to make sure we provide for everyone. I want to be prudent with our resources so that we can have uninterrupted service to all.

*** Do you have experience serving on a nonprofit or governmental board?**

I have served on the board of nonprofit journals and on the boards of a number of for profit companies. My board experience is detailed here: <https://www.linkedin.com/in/weverka/>

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

The board needs to understand the current services the library provides as well as the community needs. The library is so much more than it was when my mother was head librarian where we grew up. We have paper books, ebooks, video, maker spaces and theater. In the broader array of provisions, It is important to differentiate how the library serves, from how the public and private space outside the library provide. The library can host where for profits do not see the return and the library can explore topics outside the mainstream.

The first board needs to set up these principles:

We've established the library to serve all.

The library will be a reliable resource.

We encourage children's curiosity to flourish. And we encourage all indulge their curiosity.

The library can enable media which is out of the ordinary and avant garde.

The library is welcoming to all.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I have a strong business sense that I can bring to overseeing the management of the Library.

I am gentle, curious and inviting with others so that we can make sure all are heard and we can meld ideas best directions.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I reach out to people to understand the root motivations and in finding common motivation we find mutually agreeable paths.

I helped organize an army of volunteers to deliver voter registration materials to the doorsteps of 40,000 renters in Boulder. One of the difficulties was bringing together a lot of people who have different ideas on how to make it work. The solutions involved granting autonomy to many to solve problems they see. In many organizations, the front line workers can help find the best methods since they are closest to the problems.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I have established hiring practices at two companies that work to level the playing field and work to remove biases in hiring. This requires diligence in maintaining standards of processes that apply to all applicants and enforcing these practices requires continued attention prevent bias from creeping in.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.



Boulder Library District Board Application

COMPLETE #11

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED	IP ADDRESS
<div><div></div><div><div>PUBLIC</div><div>Mar 14th 2023, 4:48:20 pm</div></div></div>	<div></div>

* Date of Application

March 14, 2023

* Applicant's Name

Sylvia Wirba

* Applicant's Address

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

Other

* Why are you interested in serving on the Library District Board of Trustees?

I am a current member of the Boulder Library Commission. I was appointed in the summer of 2022, which means that I have not yet had the opportunity to serve for the time period I intended when I applied for that Commission. I am very passionate about libraries and I believe they are an important part of each community. Like many others, I have my own personal story of how libraries have had a significant positive impact on my life. I believe this is an exciting time for the creation of a library district and I hope that I can continue to contribute both my skills and enthusiasm.

*** Do you have experience serving on a nonprofit or governmental board?**

In addition to serving on the current Boulder Library Commission, I am also a member of the Board of Directors for the Colorado Housing and Finance Authority (CHFA). I was appointed by Governor Polis in 2021. As an attorney I also regularly advise the boards of the entities I represent.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I am an attorney and partner at a small law firm located in Denver. I am very detailed and organized. As part of my work I also have experience advising and representing small governmental entities for both public housing authorities in the metro area, tribal housing entities, and Tribes across the western part of the country.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

- 1) As a current member of the Boulder Library Commission, I am familiar with recent issues and challenges that are impacting the Boulder Public Library. I believe it will be beneficial for the new Board of Trustees to have some members who have knowledge of recent events as well as knowledge of the how the organization operates currently.
- 2) I have a lifelong love of libraries which I am able to combine with many practical skills I have developed as an attorney.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

In my professional life, I regularly work with numerous stakeholders who often have conflicting wants and needs to attempt to achieve settlement or agreement to resolve conflicts. I am generally responsible for helping others to navigate collaboration on difficult topics. In my experience, it is always best to proceed in a manner that is respectful to all participants and to refrain from jumping to conclusions to ensure that decisions are not made before facts have been gathered.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

I am an enrolled member of the Navajo Nation, and I primarily work with Native Americans to achieve equity in housing and other related tribal sovereignty matters.

I believe that libraries should remain open and accessible to all and that people from all walks of life should be involved in decision making. In my limited experience to date, I have observed that the Boulder Public Library is continually working to build and maintain an equitable library system. It is my hope that the Boulder Library District will carry on this commitment.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

I am a current member of the Boulder Library Commission.

Boulder Library District Board Application

COMPLETE


 #23

Please submit your application on later than 5pm on Wednesday, March 29, 2023

Visit Boco.org/LibraryDistrict for eligibility requirements and details.

Note: Answers cannot be saved for update later. The form must be completed in one sitting. It is recommended that applicants use a program such as Microsoft Word to work on first drafts before copy/pasting final answers into the form.

CREATED

 PUBLIC
Mar 27th 2023, 12:54:55 pm

IP ADDRESS



* Date of Application

3/27/2023

* Applicant's Name

Jennifer Yee

* Applicant's Address

* Email Address

* What is your age range?

35 to 54

* Which race or ethnicity do you identify with most?

East Asian

*** Why are you interested in serving on the Library District Board of Trustees?**

I care deeply about the library and the library system as a reader, a mother, a community member, a business owner, and an HR professional. I have visited various Boulder's library branches hundreds of times: borrowing and buying books; attending storytime, musical programs and art exhibits; meeting friends; or enjoying a snack at the formerly-Seeds-now-Tonantzin cafe.

I also represent two constituencies newly impacted by the formation of the library district: residents of unincorporated Boulder County who fall within the district boundaries; and business owners whose taxes will increase as they are passed down from our landlord. (I co-own the "Waxing The City" location on Walnut and 28th Streets.) I would like to be a part of the transition from a city department to a library district and help ensure its success with these new constituencies as well as other stakeholders such as the city, the district and its staff, and the community.

*** Do you have experience serving on a nonprofit or governmental board?**

I am currently serving in my second year on the Board of Directors at the Boulder Library Foundation. I have also served on the Board of Advisors for The Chewonki Foundation, an environmental education nonprofit located in Wiscasset, Maine.

*** What skills do you have that you think this first board of trustees needs to get the library district up and running and set it on a path to success?**

I am an HR professional focused on change management, employee engagement and retention efforts. I believe I could support specifically with insights on supporting employee morale and reducing turnover, and have worked in a professional capacity with a national nonprofit facing change due to unionization, and hybrid/remote work.

I also have a background in strategy and management consulting, including with civic sector and nonprofit clients. I have developed financial models and additional revenue streams for nonprofits in the sustainability sector.

*** What personal characteristics make you a good fit for this initial Library District Board of Trustees? Please provide two examples.**

I approach challenges with a lens of curiosity, often intently listening before making a judgment, recommendation or decision. This served me well when I led all employee engagement initiatives at a job where I needed to understand the needs of workers making an hourly wage in our distribution centers, as well as those of our engineers and marketing professionals in the corporate office, making six-figure salaries in major metropolitan areas.

I persist by building good relationships of trust. I believe that each individual has a unique perspective and value to add to a conversation or a collaboration, understanding that this can lead to conflict but often, better outcomes.

I provide a millennial perspective on issues facing the city and county. As a working professional, I collaborate with all ages in the startup and high-growth private sectors, and I am uniquely positioned to bridge communication challenges between different generations.

*** Describe an experience with group decision making that highlights your approach to collaborating on difficult topics.**

I try to work by understanding the needs of various stakeholders - often meeting 1:1 or in small groups - and trying to understand how a decision or compromise can add value for all parties involved.

One example: during the resurgence of Black Lives Matter movement in the wake of George Floyd's murder - we had many debates at the leadership level of HelloFresh on how to message our care and concern to our employees, as well as to our customer base. There was a wide variety of opinions on what support we could show to the movement without alienating various stakeholders, including private partners. As head of internal communications, I canvassed the leadership across the organization to understand concerns, needs, and emotions - and presented back and gained alignment on a communications and community service strategy that we ultimately delivered both internally and externally.

*** The library proponents envision building an equitable library system for all patrons and residents. Share examples of what you have done previously around equity work, and how you would build an equitable library system to serve the plans of the library district.**

In my current role as an HR consultant, I have co-facilitated DEIB workshops such as “Exploring Biases” and “Advancing Allyship.”

While leading the Learning & Organizational Development team as a Senior Director at HelloFresh (2017-2021), I launched several initiatives that supported our Diversity, Equity, Inclusion, and Belonging (DEIB) efforts.

- My team and I created the first internal mentoring program, pairing senior leaders and executives with more junior employees based on career interests, giving an underrepresented subset of employees a better chance at internal sponsorship, and professional development success.

- I spearheaded the formation of our first employee resource group, FreshParents, to raise awareness in the organization of the unique issues for parents and caretakers.

- I designed a pilot to train and hire formerly incarcerated/justice-involved individuals in our distribution center in Newark, NJ.

*** Are you or any family member employed by the City of Boulder or Boulder County, have a contract with the City of Boulder or Boulder County, or serve on any board, commission, or advisory committee for the City of Boulder or Boulder County? If so, in what department, board, commission, or committee do you or your family member(s) serve?**

No.

Thanks for your consideration!



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

First reading and consideration of motion to order published by title only the following ordinances that would amend the Boulder Revised Code (BRC) to allow e-biking on open space trails.

Staff recommended ordinance:

1. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8575 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Repealing Section 7-5-25, "No Electric Assisted Bicycles on Open Space;" Amending Section 8-3-6, "Vehicle Regulation"; and adding a new Section 8-8-12, "Electric Assisted Bicycles on Open Space," B.R.C. 1981; and setting forth related details.

OR

OSBT recommended ordinance:

2. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8576 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Amending Sections 7-5-25, "No Electric Assisted Bicycles on Open Space," and 8-3-6, "Vehicle Regulation," B.R.C. 1981; and setting forth related details.

PRIMARY STAFF CONTACT

Nuria Rivera-Vandermyde, City Manager

Teresa Tate, City Attorney

Sandra Llanes, Deputy City Attorney

Erin Poe, Deputy City Attorney

Janet Michels, Senior Attorney

Dan Burke, Director, Open Space and Mountain Parks

Kacey French, Planning and Design Senior Manager

Marni Ratzel, Principal Planner

REQUESTED ACTION OR MOTION LANGUAGE

First reading and consideration of motion to order published by title only the following ordinances that would amend the Boulder Revised Code (BRC) to allow e-biking on open space trails.

Staff recommended ordinance:

1. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8575 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Repealing Section 7-5-25, “No Electric Assisted Bicycles on Open Space;” Amending Section 8-3-6, “Vehicle Regulation”; and adding a new Section 8-8-12, “Electric Assisted Bicycles on Open Space,” B.R.C. 1981; and setting forth related details.

OR

OSBT recommended ordinance:

2. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8576 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Amending Sections 7-5-25, “No Electric Assisted Bicycles on Open Space,” and 8-3-6, Vehicle Regulation,” B.R.C. 1981; and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 3D - E-biking on Open Space Trails**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

First reading and consideration of motion to order published by title only the following ordinances that would amend the Boulder Revised Code (BRC) to allow e-biking on open space trails.

Staff recommended ordinance:

1. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8575 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Repealing Section 7-5-25, "No Electric Assisted Bicycles on Open Space;" Amending Section 8-3-6, "Vehicle Regulation"; and adding a new Section 8-8-12, "Electric Assisted Bicycles on Open Space," B.R.C. 1981; and setting forth related details.

OR

OSBT recommended ordinance:

2. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8576 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Amending Sections 7-5-25, "No Electric Assisted Bicycles on Open Space," and 8-3-6, Vehicle Regulation," B.R.C. 1981; and setting forth related details.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Teresa Tate, City Attorney
Sandra Llanes, Deputy City Attorney
Erin Poe, Deputy City Attorney
Janet Michels, Senior Counsel
Dan Burke, Director, Open Space and Mountain Parks
Kacey French, Planning and Design Senior Manager
Marni Ratzel, Principal Planner

EXECUTIVE SUMMARY

The purpose of this item is for City Council to consider an ordinance that would amend the Boulder Revised Code (BRC) to allow e-biking on open space trails. Currently, e-bikes are prohibited on all OSMP-managed trails. Disposal of open space is required to allow e-biking on Open Space and Mountain Parks (OSMP) managed trails.

The staff recommendation is to amend the BRC to allow e-biking on open space trails through Ordinance 8575 and for council to make a legislative finding that e-biking is a passive recreational use of open space land. It would allow class 1 and class 2 e-bikes on trails, as designated and signed by OSMP per Charter Section 171, "Functions of the Department." Ordinance 8575 is provided as **Attachment A**. The staff preferred alternative to implement this policy would include approximately 34 miles of city open space trails, which is about 22% of the 154 miles of the OSMP trail network, as depicted in [Alternative B](#) and provided in **Attachment C**.

Staff also prepared an alternative ordinance option in support of motions approved by the Open Space Board of Trustees (OSBT). Ordinance 8576 would not allow e-bikes except to enable connectivity and contiguity where a multijurisdictional regional trail requires access to a segment of city open space trail, and special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals. Ordinance 8576 is provided as **Attachment B**. At cursory glance, staff thinks this approach may include approximately 4.5 miles of city open space trails, which is about 3% of the 154 miles of the OSMP trail network, as estimated and shown in the map provided in **Attachment C**. However, staff would need to conduct additional analysis to confirm which trails meet the intent of the board recommended approach.

In spring 2022, OSMP began an evaluation to consider e-biking on city open space trails. An [April 6, 2023 City Council Information Item memo](#) provided background information on the evaluation of e-biking on open space.

Staff identified three alternatives to consider where the department would manage e-biking if the current condition/status quo of no e-bikes on open space were to be changed.

[Alternative A](#) All trails that allow biking

[Alternative B](#) Plains trails located east of Broadway that allow biking, and the Boulder Canyon Trail

[Alternative C](#) Inter-Connected multi-use trails that allow biking

Community input gathered during an engagement window over summer 2022 indicates there is majority support for e-biking on some city open space trails. There also is support for the staff preferred alternative of managing e-bikes on plains trails and the Boulder Canyon Trail identified in Alternative B.

Primary objectives to allowing e-biking on open space trails are to improve access for community members of more ages and abilities to enjoy open space trails, provide consistent visitor experiences across interconnected trails where e-bike regulations currently differ, provide more adaptive management approaches by considering alternatives to disposal of open space-managed lands, and support broader city climate goals by reducing the number of vehicle miles traveled to reach local trails, which would in turn help to preserve the ecosystems and habitats that make up city open space land.

The OSBT considered several motions on February 8, 2023. Each resulted in a split vote. The motion that passed did not support the staff recommendation as presented. Instead, it recommended that council make a finding that operation of an e-bike is not a passive recreational use of open space land, but that e-biking would be allowed only on open space trails to enable connectivity and contiguity where a multijurisdictional regional trail requires access to a segment of OSMP-managed trail, and trail characteristics are appropriate for e-biking activity. Other jurisdictions and city departments that manage trails that connect with OSMP-managed trails include Boulder County Parks and Open Space (BCPOS), US Fish and Wildlife Service / Rocky Flats National Wildlife Refuge, and the City of Boulder Transportation and Mobility Department. These other jurisdictions and departments all allow e-bikes on their managed trails.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8575 to Allow Electric Assisted Bicycles on Certain Recreational Paths or Trails on Open Space Land by Amending Definitions in Sections 1-2-1 and 7-1-1; Repealing Section 7-5-25, “No Electric Assisted Bicycles on Open Space;” Amending Section 8-3-6, “Vehicle Regulation;” and adding a new Section 8-8-12, “Electric Assisted Bicycles on Open Space,” B.R.C. 1981; and setting forth related details.

OSMP also welcomes City Council input on the staff preferred alternative to designate and manage e-biking on trails identified in Alternative B - plains trails located east of Broadway that allow biking, and the Boulder Canyon Trail. Alternative B includes approximately 34 miles of city open space trails, which is about 22% of the 154 miles of the OSMP trail network.

BACKGROUND

An [April 6, 2023 City Council Information Item memo](#) provided background information on the evaluation of e-biking on open space. Additionally, OSMP provided updates to the OSBT at key milestones during the evaluation of e-biking. The following materials are available for reference.

- The [May 2022 OSBT e-bike memo](#) presented a written information item to inform the OSBT about the assessment and planning process.
- A [presentation](#) given at the July 2022 OSBT meeting that shared the staff analysis of e-biking alternatives under consideration and that the community engagement window was underway to gather public feedback.
- The [Nov. 2022 OSBT meeting memo](#) and [Dec. 2022 OSBT meeting memo](#) provide background information, including the community input results and the staff analysis used to develop the staff recommendation and additional information requested by the OSBT.
- The [Feb. 2023 OSBT meeting memo](#) provides additional information requested by the OSBT.

E-biking is an activity where participants are propelled by human power and low-powered electric-assist power. In 2017, amendments to state law changed the definition of e-bikes to no longer classify them as motor vehicles. (CRS § 42-1-102(58)). State law (CRS § 42-4-1412) allows class 1 and class 2 e-bike use on all multi-use paths and trails unless not allowed by local regulation.

The state law change did not impact the city's regulations because the city went through a designation process in 2013 to allow e-bikes on certain hard-surface multi-use paths and prohibit them on city open space lands by local ordinance. However, it prompted neighboring land management agencies and partners who had not gone through a process to conduct e-biking evaluations, which resulted in local regulation changes in those jurisdictions allowing e-bikes on their neighboring open space trails. Some of those trails connect with or are segments of trails on city open space land.

As a result, OSMP rangers have observed increased e-bike use on city open space trails that connect with Boulder County Parks & Open Space (BCPOS) and city greenway trails. Rangers also acknowledge that e-bikes are becoming harder to detect as they are designed to function more like a recreational mountain bike, which raises enforcement complications. Community inquiries requesting a review of e-bike use on open space land also increased since agency partners approved e-bike use on their land. Many of the community inquiries are more generally related to the increasing popularity of e-biking

for recreational purposes by an aging population of visitors interested in continued access to open space trails.

Peer Agencies that allow e-bikes on open space	
COB – Transportation/Greenways	√
Boulder County – Plains trails	√
Colorado Parks & Wildlife	√
US Fish & Wildlife Service ¹	√
Jefferson County, ²	√
Other Boulder County municipalities ³	√
City & County of Broomfield	√
City & County of Denver	√

¹ Class 2 only on RFNWR roads, ² Class 2 only on paved trails.

³ Follows the state model traffic code

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Bicyclists tend to shop local and invest in the local economy. A local survey estimates the direct economic benefit of the bicycling industry in Boulder to be \$52 million. The OSMP program provides the physical context for diverse and vibrant economic systems. The land system and quality of life it represents attract visitors and help businesses to recruit and retain quality employees.
- **Environmental** – Given that e-bikes are very similar to analog bikes in terms of noise, trail impact, and speed, it is anticipated that their impact on wildlife and habitats would be like other non-motorized bicycles. Bikers and e-bikers generally stay on trail, which tends to minimize possible negative effects on natural resources. Most research suggests that e-bikes won't have greater negative impacts on trails or wildlife than analog bikes. Allowing e-bikes on select OSMP trails could increase the percent of visitors who arrive to open space trails by bike. Allowing e-biking on open space trails may shift trips away from single occupant vehicles, which may contribute to a reduction in greenhouse gas emissions typically caused by motor vehicles.
- **Social** – OSMP regulations that don't allow e-biking are a potential barrier for Boulder's aging population who may not identify their physical limitations as a disability or are uncomfortable using an e-bike where regulations otherwise prohibit their use. Allowing e-bikes on select OSMP trails could improve access for more ages and physical abilities. OSMP does not anticipate a significant increase in visitation or that a change in visitor displacement would result from allowing e-biking on select OSMP trails.

OTHER IMPACTS

- **Fiscal** – The budget impacts associated with allowing e-biking as a passive recreational activity are supported by and within the existing OSMP funding in the

city's budget. Implementation costs are limited to minor infrastructure improvements such as updating regulatory and educational signs.

- **Staff time** – No impacts to staffing or additional resources are needed as a result of allowing e-biking on select OSMP trails. OSMP has integrated the staff time into annual work planning.

BOARD FEEDBACK

On Feb. 8, 2023, the OSBT made a recommendation to the City Council regarding e-bikes on city-managed OSMP trails. While several motions were considered, the OSBT did not pass a motion in support of the staff recommendation of including e-biking as a passive recreational use of open space lands and allowing e-bikes on all the plains trails and Boulder Canyon Trail where bikes are currently permitted. Instead, the board passed a motion not in support of e-biking as a passive recreational use of open space lands and to not allow e-bikes except to enable connectivity and contiguity where a multijurisdictional regional trail requires access to a segment of OSMP-managed trail, and special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals.

A total of five motions were considered, each resulting in a split vote. The first two motions introduced failed 2 to 3 while the last three passed 3 to 2. The [Feb. 8 OSBT meeting minutes](#), provided as **Attachment D**, document each motion with an outcome of the vote, and a brief explanation of the reasons by those who supported and dissented on the motion, where applicable. These explanations were recorded in response to an expressed desire by board members to provide City Council with a summary of their positions on each motion. The motions considered and as approved in the Feb. 8 meeting minutes are as follows:

1. Jon Carroll moved the Open Space Board of Trustees to recommend the Boulder City Council to allow class 1 and class 2 e-biking as a passive recreational activity permissible on open space on trails where designated by the City Manager.

Michelle Estrella seconded. This motion did not pass; Caroline Miller, Dave Kuntz and Karen Hollweg dissented. (2:22:00)

2. Michelle Estrella moved the Open Space Board of Trustees to recommend that the OSMP Department proceed with the staff preferred alternative to implement this policy by designating and managing the trails in Alternative B - plains trails located east of Broadway that allow biking, and the Boulder Canyon Trail for e-biking – with the addition of Chapman Drive Trail and Foothills South Trail.

Jon Carroll seconded. This motion did not pass; Caroline Miller, Dave Kuntz and Karen Hollweg dissented. (2:38:00)

3. Dave Kuntz moved the Open Space Board of Trustees to recommend to City Council that language in the current code B.R.C. 7-5-25, titled No Electric Assisted Bicycles

on Open Space – ‘no person shall activate the motor of an electric assisted bicycle on any recreational path or trail on open space land as defined in the City Charter Section 170 except where the path or trail has been transferred to a city department pursuant to Charter Section 177, “Disposal of Open Space Land” or section 8-8-11 “Transfer of Open Space Lands,” B.R.C. 1981. Ordinance Nos. 7941 (2013); 7965 (2014); 8007 (2014); 8447 (2021) – be repealed and removed from all applicable city ordinances”.

Karen Hollweg seconded. Passed three to two. Jon Carroll and Michelle Estrella dissented. (3:18:00)

4. Dave Kuntz moved the Open Space Board of Trustees to recommend that the following language be inserted into B.R.C. 7-5-25, titled ‘No Electric Assisted Bicycles on Open Space’: Electric assisted bicycles are prohibited on open space lands as defined in City Charter section 170. Operation of an electric assisted bicycle is not defined as a passive recreational use in Article 12, Sec. 176 (c) of the City Charter.

Caroline Miller seconded. This motion passed three to two; Jon Carroll and Michelle Estrella dissented. (3:27:00)

5. Dave Kuntz moved the Open Space Board of Trustees to recommend to City Council revised language for section 8-3-6. of the BRC - Vehicle Regulation:

- a. No person, other than persons authorized by the city manager, shall:

- (7) operate an electric assisted bicycle or other mechanized power assisted vehicle on any Open Space lands as defined in City Charter section 170, except where a multijurisdictional regional trail requiring access to a segment of open space trail to enable connectivity and contiguity and where special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals.

Caroline Miller seconded. This motion passed three to two; Jon Carroll and Michelle Estrella dissented. (4:42:00)

The motions and the discussions that ensued indicated that some trustees think the City Charter would need to be amended to allow e-biking as a passive recreational use. Other trustees recognized that passive recreation is not defined in the charter and support the staff recommendation to allow e-bikes as passive recreational use. More information on the charter, passive recreation, and approach for allowing e-biking is detailed below in the Analysis section of the memo.

An alternative ordinance that supports the Board recommendation is provided as **Attachment B**.

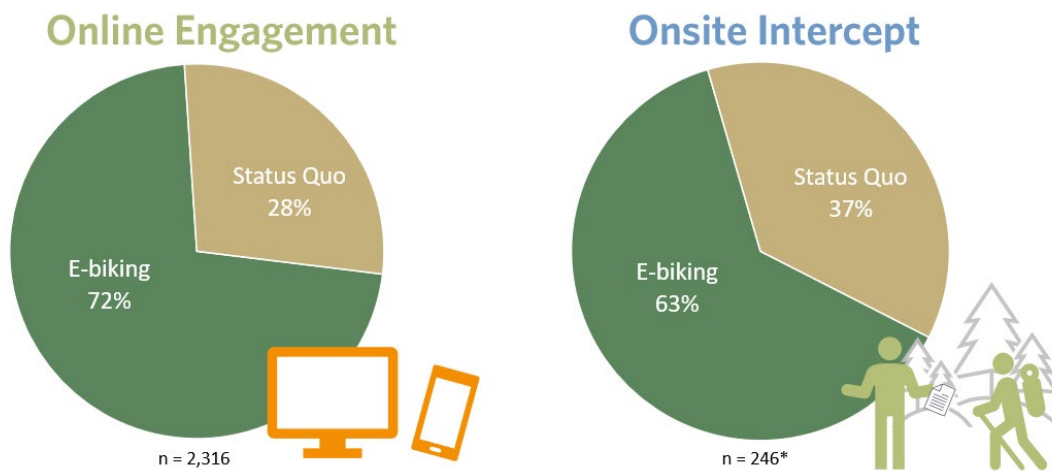
An OSBT representative(s) will attend the June 1 public hearing scheduled as part of second reading to be available if council wishes to hear from OSBT on their supporting and dissenting opinions.

PUBLIC FEEDBACK

During summer 2022, OSMP gathered community input on whether and where to allow e-biking on open space trails. A Be Heard Boulder online engagement questionnaire provided community members with an open participation opportunity to give feedback. Over 2,330 responses to the online engagement questionnaire were submitted, making it the most popular online engagement questionnaire to date on the city's preferred platform for community engagement.

Additionally, OSMP staff conducted an onsite intercept survey at a subset of open space trails to gather a representative sample of current OSMP visitor attitudes, preferences, and concerns regarding allowing e-bikes on open space. A total of 431 visitors completed an on-site intercept survey at OSMP locations.

The public input indicates there is majority support for allowing e-biking on some open space trails.



About the Data: Distinctions and Results of the Online and Onsite Community Input

An objective of both the online engagement questionnaire and onsite intercept survey was to gather opinions and preferences regarding allowing e-biking on open space trails. The two survey instruments and their modes of administration (online and onsite) were designed to support complimentary, though not identical, datasets to help understand community sentiment toward e-bikes. Distinctions between the two survey tools and the results gathered from each are provided in **Attachment E**.

Community Input Conclusions

- There is support for allowing e-biking on some open space trails by a majority of respondents from both the online engagement questionnaire (72%) and onsite intercept survey (63%).
- For the online engagement questionnaire, of the 72% who supported an e-bike alternative, 44% indicated support for the staff preferred Alternative B, 22% supported Alternative A and just 7% selected Alternative C.
- For the onsite intercept survey, when asked which management alternative the 63% in support of e-biking preferred, a slight majority of 26% indicated a preference for Alternative A. An additional 18% preferred Alternative B and 20% selected Alternative C for where to allow e-bikes on open space trails.
- E-bike speed and concern for user conflict among activities emerged as themes across both surveys to consider in developing an approach for managing trails for e-biking use if it is allowed.
- For the onsite survey, potential negative impacts to trail conditions emerged as the second issue of highest concern, after speed.

Attachment F provides a summary of [Community Input Comparison and Key Findings](#). The [Compendium of Community Comments](#) has been updated to include e-mails received through April 1, 2023. It will continue to be updated monthly.

ANALYSIS

Staff recommended policy approach

The recommended steps related to changing the policy to allow e-biking on open space land include:

1. A legislative finding that e-biking is a passive recreational use of open space land,
2. Repealing ordinance 7-5-25, “No Electric Assisted Bicycles on Open Space”,
3. Amending Section 8-3-6, “Vehicle Regulation”,
4. Adding Section 8-8-12 to allow class 1 and 2 e-bikes on open space trails, and
5. Implementing e-bike policy as delegated by Charter section 171.

1. Legislative Finding that e-biking is a passive recreational use of open space land:

The approach recommended by staff is for City Council to make a legislative finding that e-biking is a passive recreational use of open space land, and therefore an open space purpose as defined in the City Charter section [176](#). This policy change would allow e-biking on certain designated open space trails without requiring disposal of OSMP-managed lands pursuant to Charter section [177](#), "Disposal of Open Space Land" or section [8-8-11](#), "Transfer of Open Space Lands," B.R.C. 1981.

Charter section [176](#) states that open space land shall be used only for certain purposes, one of which is passive recreation. However, the charter does not define “passive recreation.” The 2005 Visitor Master Plan (VMP), a council-approved policy document, includes a definition of passive recreation as non-motorized activities that achieve the following set of criteria also established in the VMP to ensure that passive recreational activities are compatible with other open space uses and resource values, as follows:

- Offer constructive, restorative, and pleasurable human benefits that foster an appreciation and understanding of Open Space [and Mountain Parks] and its purposes.
- Do not significantly impact natural, cultural, scientific, or agricultural values.
- Occur in an Open Space and Mountain Parks setting, which is an integral part of the experience.
- Require only minimal facilities and services directly related to safety and minimizing passive recreational impacts.
- Are compatible with other passive recreational activities.

The VMP includes an activity assessment process to guide decisions on what activities are appropriate on open space land, and what conditions should be placed on these activities to minimize their impacts to manage visitor use and natural resources. The activity assessment identifies the following set of considerations: 1) compatibility with other recreational activities, 2) compatibility with resource protection, 3) compatibility with existing facilities and services, and 4) their relationship to the natural setting.

An activity assessment of e-biking conducted by staff determined that there are no significant differences between how the department would manage or maintain facilities and trails for e-bikes verses analog bikes, or that e-biking differs from biking in relation to the VMP criteria for passive recreation. While the “non-motorized” component of the passive recreation definition could be interpreted more narrowly to prohibit gas-powered recreational activities such as ATVs and motorcycles others may interpret it more broadly. In order to address this component of the VMP definition, staff recommends City Council make a legislative finding that e-biking is a passive recreational activity allowed on open space trails.

The intention of the legislative finding is for council to specifically find that e-biking is a passive recreational use of open space that aligns with city policies, meaning it meets the criteria identified in the VMP. The benefit of this approach is that it explicitly draws the connection between allowing e-biking to the City Charter which identifies passive recreation as an open space use and the VMP which defines passive recreational uses.

2. Repealing the existing ordinance in section 7-5-25, “No Electric Assisted Bicycles on Open Space”:

The existing ordinance in section [7-5-25](#), “No Electric Assisted Bicycles on Open Space” prohibits e-bikes on open space land and requires disposal to allow e-biking on OSMP-managed trails by transferring the trail to another city department. Additionally, the current ordinance is located in title 7, which is the Boulder Traffic Ordinance. Chapter 8-3, “Parks and Recreation – Open Space and Mountain Parks” and chapter 8-8, “Management of Open Space Lands” focus on open space management. For that reason, staff recommends the amended e-bike regulations on open space be located in Title 8.

3. Amending existing section 8-3-6, “Vehicle Regulation”:

Section 8-3-6 currently regulates motor vehicles and analog bicycles on open space lands. Staff recommends amending it to include regulation of e-bikes and non-motorized vehicles on open space.

4. Adding a new ordinance 8-8-12, “Electric Assisted Bicycles on Open Space”:

Staff recommends adding a new ordinance 8-8-12 in chapter [8-8](#), “Management of Open Space Lands,” B.R.C. 1981. This new ordinance would contain the legislative findings, including that e-biking is a passive recreational use of open space land. It also would allow class 1 and class 2 e-bikes on city open space where designated and posted, and as set forth in section 8-3-6.

5. Implement policy as delegated by Charter section 171:

The supervision, administration, preservation and maintenance of all open space land and programs is already delegated to OSMP in charter sections 171(a) and (b). The proposed ordinance leverages this delegation to identify that OSMP will determine which trails are appropriate for e-biking. OSMP would continue the long-standing departmental practice of seeking OSBT and public input on trail decisions as part of the implementation process.

Staff Preferred Alternative for trails that allow e-biking

The department’s preferred alternative for managing e-bikes on open space is [Alternative B](#) – *Plains trails located east of Broadway that allow biking and the Boulder Canyon Trail*. As part of the evaluation of e-biking on open space, OSMP identified three management alternatives to consider in how the department would manage this activity as a passive recreational use:

[Alternative A](#) All trails that allow biking

[Alternative B](#) Plains trails east of Broadway that allow biking, and the Boulder Canyon Trail

[Alternative C](#) Inter-Connected multi-use trails that allow biking

In Spring 2022, staff evaluated the alternatives and status quo of not allowing e-biking to inform the selection of a preliminary proposal. The [E-biking Alternatives Evaluation](#) is a matrix detailing the criteria and considerations and ratings for each alternative. While the preliminary evaluation indicated there were similar benefits between Alternative A and B, staff selected Alternative B as the alternative that had the most advantages. It was shared as the preliminary staff proposal during the summer engagement window. As presented in the Public Feedback section of this memo, community input indicated significant support for Alternative B. Thus, staff identified Alternative B as the preferred management alternative because it best reflects community input and the findings of the alternatives analysis, including:

- It would provide a consistent visitor experience across interconnected trails with Boulder County and other city trails managed by Transportation and Mobility where e-bike use is allowed rather than having trail segments crossing city open space where e-bikes are prohibited.

- In terms of regulations, a boundary of east of CO 93/Broadway/North Foothills as the dividing line between “foothills” and “plains” trails is a relatively simple geographic boundary that is generally easily understood and therefore likely to be complied with by most community members.
- It increases opportunities for visitors experiencing disabilities, those with mobility challenges and our aging population to experience much of Boulder’s open space bicycling network.
- The OSMP-supported literature review by BCPOS in 2019 as well as results from other agencies indicate minimal impacts to natural resources, visitor experiences, visitor safety, and the trail system.
- E-biking on open space trails could increase the percent of visitors who arrive to those trails by bicycle and may contribute to a reduction in greenhouse gas emissions typically caused by motor vehicles.

OSMP staff would implement a holistic approach to manage e-biking, like biking, as a passive recreational activity on open space trails. Management of use would include the following strategies, which are described in greater detail in **Attachment G**:

- Trail Design and Maintenance – employ trail design best practices to mitigate speed and conflict potential on multi-use trails.
- Education and Outreach – Raise awareness and support visitors through a combination of signage and programming focused on courtesy and rules for sharing multi-use trails among recreational activity groups.
- Ranger Patrol and Enforcement – continue to focus on highly visited areas, prioritize weekend time on patrols, and introduce targeted patrols where e-biking would be allowed.
- Monitoring – Add e-biking activity in visitor surveys to track trends and changes in public sentiment over time.

OSBT recommended policy approach

While the OSBT recommendation is like the staff recommendation in that it supports a change from the status quo, both the policy/regulatory approach and management approach are different. Staff have identified a few concerns about both the policy/regulatory and management approach of the OSBT recommendation, which are discussed below.

The OSBT recommended steps related to changing the policy to allow e-biking on open space lands include:

1. Amending the existing ordinance in Section 7-5-25, “No Electric Assisted Bicycles on Open Space”,
 2. Amending existing Section 8-3-6, “Vehicle Regulation”, and
 3. Designating trails for e-biking by the OSMP department as the tool for implementation.
1. Amending the existing ordinance in Section 7-5-25 “No Electric Assisted Bicycles on Open Space”:

The existing ordinance, section [7-5-25](#) “No Electric Assisted Bicycles on Open Space,” prohibits e-bikes on open space land and requires disposal to allow e-biking on OSMP-managed trails by transferring the trail to another city department. A primary purpose of the OSBT approved motion is to eliminate the “disposal of open space” requirement from the ordinance. This component of the OSBT recommendation aligns with the staff recommended approach.

The OSBT also approved a motion in support of amending the regulation to codify that e-biking is not a passive recreational use and is prohibited on city open space lands. Board members who supported this recommendation expressed their opinion that passive recreation is defined in the Charter and limited to non-motorized uses of open space land. Staff have concerns with this approach. A code provision explicitly stating that e-biking is not a passive recreational use would conflict with Charter section 176. That Charter section restricts the use of open space land to those purposes identified therein. If council finds e-biking is not an open space purpose, then e-biking is prohibited on open space land. An ordinance cannot allow what the charter prohibits. To support the intent of the OSBT motion to allow e-biking by exception (#2, below) council could remain silent on whether e-biking is a passive recreational use. If City Council would like to pursue the OSBT motion (Attachment B – Ordinance 8576), section 7-5-25 would need to be repealed rather than amended, and section 8-3-6 would need to be amended as described in #2 below.

2. Amending existing Section 8-3-6, “Vehicle Regulation”:

The purpose of the OSBT approved motion to amend section 8-3-6, differs significantly from the staff recommended approach. The board’s suggested code change would prohibit the operation of electric assisted bicycles on open space property except when certain conditions are present. It would allow e-bikes by exception similar to regulations for fishing and biking, which are prohibited *except where* designated (biking - section 8-3-6 (a)(6),; fishing - section 8-8-5, “Fishing Prohibited Except Where Posted”). However, fishing and biking not only meet the VMP definition of passive recreation; they also are also clearly non-motorized. An ordinance change alone can allow e-biking without a legislative finding. However, without the ‘passive recreation finding’ the city is authorizing an activity on open space without describing how it relates to OSMP’s council-approved policies guiding allowed activities.

3. Designating trails for e-biking by the OSMP department as the tool for implementation:

The OSBT expressed support for implementing the policy by the OSMP department designating trails for e-biking use. However, they passed a motion (3 – 2) to not allow e-bikes “except to enable connectivity and contiguity where a multijurisdictional regional trail that allows e-bikes requires access to a segment of open space trail, and special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals.” Trustees who supported the motion also identified additional characteristics to only allow e-bikes on fairly wide trails that can accommodate multiple uses; and to only allow e-bikes on appropriate trail surfaces, with a distinction between paved and unpaved

surfaces. It was acknowledged that crushed rock fines and natural surfaces may be appropriate if designed to withstand the intended use.

In terms of implementation of the OSBT approved recommendation, staff's understanding the objective of this motion is to only allow e-bikes on a select few sub-set of trails that are multijurisdictional regional trails, and also to evaluate open space trails on an individual, case-by-case bases. At cursory glance, staff thinks that this approach would include a subset of trails depicted in [Alternative C](#) such as the Boulder Canyon Trail, Coalton Trail, and open space segments along the Lobo Trail. As detailed on the map included in **Attachment C**, this approach may include approximately 4.5 miles of city open space trails, which is about 3% of the 154 miles of the OSMP trail network. However, staff would need to conduct additional analysis to confirm which trails meet the intent of the board recommended approach.

Upon evaluating the OSBT recommended approach, staff has identified concerns about the management implications of the implementation approach recommended by the OSBT. The [E-biking Alternatives Evaluation](#) is a matrix detailing the criteria and considerations and ratings for the staff identified alternatives. With the intent of allowing e-bikes on a sub-set of trails identified in Alternative C some of the ratings and considerations for Alternative C and the status quo are relevant to the board recommended implementation approach.

In staff's estimation, implementation of the OSBT motions would provide the least increase in equitable access to open space, only nominally more than the status quo. There also would be inconsistent regulations on OSMP plains trails with allowing e-bikes on some and restricting use on most plains trails. The OSBT approach is not consistent with BCPOS regulation of e-bikes on plains trails. It does not have a simple geographic boundary to simplify rules, i.e., Broadway. Both of these considerations will decrease the ability to raise public awareness and compliance by OMSP visitors. Regulating e-bike use trail by trail would be more complex, more difficult to message and raise awareness and will increase the need for education, outreach, and enforcement. OSMP staff values community input and a significant percentage of respondents to both the online engagement and onsite intercept survey expressed a preference for allowing e-bikes on trails identified in staff preferred Alternative B or Alternative A, which would allow e-bikes on all trails that permit bikes currently.

OSBT members in support of the motion to not allow e-bikes except in limited circumstances expressed concerns for e-biker speed and potential for increased user conflict on more-narrow trails and displacement of other trail users. However, based in part on the experience of Boulder County and Jefferson County, that both have approved the operation of e-bikes on their open space, staff does not anticipate e-biking will result in a change in conflicts or concerns beyond what is typical for trails that allow biking. Additionally, the activity assessment of e-biking conducted by staff determined that there are no significant differences between how the department would manage or maintain facilities and trails for e-bikes versus analog bikes.

Biking is an approved passive recreational activity and is currently allowed on approximately 54 miles of designated OSMP trails, about 35% of the total trail system. Overall average daily conflict between visitors on OSMP trails has ranged between 5-7% for close to two decades (2016-2017 Visitor Survey). Of all respondents to the 2016-2017 survey, 6% (on average) reported conflict with other users on the day of the survey, with a third of these indicating conflict was with a biker. This means, on average, 2% of visitors reported conflict with a biker on the day of the survey while 98% did not. There is very little difference in average daily conflict between trails that allow biking and trails that do not.

A 95% majority of encounters between bikers and other users on open space trails are positive (69%) or neutral (26%) (2016-2017 Visitor Survey). During the 2016-2017 Visitor Survey, 14% of respondents reported being displaced. Of those 14%, ten percent reported biking as a reason why they no longer visit an area. This means 1% of visitors reported displacement due to biking and 99% did not. The two primary areas no longer visited because of bicycle activity were Marshall Mesa and Doudy Draw. Of the 14% of respondents that reported displacement, the two most frequently mentioned OSMP areas that respondents no longer visit are Chautauqua (22%) and Sanitas (22%), due to perceived crowding, dogs, and parking issues (not bikes).

Additionally, OSMP trails that allow bikes are overall in better condition than trails that do not allow bikes. Trails that allow bikes have an average condition index of 71. Trails that prohibit bikes have an average condition index of 53. The trail condition index is updated systemwide every 5 years on a 100-point scale, 100 meaning the trail is in perfect condition.

If City Council should choose to explore the OSBT approach it would be beneficial to revise the phrase “multijurisdictional trails” in the proposed amendment adding section 8-8-6(a)(7), to ensure that city transportation- and greenways-managed trails interconnected with OSMP-managed trails would be included in those trails that allow e-bikes. Typically, the term “multijurisdictional” refers to more than one jurisdiction. City transportation and greenway trails are within the jurisdiction of the city, not multiple jurisdictions. If allowing e-bikes on multijurisdictional trails did not include city transportation and greenway trails, there would continue to be inconsistent regulations between interconnected trails managed by OSMP and those managed by the city’s Public Works department. In order to achieve the OSBT approach, staff would propose alternate language that does not exclude city transportation- and greenways-managed trails from those trails where e-biking would be allowed: (a) No person, other than persons authorized by the city manager, shall:

(7) Operate an electric assisted bicycle or other mechanized power-assisted vehicle on any open space lands as defined in Charter Section 170, except where a city-managed trail or a multi-jurisdictional trail requiring access to a segment of open space trail to enable connectivity and contiguity and where special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals.

Other implementation alternatives considered

Rulemaking by the City Manager:

OSMP considered using rulemaking by the City Manager as the tool designating trails for e-biking and to implement the policy of allowing e-biking on open space trails.

The rulemaking process, as outlined in chapter 1-4, "[Rulemaking.](#)" B.R.C. 1981, would entail OSMP staff identifying trails appropriate for e-biking and proposing a City Manager rule. If the City Manager were to support OSMP's designation, the manager would adopt a rule that designates open space trails for e-biking. Staff initially proposed this process because it provides assurances of transparency through the requirement to publish the proposed rule and consider public comment before the rule becomes final.

Rulemaking was included in the staff recommendation presented to the OSBT. Staff did not hear that requiring rulemaking provided much benefit. In response, OSMP refined the staff recommendation to City Council to exercise the already delegated responsibility to the OSMP department outlined in Section 171 as the method for designating trails for e-biking.

Other Management Alternatives considered:

At the Feb. 8 meeting, some OSBT members supported expanding Alternative B to designate Chapman Drive Trail and Wonderland Lake / Foothills Trail for e-biking activity. While this alternative would increase access for e-bikes relative to the staff preferred alternative, enforcement and compliance are concerns. Regulating e-bikes trail by trail would be more complex. It would be more difficult to raise community awareness through messaging, and would increase the need for more education, outreach, and enforcement. OSMP anticipates that a defined geographic boundary, i.e. Broadway would improve the ability to use messaging to raise awareness.

NEXT STEPS

A second reading of the proposed ordinance and public hearing are scheduled for the City Council meeting on June 1.

ATTACHMENTS

- A – Ordinance 8575 in support of OSMP department recommendation
- B – Ordinance 8576 in support of OSBT recommendation
- C – Maps of proposed implementation alternatives
- D – Feb. 8, 2023 OSBT meeting minutes
- E – About the Data: Distinctions and Results of the Online and Onsite Community Input
- F – Community Input Comparison and Key Findings
- G – Management Approach

ORDINANCE 8575

AN ORDINANCE TO ALLOW ELECTRIC ASSISTED BICYCLES ON CERTAIN RECREATIONAL PATHS OR TRAILS ON OPEN SPACE LAND BY AMENDING DEFINITIONS IN SECTIONS 1-2-1 AND 7-1-1; REPEALING SECTION 7-5-25, "NO ELECTRIC ASSISTED BICYCLES ON OPEN SPACE," AMENDING SECTION 8-3-6, "VEHICLE REGULATION," AND ADDING A NEW SECTION 8-8-12, "ELECTRIC ASSISTED BICYCLES ON OPEN SPACE," B.R.C. 1981; AND SETTING FORTH RELATED DETAILS

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

Section 1. Section 1-2-1, "Definitions," B.R.C. 1981, is amended to read as follows:

- (a) The definitions in this chapter apply throughout this code unless a term is defined differently in a specific title, chapter or section.
- (b) The following words used in this code and other ordinances of the cCity have the following meanings unless the context clearly indicates otherwise:

...

Electric assisted bicycle means a vehicle having two tandem wheels or two parallel wheels and one forward wheel, fully operable pedals, and an electric motor not exceeding 750 watts of power. Electric assisted bicycles are further required to conform to one of two classes as follows:

- (1) *Class 1 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.
- (2) *Class 2 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

...

Section 2. Section 7-1-1, "Definitions," B.R.C. 1981, is amended to read as follows:

- (a) The following words and phrases used in this title have the following meanings unless the context clearly indicates otherwise:

...

Electric assisted bicycle means a vehicle having two tandem wheels or two parallel wheels and one forward wheel, fully operable pedals, and an electric motor not exceeding 750 watts of power rating, and a top motor-powered speed of twenty miles per hour. Electric assisted bicycles are further required to conform to one of two classes as follows:

(1) *Class 1 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(2) *Class 2 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

...

Traffic means pedestrians, ridden or herded animals, and vehicles, either singly or together, which using any street, trail, or path for purposes of travel.

...

Traffic control device means any traffic control sign, signal, marking or device, not inconsistent with this title-, placed or displayed by authority of the traffic engineer or of any public official or public body having authority over a street, drive, way, trail, path, or parking area for the purpose of regulating, warning, or guiding traffic or the parking of vehicles. Where this title does not prescribe the meaning of a device, it has the meaning ascribed to it by the state traffic control manual, and where no such meaning is given, it has the meaning a reasonable person would give it.

...

Traffic control sign means sign on above, or adjacent to a street, trail, or path placed by a public authority to regulate, warn, or guide traffic.

...

Section 3. Section 7-5-25, "No Electric Assisted Bicycles on Open Space," B.R.C. 1981, is hereby repealed:

7-5-25. – No Electric Assisted Bicycles on Open Space REPEALED.

~~No person shall activate the motor of an electric assisted bicycle on any recreational path or trail on open space land as defined in the City Charter Section 170 except where the path or trail has been transferred to a city department pursuant to Charter Section 177, "Disposal of Open Space Land" or section 8-8-11 "Transfer of Open Space Lands," B.R.C. 1981.~~

Section 4. Section 8-3-6, "Vehicle Regulation," B.R.C. 1981, is amended to read as follows:

(a) No person, other than persons authorized by the city manager, shall:

- (1) Fail or refuse to comply with any lawful order or direction of any park patrol officer authorized and instructed to direct traffic in any park, parkway, recreation area, or open space and on the public roads and parkways therein;
- (2) Fail to comply with any traffic control device in a park, parkway, recreation area, or open space regulating the operation of motor vehicles and nonmotorized vehicles;
- (3) Drive a motor vehicle within any park, parkway, recreation area, or open space in excess of the posted speed limit. If no speed limit is posted, then no person shall drive a motor vehicle in a park, recreation area, or open space in excess of ~~twenty~~ fifteen miles per hour;
- (4) Drive a motor vehicle within or upon any part of a park, parkway, recreation area, or open space, except on designated roadways, trails, paths, parking areas, or areas that the city manager designates as temporary parking areas;
- (5) Remove or relocate any barricade, barrier, or other device erected to control motor vehicle traffic in a park, parkway, recreation area, or open space; or
- (6) Drive a nonmotorized vehicle or electric assisted bicycle upon any area in mountain parks or open space property except a trail or roadway designated and posted for that use by the city manager or a paved or graveled roadway open to motorized vehicles.

...

Section 5. A new Section 8-8-12, "Electric Assisted Bicycles on Open Space," B.R.C. 1981, is added to read as follows:

8-8-12. – Electric Assisted Bicycles on Open Space.

(a) The following are legislative findings of fact:

(1) Electric assisted bicycles improve access for community members of more ages and abilities to enjoy open space paths.

(2) The operation of electric assisted bicycles on certain open space trails provides a consistent visitor experience across interconnected paths.

(3) The operation of electric assisted bicycles on designated open space paths supports broader city climate goals by reducing the number of vehicle miles traveled to reach local paths, helping preserve the ecosystems and habitats that make up open space.

(4) Operating a Class 1 or Class 2 electric assisted bicycle as defined in this code is a passive recreational use of designated open space recreational paths.

(b) A Class 1 or Class 2 electric assisted bicycle may be operated on recreational paths on open space land as defined in Charter Section 170 where designated and posted by the department of Open Space and Mountain Parks as set forth in subsection 8-3-6 (a)(6), B.R.C. 1981.

Section 6. 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 7. 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 4th day of May 2023.

Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

1 READ ON SECOND READING, PASSED AND ADOPTED this 1st day of June 2023.

2
3
4 _____
5 Aaron Brockett,
6 Mayor

7 Attest:

8 _____
9 Elesha Johnson,
10 City Clerk
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ORDINANCE 8576

AN ORDINANCE TO ALLOW ELECTRIC ASSISTED BICYCLES ON CERTAIN RECREATIONAL PATHS OR TRAILS ON OPEN SPACE LAND BY AMENDING DEFINITIONS IN SECTIONS 1-2-1 AND 7-1-1; AMENDING SECTIONS 7-5-25, "NO ELECTRIC ASSISTED BICYCLES ON OPEN SPACE," AND 8-3-6, "VEHICLE REGULATION," B.R.C. 1981; AND SETTING FORTH RELATED DETAILS

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

Section 1. Section 1-2-1, "Definitions," B.R.C. 1981, is amended to read as follows:

- (a) The definitions in this chapter apply throughout this code unless a term is defined differently in a specific title, chapter or section.
- (b) The following words used in this code and other ordinances of the City have the following meanings unless the context clearly indicates otherwise:

...

Electric assisted bicycle means a vehicle having two tandem wheels or two parallel wheels and one forward wheel, fully operable pedals, and an electric motor not exceeding 750 watts of power. Electric assisted bicycles are further required to conform to one of two classes as follows:

- (1) *Class 1 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.
- (2) *Class 2 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

...

Section 2. Section 7-1-1, "Definitions," B.R.C. 1981, is amended to read as follows:

- (a) The following words and phrases used in this title have the following meanings unless the context clearly indicates otherwise:

...

Electric assisted bicycle means a vehicle having two tandem wheels or two parallel wheels and one forward wheel, fully operable pedals, and an electric motor not exceeding 750 watts of power rating, and a top motor-powered speed of twenty miles per hour. Electric assisted bicycles are further required to conform to one of two classes as follows:

(1) *Class 1 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(2) *Class 2 electric assisted bicycle* means an electric assisted bicycle equipped with an electric motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

...

Traffic means pedestrians, ridden or herded animals, and vehicles, either singly or together, which using any street, trail, or path for purposes of travel.

...

Traffic control device means any traffic control sign, signal, marking or device, not inconsistent with this title-, placed or displayed by authority of the traffic engineer or of any public official or public body having authority over a street, drive, way, trail, path, or parking area for the purpose of regulating, warning, or guiding traffic or the parking of vehicles. Where this title does not prescribe the meaning of a device, it has the meaning ascribed to it by the state traffic control manual, and where no such meaning is given, it has the meaning a reasonable person would give it.

...

Traffic control sign means sign on above, or adjacent to a street, trail, or path placed by a public authority to regulate, warn, or guide traffic.

...

Section 3. Section 7-5-25, "No Electric Assisted Bicycles on Open Space," B.R.C. 1981, is amended to read as follows:

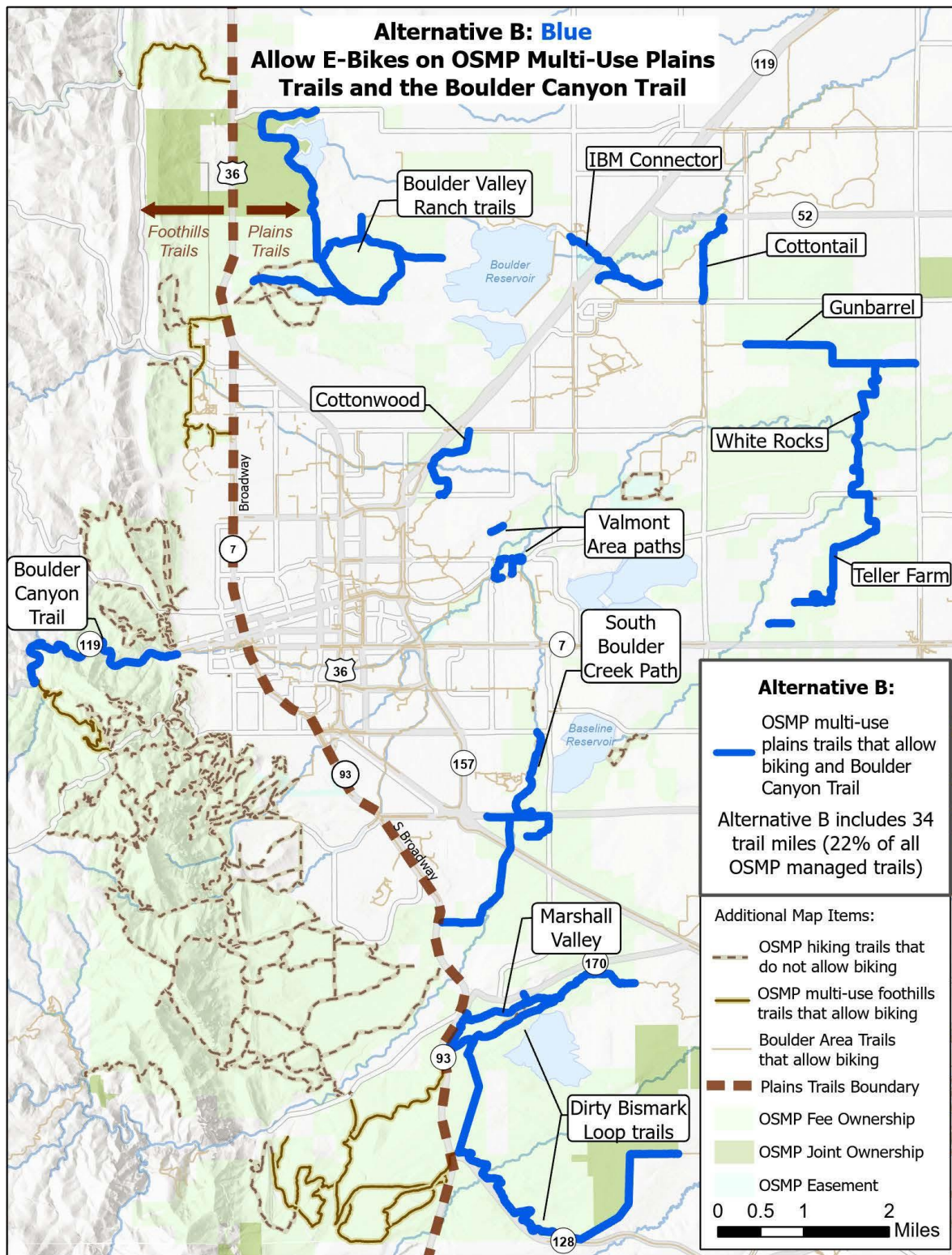
Electric assisted bicycles are prohibited on open space lands as defined in Charter Section 170. Operation of an electric assisted bicycle is not defined as a passive recreational use in Charter Section 176(c).~~No person shall activate the motor of an electric assisted bicycle on any recreational path or trail on open space land as defined in the City Charter Section 170 except where the path or trail has been transferred to a city department pursuant to Charter Section 177, "Disposal of Open Space Land" or section 8-8-11 "Transfer of Open Space Lands," B.R.C. 1981.~~

Section 4. Section 8-3-6, "Vehicle Regulation," B.R.C. 1981, is amended to read as follows:

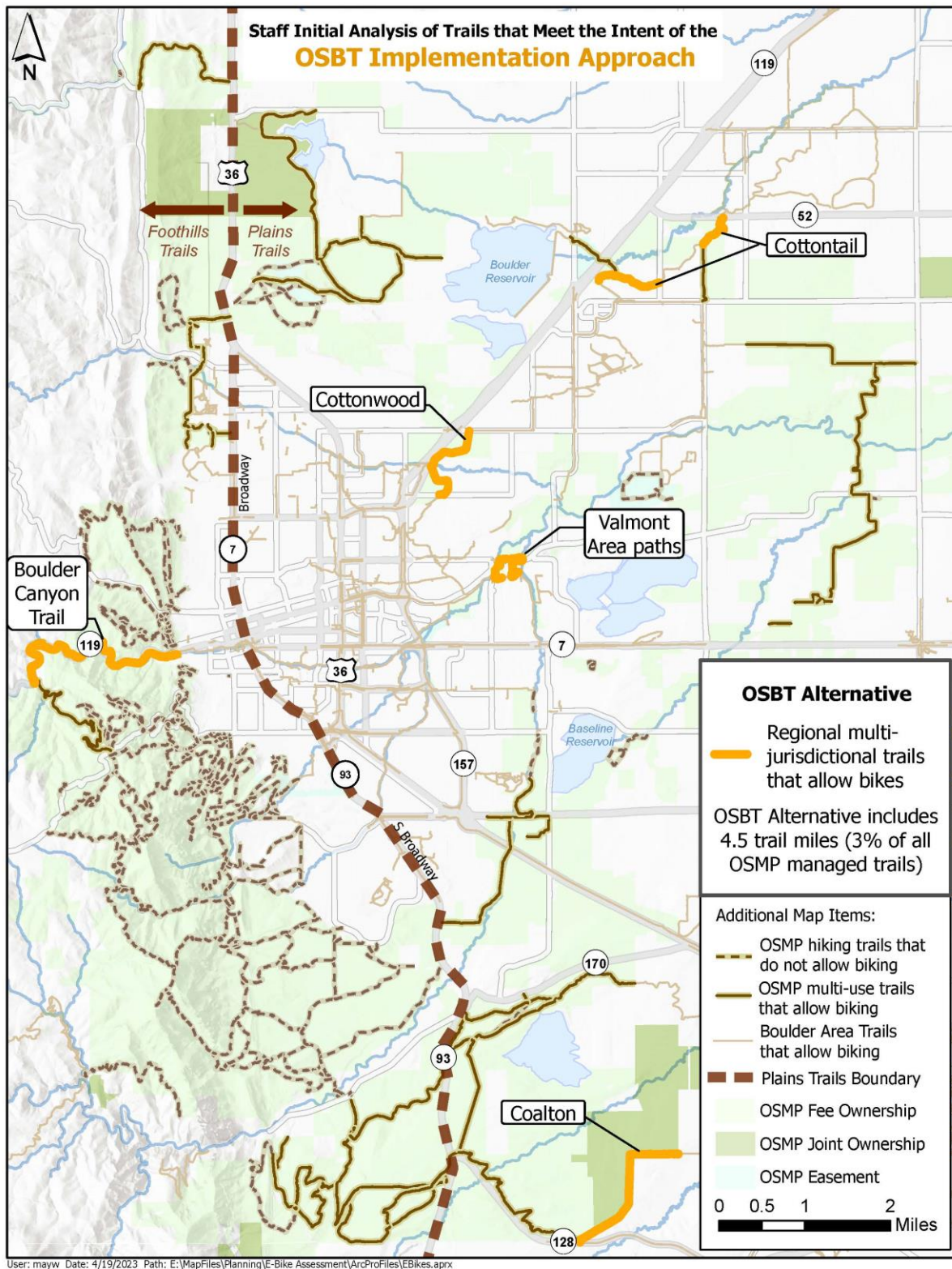
(a) No person, other than persons authorized by the city manager, shall:

- (1) Fail or refuse to comply with any lawful order or direction of any park patrol officer authorized and instructed to direct traffic in any park, parkway, recreation area, or open space and on the public roads and parkways therein;
- (2) Fail to comply with any traffic control device in a park, parkway, recreation area, or open space regulating the operation of motor vehicles and nonmotorized vehicles;
- (3) Drive a motor vehicle within any park, parkway, recreation area, or open space in excess of the posted speed limit. If no speed limit is posted, then no person shall drive a motor vehicle in a park, recreation area, or open space in excess of ~~twenty~~ fifteen miles per hour;
- (4) Drive a motor vehicle within or upon any part of a park, parkway, recreation area, or open space, except on designated roadways, trails, paths, parking areas, or areas that the city manager designates as temporary parking areas;
- (5) Remove or relocate any barricade, barrier, or other device erected to control motor vehicle traffic in a park, parkway, recreation area, or open space; ~~or~~
- (6) Drive a nonmotorized vehicle or electric assisted bicycle upon any area in mountain parks or open space property except a trail or roadway designated and posted for that use by the city manager or a paved or graveled roadway open to motorized vehicles; ~~or~~
- (7) Operate an electric assisted bicycle or other mechanized power-assisted vehicle on any open space lands as defined in Charter Section 170, except where a multi-jurisdictional regional trail-requiring access to a segment of open space trail to enable connectivity and contiguity and where special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals.

Implementation Approach Alternatives



Implementation Approach Alternatives



Approved as Amended 3/8/23
OPEN SPACE BOARD OF TRUSTEES
Action Minutes
Meeting Date February 8, 2023

Record of this meeting can be found here: <https://bouldercolorado.gov/government/watch-board-meetings> (video start times are listed below next to each agenda item).

BOARD MEMBERS PRESENT

Karen Hollweg Dave Kuntz Caroline Miller Michelle Estrella Jon Carroll

STAFF MEMBERS PRESENT

Dan Burke Jeff Haley Jennelle Freeston Lauren Kilcoyne Leah Case
Heather Swanson Brian Anacker Bethany Collins Colin Leslie Ben Verrill
Frances Boulding Marni Ratzel Kacey French

GUESTS

Janet Michels, Senior Attorney
Brenda Ritenour, Community Engagement Manager

CALL TO ORDER (00:30)

The meeting was called to order at 6:00 p.m.

AGENDA ITEM 1 – Approval of the Minutes (04:05)

Jon Carroll moved the Open Space Board of Trustees to adopt the minutes from January 11, 2023 as amended. Dave Kuntz seconded. This motion passed unanimously.

AGENDA ITEM 2 – Public Participation for Items not Identified for Public Hearing (11:30)

Paula Shuler spoke in support of prairie dog management on irrigated lands being brought in-house.

Elizabeth Black spoke in support of bringing prairie dog management in-house.

Larry MacDonnell, former Open Space Board Trustee Member, spoke about the need to change the Charter by a vote of the people if we were to redefine passive recreation to include e-bikes.

Sandra Laursen spoke in regard to e-bikes on open space trails and her opposition to e-bikes on South Boulder Creek Trail and White Rocks Trail.

Richard Harris spoke on behalf of PLAN-Boulder County and rejects e-bikes on open space as passive recreation.

Bob Whorley spoke in regard to e-bikes and his support for opening trails to the use of e-bikes.

Brad Fountain spoke in regard to e-bikes and that they are classified as a bicycle and not a motorized vehicle.

AGENDA ITEM 3 – Matters from the Board (39:35)

Under the item, “Comments/Questions from Trustees on Written Information memos or public comment”, the Board asked several questions on the Chautauqua Access Management Program (CAMP) memo including if a price increase would be considered and specifics on carrying capacity. On the Trailheads Update memo, Dave suggested that in regard to trailhead planting, the focus should be on

restoring native landscapes. On the Boulder Valley Farm (BVF) Water Service Line memo, the Board asked about the water line installation mechanism as well as acquisition and easement specifics.

Brenda Ritenour, Community Engagement Manager, presented the “Diversity, Equity, and Inclusion Initiative for Boards and Commissions” item. The Board asked about equity resources for Boards including on support for language barriers and childcare options. The Board asked if offers for support can be consistent across boards so that members can turn down offerings vs. having to ask for help. The Board asked if staff is looking at the number of meetings and times/length of current meetings as part of this process.

AGENDA ITEM 4 – Consideration of a staff recommendation to the Open Space Board of Trustees on allowing e-biking as a passive recreational use on open space trails (1:30:00)

Kacey French, Planning Supervisor, and Marni Ratzel, Principal Planner, presented this item.

The Board reviewed 2013-2018 motions made by OSBT regarding whether e-bikes on open space are allowed under the City Charter, if e-bikes are passive recreation, and the disposal and transfer of OSMP paved trails to Public Works to enable e-bike use.

Motions:

(2:22:00)

Jon Carroll moved the Open Space Board of Trustees to recommend the Boulder City Council to allow class 1 and class 2 e-biking as a passive recreational activity permissible on open space on trails where designated by the City Manager. Michelle Estrella seconded. This motion did not pass; Caroline Miller, Dave Kuntz and Karen Hollweg dissented.

Caroline, Dave and Karen summarized their reasoning for dissent, including:

- Passive recreation is an allowed use of OSMP in the City Charter and is defined in the Visitor Master Plan (VMP) as non-motorized and reiterated in the 2019 Master Plan.
- Not enough grounds for a legislative finding to make the change in the Charter language.
- Changing the definition of the term “passive recreation” is not a policy decision that is up to council to determine.

Michelle and Jon summarized their support for the motion, including:

- Passive recreative is defined in the VMP and not in the Charter.
- The VMP is now outdated and overdue an update.
- At the time of writing e-bikes were not considered.
- Passive recreation is a policy decision that is up to council to determine.

(2:38:00)

Michelle Estrella moved the Open Space Board of Trustees to recommend that the OSMP Department proceed with the staff preferred alternative to implement this policy by designating and managing the trails in Alternative B - Plains trails located east of Broadway that allow biking, and the Boulder Canyon Trail for e-biking – with the addition of Chapman Drive Trail and Foothills South Trail. Jon Carroll seconded. This motion did not pass; Caroline Miller, Dave Kuntz and Karen Hollweg dissented.

Caroline, Dave and Karen summarized their reasoning for dissent, including:

- Hiking is enjoyed by 85 percent of OSMP users.

- There are trails that have up to 40-60 percent of bike users (on county trails), and hikers to enjoy those trails is not an option; that level of bike use can provide dangerous conditions for pedestrians and be hazardous for other open space users. At some point the percentage of bikes on trails becomes so high that hikers are displaced.
- City needs to make transportation corridors safe for bicycles. If transportation is too dangerous for bicycles, that is a transportation issue. Open Space should not be seen as an alternative for bicycles.
- Transportation and commuting are not open space purposes in Charter.
- A public vote is necessary to change the allowed uses of open space in the Charter.
- 50 percent of intercept survey respondents said class 2 e-bikes should not be allowed.
- Rocky Flats National Wildlife Refuge only allows class 1 e-bikes.
- In the Intercept Survey, 80 percent were concerned about rider speeds, 56 percent were concerned about e-bikes displacing other visitors.

Michelle and Jon summarized their reasoning for being in favor of the motion, including:

- Overwhelming community support for option A
- Option B seems like a good compromise to try this out on some trails.
- Good balance of allowing commuting on select trails.
- Wonderland Lake trails are an important north south bike route to allow bikers to stay off dangerous streets.
- Chapman Drive is perfect place for e-bikes to allow great loop from city into wilderness.
- Provides community equitable access to open space.
- About to launch e-bike rebate program and hypocritical to not allow on open space trails.
- Need to connect to regional trail systems such as Rocky Mountain Greenway.
- Can't allow fear to prevent us from progressing.
- Meets climate goals as it allows folks to access and use our trailheads without a car.
- Have to take into account community surveys; no survey is perfect but can't discount those who can't afford to live in expensive city limits.
- Should consider difference between actual and perceived conflicts when we take e-biking into account.
- Consider doing a pilot of trails west of 36 (in response to support for Alternative A).
- This proposal would allow for consistency of user experience with neighboring land managers and be easier for users to understand and comply with.

(3:18:00)

Dave Kuntz moved the Open Space Board of Trustees to recommend to City Council that language in the current code B.R.C. 7-5-25, titled No Electric Assisted Bicycles on Open Space – “no person shall activate the motor of an electric assisted bicycle on any recreational path or trail on open space land as defined in the City Charter Section 170 except where the path or trail has been transferred to a city department pursuant to Charter Section 177, “Disposal of Open Space Land or section 8-8-11 “Transfer of Open Space Lands, B.R.C. 1981. Ordinance Nos. 7941 (2013); 7965 (2014); 8007 (2014); 8447 (2021)” – be repealed and removed from all applicable city ordinances. Karen seconded. Passed three to two. Jon Carroll and Michelle Estrella dissented.

(3:27:00)

Dave Kuntz moved the Open Space Board of Trustees to recommend that the following language be inserted into B.R.C. 7-5-25, titled “No Electric Assisted Bicycles on open space”:

Electric assisted bicycles are prohibited on Open Space lands as defined in City Charter section 170. Operation of an electric assisted bicycle is not defined as a passive recreational use in Article 12, Sec. 176 (c) of the City Charter.

Caroline Miller seconded. This motion passed three to two; Jon Carroll and Michelle Estrella dissented.

(4:42:00)

Dave Kuntz moved the Open Space Board of Trustees to recommend to City Council revised language for section 8-3-6. of the BRC - Vehicle Regulation:

a. **No person, other than persons authorized by the city manager, shall:**

(7) operate an electric assisted bicycle or other mechanized power assisted vehicle on any Open Space lands as defined in City Charter section 170, except where a multijurisdictional regional trail requiring access to a segment of open space trail to enable connectivity and contiguity and where special designation and enforcement requirements are posted and have been determined necessary to meet land protection, natural resource and visitor management goals.

Caroline Miller seconded. This motion passed three to two; Jon Carroll and Michelle Estrella dissented.

Janet Michels, Senior Attorney, agreed to review the motion language for compliance with the B.R.C. and the Charter.

Michelle and Jon summarized their reasoning for dissent, including:

- A need to make it clear to the community that we support e-bikes.
- This exception approach is complicated and will make implementation, compliance, and enforcement impossible.
- Need to let neighboring land managers know that we support consistent connectivity; this motion does not do that.

Dave and Karen summarized reasoning for being in favor of the motion, including:

- Support e-bikes on multi-use regional trails; just do not support e-bikes everywhere on open space trails.
- Support consistent regional connectivity and intent of the motion is to contribute to that.
- OSBT cannot agree with neighboring land agencies because of the principles established in the City Charter.
- Without a vote of the public, cannot change the Charter.

Michelle asked whether there is an opportunity for board members to speak to City Council regarding the reasoning for their dissent on motions made. Dan referenced the Rules of Procedure and advised that the Board may delegate members to assist in presenting the Board recommendation which should also include a brief synopsis of any dissent. Janet Michels clarified that the *Guiding Principles for Interactions among Council's Boards, Commissions and Staff* says board members can address council, though should identify themselves as board members and clarify whether they are speaking from a personal position or on behalf of the majority or minority position that the board has taken.

Dave requested staff provide the OSBT with copies of the staff memo and attachments to the council when the matter of e-bikes on open space is on the council meeting agenda.

The Board asked about the involvement of OSMP and agency partners in regional trail planning processes.

AGENDA ITEM 5 – Matters from the Department (5:07:00)

Dan Burke gave an update welcoming Heather Swanson in her interim role as a deputy director.

ADJOURNMENT – The meeting adjourned at 11:23 p.m.

These minutes were prepared by Leah Case

About the Data: Online Engagement Questionnaire and Onsite Intercept Survey distinctions and results

An objective of both the online engagement questionnaire and onsite intercept survey was to gather opinions and preferences regarding allowing e-biking on open space trails. The two survey instruments and their modes of administration (online and on-site) were designed to support complimentary, though not identical, datasets to help understand community sentiment toward e-bikes.

The online engagement questionnaire was administered via the Be Heard Boulder platform. Be Heard Boulder provides an open participation option for any community member who chooses to participate to share their input regarding city projects. This feedback is collated and used to inform the development of strategies, programs and activities, or to gain an insight into community views and opinions. Feedback provided online is intended to be considered in conjunction with other information and data sources when departments consider project recommendations and decisions.

Since the Be Heard Boulder platform allows respondents to self-elect to leave feedback, there is a chance that those who chose to submit a questionnaire feel strongly about the issue of e-biking on open space trails. This method of collecting community feedback is helpful for understanding the range and intensity of e-biking opinions that may exist in the community. Open participation questionnaires may also facilitate higher overall response rates (compared to randomized on-site sampling), particularly when the topic is of strong interest among community members, as e-bikes appears to have been. However, the lack of randomization among participants means that the results cannot be interpreted as directly representative or generalizable to the distribution of sentiment among the broader population of Boulder or to OSMP visitors.

In comparison, the onsite intercept survey was designed to collect a representative and generalizable sample of current OSMP visitor attitudes, preferences, and concerns regarding allowing e-bikes on open space. The on-site survey followed similar design and sampling methods as OSMP's formal visitor survey, where respondents were intercepted on OSMP trails as the end of their visit. In contrast to the online questionnaire where participants self-elected to participate specifically to provide feedback regarding e-bikes, respondents to the on-site survey were intercepted based on their visitation to selected open space trails and not on any predisposition toward e-biking.

The randomized sampling approach of the on-site survey means that this dataset provides a statistically representative assessment of current visitor attitudes toward e-bikes, despite having a lower overall sample size than the online engagement questionnaire. The on-site survey was specifically designed to facilitate the cross-filtering of responses to evaluate how subgroups may differentiate in their attitudes, preferences, and concerns regarding e-bikes. Finally, the on-site survey was purposefully implemented using a sampling design that can be replicated in the future should OSMP wish to conduct any follow-up monitoring regarding e-bike allowance on open space trails.

About the Data: Online Engagement Questionnaire and Onsite Intercept Survey distinctions and results

Online Engagement Questionnaire

OSMP posted the online questionnaire on the City of Boulder Be Heard Boulder online engagement web page. It provided the opportunity for community members to share their input on whether to allow e-biking on open space trails and three management alternatives under consideration if the status quo were changed. The questionnaire opened on July 11 and closed on Aug. 8. It generated a robust community response. Over 2,330 responses were submitted, making it the most popular online engagement questionnaire to date on BeHeardBoulder.com.

Gathering information on community preferences to guide decisions about the planning and potential management of e-biking on open space was a primary objective of the questionnaire. Staff identified a preliminary proposal of Alternative B, which would allow e-biking on Plains Trails and the Boulder Canyon Trail. Respondents were asked whether they support the preliminary staff proposal and if not whether they support one of the other two alternatives or the status quo of not allowing e-biking on open space trails. The questionnaire next asked respondents to select the top three reasons in support of their response from among a list of potential reasons. The questionnaire also asked participants about their open space visitation history, familiarity with e-bikes, and demographics including age, residence, race and gender. A summary of the [Online Engagement Questionnaire Results](#) is posted on the project web page.

Online Engagement Questionnaire Key Findings

- The majority of respondents (72%) supported one of the alternatives allowing e-bikes on open space over the status quo (No-Change).
- About 47% of respondents indicated hiking and 36% indicated biking as their primary activity.
- Approximately 44% own an e-bike and 63% have ridden an e-bike in the last 12 months.
- Familiarity with e-bikes was a strong indicator of support for e-biking, with 95% of those who own an e-bike and 85% who have ridden an e-bike selecting an alternative over the status quo. That said, just over half (53%) of respondents who don't own an e-bike and 48% who have not ridden an e-bike also supported an e-biking alternative.
- Of the 72% of respondents who expressed support for e-bikes, 52% of them indicated a preference for Alternative B.
- Respondents who supported Alternative B selected that it increases access for people with different abilities (62%), and for an aging population (59%) as their top two reasons why.
- Approximately 28% of respondents indicated a preference for the status quo of not allowing e-biking on open space trails. Of the respondents who shared why, 74% expressed e-biker travel speed was the top reason. The second ranked response was "I do not agree that electric-assist is non-motorized" and selected by 49% of those who shared why they chose the status quo.
- Around 58% of respondents thought that they might change their visitation behaviors if e-bikes were allowed on trails. About 54% of these respondents thought they would visit trails more often if e-bikes were allowed.
- The majority of respondents were from Boulder County, with about 60% of all respondents being from the City of Boulder.

About the Data: Online Engagement Questionnaire and Onsite Intercept Survey distinctions and results

Onsite Intercept Survey

The OSMP Human Dimensions team conducted an onsite e-bike intercept survey at select trailheads and access points to engage with open space visitors and obtain their opinions and preferences regarding the potential to allow e-bikes on some trails. Questions were focused on alternative ratings, ownership and use of e-bikes, perceived e-bike concerns and benefits, reasons for alternative rating selections, and the most preferred management alternative, including an option for the status quo (no e-biking on OSMP). Respondents were also asked a series of typical demographic questions.

A total of 431 visitors completed the survey during a 9-week period in summer 2022 at 12 OSMP locations during various daylight hours. The results are presented in an interactive report that allows results to be explored dynamically.

For the on-site survey, respondents were presented with a separate page for each of the three alternatives (A, B, & C). Each page included a written description of the alternative, a map, and a rating scale for respondents to indicate their level of opposition or support for the alternative.

After survey respondents evaluated each of the individual alternatives, they were asked a series of questions about their general disposition across the three alternatives. Questions asked respondents to evaluate the likelihood that allowing e-bikes on open space trail would result in either positive or negative outcomes, the degree to which they were concerned about certain possible impacts, and the degree to which they agreed or disagreed with several statements about e-bike use on open space. After answering questions about the various reasons for their support or opposition to allowing e-bikes on open space, respondents were asked to select their overall most preferred management option, which included each alternative plus an option for the status quo (i.e. No Change).

Next, respondents were asked a series of questions about their visitation patterns including their visitation history, their primary activity and primary mode of arrival to open space. Additionally, respondents were asked if their visitation patterns might change if e-bikes are allowed on select OSMP multi-use trails, that currently allow bikes. If the respondent answered yes, they were then asked how they thought their visitation frequency might change, as well as whether they would be likely to ride an e-bike on trails if allowed.

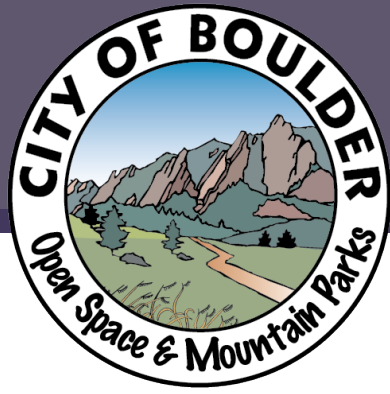
Finally, respondents were asked a series of typical demographic questions. These included age, residence, race, and Hispanic, Latino, or Spanish origin. Results can be compared to other OSMP survey efforts, to discern any demographic differences and similarities between the onsite e-bike intercept survey and other onsite visitor survey respondents. More broadly, results can be compared with Boulder County census data.

A digital Report of the [Onsite E-Bike Intercept Survey](#) is available on the project web page.

About the Data: Online Engagement Questionnaire and Onsite Intercept Survey distinctions and results

Onsite Intercept Survey Key Findings

- The majority of respondents (63%) selected one of the alternatives over the status quo (No-Change) as their overall "most preferred option".
- Respondents who overall preferred Alternative A (26%) also supported Alternatives B and C. Many respondents supported all three Alternatives, even if they preferred one specific alternative.
- Approximately 52% of respondents indicated hiking as their primary activity.
- Respondents across all alternatives expressed a range of opinions about the likelihood of different outcomes or concerns about the potential impacts of e-bikes.
 - In general, concerns were lower among those who preferred Alternative A (most permissive for allowing E-Bikes) and highest among those who preferred No-Change.
 - The same pattern was generally observed for the likelihood of outcomes, where those who preferred Alternative A indicated that on average they believed the likelihood of positive outcomes was higher and the likelihood of negative outcomes was lower. This pattern reversed for those respondents who preferred No-Change.
- Around 28% of respondents, or just over one quarter, thought that they might change their visitation behaviors if E-Bikes were allowed on trails.
 - Of the 28% who thought their visitation behaviors might change, most thought they would visit trails that allow e-bikes less often if e-bikes were allowed.
- The majority of respondents were from Boulder County, with just over 50% of all respondents being from the City of Boulder.



Evaluation of E-biking on Open Space Community Input Comparison and Key Findings



Online Engagement and Onsite Intercept Results

About the datasets

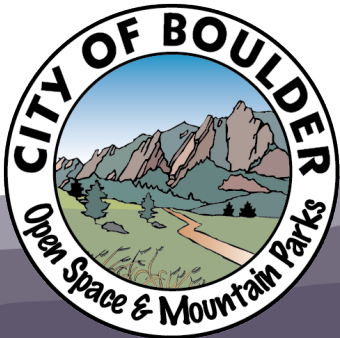
Online Engagement Questionnaire

- 2,331 responses were submitted between July 11 to Aug. 8.
- 1,543 participants provided open ended comments.
- Open participation opportunity to provide input through Be Heard Boulder platform

Onsite Intercept Survey

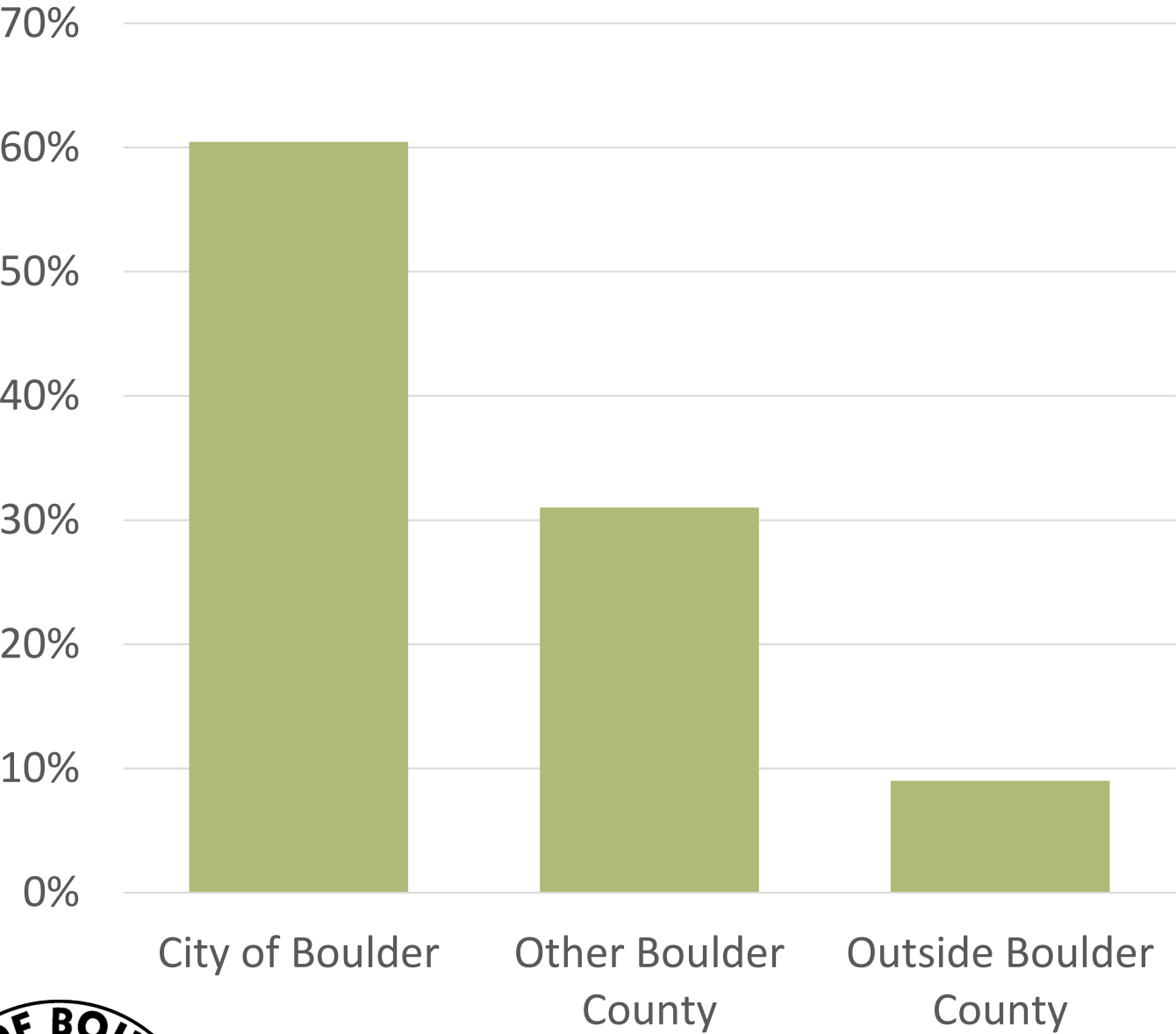
- 431 survey responses were gathered across 9 weeks between July 2nd and August 26th
- 12 OSMP access points/trailheads were surveyed, including 8 multi-use and 4 pedestrian only trails
- Randomized sample size with response rates between 70% and 82% (quite high for intercept surveys)

Consideration	Online Engagement	Onsite Intercept
Generalizable	✗	✓
Bias	↑	↓
Trend Analysis	✗	✓
Informs decision-making	👍	👍

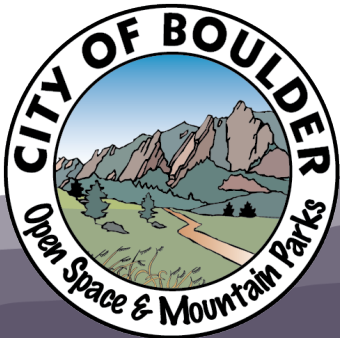
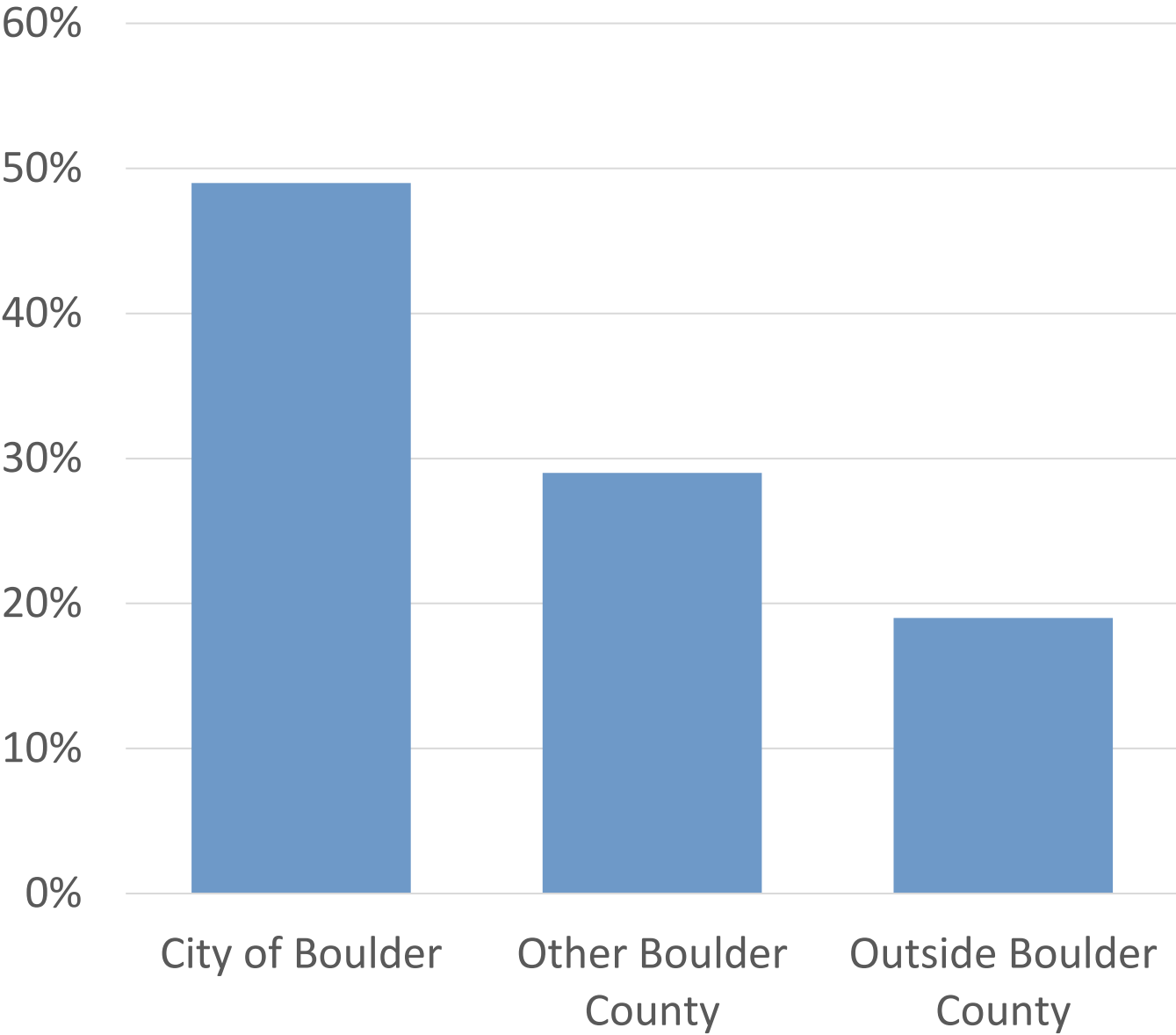


Residence

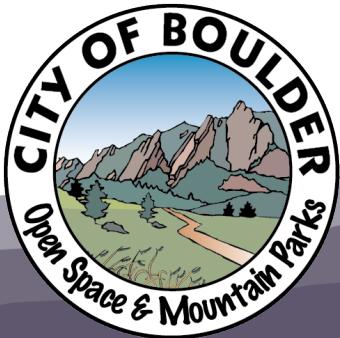
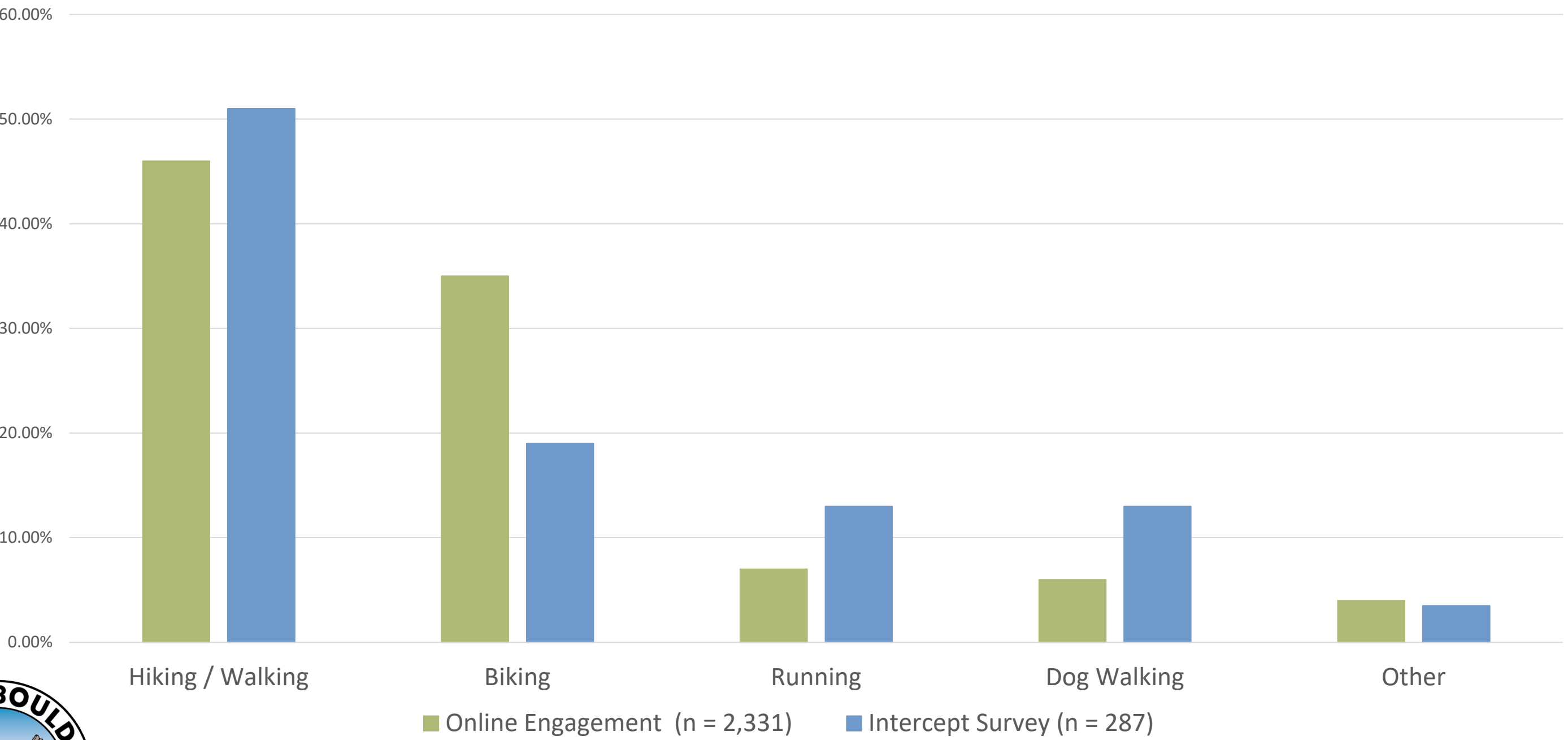
Online Engagement



Onsite Intercept

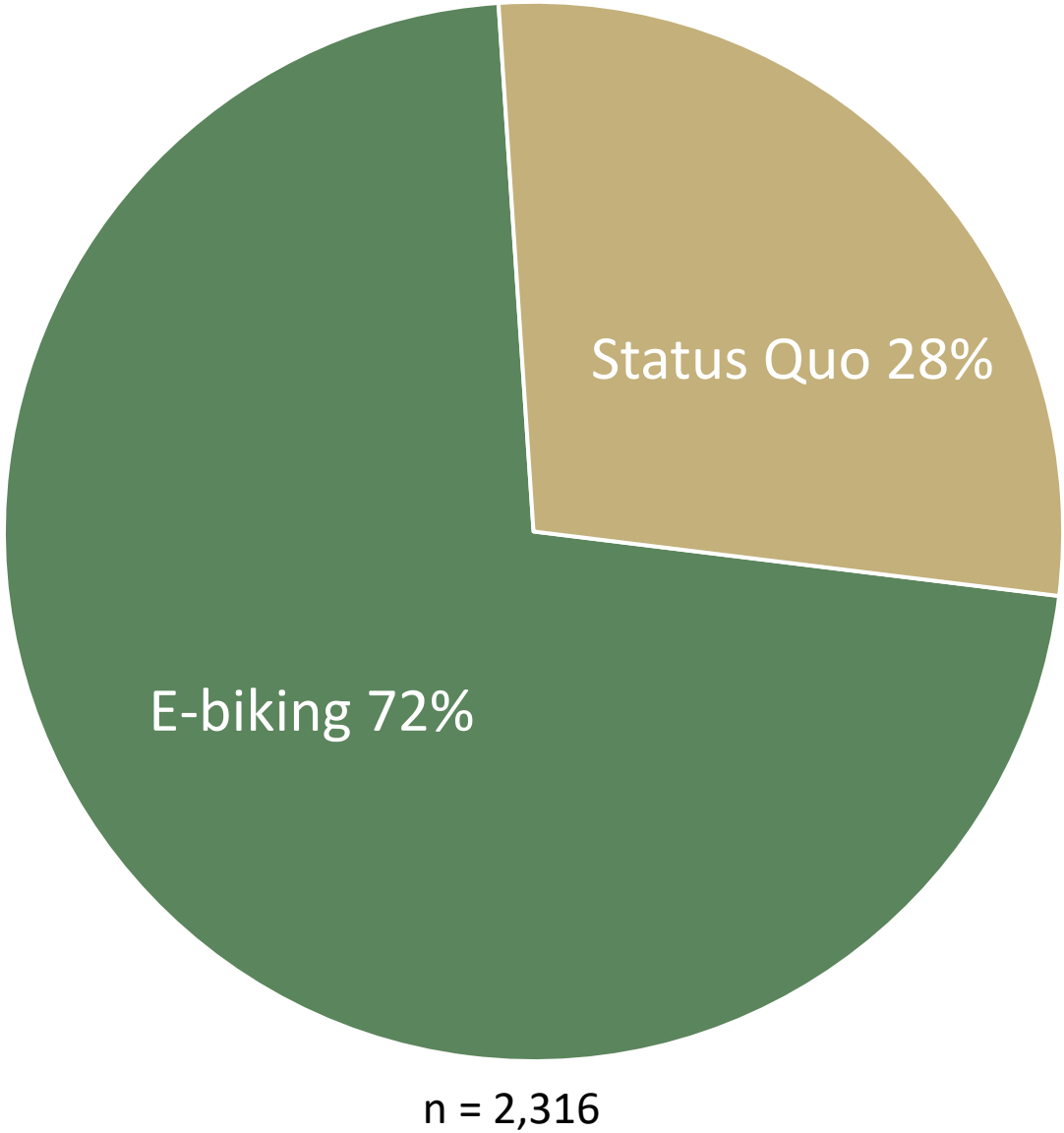


Primary Open Space Activity

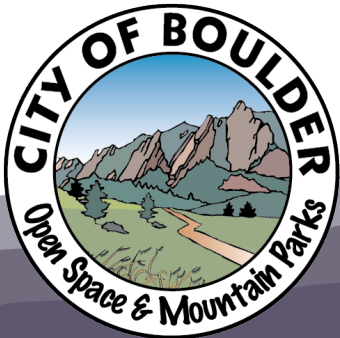
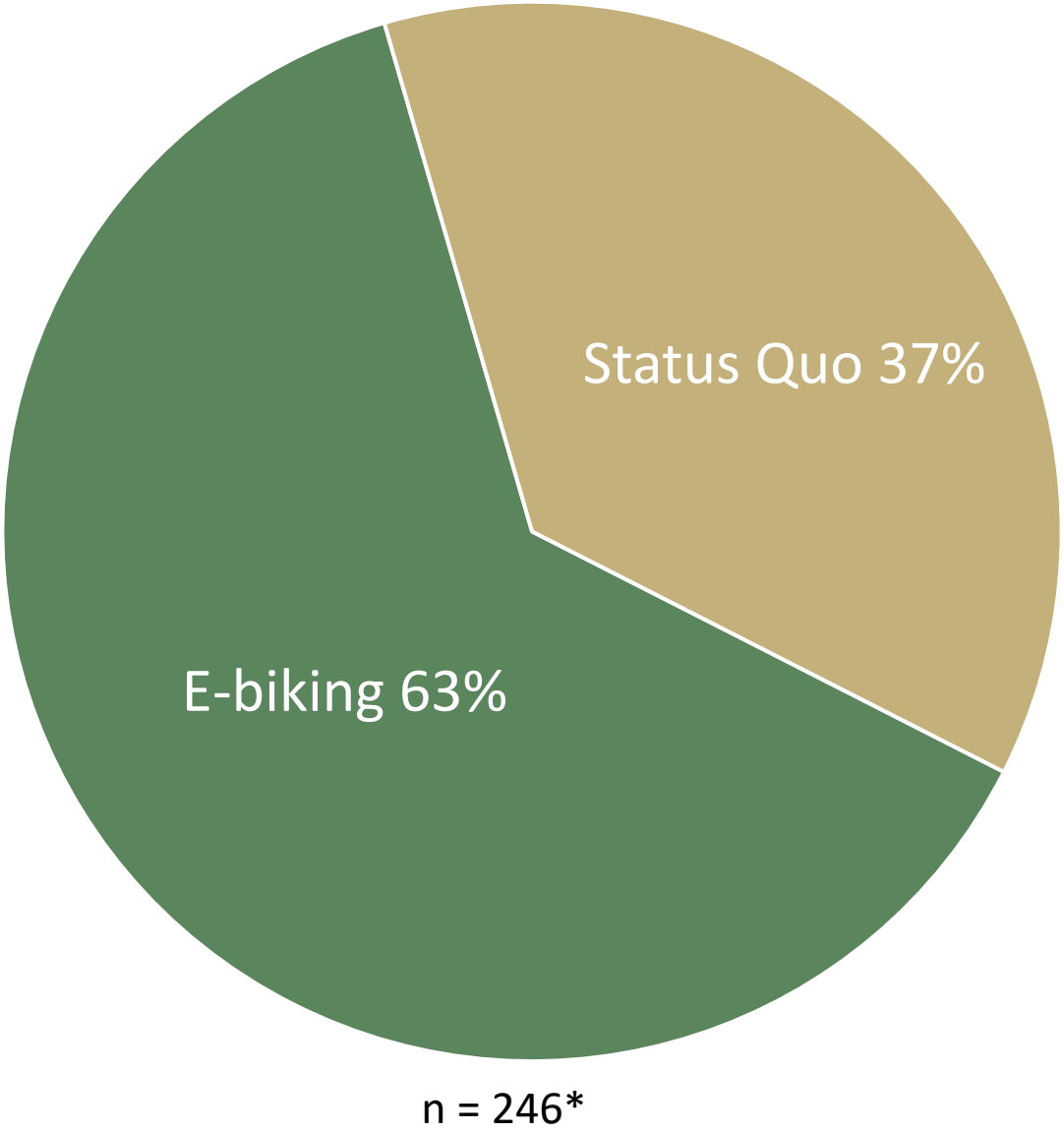


Support for E-bikes on Open Space

Online Engagement

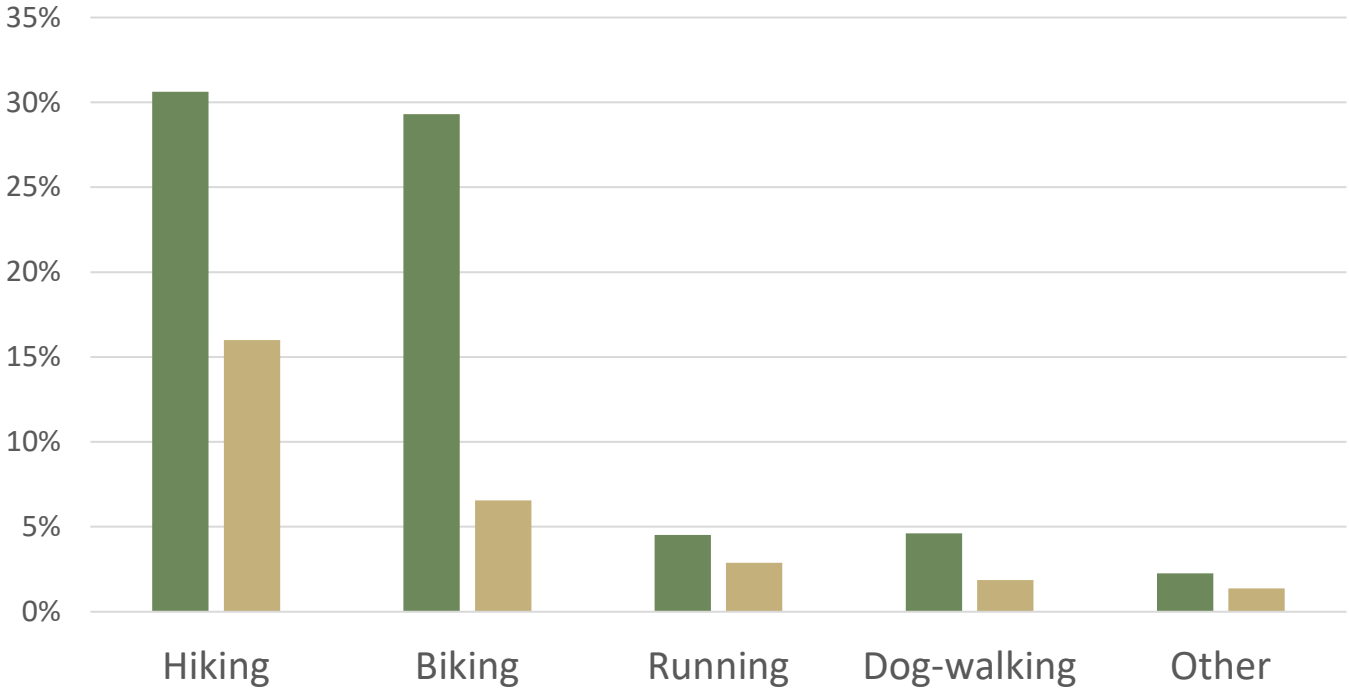


Onsite Intercept

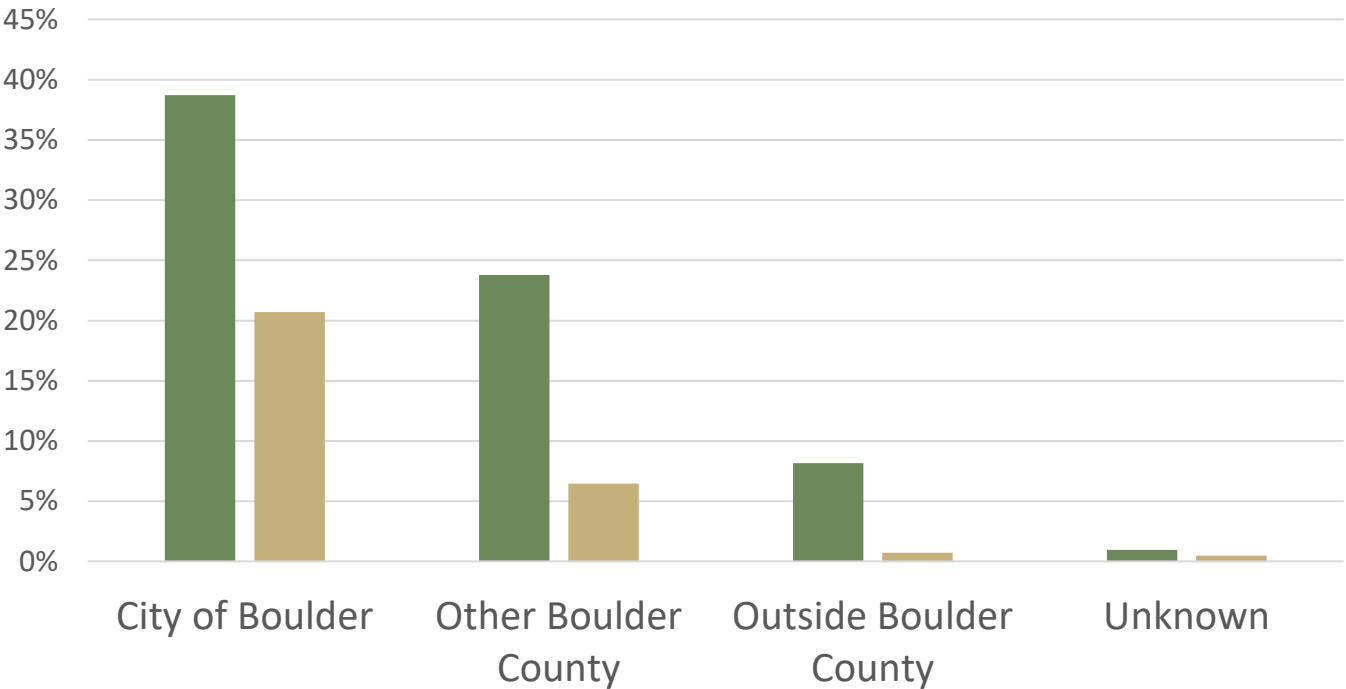


*These percentages come from a question that was added starting in week 4 of the 9-week survey that specifically asked respondents to indicate which option they “most prefer”.

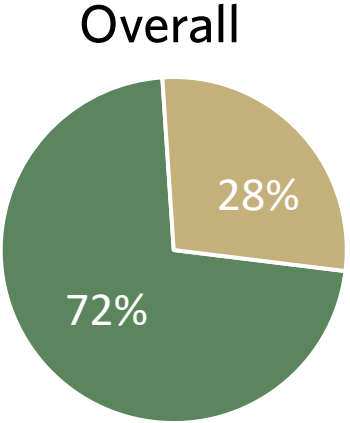
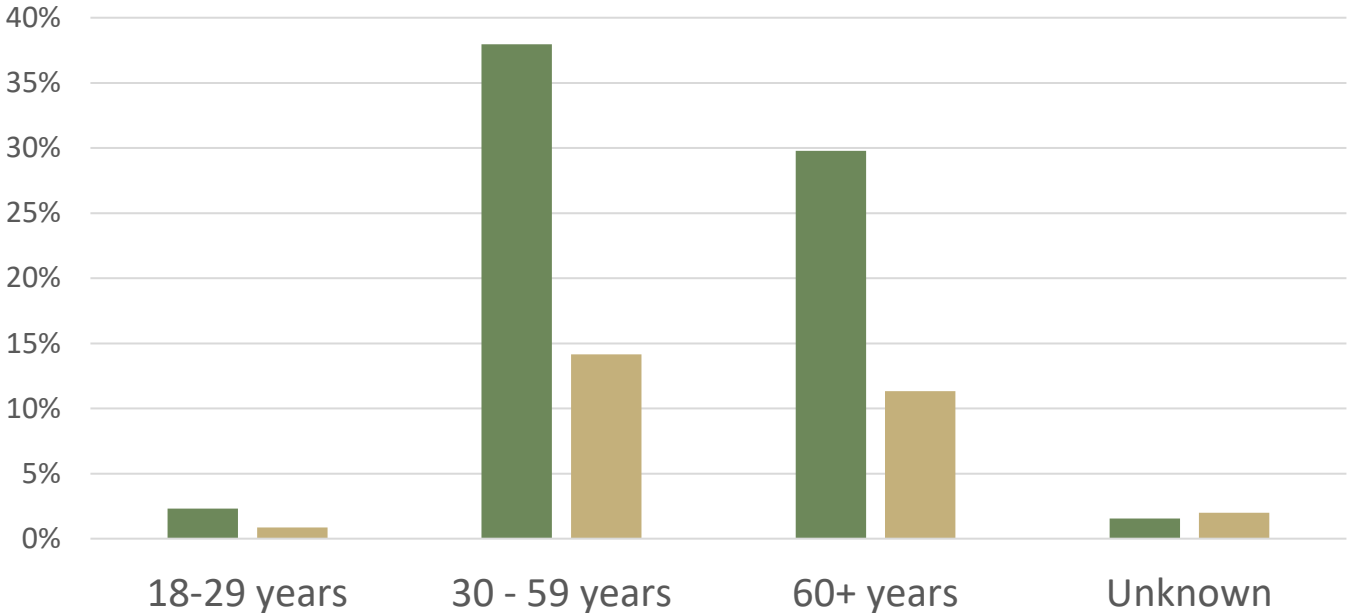
Primary Activity



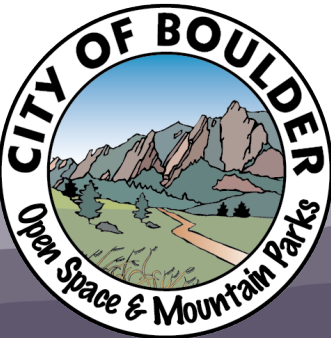
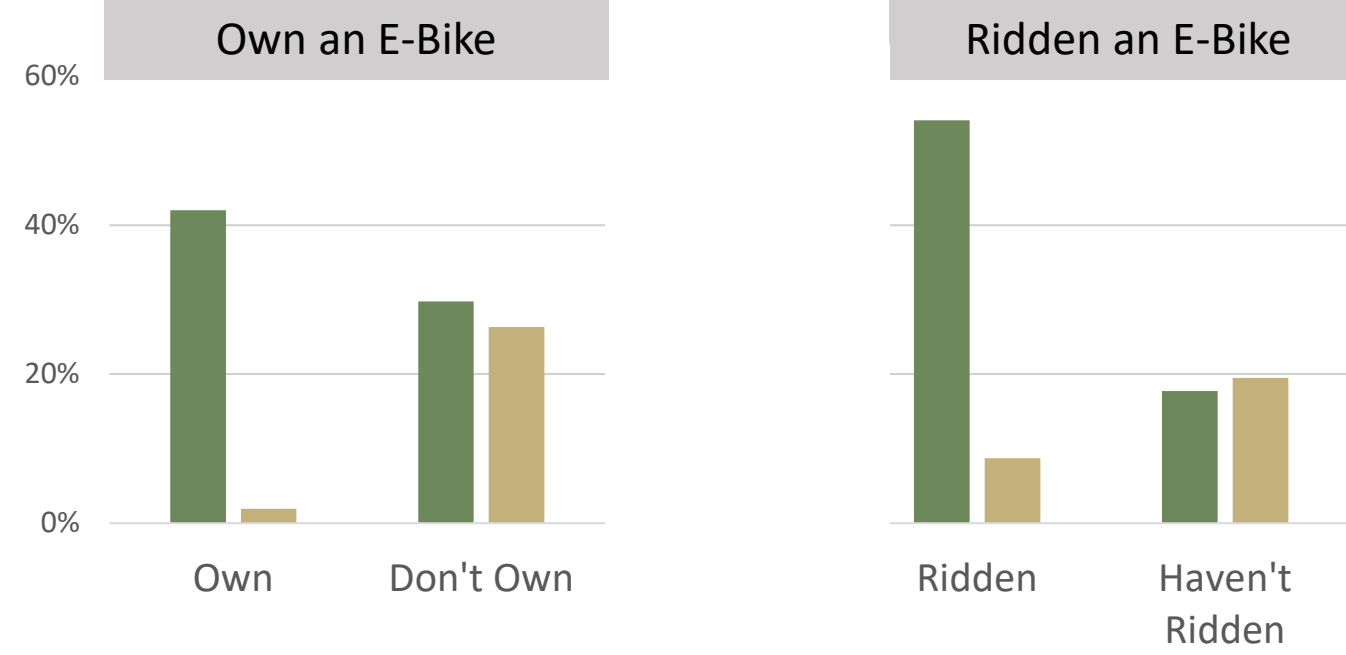
Residence



Age Group



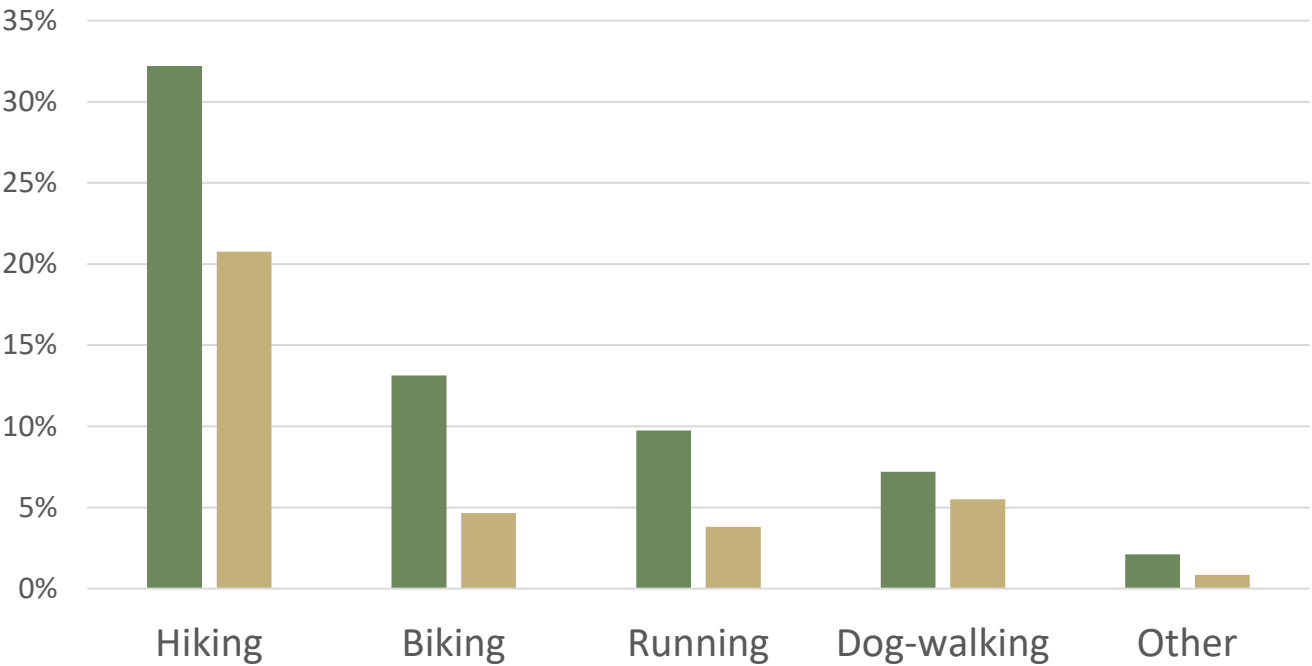
Familiarity with e-bikes



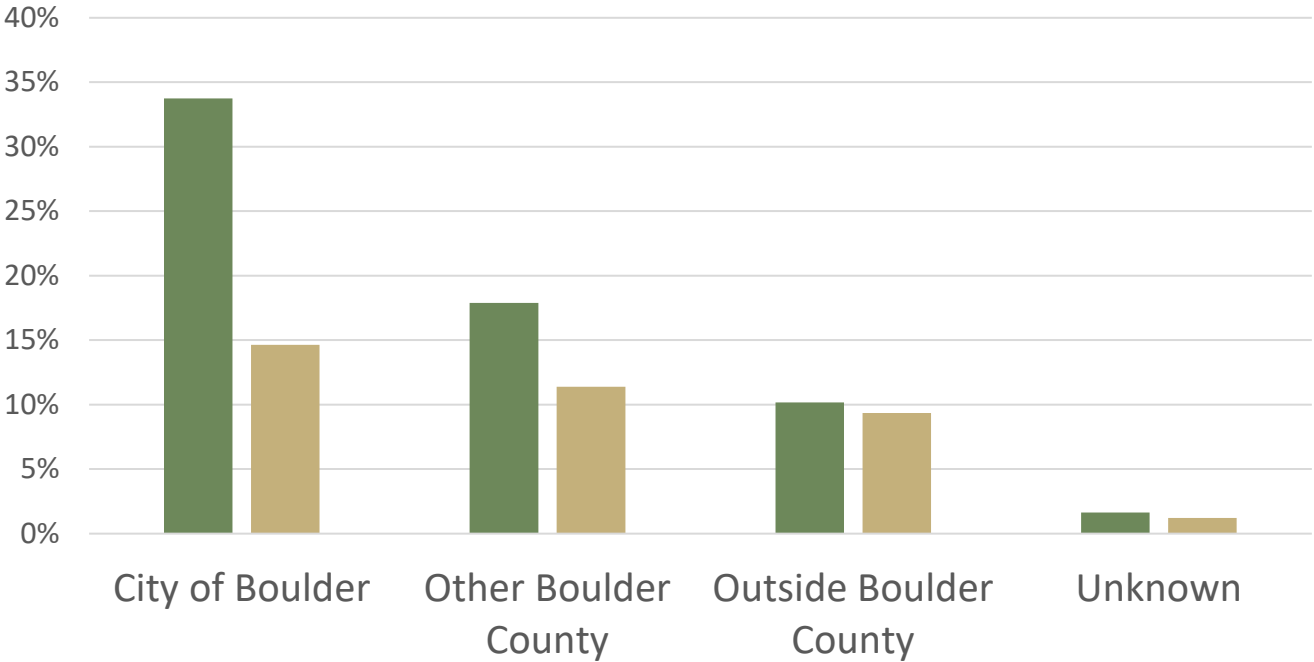
E-biking Status Quo

Onsite Intercept

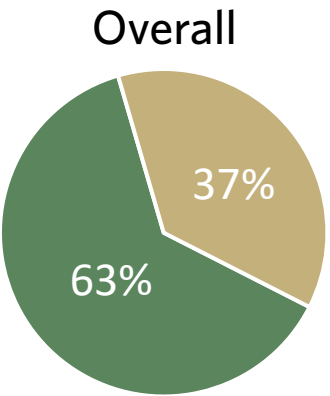
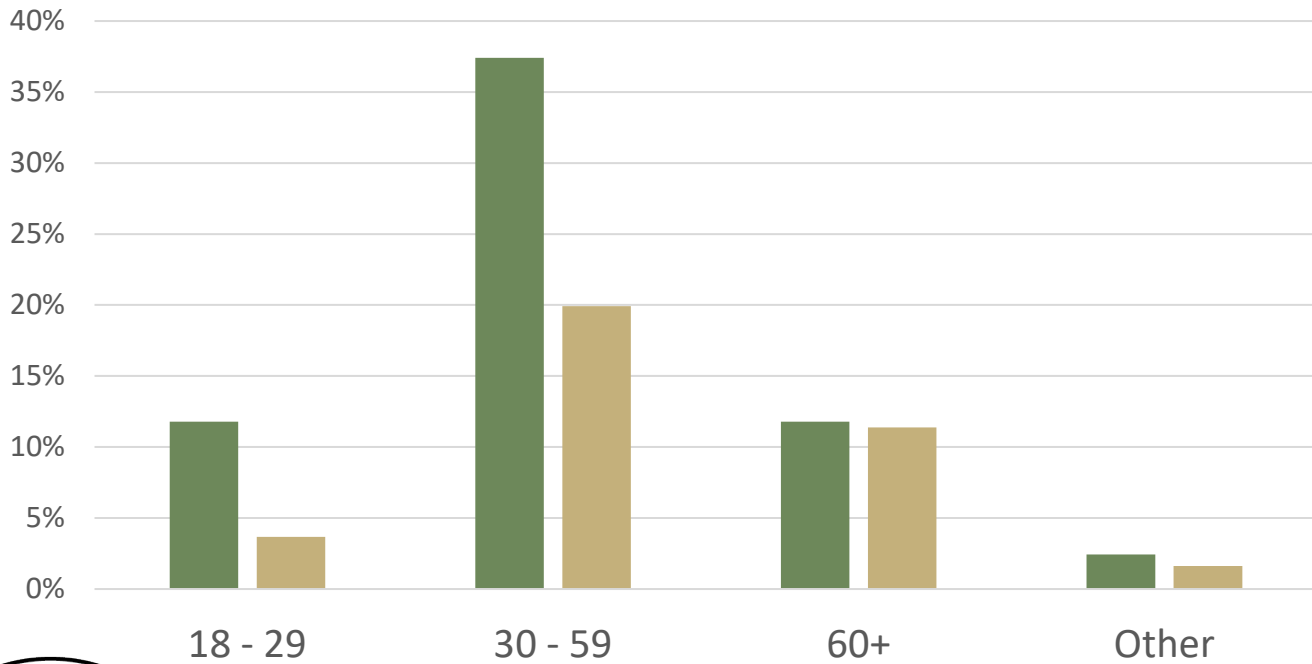
Primary Activity



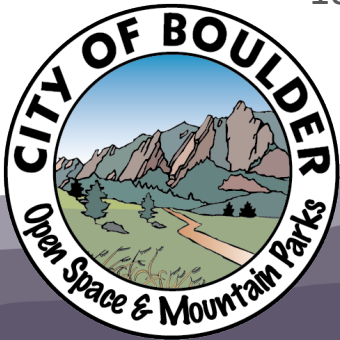
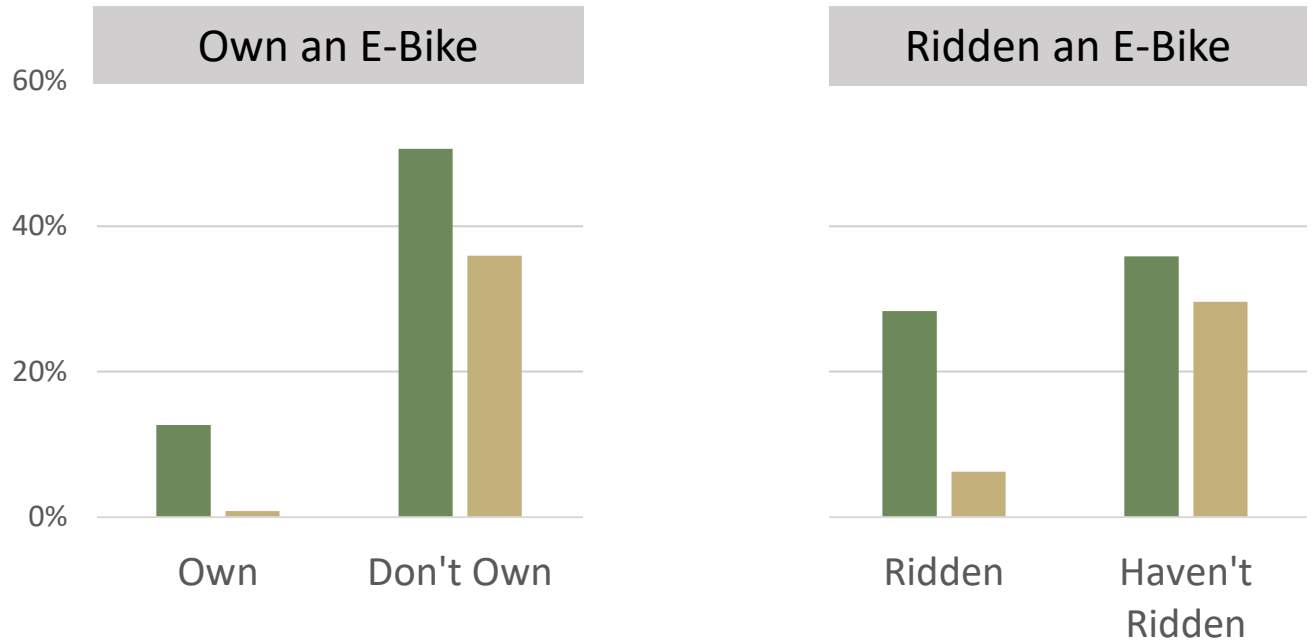
Residence



Age Group



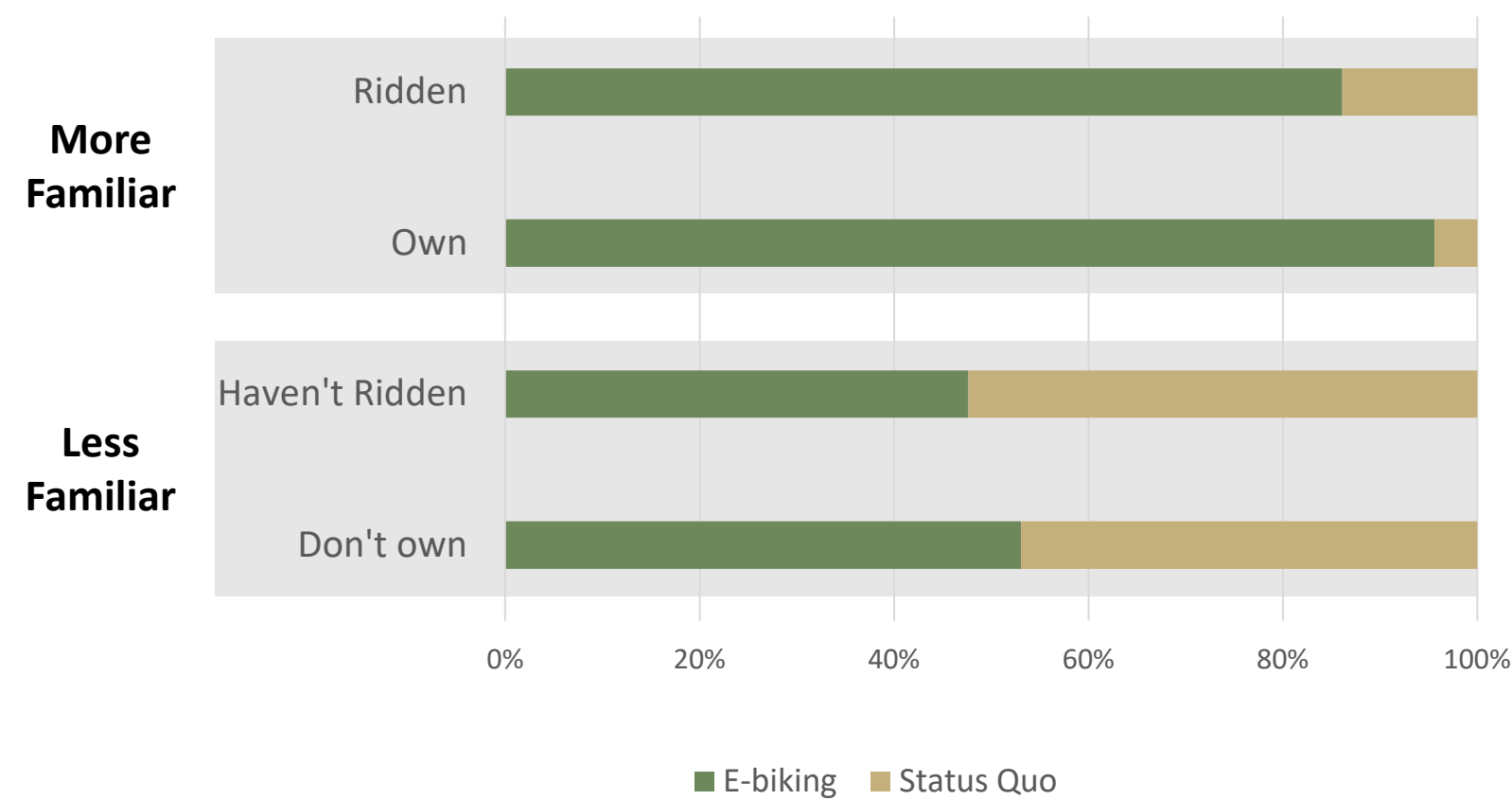
Familiarity with e-bikes



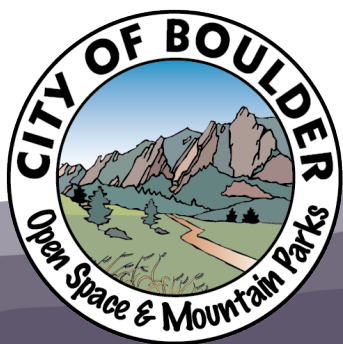
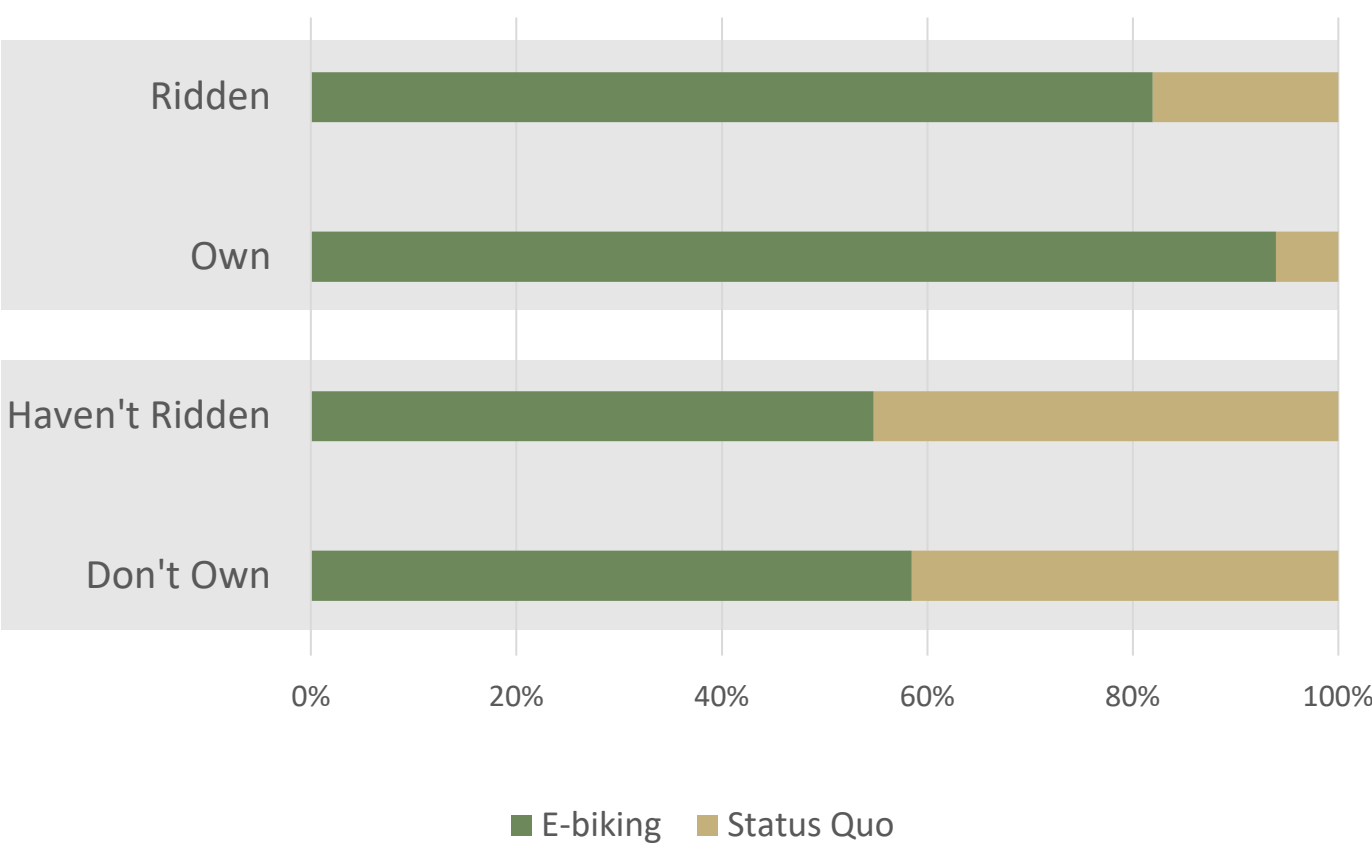
■ E-biking ■ Status Quo

Familiarity of E-Bikes

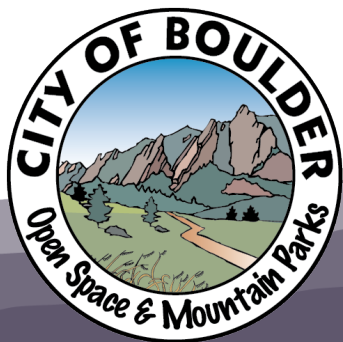
Online Engagement



Onsite Intercept

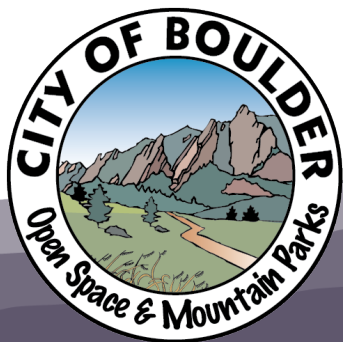


Support by Alternative



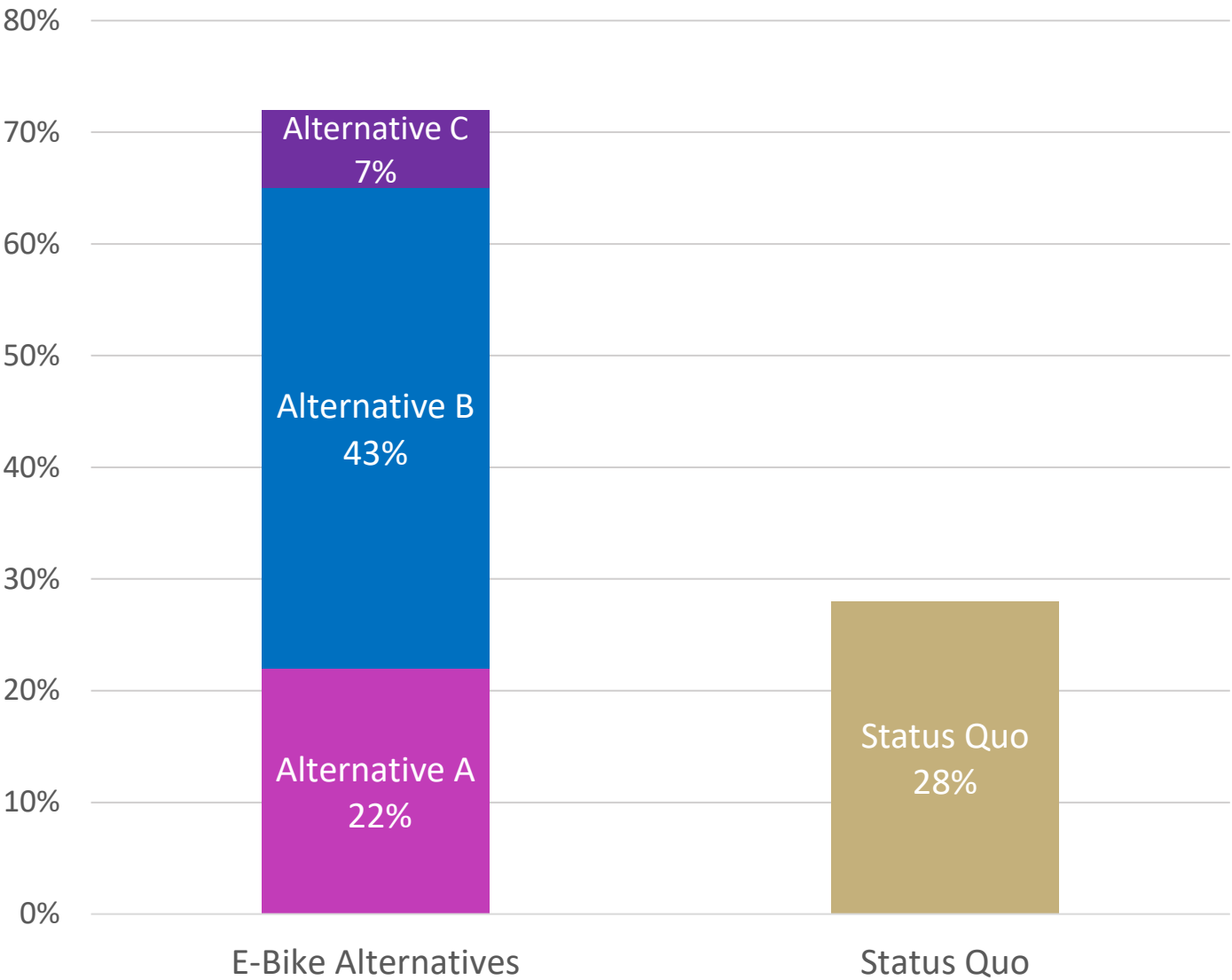
Alternatives to the Status Quo

- A. All Trails that allow bikes
- B. Plains trails located east of Broadway, and the Boulder Canyon Trail
- C. Inter-Connected Trails that allow bicycling and are part of the regional trail.

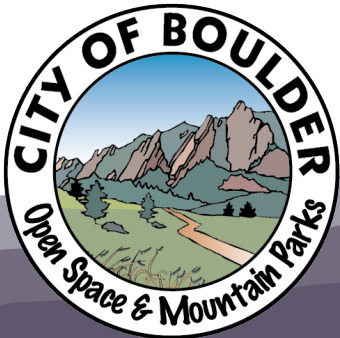


Online Engagement

Support for alternatives or the status quo



n = 2,316

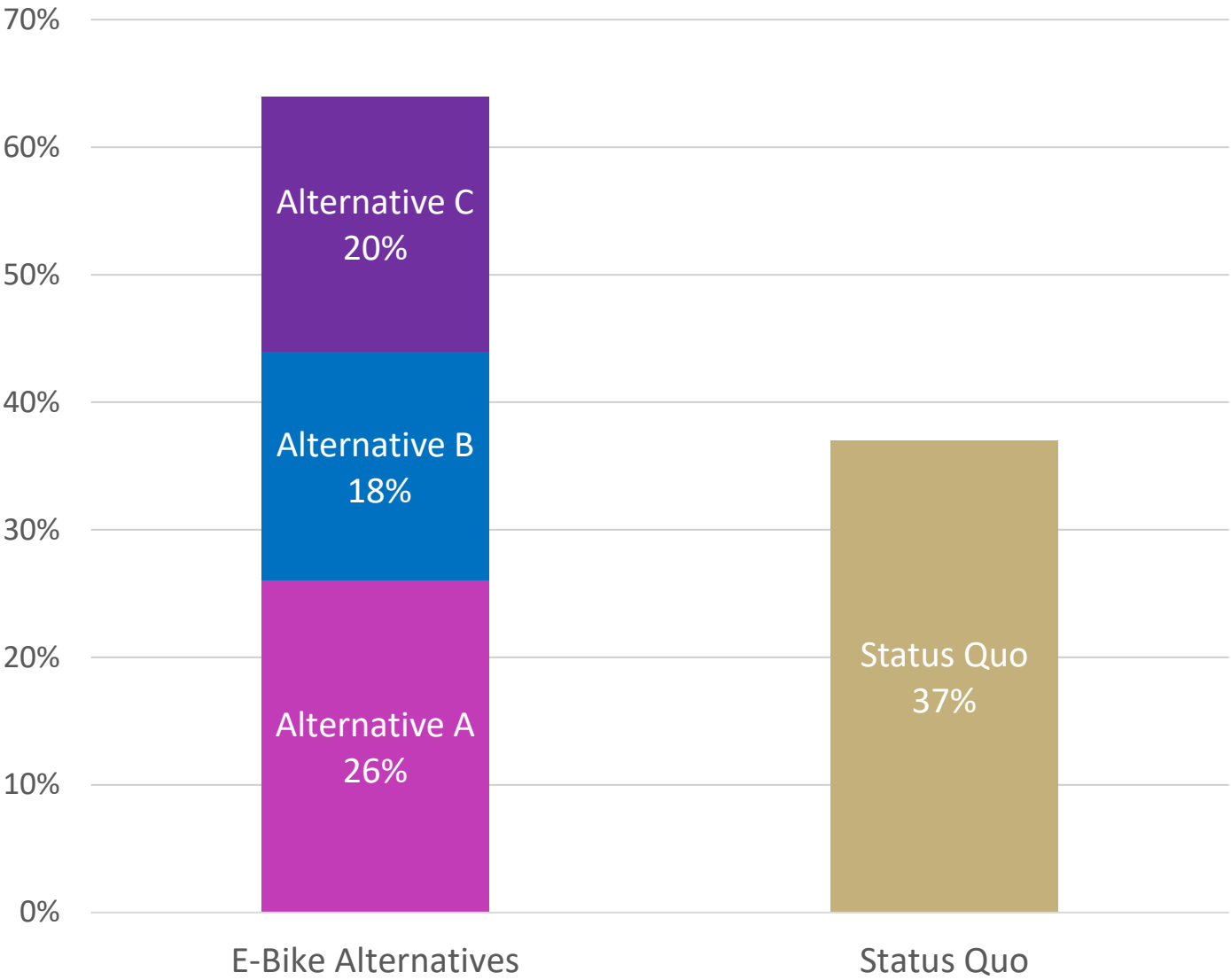


Onsite Intercept

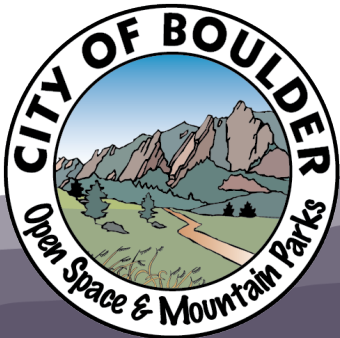
Management alternatives responses

Preference

Overall, which option do you most prefer?



n = 246



Overall Conclusions from datasets

Overall

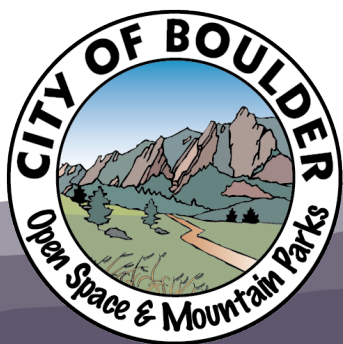
- Majority support for e-biking on some trails

Preferences

- Alternative B supported by most online engagement respondents
- Support across all three alternatives by many onsite intercept respondents

Management Considerations

- E-biker speed
- concern for conflict
- Potential impacts to trail conditions



Management Approach for E-biking as an Open Space Activity

OSMP staff recommends a holistic approach to manage e-biking, like biking, as a passive recreational activity on open space trails. Management of use would include the following strategies:

Trail design and maintenance

There is significant guidance in trail design standards and maintenance that can support speed and conflict mitigation on multi-use trails. Design that incorporates sustainable trail elements of grade reversals tends to have lower and variable grades, helping to minimize speed more effectively than steeper grades. Ensuring open sight lines enables visitors to see one another early and prepare for respectful passing. Other purposeful design and construction techniques are texturized stone paving (rough stone tread), and trail-side anchors, or gateways (stone strategically placed on the side of the trail to create a visual obstacle). These features can support slowing visitors, especially less skilled bikers.

Trail sections that have a higher potential for conflict due to design challenges may also align with maintenance backlog issues. OSMP staff cross-reference concerns with backlogged projects to support strategic prioritization of repairs and subtle trail enhancements that may mitigate conflict and speed concerns. Trail condition monitoring and annual inspection data can also help identify early trail condition concerns that may relate to conflict, aiding in how work is prioritized and the design approach. OSMP visitor surveys will support monitoring conflict rates, which can also guide trail management approaches.

Education and outreach

OSMP uses a sliding scale of education and enforcement levels, from signage and educational interactions to citations, to have the most success at changing visitor behavior. OSMP's Community Connections and Partnerships (CC&P) staff includes POST-certified Rangers, Temporary Rangers (limited commission), Education and Outreach Staff (including Outreach Rangers), Volunteer Services staff, and a variety of volunteers. All staff and volunteers are trained using the "Authority of the Resource" as a guiding principle, but they may also reference a regulation when necessary. They are also trained in natural history, de-escalation skills and more. All Outreach and Volunteer staff are supported by Rangers who help manage enforcement issues and work in concert to apply the appropriate intervention.

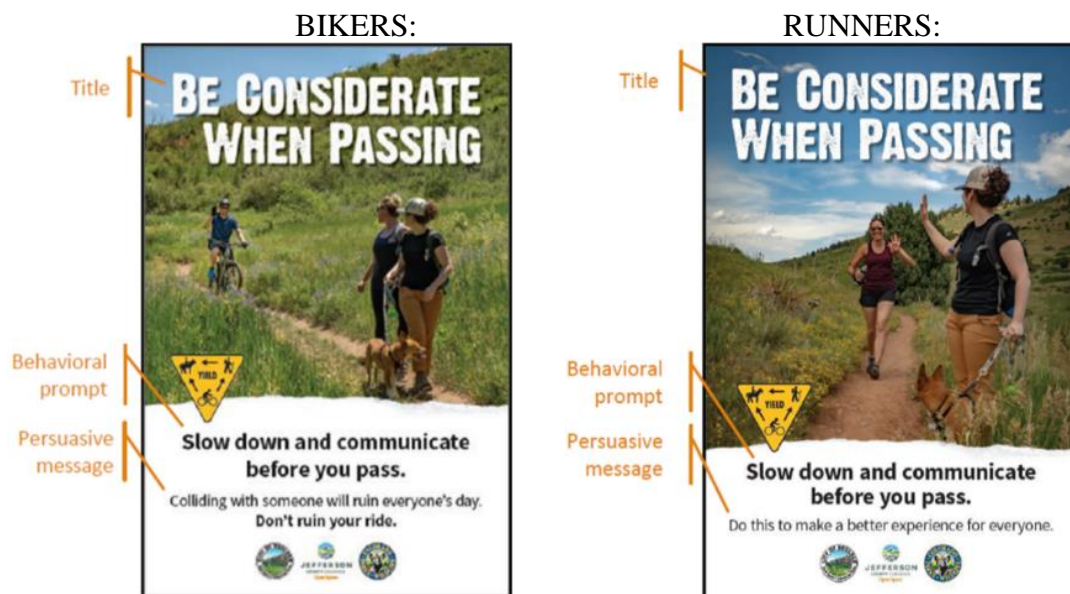
Raising awareness and supporting visitors to know the rules is an effective management strategy OSMP would continue and enhance if e-biking is allowed on some multi-use trails. OSMP Education and Outreach (E&O) staff provide a variety of engaging and informative programs, events, and experiences for a diversity of audiences. The primary goal of the E&O group is to welcome visitors at trailheads and on trails throughout the OSMP system. Outreach staff and public facing volunteers contacted an additional 142,348 visitors through trail and trailhead outreach in 2021. Common topics included resource protection, responsible recreation, and visitor safety. To support visitors with knowing which trails are designated for e-biking use and how to share these trails, messaging targeted to e-bikers would be incorporated into existing biker etiquette outreach materials and events. OSMP E&O efforts would focus on staffing a table/booth to share information for pre-ride interactions at trailhead locations with the most bike and e-bike use.

Management Approach for E-biking as an Open Space Activity

E&O would continue outreach focused on courtesy and rules for sharing multi-use trails among recreational activity groups. Educational materials would be adapted for programming offered for guided mountain biking, etiquette and safety, adaptive mountain biking, and bike repair. In addition to raising public awareness of trails designated for e-biking, OSMP would continue to communicate with the broader population at community events such as the Boulder Farmer's Market and Bike to Work Day rest stations, and Ranger Cottage at Chautauqua. OSMP's continued partnerships with volunteers and the Mountain Bike Patrol would augment staff programming regarding e-biking etiquette and rules on open space.

In partnership with Eldorado Canyon State Park and JCOS, OSMP completed a messaging study around trail courtesy (2022). The objective of the study was to evaluate the effectiveness of trailside signs designed to persuade mountain bikers and trail runners to slow down and announce themselves when approaching hikers on multi-use trails.

The agencies found that mountain bikers passing hikers from behind were three times more likely to slow and announce than when passing hikers head-on. 72% of mountain bikers strongly agreed that they intended to slow down and announce their presence every time when approaching hikers. Approximately 40% of bikers were likely to complete the desired behavior, which is slowing down and communicating before passing somebody else on the trail. (That was an increase from 24% when this sign was not present.) Running behavior however was not influenced by the sign and runners could not recall the persuasive statement. This demonstrated that the intent to do the right thing is present, but more than signs are needed to promote the correct behavior that is required of users.



OSMP intends to integrate lessons learned from this study to inform the creation of our own trailside signs and off-trail outreach materials that includes a behavioral prompt and belief-based message. The aim would be to increase awareness and compliance of the existing yielding requirement through future education and outreach efforts.

Management Approach for E-biking as an Open Space Activity

Ranger patrol and enforcement

If e-biking is allowed on some open space trails, rangers will continue to focus on highly visited areas and prioritize weekend time on patrols, as outlined in the Ranger Strategic Plan. Targeted patrols are a tool that can be used to address visitor safety concerns or complaints where e-biking would be allowed. Rangers will continue engaging with their respective communities to better understand their unique experiences, concerns, needs and opportunities.

Rangers also address areas of concern when they are personally observed or when they receive calls for service from Boulder Police Dispatch, OSMP staff or volunteers. Penalties for a violation of a regulation can range from an educational opportunity to a citation, depending on the totality of the circumstances. The following behaviors related to biking and e-biking that can be regulatorily addressed are:

- Areas where an activity is currently prohibited, for example E-bikes.
- Failure to yield
- Damaging public property
- Bikers are required to remain on trail
- Protection of trees and plants

OSMP also anticipates that some changes to local regulations are needed. OSMP staff is reviewing the B.R.C. to identify and recommend amendments as appropriate to support the management of e-bikes and related enforcement efforts.

Speed of e-bikers, related to increased conflict, was a commonly expressed concern in public input gathered during the engagement window OSMP conducted this summer. Speed differential currently occurs across many existing user types including equestrians, bikes, runners, and hikers. Drawing from the experience of peer agencies and our own experience with biking as an open space activity, OSMP staff do not anticipate that e-biking will require unique enforcement strategies such as establishing and enforcing a speed limit. OSMP staff does however anticipate that someone on an e-bike may travel uphill slightly faster than someone on a regular bike, in which case that user will be required to yield, communicate and pass safely as required by regulation. If and when an injury occurs related to speed, Rangers will respond immediately to provide medical assistance and enforcement, if appropriate.

Monitoring

Establishing a balance between visitor enjoyment and stewardship of resources is critical. OMSP collects visitation related data on a regular basis to develop a quantitative understanding of system-wide recreation visits to city-managed open space. This data is used to support the department and the public in making informed decisions relating to visitation. The onsite intercept survey conducted as part of this project gathered visitor opinions and preferences regarding e-biking on open space lands. It can be used as a baseline for future visitor studies to track trends and changes in public sentiment over time. Automated trail counters are used to estimate the total number of recreation visits to city-managed open space, evaluate annual, seasonal, monthly, daily, and hourly patterns of visitation, and determine how visitation levels are distributed across sample locations.

Management Approach for E-biking as an Open Space Activity

If e-biking is allowed on some open space trails, several on-going visitor monitoring studies can be used in the future to inform recreation management discussions and actions. E-biking would be added as a new activity category in future visitor surveys, alongside all other allowed activities, to quantify and detect any change in activity distributions over time as part of systemwide monitoring efforts. This would allow staff to report out changes, if any, that may be related to e-biking. On-site visitor surveys would be used to evaluate visitor encounter and conflict rates, displacement, perceived crowding, and positive experiences with other visitors. Change can be measured and reported on for trails that allow e-biking and those that do not. Visitor surveys also would measure the demographics and transportation mode choice used for getting to open space for those visitors that report e-biking activity. On-going automated trail counters will be used to measure visitation levels on trails that allow e-biking and those that do not.

Results from on-going visitor monitoring studies can inform conversations related to the adaptive management of e-biking as an allowed activity on open space trails. Using the monitoring studies highlighted above, we can quantitatively compare concerns brought forth during the engagement process such as fear of increasing conflict, displacement, perceived crowding, and visitation levels with how those concerns bear out over time. Future results can also be used to quantitatively speak to perceived benefits of e-biking, such as supporting mental health and access for visitors of varied abilities and ages. Collectively, these visitor monitoring studies can speak to any change associated with the addition of e-biking as an allowed activity on open space trails, create a shared understanding of on-the-ground conditions, and objectively inform future adaptive management discussions and decisions.



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Consideration of the following motions related to the Findings of Fact and Conclusion of Law from Special Counsel concerning the Police Oversight Panel Member selection process:

1. Consideration of a motion to accept the findings and recommendations of Special Counsel and remove Lisa Sweeney-Miran as a member of the Police Oversight Panel

OR

2. Consideration of a motion to acknowledge and reject the findings and recommendations of Special Counsel and affirm the appointment of Lisa Sweeney-Miran as a member of the Police Oversight Panel

PRIMARY STAFF CONTACT

Erin Poe, Acting City Attorney, 303.441.3020

REQUESTED ACTION OR MOTION LANGUAGE

1. Consideration of a motion to accept the findings and recommendations of Special Counsel and remove Lisa Sweeney-Miran as a member of the Police Oversight Panel

OR

2. Consideration of a motion to acknowledge and reject the findings and recommendations of Special Counsel and affirm the appointment of Lisa Sweeney-Miran as a member of the Police Oversight Panel

ATTACHMENTS:

Description

- ▣ **Item 3E - Police Oversight Panel Member POP**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Consideration of the following motions related to the Findings of Fact and Conclusion of Law from Special Counsel concerning the Police Oversight Panel Member selection process:

1. Consideration of a motion to accept the findings and recommendations of Special Counsel and remove Lisa Sweeney-Miran as a member of the Police Oversight Panel

OR

2. Consideration of a motion to acknowledge and reject the findings and recommendations of Special Counsel and affirm the appointment of Lisa Sweeney-Miran as a member of the Police Oversight Panel

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Erin Poe, Co-Acting City Attorney
Sandra Llanes, Co-Acting City Attorney

EXECUTIVE SUMMARY

This matter is related to Special Counsel's release of his Findings of Fact and Conclusion of Law related to the appointment process of Lisa Sweeney-Miran as a member of the Police Oversight Panel ("Panel"). Special Counsel's report was made public on April 14, 2023, and recommended council consider removing Ms.

Sweeney-Miran from the Panel if she does not resign. Special Counsel's recommendation is not binding on council.

It is within council's authority to remove Ms. Sweeney-Miran as a member of the Police Oversight Panel per Section 2-3-1(a)(2), B.R.C. 1981.

STAFF RECOMMENDATIONS

Suggested Motion Language

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

1. Consideration of a motion to accept the findings and recommendations of Special Counsel and remove Lisa Sweeney-Miran as a member of the Police Oversight Panel

OR

2. Consideration of a motion to acknowledge and reject the findings and recommendations of Special Counsel and affirm the appointment of Lisa Sweeney-Miran as a member of the Police Oversight Panel

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – None.
- **Environmental** – None.
- **Social** – Careful and independent investigation of ethics complaints supports community trust in government.

OTHER IMPACTS

- **Fiscal** – None.
- **Staff Time** – The City Attorney's Office will provide any necessary support.

BOARD AND COMMISSION FEEDBACK

None.

PUBLIC FEEDBACK

Public feedback has been received for and against the removal of Ms. Sweeney-Miran.

BACKGROUND

On January 26, 2023, council appointed Claybourne M. Douglas to serve as special counsel pursuant Sections 2-7-8 and 2-7-10, B.R.C. 1981, to investigate code of conflict complaints filed regarding the appointment process of Lisa Sweeney-Miran to the Panel. The complaints concern the process of her appointment. No code of conduct allegation has been filed against Ms. Sweeney-Miran regarding her performance as a Panel member.

The removal process for board and commission members under Section 2-3-1, B.R.C. 1981 states:

The city council: May remove any member by majority vote for a conflict-of-interest violation, any other violation of applicable law, regulation, or policy, nonattendance to duty, failure to attend three consecutive regularly scheduled meetings without a leave of absence approved by a majority of the board or commission, or any other cause;

As stated in the staff presentation at the April 20, 2023 council meeting, council may also take other action as it decides.

Of note, the option of sending it back to the Panel for consideration of removal was not included as an option in the motion language because pursuant to B.R.C. 2-11-6(d), the grounds on which the Panel may consider removal are very specific and not applicable to our situation. Section 2-11-6(d), B.R.C. 1981, reads as follows:

(d) Removal from the oversight panel.

- (1) Members can be removed by a majority vote of the oversight panel for failure to perform duties or violation of any signed confidentiality agreement.**
- (2) The member's removal shall then be approved or rejected by a majority vote of the council.**

OPTIONS

1. Accept the findings and recommendations of Special Counsel and remove Lisa Sweeney-Miran as a member of the Police Oversight Panel;
2. Acknowledge and reject the findings and recommendations of Special Counsel and affirm the appointment of Lisa Sweeney-Miran as a member of the Police Oversight Panel; or
3. Take other action as council decides in its discretion.



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Consideration of a Landmark Alteration Certificate application to rehabilitate and add on to Building L, the former Nurse's Dormitory at the Academy of Mapleton Hill at 2543 4th St (previously addressed 311 Mapleton Ave.) (HIS2023-00018) a pending individual landmark, pursuant to Section 9-11-18 of the Boulder Revised Code 1981

PRIMARY STAFF CONTACT

Clare Brandt, City Planner

BRIEF HISTORY OF ITEM

Landmarks Board on April 12, 2023

ATTACHMENTS:

Description

- ▣ **Item 4A - Consideration of a Landmark Alteration Certificate application to rehabilitate and add on to Building L, the former Nurse's Dormitory at the Academy of Mapleton Hill at 2543 4th St**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE: Call-up Consideration and extension of call up period: Landmark Alteration Certificate to rehabilitate and add on to Building L, the former Nurse's Dormitory at the Academy of Mapleton Hill at **2543 4th St.** (previously addressed 311 Mapleton Ave.) a pending individual landmark.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Brad Mueller, Director of Planning and Development Services
Kristofer Johnson, Comprehensive Planning Manager
Lucas Markley, Attorney, City Attorney's Office
Marcy Gerwing, Principal Historic Preservation Planner
Clare Brandt, Historic Preservation Planner

EXECUTIVE SUMMARY

The proposal to rehabilitate and add on to Building L, the former Nurses' Dormitory at the Academy of Mapleton Hill at 2543 4th St. (previously addressed 311 Mapleton Ave.), a pending individual landmark, was approved by the Landmarks Board (3-0, C. Castellano absent) at its April 12, 2023, meeting.

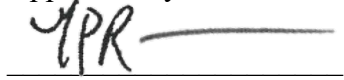
The decision was based upon the board's consideration that the proposal generally meets the Standards for Issuance of a Landmark Alteration Certificate in Chapter 9-11-18, B.R.C. 1981.

The board's approval is subject to a 16-day call-up period by City Council, no later than **April 28, 2023**. However, the 16-day call-up period cannot be met because the next regularly scheduled City Council meeting is on Thursday, **May 4, 2023**.

Section 9-11-16(a) of B.R.C. 1981 states: “The City Manager may extend the call-up period until the council’s next regular meeting, if the manager finds in writing within the original call-up period that the council will not receive notice of a decision of the board in time to enable it to call-up the decision for review.”

The city manager finds that, because the next regularly scheduled City Council meeting is after the call-up period, it did not receive notice of the Landmarks Board’s decision regarding 2543 4th St. in time to consider call-up within 16 days. Therefore, the City Manager extends the call-up period for this application until the City Council’s next scheduled meeting on Thursday, **May 4, 2023**.

Approved By:

A handwritten signature in dark ink, appearing to read 'NPR', followed by a horizontal line.

Nuria Rivera-Vandermyde,
City Manager

ATTACHMENTS

Attachment A: Disposition for 2543 4th St., dated April 12, 2023.

Attachment B: April 12, 2023 [Landmarks Board Memo for 2543 4th St.](#) (link)

Notice of Disposition

You are hereby advised that on April 12, 2023, the following action was taken by the Landmarks Board:

ACTION: Recommended for approval by a vote of **3-0 (Castellano absent)**

APPLICATION: Public hearing and consideration of a Landmark Alteration Certificate application to rehabilitate and add on to Building L, the former Nurses' Dormitory at the Academy of Mapleton Hill at 2543 4th St. (previously addressed 311 Mapleton Ave.), a pending individual landmark, pursuant to Section 9-11-18 of the Boulder Revised Code 1981 and under the procedures prescribed by chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981 (HIS2023-00018).

LOCATION: 2543 4th St.

ZONING: RL-1 (Residential Low-1)

OWNER: Mapleton Hill Investments LLC represented by Michael Bosma

APPLICANT: Nore Winter, Winter & Company

This decision was based on the Board's consideration that the proposal generally meets the Standards for Issuance of a Landmark Alteration Certificate in Chapter 9-11-18, B.R.C. 1981 and is generally consistent with the [*General Design Guidelines for Historic Districts and Individual Landmarks*](#).

Applicant's Presentation

Nore Winter and Gary Berg presented to the board. Michael Bosma, the representative for the owners, Mapleton Hill Investments LLC, was also present. Michael Mulhern answered Board members' questions. N. Winter responded to the public comment.

Public Comment

The following members of the public spoke regarding the application:

1. Mark Hashimoto (an employee of The Mulhern Group)

Motion

On a motion by **R. Pelusio**, seconded by **J. Decker**, the Landmarks Board voted **(3-0)** to adopt the staff memorandum dated April 12, 2023 as the findings of the board and conditionally approve a Landmark Alteration Certificate to rehabilitate Building L, the former Nurses' Dormitory at the Academy of Mapleton Hill at 2543 4th St. (previously addressed 311 Mapleton Ave.) a pending individual landmark, finding that the proposal meets the Standards for Issuance of a Landmark Alteration Certificate in Chapter 9-11-18, B.R.C. 1981 and is generally consistent with the General Design Guidelines provided the stated conditions are met.

Conditions:

1. The applicant shall be responsible for completing the work in compliance with the approved plans, except as modified by these conditions of approval.
2. Prior to submitting a building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit the following, which shall be subject to final review and approval by the Landmarks Design Review Committee (LDRC) to ensure that the final design of the additions and rehabilitation of the building are consistent with the General Design Guidelines and the intent of this approval:
 - a. **Submit details on the restoration of the building, including:**
 - i. A catalog of the condition of each window and door, including the frames, glass, sashes, muntins, sills, heads, moldings, surrounds and hardware, and proposed treatment for each;
 - ii. Location, condition, treatment options for cleaning, repair, rehabilitation, restoration or replacement (if necessary) of the roof, parapet, cornice, and coping and masonry including stem walls.
 - b. **Revise proposed new and modified door and window openings, including:**
 - i. Eliminate proposed new window openings on the east elevation and the uppermost opening on the north elevation;
 - ii. Revise design to maintain the historic window openings on the north and east elevations.
 - c. **Revise additions to show:**
 - i. Revise design of rooftop addition on the south elevation to lighten the structure and reduce its visual impact;
 - ii. Keep rooftop addition and balconies inset from the masonry walls;
 - iii. Revise design of the balconies to minimize their visual impact. Include analysis of visibility from public rights of way, including public trails.

- d. **Provide details of proposed landscaping, including retaining walls and non-retaining walls, patios, parking areas, paths, etc., to show:**
 - i. Revise location of the retaining wall to be outside the Conservation Area shown in the Recorded Development Agreement (April 12, 2023 [Landmarks Board Memo for 2543 4th St., attachment E](#) (link));
 - ii. Details including the material type, set method and permeability; elevations for height and location; details of grading, in particular to ensure adequate drainage;
 - iii. Notation of existing mature trees and proposed removal on site plan;
 - iv. Confirmation that footpath maintains its historic location.
- e. **Other items, including:**
 - i. Access for the disabled identified on plans, including detail of historic material proposed for removal for accessibility, in particular at the brick stem walls;
 - ii. Details of building and site drainage;
 - iii. Details of mechanical equipment;
 - iv. Details of any building or site lighting.

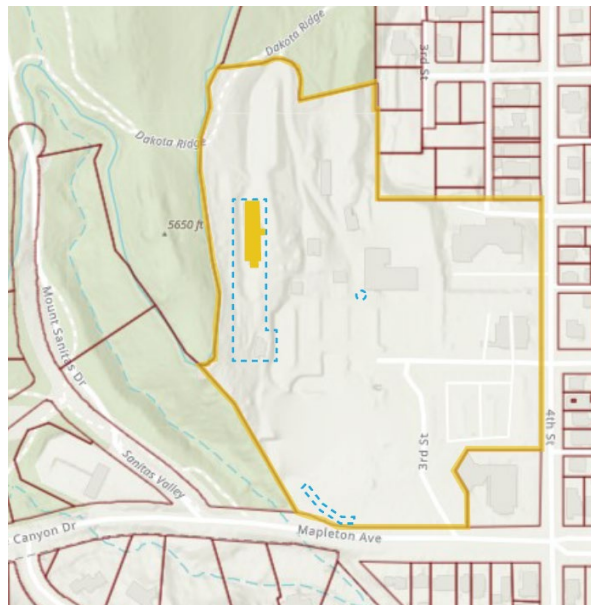


Figure 1. Location Map, 2543 4th St. within overall property. Preliminary designation boundary shown as blue dotted line.



Figure 2. Current site and surroundings. Construction progress aerial footage.¹ Building identifier added by staff.



Figure 3. East elevation façade, 2543 4th St., 2022. Provided by applicant.



Figure 4. South (left) and North (right) elevations, 2543 4th St., 2022. Provided by applicant.

¹ "Construction progress aerial footage." 311 Mapleton Project Updates. Last modified February 2023.
<https://www.311mapleton.com/post/development-update-march-2023>.



Figure 5. West elevation, 2543 4th St., 2022. Provided by applicant.

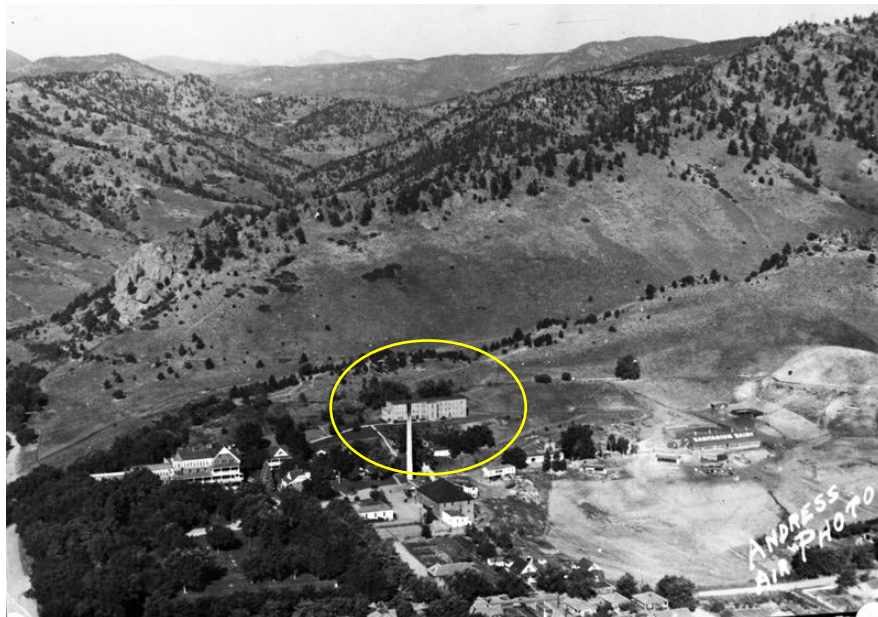


Figure 6. Aerial view showing the newly constructed Nurses' Dormitory. c. 1930.²

² Boulder Historical Society/Museum of Boulder. "Photo 5 - Newly completed nurses' dormitory before landscaping." c.1930. Call # BHS 206-4-2-8. Carnegie Library for Local History. <https://localhistory.boulderlibrary.org/islandora/object/islandora%3A6409>.



Figure 7. View of southeast corner. c. 1930-1939.³

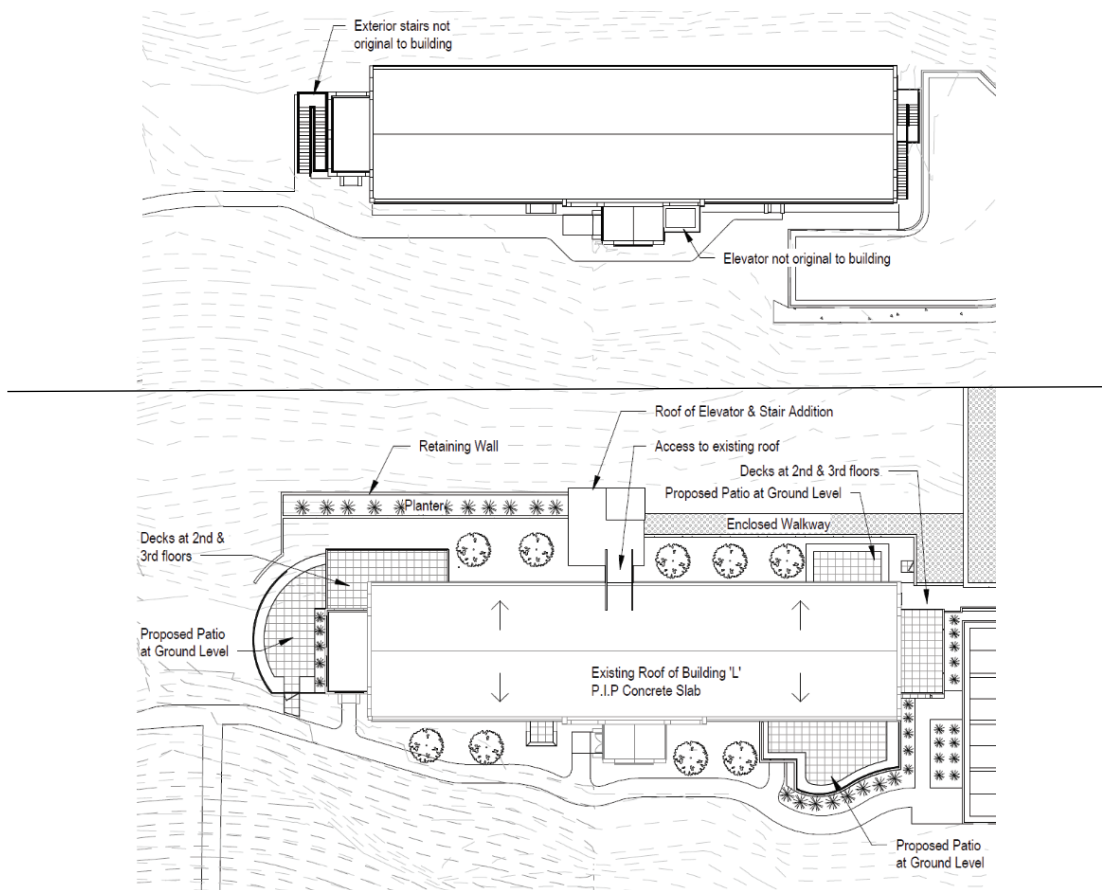


Figure 8. Existing (top) and proposed (bottom) site plan.

³ Boulder Historical Society/Museum of Boulder. "Photo 1. View of the nurses' home built in 1931." 1930-1939. Call # BHS 223-1-34. Carnegie Library for Local History. <https://localhistory.boulderlibrary.org/islandora/object/islandora%3A56208>.

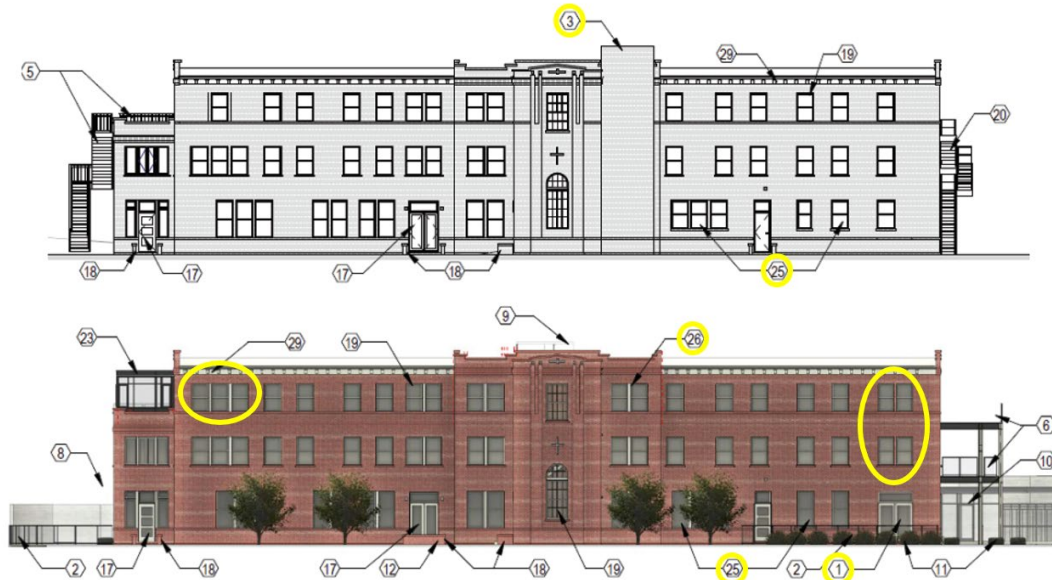


Figure 9. Existing (top) and proposed east elevation (façade) of 2543 4th St. Cropped to show historic portion of building. Numbers noted in narrative highlighted. New window openings indicated by staff.



Figure 10. Rendering of proposed east (façade) elevation of 2543 4th St. Provided by applicant.

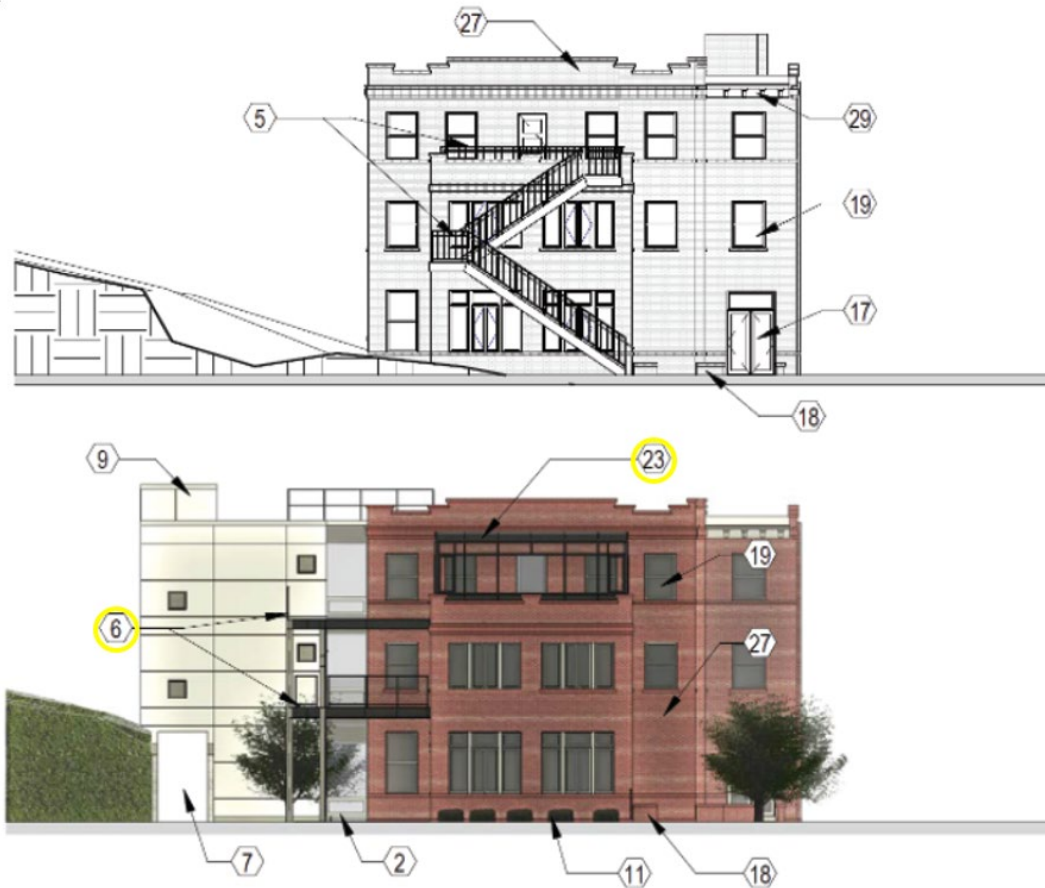


Figure 11. Existing (top) and proposed south elevation of 2543 4th St. Numbers noted in narrative highlighted.



Figure 12. Rendering of proposed south elevation of 2543 4th St. Provided by applicant.



Figure 13. Existing (top) and proposed west elevation of 2543 4th St. Numbers noted in narrative highlighted. New window openings indicated by staff.



Figure 14. Rendering of proposed southwest elevation of 2543 4th St. Provided by applicant.



Figure 15. Rendering of proposed northwest elevation of 2543 4th St. Provided by applicant.

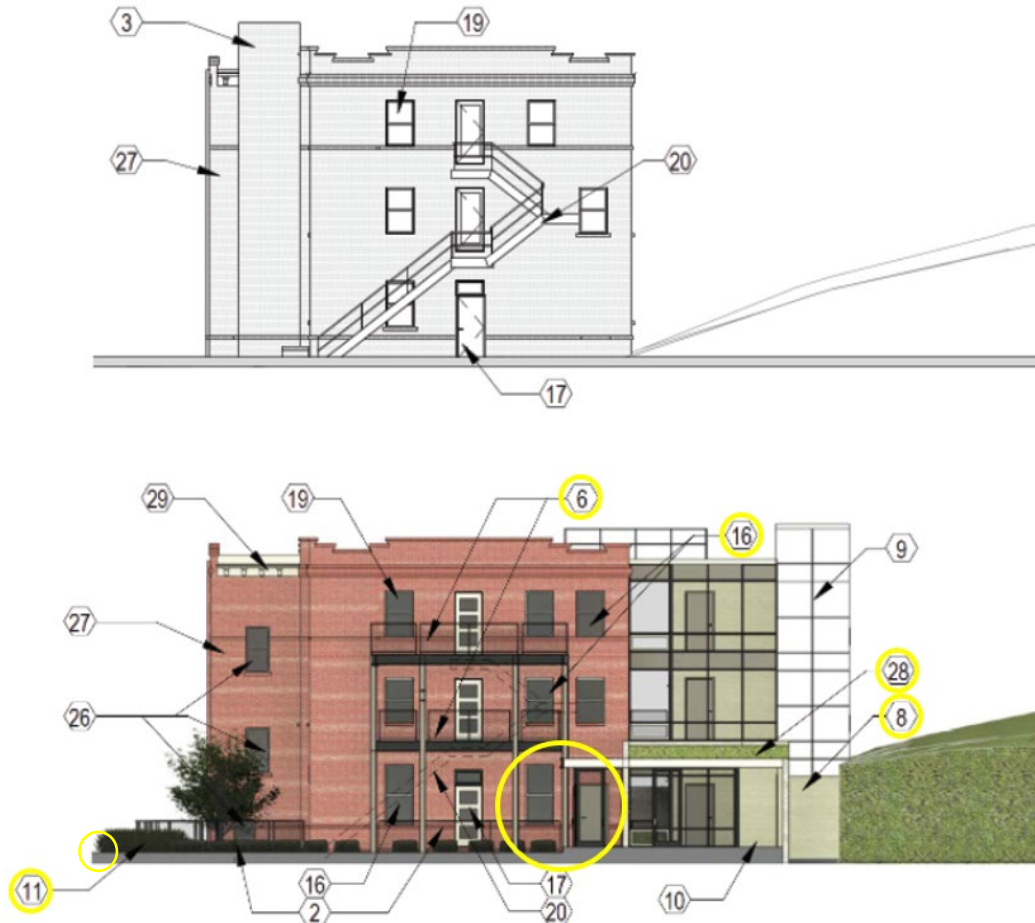


Figure 16. Existing (top) and proposed west elevation of 2543 4th St. Numbers noted in narrative highlighted. New window and door opening indicated by staff.



Figure 17. Rendering of proposed north elevation of 2543 4th St. Provided by applicant.



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Consideration of a final subdivision plat approval #TEC2020-00009 located at 2150 Folsom Street pursuant to a court order remanding to Planning Board for additional findings

PRIMARY STAFF CONTACT

Hella Pannewig, Senior Counsel, 303.441.3020

ATTACHMENTS:

Description

- ▣ **Item 4B - 2150 Folsom Street subdivision approval**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Call-Up Item: Call-up consideration of a final plat approval for the 2150 Folsom Subdivision (TEC2020-00009) located at 2150 Folsom Street pursuant to a court order remanding to the Planning Board for additional findings.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Planning & Development Services
Brad Mueller, Director
Charles Ferro, Senior Development Review Manager
Shannon Moeller, Planning Manager
City Attorney's Office
Hella Pannewig, Senior Assistant City Attorney

EXECUTIVE SUMMARY

The purpose of this item is for the City Council to consider whether to call up the Planning Board's approval of a final plat, in particular, additional findings of fact by the Board that the Title Report submitted by the applicant satisfies requirements for a final subdivision plat under Section 9-12-8(c)(2), B.R.C. 1981, and the Board's reaffirmation of the final plat approval based on those findings.

This item came before the Planning Board on April 18, 2023, pursuant to an order by the Colorado Court of Appeals remanding the final plat approval to the Planning Board for additional findings. The Planning Board unanimously (6-0)(J. Boone absent) moved to find that the final plat approval was based on the Title Report submitted by the applicant,

that a title report provided for purposes of meeting the final plat requirements of Section 9-12-8(c)(2), B.R.C. 1981, does not have to be based on an abstract of title, and that the Title Report that was submitted satisfies the final plat requirements of Section 9-12-8(c)(2), B.R.C. 1981. The Board also reaffirmed the approval of the final plat under TEC2020-00009. A Notice of Disposition is attached (**Attachment A**).

The staff memorandum to Planning Board for this item and recorded video are available under the following link (see Item 6D): [Record Archive for Planning Board April 18, 2023 meeting](#).

The call up period concludes on May 18, 2023. City Council is scheduled to consider this application for call-up at its **May 4th, 2023** meeting.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None identified.
- Environmental: None identified.
- Social: None identified.

OTHER IMPACTS

- Fiscal: no fiscal impacts are anticipated
- Staff time: the application was completed under standard staff review time.

BOARD AND COMMISSION FEEDBACK

Planning Board

On July 30, 2020, the Planning Board held a public hearing and considered the 2150 Folsom Subdivision (TEC2020-00009) for a property generally known as 2150 Folsom Street. The Planning Board approved the final plat. City Council did not call up the final plat approval. Following this approval, Niall O'Toole; Mary Anne Carroll; Renala Condominium Association, Inc.; Thomas J. McWilliams; and M3 Investments, LLC, neighboring property owners to the property at 2150 Folsom Street (hereafter collectively referred to as "Neighbors"), filed a Rule 106(a)(4) proceeding in the Boulder District Court challenging the final plat approval.

The Neighbors argued that the City abused its discretion in approving the final plat, in particular, in finding that the "Title Report" submitted by the applicant met the final plat requirement of Section 9-12-8(c)(2), B.R.C. 1981. This section requires submittal of **"An update to the preliminary title report or attorney memorandum based upon an abstract of title current as of the date of submitting the plat."** The District Court disagreed with the Neighbors and affirmed the final plat approval.

The Neighbors then appealed the District Court decision to the Colorado Court of Appeals. On November 3, 2022, the Colorado Court of Appeal (hereafter referred to as "Court") issued an order interpreting the final plat approval requirement under Section 9-

12-8(c)(2), B.R.C. 1981. 21 CA 1067, O’Toole v. Boulder. The Neighbors had argued that this section required the title report to be based upon an abstract of title. The Court disagreed and found that only an attorney memorandum has to be based upon an abstract of title.

It was not clear to the Court of Appeals, however, how the City had interpreted the language in making the final plat decision. The Court therefore remanded the case for further proceedings “during which the city may assess, in a manner consistent with this opinion, whether Folsom’s “Title Report” satisfies the requirements for a final subdivision plat.” The document referred to herein as “Title Report” is attached as Attachment A to the Planning Board Memo which is available under the following link: [April 18, 2023 Staff Memorandum](#).

On April 18, 2023, the Planning Board acted in response to the Court’s order and considered whether the “Title Report” that was submitted by the applicant satisfies the requirements of Section 9-12-8(c)(2), B.R.C. 1981, based on the Court’s interpretation that a title report does not have to be based on an abstract of title. The Planning Board adopted the following motion:

On a motion by **M. McIntyre** and seconded by **L. Kaplan**, the Planning Board voted 6-0 (**J. Boone** absent) to find that the final plat approval was based on the Title Report submitted by the applicant, that a title report provided for purposes of meeting the final plat requirements of Section 9-12-8(c)(2) does not have to be based on an abstract of title, and that the Title Report that was submitted satisfies the final plat requirements of Section 9-12-8(c)(2), B.R.C. 1981, and the board therefore reaffirms its approval of the final plat under *TEC2020-00009*, as made on July 30, 2020, and incorporates the staff memorandum as findings as fact.

PUBLIC FEEDBACK

There was no public hearing associated with this item as it was in response to a court order seeking findings of fact based on an existing hearing record.

PROCESS

Following the Planning Board’s action on April 18, 2023, the city council may call up a board decision within thirty days of the board’s action.

BACKGROUND & ANALYSIS

Please refer to staff’s April 18, 2023, memorandum to Planning Board: [April 18, 2023 Staff Memorandum](#)

NEXT STEPS

The City Council may call up this action within thirty days of the Planning Board's decision. Any decision that is called up, the City Council will review at a public meeting within sixty days of the call-up vote, or within such other time as the city manager or council and the applicant mutually agree. The City Council is scheduled to consider this decision for call-up at its **May 4, 2023** meeting.

ATTACHMENT

Attachment A - Planning Board Notice of Disposition dated April 18, 2023

**CITY OF BOULDER PLANNING BOARD
NOTICE OF DISPOSITION**

You are hereby advised that on April 18, 2023 the following action was taken by the Planning Board based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-12, B.R.C.1981, as applied to the proposed development.

ACTION:	Adoption of additional findings and reaffirmation of Final Plat approval
PROJECT NAME:	2150 FOLSOM SUBDIVISION
DESCRIPTION:	Findings of fact on whether the title report submitted by the applicant satisfies the requirements for a final subdivision plat pursuant to a court order in Colorado Court of Appeals case 21CA1067. The court had remanded the final plat approval for additional findings based on the Court's interpretation of the final plat requirement of Section 9-12-8(c)(2), B.R.C. 1981. The FINAL PLAT was approved by the Planning Board on July 30, 2020, combining existing lots, tracts, and a vacated alley right-of-way into one lot with a total area of 27,506 SF.
LOCATION:	2150 FOLSOM STREET
LEGAL DESCRIPTION:	See Exhibit A
APPLICANT:	ERIN BAGNALL, SOPHER SPARN ARCHITECTS
OWNER:	At time of Final Plat approval on July 20, 2020: 2150 FOLSOM, LLC and James Tyrell
APPLICATION:	Subdivision/Final Plat, TEC2020-00009
ZONING:	Residential - Mixed 1 (RMX-1), Residential - High 2 (RH-2)
CASE MANAGER:	Shannon Moeller

This decision may be called up by the City Council on or before **May 18, 2023**. If no call-up occurs, the decision is deemed final on **May 19, 2023**.

On April 18, 2023, the Planning Board approved the request with the following motion:

On a motion by **M. McIntyre** and seconded by **L. Kaplan**, the Planning Board voted 6-0 (**J. Boone** absent) to find that the final plat approval was based on the Title Report submitted by the applicant, that a title report provided for purposes of meeting the final plat requirements of Section 9-12-8(c)(2) does not have to be based on an abstract of title, and that the Title Report that was submitted satisfies the final plat requirements of Section 9-12-8(c)(2), B.R.C. 1981, and the board therefore reaffirms its approval of the final plat under **TEC2020-00009**, as made on July 30, 2020, and incorporates the staff memorandum as findings as fact.

By: *Brad Mueller*
Brad Mueller, Secretary of the Planning Board

Physical Address
1739 Broadway, Third Floor
Boulder CO 80302

Mailing Address
PO Box 791
Boulder CO 80306-0791

BoulderPlanDevelop.net
plandevelop@bouldercolorado.gov
P: 303-441-1880 F: 303-441-4241

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

LOT 7, BLOCK 133, EAST BOULDER,
COUNTY OF BOULDER, STATE OF COLORADO.

PARCEL 2:

NORTH PARCEL

A PARCEL OF LAND (PARCEL 2A), LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

GPS DERIVED BEARINGS BASED ON A BEARING OF NORTH 15°06'31" WEST ALONG THE CENTERLINE OF FOLSOM AVENUE, BETWEEN A FOUND NO. 4 REBAR IN RANGE BOX AT THE INTERSECTION OF SPRUCE STREET AND FOLSOM AVENUE AND A FOUND 2" BRASS CAP (ILLEGIBLE) IN RANGE BOX AT THE INTERSECTION OF PINE STREET AND FOLSOM AVENUE AS SHOWN HEREON. COLORADO STATE PLANE COORDINATE SYSTEM, COLORADO NORTH ZONE, NORTH AMERICAN DATUM 1983 (NAD83). ALL BEARINGS SHOWN HEREON ARE RELATIVE THERETO.

COMMENCING AT SAID INTERSECTION OF PINE STREET AND FOLSOM AVENUE, THENCE SOUTH 89°05'28" EAST, A DISTANCE OF 143.11 FEET TO THE NORTHEAST CORNER OF BLOCK 133, CORRECTED AND ENLARGED PLAT OF EAST BOULDER, RECORDED WITH BOULDER COUNTY ON JANUARY 21, 1874 IN BOOK 2, PAGE 46, AND ALSO BEING ALONG THE SOUTH RIGHT OF WAY LINE OF PINE STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 74°45'37" EAST, A DISTANCE OF 34.05 FEET TO THE NORTHWEST CORNER OF RENALA CONDOMINIUMS, RECORDED WITH BOULDER COUNTY ON JULY 18, 1984 AT RECEPTION NO. 634332; THENCE ALONG THE WESTERLY LINE OF SAID RENALA CONDOMINIUMS, SOUTH 00°13'22" EAST, A DISTANCE OF 144.95 FEET TO THE SOUTHWEST CORNER OF SAID RENALA CONDOMINIUMS, SAID POINT ALSO BEING ALONG THE NORTH RIGHT OF WAY LINE OF A 20' ALLEY; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 74°42'20" WEST, A DISTANCE OF 34.06 FEET TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 133 OF SAID CORRECTED AND ENLARGED PLAT OF EAST BOULDER; THENCE ALONG THE EASTERLY LINE OF SAID LOT 5, NORTH 00°13'22" WEST, A DISTANCE OF 144.98 FEET TO THE POINT OF BEGINNING.

SOUTH PARCEL

A PARCEL OF LAND (PARCEL 2B), LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Physical Address
1739 Broadway, Third Floor
Boulder CO 80302

Mailing Address
PO Box 791
Boulder CO 80306-0791

BoulderPlanDevelop.net
plandevelop@bouldercolorado.gov
P: 303-441-1880 F: 303-441-4241

GPS DERIVED BEARINGS BASED ON A BEARING OF NORTH 15°06'31" WEST ALONG THE CENTERLINE OF FOLSOM AVENUE, BETWEEN A FOUND NO. 4 REBAR IN RANGE BOX AT THE INTERSECTION OF SPRUCE STREET AND FOLSOM AVENUE AND A FOUND 2" BRASS CAP (ILLEGIBLE) IN RANGE BOX AT THE INTERSECTION OF PINE STREET AND FOLSOM AVENUE AS SHOWN HEREON. COLORADO STATE PLANE COORDINATE SYSTEM, COLORADO NORTH ZONE, NORTH AMERICAN DATUM 1983 (NAD83). ALL BEARINGS SHOWN HEREON ARE RELATIVE THERETO.

COMMENCING AT SAID INTERSECTION OF SPRUCE STREET AND FOLSOM AVENUE, THENCE NORTH 40°04'10" EAST, A DISTANCE OF 70.36 FEET TO SOUTHEAST CORNER OF LOT 7, BLOCK 133, CORRECTED AND ENLARGED PLAT OF EAST BOULDER, RECORDED WITH BOULDER COUNTY ON JANUARY 21, 1874 IN BOOK 2, PAGE 46, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE EAST LINE OF SAID LOT 7, NORTH 00°13'22" WEST, A DISTANCE OF 144.92 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF A 20' ALLEY; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 74°42'20" EAST, A DISTANCE OF 34.06 FEET TO THE NORTHWEST CORNER OF LOT 17, BLOCK 5, PLAT OF PINE STREET ADDITION, RECORDED WITH BOULDER COUNTY ON JANUARY 4, 1901 IN BOOK 2, PAGE 170; THENCE ALONG THE WEST LINE OF SAID LOT 17, SOUTH 00°13'22" EAST, A DISTANCE OF 144.93 FEET TO THE SOUTHWEST CORNER OF SAID LOT 17, SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF SPRUCE STREET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 74°43'05" WEST, A DISTANCE OF 34.06 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

LOTS 5 AND 6, BLOCK 33, EAST BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

TOGETHER WITH THAT PORTION OF VACATED ALLEY PURSUANT TO DEED OF VACATION RECORDED FEBRUARY 6, 2020 AT RECEPTION NO. 3764877 OF BOULDER COUNTY RECORDS.



COVER SHEET

MEETING DATE

May 4, 2023

AGENDA ITEM

Second reading and consideration of a motion to adopt Ordinance 8571 amending Section 4-20-18, "Rental License Fee," Title 9, "Land Use Code," and Title 10 "Structures," B.R.C. 1981, to update the regulations for accessory dwelling units, and setting forth related details

PRIMARY STAFF CONTACT

Lisa Houde, Senior City Planner

REQUESTED ACTION OR MOTION LANGUAGE

Motion to adopt Ordinance 8571 amending Section 4-20-18, "Rental License Fee," Title 9, "Land Use Code," and Title 10 "Structures," B.R.C. 1981, to update the regulations for accessory dwelling units, and setting forth related details

BRIEF HISTORY OF ITEM

Study Sessions on 11/10/22 and 1/26/23. Public hearing at Planning Board on 4/4/23. First reading at Council on 4/20/23.

ATTACHMENTS:

Description

- ▣ **Item 5A - 2nd Rdg and consideration of a motion to adopt Ordinance 8571**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 4, 2023

AGENDA TITLE

Second reading and consideration of a motion to adopt Ordinance 8571 amending Section 4-20-18, "Rental License Fee," Title 9, "Land Use Code," and Title 10 "Structures," B.R.C. 1981, to update the regulations for accessory dwelling units, 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
Lisa Houde, Senior City Planner

EXECUTIVE SUMMARY

The purpose of this item is for City Council to consider an ordinance that would amend the Land Use Code with updates to the accessory dwelling unit (ADU) regulations.

City Council identified updating the ADU regulations to increase their allowance in the community as one of their top work program priorities for 2022-2023. The scope of this project is limited to regulations related to the ADU saturation limit, size limits, as well as code simplification and clarification. In addition, the code changes will facilitate process improvements to further simplify the administration of ADU applications.

A summary of the proposed changes can be found in [Attachment A](#), and Ordinance 8571 is provided in [Attachment B](#). In addition to the descriptions and analysis provided in this memo, the attached annotated ordinance in [Attachment C](#) includes detailed footnotes describing each proposed change.

The State of Colorado legislature recently introduced a bill ([SB 23-213](#)) that, if passed, would impact local government zoning regulation on a number of land use related issues such as occupancy, housing types, ADUs, and parking regulations. This is something that the city is currently watching closely. A summary of the proposed legislation is also found [at this link](#).

On April 20, City Council introduced and ordered the ordinance published at first reading. There were no first reading questions.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to adopt Ordinance 8571 amending Section 4-20-18, “Rental License Fee,” Title 9, “Land Use Code,” and Title 10 “Structures,” B.R.C. 1981, to update the regulations for accessory dwelling units, and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Ordinance 8571 is intended to support the creation of ADUs in Boulder, which provides for additional housing options in the city as well as income potential for homeowners.
- **Environmental** – These updates are not anticipated to have direct environmental impacts. The development of ADUs promotes an efficient use of land by incrementally accommodating additional housing units.
- **Social** – The changes are intended to allow for more ADUs to be built in the city, providing additional housing opportunities for people of all ages, incomes, and household types.

OTHER IMPACTS

- **Fiscal** – This project is being completed using existing resources.
- **Staff time** – This project is being completed using existing staff resources. Implementation of the ordinance will require staff time to execute the associated procedural changes such as updating the electronic permit system, developing a new approval process, and updating self-service materials for customers. In addition, since the main objective of these changes is to reduce barriers to ADUs to increase the number in the community, staff anticipates an increase in the number of ADU proposals if the ordinance is adopted. After the last major update to the ADU regulations, there was a significant increase in number of ADU proposals. With existing constraints on staff capacity, additional staff resources may be required to allow for seamless implementation of the ordinance without impacting review times of other permit types.

BOARD AND COMMISSION FEEDBACK

Planning Board – Ordinances changing the Land Use Code require Planning Board recommendation to City Council. On April 4, 2023, Planning Board reviewed Ordinance 8571 and unanimously recommended approval of the ordinance to City Council with the following motion:

*On a motion by **ml Robles** and seconded by **L. Kaplan**, the Planning Board voted 5-0 (**J. Boone & L. Smith** absent) to recommend that City Council adopt Ordinance 8571, amending Section 4-20-18, "Rental License Fee," Title 9, "Land Use Code," and Title 10 "Structures," B.R.C. 1981, to update the regulations for accessory dwelling units.*

Planning Board members also asked staff to consider a potential bicycle parking requirement for ADUs. Due to the timeline and limited scope of this project, staff does not recommend amending the current bicycle parking standards for ADUs at this time but will consider changes within future projects related to parking or ADUs.

Housing Advisory Board – The Housing Advisory Board reviewed [Ordinance 8571](#) at their [March 22](#) meeting. The board voted unanimously to recommend adoption of the ordinance.

Board of Zoning Adjustment – Staff met with the Board of Zoning Adjustment on February 14 to provide an overview of the current ADU approval process and discuss the potential code changes. The Board of Zoning Adjustment was generally supportive of removing the saturation limit, increasing the size limits, and all of the code clarification and process improvements.

PUBLIC FEEDBACK

City Council recommended a "consult" level of engagement for this project, which focused on targeted engagement using existing advisory board processes and the results of the significant engagement done at the time of the last ADU regulation update in 2018. A detailed summary of previous feedback received in 2016-2018 can be found in [Attachment J](#) and specific feedback is briefly summarized within each main topic in the *Analysis* section of this memo.

General Public

In addition to the input received through the advisory board processes and reviewing results of the previous engagement efforts, additional public input has been received over the last several months.

Staff developed a new page for the ADU regulation update on Be Heard Boulder, the city's online engagement site. This page included an open comment "ideas" board where visitors were asked to share their thoughts on ADUs, including experiences with existing ADUs and input on potential code changes. As of April 25, 41 ideas had been posted on the board. A range of opinions including support of the changes and others expressing concern have been shared. All comments that have been posted are [available at this link](#).

Open public comment was held during the public participation portions of the [January 17](#) Planning Board meeting and [January 25](#) Housing Advisory Board meeting. Additional written public comments sent to staff, Planning Board, Housing Advisory Board, and City Council are included in [Attachment K](#) of this memo.

- Nine speakers shared their thoughts about ADUs with the Planning Board on January 17. Some of the topics discussed by commenters included support of height flexibility for existing structures, general support for ADUs, and requests to go further with ordinance changes including eliminating the parking requirement and minimum lot size and reviewing planned unit developments. Other commenters expressed concerns about increased density, impacts in areas with high occupancy such as the University Hill neighborhood, concerns about ADUs impacting the integrity of existing neighborhoods, and concerns that ADUs will be expensive housing.
- One speaker shared thoughts about ADUs with the Housing Advisory Board regarding concerns about eliminating the saturation limit in the University Hill neighborhood.

On February 22, staff from Planning & Development Services and Housing & Human Services hosted a *Planning for Affordable Housing* virtual community meeting on several upcoming City Council work program priority projects, including the ADU regulation update. About 25 community members, including representatives of several neighborhood organizations, the University of Colorado, and other advocacy groups participated. After staff provided introductions to each of the projects and explained project timelines and opportunities for public input, the group divided into several small groups to discuss the issues and opportunities related to these projects. Some participants expressed support for the ADU changes, a desire to go further with changes, and some had concerns about ADUs not being rented out, not being truly affordable, or not being an adequate solution to the housing issues in Boulder.

Staff also has virtual office hours scheduled for April 3 and April 18 to answer any questions from the public regarding the ADU updates and other housing-related code changes.

At the [April 4](#) Planning Board public hearing, 5 residents spoke during the public hearing. Speakers expressed a range of opinions including support for elimination of the saturation limit as well as the other updates in the proposed ordinance, requests for flexibility for height of new structures, and concerns about potential increased population density, particularly in university-adjacent neighborhoods.

Community Connectors-in-Residence

Staff met with the Community Connectors-In-Residence on January 13 to discuss the proposed changes and better understand the potential impacts on underrepresented communities. The Community Connectors-In-Residence support the voices and build power of underrepresented communities by reducing barriers to community engagement, advancing racial equity, and surfacing the ideas, concerns, and dreams of community members.

Focus of the discussion was centered around the potential benefits and burdens of ADU code changes. Generally, the community connectors were supportive of the proposed changes to the saturation limit and size limits of ADUs. The importance of ensuring ADUs are truly being used for housing for Boulder residents who need it was emphasized. The group also suggested looking into several programmatic changes, such as a program that could assist first-time homebuyers, people of color, or economically disadvantaged residents in their home purchase or ADU construction. A more detailed summary of their comments is provided in [Attachment K](#).

ADU Owner Survey

In 2022, Housing & Human Services (HHS) and Planning & Development Services (P&DS) staff conducted a survey about ADUs within the city. The purpose of the survey was to help understand how these units contribute to housing opportunities within the city and also to determine how the program might be improved. A similar survey was conducted both in 2012 and 2017, so changes in the uses of ADUs, attitudes about them, and major barriers can be assessed over time.

All 439 households in the City's records shown to maintain an ADU in 2022 received the survey. Of the 439 households, 212 households responded to the survey, for a 48% response rate. A summary of the survey results can be found in the ADU evaluation in [Attachment E](#).

BACKGROUND

Accessory dwelling units have been discussed as one tool to address Boulder's housing challenges over the past decade or more to help provide a diversity of housing types and price ranges, which is a core value of the Boulder Valley Comprehensive Plan. Boulder has had ADU regulations in place since 1983. A map of all approved ADUs in the city is available in [Attachment D](#).

In 2022, P&DS and HHS staff completed a detailed evaluation of the most recent updates, which went into effect in early 2019. This evaluation was intended to inform future changes to the ADU regulations and is available in [Attachment E](#).

During the 2022 annual retreat, City Council had identified accessory dwelling unit regulation updates as a key priority for the 2022-2023 council term. The objective of this council priority was originally to consider an ordinance to remove saturation limits for accessory dwelling units within a certain radius and to allow for attached or detached ADUs wherever existing requirements are met. However, at a Nov. 10 study session, the City Council supported staff's recommendation to focus the scope of the project to:

- Eliminating saturation limit
- Considering changes to size limits
- Code clarification improvements
- Process improvements

City Council also supported an engagement level of "consult," focusing on utilizing public input opportunities at existing board and council meetings and incorporating the results of relevant past engagement on ADUs. The council also requested that a list of

potential future changes to ADU regulations that would further eliminate barriers be retained for future councils to consider at a later time. A summary of the City Council comments can be found [here](#). Staff developed a draft project charter for this scope of work which is available in **Attachment I**.

City Council also had a detailed discussion on the ADU regulation update at their [January 26](#) study session. Key takeaways from the study session discussion were:

- **Saturation Limits:** City Council supported elimination of the saturation limit.
- **Size Limits:** City Council supported increasing size limits and updating the method of floor area measurement.
- **Code Clarification and Process Improvements:** City Council agreed with staff's recommended changes to clarify the code. Council was open to ADUs being owned by LLCs as long as there is a clear process to prove owner occupancy.

The full summary of council questions and comments is available at [this link](#).

SUMMARY OF PROPOSED CHANGES IN ORDINANCE 8571

The following sections provide background and summarize major topics related to the proposed ordinance. A summary handout is also available in **Attachment A**.

- **Eliminating saturation limit**
- **Considering changes to size limits**
- **Clarifying and simplifying the code**
 - Extend approval expiration period
 - Flexibility for height of existing structures
 - Lockable separation of attached ADUs
 - Limited accessory units
 - Owner occupancy – LLCs and temporary rental exemptions
 - Public notice requirement
- **Improving the process**
 - One-step review
 - Addressing
 - Declarations of use
 - Self-service handouts/videos

Saturation Limit

Background

The current regulations limit the percentage of ADUs within a 300-foot radius in the RL-1 and RL-2 zoning districts (a “saturation limit”) and staff maintains a waiting list for properties that are in areas that have reached their saturation limit. There are currently 12 properties on the waiting list, as well as other properties that have never pursued an ADU application due to the saturation limit but did not choose to join the waitlist.

The saturation limit has been in place since the original ADU regulations were adopted in Boulder in 1983. Boulder was on the forefront of the zoning relegalization of ADUs (in most cities, accessory units were common historically before the introduction of single-family zoning in the mid-20th century). In 1983, when Boulder's initial ADU regulations were put into place with the saturation limit, the reintroduction of ADUs was a new planning and zoning concept and understandably, the potential impacts of ADUs on existing neighborhoods were relatively unknown. After 40 years of regulating ADUs and with over 450 approved ADUs in the city, the real impacts are significantly better understood in Boulder and there are now other methods of zoning control that mitigate impacts.

Comparable Cities

Only one other city in the country, a small town in Connecticut, has been found in staff research to use a saturation limit for ADUs. The City of Seattle had a saturation limit in place for a few years when ADU regulations were first adopted in the city, but Seattle removed the limit quickly afterwards in the late 1990s. A matrix summarizing the ADU regulations of more than 30 comparable cities around the country is available in [Attachment G](#), and Boulder is the only city of this group that limits the saturation of ADUs. These cities are comparable along a range of different characteristics and metrics: homes to large universities, similar population size and some with similar density, some with similar housing prices, and other factors.

Within the last decade particularly, many cities throughout the country have been undertaking zoning updates to more liberally allow ADUs, recognizing that ADUs provide an important housing option with impacts that can be readily mitigated through common zoning standards. Like Boulder, cities have been trying to understand which of their regulations may be acting as barriers to ADU development. There have been a number of resources developed, such as the AARP's "[ABCs of ADUs](#)," which is an introductory best practices guide that promotes ADUs as a successful method of expanding housing choice. Importantly, one of the main examples provided of "rules that discourage ADUs" in this document include "restrictions that limit ADUs to certain areas."

Evaluation Results

In the evaluation completed last year, it was clear that the saturation limit continues to present a significant procedural and perceived barrier to the development of ADUs in Boulder. As noted in [Attachment E](#), the frequency of ADU public inquiries related to saturation limits suggests that it is something that is not well understood by the public, and the measurement is available only to staff, necessitating significant staff time to confirm saturation limits. Because saturation limits are the most common inquiry made to city staff regarding ADUs, and because the incremental increase of the limit from 10% to 20% in 2019 did allow for additional ADUs to be constructed, elimination of the saturation limit is recommended to eliminate both perceived and actual barriers to ADUs. Eliminating the saturation limit would have a significant impact on initial public understanding of whether an ADU would be permitted on their property.

Analysis

The original intent of the saturation limit in the early 1980s was to mitigate potential impacts of ADUs by limiting the number allowed in any particular area. This was when ADUs were a relatively new and little understood concept. Forty years later, rather than using a saturation limit, most other cities in the state and around the country rely on their existing zoning standards and other ADU requirements to mitigate potential impacts of ADUs on neighborhoods. As noted previously, only one other example in the country was found to utilize a similar saturation limit for ADUs.

In Boulder, there are now extensive form and bulk standards for principal and accessory buildings, as well as detailed compatible design standards that ensure compatibility of the design or location of ADUs, that did not exist in the 1980s. A summary graphic of the many zoning standards that apply to the design and location of ADUs is available in [Attachment F](#).

Additionally, Boulder's requirements for ADUs related to parking, occupancy limits, and owner occupancy further mitigate any potential impacts. Market rate ADUs are required to provide two parking spaces on their property, which ensures that the ADU does not contribute to on-street parking demand. The occupancy limit, or number of unrelated people that can live on a property, is not higher for properties with ADUs, aside from some flexibility about dependents. ADUs also uniquely require owner occupancy, which ensures that the owner is living on site and addressing any issues that may arise, unlike all other residential properties in the city that do not have owner occupancy restrictions.

The city currently has over 450 approved ADUs. While most of these ADUs (73 percent) are located in the RL-1 and RL-2 zoning districts which have a saturation limit, 27 percent are located in districts without a saturation limit. The districts without saturation limits do not appear to report more negative externalities from ADUs. In the 2022 survey of ADU owners, only 3 percent of all ADU owners reported any occasional complaints from neighbors about their ADU. This metric was unchanged compared to a 2017 survey after increasing the saturation limit from 10% to 20% in 2019.

Past Public Input

In 2018, the incremental changes made to the ADU regulations included an increase in the saturation limit from 10 to 20 percent. The public input received at the time of those updates is generally relevant to these changes as well. In [Attachment J](#), a summary of the input received at that time reveals mixed opinions about the saturation limit. While many residents who participated in the public engagement opportunities at the time disagreed with changing the saturation limit, many residents who were supportive of the increase indicated specifically that they would support eliminating it entirely.

Proposed Code Change: The proposed ordinance removes the current saturation limit of 20 percent for properties within a 300 foot radius in the RL-1 and RL-2 zoning district.

Size Limits

Background

The City Council's objective for the ADU regulation update work program priority is to increase the allowance of ADUs in the community. In the evaluation of the most recent changes, it was concluded that increasing the allowed size of detached ADUs from 450 square feet to 550 square feet had a significant impact on the ADUs created since the most recent code updates. No change was made to the allowable size of attached ADUs in the previous update.

The AARP's "[ABCs of ADUs](#)" notes that "caps on square footage relative to the primary house that make it easy to add an ADU to a large home but hard or impossible to add one to a small home" is another example of rules that discourage ADUs.

Comparable Cities

There is significant variability among comparable cities that limit the size of ADUs (see summary matrix in [Attachment G](#)). Generally, a typical maximum size is about 800 square feet. Maximum sizes tend to be smaller in Colorado cities, however, although still range between about 500 and 1,000 square feet.

Evaluation Results

Over three-quarters of the detached ADUs that were constructed since 2019 would not have previously been permitted due to maximum floor area. Modifying the allowed square footage by only 100 square feet made arguably the most significant change in the number of ADUs allowed. These ADUs were still subject to all of the typical zoning requirements that ensure compatible residential development, such as solar access, interior side wall articulation, bulk plane, and building coverage requirements (see [Attachment F](#)). Many of these standards vary based on the lot size as well, which also impacts how large of an ADU a particular lot can accommodate.

In addition, while completing the evaluation, the measurement of ADU floor area was one of the most frequently cited issues and least clear parts of the current code language. Removing the unique method of measuring floor area for ADUs from the code would significantly reduce review time and increase clarity for both applicants and city staff.

Analysis

Further increasing the allowed floor area of ADUs could allow for more ADUs to be constructed in Boulder as there may be greater demand for slightly larger ADUs and potentially greater return on investment for property owners. As noted in some of the public input received, an increased size could also allow for additional types of households, such as small families, to find ADUs a feasible housing choice.

The original intent of the size limit for attached ADUs was to ensure that the accessory dwelling unit is smaller in size and therefore subordinate to the main home. The current requirement of 1/3 of the principal structure presents challenges for people with homes smaller than 3,000 square feet. The size restriction in some cases leads to impractical and costly remodeling work such as walling off portions of a basement to meet the size limit. A limit of 1/2 or 1,000 square feet (whichever is less) would still ensure that the ADU remains smaller than the principal structure, but would provide more flexibility for

adaptive reuse of smaller homes. Homes up to 2,000 square feet could have an ADU up to half the size of the principal structure, and those larger than 2,000 square feet would be limited to a 1,000 square foot attached ADU.

Correspondingly, to preserve the existing incentive for owners to pursue affordable units, the maximum size of affordable ADUs would also need to be increased (up to 1,000 square feet for detached, and two-thirds or 1,200 square feet for attached). In the 2022 survey of ADU owners, about one-quarter of owners who pursued an affordable ADU stated that they did so due to the incentive allowing a larger ADU.

Past Public Input

The initial staff recommendation during the 2018 ADU update was to increase the permitted size of detached ADUs from 450 square feet to 800 square feet. Ultimately, the maximum size of detached ADUs was increased to 550 square feet. For attached ADUs, the original staff proposal in 2018 was to increase the size limit from 1/3 of the principal structure or 1,000 square feet to 1/2 of the principal structure or 1,000 square feet. This change was not ultimately adopted, and the limit remains 1/3 of the principal structure or 1,000 square feet for attached ADUs. However, in a questionnaire of nearly 200 residents at the time of the 2018 update, a majority of respondents (62%) supported the change, and about one-quarter of those respondents indicated they would support increasing the limit even further.

To help visualize the size differences, staff compiled photos of a variety of the ADUs that have been approved and constructed since 2019 in [Attachment H](#). These photos include several ADUs that were approved around 800 square feet for detached ADUs and between 1,000 and 1,200 for attached ADUs, by either utilizing the increased size limit incentive for affordable ADUs or by receiving a variance approval from the Board of Zoning Adjustment.

Proposed Code Change: The proposed ordinance modifies the maximum size of ADUs as shown in the following table:

ADU Type	Current Size Limit	Proposed Size Limit
<i>Attached</i>	1/3 of principal unit or 1,000 square feet, whichever is less	1/2 of principal unit or 1,000 square feet, whichever is less
<i>Detached</i>	550 square feet	800 square feet
<i>Affordable Attached</i>	1/2 of principal unit or 1,000 square feet, whichever is less	2/3 of principal unit or 1,200 square feet, whichever is less
<i>Affordable Detached</i>	800 square feet	1,000 square feet
<i>Historic Attached</i>	1/2 of principal unit or 1,000 square feet, whichever is less	2/3 of principal unit or 1,200 square feet, whichever is less
<i>Historic Detached</i>	1,000 square feet	1,000 square feet

Clarification and Simplification

The changes detailed below would improve clarity of the ADU regulations for common issues, as well as simplify language in the regulations.

Extend Approval Expiration Period

A commonly raised issue by both applicants and staff was the administrative review requirement to establish the ADU within one year of approval. Based on construction delays and permit review times, this is often challenging for applicants to meet. A longer expiration period could provide additional flexibility.

Proposed Code Change: The ordinance makes an ADU an allowed use, subject to specific use standards, rather than a conditional use. The current one-year expiration applies only to conditional use approvals. Since ADUs would now be reviewed at the same time as building permits, they would be subject to only the typical timelines of any building permit (180 days with the ability to request an extension). Since the expiration period of the conditional use approval was the issue identified, this change should provide the needed flexibility and will include a consistent expiration period with all other building permits.

Flexibility for Height of Existing Structures

One issue with the code that has been raised through recent applications is the lack of flexibility to adapt existing structures for ADUs due to code language regarding height. This issue could be addressed by providing a variance or modification to clearly allow existing structures to be adapted into ADUs. This would allow for limited cases that could encourage the adaptive reuse of existing structures that are not increasing current height of structures.

Proposed Code Change: The ordinance clarifies the design standard language for maximum height of detached ADUs. It clearly states that the height of existing structures can be modified by staff (above the typical 20 foot limit) for existing structures, as long as the height, size, and roof form are not changing. Also, current flexibility for steeply pitched roofs up to 25 feet would remain, with confusing language about wall to roof ratios removed.

Lockable Separation of Attached ADUs

A frequent misunderstanding in attached ADU applications is the requirement for lockable separation between the ADU and principal structure. This requirement comes from the definition of “dwelling unit” and is not listed within the ADU standards themselves, causing confusion for applicants. Several applicants of withdrawn ADU applications noted this issue as one of the reasons to withdraw their application. More clarity about the requirements for separation would be helpful.

Proposed Code Change: Language specifying the requirement for physical, lockable separation has been integrated into the design standards for attached ADUs.

Limited Accessory Units

Only one unit exists in the city that is classified as this type of ADU, yet additional standards complicate the ADU standards. These specific standards could be removed and the city could determine the appropriate status of the single remaining property with this type of ADU.

Proposed Code Change: The standards for limited accessory units have been removed from the land use code. The single limited accessory unit in the city would meet all of the standards for an attached ADU, should the ordinance pass.

Owner Occupancy Clarification – LLC Ownership and Temporary Rental Exemptions

The issue of owner occupancy came up in many avenues while developing the evaluation. In particular, confusion about whether and how LLCs can prove owner occupancy has been raised many times.

Additionally, there is not clear guidance about whether owners of ADUs should be permitted to obtain a temporary rental license exemption, which allows them to rent their property for up to 12 months without a rental license if they are temporarily living outside of Boulder County and will re-occupy the property after their absence.

Proposed Code Change: The definition of “owner-occupied” has been clarified to include members who own at least 50 percent of an LLC. In addition, more specific language about the documentation needed to prove owner occupancy has been added to the general standards for ADUs. Clarification about the process to allow temporary rental license exemptions has been incorporated as well.

Public Notice Requirement

ADU applications, unlike all other administrative applications except solar access exceptions, require public notice to be sent to adjacent neighbors and posted on the property. Neighbors are often confused and frustrated about why they are being notified if there is not a public hearing or opportunity to provide any input that can influence the outcome. Additionally, the public notice adds administrative time, expense, and several steps to the ADU application process.

Proposed Code Change: By changing ADUs from a conditional use or [C] in the use table to an [A] or allowed use subject to specific use standards, ADUs would no longer require a separate administrative review process prior to building permit. Allowed uses do not require public notice, and to facilitate an efficient one-step review process of ADUs, the public notice requirement has been removed from the ADU standards.

Process Improvements

The following additional process changes can also be made to improve procedural issues identified during the 2022 evaluation.

One-Step Review

ADUs are currently reviewed as a separate administrative application prior to building permit review. Based on discussions with review staff, it appears that the level of detail required for the ADU application often leads applicants to assume that no issues would arrive at the point of later submitting a building permit. However, the building permit is a much more detailed review of building code compliance and often a more detailed review of zoning requirements, and applicants sometimes run into unforeseen issues at that stage. This is understandably frustrating and confusing for ADU applicants. If some of the other initial barriers to ADUs such as saturation limits are removed, the ADU process could be more seamlessly integrated into the building permit process and eliminate the need for a two-step process.

Proposed Code & Process Changes: As noted above, to facilitate a one-step review process, ADUs have been changed from a conditional use or [C] in the use table to an [A] or allowed use subject to specific use standards, and the public notice requirement has been removed from the standards. Procedurally, modifications to the building permit application requirements and EnerGov electronic permit review system would be required to implement the change to a one-step review.

Addressing

Currently, properties are given “Unit A” and “Unit B” addresses immediately after ADU approval. This has caused numerous issues for applicants and is difficult to undo if the ADU is not ultimately constructed. This step should instead occur upon the letter of completion for the building permit or change of use approval.

Proposed Code & Process Changes: The change to a one-step review process where ADUs are approved through the building permit process will solve this issue. Procedurally, address changes will occur upon the letter of completion for the building permit instead.

Declarations of Use

All ADUs are required to record a declaration of use for their property when the ADU application is approved. These declarations of use reference current code requirements. However, as the regulations change, the recorded declarations of use become out of date. Properties are subject to current regulations as they change regardless of the recorded declaration of use.

Proposed Code & Process Changes: The standard declaration of use template used for recording will be updated to reflect any new regulations and to ensure it adequately covers compliance with any future code changes as well.

Self-Service Handouts/Videos

While the City of Boulder website currently includes a thorough explanation of the ADU process and requirements, residents frequently contact the city when they have trouble understanding where an ADU would be allowed and what the requirements might be. Updates could potentially be made to handout and application materials to clarify

commonly misunderstood information. In addition, there may be opportunities to develop video explanations to further assist residents in understanding the requirements.

Proposed Code & Process Changes: The proposed ordinance changes will facilitate a simpler review process with more straightforward standards. While this will significantly help public understanding of the application requirements, additional work to create handouts and videos for the City website will be completed upon adoption of the ordinance.

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.

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

City Council identified updating the ADU regulations as a priority project for the 2022-2023 council term, with the express objective of increasing the number of ADUs in the community. This ordinance updates the ADU regulations based on a thorough review of the most recent significant changes to the ADU regulations adopted in 2018 and an understanding of the changes that would be most impactful at reducing barriers to ADUs in Boulder. The public purpose of increasing housing options for households of all types, ages, and incomes, is served by this ordinance.

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

With this ordinance, ADUs would be allowed uses, subject to specific use standards, in the same districts where they are currently allowed as a conditional use: RR (Residential – Rural), RE (Residential – Estate), RL (Residential – Low), RM-2 (Residential – Medium 2), RMX (Residential – Mixed), P (Public), and A (Agricultural). The purposes of the residential districts are stated in Section 9-5-2 and designate residential uses of varying densities. Many residential uses are permitted by use review in the Public district and single-family homes are allowed with use review in the Agricultural district. The ordinance is consistent with the residential purpose of the residential districts and provides opportunities for single-family homes in the P and A districts to incorporate an ADU.

Are there consequences in denying this ordinance?

The consequence of denying this ordinance is that existing ADU regulations that have been found to be barriers to ADU construction in Boulder would remain in place. The

inefficient and frustrating two-step process for ADU approval would be maintained. ADUs would continue to be limited in size and therefore provide housing options for limited household types. Frequent issues of interpretation and needed clarification would not be improved in the code.

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

Staff does not anticipate that adverse effects may result with the adoption of this ordinance. Cities around the country allow ADUs without saturation limits and the recent trend in most cities is to further liberalize restrictions on ADUs, as many see ADUs as one solution to address housing shortages.

Boulder has a robust and detailed land use code with many requirements that ensure the compatibility of new structures, such as building coverage, floor area ratio requirements, setbacks, height, side wall articulation standards, solar requirements, bulk planes, and more which are expressly intended to ensure compatibility. In addition, the size limits, parking requirements, and owner-occupancy requirement further mitigate potential adverse effects of additional ADUs. Lots with ADUs are not allowed additional occupancy (number of unrelated people living on-site) beyond a typical single-family home, except for some additional flexibility for dependents.

City staff do not note increased levels of enforcement actions on properties with approved ADUs compared to other residential properties. Issues like snow removal, sidewalk obstructions, and bear proof containers are some of the most typical complaints on properties with ADUs, like many other residential properties. Some properties with approved ADUs have been in enforcement action due to long-term renting without a proper rental license or for short-term renting (which is prohibited by ADU regulations), but these issues occur throughout the city as well.

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

City Council identified updating the ADU regulations as a priority project for the 2022-2023 council term, with the express objective of increasing the number of ADUs in the community. The goal is to complete the project in the second quarter of 2023.

How does the ordinance compare to practices in other cities?

A detailed analysis was completed of the ADU regulations of over 30 comparable cities around the country (see [Attachment G](#) for a summary matrix), several of which have recently undertaken updates to their ADU regulations. These cities are primarily communities with large universities, less than 100 square miles of land area, below 200,000 people, as well as a similar population density and household size to Boulder. The cities had a range of median housing prices. Several other Colorado examples were also included for geographic comparability. The analysis resulted in the following key takeaways:

- None of the comparable cities have a saturation limit for ADUs
- Only a few have a minimum lot size
- Almost all cities limit 1 ADU per lot

- Boulder's maximum size of detached ADUs smaller than most cities (though many cities in Colorado tend to be lower than other states, 600-1,000 sf). Maximum size is typically around 800 sf or a % of principal structure
- Variation on parking requirements – 0 or 1, some cities waive requirements if located close to transit
- Almost all say ADU cannot be sold separately
- About half require owner occupancy

Further, staff researched the approval procedures for these cities and found that most of these cities review ADUs through a one-step building permit process. Many require proof of owner occupancy at the time of building permit, as Boulder currently requires during the administrative conditional use application. Only a few of the cities consider ADUs a conditional use (or similar discretionary review) as Boulder does currently and only a few of the communities require public notice of ADU applications.

How will this ordinance implement the comprehensive plan?

This project implements several relevant policies noted below.

Reducing barriers to ADUs through the proposed code changes will increase workforce and long-term rental housing options in single-family residential neighborhoods by providing ADUs as a more viable housing option for many types of households. Neighborhood character will continue to be protected and enhanced through existing zoning standards such as the compatible design standards, building coverage and floor area ratio requirements, as well as ADU-specific standards such as parking requirements, size limits, and the owner-occupancy requirement. Procedurally, the changes will simplify the approval process for ADUs in Boulder and better ensure efficiency, effectiveness, and quality customer service.

By providing options for affordable ADUs to reduce their parking requirement and increase size, incentives remain in place to ensure that many ADUs are kept at an affordable rental level in perpetuity, furthering the city's affordable housing goals. In addition, the evaluation of ADUs in Boulder noted that rental prices even of the market-rate ADUs tend to be more affordable to middle-income households. In addition, reducing barriers to ADUs may help to preserve existing housing stock by allowing homeowners to age in place in their homes and provide income potential. Increasing housing also supports a balance between housing supply and employment base in Boulder.

The increased size limits for ADUs will allow for housing for a greater range of households, including young families, who may find the current size limits infeasible. At the proposed size, ADUs can provide housing options for singles, couples, families with children and other dependents, extended families, non-traditional households, and older adults.

Built Environment Policy 2.10: Preservation & Support for Residential Neighborhoods

The city will work with neighborhoods to protect and enhance neighborhood character and livability and preserve the relative affordability of existing housing stock. The city will also work with neighborhoods to identify areas for additional housing, libraries, recreation centers, parks, open space or small retail uses that could be integrated into and supportive of

neighborhoods. The city will seek appropriate building scale and compatible character in new development or redevelopment, appropriately sized and sensitively designed streets and desired public facilities and mixed commercial uses. The city will also encourage neighborhood schools and safe routes to school.

Built Environment Policy 2.11: Accessory Units

Consistent with existing neighborhood character, accessory units (e.g., granny flats, alley houses, accessory dwelling units (ADUs) and owner's accessory units (OAU)) will be encouraged by the city to increase workforce and long-term rental housing options in single-family residential neighborhoods. Regulations developed to implement this policy will address potential cumulative negative impacts on the neighborhood. Accessory units will be reviewed based on the characteristics of the lot, including size, configuration, parking availability, privacy and alley access.

Housing Policy 7.01: Local Solutions to Affordable Housing

The city and county will employ local regulations, policies and programs to meet the housing needs of low, moderate and middle-income households. Appropriate federal, state and local programs and resources will be used locally and in collaboration with other jurisdictions. The city and county recognize that affordable housing provides a significant community benefit and will continually monitor and evaluate policies, processes, programs and regulations to further the region's affordable housing goals. The city and county will work to integrate effective community engagement with funding and development requirements and other processes to achieve effective local solutions.

Housing Policy 7.07: Mixture of Housing Types

The city and county, through their land use regulations and housing policies, will encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes and densities to meet the housing needs of the low-, moderate- and middle-income households of the Boulder Valley population. The city will encourage property owners to provide a mix of housing types, as appropriate. This may include support for ADUs/OAUs, alley houses, cottage courts and building multiple small units rather than one large house on a lot.

Housing Policy 7.08: Preserve Existing Housing Stock

The city and county, recognizing the value of their existing housing stock, will encourage its preservation and rehabilitation through land use policies and regulations. Special efforts will be made to preserve and rehabilitate existing housing serving low-, moderate- and middle-income households. Special efforts will also be made to preserve and rehabilitate existing housing serving low-, moderate- and middle-income households and to promote a net gain in affordable and middle-income housing.

Housing Policy 7.10: Housing for a Full Range of Households

The city and county will encourage preservation and development of housing attractive to current and future households, persons at all stages of life and abilities, and to a variety of household incomes and configurations. This includes singles, couples, families with children and other dependents, extended families, non-traditional households and seniors.

Housing Policy 7.11: Balancing Housing Supply with Employment Base

The Boulder Valley housing supply should reflect, to the extent possible, employer workforce housing needs, locations and salary ranges. Key considerations include housing type, mix and affordability. The city will explore policies and programs to increase housing for Boulder workers and their families by fostering mixed-use and multi-family development in proximity to transit, employment or services and by considering the conversion of commercial- and industrial-zoned or -designated land to allow future residential use.

Housing Policy 7.17: Market Affordability

The city will encourage and support efforts to provide market rate housing priced to be more affordable to middle-income households by identifying opportunities to incentivize moderately sized and priced homes.

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 8571 Summary
- Attachment B: Proposed Ordinance 8571
- Attachment C: Annotated Ordinance
- Attachment D: Map of Approved ADUs
- Attachment E: ADU Update Evaluation: 2019-2022
- Attachment F: Graphic of Regulations Impacting ADU Design and Location
- Attachment G: Comparable City Research Matrix
- Attachment H: Photos of Recent ADUs in Boulder
- Attachment I: ADU Update Project Charter
- Attachment J: 2016-2018 ADU Public Engagement Summary
- Attachment K: CCR Summary and Public Comments Received

Ordinance 8571 Summary

ACCESSORY DWELLING UNIT REGULATIONS

Background

The City Council identified updating the accessory dwelling unit (ADU) regulations as one of their top work program priorities for 2022-2023. The objective of the project is to increase the allowance of ADUs in the community. The scope of the project includes:

- Eliminating the saturation limit in the RL-1 and RL-2 zoning districts
- Considering changes to the ADU size limits
- Clarifying and simplifying the code
- Improving the approval process

Saturation Limit

Remove the current restriction that limits ADUs in the RL-1 and RL-2 zoning districts to only 20% of properties within a 300 foot radius.

Clarification & Simplification

Staff completed an evaluation of the most recent update to the ADU regulations and identified several opportunities for clarification and simplification of the ADU regulations, including:

- Facilitate a one-step review of ADUs at time of building permit by changing ADUs from a conditional use to an allowed use subject to specific use standards
- Expedite review by removing required notice to adjacent properties
- Provide flexibility of height requirement for existing structures to be adaptively reused as an ADU
- Clarify need for lockable separation of attached ADUs
- Remove underutilized limited accessory unit type
- Clarify requirements for owner occupancy regarding limited liability companies and temporary rental license exemptions

Size Limits

Increase the allowable size of ADUs and remove the unique floor area definition for ADUs. The new size limits would be:

- Detached: 800 square feet.
- Attached: 1/2 of the principal structure or 1,000 square feet, whichever is less.
- Affordable or Historic Detached: 1,000 square feet.
- Affordable or Historic Attached: 2/3 of the principal structure or 1,200 square feet, whichever is less.

Process Improvements

Aside from revised ordinance changes, additional improvements to the process will be implemented. These procedural changes will facilitate the one-step review made possible through the code changes, as well as the timing of address changes, and creating helpful self-service handouts and videos for the city website.



ORDINANCE 8571

AN ORDINANCE AMENDING SECTION 4-20-18, "RENTAL
LICENSE FEE," TITLE 9, "LAND USE CODE," AND TITLE 10
"STRUCTURES," B.R.C. 1981, UPDATING THE
REGULATIONS FOR ACCESSORY DWELLING UNITS; AND
SETTING FORTH RELATED DETAILS

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

Section 1. Section 4-20-18, "Rental License Fee," B.R.C. 1981, is amended to read as
follows:

The following fees shall be paid before the city manager may issue a rental license or
renew a rental license:

- (a) Dwelling and Rooming Units: \$190 per building.
- (b) Accessory Dwelling Units: \$190 per unit.

...

Section 2. Section 9-2-3, "Variances and Interpretations," B.R.C. 1981, is amended to
read as follows:

...

- (d) Board of Zoning Adjustment (BOZA): The BOZA may grant variances from the
requirements of:

...

- (6) The size requirements for accessory dwelling units of Subsection 9-6-3(n), B.R.C.
1981;

...

- (i) Floor Area Variances for Accessory Dwelling Units: The BOZA may grant a variance to
the maximum floor area allowed for an attached accessory dwelling unit or for a detached

accessory dwelling unit under Subsection 9-6-3(n), B.R.C. 1981, only if it finds that the application satisfies all of the following applicable requirements of either Subparagraph (i)(1) or (i)(2):

...

(2) Unusual Physical Conditions:

(A) That there are unusual physical circumstances or conditions in the design of the existing structure the accessory dwelling unit would be in, including without limitation the thickness of exterior walls or framing, that affect the total allowed interior floor area of the accessory dwelling unit;

...

(E) That the accessory dwelling unit would be clearly incidental to the principal dwelling unit.

...

Section 3. Line 4 of Table 4-2: Public Notice Options in Section 9-4-3, “Public Notice Requirements,” B.R.C. 1981, is amended to read as follows:

(a) Process and Options: When a process or procedure identified in this title requires public notice, the city manager shall provide such notice according to Table 4-2 of this section. If a code section does not reference a specific method, the city manager shall determine the most appropriate notification method to be used.

TABLE 4-2: PUBLIC NOTICE OPTIONS

<i>Public Notice Type</i>	<i>Type of Application, Meeting or Hearing</i>	<i>Mailed Notice</i>	<i>Posted Notice</i>
4	Solar exceptions, solar access permits, accessory units	To adjacent property owners a minimum of 10 days before final action	Post property a minimum of 10 days from receipt of application and prior to final action or any hearing

...

Section 4. The Accessory dwelling unit line under “Residential Uses” of Table 6-1: Use Table in Section 9-6-1, “Schedule of Permitted Land Uses,” B.R.C. 1981, is amended to read as follows:

The schedule in Table 6-1 shows the uses that are permitted, conditionally permitted, prohibited, or that may be permitted through use review.

TABLE 6-1: USE TABLE

A = Allowed C = Conditional Use U = Use Review [] = Specific Use Standards Apply - = Prohibited																																					
Zoning District	RR-1,	RR-2,	RL-2,	RM-2,	RM-1,	RM-3,	RMX-1	RMX-2	RH-1,	RH-2,	RH-3,	RH-7,	RH-6	MH	MU-3	MU-1	MU-2	MU-4	BT-1,	BT-2,	BMS	BC-1,	BC-2,	BCS	BR-1,	BR-2,	DT-4	DT-5	DT-1,	DT-2,	IS-1, IS-2	IG	IM	IMS	P	A	Specific Use Standards
	R1	R2	R3	R4	R5	R6	R7	R8	MH	M1	M2	M3	M4	B1	B2	B3	B4	B5	D1	D2	D3	I1	I2	I3	I4	P	A										
RESIDENTIAL USES																																					
Residential Accessory																																					
Accessory dwelling unit	[C A]	[C A]	-	[C A]	[C A]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	[C A]	[C A]	9-6-3(n)		

Section 5. Section 9-6-3, “Specific Use Standards - Residential Uses,” B.R.C. 1981, is amended to read as follows:

(a) **Residential Uses:**

(n) **Accessory Dwelling Unit:**

- (1) ~~General Requirements: Three types of accessory units may be approved as conditional uses: Attached accessory dwelling units, detached accessory dwelling units, and limited accessory units. The following standards apply to all three types of an accessory dwelling unit:~~

- (A) General Standards: An accessory dwelling unit shall meet the following standards:

- (i) Lot Limitations: An accessory dwelling unit may be created on a lot of 5,000 square feet or more with a detached dwelling unit. One accessory dwelling unit may be located on a lot.

- (ii) Maximum Floor Area: The accessory dwelling unit shall be limited to the floor area in Table 6-3. The board of zoning adjustment may grant a variance to this floor area requirement pursuant to Section 9-2-3, “Variances and Interpretations,” B.R.C. 1981
Occupancy Requirement: For purposes of determining occupancy

requirements under Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, the principal dwelling unit and accessory unit shall be considered one dwelling unit. The occupancy of the principal dwelling unit together with the occupancy of any accessory unit shall not exceed the occupancy requirements set forth in Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, for one dwelling unit; provided, however, for purposes of this section only, any occupant and his or her dependents shall be counted as one person. The floor area limitation for quarters used by roomers under Paragraph 9-8-5(a)(1), B.R.C. 1981, shall not apply to an accessory unit.

Table 6-3: Maximum Floor Area

	<u>Accessory Dwelling Unit</u>	<u>Affordable Accessory Dwelling Unit</u>	<u>Designated Historic Property</u>
<u>Attached</u>	<u>One-half of the total floor area of the principal structure or 1,000 square feet, whichever is less.</u>	<u>Two-thirds of the total floor area of the principal structure or 1,200 square feet, whichever is less.</u>	
<u>Detached</u>	<u>800 sq. ft.</u>	<u>1,000 sq. ft.</u>	

(iii) Off-Street Parking: The minimum number of off-street parking spaces shall be provided on the lot or parcel as required by Table 6-4. The required parking spaces shall meet at least the minimum dimensional requirements in Table 9-6, "Small Car Parking Dimension Standards," B.R.C. 1981, and may be located in a required landscaped setback abutting the street.

Table 6-4: Off-Street Parking Requirement

<u>Accessory Dwelling Unit</u>	<u>The number of off-street parking spaces required in the zoning district for the principal dwelling unit and one additional off-street parking space</u>
<u>Affordable Accessory Dwelling Unit</u>	<u>The parking required in the zoning district for the principal dwelling unit.</u>
<u>Designated Historic Property</u>	

(iv) Owner-Occupied: The principal dwelling unit or accessory dwelling unit on the parcel or lot must be owner-occupied. The applicant shall provide evidence to the city manager to

demonstrate compliance with this requirement at the time of application or any time thereafter. For entities that are similar to ownership by a person, such evidence may include without limitation declaration of trust ownership, articles of organization, operating agreement, or similar documentation. The city manager may approve a temporary absence of the owner-occupant for less than one year with an affidavit of exemption pursuant to the procedures for temporary rental license exemptions in Section 10-3-2, "Rental License Required Before Occupancy and License Exemptions," B.R.C. 1981.

(~~iii~~v) Rental License: No owner of the property shall allow, or offer to allow through advertisement or otherwise, any person to occupy the accessory dwelling unit or the principal dwelling unit as a tenant or lessee or otherwise for a valuable consideration unless such rented unit has been issued a valid rental license by the city manager consistent with the requirements of Chapter 10-3, "Rental Licenses," B.R.C. 1981.

(~~iv~~vi) Short-Term Rental: Short-term rental of an accessory dwelling unit and short-term rental of a principal dwelling unit on a lot or parcel with an accessory dwelling unit are prohibited except as specifically authorized in Section 10-3-19, "Short-Term Rentals," B.R.C. 1981.

(~~v~~vii) No Independent Conveyance: No person shall convey an accessory dwelling unit independently of the principal dwelling unit on the lot or parcel.

~~(B) Application: All applicants shall apply on forms provided by the city manager showing how and in what manner the criteria of this subsection are met, provide a statement of current ownership and a legal description of the property, pay the application fee prescribed by Section 4-20-43, "Development Application Fees," B.R.C. 1981, and submit plans as may be required by the manager.~~

~~(C) Public Notice: Notice of the application shall be provided consistent with "Public Notice Type 4," as defined by Subsection 9-4-3(a), B.R.C. 1981.~~

~~(D) Review and Approval: All applications for accessory units shall be reviewed under the procedures of Section 9-2-2, "Administrative Review Procedures," B.R.C. 1981.~~

(~~E~~viii) Declaration of Use Required: Before obtaining approval, all owners shall sign a declaration of use, including all the conditions standards for continued use, to be recorded in the office of the Boulder County Clerk and Recorder to serve as actual and

constructive notice of the legal status of the owner's property. If the unit is to be an affordable accessory dwelling unit, the declaration shall include a sworn certification that the unit will meet the affordability standard and a statement of the number of bedrooms.

(~~Fix~~) Amendments: The owner of an accessory dwelling unit may amend the approved size, affordability status, or other characteristics of an approved accessory dwelling unit by filing a building permit application that demonstrates compliance with applicable accessory dwelling unit standards. Prior to approval the owner must sign an updated declaration of use to be recorded in the office of the Boulder County Clerk and Recorder. The site plan for an accessory unit may be modified and an affordable accessory unit may be converted to an accessory unit that is not an affordable accessory unit provided that an application is filed and reviewed by the manager under the procedures of Section 9-2-2, "Administrative Review Procedures," B.R.C. 1981. The application must demonstrate that the proposed accessory unit meets the requirements of this section except that it shall not be subject to the saturation limitations of Subparagraphs (m)(2)(A) and (E) and (m)(3)(A) and (E).

~~(G) Floor Area: For the purpose of calculating the floor area of an attached accessory unit or detached accessory unit under this subsection (m), floor area shall mean the total square footage of all levels measured to the outside surface of the exterior framing, to six inches beyond the interior wall on an exterior wall, or to the outside surface of the exterior walls if there is no exterior framing, of a building or portion thereof, which includes stairways, elevators, the portions of all exterior elevated above grade corridors, balconies, and walkways that are required for primary or secondary egress by Chapter 10-5, "Building Code," B.R.C. 1981, storage and mechanical rooms, whether internal or external to the structure, but excluding an atrium on the interior of a building where no floor exists, a courtyard, the stairway opening at the uppermost floor of a building, and floor area that meets the definition of uninhabitable space.~~

(2) Attached Accessory Dwelling Units: In addition to the general ~~accessory unit~~ standards in Paragraph ~~(m)~~(1) of this section, the following standards apply to attached accessory dwelling units. ~~The owner or the owners of a lot or parcel with a single-family dwelling unit may establish and maintain an attached accessory dwelling unit within the principal structure of a detached dwelling unit in the RR, RE, RL, RMX, A, or P districts if all of the following conditions are met and continue to be met during the life of the attached accessory dwelling unit:~~

(A) ~~Neighborhood Area: In the RL-1 or RL-2 zoning districts, no more than twenty percent of the lots or parcels in a neighborhood area contain an accessory unit. For the purpose of this subparagraph:~~

(i) ~~The “neighborhood area” in RL-1 and RL-2 zoning districts is the area circumscribed by a line three hundred feet from the perimeter of the lot line within which any accessory unit will be located. Within the “neighborhood area” only accessory units within the RL-1 and RL-2 zoning districts are counted towards the twenty percent limitation factor.~~

(ii) ~~For the purpose of calculating the twenty percent limitation factor, the following shall apply:~~

a. ~~A legal, nonconforming structure containing two or more~~

~~dwelling units is counted as an accessory unit;~~

b. ~~A cooperative housing unit is counted as an accessory unit;~~

c. ~~An accessory unit that is licensed as part of a cooperative housing unit and said cooperative housing unit shall be counted together as one accessory unit; and~~

d. ~~The manager may promulgate regulations defining additional methods to be used in calculating the twenty percent limitation factor and the neighborhood area.~~

(iii) ~~If an application for an accessory unit exceeds the twenty percent requirement set forth in this Subparagraph (m)(2)(A), the manager will place the applicant on a waiting list for the neighborhood area.~~

~~At such time as there is room for an additional accessory unit within a neighborhood area, the manager will notify the first eligible person on the waiting list. Such person on the waiting list shall be required to provide notice of intent to file an application within thirty days and file an application within sixty days of such notice.~~

(B) ~~Parking: The attached accessory dwelling unit shall have the following off-street parking:~~

(i) ~~The number of off-street parking spaces required in the zoning district for the principal dwelling unit; and~~

(ii) ~~One additional off-street parking space on the lot or parcel upon which the detached dwelling unit is located; and~~

(iii) ~~The parking spaces required under this Subparagraph (m)(2)(B) shall not be required to meet the setback requirements of Section 9-7-1, “Schedule of Form and Bulk Standards,” B.R.C. 1981, provided that the parking spaces are not located in the public right-~~

of way.

(C) ~~Standards: The attached accessory dwelling unit is clearly incidental to the principal dwelling unit and meets the following standards:~~

(i) ~~The attached accessory dwelling unit is created only in a single-family detached dwelling unit on a lot of five thousand square feet or more.~~

(ii) ~~The attached accessory dwelling unit does not exceed one-third of the total floor area of the principal structure or one thousand square feet, whichever is less, unless a variance is granted pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

(A) (iii) Interior Connections: All attached accessory dwelling units shall be physically separated by a wall or a lockable door. If there is an interior connection between the attached-accessory dwelling unit and the principal dwelling prior to the creation of the attached-accessory dwelling unit, the connection together with the lockable, physical separation shall be maintained for the duration during the life of the attached-accessory dwelling unit.

(B) (iv) Side Entrances: Any additional entrance resulting from the creation of an attached accessory dwelling unit may face the side of the lot fronting on the street only if such entrance is adequately and appropriately screened in a manner that does not detract from the single-family appearance of the principal dwelling unit.

(D) ~~Affordable Accessory Units: If the attached accessory dwelling unit is licensed as an affordable accessory unit, the following standards apply:~~

(i) ~~The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit.~~

(ii) ~~The unit may be more than one-third of the total floor area of the principal structure but shall not exceed one-half of the floor area of the principal structure or one thousand square feet, whichever is less. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

(iii) ~~If the unit is or will be offered for rental for compensation, the owner must obtain and at all times thereafter maintain a valid rental license for an affordable accessory unit issued by the manager consistent with the requirements of Chapter 10-3, "Rental Licenses," B.R.C. 1981.~~

(E) ~~Designated Historic Property: If the attached accessory dwelling unit is located within a principal structure that is designated as an individual landmark or recognized as contributing to a designated historic district under Chapter 9-11, "Historic Preservation," B.R.C. 1981, the following modifications to the standards of this Paragraph (m)(2) apply:~~

(i) ~~In the RL-1 and RL-2 zoning district, the unit is not subject to the twenty percent limitation factor of Subparagraph (m)(2)(A) provided that no more than thirty percent of the lots or parcels in the neighborhood area contain an accessory unit;~~

(ii) ~~The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit; and~~

(iii) ~~The unit may be more than one-third of the total floor area of the principal structure but shall not exceed one-half of the floor area of the principal structure or one thousand square feet, whichever is less. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

(3) ~~Detached Accessory Dwelling Units: In addition to the general accessory unit standards in Paragraph (n)(1) of this section, the following standards apply to detached accessory dwelling units: An owner or the owners of a lot or parcel with a single-family detached dwelling unit may establish and maintain a detached accessory dwelling unit within an accessory structure meeting the size restrictions described below, on a lot or parcel in the RR, RE, RL, RMX, A, and P districts if all of the following conditions are met and continue to be met during the life of the detached accessory dwelling unit:~~

(A) Maximum Height: The maximum height of accessory buildings with a detached accessory dwelling unit shall not be greater than twenty feet. The city manager may modify this height standard if the building meets one of the following Neighborhood Area: In the RL-1 and RL-2 zoning districts, no more than twenty percent of the lots or parcels in a neighborhood area contain an accessory unit. For the purpose of this subparagraph:

(i) If the roof pitch is 8:12 or greater, provided the building height does not exceed 25 feet; or The "neighborhood area" in RL-1 and RL-2 zoning districts is the area circumscribed by a line three hundred feet from the perimeter of the lot line within which an accessory unit will be located. Within the "neighborhood area" only accessory units within the RL-1 and RL-2 zoning districts are counted towards the twenty percent limitation factor.

(ii) If a legal existing accessory building is converted to a detached accessory dwelling unit, provided that no changes are proposed to

the existing accessory building's height, floor area, or roof form. For the purpose of calculating the twenty percent limitation factor, the following shall apply:

- a. ~~A legal, nonconforming structure containing two or more dwelling units is counted as an accessory unit;~~
- b. ~~A cooperative housing unit is counted as an accessory unit;~~
- c. ~~An accessory unit that is licensed as part of a cooperative housing unit and said cooperative housing unit shall be counted together as one accessory unit; and~~
- d. ~~The manager may promulgate regulations defining additional methods to be used in calculating the twenty percent limitation factor and the neighborhood area.~~

(iii) ~~If an application for a detached accessory dwelling unit exceeds the twenty percent requirement set forth in Subparagraph (m)(3)(A), the manager will place the applicant on a waiting list for the neighborhood area. At such time as there is room for an additional accessory unit within the neighborhood area, the manager will notify the first eligible person on the waiting list. Such person on the waiting list shall be required to provide notice of intent to file an application within thirty days and file an application within sixty days of such notice.~~

(B) Parking Private Open Space: ~~The~~ A detached accessory dwelling unit shall have a minimum of sixty square feet of private open space provided for the exclusive use of the occupants of the detached accessory dwelling unit. Private open space may include porches, balconies, or patio areas. ~~the following parking:~~

- (i) ~~The number of off-street parking spaces required in the zoning district for the principal dwelling unit; and~~
- (ii) ~~One additional off-street parking space on the lot or parcel upon which the detached dwelling unit is located;~~
- (iii) ~~The parking spaces required under this Subparagraph (m)(3)(B) shall not be required to meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, provided that the parking spaces are not located in the public right-of-way. To the extent practical, any additional off-street parking that is constructed in the RR or RE zoning district required for the detached accessory dwelling unit shall be screened from the view of properties that directly abut a property line of the detached accessory dwelling unit.~~

(C) ~~Incidental to Principal Dwelling Unit: The detached accessory dwelling unit is clearly incidental to the principal dwelling unit and meets the following standards:~~

(i) ~~The detached accessory dwelling unit is created on a lot of five thousand square feet or larger.~~

(ii) ~~The detached accessory dwelling unit's floor area does not exceed five hundred and fifty square feet, unless a variance is granted pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

(iii) ~~The following design standards apply to detached accessory dwelling units:~~

a. ~~Maximum height of accessory buildings with a detached accessory dwelling unit shall not be greater than twenty feet unless the roof pitch is greater than 8:12 and the resulting ratio of the height of the roof (measured from the eave line to the top of the roof) to the height of the side walls (measured from the low point of grade to the eave line) is less than a 1:2 ratio. The city manager may modify this height standard for a legal existing accessory building that is being converted to a detached accessory dwelling unit to the extent that the existing accessory building's height and size is not proposed to be modified. In no case may a building height exceed twenty-five feet.~~

b. ~~A detached accessory dwelling unit shall have a minimum of sixty square feet of private open space provided for the exclusive use of the occupants of the detached accessory dwelling unit. Private open space may include porches, balconies, or patio areas. Decks, porches, patios, terraces, and stairways, located at a height greater than thirty inches above grade, shall be considered part of the building coverage.~~

c. ~~Setbacks shall comply with accessory building setbacks. Where the rear yard of a property in the RR or RE zoning district directly abuts an RL zoning district, the rear yard accessory building setback shall be the same as the side yard setback for accessory buildings for applicable RR or RE zoning districts.~~

(D) ~~Affordable Accessory Units: If the detached accessory dwelling unit is licensed as an affordable accessory unit, the following standards apply:~~

(i) ~~The unit shall only be required to provide the parking required in~~

the zoning district for the principal dwelling unit.

(ii) ~~The unit's floor area may be up to eight hundred square feet. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

(iii) ~~If the unit is or will be offered for rental for compensation, the owner must obtain and at all times thereafter maintain a valid rental license for an affordable accessory unit issued by the manager consistent with the requirements of Chapter 10-3, "Rental Licenses," B.R.C. 1981.~~

(E) ~~Designated Historic Property: If either the accessory structure the detached accessory dwelling unit is located in or the principal structure on the lot or parcel is designated as an individual landmark or recognized as contributing to a designated historic district under Chapter 9-11, "Historic Preservation," B.R.C. 1981, the following modifications to the standards of this Paragraph (m)(3) apply:~~

(i) ~~In the RL-1 and RL-2 zoning district, the unit is not subject to the twenty percent limitation factor of Subparagraph (m)(3)(A) provided that no more than thirty percent of the lots or parcels in the neighborhood area contain an accessory unit;~~

(ii) ~~The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit; and~~

(iii) ~~The unit's floor area may be up to one thousand square feet. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

(4) ~~Limited Accessory Units: In addition to the general accessory unit standards in Paragraph (m)(1) of this section, the following standards apply to limited accessory units that may be approved as a conditional use in the RR-1, RR-2, RE, and RL-1 Zoning Districts only. An existing nonconforming duplex or two detached dwelling units located on the same lot and within the R1 use module may be converted to limited accessory dwelling units. A limited accessory dwelling unit may be modified and expanded as a conditional use. Conversion to a limited accessory dwelling unit is subject to compliance with all of the following standards:~~

(A) ~~Applicability: This Subparagraph (m)(4) is only applicable to dwelling units that legally existed, were actively used as multiple dwelling units, and had a valid rental license on January 1, 2005.~~

(B) ~~Expansion Limitation: The cumulative total of any expansion shall not~~

exceed twenty percent of the total floor area that was documented at the time of the initial expansion. Any expansion of the restricted accessory unit shall not exceed ten percent. In no case shall any expansion cause the cumulative size of the restricted dwelling units to exceed the maximum allowable floor area ratio of the underlying zoning district as set forth in Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981.

(C) ~~Parking: The minimum number of off-street parking spaces shall not be less than three spaces. All parking shall comply with the design and access requirements set forth in Section 9-9-6, "Parking Standards," B.R.C. 1981. A minimum of one off-street parking space shall be available for use by the restricted accessory dwelling unit.~~

(D) ~~Loss of Prior Nonconforming Status: If a nonconforming duplex or two detached dwelling units are converted to limited accessory units through the conditional use process, any prior nonconforming status is lost.~~

Section 6. Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, is amended to read as follows:

...

(b) ~~Attached Accessory Dwelling Unit, Detached Accessory Dwelling Unit, or Limited Accessory Dwelling Unit: The occupancy of an attached accessory dwelling unit, detached accessory dwelling unit, or limited accessory dwelling unit must meet the requirements of Subsection 9-6-3(n), B.R.C. 1981. The principal dwelling unit and accessory dwelling unit shall be considered one dwelling unit. The occupancy of the principal dwelling unit together with the occupancy of any accessory dwelling unit shall not exceed the occupancy requirements set forth in this section for one dwelling unit; provided, however, for purposes of this subsection only, any occupant and his or her dependents shall be counted as one person. The floor area limitation for quarters used by roomers under Paragraph 9-8-5(a)(1), B.R.C. 1981, shall not apply to an accessory dwelling unit.~~

...

(d) Cooperative Housing License: A dwelling unit licensed as a cooperative housing unit pursuant to Section 10-11-3, "Cooperative Housing Licenses," B.R.C. 1981, shall not be subject to the occupancy limits or any exceptions as set forth in this section; and an attached accessory dwelling unit or detached accessory dwelling unit licensed with such dwelling unit as a cooperative housing unit shall not be subject to the occupancy standards of ~~Subp~~Paragraph 9-6-3(n)(1)(A)(ii), "Occupancy Requirement" 9-8-5(b), "Accessory Dwelling Unit," B.R.C. 1981. All such dwelling units together with any

attached accessory dwelling unit or detached accessory dwelling unit so licensed shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:

...

Section 7. Row six under “Use” of Table 9-2: Use Specific Motor Vehicle Parking Requirements for Residential Uses in all Zones and row three under “Residential Uses” of Table 9-8: Off-Street Bicycle Parking Requirements in Section 9-9-6, “Parking Standards,” B.R.C. 1981, are amended to read as follows:

...

(b) Off-Street Parking Requirements: The number of required off-street motor vehicle parking spaces shall be provided in Tables 9-1, 9-2, 9-3, and 9-4 of this section; the number of required off-street bicycle parking spaces shall be provided in Table 9-8 of this section:

...

(2) Use Specific Motor Vehicle Parking Requirements for Residential Uses:

TABLE 9-2: USE SPECIFIC MOTOR VEHICLE PARKING REQUIREMENTS FOR RESIDENTIAL USES IN ALL ZONES

<i>Use</i>	<i>Parking Requirement</i>
Roomers within a single-unit dwelling	1 space per 2 roomers
Residential developments in which 1-bedroom units are 60 percent or more of the total	1.25 spaces per 1-bedroom unit
Rooming house, boarding house, fraternity, sorority, group living, and hostels	2 spaces per 3 occupants
Efficiency living units, transitional housing	1 space per DU
Bed and breakfast	1 space per guest room + 1 space for operator or owner's DU within building
Attached a Accessory dwelling unit, detached accessory dwelling unit	The off-street parking requirement for the principal DU must be met, plus any parking space required for the accessory <u>dwelling</u> unit, see Subsection 9-6-3(n), B.R.C. 1981

...

(g) Bicycle Parking:

(1) Required Bicycle Spaces: Bicycle parking spaces must be provided as required by Table 9-8 of this section.

TABLE 9-8: OFF-STREET BICYCLE PARKING REQUIREMENTS

<i>Use Type (based on Table 6-1 of Section 9-6-1)</i>	<i>Minimum Number of Off-Street Bicycle Spaces</i>	<i>Long-Term</i>	<i>Short-Term</i>
Residential Uses			
Dwelling units ^(a) with a private garage ^(b)	no requirement	n/a	n/a
Dwelling units without a private garage ^(b)	2 per unit	75%	25%
Accessory <u>dwelling</u> units	no requirement	n/a	n/a

...
Section 8. Section 9-16-1, "General Definitions," B.R.C. 1981, is amended to read as follows:

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

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

...
Accessory dwelling unit means a separate and complete single housekeeping unit within a detached dwelling unit or within an accessory structure to the principal dwelling unit of the lot or parcel upon which the unit is located, ~~permitted under the provisions of Subsection 9-6-3(n), B.R.C. 1981.~~

...
Affordable accessory dwelling unit means a unit for which the rents meet the affordability standard.

...
Attached accessory dwelling unit means a separate and complete single housekeeping unit within a detached dwelling unit, ~~permitted under the provisions of Subsection 9-6-3(m), B.R.C. 1981.~~

Designated historic property means a property with a building designated as an individual landmark or recognized as contributing to a designated historic district under Chapter 9-11, "Historic Preservation," B.R.C. 1981.

...

Detached accessory dwelling unit means a separate and complete single housekeeping unit within an accessory structure to the principal dwelling unit of the lot or parcel upon which the unit is located ~~that is permitted under the provisions of Paragraph 9-6-3(n)(3), B.R.C. 1981.~~

...

~~*Limited accessory unit* means an existing nonconforming duplex or two detached dwelling units located on the same lot and within the R1 use module that has been approved in compliance with the standards in Section 9-6-3(n)(4).~~

...

Owner-occupied means a dwelling unit or accessory dwelling unit that is the principal residence of at least one owner of record of the lot or parcel upon which the dwelling unit or accessory dwelling unit is located, who possesses at least an estate for life, or a fifty percent fee simple ownership interest, or is the trustor of a revocable living trust, or is the member that owns at least fifty percent of a limited liability company, or is the partner that owns at least fifty percent of a partnership or limited liability partnership, or similar entity.

...

Section 9. Section 10-1-1, "Definitions," B.R.C. 1981, is amended to read as follows:

- (a) The following terms used in this title have the following meanings unless the context clearly indicates otherwise:

...

Accessory dwelling unit means an accessory dwelling unit permitted under Section 9-6-3(n), "Accessory Dwelling Units," B.R.C. 1981.

...

Section 10. Section 10-3-6, "License Application Procedure for Buildings Converted to Rental Property," B.R.C. 1981, is amended to read as follows:

Every operator converting a property to rental property shall follow the procedures in this

section for procuring a rental license:

- (a) Submit to the city manager a complete application packet, on forms provided by the manager, at least thirty days before rental of the property including:

...

- (4) If the unit is an affordable accessory dwelling unit as defined in Section 9-16-1, "General Definitions," B.R.C. 1981, a sworn certification that the unit will meet the rental affordability standard as defined in Section 9-16-1, "General Definitions," B.R.C. 1981.

...

Section 11. Section 10-3-7, "License Renewal Procedure for Buildings Occupied as Rental Property," B.R.C. 1981, is amended to read as follows:

Every operator of a rental property shall follow the procedures in this section when renewing an unexpired license:

- (a) Submit to the city manager a complete application packet, on forms provided by the manager including:

...

- (4) If the unit is an affordable accessory dwelling unit as defined in Section 9-16-1, "General Definitions," B.R.C. 1981, a sworn certification that the unit will meet the rental affordability standard as defined in Section 9-16-1, "General Definitions," B.R.C. 1981.

...

Section 12. Section 10-3-16, "Administrative Remedy," B.R.C. 1981, is amended to read as follows:

- (a) If the city manager finds that a violation of any provision of this chapter or Chapter 10-2, "Property Maintenance Code," B.R.C. 1981, exists, the manager, after notice to the operator 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:

- (1) Impose a civil penalty according to the following schedule:

(A) For any violation in the following areas or of affordability standards: The area south of Arapahoe Avenue, north of Baseline Road, east of 6th Street and west of Broadway, the area south of Baseline Road, north of Table Mesa Drive, east of Broadway and west of U.S. Route 36 and the area south of Canyon Boulevard, north of Arapahoe Avenue, west of Folsom Street and east of 15th Street or for any violation of affordability standards for an affordable accessory dwelling unit approved under Subsection 9-6-3(n), B.R.C. 1981:

...

(b) If the city manager finds that an affordable accessory dwelling unit was advertised, offered for rent or rented for an amount in excess of the affordability standard, in addition to the actions the manager may take under subsection (a), the manager shall impose a penalty equal to the amount charged in excess of the affordability standard during the term of the license, plus interest at the rate of twelve percent per annum, and shall pay such funds collected to the tenant who was charged in excess of the affordability standard.

...

Section 13. Section 10-3-19, "Short-Term Rentals," B.R.C. 1981, is amended to read as follows:

(a) Short-term rentals are prohibited unless the city manager has issued a valid short-term rental license for the property.

...

(o) An accessory dwelling unit or a principal dwelling unit on a single-family lot or parcel with an accessory unit may not be rented as a short-term rental unless all the following requirements are met:

(1) Both the accessory dwelling unit and the principal dwelling unit were legally established ~~on the effective date of Ordinance No. 8256~~ by February 1, 2019;

(2) A current and valid short-term rental license exists for the unit;

(3) If the accessory dwelling unit is licensed for short-term rental, only the accessory dwelling unit and not any other dwelling unit on the same property may be licensed or used as a rental;

(4) If a principal dwelling unit is licensed for short-term rental, then no accessory dwelling unit on the same property may be licensed or used as a rental;

- (5) An accessory dwelling unit may not be rented as a short-term rental for more than one hundred twenty days in any calendar year;
- (6) Notwithstanding the provisions of subsection (i), the occupancy of the accessory dwelling unit and the principal dwelling unit must meet the requirements of Subsection 9-68-35~~(nb)~~(4), B.R.C. 1981; and
- (7) Licensing Limitations and Requirements:
- (A) ~~After February 1, 2019, No application for a new short-term rental license shall be accepted, on or after the effective date of Ordinance No. 8256. On or after the effective date of Ordinance No. 8256, a new short-term rental license may be issued only for complete applications received by the city manager on or before the effective date of Ordinance No. 8256. On or after the effective date of Ordinance No. 8256, the~~ The city manager may renew unexpired short-term rental licenses pursuant to Section 10-3-7, “License Renewal Procedures for Buildings Occupied as Rental Property,” B.R.C. 1981. A license for which a complete renewal application is not filed within ninety days from the expiration date shall be considered expired.

...

Section 14. Section 10-11-3, “Cooperative Housing Licenses,” B.R.C. 1981, is amended to read as follows:

- (a) License terms shall be as follows:

...

- (l) Any attached accessory dwelling unit or detached accessory dwelling unit to a dwelling unit that is licensed pursuant to this chapter shall be part of the licensed cooperative housing unit and subject to the standards of this chapter. The occupants of the dwelling unit and accessory unit shall all be members of the cooperative. While such units are licensed as a cooperative housing unit under this chapter, neither the principal dwelling unit nor the accessory dwelling unit shall be required to be owner-occupied as would otherwise be required under Subparagraph 9-6-3(n)(1)(A)(i~~v~~), “Owner-Occupied,” B.R.C. 1981.

...

Section 15. Tables 6-3 and 6-4 are added to Section 9-6-3, “Specific Use Standards – Residential Uses,” B.R.C. 1981, by this ordinance. The City Council amends the Boulder Revised

1 Code by renumbering the subsequent tables in Chapter 9-6, "Use Standards," B.R.C. 1981,
2 together with all associated references and cross references to the renumbered tables in the Boulder
3 Revised Code.

4 Section 16. This ordinance shall apply to any building permit, conditional use, use review,
5 and site review applied for on or after September 1, 2023. Any project for which a complete
6 building permit, site review, use review, or conditional use application has been submitted to the
7 city or which has received a site review, use review, or conditional use approval prior to the
8 effective date of this ordinance for a use inconsistent with the provisions of this ordinance will be
9 permitted to establish the proposed use under the use standards of Chapter 9-6, "Use Standards,"
10 B.R.C. 1981, in effect at the time the building permit, site review, use review, or conditional use
11 application was submitted to the city. Such applicants shall be required to pursue such development
12 approvals and meet all requirements deadlines set by the city manager and the Boulder Revised
13 Code necessary to establish the proposed use. The applications for such project shall demonstrate
14 compliance with all applicable laws. Any failure to meet the requirements of the city manager or
15 this section of this ordinance will result in a denial of such application. Any subsequent application
16 shall meet the requirements in place at the time of such subsequent application.

18 Section 17. If any section, paragraph, clause, or provision of this ordinance shall for any
19 reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining
20 provisions of this ordinance.

21 Section 18. This ordinance is necessary to protect the public health, safety, and welfare
22 of the residents of the city and covers matters of local concern.
23
24
25

1 Section 19. The City Council deems it appropriate that this ordinance be published by
2 title only and orders that copies of this ordinance be made available in the office of the city clerk
3 for public inspection and acquisition.
4

5 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
6 TITLE ONLY this 20th day of April 2023.
7

8 _____
9 Aaron Brockett,
Mayor

10 Attest:
11

12 _____
City Clerk
13

14 READ ON SECOND READING, PASSED AND ADOPTED this 4th day of May 2023.
15
16

17 _____
18 Aaron Brockett,
Mayor

19 Attest:
20

21 _____
City Clerk
22
23
24
25

ANNOTATED ORDINANCE 8571

NOTE: This version of the draft ordinance includes footnotes that help to describe all of the proposed changes as well as the redlined tracked changes to existing code language.

Section 4-20-18, "Rental License Fee"¹

The following fees shall be paid before the city manager may issue a rental license or renew a rental license:

- (a) Dwelling and Rooming Units: \$190 per building.
- (b) Accessory Dwelling Units: \$190 per unit.

...

Section 9-2-3, "Variances and Interpretations"²

...

- (d) Board of Zoning Adjustment (BOZA): The BOZA may grant variances from the requirements of:

...

- (6) The size requirements for accessory dwelling units of Subsection 9-6-3(n), B.R.C. 1981;

...

- (i) Floor Area Variances for Accessory Dwelling Units: The BOZA may grant a variance to the maximum floor area allowed for an attached accessory dwelling unit or for a detached accessory dwelling unit under Subsection 9-6-3(n), B.R.C. 1981, only if it finds that the application satisfies all of the following applicable requirements of either Subparagraph (i)(1) or (i)(2):

...

- (2) Unusual Physical Conditions:

- (A) That there are unusual physical circumstances or conditions in the design of the existing structure the accessory dwelling unit would be in, including without limitation the thickness of exterior walls or framing,

¹ Updating "accessory unit" to "accessory dwelling unit" for consistency.

² Updating "accessory unit" to "accessory dwelling unit" for consistency.

that affect the total allowed interior floor area of the accessory dwelling unit;

- (E) That the accessory dwelling unit would be clearly incidental to the principal dwelling unit.

Section 9-4-3, "Public Notice Requirements"

- (a) Process and Options: When a process or procedure identified in this title requires public notice, the city manager shall provide such notice according to Table 4-2 of this section. If a code section does not reference a specific method, the city manager shall determine the most appropriate notification method to be used.

TABLE 4-2: PUBLIC NOTICE OPTIONS

Public Notice Type	Type of Application, Meeting or Hearing	Mailed Notice	Posted Notice
4	Solar exceptions, solar access permits, <u>accessory units</u> ³	To adjacent property owners a minimum of 10 days before final action	Post property a minimum of 10 days from receipt of application and prior to final action or any hearing

Section 9-6-1, "Schedule of Permitted Land Uses"

The schedule in Table 6-1 shows the uses that are permitted, conditionally permitted, prohibited, or that may be permitted through use review.

TABLE 6-1: USE TABLE

A = Allowed C = Conditional Use U = Use Review [] = Specific Use Standards Apply - = Prohibited																												
Zoning District	RR-1, RR-2, RE, RL-1	RL-2, RM-2	RM-1, RM-3	RMX-1	RMX-2	RH-1, RH-2, RH-4, RH-5	RH-3, RH-7	RH-6	MH	MU-3	MU-1	MU-2	MU-4	BT-1, BT-2	BMS	BC-1, BC-2	BCS	BR-1, BR-2	DT-4	DT-5	DT-1, DT-2, DT-3	IS-1, IS-2	IG	IM	IMS	P	A	Specific Use Standards
Use Module	R1	R2	R3	R4	R5	R6	R7	R8	MH	M1	M2	M3	M4	B1	B2	B3	B4	B5	D1	D2	D3	I1	I2	I3	I4	P	A	
RESIDENTIAL USES																												
Residential Accessory																												
Accessory dwelling unit ⁴	[C A]	[C A]	-	[C A]	[C A]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	[C A]	[C A]	9-6-3(n)

³ This has been removed as ADUs are proposed to be an [A] use in the table, which would no longer be an administrative application that requires public notice.

⁴ Review process has changed from a conditional use to an allowed use subject to specific use standards, to more efficiently process ADU applications in a one-step review rather than two-step.

Section 9-6-3, "Specific Use Standards – Residential Uses"

(a) Residential Uses:

...

(n) Accessory Dwelling Unit:

- (1) ~~General Requirements: Three types of accessory units may be approved as conditional uses: Attached accessory dwelling units, detached accessory dwelling units, and limited accessory units.~~ The following standards apply to all three types of an accessory dwelling unit.⁵

- (A) General Standards: An accessory dwelling unit shall meet the following standards.⁶

- (i) Lot Limitations: An accessory dwelling unit may be created on a lot of 5,000 square feet or more with a detached dwelling unit. One accessory dwelling unit may be located on a lot.⁷

- (ii) Maximum Floor Area: The accessory dwelling unit shall be limited to the floor area in Table 6-3.⁸ The board of zoning adjustment may grant a variance to this floor area requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.

- ~~(ii) — Occupancy Requirement: For purposes of determining occupancy requirements under Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, the principal dwelling unit and accessory unit shall be considered one dwelling unit. The occupancy of the principal dwelling unit together with the occupancy of any accessory unit shall not exceed the occupancy requirements set forth in Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, for one dwelling unit; provided, however, for purposes of this section only, any occupant and his or her dependents shall be counted as one person. The floor area limitation for quarters used by roomers under Paragraph 9-8-5(a)(1), B.R.C. 1981, shall not apply to an accessory unit.~~⁹

⁵ Shorter language consistent with reorganization and rewording of Chapter 9-6 during Module One of the use table project. The use table has been updated to make ADUs an "[A]" allowed use subject to specific use standards, rather than require a conditional use application, to expedite permit reviews.

⁶ Inserted for consistency with similar language elsewhere in Chapter 9-6.

⁷ This requirement is pulled from current (n)(2)(C)(i) and (n)(3)(C)(i). Additional clarification added of only one ADU per lot.

⁸ Rather than repeating similar standards in sections (n)(2) and (n)(3), the maximum floor area for both ADU types have been consolidated here.

⁹ Occupancy standards for ADUs have not been changed but have been moved to Section 9-8-5 with all of the other occupancy standards.

Table 6-3: Maximum Floor Area

	<u>Accessory Dwelling Unit</u>	<u>Affordable Accessory Dwelling Unit</u>	<u>Designated Historic Property</u>
<u>Attached</u>	<u>One-half of the total floor area of the principal structure or 1,000 square feet, whichever is less.</u> ¹⁰	<u>Two-thirds of the total floor area of the principal structure or 1,200 square feet, whichever is less.</u> ¹¹	
<u>Detached</u>	<u>800 sq. ft.</u> ¹²	<u>1,000 sq. ft.</u> ¹³	

- (iii) Off-Street Parking: The minimum number of off-street parking spaces shall be provided on the lot or parcel as required by Table 6-4. The required parking spaces shall meet at least the minimum dimensional requirements in Table 9-6, "Small Car Parking Dimension Standards," B.R.C. 1981, and may be located in a required landscaped setback abutting the street.¹⁴

Table 6-4: Off-Street Parking Requirement

<u>Accessory Dwelling Unit</u>	<u>The number of off-street parking spaces required in the zoning district for the principal dwelling unit and one additional off-street parking space</u>
<u>Affordable Accessory Dwelling Unit</u>	<u>The parking required in the zoning district for the principal dwelling unit.</u>
<u>Designated Historic Property</u>	

- (iv) Owner-Occupied: The principal dwelling unit or accessory dwelling unit on the parcel or lot must be owner-occupied. The applicant shall provide evidence to the city manager to demonstrate compliance with this requirement at the time of application or any time thereafter. For entities that are similar to

¹⁰ This requirement for attached ADUs has been increased from one-third or 1,000 square feet, whichever is less.

¹¹ This requirement for affordable/historic attached ADUs has been increased from one-half to two-thirds and from 1,000 to 1,200 square feet.

¹² This requirement for detached ADUs has been increased from 550 square feet.

¹³ This requirement for affordable detached ADUs has been increased from 800 square feet to 1,000 square feet, which is the current maximum for historic ADUs.

¹⁴ Rather than repeating similar standards in sections (n)(2) and (n)(3), the parking requirements have been consolidated here. Parking requirements remain the same, with some additional flexibility added for the required parking spaces to meet small car standards rather than standard size parking standards. Removed clause about spaces in public right-of-way (unnecessary as it is specified as off-street parking).

ownership by a person, such evidence may include without limitation declaration of trust ownership, articles of organization, operating agreement, or similar documentation.¹⁵ The city manager may approve a temporary absence of the owner-occupant for less than one year with an affidavit of exemption pursuant to the procedures for temporary rental license exemptions in Section 10-3-2, "Rental License Required Before Occupancy and License Exemptions," B.R.C. 1981.¹⁶

(iiiiv) Rental License: No owner of the property shall allow, or offer to allow through advertisement or otherwise, any person to occupy the accessory dwelling unit or the principal dwelling unit as a tenant or lessee or otherwise for a valuable consideration unless such rented unit has been issued a valid rental license by the city manager consistent with the requirements of Chapter 10-3, "Rental Licenses," B.R.C. 1981.

(iivvi) Short-Term Rental: Short-term rental of an accessory dwelling unit and short-term rental of a principal dwelling unit on a lot or parcel with an accessory dwelling unit are prohibited except as specifically authorized in Section 10-3-19, "Short-Term Rentals," B.R.C. 1981.

(vii) No Independent Conveyance: No person shall convey an accessory dwelling unit independently of the principal dwelling unit on the lot or parcel.

~~(B) Application: All applicants shall apply on forms provided by the city manager showing how and in what manner the criteria of this subsection are met, provide a statement of current ownership and a legal description of the property, pay the application fee prescribed by Section 4-20-43, "Development Application Fees," B.R.C. 1981, and submit plans as may be required by the manager.~~¹⁷

~~(C) Public Notice: Notice of the application shall be provided consistent with "Public Notice Type 4," as defined by Subsection 9-4-3(a), B.R.C. 1981.~~¹⁸

¹⁵ This language has been added to clarify how other entities are required to prove owner occupancy.

¹⁶ Clarity added that property owners may temporarily live elsewhere outside of Boulder County, such as a sabbatical, and rent the principal dwelling unit as well, provided they receive a temporary rental license exemption, which stipulates that the owner is not gone for more than one year and the owner will re-occupy the property.

¹⁷ This has been deleted as it is already covered by application requirement language in Chapter 9-2.

¹⁸ Removed as noted above, ADUs are now an [A] in the use table, which does not require public notice.

~~(D) — Review and Approval: All applications for accessory units shall be reviewed under the procedures of Section 9-2-2, "Administrative Review Procedures," B.R.C. 1981.~~

~~(Fviii)~~ Declaration of Use Required: Before obtaining approval, all owners shall sign a declaration of use, including all the ~~conditions~~ standards for continued use, to be recorded in the office of the Boulder County Clerk and Recorder to serve as actual and constructive notice of the legal status of the owner's property. If the unit is to be an affordable accessory dwelling unit, the declaration shall include a sworn certification that the unit will meet the affordability standard and a statement of the number of bedrooms.

~~(Fix)~~ Amendments: The owner of an accessory dwelling unit may amend the approved size, affordability status, or other characteristics of an approved accessory dwelling unit by filing a building permit application that demonstrates compliance with applicable accessory dwelling unit standards. Prior to approval the owner must sign an updated declaration of use to be recorded in the office of the Boulder County Clerk and Recorder.¹⁹ ~~The site plan for an accessory unit may be modified and an affordable accessory unit may be converted to an accessory unit that is not an affordable accessory unit provided that an application is filed and reviewed by the manager under the procedures of Section 9-2-2, "Administrative Review Procedures," B.R.C. 1981. The application must demonstrate that the proposed accessory unit meets the requirements of this section except that it shall not be subject to the saturation limitations of Subparagraphs (m)(2)(A) and (E) and (m)(3)(A) and (E).~~²⁰

~~(G) — Floor Area: For the purpose of calculating the floor area of an attached accessory unit or detached accessory unit under this subsection (m), floor area shall mean the total square footage of all levels measured to the outside surface of the exterior framing, to six inches beyond the interior wall on an exterior wall, or to the outside surface of the exterior walls if there is no exterior framing, of a building or portion thereof, which includes stairways, elevators, the portions of all exterior elevated above grade corridors, balconies, and walkways that are required for primary or secondary egress by Chapter 10-5, "Building Code," B.R.C. 1981, storage and mechanical rooms, whether internal or external to the structure, but excluding an atrium on the interior of a building where no floor exists, a~~

¹⁹ These changes are intended to more broadly address future modifications to ADUs that comply with updated standards.

²⁰ This final sentence has been removed as it is unnecessary with the elimination of the saturation limits.

~~courtyard, the stairway opening at the uppermost floor of a building, and floor area that meets the definition of uninhabitable space.²¹~~

- (2) Attached Accessory Dwelling Units: In addition to the general ~~accessory unit~~ standards in Paragraph ~~(m)~~(1) of this section, the following standards apply to attached accessory dwelling units. ~~The owner or the owners of a lot or parcel with a single family dwelling unit may establish and maintain an attached accessory dwelling unit within the principal structure of a detached dwelling unit in the RR, RE, RL, RMX, A, or P districts if all of the following conditions are met and continue to be met during the life of the attached accessory dwelling unit:~~

~~(A) Neighborhood Area: In the RL-1 or RL-2 zoning districts, no more than twenty percent of the lots or parcels in a neighborhood area contain an accessory unit. For the purpose of this subparagraph:²²~~

~~(i) The “neighborhood area” in RL-1 and RL-2 zoning districts is the area circumscribed by a line three hundred feet from the perimeter of the lot line within which any accessory unit will be located. Within the “neighborhood area” only accessory units within the RL-1 and RL-2 zoning districts are counted towards the twenty percent limitation factor.~~

~~(ii) For the purpose of calculating the twenty percent limitation factor, the following shall apply:~~

- ~~a. A legal, nonconforming structure containing two or more dwelling units is counted as an accessory unit;~~
- ~~b. A cooperative housing unit is counted as an accessory unit;~~
- ~~c. An accessory unit that is licensed as part of a cooperative housing unit and said cooperative housing unit shall be counted together as one accessory unit; and~~
- ~~d. The manager may promulgate regulations defining additional methods to be used in calculating the twenty percent limitation factor and the neighborhood area.~~

~~(iii) If an application for an accessory unit exceeds the twenty percent requirement set forth in this Subparagraph (m)(2)(A), the manager will place the applicant on a waiting list for the neighborhood area.~~

~~At such time as there is room for an additional accessory unit within a neighborhood area, the manager will notify the first eligible person on the waiting list. Such person on the waiting list shall be required to~~

²¹ This unique definition of floor area has been removed. The typical definition of floor area in Chapter 9-16 will apply to ADUs to ensure greater consistency and clarity.

²² The saturation limit for properties within the RL-1 and RL-2 districts has been removed.

~~provide notice of intent to file an application within thirty days and file an application within sixty days of such notice.~~

~~(B) — Parking: The attached accessory dwelling unit shall have the following off-street parking:~~²³

~~(i) — The number of off-street parking spaces required in the zoning district for the principal dwelling unit; and~~

~~(ii) — One additional off-street parking space on the lot or parcel upon which the detached dwelling unit is located; and~~

~~(iii) — The parking spaces required under this Subparagraph (m)(2)(B) shall not be required to meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, provided that the parking spaces are not located in the public right-of-way.~~

~~(C) — Standards: The attached accessory dwelling unit is clearly incidental to the principal dwelling unit and meets the following standards:~~

~~(i) — The attached accessory dwelling unit is created only in a single-family detached dwelling unit on a lot of five thousand square feet or more.~~²⁴

~~(ii) — The attached accessory dwelling unit does not exceed one-third of the total floor area of the principal structure or one thousand square feet, whichever is less, unless a variance is granted pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~²⁵

~~(A) (iii) — Interior Connections: All attached accessory dwelling units shall be separated by a lockable, physical separation.~~ If there is an interior connection between the ~~attached~~ accessory dwelling unit and the principal dwelling prior to the creation of the ~~attached~~ accessory dwelling unit, the connection together with the lockable, physical separation shall be maintained for the duration during the life of the ~~attached~~ accessory dwelling unit.²⁶

²³ Parking requirements have been consolidated into the general standards in (n)(1) instead.

²⁴ This standard has been consolidated into the general standards in (n)(1)(A)(i) instead.

²⁵ Maximum floor area has been consolidated into the general standards in (n)(1)(A)(ii) instead. Maximum floor area for attached ADUs has been increased to one-half of the principal structure or 1,000 square feet, whichever is less.

²⁶ The "lockable, physical separation" language is pulled from the definition of "dwelling unit" in Chapter 9-16 and intended to clarify something that is a commonly misunderstood requirement during the ADU application.

~~(B) (iv) —~~ Side Entrances: Any additional entrance resulting from the creation of an attached accessory dwelling unit may face the side of the lot fronting on the street only if such entrance is adequately and appropriately screened in a manner that does not detract from the single-family appearance of the principal dwelling unit.

(3) Detached Accessory Dwelling Units: In addition to the general standards in Paragraph (n)(1) of this section, the following standards apply to detached accessory dwelling units.²⁷

(A) Maximum Height: The maximum height of accessory buildings with a detached accessory dwelling unit shall not be greater than twenty feet. The city manager may modify this height standard if the building meets one of the following:

(i) If the roof pitch is greater than 8:12, provided the building height does not exceed 25 feet; or

(ii) If a legal existing accessory building is converted to a detached accessory dwelling unit, provided that no changes are proposed to the existing accessory building's height, floor area, or roof form.²⁸

(B) Private Open Space: A detached accessory dwelling unit shall have a minimum of sixty square feet of private open space provided for the exclusive use of the occupants of the detached accessory dwelling unit. Private open space may include porches, balconies, or patio areas.²⁹

~~(D) Affordable Accessory Units: If the attached accessory dwelling unit is licensed as an affordable accessory unit, the following standards apply:~~

~~(i) The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit.~~³⁰

~~(ii) The unit may be more than one-third of the total floor area of the principal structure but shall not exceed one-half of the floor area of the principal structure or one thousand square feet, whichever is less. The BOZA may grant a variance to this size requirement~~

²⁷ The design standards for detached ADUs currently in (n)(3)(C) have been relocated here to follow the section on attached ADUs.

²⁸ The previous wording of this standard in (n)(3)(C)(iii) set a 25 foot absolute limit for existing structures. This instead provides flexibility to existing structures and staff may modify the height standard as long as the building is not changing in height, size, or roof form. Previous requirement for wall to roof ratio has been removed, with some flexibility to allow for steeper roof pitches up to 25 feet remaining.

²⁹ This is the existing standard for private open space (n)(3)(C)(iii)b. The final sentence "Decks, porches, patios, terraces, and stairways, located at a height greater than thirty inches above grade, shall be considered part of the building coverage" has been removed because it is duplicative of the definition of building coverage in 9-16.

³⁰ This has been incorporated in the general standards for parking above.

~~pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~³¹

~~(iii) If the unit is or will be offered for rental for compensation, the owner must obtain and at all times thereafter maintain a valid rental license for an affordable accessory unit issued by the manager consistent with the requirements of Chapter 10-3, "Rental Licenses," B.R.C. 1981.~~³²

~~(E) Designated Historic Property: If the attached accessory dwelling unit is located within a principal structure that is designated as an individual landmark or recognized as contributing to a designated historic district under Chapter 9-11, "Historic Preservation," B.R.C. 1981, the following modifications to the standards of this Paragraph (m)(2) apply:~~

~~(i) In the RL-1 and RL-2 zoning district, the unit is not subject to the twenty percent limitation factor of Subparagraph (m)(2)(A) provided that no more than thirty percent of the lots or parcels in the neighborhood area contain an accessory unit;~~³³

~~(ii) The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit; and~~³⁴

~~(iii) The unit may be more than one third of the total floor area of the principal structure but shall not exceed one half of the floor area of the principal structure or one thousand square feet, whichever is less. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~³⁵

~~(3) Detached Accessory Dwelling Units: In addition to the general accessory unit standards in Paragraph (m)(1) of this section, the following standards apply to detached accessory dwelling units. An owner or the owners of a lot or parcel with a single-family detached dwelling unit may establish and maintain a detached accessory dwelling unit within an accessory structure meeting the size restrictions described below, on a lot or parcel in the RR, RE, RL, RMX, A, and P districts if all of the following conditions are met and continue to be met during the life of the detached accessory dwelling unit:~~³⁶

³¹ This has been incorporated in the general standards for floor area above.

³² This language has been removed as it is covered by the general standard related to rental licenses.

³³ The saturation limit has been removed, so this incentive has been accordingly removed.

³⁴ This has been incorporated in the general standards for parking above.

³⁵ This has been incorporated in the general standards for floor area above.

³⁶ Standards for detached units are now located above in (n)(3).

~~(A) — Neighborhood Area: In the RL-1 and RL-2 zoning districts, no more than twenty percent of the lots or parcels in a neighborhood area contain an accessory unit. For the purpose of this subparagraph:³⁷~~

~~(i) — The “neighborhood area” in RL-1 and RL-2 zoning districts is the area circumscribed by a line three hundred feet from the perimeter of the lot line within which an accessory unit will be located. Within the “neighborhood area” only accessory units within the RL-1 and RL-2 zoning districts are counted towards the twenty percent limitation factor.~~

~~(ii) — For the purpose of calculating the twenty percent limitation factor, the following shall apply:~~

~~a. — A legal, nonconforming structure containing two or more dwelling units is counted as an accessory unit;~~

~~b. — A cooperative housing unit is counted as an accessory unit;~~

~~c. — An accessory unit that is licensed as part of a cooperative housing unit and said cooperative housing unit shall be counted together as one accessory unit; and~~

~~d. — The manager may promulgate regulations defining additional methods to be used in calculating the twenty percent limitation factor and the neighborhood area.~~

~~(iii) — If an application for a detached accessory dwelling unit exceeds the twenty percent requirement set forth in Subparagraph (m)(3)(A), the manager will place the applicant on a waiting list for the neighborhood area. At such time as there is room for an additional accessory unit within the neighborhood area, the manager will notify the first eligible person on the waiting list. Such person on the waiting list shall be required to provide notice of intent to file an application within thirty days and file an application within sixty days of such notice.~~

~~(B) — Parking: The detached accessory dwelling unit shall have the following parking:~~

~~(i) — The number of off-street parking spaces required in the zoning district for the principal dwelling unit; and³⁸~~

~~(ii) — One additional off-street parking space on the lot or parcel upon which the detached dwelling unit is located;~~

³⁷ Saturation limit in RL-1 and RL-2 has been removed.

³⁸ Parking standards have been consolidated above in the general standards. Specific screening requirements in RR and RE have not been carried forward to make standards more consistent across districts.

~~(iii) The parking spaces required under this Subparagraph (m)(3)(B) shall not be required to meet the setback requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, provided that the parking spaces are not located in the public right of way. To the extent practical, any additional off street parking that is constructed in the RR or RE zoning district required for the detached accessory dwelling unit shall be screened from the view of properties that directly abut a property line of the detached accessory dwelling unit.~~

~~(C) Incidental to Principal Dwelling Unit: The detached accessory dwelling unit is clearly incidental to the principal dwelling unit and meets the following standards:~~

~~(i) The detached accessory dwelling unit is created on a lot of five thousand square feet or larger.³⁹~~

~~(ii) The detached accessory dwelling unit's floor area does not exceed five hundred and fifty square feet, unless a variance is granted pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.⁴⁰~~

~~(iii) The following design standards apply to detached accessory dwelling units:⁴¹~~

- ~~a. Maximum height of accessory buildings with a detached accessory dwelling unit shall not be greater than twenty feet unless the roof pitch is greater than 8:12 and the resulting ratio of the height of the roof (measured from the eave line to the top of the roof) to the height of the side walls (measured from the low point of grade to the eave line) is less than a 1:2 ratio. The city manager may modify this height standard for a legal existing accessory building that is being converted to a detached accessory dwelling unit to the extent that the existing accessory building's height and size is not proposed to be modified. In no case may a building height exceed twenty five feet.~~
- ~~b. A detached accessory dwelling unit shall have a minimum of sixty square feet of private open space provided for the exclusive use of the occupants of the detached accessory~~

³⁹ The minimum lot size has been consolidated into the general standards above.

⁴⁰ Maximum floor area is consolidated into the general standards above and the maximum for detached ADUs has been increased to 800 square feet.

⁴¹ The standards related to height and private open space have been moved above to detached ADU design standard section in (n)(3). Language about specific roof pitch has not been carried forward as it was rarely utilized and overly complex.

~~dwelling unit. Private open space may include porches, balconies, or patio areas. Decks, porches, patios, terraces, and stairways, located at a height greater than thirty inches above grade, shall be considered part of the building coverage.~~

~~c. Setbacks shall comply with accessory building setbacks. Where the rear yard of a property in the RR or RE zoning district directly abuts an RL zoning district, the rear yard accessory building setback shall be the same as the side yard setback for accessory buildings for applicable RR or RE zoning districts.~~⁴²

~~(D) Affordable Accessory Units: If the detached accessory dwelling unit is licensed as an affordable accessory unit, the following standards apply:~~

~~(i) The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit.~~

~~(ii) The unit's floor area may be up to eight hundred square feet. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

~~(iii) If the unit is or will be offered for rental for compensation, the owner must obtain and at all times thereafter maintain a valid rental license for an affordable accessory unit issued by the manager consistent with the requirements of Chapter 10-3, "Rental Licenses," B.R.C. 1981.~~⁴³

~~(E) Designated Historic Property: If either the accessory structure the detached accessory dwelling unit is located in or the principal structure on the lot or parcel is designated as an individual landmark or recognized as contributing to a designated historic district under Chapter 9-11, "Historic Preservation," B.R.C. 1981, the following modifications to the standards of this Paragraph (m)(3) apply:~~

~~(i) In the RL-1 and RL-2 zoning district, the unit is not subject to the twenty percent limitation factor of Subparagraph (m)(3)(A) provided that no more than thirty percent of the lots or parcels in the neighborhood area contain an accessory unit;~~

⁴² This unique setback standard for RR and RE has not been carried forward. This has led to several variance applications through BOZA which have all been consistently approved. Section 9-10-3 provides flexibility for nonconforming setbacks provided the size is not changed.

⁴³ These standards have been consolidated into the general standards tables for parking and floor area above.

~~(ii) The unit shall only be required to provide the parking required in the zoning district for the principal dwelling unit; and~~

~~(iii) The unit's floor area may be up to one thousand square feet. The BOZA may grant a variance to this size requirement pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.~~

~~(4) Limited Accessory Units: In addition to the general accessory unit standards in Paragraph (m)(1) of this section, the following standards apply to limited accessory units that may be approved as a conditional use in the RR-1, RR-2, RE, and RL-1 Zoning Districts only. An existing nonconforming duplex or two detached dwelling units located on the same lot and within the R1 use module may be converted to limited accessory dwelling units. A limited accessory dwelling unit may be modified and expanded as a conditional use. Conversion to a limited accessory dwelling unit is subject to compliance with all of the following standards.⁴⁴~~

~~(A) Applicability: This Subparagraph (m)(4) is only applicable to dwelling units that legally existed, were actively used as multiple dwelling units, and had a valid rental license on January 1, 2005.~~

~~(B) Expansion Limitation: The cumulative total of any expansion shall not exceed twenty percent of the total floor area that was documented at the time of the initial expansion. Any expansion of the restricted accessory unit shall not exceed ten percent. In no case shall any expansion cause the cumulative size of the restricted dwelling units to exceed the maximum allowable floor area ratio of the underlying zoning district as set forth in Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981.~~

~~(C) Parking: The minimum number of off-street parking spaces shall not be less than three spaces. All parking shall comply with the design and access requirements set forth in Section 9-9-6, "Parking Standards," B.R.C. 1981. A minimum of one off-street parking space shall be available for use by the restricted accessory dwelling unit.~~

~~(D) Loss of Prior Nonconforming Status: If a nonconforming duplex or two detached dwelling units are converted to limited accessory units through the conditional use process, any prior nonconforming status is lost.~~

Section 9-8-5, "Occupancy of Dwelling Units"

⁴⁴ The Limited Accessory Unit type has been removed as there was only one remaining in the city and it is very similar to an attached ADU.

- ...
- (b) ~~Attached Accessory Dwelling Unit; Detached Accessory Dwelling Unit, or Limited Accessory Dwelling Unit: The occupancy of an attached accessory dwelling unit, detached accessory dwelling unit, or limited accessory dwelling unit must meet the requirements of Subsection 9-6-3(n), B.R.C. 1981. The principal dwelling unit and accessory dwelling unit shall be considered one dwelling unit. The occupancy of the principal dwelling unit together with the occupancy of any accessory dwelling unit shall not exceed the occupancy requirements set forth in this section for one dwelling unit; provided, however, for purposes of this subsection only, any occupant and his or her dependents shall be counted as one person. The floor area limitation for quarters used by roomers under Paragraph 9-8-5(a)(1), B.R.C. 1981, shall not apply to an accessory dwelling unit.~~⁴⁵
- ...

- (d) Cooperative Housing License: A dwelling unit licensed as a cooperative housing unit pursuant to Section 10-11-3, "Cooperative Housing Licenses," B.R.C. 1981, shall not be subject to the occupancy limits or any exceptions as set forth in this section; and an attached accessory dwelling unit or detached accessory dwelling unit licensed with such dwelling unit as a cooperative housing unit shall not be subject to the occupancy standards of ~~Subp~~Paragraph ~~9-6-3(n)(1)(A)(ii), "Occupancy Requirement"~~9-8-5(b), "Accessory Dwelling Unit," B.R.C. 1981. All such dwelling units together with any attached accessory dwelling unit or detached accessory dwelling unit so licensed shall be limited to no fewer than four occupants with the maximum number of occupants, without regard to whether the occupants are related or not, as follows:
- ...

Section 9-9-6, "Parking Standards"⁴⁶

(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 9-2: USE SPECIFIC MOTOR VEHICLE PARKING REQUIREMENTS FOR RESIDENTIAL USES
IN ALL ZONES**

<i>Use</i>	<i>Parking Requirement</i>
Attached a Accessory dwelling unit, detached accessory dwelling unit	The off-street parking requirement for the principal DU must be met, plus any parking space required for

⁴⁵ This language has not been changed but has been relocated from the ADU standards.

⁴⁶ Updated terms to consistently reference "accessory dwelling unit."

the accessory <u>dwelling</u> unit, see Subsection 9-6-3(n), B.R.C. 1981
--

...

(g) Bicycle Parking:

- (1) Required Bicycle Spaces: Bicycle parking spaces must be provided as required by Table 9-8 of this section.

TABLE 9-8: OFF-STREET BICYCLE PARKING REQUIREMENTS

<i>Use Type (based on Table 6-1 of Section 9-6-1)</i>	<i>Minimum Number of Off-Street Bicycle Spaces</i>	<i>Long-Term</i>	<i>Short-Term</i>
Residential Uses			
Accessory <u>dwelling</u> units	no requirement	n/a	n/a

...

Section 9-16-1, "General Definitions"

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

...

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

...

Accessory dwelling unit means a separate and complete single housekeeping unit within a detached dwelling unit or within an accessory structure to the principal dwelling unit of the lot or parcel upon which the unit is located, ~~permitted under the provisions of Subsection 9-6-3(n), B.R.C. 1981.~~⁴⁷

...

Affordable accessory dwelling unit means a unit for which the rents meet the affordability standard.

...

Attached accessory dwelling unit means a separate and complete single housekeeping unit within a detached dwelling unit, ~~permitted under the provisions of Subsection 9-6-3(m), B.R.C. 1981.~~⁴⁸

...

⁴⁷ Removed unnecessary cross-reference.

⁴⁸ Removed unnecessary cross-reference.

Designated historic property means a property with a building designated as an individual landmark or recognized as contributing to a designated historic district under Chapter 9-11, "Historic Preservation," B.R.C. 1981.⁴⁹

...

Detached accessory dwelling unit means a separate and complete single housekeeping unit within an accessory structure to the principal dwelling unit of the lot or parcel upon which the unit is located ~~that is permitted under the provisions of Paragraph 9-6-3(n)(3), B.R.C. 1981.~~⁵⁰

...

~~*Limited accessory unit* means an existing nonconforming duplex or two detached dwelling units located on the same lot and within the R1 use module that has been approved in compliance with the standards in Section 9-6-3(n)(4).~~⁵¹

...

Owner-occupied means a dwelling unit or accessory dwelling unit that is the principal residence of at least one owner of record of the lot or parcel upon which the dwelling unit or accessory dwelling unit is located, who possesses at least an estate for life, or a fifty percent fee simple ownership interest, or is the trustor of a revocable living trust, or is the member that owns 50 percent or more of a limited liability company, or is the partner that owns 50 percent or more of a partnership or limited liability partnership, or similar entity.⁵²

...

Section 10-1-1, "Definitions"

- (a) The following terms used in this title have the following meanings unless the context clearly indicates otherwise:

...

Accessory dwelling unit means an accessory dwelling unit permitted under Section 9-6-3(n), "Accessory Dwelling Units," B.R.C. 1981.⁵³

...

⁴⁹ This definition was previously included within the ADU standards. To facilitate the consolidation of floor area and parking standards into tables, the definition is added here instead.

⁵⁰ Removed unnecessary cross-reference.

⁵¹ Removed as Limited Accessory Unit type has been removed.

⁵² Added clarity about LLC and LLP ownership.

⁵³ Consistency of "accessory dwelling unit" term.

Section 10-3-6, "License Application Procedure for Buildings Converted to Rental Property"⁵⁴

Every operator converting a property to rental property shall follow the procedures in this section for procuring a rental license:

- (a) Submit to the city manager a complete application packet, on forms provided by the manager, at least thirty days before rental of the property including:
 - (1) A rental housing inspector's certification of rental inspection dated within twelve months before the application. The operator shall make a copy of the inspection form available to city staff and tenants of inspected units within fourteen days of a request;
 - ...
 - (4) If the unit is an affordable accessory dwelling unit as defined in Section 9-16-1, "Definitions," B.R.C. 1981, a sworn certification that the unit will meet the rental affordability standard as defined in Section 9-16-1, "Definitions," B.R.C. 1981.
 - ...

Section 10-3-7, "License Renewal Procedure for Buildings Occupied as Rental Property"⁵⁵

Every operator of a rental property shall follow the procedures in this section when renewing an unexpired license:

- (a) Submit to the city manager a complete application packet, on forms provided by the manager including:
 - (1) A rental housing inspector's certification of rental inspection dated within twelve months before the application. The operator shall make a copy of the inspection form available to city staff and tenants of inspected units within fourteen days of a request;
 - ...
 - (4) If the unit is an affordable accessory dwelling unit as defined in Section 9-16-1, "Definitions," B.R.C. 1981, a sworn certification that the unit will meet the rental affordability standard as defined in Section 9-16-1, "Definitions," B.R.C. 1981.

⁵⁴ Consistency of "accessory dwelling unit" term.

⁵⁵ Consistency of "accessory dwelling unit" term.

...

Section 10-3-16, "Administrative Remedy"⁵⁶

(a) If the city manager finds that a violation of any provision of this chapter or Chapter 10-2, "Property Maintenance Code," B.R.C. 1981, exists, the manager, after notice to the operator 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:

(1) Impose a civil penalty according to the following schedule:

(A) For any violation in the following areas or of affordability standards: The area south of Arapahoe Avenue, north of Baseline Road, east of 6th Street and west of Broadway, the area south of Baseline Road, north of Table Mesa Drive, east of Broadway and west of U.S. Route 36 and the area south of Canyon Boulevard, north of Arapahoe Avenue, west of Folsom Street and east of 15th Street or for any violation of affordability standards for an affordable accessory dwelling unit approved under Subsection 9-6-3(n), B.R.C. 1981:

...

(b) If the city manager finds that an affordable accessory dwelling unit was advertised, offered for rent or rented for an amount in excess of the affordability standard, in addition to the actions the manager may take under subsection (a), the manager shall impose a penalty equal to the amount charged in excess of the affordability standard during the term of the license, plus interest at the rate of twelve percent per annum, and shall pay such funds collected to the tenant who was charged in excess of the affordability standard.

...

Section 10-3-19, "Short-Term Rentals"⁵⁷

(a) Short-term rentals are prohibited unless the city manager has issued a valid short-term rental license for the property.

...

⁵⁶ Consistency of "accessory dwelling unit" term.

⁵⁷ Consistency of "accessory dwelling unit" term. Updated references to Ordinance 8256 to February 1, 2019, instead, to be more consistent with practice throughout code.

- (o) An accessory dwelling unit or a principal dwelling unit on a single-family lot or parcel with an accessory unit may not be rented as a short-term rental unless all the following requirements are met:
- (1) Both the accessory dwelling unit and the principal dwelling unit were legally established ~~on the effective date of Ordinance No. 8256~~ by February 1, 2019;
 - (2) A current and valid short-term rental license exists for the unit;
 - (3) If the accessory dwelling unit is licensed for short-term rental, only the accessory dwelling unit and not any other dwelling unit on the same property may be licensed or used as a rental;
 - (4) If a principal dwelling unit is licensed for short-term rental, then no accessory dwelling unit on the same property may be licensed or used as a rental;
 - (5) An accessory dwelling unit may not be rented as a short-term rental for more than one hundred twenty days in any calendar year;
 - (6) Notwithstanding the provisions of subsection (i), the occupancy of the accessory dwelling unit and the principal dwelling unit must meet the requirements of Subsection 9-~~68-35~~ (1), B.R.C. 1981; and
 - (7) Licensing Limitations and Requirements:
 - (A) ~~After February 1, 2019, No~~ application for a new short-term rental license ~~shall~~ may be accepted ~~on or after the effective date of Ordinance No. 8256. On or after the effective date of Ordinance No. 8256, a new short-term rental license may be issued only for complete applications received by the city manager on or before the effective date of Ordinance No. 8256. On or after the effective date of Ordinance No. 8256, the~~ The city manager may renew unexpired short-term rental licenses pursuant to Section 10-3-7, "License Renewal Procedures," B.R.C. 1981. A license for which a complete renewal application is not filed within ninety days from the expiration date shall be considered expired.

...

Section 10-11-3, "Cooperative Housing Licenses" ⁵⁸

...

- (l) Any attached accessory dwelling unit or detached accessory dwelling unit to a dwelling unit that is licensed pursuant to this chapter shall be part of the licensed cooperative housing unit and subject to the standards of this chapter. The occupants of the dwelling

⁵⁸ Consistency of "accessory dwelling unit" term. Replaced language referencing Ordinance 8256 with official effective date for clarity now that the ordinance was adopted.

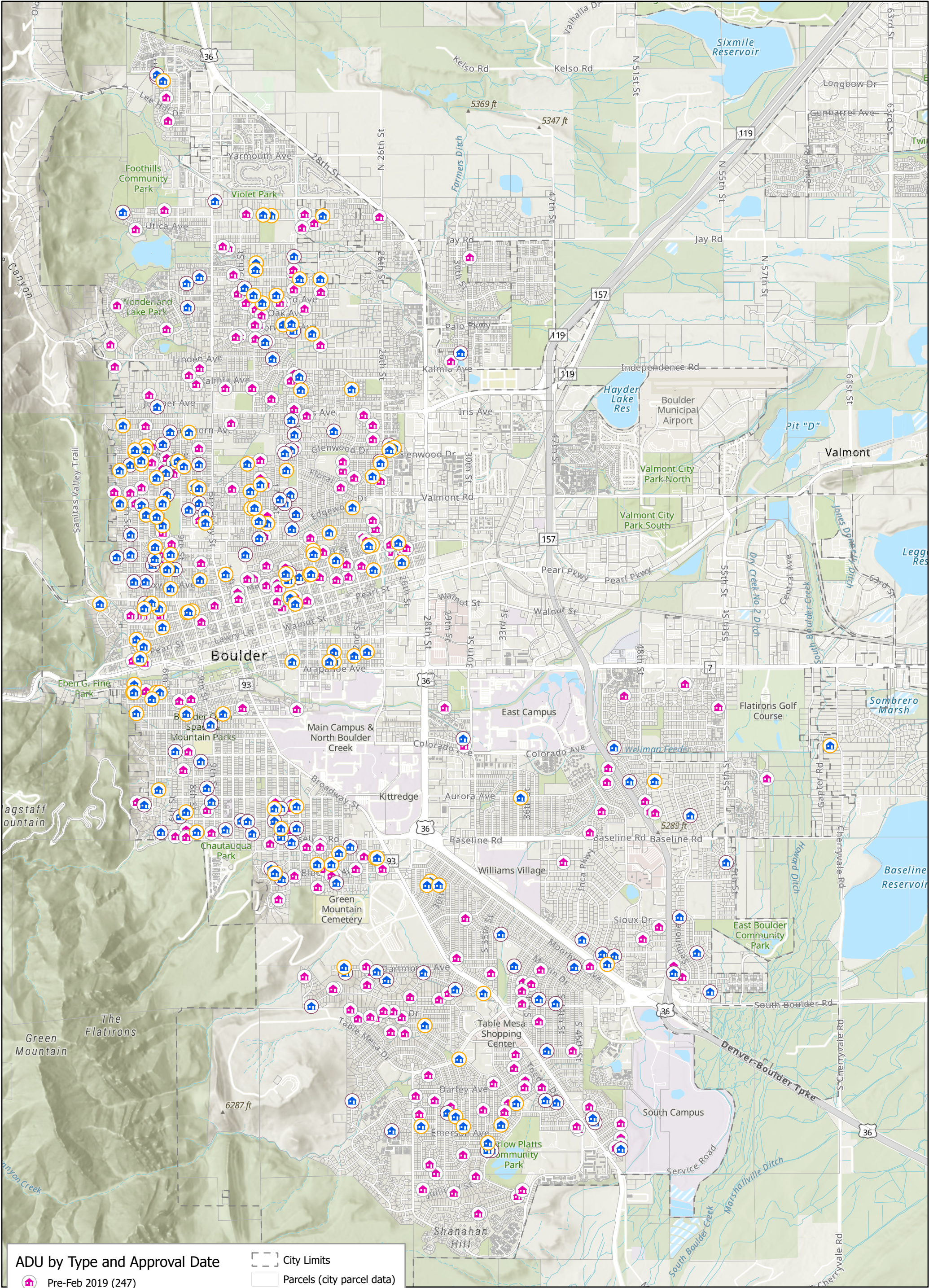
unit and accessory unit shall all be members of the cooperative. While such units are licensed as a cooperative housing unit under this chapter, neither the principal dwelling unit nor the accessory dwelling unit shall be required to be owner-occupied as would otherwise be required under Subparagraph 9-6-3(n)(1)(A)(iv), "Owner-Occupied," B.R.C. 1981.

...

DRAFT

Accessory Dwelling Units by Type

Attachment D - Map of ADUs by Type



ACCESSORY DWELLING UNIT UPDATE EVALUATION

2019 - 2022



PURPOSE

The most recent changes to Boulder's Accessory Dwelling Unit (ADU) regulations were adopted in Ordinance 8256 on December 4, 2018 and went into effect on February 1, 2019. The intent of this document is to evaluate how the ADU update met the desired outcomes of the code change project, and to inform future updates.

2018 Project Purpose Statement

The city, with the community, will craft a proposal for incremental changes to the relevant regulations addressing accessory units to simplify the regulations and remove apparent barriers to the construction of this housing type in ways that are compatible with neighborhoods.

The ADU Update project was intended to achieve the following:

- Provide additional flexibility to homeowners to stay in their homes by allowing for options that may either create supplemental revenue sources or allow for aging in place on the property.
- Increase workforce and long-term rental housing opportunities while balancing potential impacts to existing neighborhoods.

SUMMARY OF 2018 CHANGES

City Council adopted the following changes in Ordinance 8256:

Changes to types of ADUs and where they are allowed

- Established "detached accessory dwelling unit" and "attached accessory dwelling unit" terms instead of "owner accessory dwelling unit" and "accessory dwelling unit," respectively.
- Allowed attached ADUs in RMX-1 and RMX-2 as a conditional use, where previously prohibited, and allowed detached ADUs in the RL-2, RM-2, RMX-2, P, and A districts, where previously prohibited.
- Increased the saturation limit for properties in the RL-1 and RL-2 district from 10 percent to 20 percent. Removed the specific saturation limit for the RE, RR-1, RR-2, and A zoning districts. Included cooperative housing units in the calculation of saturation.
- Removed requirement that the principal structure must be at least five years old before an ADU can be approved.

Changes to licensing or occupancy requirements

- Modified occupancy standard from two person maximum to a combined maximum occupancy with principal structure, excluding dependents.
- Clarified rental license requirement for long-term rentals.

- Prohibited short-term rental of either principal dwelling unit or ADU.
- Removed automatic expiration if ADU not established with rental license within 180 days.
- Removed specifications for removing or transferring an ADU.

Changes to size or design of ADUs

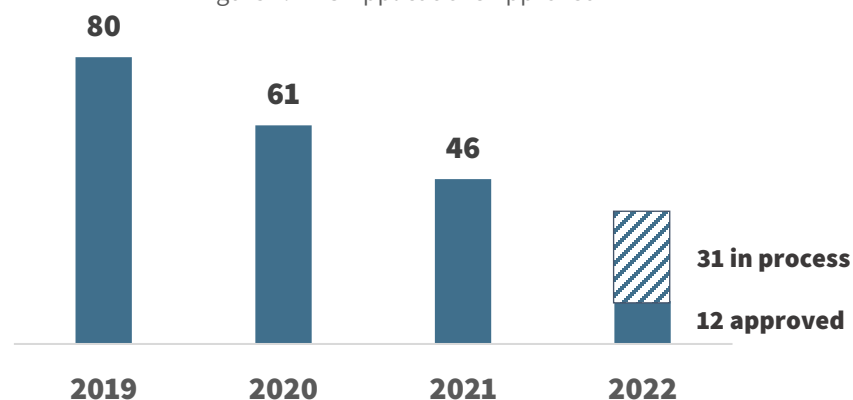
- Established unique method of measurement and definition of floor area for ADUs.
- Allowed flexibility for required parking to not meet the typical setback and paving requirements.
- Reduced minimum lot size required for ADUs from 6,000 to 5,000 square feet.
- Removed minimum size of attached ADU.
- Removed requirement to share utility hookups and meters with principal unit.
- Allowed greater flexibility for attached units to be created in other forms than internal conversion, such as additions.
- Incorporated new flexibility for affordable ADUs to reduce parking requirements and increase the size of the ADU.
- Incorporated new flexibility for designated historic properties to reduce parking requirements, increase size, and an increased saturation limit of 30%.
- Established size limit of 550 square feet for detached ADUs, where the previous requirement was 450 square feet.
- Removed some design requirements for detached ADUs including garage door design, architectural consistency with principal structure, and maximum building coverage of 500 square feet.

ADUS BY THE NUMBERS

Number of approved applications

Accessory dwelling units have been allowed in Boulder since 1983. 441 accessory dwelling units are currently approved in the city. A total of 200 ADU applications were approved between February 1, 2019 and July 31, 2022. Of these, 96 have completed construction as of July 31, 2022. 44 have been issued a building permit, and 32 have building permits at some stage in the building permit review process. See chart below for the number of applications approved each year since the 2018 ordinance went into effect. A chart with the number of application approved since 1983 is available in the appendix.

Figure 1. ADU Applications Approved

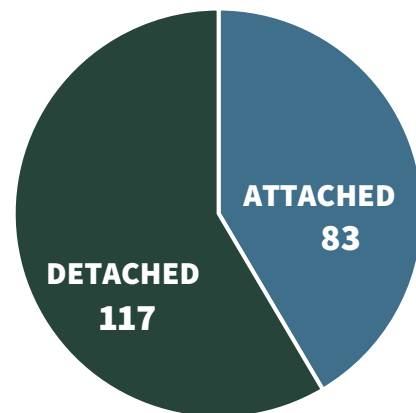


ADU types

Approximately 42% (83) of approved ADUs between February 1, 2019 and July 31, 2022 were attached and 58% (117) were detached. The adopted code changes also provided flexibility for the size and parking requirements for affordable ADUs.

Since the changes were adopted, 127 ADUs approved during this time are market-rate units and 73 are affordable ADUs.

Figure 2. Types of Approved ADUs

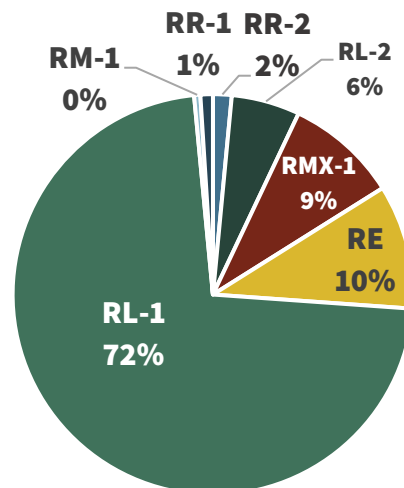


Zoning district location and lot size

The 2018 changes to the ADU regulations expanded the zoning districts where ADUs are allowed. The majority (72%) of ADUs that were permitted during this time were in the RL-1 zoning district, which already permitted both attached and detached ADUs prior to the changes. About 10% of recently approved ADUs were in the RE district, 9% in RMX-1, 6% in RL-2, 2% in RR-2, 1% in RR-1, and less than 1% in RM-1. Despite allowing ADUs in the RMX-2, A, and P districts, none were approved in these areas between 2019 and 2022.

The average lot size of properties approved with an ADU during this time is 10,298 square feet and the median is 7,899 square feet. The 2018 changes reduced the minimum lot size from 6,000 to 5,000 square feet, which allowed 12 properties with lot sizes smaller than 6,000 square feet to develop an ADU.

Figure 3. Approved ADUs Zoning District Locations



ADU size

The 2018 changes increased the allowable size of detached ADUs from 450 square feet to 550 square feet, but did not modify the allowable size of attached ADUs (1/3 of the structure or 1,000 square feet). The average size of approved ADUs between 2019 and 2022 was 640 square feet. The average size of detached ADUs during this time was 547 square feet and the average size of attached ADUs was 773 square feet. Detached market-rate ADUs were an average of 492 square feet and detached affordable ADUs averaged 634 square feet. For attached ADUs, market-rate units were an average of 763 square feet and affordable units were 796 square feet.

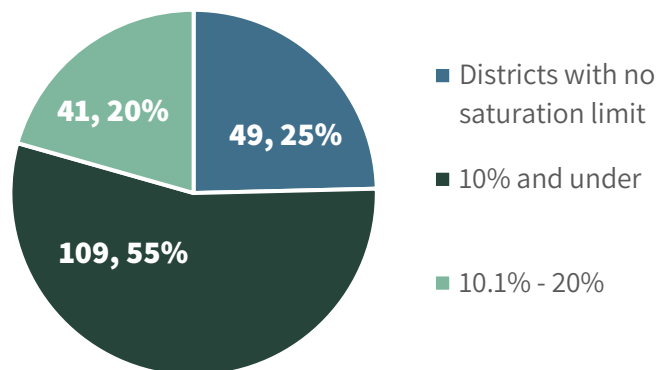
Figure 4. ADU Sizes

ADU size (sf) MEDIAN: 582 AVERAGE: 640	
Detached ADU size (sf) Average: 547 Average affordable: 634 Average market-rate: 492	Attached ADU size (sf) Average: 773 Average affordable: 796 Average market-rate: 763
Allowed: Market rate – 550 sf Affordable – 800 sf Historic – 1,000 sf	Allowed: Market rate - lesser of 1/3 or 1,000 sf Affordable/Historic – lesser of 1/2 or 1,000 sf

Saturation limits

The updated regulations modified the applicability of the saturation limit to only the RL-1 and RL-2 zoning districts and increased the limit from 10 to 20%. As of July 31, 2022, 15 properties remain on the waiting list because the saturation limit of their neighborhood area exceeds the limit of 20%. Of the 200 ADU applications approved since 2019, 41 of them exceeded the previous saturation limit of 10% and therefore would have not been allowed prior to the changes. However, 55% of applications had a saturation limit less than 10%, the previous limit, and 25% of applications do not have an applicable saturation limit due to their zoning district.

Figure 5. Approved ADU Saturation Limits



ADU variances

The code changes eliminated a variance option for a building coverage limit that was removed and maintained an existing variance option for floor area. Four ADUs applied for variances and received unanimous approval from the Board of Zoning Adjustment. Each of these variances was requested to increase floor area of an attached ADU in an existing basement. The sizes of these requests ranged from 1,027 to 1,500 square feet.

POTENTIAL OR WITHDRAWN ADU APPLICATIONS

In addition to reviewing data related to approved ADU applications, it is also important to understand what barriers may still exist for residents interested in establishing an ADU, as well as what issues commonly cause applicants to withdraw an ADU application that they have submitted to the city.

ADU inquiries

Inquire Boulder is the city's online customer service portal used by members of the public to submit issues or questions. Staff looked at questions submitted to the Planning & Development Services department in the Inquire Boulder system related to ADUs to better understand what initial questions are most frequent for people interested in building an ADU. From January 1 through September 15, 2022 a total of 218 tickets were received related to ADUs. The inquiries were tagged by general topic and the following lists the frequency of each topic.

- | | | |
|-----------------------------|--------------------------------|---------------------------|
| • Saturation rate (39) | • Building coverage (6) | • Neighbor concern (3) |
| • Is an ADU allowed (29) | • Flood (6) | • Parking (3) |
| • General (19) | • Process (6) | • Solar (3) |
| • Building code (18) | • Short term rental (6) | • Access (2) |
| • Size (16) | • Height (5) | • Affordable (1) |
| • Existing application (15) | • Removal (5) | • Building permit fee (1) |
| • Setbacks (13) | • Survey (5) | • Interior connection (1) |
| • Owner occupancy (9) | • Application requirements (3) | • Open space (1) |
| | • Compatible development (3) | |

Discussions with applicants who withdrew their ADU application

City staff also contacted all households that withdrew an ADU application from the city's permitting system since February 1, 2019. Feedback from these households was varied. One architect described the owner occupancy requirement being a challenge for properties that are simultaneously remodeling a main living area and building an ADU. "We needed to renovate the main house as it was uninhabitable. But we couldn't show owner occupancy because we couldn't live in it. Even if we were planning on occupying as a main home, we could not live there during renovations." Other households identified the following variables as a reason to withdraw an ADU application:

- One year time limit from ADU permit to complete building permit
- Need of a lockable separation for the unit
- HOA disapproval of building an ADU
- The complexity of the process and requirements for building an ADU

SURVEY RESULTS

Survey background

In 2022, the City of Boulder's Housing and Human Services Department, in partnership with the Planning and Development Services Department, conducted a survey about accessory dwelling units (ADUs) within the city. The purpose of the survey was to understand how these units contribute to housing opportunities within the city and to determine how the program might be improved. A similar survey was conducted both in 2012 and 2017, so changes in the uses of ADUs, attitudes about them, and major barriers can be assessed over time.

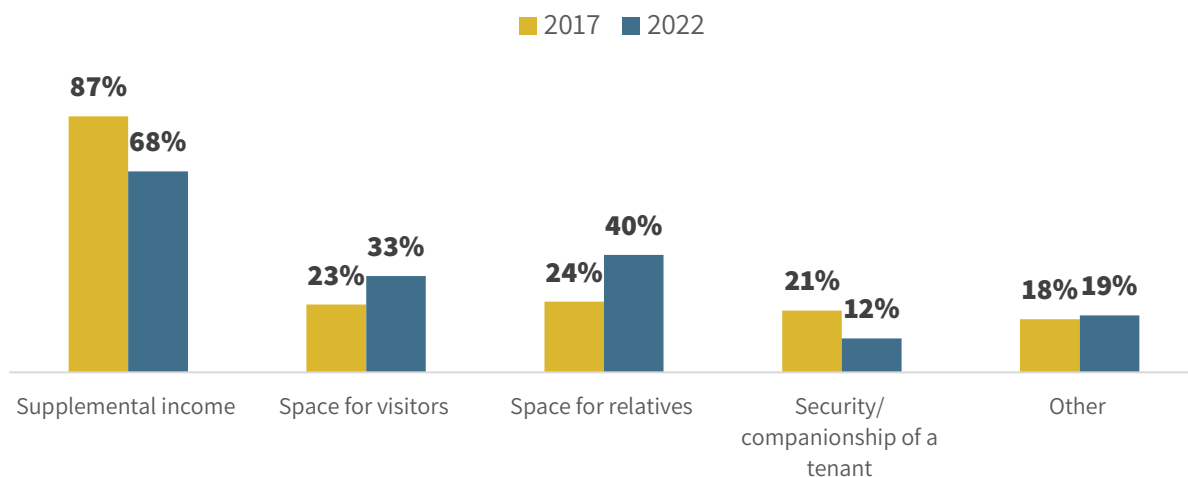
Immediately following the implementation of the regulatory changes in 2019, there was a corresponding spike in ADU applications. As a result, the 2022 version of this survey was sent to 439 households, a 47% increase in households surveyed compared to the 2017 survey.

The 2017 survey instrument was used as the starting point for the 2022 survey, with a few changes made to reflect the 2019 regulatory updates. All 439 households in the City's records shown to maintain an ADU in 2022 were selected to receive the survey. These households were mailed a survey packet which included the survey, a cover letter explaining the survey, and a postage-paid pre-addressed envelope in which to return the completed paper survey. In contrast to previous survey instruments, the 2022 survey included a QR Code and URL to allow households to complete the survey online. A reminder postcard was also sent to all 439 households. This postcard included the original QR Code and URL. Of the 439 households to which a survey was mailed, 212 households responded to the survey, for a 48% response rate.¹

Highlights of the survey results

While two-thirds of respondents (68%) report that supplemental income through rental of ADU was the primary benefit of maintaining an ADU, the overall proportion of those identifying supplemental income as the primary benefit has decreased by 20% since 2017.

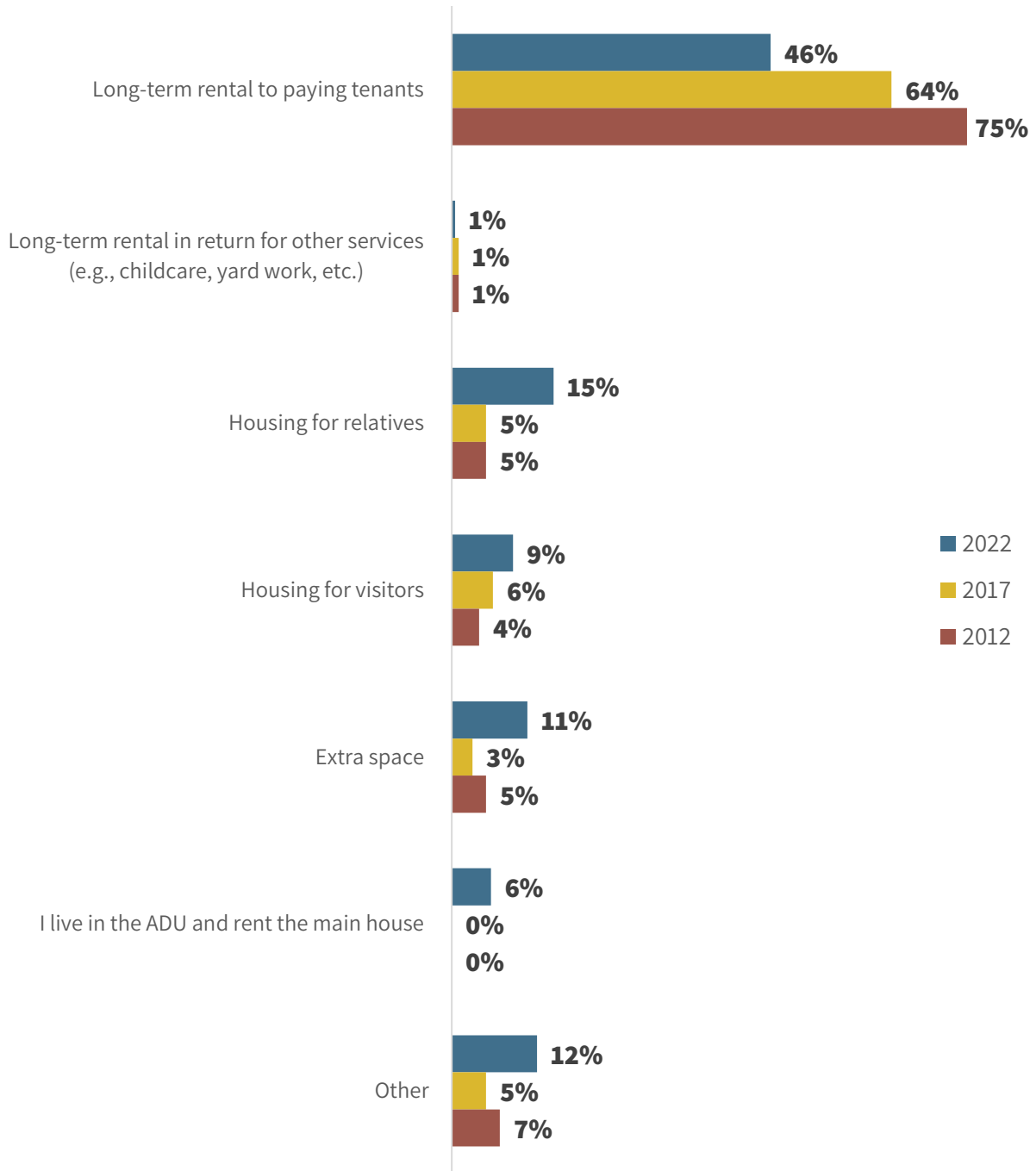
Figure 6. What do you consider to be the primary benefits of maintaining an ADU?



¹ Initial mailing sent August 31. Postcard reminder sent September 17. Survey closed October 10.

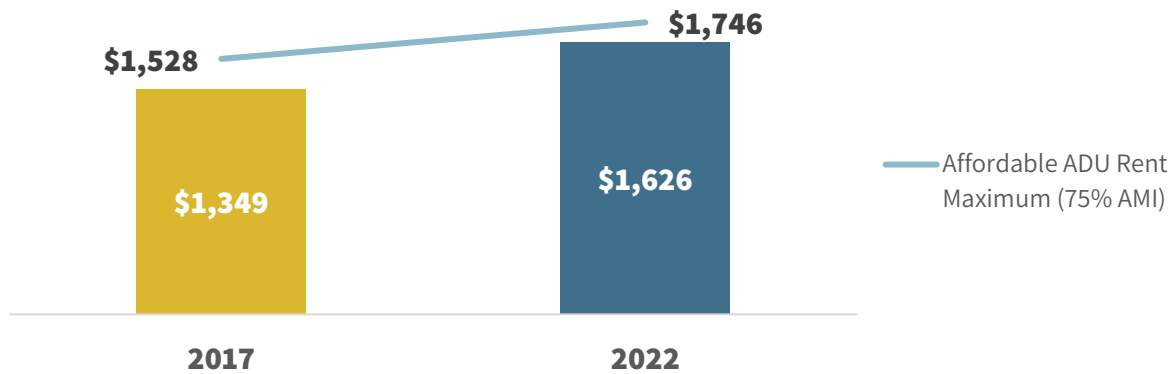
The proportion of survey respondents currently renting their ADU to long-term paying tenants has decreased by 29% since 2012. Using ADUs as housing for relatives, visitors, or simply extra space, all increased since previous surveys.

Figure 7. Current Use of the ADU (How do you currently use your ADU?)



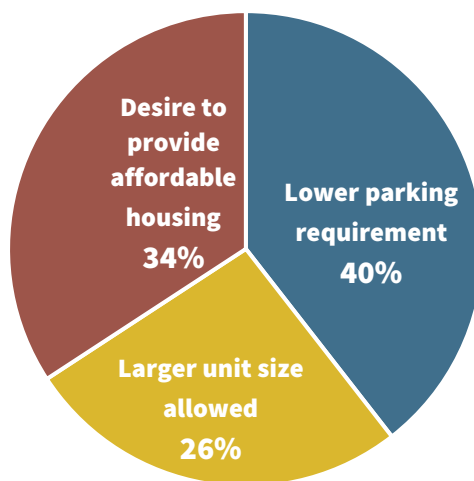
Between 2017 and 2022, average reported rents among ADU owners have risen by 21% from \$1,349 in 2017 to \$1,626 in 2022. Average rents for ADUs have remained lower than the Affordable ADU maximum rents, as defined by the City of Boulder. Conversely, average rents for all types of housing have increased by 27% throughout Colorado, according to data collected by [Apartment List](#).

Figure 8. Average Reported Rents among ADU Survey Respondents and Affordable ADU Rent Maximum (set by City of Boulder at 75% Area Median Income), 2017 and 2022



Among those survey respondents who pursued an affordable ADU, 40% did so primarily because of the lower parking requirement allowed for an affordable rental. Thirty-four percent (34%) of respondents with an Affordable ADU pursued this designation because of a desire to provide long-term affordable housing in the city. As noted above in this evaluation, the 2018 regulatory changes allowed a lower parking requirement and larger unit size for Affordable ADUs.

Figure 9. What was the primary reason for pursuing an Affordable ADU?



Very few survey respondents report neighbor disapproval or complaints of ADUs. 93% reported neighbors generally approving or not mentioning the existing ADUs. This rate of approval is essentially unchanged since 2017.

A majority of survey respondents support the elimination of the off-street parking requirements (55%) and for removing the saturation limit (68%) for ADUs. Since 2017, opinions about both ADU ordinance changes have remained similar.

Figure 10. Support eliminating the off-street parking requirement?

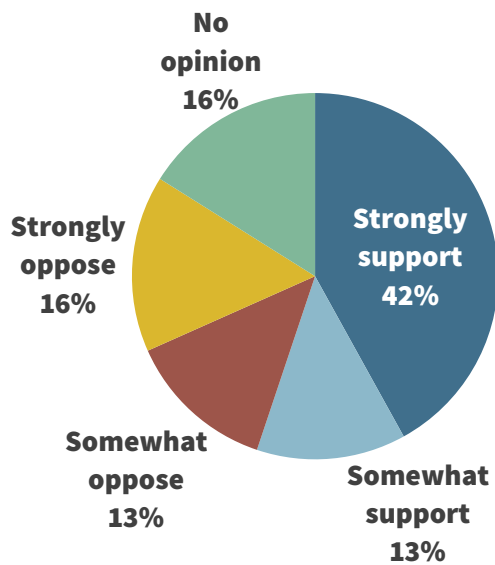
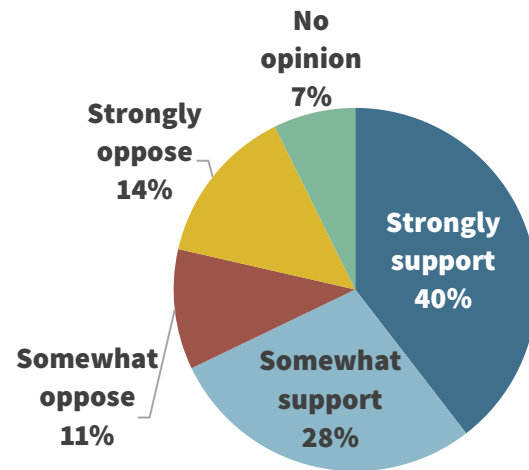
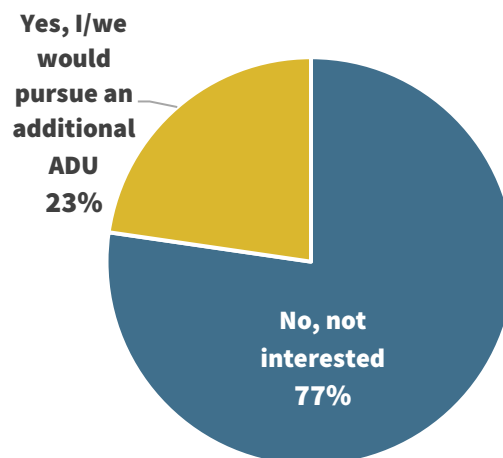


Figure 11. Support eliminating the saturation limit?



Over three-quarters of survey respondents (77%) would *not* be interested in developing an additional ADU if permitted.

Figure 12. Would you develop an additional ADU if permitted?



Summary of qualitative survey feedback

The final question of the survey asked survey respondents to share details or additional information about their “ADU Experience.”

Many respondents described the importance of having an ADU as a source of supplemental income. As one respondent described, “*the supplemental income from my long-term tenant in my ADU helped me afford to have my child and I stay in our home following my divorce.*” Another respondent described the ability to move from the City’s affordable housing program to market rate homeownership because of the supplemental income from an ADU. “*My wife and I are teachers, we moved to our house from the city’s affordable housing program. If we didn’t have an ADU, we could not afford our home.*”

Other survey respondents described the ability to flexibly use the ADU over time, either for growing or changing families, or to be able to “age in place.” As one participant describes, “*choosing to have an ADU seemed a practical solution for a large house with good separation of space...It makes so much sense, to respectfully create a few more separate and independent living spaces within the City of Boulder.*”

Most of the disapproving or complaints surrounded the actual process of applying for a permit. Several respondents described challenges with the ADU permitting process. “*The planning process is byzantine in this town.*” Others voiced concerns about the concept of using ADUs in Boulder as a solution for affordable housing. One respondent described the cost of building an ADU as a barrier mostly to enter. “*Excessive costs make building an ADU very inaccessible for the majority of homeowners in Boulder.*”

INTERNAL STAKEHOLDER INPUT

To further inform this evaluation, planners, zoning staff, housing staff, project specialists, and licensing staff met to discuss the ADU process and regulations. Key issues identified by internal staff included:

- **Saturation limit:** This is a significant barrier for people trying to understand whether they can build an ADU. It is the most frequently asked question related to ADUs by members of the public. It is also an administrative burden for staff to calculate each time it is requested.
- **One year approval expiration:** The requirement to establish the ADU within one year frequently causes issues. Staff recommended increasing the expiration time to 3 years, like most other approvals.
- **Process:** Issues frequently arise due to the two-step process of ADU approval followed by building permit approval. Although there is a desire to make the ADU process simple, homeowners often run into problems they were unaware of when they get to the building permit stage. There is a disconnect in the process and a perception that the ADU application can be relatively informal, but then applicants run into bigger surprises and that causes even more frustration at building permit. With the increased number of applications, additional staff is needed to support ADU review as staff is already under-resourced for the number of ADU applications coming in.
- **Design standards:** This is often where projects run into issues, and where the bulk of application requirements stem from (for instance, needing floor plans of the entire house or elevations to determine zoning compliance). Perhaps eliminate unique design standards for

ADUs and use compatible development standards only and review the same way any accessory building would be reviewed.

- **Parking:** The 2018 code changes improved this issue, but some properties still run into issues providing ADU parking. Some applicants have chosen to build affordable ADU to eliminate the parking requirement, but many do not know about that option or are resistant to it. Parking requirements are not well communicated, as many applicants do not show parking spaces on their applications initially.
- **Size:** The maximum floor area is a common issue. Applicants almost always measure floor area incorrectly. The measurement should be made consistent with the rest of the code. If ADU regulations were not so specialized and were more uniform with other code standards, processing time would be reduced.
- **Height:** Potentially allow for variance option.
- **Addressing:** The addressing assignment of Unit A and Unit B is happening too early in the process. This can cause issues and needs to happen at building permit completion instead.
- **Owner occupancy:** Need additional code clarity about when the verification of owner occupancy happens, whether ownership by an LLC is permissible, what to do in case of people renovating the main house and building an ADU at the same time so no one is living on-site, align principal residence definition with licensing definitions.
- **Rental licensing:** Owner occupancy requirements can be challenging for applicants who move out for one year and have to entirely disassemble their ADU. Homeowners can run into licensing issues after an ADU is approved through both planning and building permit.
- **Declarations of use:** Since 2018 updates no longer require transfer of ownership, many owners have outdated declarations of use, and some are hesitant to sign a new one because now it says they cannot do short term rentals in their ADU.
- **Contractor licensing:** In building permit process, if someone has the intent to rent an ADU they must use a licensed contractor, but this is not very clear. Many homeowner contractor licenses need clarification on how much can be done with a homeowner permit.
- **Language updates:** The term “incidental” is ambiguous (ADU must be incidental to the principal residence) and has required interpretation, need to clarify this. Remove reference to “amendments” as the process is just to submit another application.
- **Short term rentals:** Enforcement issue once an ADU is approved, notification should be alerted that short term rental license is forfeited.
- **Public notice:** ADU applications, unlike all other administrative applications except solar access exceptions, require public notice to be sent to adjacent neighbors and posted on the property. Neighbors are often confused why they are being notified if there is not a public hearing or opportunity to provide input on the outcome.
- **After-the-fact approvals:** Some clarification for applicants on these approvals would be helpful.
- **Other challenges:** There are several challenges with energy code and fire code compliance that land use code changes for ADUs will not be able to fix.
- **Other improvements:** Could create video tutorials or handouts for the website that answer frequent questions.

EVALUATION CONCLUSIONS

Did the 2018 updates remove apparent barriers to ADU construction?

There appear to have been several changes that had an impact on the number of ADUs approved. Based on the number of ADU applications approved before and after the changes, it does appear that the 2018 update removed several barriers that were present in the previous regulations.

- **Saturation limit:** Increasing the saturation limit from 10% to 20% allowed the construction of 41 ADUs that would not have previously been permitted.
- **Maximum size:** About three-quarters (87) of 117 detached ADUs approved are larger than the previous 450 square foot limit, which was increased to 550 square feet in 2018, with additional flexibility for unit size up to 800 square feet for affordable ADUs, or 1,000 square feet for historic properties.
- **Minimum lot size:** Reducing the minimum lot size seems to have had a more limited impact, with 12 properties under 6,000 square feet approved since the requirement was reduced to 5,000 square feet.
- **Zoning districts:** Allowing ADUs in additional zoning districts had a small impact. Two detached ADUs were approved in the RL-2 district, where they were previously prohibited.

In addition to these methods that can be enumerated through data points, several changes were mentioned in survey results or stakeholder interviews that appear to have removed barriers to ADUs. For instance, staff noted that parking restrictions had become a less frequent issue after the code changes went into effect which provided flexibility on the location of the required ADU parking space.

Are there other improvements that could be made?

Despite the impact that the 2018 ADU regulation changes had on the number of ADUs in Boulder, the analysis in this evaluation has illuminated several additional improvements that could be made to both the regulations and the process.

Eliminate saturation limits. Because saturation limits are the most frequent inquiry made to city staff regarding ADUs, and because the incremental increase from 10% to 20% did allow for additional ADUs to be constructed, elimination of the saturation limit is recommended to eliminate both perceived and actual barriers to ADUs. Eliminating the saturation limit would have a significant impact on initial public understanding of whether an ADU would be permitted on their property. In addition, the administrative burden of calculating the saturation limit for all of these inquiries is frequently cited by both the public and staff as a major issue related to ADUs.

Reconsider floor area maximum and method of measurement. Over three-quarters of the detached ADUs that were constructed since 2019 would not have previously been permitted due to maximum floor area. Modifying the allowed square footage by only 100 square feet made arguably the most significant change in the number of ADUs allowed. These ADUs were still subject to all of the typical zoning requirements that ensure compatible residential development, such as solar access, interior side wall articulation, bulk plane, and building coverage requirements. Further increasing the allowed floor area of ADUs could allow for more ADUs to be constructed in Boulder. In addition, the measurement of ADU floor area was one of the most frequently cited issues and least clear parts of the code. Removing the unique method of measuring floor area from the code would significantly reduce review time and increase clarity for both applicants and city staff.

Extend approval expiration period. A commonly raised issue by both applicants and staff was the requirement to establish the ADU within one year of approval. Based on construction delays and permit review times, this is often challenging for applicants to meet. A longer expiration period could be explored to provide additional flexibility.

Variance option for height. One issue with the code that has been raised by recent applications is the lack of flexibility to adapt existing structures for ADUs due to code language regarding height. This issue could be addressed by simply adding an option for applicants to pursue a variance to exceed 25 feet in height for existing structures. This would allow for limited cases that could encourage the adaptive reuse of existing structures through an established public process.

Code clarification. Numerous aspects of the regulations came up repeatedly in both internal and public discussions of issues with the ADU rules. In addition, the ADU standards in the land use code are lengthy, repetitive, and difficult to understand. Simple language changes would greatly improve the user-friendliness of the code and increase efficiency in the ADU application process. In addition to generally reorganizing the standards, some specific changes could add clarity:

- **Separation between attached units:** A frequent misunderstanding in reviewing attached ADU applications is the requirement for lockable separation between the ADU and principal structure. This requirement comes from the definition of “dwelling unit” and is not listed within the ADU regulations themselves, causing confusion for applicants. Several of the withdrawn applications noted this issue as one of the reasons to withdraw their application. More clarity about the requirements for separation would be helpful.
- **Limited accessory units:** Only one unit exists in the city that is classified as this type of ADU, yet additional standards complicate the ADU standards. These specific standards could be removed and the city could work to determine the appropriate status of the single remaining property with this type of ADU.
- **Owner occupancy:** The issue of owner occupancy came up in many avenues while developing this evaluation. In particular, confusion about whether and how LLCs can prove owner occupancy has been raised many times. This issue should be clarified in the code language.

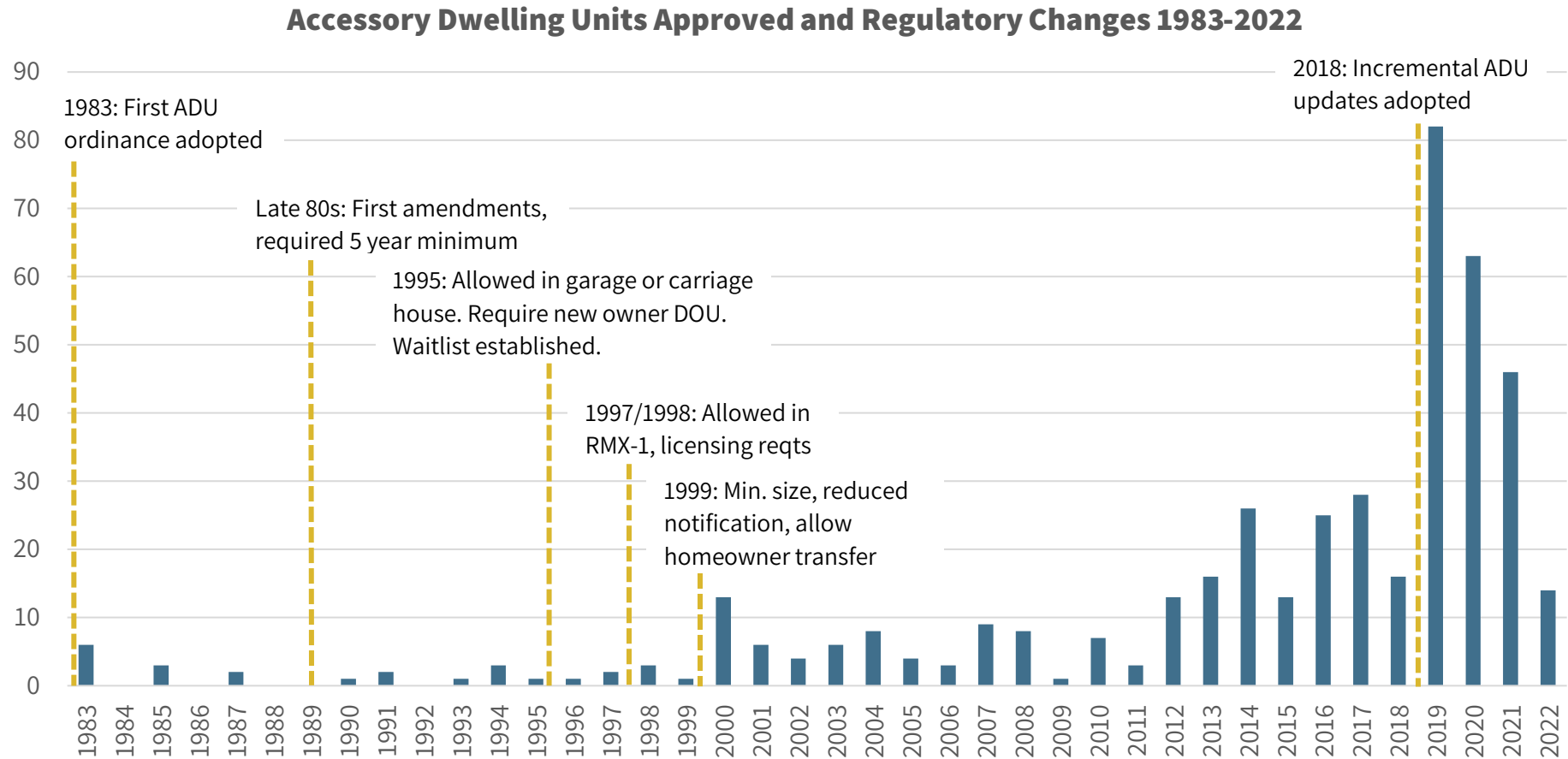
Process improvements. Aside from changes to the land use code, based on the internal stakeholder interviews, survey results, and city inquiries, it is clear that several potential improvements could be made to the city’s process of approving ADUs.

- **One-step review:** Currently, ADUs are reviewed as a separate administrative application prior to building permit review. Based on discussions with staff, it appears that the level of detail required for the ADU application often leads applicants to assume that no issues would arrive at the point of later submitting a building permit. However, the building permit is a much more detailed review of building code compliance and often a more detailed review of zoning requirements, and applicants sometimes run into unforeseen issues at that stage. This is understandably frustrating and confusing for ADU applicants. If some of the other initial barriers to ADUs such as saturation limits were to be removed, the ADU process could be more seamlessly integrated into the building permit process and eliminate the need for a two-step process. Consider combining the ADU review with the building permit review.
- **Addressing:** Currently, properties are given a “Unit A” and “Unit B” address immediately after ADU approval. This has caused numerous issues for applicants and is difficult to undo if the

ADU is not ultimately constructed. This step should instead occur upon the letter of completion for the building permit or change of use approval.

- **Declaration of use:** Currently, all ADUs are required to record a declaration of use for their property when the ADU application is approved. These declarations of use reference current code requirements. However, as the regulations change, the recorded declarations of use become obsolete. Properties are subject to current regulations as they change regardless of the recorded declaration of use. Changes to this process should be considered.
- **Self-service handouts or videos:** While the City of Boulder website currently includes a thorough explanation of the ADU process and requirements, residents frequently contact the city when they have trouble understanding where an ADU would be allowed and what the requirements might be. Updates could potentially be made to handout and application materials to clarify commonly misunderstood information. In addition, there may be opportunities to develop video explanations to further assist residents in understanding the requirements.

APPENDIX: ADUS APPROVED SINCE 1983

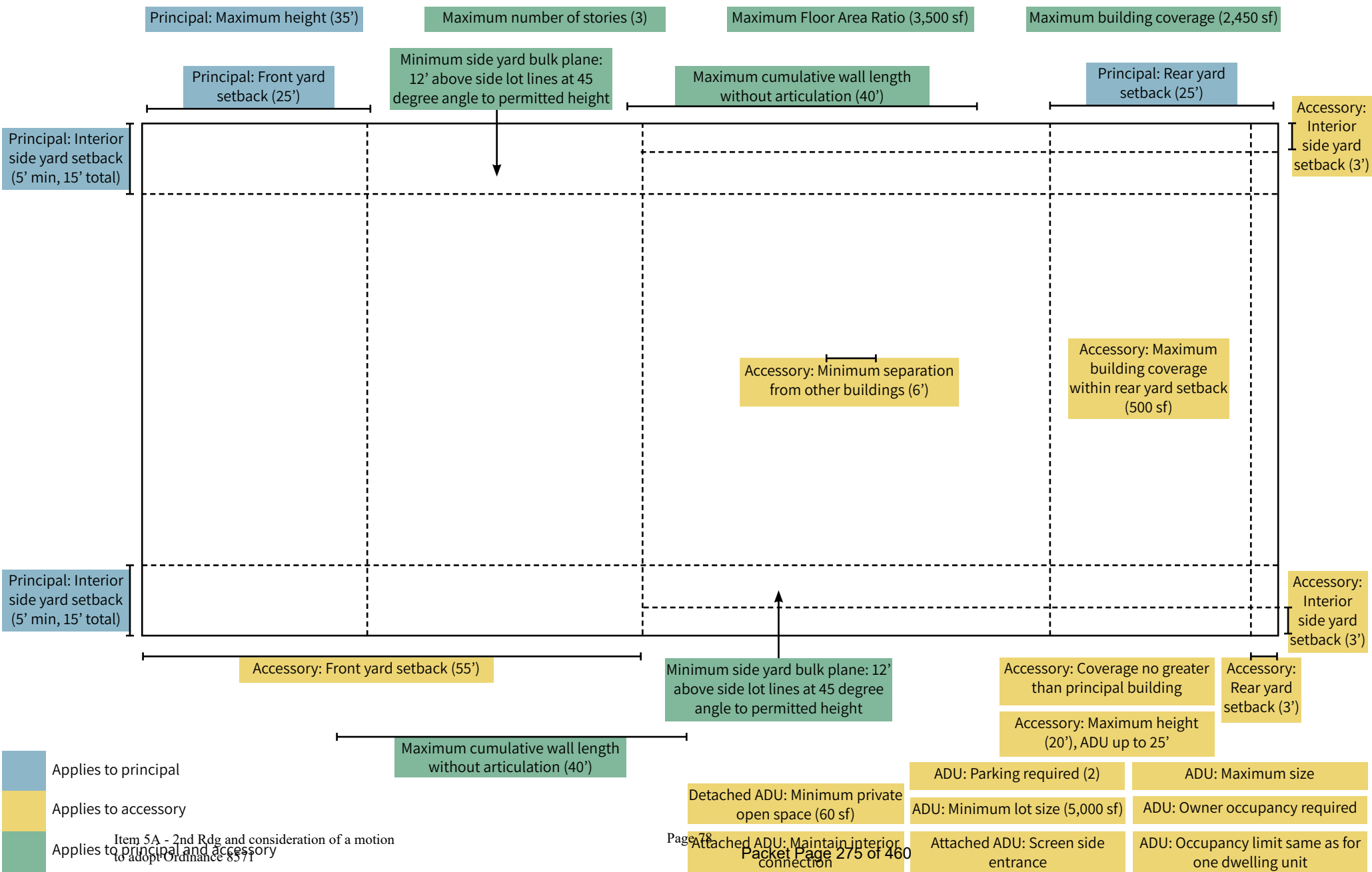


Note: 2022 data is through July 31, 2022.

Regulations Impacting ADU Design and Location

Form and Bulk, Compatible Design, and ADU Standards

Example: 7,000 square foot lot in RL-1 district - Market Rate ADU



Comparable City Research: Accessory Dwelling Units

City	Where	Saturation Limit	Number	Size	Parking	Height	Occupancy	Ownership	Owner-occupancy	Minimum Lot Size
BOULDER	Some residential districts, A/P	RL-1 or RL-2: 20% *affordable or historic exempt	Not specified	Attached: 1,000 sf or 33% of principal dwelling, whichever less *affordable or historic – 50% or 1,000 Detached: 550 sf *affordable – 800 sf, historic –1,000 sf	1 *affordable or historic exempt	20 ft (25 ft if existing steep roof)	Same as typical, except dependents not counted	Cannot be sold separately	Either principal or ADU must be owner-occupied	Attached or Detached: 5,000 sf
ANN ARBOR, MI	Most residential districts	None	1 per sf dwelling	Lot under 7,200 – 600 sf Lot over 7,200 – 800 sf	0	Detached: 21 ft Attached: 30 ft	2 persons and their offspring / max 4 plus offspring combined principal and ADU	Not addressed	None	None
ARVADA, CO	All residential districts and some mixed-use	None	1 per lot	Max 2BR Detached: 40% of principal building or Lot under 6,000 – 600 sf Lot between 6,000-12,500 – 850 sf Lot between 12,500-1 acre – 1,000 sf Over 1 acre- 1,200 sf Attached: 50% principal dwelling	1	Not addressed	Not addressed	Cannot be sold separately	Either principal or ADU must be owner-occupied	None
BERKELEY, CA	Most residential districts	None	1-2 per lot	850 sf, 1000 sf for 2+ bdrms *800sf in HOD	0 *except 1 in HOD	16-20 ft	Not addressed	Cannot be sold separately *except affordable	Only JADUs must be owner occupied	None
BLOOMINGTON, IN	All residential districts, most mixed-use districts	None	1 per lot	Attached: 840 sf Detached 840 sf	0	Detached: 25 ft	Not addressed	One family in ADU	Either principal or ADU must be owner-occupied	None
BOISE, ID	All residential districts	None	1 per lot	700 sf or 10% of lot size, whichever smaller, 2 bedroom max	0; 1 reqd if 2BR	District height	Not addressed	Not addressed	Either principal or ADU must be owner-occupied	None
BOZEMAN, MT	Most residential districts	None	1 per lot	600 sf, 1 bedroom	0	Detached: 22 ft	2 person max	Not addressed	In lowest density districts, owner-occupancy required	5,000 sf
BROOMFIELD, CO	All residential districts	None	1 per lot	800 sf or 50% of principal bldg., whichever is less	1	Not addressed	2 person maximum	Not addressed	Either principal or ADU must be owner-occupied	None
CAMBRIDGE, MA	All districts	None	1 per lot	Primary bldg must be 1,800 sf; max 900 sf or 35%, whichever less	0	Not addressed	Not addressed	Not addressed	Not addressed	None
CHAMPAIGN, IL	All residential districts	None	1 per lot	Lot under 7,200 – 600 sf Lot over 7,200 – 800 sf	0	Detached: 24 ft Attached: district height	Max – 2 unrelated in ADU	Cannot be sold separately	Not addressed	None
COLORADO SPRINGS, CO	Some residential districts, some mixed use	None		Detached: 1250 sf or 50%, whichever less Attached: 50% of principal dwelling	1	Detached: 25 or 28 ft depending on roof pitch Attached: 30 ft	Up to 5 unrelated in each unit	Detached: Subdivision permitted Attached: Cannot be sold separately	Detached: None Attached: Either principal or ADU must be owner-occupied	Same size required for a single family home in the zone district

Attachment G - ADU Comparable Cities Matrix

City	Where	Saturation Limit	Number	Size	Parking	Height	Occupancy	Ownership	Owner-occupancy	Minimum Lot Size
COLUMBIA, MO	Some residential districts	None	1 per property	75% of sf principal dwelling or 800 sf, whichever less	1 only if 3 bedrooms in ADU	24 ft (detached)	Not addressed	Not addressed	Not addressed	5,000 sf
DENVER, CO	Some residential and mixed-use commercial districts	None	1 per lot	Varies by district and lot size – 650-1,000	0; 1 in campus context	Varies by district, typically 24 ft	1 per 200 sf	Not addressed	Either principal or ADU must be owner-occupied	None
DURANGO, CO	Most residential some mixed-use	None	1 per parcel	550 sf	1	18 or 20 ft depending on district	Not addressed	Not addressed	Either principal or ADU must be owner-occupied	5,000 or 7,000 in some districts; none otherwise
EUGENE, OR	Most residential districts	None	1 per lot	800 sf or 10% of lot area, whichever less	0	Not addressed	Not addressed	Not addressed	Not required	None
FAYETTEVILLE, AR	All residential districts, some mixed-use and commercial districts	None	1 detached and 1 attached (2 total)	1200 sf	1 if ADU is >800 sf	Detached: 2 stories	2 person max per ADU; more if related to primary house	Not addressed	None	None
FLAGSTAFF, AZ	Most residential transects	None	1 per lot	Lot under 1 acre – 800 sf Lot over 1 acre – 1,000 sf (some smaller)	1	Detached: 24 ft Attached: zoning district height	2 person max	Cannot be sold separately	Either principal or ADU must be owner-occupied	Detached: 6,000 sf
FORT COLLINS, CO	Some residential districts	None	1 per property	No specific limit	1.5- 3 depending on total # bedrooms	24 ft	Same as typical	Not addressed	Not addressed	NCL – 12,000 NCM – 10,000
GAINESVILLE, FL	All transects, residential districts, most mixed-use and non-residential districts	None	1 detached and 1 attached (2 total)	850 sf	0	Not addressed	Not addressed	Cannot be sold separately	None	None
GOLDEN, CO	All residential districts	None	1 per lot	If principal is more than 1,000 sf - 50% of principal bldg. or 800 sf, whichever smaller; if principal is smaller than 1000 sf, max 500 sf	1	Not addressed	3 person max	Cannot be sold separately	Either principal or ADU must be owner-occupied	7000 sf
HONOLULU, HI	All residential districts	None	1 per lot	Lot under 5,000 – 400 sf Lot over 5,000 – 800 sf	1 * waived if within ½ mile of rail transit station	Not addressed	Not addressed	Cannot be sold separately	Either principal or ADU must be owner-occupied	3,500 sf
LAWRENCE, KS	Some residential districts	None	Not addressed	33% of principal bldg. or 960 sf, whichever less	2 total for lot plus 1 potentially additional based on street classification	Not addressed	One additional beyond typical occupancy limits for principal bldg	Not addressed	Either principal or ADU must be owner-occupied in single-dwelling districts	None
LEXINGTON, KY	All residential districts	None	1 per lot	Max 800 sf	0	Zoning district, cannot exceed height of principal bldg	Max 2 persons plus related children	Not addressed	Either principal or ADU must be owner-occupied	None
LONGMONT, CO	Most residential and some mixed-use	None	1 per lot	50% of principal building	1	May not exceed height of principal unit	Not addressed	Cannot be sold separately	Either principal or ADU must be owner-occupied	None

Attachment G - ADU Comparable Cities Matrix

City	Where	Saturation Limit	Number	Size	Parking	Height	Occupancy	Ownership	Owner-occupancy	Minimum Lot Size
	and non-residential districts									
MADISON, WI	All residential districts, some mixed use, commercial, downtown	None	1 per lot	900 sf; 2 bedroom max	0	25 ft	2 unrelated max	Cannot be sold separately	Either principal or ADU must be owner-occupied	5,000 in one district; none otherwise
MINNEAPOLIS, MN	All districts	None	1 per lot	Internal: 800 sf Attached: 800 sf Detached: 1300 sf or 16% of lot area, whichever less	0	Detached: 21 ft	Not addressed	Cannot be separate tax parcel	Internal: either must be owner-occupied	None
PASADENA, CA	All residential districts	None	1 per lot	Lot under 10,000 – 800 sf or 50%, whichever less Lot over 10,000 – 1200 sf or 50%, whichever less Attached: 800 sf or 50% of main dwelling, whichever greater *affordable, 75%	1 * waived if within ½ mile of transit stop, car share proximity, existing building, no on-street parking permit	Detached: 17 ft Attached: 2 stories if primary bldg is 2 stories	Not addressed	Cannot be sold separately	Either principal or ADU must be owner-occupied	In Single-family districts: 7,200; none otherwise
PORTLAND, OR	All residential districts	None	1 per lot *2 if meets higher minimum lot area	75% of primary bldg. or 800 sf, whichever less	0	Detached: 20 ft	Not addressed	Not addressed	None	Varies 1,500-10,000 based on district
RALEIGH, NC	Most residential districts and most mixed-use districts	None	1 per lot	Lot under 40,000 sf – 800 sf Lot over 40,000 – 1,000 sf	0	26 ft	Not addressed	Cannot be sold separately	None	None
SALT LAKE CITY, UT	Permitted most residential, conditional in some	None	1 per lot	650 sf or 50% of principal bldg., whichever less	1 *waived if within ¼ miles transit stop or bike blvd, can be on-street parking	Detached: 17 ft or height of home, whichever less Attached: height of zoning district	1 family in ADU (3 unrelated max)	Cannot be sold separately	Either principal or ADU must be owner-occupied *some exceptions	None
SAVANNAH, GA	Most residential districts	None	1 per lot	40% of principal dwelling. In some districts, 40% or 1,000 sf, whichever less	0	Same as district	Not addressed	Not addressed	None	For most districts, 200% of minimum lot area
SEATTLE, WA	All residential districts	None	1 *2 if one is affordable in some districts	1,000 sf	0	14/18 depending on lot width	8 if one ADU, 12 if two ADUs	Not addressed	None	Detached: 3,200
TEMPE, AZ	Multi-family Districts	None	1 per lot	800 sf, 2 bedroom	0	Not addressed	Not addressed	Not addressed	Not addressed	None
TUCSON, AZ	All residential districts	None	1 per lot	Lot under 6,500 – 650 sf Lot over 6,500 – 10% of lot size, max 1,000 sf	1 *waived if within ¼ miles transit stop or bike blvd, can be on-street parking	12' or height of primary structure, whichever greater	Maximum 5 unrelated on the lot	Not addressed	None	None

Characteristics of Comparable Cities

	Population	Persons/ HH	Land Area	Population/ Sq. Mile	University Size	Median Rent	Median Value of Housing Units
Boulder	104,175	2.26	26.33	4,112	University of Colorado: 30k	\$1588	736k
Ann Arbor, MI	121,536	2.25	28.2	4,094	University of Michigan: 45k	\$1299	347k
Arvada, CO	123,436	2.55	38.91	3,028	N/A	\$1444	424k
Berkeley, CA	117,145	2.4	10.43	10,752	UC-Berkeley 45k	\$1767	1.06 million
Bloomington, IN	79,968	2.18	23.23	3,472	Indiana University: 32k	\$946	219k
Boise, ID	237,446	2.38	84.03	2,591	Boise State University: 22k	\$1009	283k
Bozeman, MT	54,539	2.17	20.6	1950	Montana State University: 17k	\$1145	413k
Broomfield, CO	75,325	2.54	32.97	1,692	N/A	\$1711	451k
Cambridge, MA	117,090	2.13	6.39	16,469	Harvard:6k, MIT: 12k	\$2293	843k
Champaign, IL	89,114	2.3	22.93	3,613	University of Illinois Urbana-Champaign: 33k	\$922	167k
Colorado Springs, CO	483,956	2.51	195.4	2,140	University of Colorado at Colorado Springs: 13k, Colorado College: 2k	\$1196	295k
Columbia, MO	126,853	2.31	66.54	1,720.1	University of Missouri: 30k	\$890	208k
Denver, CO	711,463	2.44	153.08	3,922.6	University of Denver: 12k; University Colorado Denver: 19k; Metro State: 20k	\$1397	428k
Durango, CO	19,223	2.3	14.71	1,701	Fort Lewis College: 4k	\$1297	473k
Eugene, OR	175,096	2.29	44.18	3,572.2	University of Oregon: 23k	\$1075	305k
Fayetteville, AR	95,230	2.23	54.14	1,366	University of Arkansas: 27k	\$837	232k
Flagstaff, AZ	76,989	2.45	66.03	1,031.3	Northern Arizona University: 25k	\$1286	363k
Fort Collins, CO	168,538	2.56	57.21	2,653	Colorado State University: 23k	\$1373	399k
Gainesville, FL	140,398	2.33	63.15	2,028	University of Florida: 34k	\$965	180k

Attachment G - ADU Comparable Cities Matrix

Golden, CO	19,871	2.4	9.63	1,901	Colorado School of Mines: 7k	\$1495	541k
Honolulu, HI	1 million	2.98	600.63	1,586	University of Hawaii: 13k	\$1779	702k
Lawrence, KS	95,256	2.28	34.15	2,611.2	University of Kansas: 28k	\$953	205k
Lexington, KY	321,793	2.36	283.64	1042	University of Kentucky: 30k	\$920	201k
Longmont, CO	100,758	2.59	28.78	3,294	N/A	\$1437	396k
Madison, WI	269,196	2.2	79.57	3,037	University of Wisconsin: 44k	\$1147	262k
Minneapolis, MN	425,336	2.28	54	7,088	University of Minnesota: 51k	\$1078	268k
Pasadena, CA	135,732	2.44	22.96	5,969	Cal Tech: 3k	\$1787	822k
Portland	641,162	2.29	133.45	4,375	Portland State University: 17k	\$1325	439k
Raleigh, NC	469,124	2.4	147.12	2,826	North Carolina State University: 25k	\$1175	267k
Salt Lake City, UT	200,478	2.37	110.34	1,678	University of Utah: 33k	\$1050	346k
Savannah, GA	147,088	2.55	106.85	1,321.2	Savannah College of Art & Design: 12k	\$1049	162k
Seattle	733,919	2.08	83.83	7,251	University of Washington: 46k	\$1702	714k
Tempe, AZ	184,118	2.37	39.94	4,050	Arizona State University: 75k	\$1230	288k
Tucson, AZ	543,242	2.4	241	2,294	University of Arizona: 45k	\$861	167k

Accessory Dwelling Units in Boulder

Examples of ADUs Approved Since 2019

This document is intended to show a variety of sizes and styles of recently approved and constructed ADUs.

Detached

Street and alley views: Lots with alley access



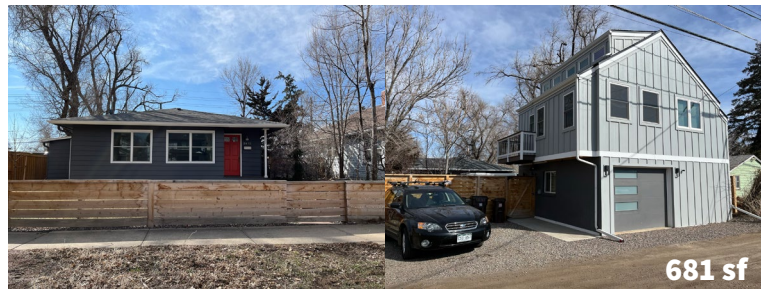
721 Concord Ave | RL-1 | 8,689 sf lot



903 Pine St | RL-1 | 10,107 sf lot



717 University Ave | RL-1 | 12,765 sf lot



2610 Pine St | RMX-1 | 7,000 sf lot



2875 6th St | RL-1 | 6,173 sf lot



3225 6th St | RL-1 | 9,837 sf lot



750 14th St | RL-1 | 6,227 sf lot



835 Pine St | RL-1 | 9,807 sf lot

Detached

Street views: Lots without alley access



835 sf

1290 Hartford Dr | RL-1 | 7,082 sf lot



563 sf

2266 Edgewood Dr | RL-1 | 7,715 sf lot



669 sf

431 Arapahoe Ave | RL-1 | 10,462 sf lot



800 sf

5045 Cascade Ave | RE | 17,686 sf lot



799 sf

660 Juniper Ave | RR-2 | 15,050 sf lot



480 sf

880 35th St | RL-1 | 7,562 sf lot

Attached

Street views



1200 sf*

3530 Everett Dr | RL-1 | 7,480 sf lot



1550 sf*

720 Willowbrook Rd | RE | 11,630 sf lot



769 sf

300 19th St | RL-1 | 7,396 sf lot



1062 sf*

3560 19th St | RL-1 | 5,477 sf lot



695 sf

3875 Cloverleaf Dr | RE | 10,711 sf lot



812 sf

450 S 41st St | RL-1 | 6,827 sf lot

Accessory Dwelling Unit Update

Land Use Code Amendment
Project Charter – *Working Draft*

Project Purpose & Goals	2
Background	2
Problem/Issue Statement	2
Project Purpose Statement	2
Guiding BVCP Policies	2
Project Timeline.....	4
Background Research Q3 2022 Planning	4
Project Scoping and Initial Drafts Q4 2022 – Q1 2023 Shared Learning & Options	4
Draft Ordinance and Adoption Q1-Q2 2023 Decision.....	5
Engagement & Communication	5
Level of Engagement	5
Who Will be Impacted by Decision/Anticipated Interest Area	5
Overall Engagement Objectives	5
Engagement Timeline	6
Engagement Strategies	6
Language Access	7
Roles	8
Translation and Interpretation services	8
Project Team & Roles	9
Team Goals	9
Critical Success Factors	9
Expectations	9
Potential Challenges/Risks	9
Administrative Procedures	9
Project Costs/Budget	10
Decision-Makers	10
Boards & Commissions	10
Appendix: Engagement Framework	12

Project Purpose & Goals

Background

During their 2022 annual retreat, City Council identified accessory dwelling unit (ADU) updates as a key priority for the 2022-2023 council term. The current regulations limit the percentage of ADUs within a certain radius in some zoning districts (a “saturation limit”) and establishes a waiting list for properties that are in areas that have reached their saturation limit. The objective of this council priority is to consider an ordinance to remove saturation limits for accessory dwelling units and to allow for attached or detached ADUs wherever existing requirements are met.

Accessory dwelling units have been discussed as one tool to address Boulder’s housing challenges over the past decade or more to help provide “a diversity of housing types and price ranges,” which is a core value of the Boulder Valley Comprehensive Plan.

Problem/Issue Statement

The regulations for accessory dwelling units, currently found in [Section 9-6-3\(m\)](#) of the Land Use Code, can be further simplified to alleviate issues and barriers with establishing these housing units in the community. Several administrative barriers make the process confusing for prospective applicants and neighbors. In particular, the saturation limit establishes a significant perceived barrier to entry that dissuades and confuses potential applicants and is inherently not easily trackable by the public making it difficult and time consuming to determine eligibility. Only a few properties in the city are included on the waiting list established for neighborhoods that do not currently meet the saturation limit and yet, can deter people from pursuing accessory dwelling units. In addition, research of best practices in comparable cities around the country find that Boulder appears to be the only city in the country with a saturation limit on ADUs.

In Boulder, other limits like maximum size, limitations on the zoning districts in which ADUs are allowed, as well as compliance with the typical zoning development standards that ensure compatible development in any other kind of residential construction, adequately ensure that there will not be an incompatible proliferation of ADUs. The saturation limit is challenging to implement and represents a significant initial hurdle for residents to understand if they can have an ADU on their property.

Project Purpose Statement

Analyze the impacts of the most recent code updates from 2018 and update the standards for Accessory Dwelling Units to simplify language, improve consistency with other parts of the code, and establish streamlined processes to reduce barriers to ADUs, both actual and perceived, and more effectively support the housing goals of the BVCP.

Guiding BVCP Policies

The project is guided by several key BVCP policies:

2.10 Preservation & Support for Residential Neighborhoods

The city will work with neighborhoods to protect and enhance neighborhood character and livability and preserve the relative affordability of existing housing stock. The city will also work with neighborhoods to identify areas for additional housing, libraries, recreation centers, parks, open space or small retail uses that could be integrated into and supportive of neighborhoods. The city will seek appropriate building scale and compatible character in new development or redevelopment, appropriately sized and sensitively designed streets and desired public facilities and mixed commercial uses. The city will also encourage neighborhood schools and safe routes to school

2.11 Accessory Units

Consistent with existing neighborhood character, accessory units (e.g., granny flats, alley houses, accessory dwelling units (ADUs) and owner's accessory units (OAUs)) will be encouraged by the city to increase workforce and long-term rental housing options in single family residential neighborhoods. Regulations developed to implement this policy will address potential cumulative negative impacts on the neighborhood. Accessory units will be reviewed based on the characteristics of the lot, including size, configuration, parking availability, privacy and alley access.

7.07 Mixture of Housing Types

The city and county, through their land use regulations and housing policies, will encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes and densities to meet the housing needs of the low-, moderate- and middle-income households of the Boulder Valley population. The city will encourage property owners to provide a mix of housing types, as appropriate. This may include support for ADUs/OAUs, alley houses, cottage courts and building multiple small units rather than one large house on a lot.

7.10 Housing for a Full Range of Households

The city and county will encourage preservation and development of housing attractive to current and future households, persons at all stages of life and abilities, and to a variety of household incomes and configurations. This includes singles, couples, families with children and other dependents, extended families, non-traditional households and seniors.

7.17 Market Affordability

The city will encourage and support efforts to provide market rate housing priced to be more affordable to middle-income households by identifying opportunities to incentivize moderately sized and priced homes.

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.

Project Timeline

Background Research | Q3 2022 | Planning

- Develop initial scope of work for ADU updates based on council work program direction
- Interview internal stakeholders to identify issues and opportunities for ADU updates: planners, project specialists, rental licensing staff
- Work with Housing & Human Services to release updated survey of ADU owners, using similar questions as 2017 survey for a more longitudinal study
- Work with HHS staff to interview applicants who withdrew their ADU application to understand potential barriers
- Analyze ADU applications since 2018 changes: total number, average size, location, affordable/market rate
- Map locations of approved ADUs
- Review ADU regulations in comparable cities and best practices reports
- Meet with interested stakeholders as requested

Deliverables

- *Project charter*
- *ADU 2018 changes evaluation*
- *Survey ADU owners – Results summary*
- *Map of approved ADUs*
- *Matrix of peer city ADU regulation research*
- *Update website*

Project Scoping and Initial Drafts | Q4 2022 – Q1 2023 | Shared Learning & Options

- Present evaluation report and peer city research to City Council in November
- Refine scope of project with City Council in November
- Develop community engagement plan
- Present evaluation to Housing Advisory Board
- Continued internal staff stakeholder engagement
- Review results of 2018 engagement, create summary
- Begin drafting changes

Deliverables

- *City Council study session memo*
- *Community engagement plan*
- *Memos for HAB, BOZA, PB*
- *Summary of past engagement*

Draft Ordinance and Adoption | Q1-Q2 2023 | Decision

- Present evaluation to Board of Zoning Adjustment and Planning Board
- Check in with Housing Advisory Board
- Draft ordinance of ADU changes
- Engagement – feedback on draft ordinance
- Public hearings at Planning Board and City Council

Deliverables

- *Draft ordinance*
- *Planning Board memo*
- *City Council memos*

Engagement & Communication

Level of Engagement

The City of Boulder has committed to considering four possible levels when designing future public engagement opportunities (see chart in the appendix). For this project, the public will be **Consulted** on any proposed changes to the ADU standards. Public feedback will be obtained on several changes to simplify the ADU regulations and eliminate barriers.

Who Will be Impacted by Decision/Anticipated Interest Area

- **Residents and neighborhoods** who may be impacted from changes to ADU standards in the neighborhoods where they live/work/play.
- **Under-represented groups** that may have an interest in ADUs but may be unfamiliar with the methods to offer input.
- **City staff, City boards, and City Council** who will administer any amended ADU standards and implement ADU approval processes.

Overall Engagement Objectives

- Model the engagement framework by using the city's decision-making wheel, levels of engagement and inclusive participation.
- Involve people who are affected by or interested in the outcomes of this project.
- Be clear about how the public's input influences outcomes to inform decision-makers.
- Provide engagement options.
- Remain open to new and innovative approaches to engaging the community.
- Provide necessary background information in advance to facilitate meaningful participation.
- Be efficient with the public's time.
- Show why ideas were or were not included in the staff recommendation.

Engagement Timeline

	jan				feb				mar				apr
<i>Week</i>	1	2	3	4	1	2	3	4	1	2	3	4	1
Board/ Public Feedback													
<i>Be Heard Boulder ideas</i>													
<i>Virtual office hours</i>													
<i>Community Connectors In Residence</i>		1/13											
<i>BOZA</i>		1/10											
<i>PB</i>			1/17										
<i>HAB</i>				1/25									
<i>City Council</i>				1/26									
Ordinance Review													
<i>PB – Public Hearing</i>								2/21					
<i>City Council – 1st Reading</i>										3/16			
<i>City Council – Public Hearing</i>													4/6

Engagement Strategies

Significant public engagement was undertaken when the most recent code changes were adopted in 2018. Additionally, the city administered a survey of ADU owners this year, and additional feedback on ADUs have been provided in recent communitywide surveys. This engagement will help to inform the targeted changes as a part of this project and will be supplemented by focused engagement utilizing the city's existing boards, the Board of Zoning Adjustment, Housing Advisory Board, and the Planning Board, as well as the formal adoption process through City Council.

COMMUNITY CONNECTORS-IN-RESIDENCE

Community Connectors-in-Residence (CC-in-R) evolve a stronger relationship between historically-excluded community and city government, identify barriers to community engagement, advance racial equity, and serve as a bridge for continuing dialogue by surfacing the ideas, concerns, and dreams of community members.

Members of the CC-in-R team belong to an array of communities and bring lived experience, including immigrant and mixed-status families, Black, Latinx, Nepali, Indigenous and Arapahoe, low-income, older adults, neurodivergent, artists, business owners, students, individuals of varying levels of education, and multigenerational families. While there are some intersectionalities, the view of connectors does not serve as a whole representation of the communities they belong to.

City staff will seek the input of the Community Connectors-In-Residence at their meeting on January 13, 2023 to provide a summary of the potential ADU code changes, receive feedback, help to identify potential negative unintended consequences, and receive input on additional engagement opportunities.

PLANNING BOARD, HOUSING ADVISORY BOARD, AND CITY COUNCIL

Both the Housing Advisory Board and Planning Board will be involved in the development of options for the ADU regulations. Planning Board is required to provide a recommendation on any code change to the City Council. The Housing Advisory Board is tasked with advising council on housing issues and strategies. As both boards' meetings are open to the public and have open public comment opportunities, these board meetings also provide an opportunity for the public to share their thoughts with the board members and with staff during the process of option development. These opportunities will be promoted through the Planning Newsletter, website, and social media.

BE HEARD BOULDER

A simple Be Heard Boulder page will be developed as an engagement landing page for the ADU updates, with a summary of past engagement heard over the last few years and the "ideas" tool used to collect ideas from community members for several weeks. Since several relevant questions were included in a questionnaire for the previous ADU changes, another questionnaire is not planned for this project. Any "ideas" noted by residents on the Be Heard Boulder will be summarized and shared with the boards and City Council.

VIRTUAL OFFICE HOURS

Planning staff will be available for virtual office hours to discuss concerns or questions from the community about ADUs in late January and early February as options are finalized. These office hour opportunities will be posted on the city project website and calendar.

PLANNING NEWSLETTER

City staff sends out a monthly newsletter to keep interested residents informed of upcoming projects and engagement opportunities. Monthly updates on the ADU update project will be included from January through April.

WEBSITE

City staff will regularly update the project website with opportunities to provide input on the project and all steps.

SOCIAL MEDIA

To get the word out about opportunities to weigh in on changes, staff will post on social media sites such as Nextdoor, Facebook, and Twitter to ensure residents are aware of opportunities to participate.

Language Access

The City of Boulder recognizes that effective and accurate communication between city staff members and the communities they serve is critical to ensuring understanding and empowering community members to leverage all the resources of and participate fully in local government. The ADU update project will follow this project-specific language access plan which is aligned with the city's Language Access Plan.

The city's current data indicates that only Spanish has reached the Limited English Proficient (LEP) Safe Harbor Threshold (5% or 1,000 people of the population) and therefore Spanish will be the sole primary language for document translation and for simultaneous translation for the project, in addition to American Sign Language if needed.

Roles

The project team will consult the city's Language Access Manager on translation and interpretation needs and together consider the cost of the services required. The Language Access Manager will also help with quality control of materials translated as capacity allows; in addition to the Planning Engagement Strategist who will help ensure that the technical aspects such as zoning and land use are explained correctly.

Translation and Interpretation services

Any summary documents created for the project will be translated to Spanish and interpretation will be available by request for non-English language testimony. If videos are created for the project, Spanish language videos will also be developed. In addition, the following guidelines will be followed for all translation and interpretation services for this project:

- Translators and interpreters hired on this project shall be on the City of Boulder's list of approved interpreters and be familiar with the language variants, customs, and history of the Spanish speaking LEP community in Boulder.
- The project team will provide translator(s) and interpreter(s) a list of preferred planning terminologies in Spanish to help ensure consistency throughout the project. Community connectors will be consulted on preferred translations in Spanish for their respective communities where there are options or where comprehension is envisaged to be difficult.
- The project team together with the city's Language Access Manager will determine when the need for non-English language testimony and participation shall be anticipated in order to arrange for interpretation services. The following factors will be considered: (i) impacts on LEP Boulder residents, (ii) interest in the project demonstrated by LEP Boulder residents and their community or advocacy groups to date, and (iii) advice from community connectors on anticipated participation of LEP Boulder residents in meetings, including public hearings. Notices of engagement events in Spanish language will also include a phone number to call to request for interpretation in that meeting.
- Spanish social media sites such as Facebook shall be utilized for sharing key milestones and information on engagement events and summarizing outcomes
- Community leaders will be hired as Community Connectors for intermittent support throughout the project on outreach to underrepresented communities, including Spanish speakers. At least one Community Connector shall be a native Spanish speaker.
- The Language Access Manager will help determine the need to translate high-profile communications such as press releases (or repackage and summarize them) and translate them directly, if capacity allows
- Video translations shall be done with a voice over and not subtitles as the LEP communities are more likely to listen to then to read project materials.

- Language Access Manager and the Project Engagement Specialist will identify and fix major translation errors on the project webpage when using G Translate
- Project information and updates can be shared through the city's Spanish language podcast *Somos Boulder*.

Project Team & Roles

Team Goals

- Follow City Council and Planning Board direction regarding changes to the ADU regulations and application processes and the level of engagement to be used.
- Seek community feedback on proposed standards or criteria and incorporate relevant ideas following a Public Engagement Plan.
- Solution must be legal, directly address the purpose and issue statement, and must have application citywide.

Critical Success Factors

- Conduct a successful public engagement process.
- Address the goals related to supporting a variety of housing types.

Expectations

Each member is an active participant by committing to attend meetings; communicate the team's activities to members of the departments not included on the team; and demonstrate candor, openness, and honesty. Members will respect the process and one another by considering all ideas expressed, being thoroughly prepared for each meeting, and respecting information requests and deadlines.

Potential Challenges/Risks

The primary challenge of this project is making sure that proposed code changes minimize land use impact on other uses, unintended consequences, and over-complication of the code.

Administrative Procedures

The core team will meet regularly throughout the duration of the project. An agenda will be set prior to each meeting and will be distributed to all team members. Meeting notes will be taken and will be distributed to all team members after each meeting.

CORE TEAM	
Executive Sponsor	Brad Mueller
Executive Team	Brad Mueller, Charles Ferro, Karl Guiler, Jay Sugnet
Project Leads	
Project Manager	Lisa Houde

Other Department Assistance		
Legal	Hella Pannewig & Elliott Browning	
Housing	Hollie Hendrickson	
Comprehensive Planning	Kathleen King	Principal planner
Communications	Cate Stanek	Communications specialist
I.R.	Sean Metrick	Mapping analysis assistance
Public Engagement	Vivian Castro-Wooldridge	Engagement strategist

Executive Sponsor: The executive sponsor provides executive support and strategic direction. The executive sponsor and project manager coordinates and communicates with the executive team on the status of the project, and communicate and share with the core team feedback and direction from the executive team.

Project Manager: The project manager oversees the development of the Land Use Code amendment. The project manager coordinates the core team and provides overall project management. The project manager will be responsible for preparing (or coordinating) agendas and notes for the core team meetings, coordinating with team members on the project, and coordinating public outreach and the working group. The project manager coordinates the preparation and editing of all council/board/public outreach materials for the project, including deadlines for materials.

Other Department Assistance: Staff from other departments coordinate with the project manager on the work efforts and products. These staff members will assist in the preparation and editing of all council/board/public outreach materials including code updates as needed.

Project Costs/Budget

No consultant costs have been identified for this project at this time. The project will be undertaken by P&DS staff.

Decision-Makers

- **City Council:** Decision-making body.
- **Planning Board:** Will provide input throughout the process, and make a recommendation to council that will be informed by other boards and commissions.
- **City Boards and Commissions:** Will provide input throughout process and ultimately, a recommendation to council around their area of focus.

Boards & Commissions

City Council – Will be kept informed about project progress and issues; periodic check-ins to receive policy guidance; invited to public events along with other boards and commissions. Will ultimately decide on the final code changes.

Planning Board – Provides key direction on the development of options periodically. Will make a recommendation to City Council on the final code changes.

Advisory Boards: Identify and resolves issues in specific areas by working with the following boards/commissions:

- Housing Advisory Board
- Board of Zoning Appeals

Appendix: Engagement Framework

City of Boulder Engagement Strategic Framework

BOULDER'S ENGAGEMENT SPECTRUM

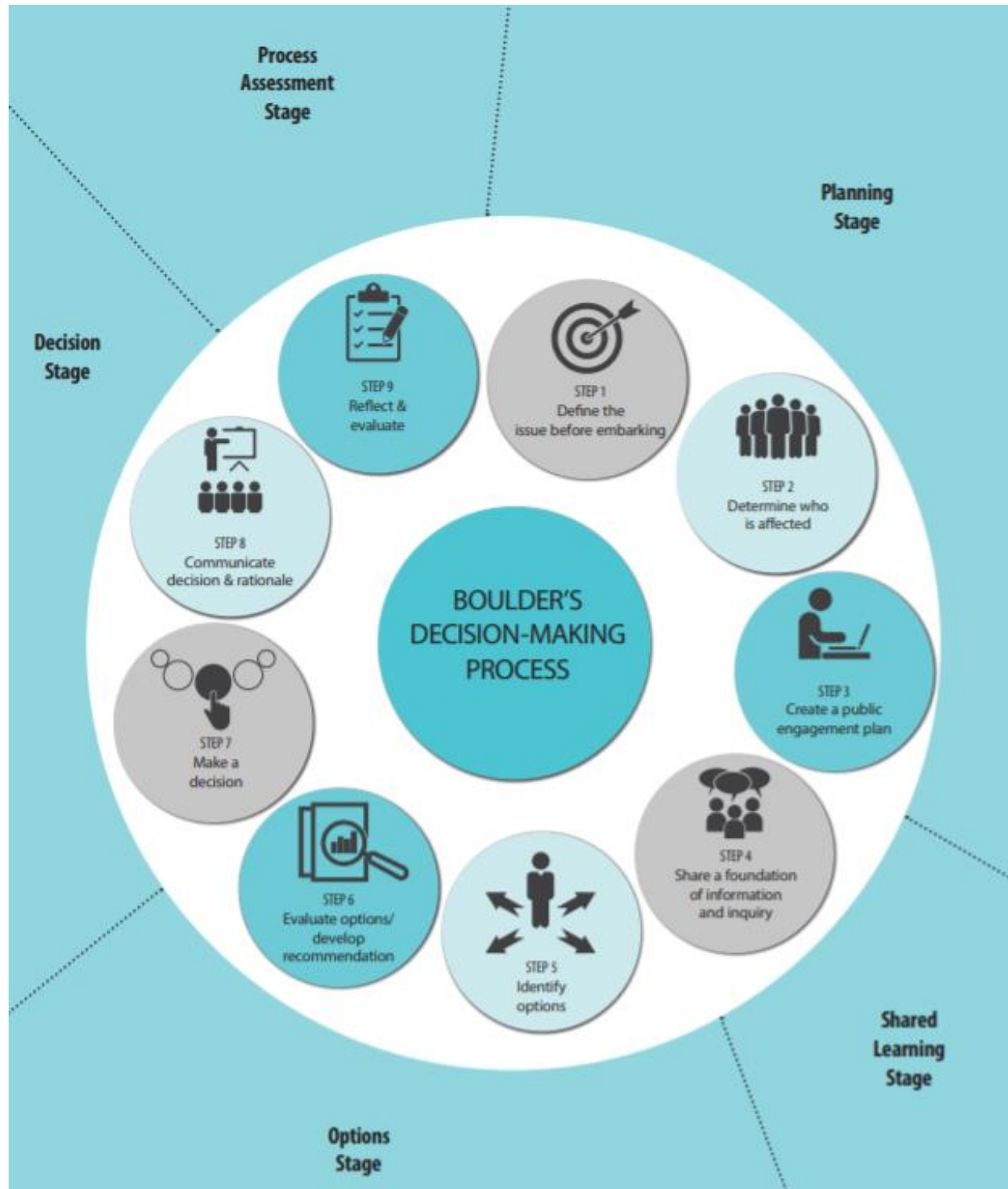
The city will follow a modified version of IAP2's engagement spectrum to help identify the role of the community in project planning and decision-making processes.

INCREASING IMPACT ON THE DECISION



	INFORM	CONSULT	INVOLVE	COLLABORATE
PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding a problem, alternatives, opportunities and/or solutions.	To obtain public feedback on public analysis, alternatives and/or decisions.	To work directly with the public throughout a process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and identification of a preferred solution.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge your concerns and aspirations, and share feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are reflected in any alternatives and share feedback on how the public input influenced the decision.	We will work together with you to formulate solutions and to incorporate your advice and recommendations into the decisions to the maximum extent possible.

Boulder's Decision Making Process



2016-2018 ACCESSORY DWELLING UNIT PUBLIC ENGAGEMENT SUMMARY

Background

This document summarizes public feedback on accessory dwelling units (ADUs) since 2016 to help inform the 2023 ADU regulation update project. Summaries are provided and specific feedback relevant to the scope of work in the 2023 project have been included.

2018 Incremental ADU Updates

The most recent updates to the accessory dwelling unit regulations were adopted in late 2018. Significant public engagement was undertaken in 2017-2018. As many of the topics discussed during these engagement opportunities relate to potential changes in 2023, staff is reviewing the results of this previous input to inform future changes as well.

2017-2018 Engagement Efforts

The following strategies were used to obtain input from the public during the 2018 code update:

- **250** people “shared their ADU story”.
- **216** people attended open houses in 2017-2018 with staff presentations, Q&A, feedback forms.
- **194** people took the Be Heard Boulder online questionnaire.
- **26** individuals spoke to Planning Board and the Housing Advisory Board.
- **10** meetings with groups and city boards, and numerous meetings with individuals.
- **6** ordinance readings for City Council adoption.

Summary of Key Community Concerns in 2017-2018

Community members involved in the engagement efforts for the 2018 update identified the following key concerns:

- **Neighborhood nuisances** – while most residents appreciated and enjoyed their neighborhoods and neighbors, many were concerned with current rentals and associated nuisances (parking, trash, noise, etc.).
- **Over occupancy** – although occupancy limits are the same for a home with an accessory unit and a home without, many in the community were concerned that the city is not adequately enforcing current regulations in other rental situations.
- **Owner occupancy** – overwhelming support for this provision.
- **Illegal rentals** – concern that illegal rentals throughout the city should be addressed prior to allowing any additional ADUs.

- **Saturation** – while most feedback was supportive of increasing the saturation rate, there continued to be concerns voiced about additional rental properties in single-family neighborhoods.
- **Affordability** – concern was expressed for both accessory unit rents charged and the future appreciation of the accessory unit property and impact on surrounding properties.

“Share Your ADU Story” Responses

The city sent requests for members of the community to share their experiences with ADUs through various means (City Planning email list, NextDoor notices, ads in the Daily Camera, postcards to 10,973 households living within 300 feet of existing legal accessory units, and a survey to 230 ADU owners). Residents submitted over 270 stories on the ADU update website between Nov. 10, 2017 and Mar. 21, 2018. Common themes from the input received included:

- **Did not know ADU existed:** Many neighbors of ADUs who received a postcard reported not being aware that one or more ADUs existed in their neighborhood.
- **ADU as tool for housing affordability:** Respondents showed overall strong support for ADUs as one tool to address Boulder’s housing affordability challenges.
- **Rental housing concerns:** People expressed concerns with ADUs as rentals and rental housing in general. Many perceive rentals, generally, as a root problem of neighborhood nuisances (noise, parking, trash, etc.). Many believe the city is not doing enough to address these nuisances.
- **Importance of ADUs:** Stories illustrated how important ADUs are to households as housing for family members with special needs, additional income enabling them to stay in Boulder amid rising living costs, providing an option for aging in place, providing socio-economic diversity in the community, etc.

Open Houses

Two open houses were held in November 2017, December 2017, and May 2018, and were attended by 216 people. General themes expressed by the attendees at the open houses included:

- **Support for simplifying the regulations:** General support for 2018 proposed changes to ADU regulations to create additional diversity in the community, to allow empty nesters to age in place, to provide housing for family members, and to provide additional affordable rental opportunities.
- **Desire to retain owner occupancy requirement:** Support for keeping in place current requirements regarding owner occupancy.
- **Support changes to saturation and size limits:** Support for increasing saturation limit and size limits to provide more flexibility, with many suggesting that the saturation limit should be increased beyond 20 percent or eliminated entirely.
- **Rental housing concerns:** Concern with potential impacts of additional housing units in terms of nuisances that many associate with rentals (trash, noise, parking, etc.).

Be Heard Boulder Questionnaire

A questionnaire was created to gather community input on the staff recommendations for regulatory changes. A summary of the feedback is provided below, as well as verbatim responses. Three questions that were posed at the time are directly relevant to the 2023 scope of work.

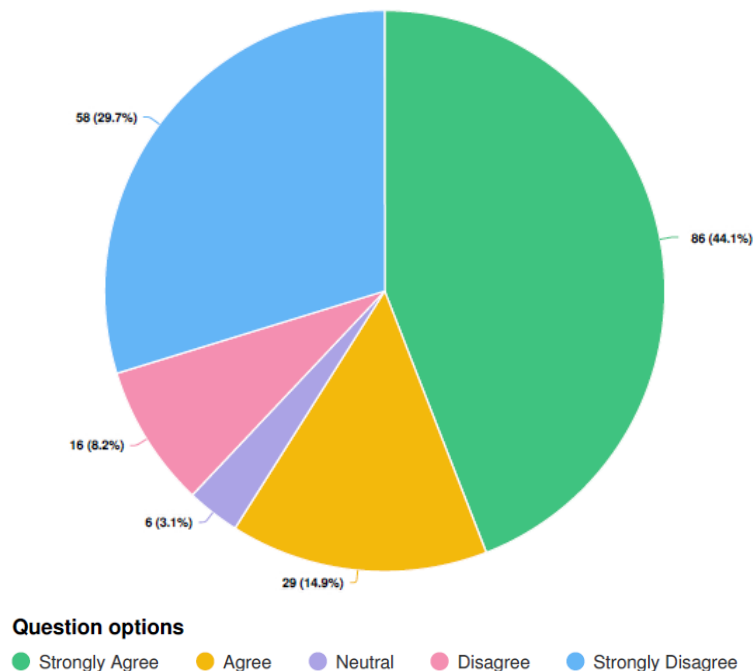
SATURATION LIMIT

In 2018, the changes proposed at the time would increase the saturation limit from 10 to 20 percent. Respondents indicated their support through a multiple-choice question and then provided explanations for their choice. The increased 20 percent limit was ultimately adopted in the 2018 amendment.

The questionnaire also included themes of feedback from other engagement efforts related to potential changes to the saturation limit:

- The current saturation rate discourages individuals from applying for permits altogether and may instead encourage the creation of illegal units.
- The saturation rate should be higher than 20% or removed completely.
- No additional accessory units should be allowed in the city due to the potential impacts (e.g., parking, noise, litter, etc.) of additional rentals.

RECOMMENDATION: Increase the saturation rate from 10 to 20% citywide. This is an incremental change that will not have a significant effect on the total number of ADUs, but will allow more Boulder households to construct an accessory unit. If a par...



Optional question (195 response(s), 3 skipped)

Questionnaire comments have been sorted by those that generally indicate support of the increased saturation limit (90, 58%), those that expressed concerns (53, 34%), and general comments (12, 7%). Note that of the 90 respondents who indicated support for the proposal at the time to increase the saturation limit from 10 to 20 percent, 35 respondents (22%) specifically noted that they believed the limit should be increased even further or completely eliminated.

2018 support for increasing saturation limit (beyond 20% or eliminate)

- Boulder has a housing crisis and this limited, incremental approach is far too conservative to help ease the situation.
- Increasing the saturation limit seems like a good idea, but I would also increase the range because the narrow 300-ft range would create barriers. The idea of saturation limits in general assumes that ADUs are bad things that should be spread around so that the bad impacts are evenly burdened. I just don't see ADUs as a negative thing.
- I agree with increasing the saturation rate citywide. I believe that the city should move toward at least a 40% saturation rate, which still implies a small increase in housing units citywide. I disagree with the proposal to decentralize decision-making to subcommunity planning efforts. These decisions should be made citywide and not privilege the affluent, incumbent homeowners in particular neighborhoods.
- Eliminate the barriers and the saturation limits
- There should be no saturation rate. It is frankly a silly concept that limits the ability of Boulder to address its housing shortage.
- There should be no saturation requirement - ADU-OAUs should be allowed by right in every single family lot in the city. Evidence and national data shows that even in the most liberal policies ADUs impact less than 1% of the housing stock. Whatever are we protecting by limiting the places where ADUs can be built?
- Incremental change is not what we need with the affordable housing crisis we have. This town is full of wealthy people because they are the primary type of people who can live here and they keep flooding in. Sad to not see more of a bold vision from the city that invented open space and other unique things. We are watching people leave this town because of this and it is sad.
- I definitely agree that we should increase the saturation rate for ADUs. The only reason I didn't do "strongly agree" is that I think the restrictions on now allowing owners to include ADUs if they are within a certain distance from a property that has one is still very detrimental, and I would like to see the city move away from this policy too.
- A property-owner should not be denied the right to create an ADU just because their neighbor built one first. I support raising the limit gradually, with the rate eventually removed.
- The saturation rate should be removed entirely to promote optimum housing flexibility. 20% is a vast and welcome improvement, but I am against the idea to set neighborhood by neighborhood increases as this unnecessarily complicates the regulations and causes confusion about what is allowed where. Further I would like to see apartments, duplexes etc removed from the saturation calculation.

- I would look to even greater saturation with areas that handle more capacity such as where there are larger lots
- I support increasing the saturation rate, but I'm concerned that 20% will soon also be too low. Maybe it should increase gradually and continually over time?
- There should be no saturation requirement
- I agree with increasing the saturation rate from 10 to 20%, but I think this does not go far enough. 40% or even higher would have a stronger impact in terms of creating more units and I don't believe it would not negatively affect the fabric of the neighborhoods. If anything, I think it would allow neighborhoods to become more diverse, interesting and vibrant.
- No limit on saturation should be imposed. Thornton allows all single family lots an ADU. This does not mean a doubling of density as the distribution of density varies according to factors such as transit and commercial proximity. See also the example of Berkeley where saturation increases near BART.
- I'd prefer to have a much higher saturation rate, but 20% is better than 10%.
- Saturation rate is completely unfair and penalizes new homeowners in any neighborhood. You should be incentivizing ADUs like Denver is, and removing any caps whatsoever.
- I think this does too little. There should be no saturation requirement--it should be removed altogether. All residents of a neighborhood should have equal access the to opportunity to have an ADU
- I actually think saturation limits should be eliminated as I do not think we will be "overrun" by ADUs. Based on personal experience, having owned and lived in my home here for 42 years, that potential benefits of flexible use of owner-occupied homes far outweighs the downsides.
- I think the number should be higher than 20%.
- saturation rate should be increased to 20%, but I believe it should be dropped altogether. There will be so many obstacles to ADU's (cost, finding contractor/workers, time for project) that a non regulated selection process will be present.
- I think it should go even higher. I would like to make housing in Boulder more affordable without damaging our open space, and the additional tax revenue of more people living here should help with litter, use, etc.
- You need to remove this requirement completely not just increase the saturation rate. It is not fair if your neighbor gets the permit a week before you so now you are not allowed the same zoning rights as your neighbor. I believe there will be a lawsuit in the future if this restriction is kept in place. ADUs/OAUs are expensive to build. I do not believe Boulder will suddenly see every house building one as people fear.
- There should be NO saturation limit!
- I would prefer there be no limit. This rewards some homeowners over others.
- I think the saturation rate should be removed. ADUs are important for increasing the availability of housing and reducing how far people commute.
- I do not think there should be any limits on saturation rates. Other cities do not have this limitation, and saturation rates have remained low in those places. There are a limited number of folks who want to build an ADU/OAU. It is self-limiting. However, it is not equitable that I

cannot have my mother live with me in an independent unit simply because someone nearby has already built an ADU.

- I think it should be increased even more, at 40%, so I'll support the 20% rate if that's the best we can get.
- I support increasing, but would support even more just doing away with the limit. No other community feels the need for such a restriction. I would love to see many more ADUs and OAU's.
- I don't feel this is a reasonable rule. With this, only 20% of homeowners in an area are able to realize the potential value of an ADU. ADU's allow for homeowners to earn an additional source of monthly income, and I feel it is unfair for someone to be unable to build an ADU because it took them longer to acquire financing or funding. Rather than basing it on how many neighbors have them already, it should be more based on lot coverage, density of a neighborhood, zoning, or something where a potential home buyer is able to understand the rules when they are going out looking for places they are looking to buy.
- As I support an unlimited number of ADUs, increasing from 10-20% is a step in the right direction.
- I would be in favor of raising the saturation rate to 30 or 40%, but the 20% limit at least addresses some problems of the current saturation rate (discouraging people from considering the ADU option/illegal units). Single-family homes are such a sacred cow in Boulder, despite the fact that many families aren't so typical any more.
- I agree that the saturation limit should be raised, but not to 20%, to 100%. There is no reason why my neighbors' houses should have an impact on what I can do with my house.
- I am a strong supporter of the diversity that comes from ADU's. 20 % seems better than 10%. Honestly, I think that anyone who wants one should be able to have one if they meet all the other requirements. So , I support any liberalization at all.

2018 support to increase saturation limit to 20 percent

- I believe that Boulder needs to find creative ways to tackle its housing situation. Increasing the ADU saturation rate to 20% is a good option.
- I want denser housing, I want 4 story apartment blocks everywhere in certain parts of the city.
- 10% has always seemed arbitrary. Start with 20% and see how it goes.
- Again I feel on site parking is essential. Also visual and architectural suitability must be considered.
- We need more housing options in Boulder.
- More ADUs is better all around. More options
- Makes the most sense
- Higher density will support a middle class
- I don't think that we'll ever get to 20%, but I support increasing flexibility so that people who are able to and interested in creating an ADU are able to. Just because your neighbors got there first doesn't mean you should miss out on your chance - restricting it too much would limit it to current homeowners, and future homeowners with an interest in building an ADU would not be able to do so.

- It may even be 'illegal' to discriminate against any property owner that applies for an ADU.
- I am a firm believer in incremental changes that allow us to test the consequences that are voiced as both positive and negative impacts. This could be safely done without much overall effect and would allow data to be gathered for moving forwards.
- It's my understanding that cities, like Portland, have no minimal restrictions on the % and the number is still under 20%. It seems like boulder is trying to fix a problem that doesn't exist. This is if the adu's are owner occupied.
- 20% looks like it would not have any drastic negative effects.
- I would support higher saturation limits, we need density to bring down housing costs.
- Again, as long as there is sufficient off street parking for the ADU's, saturation is not a concern.
- We need to increase the population density of Boulder to preserve open space and keep the economy growing. ADUs and OAU's do not drastically alter the character of the neighborhoods nearly as much as scraping and building huge single family dwellings. Young and old alike want smaller housing options, regardless of their income level. If we continue as is, we're suburbanizing the city, rather than urbanizing it.
- Boulder (and the Front Range) are in an affordable housing crisis. I think the city should remove as many barriers as possible to allowing ADUs on owner-occupied parcels.
- Greater density will help Boulder better use the space available.
- As long as the units are only in homes where the homeowners are living, which is what I understood from above, I feel the impact to neighbors won't be too bad.
- Boulder needs more housing, and allowing homeowners to create ADU's will be mutually beneficial for everyone.
- It's the fair way to go.
- I would love to see more affordable housing in Boulder and I also want to see more people who came to Boulder years ago be able to stay and adding an ADU/OAU can make it easier.
- Increased density is a reality in Boulder. Gotta put people somewhere. It also provides additional income to homeowners which broadens the income levels needed to own in Boulder.
- I live in a Goss-Grove, a neighborhood with a high concentration of ADUs and it's fine and adds a lot to the neighborhood character, plus mitigates the rent in an area that's extremely close to downtown (at least compared to other downtown-adjacent neighborhoods that have fewer ADUs). The more the merrier!
- I don't feel like the ADU impact a neighborhood, my neighborhood, in a negative manner
- I live near several ADUs and their impact is minimal. I'd be very surprised if it's only 10% in my neighborhood today.
- If Boulder truly wants to have more affordable housing options available to seniors, low-income residents, and students, then increasing the saturation rate is a great step.
- Can't determine who will want to build an ADU, so it is unfair to prevent some people just because someone else nearby did it first.
- There is a lack of affordable housing in Boulder and homeowners should have the option for additional income given the expensive housing market.

- We need more housing in Boulder. This is the low-hanging fruit solution.
- It seems to make only a minor difference. There are already varying numbers of people living in each home. Some families have 5 children at home, some couples live alone without children. This change doesn't seem to significantly change what is already happening with varying density.
- Given the higher cost of living and drowinging out of affordable housing in Boulder, I'd support bumping the saturation to 20%.
- It seems of a minimal impact and allows more affordable housing
- I don't believe the city would reach this limit as not that many people want an ADU. I also believe that higher density is good to a certain degree.
- So long as the owner-occupancy requirement remains (and is enforced), this measure would increase housing affordability for more people. That result is one that I want to see.
- If there aren't any parking impacts, why does this need to be regulated???
- Most homeowners will make responsible choices to improve their quality of life: to keep a loved one closer to them. Some may offer units for rent, but Boulder residents are educated and will not make poor choices.
- Given the challenges to create and license an ADU, and respecting the rights of homeowners to use their property the best way they can to stay in place, we should allow them everywhere.
- The very high need for more affordable housing and transportation choice in Boulder is far greater than the relatively minor negative impacts to neighborhoods associated with even a high percentage of homes with ADUs.
- 10% seems very low.
- I think the saturation limit should be higher.
- I agree the change would small, since it's obvious that not everyone who is eligible can, or wants, to build.
- Shouldn't impact neighbors
- Adus provide needed density of housing while benefiting existing owners. More saturation will make for a more interesting and vibrant town
- if city won't build vertically then adding density is only option
- Boulder has such a low level of housing at this point and I don't want to see more commuters coming into town.
- I'm in agreement with ADUs as one in a suite of options for creating more housing, enabling the elderly to stay in their increasingly expensive and unaffordable homes, and allowing families to move their elderly parents onto their properties. I am unconcerned about the whacked out, sky-is-falling hyperbole of my neighbors who are against additional density. I do strongly believe that the additional 10% of ADU permits should be rent controlled. IOW, that those constructing ADUs not be allowed to price them as luxury units with sky high rents.
- I agree with the information in the recommendation
- Again, I am 100% for having an OAU myself, and so the saturation is no problem for me.
- More urban infill, less displacement.
- This sounds like a reasonable target for Boulder.

- I would like to add an ADU to our home but the area has reached it's saturation limit. I do not mind the increased density, in fact it seems like a good way to increase housing while preserving open space.
- Agree, but neighborhoods should also be given the option of having a *lower* limit too.
- Housing more people is a good thing.
- Need to solve the housing crisis people!
- I believe many residents have faulty assumptions about the renters of ADUs based on prejudice and classism. We are very grateful that the ADU provides the opportunity to afford living in an actual neighborhood instead of an apartment complex, and we do not contribute extra parking, noise, or litter. In fact, we routinely PICK UP litter around the neighborhood while walking our dog, and do our best to make positive contributions to the neighborhood and community.

2018 concerns about increasing saturation limit

- I think no additional accessory units should be allowed in the city due to the potential impacts (e.g., parking, noise, litter, etc.) of additional rentals.
- Having lived in the Whittier neighborhood when alley houses were all the rage, and seen both the drawbacks and the limited impact it made on affordable housing, I do not support increasing ADUs in single family home neighborhoods.
- The obvious...parking, noise, dogs barking...stated above.
- Because I live where there is already 10% saturation of grandfathered units in a RLneighborhood and it makes an enormous impact, especially where lot size is smaller than average or even standard for legal construction there are few off street spaces. No neighborhood should go higher than 10% and all existing grandfathered non-conforming uses need to be counted!
- Start out with 10% and then ask the community if they want 20%
- Not enough infrastructure to support all those additional units. It will force existing residents to pay for upgrades to schools and utilities.
- No. Leave the saturation at 5%. It's bad enough my property taxes will go up with more ADU's but creating more saturation will force more longtime residents like myself out of Boulder that can't or have no desire to build ADU's. It's already happening. I ask you to consider the following, How many ADU applications have actually been denied because of the 10% rule? Staff should plot all the ADUs and OAU's in the city, and all the 300' radii around them, and show how many times, and where, the presence of one ADU/OAU has prevented a second application within radii.
- The infill in the city is making it unlivable. Too many people filling every open spot. Yes our city is desirable to live in and that makes it expensive to live in, but we shouldn't build in every open spot to encourage more people. We are not a big city and the desire to make it seem like one and undesirable.
- Saturation rates should be equal in all neighborhoods for equal distribution of unit mixes parking and traffic flow.

- I think a few more would not be a problem, as long as they are small, not up to half of the house. BUT, the unlimited saturation of OAU's is frightening. I think everyone is overlooking this potential impact.
- I think people will monetize this policy unless it is linked to permanently affordable housing. We don't need more market rate housing and I don't think that the potential disruption to SF neighborhoods (that increasing density through ADUs may create) is warranted unless there is a benefit to lower and middle income residents.
- The assumption that illegal rentals will convert to ADUs or become licensed rentals is false. Illegal rentals are not unilaterally investigated and shut down by the city, so they will continue to proliferate in addition to any increased ADU saturation rate, worsening density and quality of life for everybody except for the transient student population that has no vested interest in neighborhood character or Boulder in the long term.
- 2. Before increasing the saturation rate from 10%, we suggest that Council probe the extent to which the 10% saturation limitation actually contributes to low numbers of ADUs. How many ADU applications have actually been denied because of the 10% rule? Staff should plot all the ADUs and OAUs in the city, and all the 300' radii around them, and show how many times, and where, the presence of one ADU/OAU has prevented a second application within radii.
- It may be true that the 10% saturation ceiling is very rarely the limiting factor. If that's the case, we recommend that first Boulder fully (or at least, more fully) tap the 10% saturation, before considering doubling it.
- Alternative: Allow different saturations in different neighborhoods. Keep saturations to 10% in neighborhoods already known to be experiencing disproportionate amounts of impacts and challenges from growth. There are a number of relatively stable neighborhoods, further from CU, that don't struggle under as many impacts. Perhaps they could absorb an increase in concentration without it becoming a "tipping point" issue. Further, In the staff analysis of saturation, they comment that only 15% of eligible properties have an accessory unit. And they follow that with reasoning that increases in saturation would have a similar uptake. But that doesn't mean that a much higher percentage wouldn't actually be built in the future. We've seen this in recent times with commercial development. When the slow growth initiatives were passed in the '70s only residential was affected - and for 40 years not much happened - until the recent commercial growth spurt. We should learn from our mistakes. Last: any increases to saturation should be done in a sub-community plan, and then, only if and when it can be proved that the 10% saturation limit is actually the culprit of why Boulder doesn't have more ADUs.
- That will allow for too many units and turn single family house zoning into duplexes.
- The new rule last summer for co-ops was supposed to be city wide also and only one is in north Boulder and one is on Uni Hill and four are in Martin Acres. This is only the legal ones that have registered. The over crowding is making Martin Acres a place where families are being forced out due to no parking, no room on trails and in the park, and crowded Table Mesa restaurants. Too many parties every night of the week so kids can't sleep at 8:30 at night. I don't trust the

city to make anything city wide because of rich people and neighborhoods with their own HOA's.

- I would be ok increasing it up to 50%
- I support the 10% saturation with a review when we get close to that number. Why move directly to 20% which is over 4X the current level when staff itself admits that it won't have a significant effect on the total number of ADUs. This caution would be especially prudent if the parking restrictions get lifted.
- Again, staff is here presenting a highly questionable, and potentially very inaccurate, guess. First of all, staff is basing much of the entire ADU project on a notion of the number of ADUs currently in the city. However, staff's number only includes the number of LEGAL ADU's. There are many more ILLEGAL ADUs. Virtually every neighbor on every street in certain neighborhoods knows of an illegal ADU on their street. The City's woefully inadequate enforcement staff has no concept of how many illegal units are out there. I'm not faulting the enforcement staff. I'm faulting the fact that there are exactly 1.5 FTE field enforcement officers, charged with field enforcement of these type of infractions, with 20,000 rental units to cover.
- Before anything happens, the community deserves to see a solid action plan from the City regarding how they intend to quantify, and bring into licensure, all the illegal, unlicensed ADUs. Then, re-tally the TOTAL number of ADUs in the City, and only then chart a policy course. Because at least then, you'll be working from true and accurate numbers. Then, there's the further, vital question of whether the 10% saturation limit is really the limiting factor? Before increasing the saturation rate from 10%, Council should probe the extent to which the 10% saturation limitation actually contributes to low numbers of ADUs. How many ADU applications have actually been denied because of the 10% rule? Staff should plot all the ADUs and OAU's in the city, and all the 300' radii around them, so we can actually see the extent to which the current saturation is fully utilized (or not), and show how many times, and where, the presence of one ADU/OAU has prevented a second application within radii. And I mean a real map, with real plotting, not the fake video game illustration provided here by staff. It's meant to convince people, but has absolutely no basis in actual current ADU saturation/locations and whether or not the 10% limiting factor is what's actually discouraging more ADU deployment. Further, the animated model provided here is a fictitious rendering of the results of increases in saturation. The truth is, staff has no idea how many ADUs will result from an increase in saturation levels.
- We may find that the 10% saturation ceiling is very rarely the limiting factor. If that's the case, we recommend that first Boulder fully (or at least, more fully) tap the 10% saturation, before considering doubling it.
- I disagree with densification. I value protecting the character and lifestyle of the neighborhoods.
- go with 10%, can always change to 20% later if 10% ends up being to little, impossible to lower
- Areas with dense population should not be increased by right.
- ADU's financially benefit the owner and increase the selling price when sold. The impacts are felt by the neighbors

- This adding of inventory flies in the face of the master planning of the city, and creates additional strain on infrastructure that is already crumbling.
- Not sure we should allow as high as 10-20%
- Too much density
- THERE IS NO ENFORCEMENT and therefore you don't even know what the rate is in Boulder! And THERE IS NO ENFORCEMENT unless you rat on your neighbor. Until this situation is remedied, you should not be adding to our problems.
- Is this only known, legal ADUs? There many unknown and therefore illegal ADUs? I think the city probably has no idea how many illegal ADUS are out there. What is the plan to FIRST bring the illegal ADUs into the fold-- and then decide. There are probably many more opportunities to still work within the existing 10% saturation limit that have not been utilized-- because we don't even really know how fully that 10% limit has been pushed. Has the city actually turned down ADU applicants due to the 10% saturation limit so far? If this is not a barrier today, why would we change it?
- It seems to me, having now read the report to the city council, that you want to open up every part of the city to accessory units. I disagree with this approach. Therefore, I don't want to see the saturation rate go up - because you're not just proposing increasing the saturation rate in zones currently open to accessory units, you're recommending 20% saturation rates in almost all zones, including those that don't currently allow for accessory units of various types.
- ADU will provide a small fraction of affordable housing. By building new affordable units money will be spent more wisely and efficiently. ADU's are not the "big answer".
- This change should not be pursued by the City of Boulder. The City can't even enforce the many illegal ADU's. Why should we trust the City to be able to monitor the legal ones! Do not double the saturation rate until the City understands the true situation. Double or triple your current 1.5 field enforcement officers first.
- Twenty percent is too high a concentration in already built-out neighborhoods.
- There are NO humans whom do not prefer to live in a beautiful, natural setting. Human population density is the very plague though that will permanently ruin the very ecosystem that makes this (& many other places) so appealing.
- our single family areas are already overcrowded
- You have completely ignored the number of unregistered ADUs, which are apartments, some very old, that already exist in homes on the Hill but are not registered for reasons other than the 10% saturation. A system for dealing with these units must be developed before granting permission for new units. I believe the saturation rate for existing unregistered ADUs, some of which are used illegally but many of which are not, would far surpass a 20% saturation. I suggest you work with the neighborhood to create criteria that would guide who is permitted in what order. Your map shows three registered ADUs in the core Hill neighborhood. This is a joke.
- Solutions to lack of affordable housing need to be looked at in a broader context. The City is proposing piecemeal solutions which will later preclude other, perhaps better solutions. Creating evermore rentals (there are already so many corporate-owned apartments) should

not be the future of Boulder. Additionally, once again, assessing the impact by neighborhood -- "sub-community plans" -- is the first step. The City has no idea how many ADUs already exist. I know of a number of unlicensed ADUs near my home. So these numbers are not factually correct. And -- a distinction should be made between ADUs that involve construction and ADUs that would mostly entail adding a stove to an existing unit (in-house rental). The environmental impact of more construction within the neighborhoods is not addressed at all.

- WE have this same situation and it is a mess on our street.
- This is NOT an incremental change. I think Staff's calculations are faulty in that they do not know exactly how many illegal ADUs are already out there. I know of several people who rent out space in their homes without the City's knowledge. So, the current saturation is an unknown number to Staff. I also don't think the demand for ADUs is what the City would like to think - it's far less.
- 15% a better number
- The recommendation will increase density that is destroying our quality of life.
- The City's recommendation permits more growth that has destroyed our Environment and the quality of life that we have previously enjoyed in Boulder
- 20% is way too high a saturation rate as evidenced by the graphic
- There should not be an increase over the current 10% unless a sub-community plan, written by residents in the given sub-community determines, that there should be a higher saturation.
- Saturation rate should only be increased if the ADUs are required to be PERMANENTLY AFFORDABLE. That should be a requirement with any ADU. Otherwise the ADU will become too expensive for low- to medium-income people. Increasing density can still mean super expensive--look at San Francisco and New York City.
- An increase in saturation may work in some neighborhoods, but will not work in others. A city wide increase will cause problems in some neighborhoods. ADU density needs to be evaluated neighborhood by neighborhood with final say given to the neighbors, not city planners.
- If a neighborhood wishes to increase saturation it is appropriate that their wishes be addressed in a sub-community planning process rather than increasing saturation city wide.
- If we haven't met the 10% saturation, why does it need to be expanded?
- I worry about density, cars, traffic, etc. where I live.
- You don't even know how many ADU's are out there currently. I say, I say, Slow down!
- 20% is way too high. It's a terrible strain on a neighborhood when someone does what happened here recently: razes a moderately sized home, wipes out several large and beautiful trees and a garden, builds a main unit at least twice as large as the one before *and adds a substantial OAU. Suddenly space and beauty and views are markedly reduced and the whole neighborhood feels crowded, since we already had a duplex, two large fourplexes, and a big house and OAU immediately surrounding. The area feels like the center of a city block, built up with buildings wherever one looks, and the feeling of nature almost nonexistent (and studies show that some exposure to nature has a big positive and necessary effect on the psyche). If that big unit and destruction of all the trees and almost all the yard space could be allowed under the present regulations, we definitely should *not be *doubling! that saturation rate. It

all feels like a heartrending violation of nature, neighborhood and psychological space as it is. I also felt that way just looking at the representation offered here. Thank you for that and the clarity it provided. 20% is wa-a-ay too much to allow

2018 general comments: saturation limit

- More over regulation. Really a 5000 sq ft lot restriction ? You are missing house that can easily have an addition without having to build on the lot. For instance, I have a 900 sq ft addition on my house, and need no new building. I only have to put a stove in and I have an ADU. Less regulation is needed not more
- With legal non-conforming structures included, it becomes impossible to not have 10% saturation. In my neighborhood which is low density and older homes, there are several nonconforming structures that aren't rentals and don't involve parking issues.
- Doubling the number of ADU's isn't significant?
- "Saturation?" - the word itself is self explanatory.
- Due to the unknown costs and difficulty navigating the process to build an ADU, we cannot predict that the homeowners who have interest and resources to follow through are distributed evenly throughout the city.
- Historically middle class neighborhoods are more likely to face similar challenges today in terms of affordability, property taxes on increasing values and fixed income, and desires to age in place. This indicates that homeowners seeking ADUs may be geographically close to one another, while other sections of the city have no need to augment their income nor desire to help others.
- If neighborhoods controlled by an HOA wished to mandate it, that seems fair. However, lacking any engineering challenges (sewer + water pipes, etc.), 20% still seems like an arbitrary number.
- I'm not sure what the actual number of ADUs is; what is the current number, both legal and illegal?
- I'm a bit on the outskirts of Boulder and am not sure how to comment.
- Let each neighborhood decide on their saturation limit.
- ADUs in some neighborhoods might have more impact due to resident type (e.g., Goss Grove, Univ Hill with students), but my experience is that these kinds of units encourage younger working-age residents to move into and work in Boulder.
- I'm not opposed to some more ADUs, but it totally depends on the conditions under which they are allowed. If people can expand their building's footprint, or convert their garage so that what they have is essentially a duplex, then I'm totally against allowing more. But if they stay within the existing building's footprint, and envelope, then I'm OK with a few more.

ATTACHED ADUS: INCREASE SIZE LIMITS

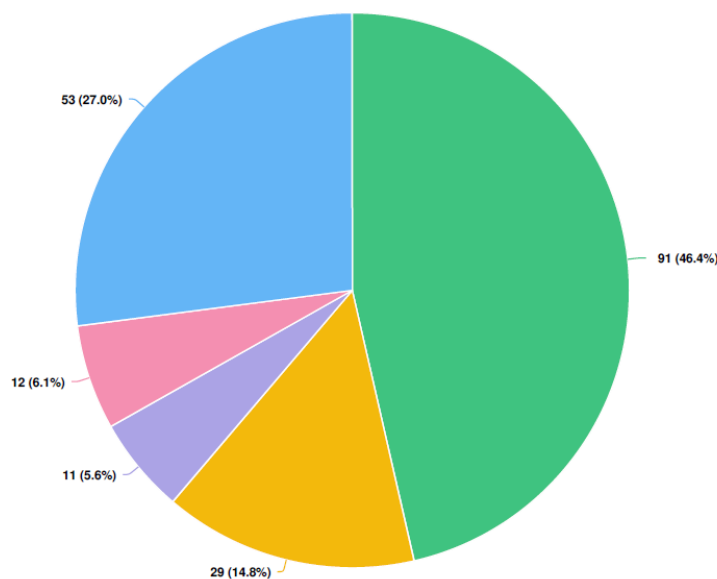
The questionnaire asked whether respondents supported the staff recommendation at the time to increase the size limit for attached ADUs from 1/3 of the principal structure or 1,000 square feet to 1/2 of the principal structure or 1,000 square feet. This change was not ultimately adopted, and the limit remains 1/3 of the principal structure or 1,000 square feet for attached ADUs.

The questionnaire also detailed the following themes of feedback from other engagement efforts prior to the questionnaire related to size limit changes:

- The 1/3 size limit is a constraint in smaller homes and sometimes requires sections of basements to be walled off for no practical reason.
- There should be a consistent limit on ADU size of 800 sq. ft. regardless of the size of the primary dwelling to help keep the units affordable in the future.
- The size of the unit should depend entirely on the size of the primary unit and there should not be an upper limit to provide additional flexibility.

The majority of respondents (62%) indicated support for the change at the time, with about 33% opposed.

RECOMMENDATION: Change the 1/3 size limit to 1/2 for principal dwellings of less than 2,000 sq. ft. to give smaller homes additional flexibility in creating an ADU or interior OAU.



Question options

● Strongly Agree
 ● Agree
 ● Neutral
 ● Disagree
 ● Strongly Disagree

Optional question (196 response(s), 2 skipped)

After indicating their agreement or disagreement, respondents were asked to provide further explanation of their selection. Comments below have been sorted by those that generally indication

support of the increased size limit for attached units (58, 53%), those that expressed concerns (29, 27%), and general comments (21, 19%). Note that of the 58 respondents who indicated support for the proposal at the time to increase the size limit from 1/2 to 1/3 of the principal structure, 14 respondents (35, 22%) specifically noted that they believed the limit should be increased even further.

2018 support for increasing the size limit for attached ADUs beyond 1/2

- I don't think it goes far enough, if someone has a large lot, existing structures, etc. change it to half for all homes, but include it in general lot area coverage restrictions. If I understand this recommendation correctly, if someone has a 2100 sq ft house they couldn't build an oau/adu as large as someone with a 2000 sqft house could, and I don't see how it makes sense or operates in the community's best interest.
- Again, over regulation. I only agreed because these limits are ridiculous. What does it matter if the ADU is bigger than the main house? In my case, I am retired, only the wife and I, and we do not need a large place. We want the ADU to be large so we can rent to a family. Again, My proposed ADU was just, and get this, just bigger than the the 1/3 requirement by 30 FEET.... again, the planning and development department would not come out and look at the place. I said I could easily wall off an existing mud room. The planning and development required me to spend \$1000s of dollars to submit a professional blue print, instead of just coming and see the place. I was not allowed to submit the blue prints myself
- So 1/3 still applies to house of say 2,200 sq feet? How does that make sense? Size should be 1,000 square feet for all ADU or OAR structures, or better yet, why the size limit at all? Aren't other limits like FAR and the multiple layers of other Boulder rules like in the historic zones enough? Surely you see why it is so hard for someone to navigate this stuff and it adds cost to the project, further increasing housing costs.
- What difference does this % make? The home can look the same from the outside regardless of the inside lay out and the neighborhood impact won't change. Why is any regulation necessary? Who cares if the adu is bigger than the rest of the house? I just can't see a reason for this regulation.
- Proscribing square footage alone won't make properties more affordable! It's all about supply + demand = more supply of rental units, will mean more affordable rents. And I agree that if a principal dwelling is small but has a large plot of land, the owner should absolutely be allowed to build a larger ADU as they see fit.
- The ADU/OAU size limit shouldn't depend on the size of the house. I'd rather see just a hard size limit (and maybe something below 1000 sq ft).
- I think 1/2 is still too low, but this is an improvement from 1/3.
- I think the restriction should be removed altogether, but at least this makes it a little easier for a few people to build ADUs or OAUs.
- But hey, come on, this is arbitrary. Let people build withing the existing FAR and setback codes, then get out of the way. Just like you do for these awful giant homes people are allowed to build.
- Make it even smaller! I lived in 300 and 400 square foot apartments for a few years. If people want to live in them, they should be allowed to.

- I think 800 square feet is appropriate for detached ADUs. I think there should be no size restrictions for "interior" ADUs.
- Not sure why subordinate size is relevant at all.
- Too small
- I would go further and say that the limit should be fixed at 800 or 1000 sq ft and not be based on the size of the house. If it is based on the size of the house, lower income folks who live in smaller houses will have less options than wealthier people living in larger homes. This seems classist and against Boulder values.

2018 support for increasing size limit for attached ADUs to 1/2 of principal structure

- Remove as many barriers as possible, as soon as possible.
- This makes sense.
- However perhaps 1,500 sf would be a better number. 2,000 sf is not a small home and 750 sf is more than sufficient for a granny apartment.
- Need more flexibility for ADUs
- Makes the most sense
- There are too many restrictions on ADU/OAUs and this is certainly one of them. 1000 ft should be allowed for every ADU/OAU
- I agree in principle, however someone isn't considering the implicit non-linearity this wording defines. While the analysis cites the irrelevance of homes "'less than 3,000 sq. ft.'", the recommendation expresses "'less than 2,000 sq. ft.'"
- Higher density will support a middle class. My family and parents could afford to live in and contribute to the city of Boulder.
- If part of the point of ADUs and OAUs is to help ensure long-term affordability for existing homeowners of modest means, I don't think we want to punish people for living in modestly sized homes. I feel like the current requirements would create an incentive for people to expand their own living space as well as the ADU, which has negative environmental implications (heating a larger space!). It's especially counterproductive if the existing homeowners are older people without children living at home - their homes are likely already underoccupied. Don't create an incentive for them to expand their homes!
- In terms of increasing affordable housing in Boulder, it would be best to be able to create an ADU that would accommodate a parent(s) and a child. This would increase the affordable housing stock to more tenants. How you do that in 500 square feet is what the City policy will force homeowners to grapple with.
- Smaller homes need the flexibility.
- I agree with the analysis. People should not be penalized for living in smaller homes. An increasing number of people want smaller homes, but commercial developers don't want to build them, so it's up to owners of older and smaller homes investing to continue making them viable. Any disincentive for doing so should be removed.
- Good move!
- Agree with everything that increases flexibility around ADU and OAU construction.
- Smaller, means more affordable units so I am supportive

- There are a lot of 1,000 sq ft houses on largish lots in the city which would benefit by this (I would actually cap the units to 750 sq ft).
- I agree that the current law discriminates against people with smaller homes.
- The current limits hamstring homeowners of small houses! If you have a 1,000 sqft ranch, your ADU would have to be 333 sqft which is too small to make any sense.
- To give smaller home owners better options.
- I don't have a problem with property owners having ADU's or OAU's
- As long as the ADU/OAU meets the city's codes for square footage per occupant, then that is all that should matter.
- This is such an easy answer to adding more housing to Boulder.
- This seems like it may create problems if small homes are also on small lots, but I presume setbacks and other rules would protect from too much crowding. This seems reasonable.
- the argument/analysis put forward makes total sense to me.
- Limit the impact and construction needed so people can live efficiently and affordably
- Promoting more housing options is a positive step for our community
- This makes sense...
- Homeowners living in smaller homes are more likely to need additional income support. There is no reason to arbitrarily limit the size of an internal apartment that does not change the exterior footprint. How homeowners and tenants divide their living space inside is up to them and no business of their neighbors.
- The current rules totally favor people with big houses, who tend to be more affluent. People in smaller homes should be able to create additional housing options.
- I believe that the size limit is an improvement, but it still penalizes those who choose to live in a small-footprint house themselves. Given that housing footprint is linearly related to carbon footprint, having a restriction seems out of place with Boulder's goals.
- Smaller homes should have the opportunity for adus
- Same as before; allow residents who might otherwise be priced out of their neighborhood to have an additional property, and increase housing stock for both young people starting out and expanding aging population looking to downsize but stay in the community.
- We need more housing in the city.
- My home is only 1200 square feet WITH an internal conversion of the attached garage into main living space, and only 1000 sf without the garage conversion, (along with MANY homes in Martin Acres and Aurora neighborhoods, which have large lots and plenty of room for an OAU). An OAU of just 600 sf is tiny and might not even be worth the expense of doing so. I think this provision should be 800 sf for all ADUs or OAUS that are added on, regardless of the size of the existing home.
- Perhaps this would allow more smaller homes to remain standing and stop the influx of 38,000 square houses from being built in areas with small lots.
- the current laws are complicated - simplify.
- Makes sense!
- Many (most?) ADUs *are* basements, so this must be a very common problem...

- Just make the limit a fixed square footage and move on for the love of God. This forces it to be subordinate for all larger homes. If I own a small home of 1,600 ft, and I want to live in 600 feet and rent 1000, what's the problem. This may allow more people to afford homes in boulder.
- I prefer flexibility and diversity. Boulder has adequately strict lot coverage requirements and I don't believe that additional limits are needed
- It is not practical to modify a small building to have an ADU and meet current guidelines.
- More density and and more infill. See #3.
- I think 1000 square feet is too big and would prefer a consistent limit of 800 feet, regardless of whether the main house is no more than 2000 feet. I do agree that we shouldn't penalize smaller houses and potentially induce the owners to make them larger (as the ones near me did) in order to have a larger OAU.
- Its a silly rule

2018 concerns about increasing the size limit of attached ADUs

- Smaller is more affordable.
- No. A de facto duplex rather than a main and subordinate set of units operate very differently in a neighborhood. Those of us already dealing with these in our current neighborhood should be heard as experts in practice, not the on paper analyst by supporters in theory.
- "Note that staff particularly targets neighborhoods with this idea, when they write: "This requirement presents challenges for people with smaller homes." The problem is, neighborhoods with smaller homes are generally already under more stresses from impacts than most areas. Further, homes are more closely spaced in neighborhoods with smaller houses. So impacts from ADUs and OAU's will be felt more keenly, due to the closer proximity of properties. The point is, 1/3 of the principal structure is plenty of space in Boulder's more affluent neighborhoods with larger houses. This change is specifically designed to increase ADUs in Boulder's most modest, least affluent neighborhoods. However, these are the very same neighborhoods that are already struggling much more disproportionately from impacts of growth, as it is. The goal should be adding diversity and inclusivity to exclusive neighborhoods. (A progressive policy.) This particular item will simply target the neighborhoods that are already that. So it will in fact be a regressive policy. Keeping the 1/3 limit as it is incentivizes ADUs in Boulder neighborhoods that don't participate in change, inclusivity, and diversity to as high a degree. So I strongly recommend keeping the 1/3 sq. ft. limit."
- I believe increasing the size to half the size of the house in effect converts it to a duplex, and is an end run around single family zoning.
- Smaller properties can't be "subdivided" for rental purposes (legal or illegal) without increasing density, introducing non-vested transients, and destroying the character of single-family neighborhoods.
- Note that staff particularly targets certain neighborhoods with this idea, when they write: "This requirement presents challenges for people with smaller homes." The problem is, neighborhoods with smaller homes are generally already under more stresses from impacts than most areas. Further, homes are more closely spaced in neighborhoods with smaller

houses. So impacts from ADUs and OAU's will be felt more keenly, due to the closer proximity of properties. And areas with smaller homes not only have smaller lots, they also typically have narrower streets, compounding the problem even further. The point is, 1/3 of the principal structure is plenty of space in Boulder's more affluent neighborhoods with larger houses. This change is specifically designed to increase ADUs in Boulder's most modest, least affluent neighborhoods. However, these are the very same neighborhoods that are already struggling much more disproportionately from impacts of growth, as it is. The goal should be adding diversity and inclusivity to exclusive neighborhoods. (A progressive policy.) This particular item will simply target the neighborhoods that are already that. So it will in fact be a regressive policy. Keeping the 1/3 limit as it is incentivizes ADUs in Boulder neighborhoods that don't participate in change, inclusivity, and diversity to as high a degree. So we strongly recommend keeping the 1/3 sq. ft. limit.

- Size should be consistent with the original house. The lot size would matter, and smaller houses are generally (although not entirely) on smaller lots.
- Again, density issues, combined with essentially ignoring the purpose of zoning.
- This is very bad as there was a good reason why the original house was small. Many are on small lots
- They need to be kept small and smaller than the main house.
- According to your own statements-- aren't Boulder's more wealthy, exclusive neighborhoods the ones who need to change? That is where the larger homes are. Keeping the 1/3 Sq ft means that they are more likely to be able-- rightfully so-- to do ADUs. More modest neighborhoods are already under pressure. Increasing ADU size to 1/2 of the main unit will just sledgehammer our modest already struggling neighborhoods even more.
- I feel the current size limit is adequate.
- 1000 square feet is plenty big for an ADU, especially given the size of smaller homes. An ADU is supposed to be small!
- ridiculous
- OAUs are not subject to any concentration/saturation limits because the current zones where they're allowed are characterized by extremely large yards: Residential Rural (30,000 sq ft lot) and Residential Estate (15,000 sq ft lot). But allowing OAUs in all other zones, with no saturation limits could, theoretically, result in an OAU in every back yard of every house. It would be incredibly careless for the City to go forward with this change, with absolutely no saturation limits.
- Areas with smaller homes also have smaller lot sizes. ADUs would have disproportionate impact on neighborhoods with smaller lots.
- The size of the unit should depend entirely on the size of the primary unit and there should not be an upper limit to provide additional flexibility.
- By making this change you are, again, creating more saturation in neighborhoods than what was intended for the established neighborhoods. You are trying to find ways to cram more people into designated areas where the areas are already over-saturated due to the high use of single family homes as rental units.

- There isn't even enough viable options to preserve the natural spaces we have maintained to now (for example the endangered tall grass prairie habitat surrounding the CU South property). WHY -pray tell- are we trying to stuff more beings into an ecosystem that has far-surpassed scientifically proven environmental carrying capacities? It just doesn't even make survival sense as a species!
- as above don't destroy present housing zoning
- The ADUs and OAU's would be too large for small homes typically on smaller lots.
- Smaller homes are typically on smaller lots. Thus, the current restriction makes sense. Smaller homes, smaller lots, less parking, already higher density. NO on this. I absolutely, strongly disagree.
- The recommendation will increase density that is destroying our quality of life. It will permit more dwellings to qualify for the ADU.
- The City's recommendation permits more growth that has destroyed our Environment and the quality of life that we have previously enjoyed in Boulder
- It would be almost like 2 houses on one lot.
- This should only be allowed if the ADUs are required to be PERMANENTLY AFFORDABLE. That should be a requirement with any ADU. Otherwise the ADU will become too expensive for low-to medium-income people. Increasing density can still mean super expensive--look at San Francisco and New York City.
- I think the original regulations make sense.
- I worry about density, cars, traffic, etc. where I live.
- Again; proportion. Don't want to recreate what happened to Whittier in the early '90's where huge homes were built in backyards.
- Note that staff particularly target certain neighborhoods with this idea, when they write: "This requirement presents challenges for people with smaller homes." The problem is, neighborhoods with smaller homes are generally already under more stresses from impacts than most areas. Look at the neighborhoods in Boulder struggling under impact. They tend to be neighborhoods with smaller houses. Further, homes are more closely spaced in neighborhoods with smaller houses. So impacts from ADUs and OAU's will be felt far more keenly, due to the closer proximity of properties. I wish the staff analysis would have mentioned this demonstrable reality. And areas with smaller homes not only have smaller lots, they also typically have narrower streets, compounding the problem even further. The point is, 1/3 of the principal structure is plenty of space in Boulder's more affluent neighborhoods with larger houses. Increasing the square foot limit to 1/2 the principal unit is specifically designed to increase ADUs in Boulder's most modest, least affluent neighborhoods. However, these are the very same neighborhoods that are already struggling much more disproportionately from impacts of growth, as it is. The goal should be adding diversity and inclusivity to exclusive neighborhoods. (A progressive policy.) This particular item will simply target the neighborhoods that are already that. So it will in fact be a regressive policy. Keeping the 1/3 limit as it is incentivizes ADUs in Boulder neighborhoods that don't participate in change,

inclusivity, and diversity to as high a degree. So I strongly recommend keeping the 1/3 sq. ft. limit.

2018 general comments: attached ADU size limits

- It seems more fair. I would actually be more in favor of granting planning officials a 20%-30% leeway to grant additional space above the 1/3 of principal dwelling unit if that helped for space to be used efficiently and consciously.
- For exterior OAU's, there should be considerations other than just size of principal home in
- Smaller homes are more ecological.
- The allowable size of ADUs or OAU's should not be contingent on the size of the principal dwelling. The background notes that the original intent was to "ensure that the accessory unit is smaller in size and therefore subordinate to the main home," but it does not provide a rationale for this constraint.
- What happens to homes between 2000 and 3000sq.ft? They'd be limited by 1/3 whilst everyone else is allowed 1000sq.ft regardless..
- Is it really the intention of the recommendation that homes 2,000-2,997 sqft have a more restrictive ratio than those <2,000 sq. ft.? For example, a home which is 1,998 sq. ft. might be allowed a 999 sq. ft. OAU, however a homeowner whose principal dwelling is 2,001 sqft is restricted to 667 sq. ft.?"
- The ADU size limit should be determined by a formula for the complete lot including a requirement to limit pervious pavement.
- Anything over 200 sf is livable for a single person. People who are rich overestimate what people actually need to be warm, dry, and comfortable.
- I think there should be practical flexibility but I also think part of what makes these units affordable is the size therefore the size should be limited.
- I live in a smaller home.
- I own a home in East Aurora (purchased in 2015, after 35 years renting in Boulder). My house - like nearly every un-remodeled home in my neighborhood is only 1,061 sq ft to begin with. A max of 800 sq ft makes way more sense than a randomly applied 1/3. Otherwise you're penalizing homeowners who own reasonably sized homes (we have a family of 4 in 1,000 sq ft).
- Repeat of answer: We have more important work for city's brilliant people than to be policing homes and acting like dictators, which they don't want to be.
- They need to be big enough to make sense as a livable space. I would make all of them have a limit of 800 square feet regardless of the size of the main house.
- How we measure square footage also needs to be considered. In Boulder, we measure sq. footage to the outside perimeter of the building we are measuring. When measuring small spaces and taking into account that modern construction requires 6" walls to get higher R-values and less air infiltration, that way of measuring (to the outside of the wall) leads to overstating the usable sq. footage. For example, in our 16" X 19" 2-story studio accessory unit, the gross sq. footage is 773 sq. ft but the sq. footage inside the perimeter walls is only 680 sq. ft.
- I own a 2100 sq. ft. home.

- Again, people don't always need to live in large places. Think Japan. They have small apartments and living places.
- I feel size should not be an issue governed by council. If you're going to allow development then allow it freely.
- Not sure what I think of this yet.
- I think having a consistent limit, like 800 sq ft, makes much more sense. That way the number of occupants is limited by the space, and avoids the temptation for people to in effect turn their house into a duplex.
- See my previous answer.
- Same answer as before.

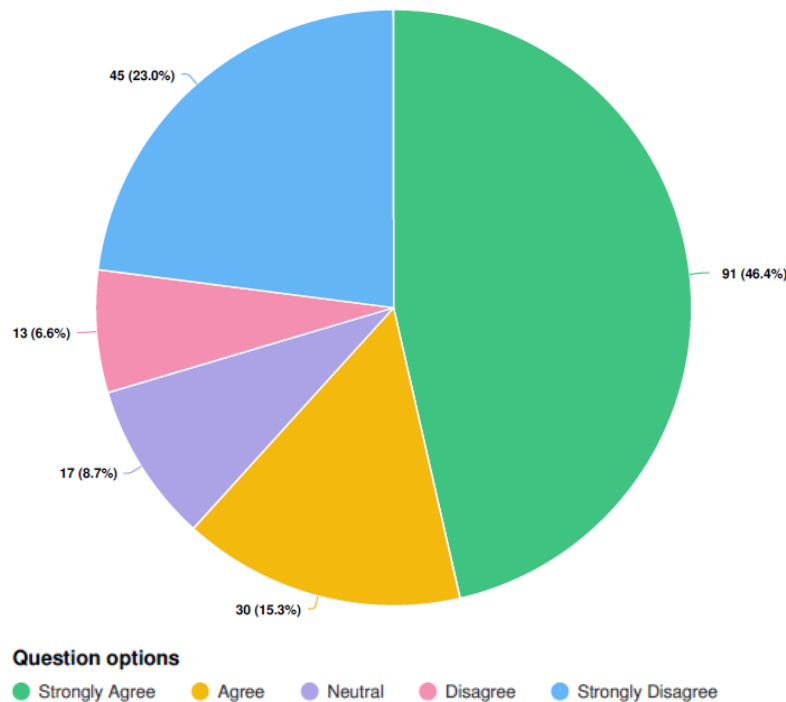
DETACHED ADUS: INCREASE SIZE LIMIT TO 800 SQUARE FEET

The initial staff recommendation during the 2018 ADU update was to increase the permitted size of detached ADUs from 450 square feet to 800 square feet. Ultimately, the size was increased to 550 square feet. Respondents indicated their level of support for the increase to 800 square feet through a multiple-choice question and then provided explanations for their choice.

The questionnaire also described the following themes of feedback from other engagement efforts prior to the questionnaire:

- The current size limit is too restrictive, prevents good design, and does not provide sufficient living space to keep “a married couple married” as stated by an open house participant.
- There should be a consistent limit on ADU and OAU size of 800 sq. ft. regardless of the size of the primary dwelling to help keep the units affordable in the future.
- The size of the unit should depend entirely on the size of the primary unit and there should be additional flexibility to build larger than 1,000 sq. ft.

RECOMMENDATION: Increase the size limit and building coverage limits for a detached OAU to 800 sq. ft.



Optional question (196 response(s), 2 skipped)

Questionnaire comments have been sorted by those that generally indicate support of the increased saturation limit (52, 55%), those that expressed concerns (29, 31%), and general comments (13, 14%). Note that of the 52 respondents who indicated support for the proposal at the time to increase the size

limit to 800 square feet, 10 respondents (11%) specifically noted that they believed the limit should be increased even further.

2018 support for increasing the detached ADU size limit beyond 800 square feet

- REMOVE ALL BARRIERS. How will you deal with homeowners who have garages already built to 3 ft. rear setbacks or 0 lot line rear, interior lot line setbacks.
- Again, doesn't go quite far enough, oau and ADU should just be considered the thing, 1000sqft-ish isn't unreasonable if there is space on the lot or an existing structure
- I agree with increasing the size, but you are still over regulating. The new regulations will be applied on top of these Height and setback regulations which are draconian also
- The current regulations are extremely constraining and make OAU's largely unsuitable for families with children. The size limit should be increased to at least 1,000 sq. ft.
- Be bolder! OAU size should not be limited except by building requirements of the lot size.
- Make it larger than 800
- My husband and I would like to build an OAU for us to live in and rent out our larger home to a family. 800SF seems do able, though I'd prefer a little more space to live in. If you could bump that up to a nice round number like 1000 SF, I'd appreciate it.
- If it fits on the lot and meets city code, then let them build.
- This is a reasonable size for more than one person to live comfortably. Not sure that there shouldn't be a larger limit
- But also suggest removing the 300 foot minimum to allow tiny houses to qualify.

2018 support for increasing the size limit of detached ADUs to 800 square feet

- 500 is too small more often than not.
- This makes sense except if the unit is a garage conversion then again on site parking sufficient for all potential residents, both now and future residents, must be provided. Receiving a variance now because "granny no longer drives" does not mean that a young couple who both have cars might not be future tenants.
- 600sq ft may be a compromise making more sense, but absolutely must meet setbacks and FAR. If you claim coops can live in 200sq ft per person, than a couple can stay married in 600.
- Boulder needs more housing options.
- Need more flexibility
- The staff recommendation is logical.
- I do agree however that existing garages over 450 SF should be allowed. In fact it makes sense to allow an existing garage up to 800 SF to be converted to an OAU IF there is a regulation change. Converting an existing structure vs. building a new structure is preferable to adjacent neighbors.
- 450 sq ft is very small! And I would argue that converting existing spaces (such as garages that may be larger than 450) has a much smaller impact on neighbors than building a new <450 sq ft home.

- Again - do we not trust the zoning regulations and FAR to provide good outcomes? It seems to me that the ADU policy should deal with those nuances that the overarching codes and regulations do not. Simplify is better in this case.
- I think that increasing to size 800 ft², with quick permitting up to the maximum, actually will increase the availability of desirable affordable housing here in the city of Boulder.
- Again, why the limit on size? Doesn't the zoning code in other places and things like historic district regs adequately address this kind of issue?
- This seems totally reasonable and the right type of policy.
- Smaller than 800 sq. ft. is not worth the expense and trouble to build.
- This change should be a no-brainer.
- Sensible change to simplify the code.
- 450 sq ft is too small for a family. 800 sq ft is reasonable and works well elsewhere.
- makes sense
- These should be big enough for people to retire into once kids move out; not just for 1 grad student to rent.
- Fine, but at the risk of repeating myself, this will regulate itself based on the size of the existing house, and the existing FAR codes. Get rid of it. Simplify.
- Makes sense per comments above.
- Again, I think that % of lot coverage/built footprint more relevant and more equitable than an absolute number...more flexibility while restraining overbuilding on a lot.
- People would be more likely to live in an OAU without this size constriction.
- It just makes sense -
- 800 for the ADU and 800 for the garage is a pretty good maximum size. The maximum should be at least 650 square feet and certainly no bigger than 800 square feet. The 450 on top of 500 requirement was "silly".
- Your last sentence says what I would say. Seems fine.
- analysis makes total sense...
- That seems like a reasonable size for a couple or single person to live in.
- Again more options for more affordable housing
- It works in Portland very well. It is a decent amount of space for two people
- I'd like to be able to convert half of my garage into an OAU.
- I feel that this would go far in providing homeowners with flexibility on how they provide affordable options.
- The current size limit is too restrictive, prevents good design, and does not provide sufficient living space to keep "a married couple married" as stated by an open house participant.
- Same as before - need more mixed size and mixed income properties.
- It is an adequate size for 2 people if the lot size and the primary residence size can accommodate on-site parking for renters.
- This would provide a comfortable living space for one or two people
- This makes sense!

- 800 is actually larger than necessary (650 would be more appropriate, I think), but the current 450 limit is ridiculously and unworkably small (it doesn't allow for ADA-compliance or even for high-efficiency design (e.g., thick high-R-value walls)).
- Over-garage ODUs are a fantastic way of expanding affordable housing options in Boulder. This choice opens up that option for many homeowners.
- Cuz an 800 sq ft OAU would be awesome and could house a larger family.
- We need to increase the amount of housing in Boulder to get out of the affordability crisis. 800 sq ft seems like a good size for an apt for a couple. 450 sq ft is probably only big enough for one person. Housing more people will bring down the cost of living.
- I am an architect and 800sf is a really useful small home size.
- "I completely agree with this: The current size limit is too restrictive, prevents good design, and does not provide sufficient living space to keep "a married couple married" as stated by an open house participant."

2018 concerns about increasing the size limit of detached ADUs

- 800 sqft is a quite a large increase from 450sqft. If one of the goals is to preserve affordability, 800 sq ft is large enough to demand considerable rent.
- "I disagree with the staff recommendation to increase the size to 800 sq. ft. That is the size of entire 2 bdrm houses in many of Boulder's more modest neighborhoods. Allowing OAU's to be that size will effectively be adding second houses to lots. This is a major concern."
- Increasing the size and coverage limitations to 800 sq. ft. effectively subdivides properties in single-family neighborhoods, permanently increasing density and destroying the character of single-family neighborhoods.
- "We disagree with the staff recommendation to increase the size to 800 sq. ft. That is the size of entire 2 bdrm houses in many of Boulder's more modest neighborhoods. Allowing OAU's to be that size will effectively be adding second houses to lots. This is a major concern."
- It is too big a structure.
- Way too big. Even for three people, 600 sf is plenty. Our first home was 320 sf and we moved when we had the second kid (it was a trailer house south of town in 1983).
- "800 square feet is the size of entire 2 bdrm houses in many of Boulder's more modest neighborhoods. Allowing OAU's to be that size will effectively be adding second houses to lots. That is a terrible idea. Again, the staff illustration here is very deceiving. The only reason their illustration ""works,"" if it can be called that, is that they've drawn a giant McMansion principal dwelling unit. Imagine an entire neighborhood of principal dwelling unit houses roughly the size of the OAU staff illustrates here, with the purple shading. That's closer to reality in many neighborhoods. So this proposed change is essentially a proposal to add two houses on lots. If it were presented to the public that way, accurately, and in keeping with reality as opposed to fictitious drawings, I believe the public would feel differently. Again, the public has a right to non-biased presentation of information. That is not what staff has done here. "
- "Or hey, why not just split the lots and build more houses! /sarcasm I don't like to use the ""character of the neighborhood"" argument, but it really does apply here."

- Too much density. A family of four or more can live in 800 ft.² you're doubling the number of families on the lot
- 800 sq. feet on a 5000sq ft lot is too much. Another "incremental" change?
- This is the size of a modest house-- many of which still exist in my neighborhood. Why are we adding two houses on one lot? That is not an ADU. That is a house.
- How is this very different from the "house behind a house" approach which has largely destroyed the character of Whittier?
- This highly concerning change should not be pursued by the City of Boulder. 800 square feet is the size of entire 2 bdrm houses in many of Boulder's more modest neighborhoods. Allowing OAU's to be that size will effectively add second houses to lots. It will fundamentally and forever eliminate the neighborhood character in most parts of Boulder.
- 800 sq ft seems too big; in some neighborhoods 800 sq ft approaches the size of a 2 bedroom house.
- 800 sq ft seems large, that's as big as our house
- this makes a bad idea worse
- This would be too large, especially if OAU's are permitted in currently prohibited low density zones and lot sizes are reduced.
- You need to face up to the fact that people did NOT buy into a duplex neighborhood. They bought into a SF neighborhood. If you want to turn one into the other, give the neighbors a vote on what they want. This should NOT be up to the city council, but up to the residents who will have to deal with the impacts on their quality of life.
- Once again: you will be increasing the value of the land, substantially, driving up housing prices, without impacting the rental market. There is no evidence that Boulder needs a few hundred more rental units. As of last year, the apartment vacancy rate was quite high. The problem is the rates -- and you are not addressing that. What you are doing is making home purchases even less affordable!!!
- We have three of these and they look terrible in the neighborhood. Also they block the views of the neighbors of the mountains. Boulder is no longer Boulder.
- Staff's depiction of the OAU is fundamentally what the majority of principle dwellings/homes in Boulder already look like. This is a skewed representation, as usual. Increasing to 800 SF would fundamentally change the character and livability of certain neighborhoods on Boulder permanently. Extremely bad idea.
- The recommendation will increase density that is destroying our quality of life. It will permit more dwellings to qualify for the ADU.
- The City's recommendation permits more growth that has destroyed our Environment and the quality of life that we have previously enjoyed in Boulder
- It should remain as it is.
- That is a huge increase. It should only be increased if the ADUs are required to be PERMANENTLY AFFORDABLE. That should be a requirement with any ADU. Otherwise the ADU will become too expensive for low- to medium-income people. Increasing density can still mean super expensive--look at San Francisco and New York City.

- A better way to allow for increased OAU size is to allow it by variance, ONLY IF nearby neighbors sign off on it. If someone is a great neighbor and wants to do a responsible larger OAU, I would not have a problem with it. If a bad neighbor wants to expand his property, I would not want that. The city seems to eager to grant people the ability to do what staff wants, rather than what neighbors want.
- Way too big, almost amounts to a second house on the lot
- The way it is written now is good. Don't change it. Again; proportion!!!
- "Maybe other limitations would have affected the situation, but the OAU next door to me was built within the existing regulations, and it feels huge and, along with doubly the original house, has completely changed the feeling of the neighborhood. I can't imagine having allowed it to be even bigger. However, there may be other requirements that would have limited this. If so, that could be a different situation, though it already feels too large."

2018 general comments: detached ADU size limits

- 800 sqft is equal to a 4 car garage!
- The sketch describes why. It is a second unit on a single family house. There is so much involved in making a detached garage into a habitable unit, using less than the whole structure is irrelevant. These OAU's are not supposed to be for entire families, and something smaller than 800 sq. ft. should be enough for a single person or even a young couple. 800 sq. ft. would be OK if the existing limit on the number of people is retained.
- Make it the same as current 500 sq foot of building coverage for now.
- "Needs to be related to lot size 100 sq ft for each 1000 sq ft of lot size would make the most sense and allow larger OAU's on large lots"
- Has to be determined by the size of the lot --
- I am tired of reading the details in this survey. Why don't you try hiring a writer who specializes in mass communications? Geez.
- Empower citizens and city staff to focus on the right priorities.
- Not everyone lives with someone else. Make some dwellings be smaller for people to live alone. What are you thinking? Only creating living spaces for couples. :o(
- see other answers
- I think 600 Sq feet is a reasonable size for a detached unit.
- For the myriad reasons described in other sections of my submission
- Increase size limit to 500 sqft. Increasing to 800 sqft is the size of entire 2 bedroom houses in many of Boulder's more modest neighborhoods. Allowing OAUs to be that size will effectively be adding second houses to lots.
- Increasing the size only if occupancy is controlled

2016 BVCP Community Survey

The [Boulder Valley Comprehensive Plan 2016 Community Survey](#) was intended to help guide and inform the 2015/16 update of the Boulder Valley Comprehensive Plan (BVCP).

The 2016 BVCP Community Survey addressed a variety of topic areas that are important focus areas for the BVCP update, including reaction to potential land use plan changes for residential infill and non-residential, options for future housing choices, feedback on building heights, desired neighborhood improvements, developer requirements, and other related topics.

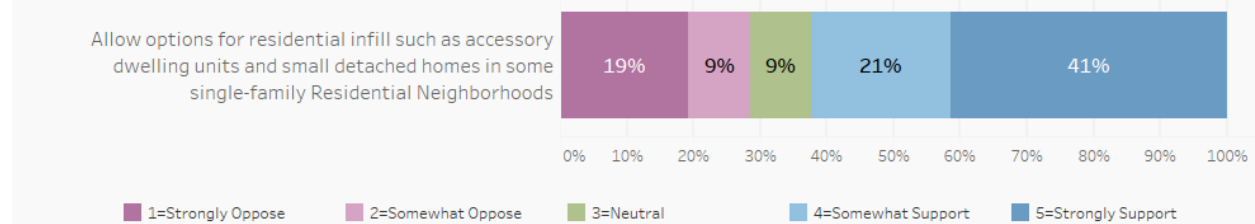
As implied by its name, the random sample survey was conducted among a random sample of Boulder Valley residents, using a postcard invitation to take an online survey, with a one-time use password printed on the postcard to ensure data integrity. Out of 6,000 survey invitations mailed, 382 were returned as undeliverable, while 5,618 were presumed delivered. A total of 623 surveys were completed in full or part. The net response rate (after excluding undeliverable surveys) was 11.1 percent. The margin of error at the 95 percent confidence interval is approximately +/-3.9 percentage points.

The raw survey data were weighted to match the demographic profile of the adult household population in the Boulder Valley by age and housing tenure (own vs. rent), based on 2010 Decennial Census and 2009-14 American Community Survey data. The objective of the weighting was to ensure that the results are representative of the Boulder Valley population on key demographic characteristics, and are intended to fine-tune the specific answers to the survey.

The survey report includes several responses relevant to accessory dwelling unit regulations:

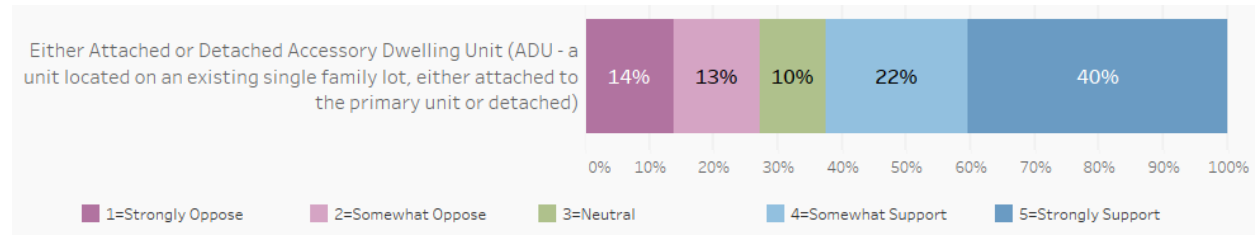
SUPPORT/OPPOSITION FOR LAND USE CHANGES TO ALLOW FOR MORE HOUSING

Allow options for residential infill such as accessory dwelling units and small detached homes in some single-family Residential Neighborhoods. The majority of respondents supported it (62 percent). Twenty-nine percent opposed residential infill and 9 percent was neutral. Greater support was observed for residents of Central Boulder-North of Arapahoe (73 percent support) and East Boulder (71 percent). Greater opposition is noted among residents of Central Boulder-South of Arapahoe (46 percent oppose), North Boulder (43 percent oppose), and Gunbarrel (36 percent oppose).

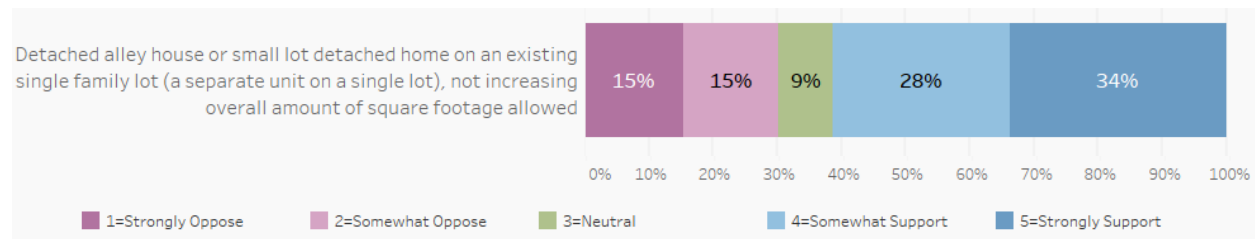


SUPPORT/OPPOSITION FOR RESIDENTIAL INFILL OPTIONS IN ESTABLISHED SINGLE-FAMILY NEIGHBORHOODS

Either Attached or Detached Accessory Dwelling Unit (ADU - a unit located on an existing single family lot, either attached to the primary unit or detached). Reaction to this option was somewhat supportive (62 percent), with 27 percent of survey participants opposed and 10 percent neutral. Greater support is observed for residents of East Boulder (77 percent support) and Southeast Boulder (75 percent). Greater opposition is noted among residents of North Boulder (44 percent opposed).



Detached alley house or small lot detached home on an existing single family lot (a separate unit on a single lot), not increasing overall amount of square footage allowed. The response to this scenario showed a fairly similar reaction to ADUs, with 62 percent in support and 30 percent in opposition (9 percent neutral). Greater support is observed for residents of East Boulder (75 percent support), Central Boulder-North of Arapahoe (75 percent), and Southeast Boulder (71 percent). Greater opposition is noted among residents of Gunbarrel (45 percent opposed) and North Boulder (44 percent).



Community Connectors-In-Residence: Accessory Dwelling Units (ADUs)

January 13, 2023

- What are the requirements for ADUs to have a bathroom and kitchen? (Staff response: ADUs have their own separate bathroom and kitchen to count as an ADU)
- Support the change to remove the saturation limit, remember when that rule was passed and it was mostly “NIMBY” people at the time.
- Support for increasing the size limit of ADUs.
- Suggest looking into benefits for first-time homeowners, people of color, economically disadvantaged. Maybe a program that assists them in their purchase or ADU construction.
- Support ADUs over large McMansions being built that only provide housing for 2 people.
- Also suggest looking into allowing more duplexes, triplexes, quadplexes based on a size limit.
- Concern that ADUs like a nanny unit above a garage only benefit that private owner, not beneficial overall to providing housing to the Boulder population.
- Support anything that creates more housing units.
- In terms of income and wealth-building, only really benefits homeowners. But if there was a program to allow people within the affordable housing program to building an ADU, that would be a benefit.
- Concern that because owners choose tenants, there might be discrimination, owners may not be open to everyone in the community.
- Consider requiring owners of ADUs to take classes to understand Section 8 vouchers, make sure that ADU owners can accept section 8 vouchers. That would help successful transition to self-sufficiency.
- Landlords do have to comply with non-discrimination laws, but it can be hard to ensure that they really are not discriminating.
- Concern that there is competition with CU students for these housing units. How can we ensure that ADUs really support housing for low-income, or simply affordable housing, rather than creating more dorms for students. ADUs should not just support wealthy students.
- Questions about mobile homes with ADUs on county land (staff will provide contact information for county planners)
- Potential to reduce fees for permits based on a tier or qualification – lower or waive fee for low income. This might allow more people to build ADUs and benefit from ADUs.
- Boulder cost of living has become much more expensive, but people do not want to leave Boulder. On paper, people’s incomes might be too high to meet the limit for affordable housing. Consider reviewing the income ceilings to make sure people can stay in Boulder.
- Income limits should not be a hard limit but should link to the cost of living.
- Support for a program that supports students on scholarships living in ADUs.
- Look into changes to Section 8 voucher program to allow people to use vouchers to live in ADUs. Reduce the barrier for people using vouchers to live in ADUs.
- Increase the size limit to allow for sizes that are suitable housing for families.
- Consider removing requirement for owner-occupancy.
- Make sure ADUs are not used for AirBnb because that does not solve the housing problem.
- Support tiered licensing discounts for severely economically disadvantaged, support first time homeowners, low income, permanently affordable housing.
- Oppose idea to remove owner occupancy requirement because companies will just profit from them and they will cause more issues.

Houde, Lisa

From: Huntley, Sarah
Sent: Thursday, October 6, 2022 10:35 AM
To: Housing Advisory Board Group; Houde, Lisa
Subject: FW: ADU's

Forwarding from Lynn Segal.

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Wednesday, September 28, 2022 11:13 PM
To: Housing Advisory Board Group <HousingAdvisoryBoardGroup@bouldercolorado.gov>; Houde, Lisa <HoudeL@bouldercolorado.gov>
Cc: alexia parks <alexiaparks@gmail.com>
Subject: Fw: ADU's

External Sender

Sent: Wednesday, September 28, 2022 7:07 PM
To: Housing Advisory Board Group <HousingAdvisoryBoardGroup@bouldercolorado.gov>
Cc: Houde, Lisa <HoudeL@bouldercolorado.gov>
Subject: ADU's

Subsidize ADU'S. Why would I hook up the infrastructure for water in my outbuilding? I would have an instant demand for conditioning the space and constantly having someone in there. I already burst my pipes trying an evaporative cooler that didn't work anyway. I got turned off after spending \$30,000 for infrastructure on my outbuilding when I put in a water spigot and the city made me remove it. I guess they figured I would miss-use it for a shower in the winter. I had to choose from only a toilet and 2 faucets. You decide. So, five years now, and no use of my space. My recommendation is to offer me a subsidy!

Stop the hemorrhaging of affordability into Boulder resulting from developer subsidies. I heard of yet another one from WW Reynolds today at Landmarks Design Review Committee, the Lazy Dog should be developed into an ugly contemporary with the cornice removed ("it's out of character") so that he can "breathe life" into this space no one can afford now. The cornice was the only element WITH character. How about he brings the rent down to earth so renters CAN afford it? Any idea what kind of return Reynolds got on Liquor Mart? Flipped it from \$9 to \$16 M from 2018- 2020. How about at the Life Sciences Google space @33rd/ Walnut where he doubled his hundreds of millions, in short order. I'd tell you to hear Jeff Wingert's argument on behalf of Reynolds for yourself at LDRC today, but it is not recorded. Shameless begging. Why does HAB not stop the bleeding of unaffordability before applying solutions? Make the developer pay. You can advise council. LDRC held up a 73 yo.historic preservationist/artist for cold windows replacement on her house. She has a heating bill of \$400/per month in Floral Park and LDRC pushed it up to Landmarks Board. As a result, she won't get an audience until Dec. Bill Jellick cut her off in mid-sentence. And she found a resource for the identical windows for \$30,000 she was willing to pay. It's slash and burn at Landmarks. It is inefficient and burdensome for equity. Where is HAB for this woman? Advise council to treat folks right at Landmarks Board.

CarShare/Uber for the block is an option for ADU's I have a van I haven't used in 3 yrs. in my garage.

Guess what, when I used to do Airbnb short term, there was NO parking demand. Tourists or visiting scientists don't use cars. Tourists in Cuba stay in local houses, not hotels. Family housing is being speculated for dividing up to separate bedroom rentals. \$\$\$\$

When Hill developer John Kirkwood can turn communal Marpa House into 16 separate units with 3 bedrooms each and then rent by the bedroom, what happens to the rent?

The low-income demographic needs cars/trucks for their service jobs. THEY need the parking for their landscaping gear. But a parking space is \$200,000. How is this perk for rent reduction in exchange for no cars going to help hard laborers?

Yay, Terry another 3 ft. deeper below grade and you get an 8 ft. ceiling. Basements YES! It should not count against the sf. That is a no brainer. Why spend 2 min. talking about it? JUST DO IT.

I agree Terry, HAB thinks the hour is getting late? PB, OSBT, TAB, WRAB, LB - they are all going strong at 9 P. And this board has the most challenging work to do.

770 Circle got a demolition passed @LDRC 21 Sept. Ask council to call it up. 8K sf. \$6.1M estate that is fireproof flagstone and stucco. probably \$5M to landfill it. Built in 1941, it is beautifully restored. This demolition is a human rights violation and the classic case for the mechanism of inflated value resulting in the cycle of despair of housing unaffordability that bleeds into inflating and upvaluing the whole community. And making your job harder.

Lynn

Houde, Lisa

Subject: FW: Nov 10 study session items -- correspondence: FW: Elisabeth Patterson :- Planning and Development Services

From: No Reply <noreply@bouldercolorado.gov>
Sent: Thursday, November 17, 2022 10:16 PM
To: Mueller, Bradford <MuellerB@bouldercolorado.gov>
Subject: Elisabeth Patterson :- Planning and Development Services

Preferred Form Language: English / Inglés

Name: Elisabeth Patterson

Organization (optional): Better Boulder

Email: info@betterboulder.com

Phone (optional): (303) 931-8331

My question or feedback most closely relates to the following topic (please choose one): Planning and Development Services

Direct my submission to: Staff and Council

Comment, question or feedback: November 7, 2022

Re: Council and Planning & Development Services Priorities

Dear Mayor Brockett and Members of Boulder City Council:

In advance of the November 10 Study Session, Better Boulder offers the following input on projects to be discussed. You may notice an ongoing theme in our remarks as we urge you to act swiftly and boldly to continue to make Boulder better.

A. ADUs

Only 439 ADUs have been built in Boulder since the 1983 inception of the program. This lack of uptake of ADU construction is attributable to the city's over-regulation designed to limit density, as well as regulatory complexity and other barriers.

Better Boulder has been deeply involved in ADUs since our inception. In 2018, we hosted an ADU Summit with hopes that regulations would be updated in a comprehensive manner. While that proposed overhaul did not happen, today, in order to make Boulder more accessible and livable and to promote middle income and missing middle housing, City Council should set a goal of 10% of single family housing units having an ADU and set policy, procedures, and communications to encourage ADUs. ADUs are exceptionally equitable housing types, with benefits to existing homeowners and the potential ADU occupants.

Better Boulder encourages Council to take an aggressive and positive position and direct the city manager and P&DS to move quickly. The City has performed many years of community engagement since 2015, and surveys have always shown broad support for ADUs. 93% of all ADU owners surveyed report that neighbors are generally approving or not mentioning existing ADUs. As such, Better Boulder would revise the City staff's recommended approach to more of an "inform" level of engagement with the target date of Q2, 2023 for completion of all the recommendations developed by the Housing Advisory Board. In addition, we recommend a streamlined level of engagement performed through HAB and Planning Board for:

- Elimination of saturation limits.
- Elimination of parking requirements.
- Elimination of minimum lot sizes for ADUs.
- Revision of ADU size limits.
- Creation of pre-approved ADU plans.
- Streamlining of the entitlement process, code clarification, and process improvements.

B. Missing-Middle Housing - Duplexes and Additional Units as of Right if Deed Restricted Units Created on Site

1. Better Boulder has heard interest from Council in allowing duplexes to be built "by right" on all lots currently zoned for single-family housing, and we wholeheartedly endorse this proposal to create missing-middle housing. This proposal is now the law of the land in all of California and in Minneapolis. There is no reason a thought-leading city like Boulder should not adopt this urgently-needed housing reform to do our part to address the crippling undersupply of housing nationally that has had such devastating consequences for affordability in our community and around the nation. To facilitate construction of duplexes, code revisions are required including allowing for condo-ization of single family lots, changes to parking requirements, standard designs that are pre-approved by P&DS, and others. In light of current concerns from P&DS about workload, Better Boulder is willing to assist in an effort to draft specific ordinance language to achieve this change. An expedited study should be undertaken to determine whether a requirement for deed restriction as part of a duplex proposal will increase housing availability, or whether it will essentially act as a poison pill largely eliminating construction of newly-authorized duplexes altogether.

2. Lauren Folkerts recently proposed through a Hotline post that the City allow one additional unit by right in any zoning area beyond what is currently authorized for every deed-restricted unit created on-site. This modest-yet-powerful proposal, combined with incentives such as waivers of all City fees for the construction of deed-restricted units, would be an important step to increase missing-middle and workforce housing in Boulder, and again it is one that Better Boulder supports. As with the duplex proposal, in light of the staff workload capacity issues expressed by P&DS, Better Boulder is willing to assist in this effort by drafting specific ordinance language to achieve this change.

3. Local housing experts have suggested that for larger projects there could be simple code revisions such as changing the open space requirement to 15% from the current 6000 SF per unit requirement in some zones for example, which is a barrier to providing on site units.

4. Incentives for on-site affordability, such as waiving the Site Plan Review process when on site affordability is provided could offset the loss that developers experience when providing on site affordable units.

C. Occupancy Reform.

Boulder City Council has a number of housing priorities. Given the robust conversation and campaigns around occupancy limits over the past few years, and desire for reforms, the council should quickly move to adopt changes in line with peer cities such as Denver. Council should look at a community process that takes 2-3 months and engages the people who

are most harmed by the city's current occupancy limits and those who have had concerns with occupancy changes.

D. Boulder Junction Phase 2

Phase 2 of Boulder Junction represents the single largest opportunity for the City to advance its housing, climate, social equity, cultural and transportation goals.

1. Better Boulder supports the recommended staff process outlined in the November 10th Study Session Memorandum on the proposed scope of work, public engagement plan, and schedule for the Boulder Junction Phase 2, including the consolidation of tasks and sequencing the project in a way that distinguishes the 'planning' updates from the 'implementation' steps.
2. For the sake of process continuity, Better Boulder recommends that Task 3 – Plan Amendment Adoption & BVCP Land Use Updates, be implemented at the end of Q3 and before the City Council election in Q4.
3. Better Boulder celebrates and supports the heavy emphasis on placemaking and mobility and protected bike lanes and pedestrian connectivity within not only Boulder Junction II, but a robust connectivity between Boulder Junction I and Boulder Junction II and the rest of the city-wide bike trail system as part of the re-evaluation of Boulder Junction Phase II. The goal is to create an extension of the existing Boulder Junction I, 15-minute neighborhood.
4. In the initial TVAP plans from 2007, there was a "Mixed Use Industrial" (IMU) zone that was proposed for a large portion of Boulder Junction II. Better Boulder thinks this should no longer have industrial uses as a primary use but a potential complementary one. The land for Boulder Junction II is next to transit and should be used for housing first and other complementary uses to housing. Instead of Industrial Mixed Use, we think this should mimic the East Boulder Area Plan's land use that was designated Mixed Use TOD. This allows mixed uses, but would be "predominantly residential," promoting greater social equity and housing diversity within walking distance to a multimodal transit hub and bike connectivity. With higher housing densities, the Mixed Use TOD zoning will allow for higher densities, helping to reduce the jobs-housing imbalance within the core of the city.
5. Flood protection for the community and surrounding businesses is critical for the success of this next phase. Infrastructure and flood mitigation projects, including the Boulder Slough, must be solved concurrently while the plan gets adopted and implemented. No residential project is allowed to be built in the current 100-year flood plain.
6. Better Boulder recommends that the city analyze the lessons learned from Phase I, by consulting the developers, architects, planners and others and understand what could be improved on Phase II.
7. Better Boulder recommends that the city engage a retail and food beverage district consultant during the process to better understand the opportunities and constraints, the right locations, for retail and food and beverage rich nodes that can contribute to a vibrant street experience.
8. Better Boulder supports a more permissive and aspirational form-based code that will render more interesting buildings and encourage architectural creativity and variety in service to a vibrant, vital, healthy, and beautiful public realm.

E. Site Review Criteria Update

Better Boulder recognizes that this work has been years in the making by staff, many individuals, boards, and other groups and is nearing the completion/approval phase. We agree with the latest direction by council that the form-based code needs built-in flexibility to allow for creativity and innovation in design. Better Boulder also agrees that the greenhouse gas emission reductions should be a part of the discussion for the Energy code updates and kept separate from the Site Review Criteria.

F. Use Table & Standards

In December, City Council will consider an ordinance for Module Two (Industrial Areas) of zoning code changes. This ordinance - which Planning Board recommended with minimal changes in October - would result in long-overdue and considerable changes and updates to the allowed uses, standards, and use definitions in all industrial areas. Better Boulder supports these changes implementing the 2017 BVCP policies that envision more services, uses, and amenities (e.g., restaurants, limited retail uses/personal services, gyms) to serve industrial zone users and employees. This will

result in fewer lunchtime and after work vehicular trips and help make the industrial areas more of a community.

Given that this ordinance affects the zoning of every property in every industrial zone, please note that the draft ordinance was posted online less than a week before the Planning Board meeting. It is likely that many property owners still are not aware of or do not understand the broad implications of the changes - on existing properties, tenants, or planned improvements. As an example, the consolidation of the office categories is a great improvement, but the proposed code results in a new size limit (50,000 sq. ft.) to all previously defined "technical offices" (a common current use category). Better Boulder urges City Council to seek a more robust outreach effort that engages impacted property owners.

G. Zoning for Affordable Housing

If we've learned anything from recent research, it is that zoning has real-world impacts on the provision of housing, often by favoring the few and excluding the working poor and middle class. A recent study shows that "first-time and repeat homebuyers are now the oldest on record, and the proportion of purchases by Black, Asian and Pacific Island Americans is the lowest since 1997." DC, 11/4/2022, At Home at H17. These national numbers are very likely to be much worse in Boulder. The facts are incontrovertible, and the steps Boulder has taken to remedy the imbalance are too few and do not meet the critical needs of the moment.

To address the magnitude of the affordable housing need, there are many steps City Council should be taking. Occupancy limitations should be reconsidered in favor of a "household living together" standard (as opposed to relying upon blood or marriage relationships). Single family zoning should be reconsidered, as discussed above. Owner-occupied Accessory Dwelling Units should be positively encouraged as discussed above - a city staff member should be assigned to assist with any and all such applications, since housing more people within our existing structures should be Boulder's highest priority. Among Boulder's most "wasted" assets are the empty bedrooms found everywhere within our single family zone districts.

H. Civic Area Downtown Planning

The City needs to evaluate the extent to which Downtown has recovered from COVID-19's worst effects, including the health of its restaurants, the occupancy of its office space and the availability of employees to fill all the positions open in these very different commercial uses. What effects have been mitigated, which are likely to be long-term challenges that can eventually be met, and which represent permanent change that create opportunities to do things differently and change or reconfigure how downtown is used as part of the constantly-evolving process that thriving urban areas go through with each new decade and each new generation.

Questions we should be asking ourselves are as follows: Are there opportunities in the neighborhoods surrounding the Downtown area where the possibility for development of transit-friendly workforce housing may still exist, and, if so, where? What are the barriers to development of shared housing, cooperatives and other types of affordable workforce dwelling units close to Downtown? What current conditions in and around Downtown may be discouraging Boulder residents from visiting, dining, and shopping Downtown? Does downtown meet the pedestrian-friendly and bicycle-friendly challenges of today? How can visitors to CU's conference Center and the new hotels proposed on The Hill be enticed/assisted to support Downtown businesses (what are the barriers needing to be overcome)? A renewed and reinvigorated downtown planning process is needed now as we move past COVID lockdowns into a new reality for the use of this public realm.

Thank you for your consideration and for your service,

The Better Boulder Board of Directors

Houde, Lisa

From: Mueller, Bradford
Sent: Sunday, November 20, 2022 7:28 PM
To: Houde, Lisa
Subject: FW: Harry Ross :- Planning and Development Services

For the correspondence file.

From: No Reply <noreply@bouldercolorado.gov>
Sent: Friday, November 18, 2022 5:50 AM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Bradford <MuellerB@bouldercolorado.gov>; Pannewig, Hella <Pannewigh@bouldercolorado.gov>; Ferro, Charles <FerroC@bouldercolorado.gov>; Stafford, Edward <StaffordE@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>
Subject: Harry Ross :- Planning and Development Services

Preferred Form Language: English / Inglés

Name: Harry Ross

Organization (optional):

Email: harryrosstemp@gmail.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Planning and Development Services

Direct my submission to: Staff and Council

Comment, question or feedback: I am opposed to expanding ADU's in Boulder. I already live next to an ADU and it is very problematic. Expanding further will ruin neighborhoods.

[[FSF080521]] Submission ID is #: 1036171231

[Compose a Response to this Email](#)

Dear Boulder City Council,

We write to express concerns we've heard from our neighborhood residents about the proposed elimination of ADU regulations. Allowing density to increase from one to three, or even two, dwelling units per lot will have very negative consequences in the four CU-adjacent neighborhoods. Ditto for eliminating the off-street parking requirements.

The Double Irony:

A very poorly-understood double irony exists in Boulder. We're not sure whether Council understands this. This double irony consistently produces very disproportionate, negative consequences for Boulder's four CU-adjacent neighborhoods.

We're not sure if Council fully appreciates how much more challenging day-to-day life already is, in our four neighborhoods (Martin Acres, Uni Hill, Goss Grove, East Aurora). Due to our proximity to CU, our neighborhoods have very high percentages of rentals, particularly student rentals.

Even without this proposed ADU density increase, we already struggle with exponentially more daily quality of life issues: noise, congestion, much greater daily churn (loud comings and goings at all hours of the day and night), trash, and parking issues. Until you have lived in a predominately student-rental neighborhood, you likely under-appreciate how many more issues we struggle with, daily.

We're familiar with many quiet, stable, tranquil Boulder neighborhoods in which perhaps 5% to 10% of the homes are rentals, and those rentals tend to be families and professionals. Such neighborhoods might be able to withstand more infill and density-related stress, without being pushed past a tipping point. That's not the case for us.

The second part of the double irony is this: Every time the City rolls out a new "city-wide" housing experiment, in actual fact the true deployments of said experiments are not city-wide. In reality, they consistently coagulate and concentrate in our four neighborhoods that, ironically, are least able to withstand more stress and quality of life pressures.

Our neighborhoods are widely known as "targets of opportunity." Investors know they'll have high demand for whatever they develop here, due to our proximity to CU, and they'll reap large profits as a result. So we're always first in line, and we're often (almost exclusively) the deployment ground for the City's densification plans like ADUs, co-ops, etc.

Ironically, the neighborhoods least able to withstand more quality of life stressors and pressures wind up with most of the City's new housing experiments. Our neighborhood, for example, received a very disproportionate number of 12-person co-ops after the City loosened co-op rules. While many neighborhoods saw no new co-ops, we received far more than a proportional share, for a neighborhood that is just 1.5% of Boulder. Meanwhile, the majority of Boulder's most stable, quiet neighborhoods that could absorb more change and impacts...saw no new deployment from the co-op ordinance.

Council, please recognize that if you don't take steps to guarantee new policies will be city-wide, they won't be. The ADU ordinance, like others before it, will take the form of additional "piling on" to the neighborhoods least able to handle more impacts. We have some specific suggestions to accomplish that, below.

First, there are better ways of creating affordable housing; please utilize them instead. We feel that Council should not approve the proposed eliminations of ADU rules, at least not for the four CU-adjacent neighborhoods that already experience so much impact, as is. We strongly feel that Council should instead:

*Increase the required percentages of inclusionary housing in new residential developments, and

*Increase linkage fees for new commercial developments.

Both policies above directly and irrefutably create true affordable housing, while ADUs don't, particularly at the unaffordable rates by which you define affordable ADUs. We don't understand why you would ignore the indisputably successful, surgical tools you have to create affordability, while instead further compromising neighborhoods that are already near the tipping point.

Our request: Maintain ADU limits in our four CU-adjacent neighborhoods via a regulatory carve-out for our neighborhoods, in which a saturation limit of one (not two) ADU projects every 200 feet be maintained. That's conceding some density. But then please resurrect the "Carr Amendment" which was proposed during the co-op ordinance. Former City Attorney Tom Carr proposed to have special restrictions in our four neighborhoods, in recognition that we're already under much greater quality of life pressures as is, and b) we're always the first "targets of opportunity."

We also request that the off-street parking requirement be maintained because of parking problems that many parts of our neighborhoods already experience.

Further, 800 to 900 square foot ADUs are far too large for neighborhoods like ours, where many principal dwelling units are 800 sf two-bedroom homes.

Understand this is not a NIMBY request. Picture our request as a way of ensuring that your ADU roll-out will actually be city-wide. Without any restrictions for our four "usual suspect" neighborhoods, you won't see city-wide deployment, you'll just see most of the new ADUs end up in our four neighborhoods.

Additionally, we respectfully request that Councilmembers not blithely suggest that if we have issues with noise, trash and parking, that we "just call Code Enforcement." For those of you who aren't cast into the unfortunate position of having to regularly utilize enforcement, allow us to explain:

Contacting Code Enforcement is almost totally ineffective. We realize many on Council believe that if there's a noise problem, one simply calls the police or code enforcement, and their problem is solved. While that's a picturesque, appealing idea...reality is quite different. Not only are there far too few code enforcement officers for the size of the problem, Boulder's deeply flawed "complaint-based system" forces the burden of proof onto the victims. We are told that we must document, photograph, find the source of noise ourselves, create logs of incidents, etc. None of us wish to spend our lives that way. We are not (nor do we wish to become) investigators, detectives or prosecutors.

Instead, a far better strategy would be to maintain guardrails to prevent problems where you can practically guarantee they'll occur (our neighborhoods), rather than "designing for problems," as we believe this ADU proposal to be, and then leaving residents to attempt in vain to fix problems on the back end.

Here's another of Boulder's least-understood problems with the City's and BPD's new, totally data-based system that relies exclusively, and erroneously on actual reported violations: The truth is that many violations go unreported, because many residents fear retaliation from the perpetrators in the offending properties. So your data maps and call logs, in reality, vastly under-count the actual number of issues. In short, Council's perceived solution to quality of life challenges (calling code enforcement) is actually an ineffective, exceptionally difficult, time consuming process.

In closing: We offer a sobering, cautionary tale from the City of Austin, TX:

Around the year 2010, Austin, TX passed a "city-wide" law known as the High Occupancy Unit (HOU) ordinance. As the following summary shows, actual HOU deployment wasn't anything approaching city-wide. HOUs coagulated and concentrated in the already-beleaguered neighborhoods closest to the University of Texas. The effects on those neighborhoods were devastating, leading Austin to repeal its HOU ordinance just a few years later. Can Boulder learn from history, and other cities' mistakes, or are we condemned to repeat those mistakes?

In particular, Austin's experience regarding loss of families (which we're also seeing in Martin Acres, as quality of life deteriorates each year) speaks directly to Councilman Benjamin's publicly-stated concern over decreasing BVSD enrollment in South Boulder. To quote the Austin report:

https://centralaustincdc.org/fair_affordable_housing/Family_Displacement_in_Central_Austin.pdf

(Austin report): "...today, **our community is losing a most important component of that diversity: its families. This loss is already complete in areas zoned and thought protected for single-family use. It may be irreversible, and many areas have reached the tipping point. The trend began near the campus...**"

"Single family uses in the 78751 zip code, most particularly the Northfield Neighborhood, have been devastated. **HOU's have placed many of their blocks beyond the tipping point of recovery.** Northfield has experienced the brunt of conversions of buildings to High-Occupancy

Units (HOU), and the **disappearance of families, long term renters, and the historically contributing structures** they once lived in.”

“Based on rents published in listings, **HOU’s have not created household affordability for the people who rent them**, nor as a class, have they delivered meaningful supply to the market to reduce rents elsewhere. **Conversely, HOU’s have increased the prevailing rents on a per-person basis**, compared to rents in denser multi-family uses and less restrictive zoning districts.”

“When HOU structures reach a tipping point in an area, **family flight accelerates. These areas become a street with yards that are not maintained, parking that is inadequate, and a monoculture that lacks social cohesion and continuity.**”

Thank you for considering our earnest requests and deep concerns regarding ADU de-regulation.

The Martin Acres Neighborhood Association steering committee

Jan Trussell

Bob Porath

Dorothy Cohen

Bennett Scharf

Mike Marsh

Ron DePugh

Lisa Harris

Houde, Lisa

From: No Reply
Sent: Wednesday, November 9, 2022 12:15 PM
To: Council; ContactCoB
Subject: Jan Burton :- Feedback on pending council action

Preferred Form Language: English / Inglés

Name: Jan Burton

Organization (optional):

Email: jan.burton111@yahoo.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one):Feedback on pending council action

Direct my submission to: Council

Comment, question or feedback: In August my cousin and his wife sold their home in Kansas City and moved to Morrison, Colorado to live in what they call a “house within a house” with their daughter, son-in-law, and two young grandchildren. This multigenerational family housing arrangement not only benefits both families financially, but it helps my cousin and his wife “age in place”, even more important because he has Parkinson’s disease. It also supports their daughter and her young family who often need childcare. This wouldn’t be possible in Boulder.

The City has performed many years of community engagement since 2015, and surveys have always shown broad support for ADUs. 93% of all ADU owners surveyed report that neighbors generally approve of existing ADUs. I remember the comprehensive survey supporting the last Boulder Valley Comp plan had 80%+ support for ADUs. The Drake Research study done in May, 2021 showed 68% support for ADUs, duplexes and triplexes in single family neighborhoods. Without duplexes and triplexes, I feel the ADU support would be 80%+.

Clearly, there will be a need for comprehensive community engagement around occupancy limits. But you should move forward with the HAB recommendations with limited community engagement (because we’ve done it time and time again). Please ask staff to implement the following as quickly as possible:

Elimination of saturation limits.

Elimination of parking requirements.

Elimination of minimum lot sizes for ADUs.

Revision of ADU size limits.

Creation of pre-approved ADU plans (see Eugene, Ore efforts. <https://www.eugene-or.gov/4707/Pre-Approved-ADU-Plans>)

Streamlining of the entitlement process, code clarification, and process improvements.

Thanks for your consideration. Jan

[[FSF080521]] Submission ID is #: 1031732653

Houde, Lisa

From: Macon Cowles <macon.cowles@gmail.com>
Sent: Wednesday, November 9, 2022 11:01 PM
To: Folkerts, Lauren; Bob Yates; Joseph, Junie; Winer, Tara; Brockett, Aaron; Benjamin, Matt; Friend, Rachel; Wallach, Mark; Speer, Nicole
Cc: Sugnet, Jay; Houde, Lisa; Hollie Hendrickson
Subject: ADU Work proposed by Staff

External Sender

Dear Council:

I have reviewed the staff memo for your 11/10 Study Session and I have these comments.

Boulder still has the most restrictive ADU ordinance in the country. This is evident from looking at staff's comparison of our requirements with the 30 other cities that is set forth on Packet P. 28/92. And yet only two modest proposals are suggested by staff to be investigated in response to the Council priority on ADUs:

- 1) eliminate saturation limit, and
- 2) increase permitted size of the ADU. Packet p. 29/92.

This response falls far short of what is needed to get more ADUs. The HAB has suggested to Council a menu of other changes required. Packet p. 72/92.

But if Council goes with only those 2 proposals, there is no need for staff to run an engagement process. THAT was already done for three years from 2015-2018 in the earlier iteration of ADU reform. Instead, all that is needed is public hearings by HAB, Planning Board and Council, and then a vote on the ordinance changes. Running a process will not result in different information. Action is called for.

Eliminating lot size restriction can be done without a process. Why? Because the Compatible Development standards already limit the coverage and the mass and scale of any residential construction. Compatible Development restrictions are on a sliding scale, directly related to lot size. So there is already a whole portion of our land use code that would limit the mass, scale and coverage of the 5,000 sq. ft. lot size is eliminated as a requirement for an ADU.

And please, look at the parking requirement. We are not going to make sizable gains in Housing and planning until we act. Actions are frustrated in Boulder planning because our requirements and regulations are so burdensome: burdensome on staff to administer and burdensome on the community that has to move projects through regulations like cheese through a grater. To think and act big, take on the parking issue, consider reducing the parking requirement to zero. That was identified in staff's survey as the biggest obstacle to doing ADUs. So let's have a public hearing before HAB, PB and CC at which we consider the elimination of the requirement. Then vote on it, and you can move on to the next priority.

Thank you for taking the time to read this. And thank you for your service to the community.

Best wishes.

Macon Cowles
1726 Mapleton Ave.
Boulder, Colorado 80304

Houde, Lisa

From: Mueller, Brad
Sent: Thursday, November 10, 2022 3:36 PM
To: Ferro, Charles; Houde, Lisa; Guiler, Karl; Cawrse, Sarah; Johnson, Kristofer
Subject: FW: Progressive Win-Win on housing data gathering
Attachments: BVCP Midterm Update Housing Pilot staff recommendation (1).pdf

One more

From: David Adamson <david@goosecreekclt.org>
Sent: Thursday, November 10, 2022 3:28 PM
To: Rachel Friend <rachelkfriend@gmail.com>
Cc: Brockett, Aaron <brocketta@bouldercolorado.gov>; Speer, Nicole <speern@bouldercolorado.gov>; Folkerts, Lauren <folkertsl@bouldercolorado.gov>; Benjamin, Matt <benjaminm@bouldercolorado.gov>; Mueller, Brad <muellerb@bouldercolorado.gov>; Firnhaber, Kurt <FirnhaberK@bouldercolorado.gov>
Subject: Progressive Win-Win on housing data gathering

External Sender

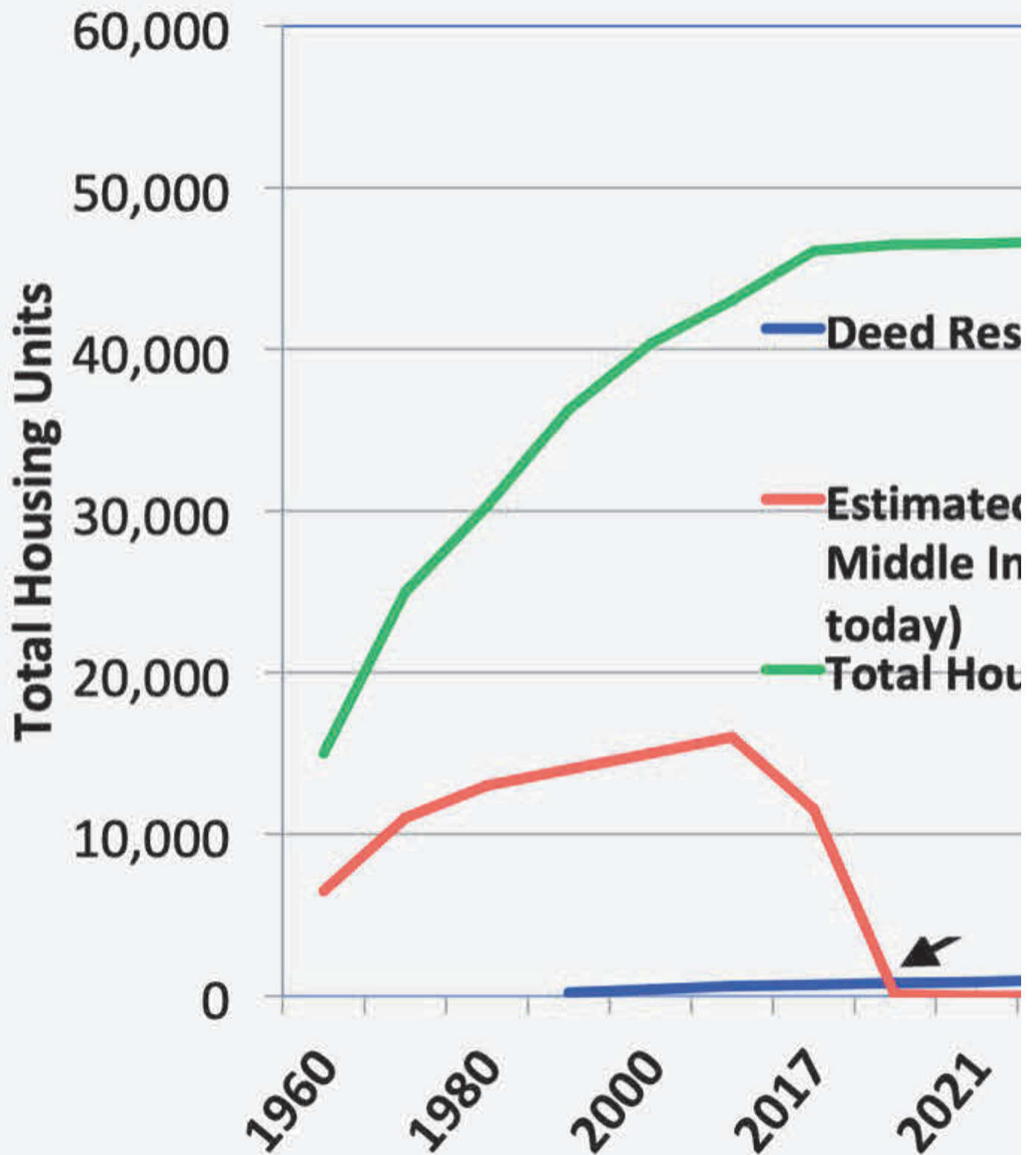
Rachel and my dear courageous COB public servants:

Please ask for this information tonight so we can inspire the world with a bold win-win on housing/climate/economic and racial justice/business vitality/health/beauty (as Goose Creek [Back Porch group](#) has demonstrated since 2018:

1. For each year since goal was set for MIHS, how many units have been added?
2. Please post this on Boulder measures housing
3. Please also track net loss of affordable housing per BHP 2014 strategic plan

Please reverse this collapse. It can be done to everyone's benefit with true community benefit zoning. **Unless YOU shape the market** for land away from luxury only, we will just keep losing our true wealth: diverse people! We can IMPROVE single family neighborhood community character! Start with [Pilots](#). If you had agreed during BVCP Midterm Update, first pilots would be rolling out now and we would be showing everyone else how to do it.

History & Future of Middle Income For



I predict that further focusing on liberalizing ADU's will again add precious few additional affordable units and 0 for sale attainable housing which is what we need. Influential housing folks argue at least its doable, not a bad argument if that

was all we could actually achieve as momentum is the key to social movement growth. BUT everyone wins from doing so much more!

Again, please ask how many units through ADU liberalization have been created and after new reform, how many more?

We have plenty of staff to help create monstrous net zero luxury homes and remodels but none for our #1 priority!

Links: net shed rate: <https://boulderhousing.org/news/2014-strategic-plan> White Paper: <http://goosecreekclt.org/back-porch-consensus-suggestions-on-affordable-housing/>

Respectfully,

David Adamson



815 North St. Boulder, CO 80304
(303) 545-6255 www.goosecreekclt.org

Houde, Lisa

From: Sugnet, Jay
Sent: Tuesday, October 25, 2022 8:50 AM
To: John Garnett
Cc: Housing Advisory Board Group; Houde, Lisa; Guiler, Karl; Hendrikson, Hollie
Subject: RE: Proposed ADU changes

Hi John,
Thanks so much for sharing your feedback! I am sharing this with the city staff working on the update.
Jay

From: John Garnett <johne.garnett@gmail.com>
Sent: Monday, October 24, 2022 8:30 PM
To: Housing Advisory Board Group <housingadvisoryboard@bouldercolorado.gov>
Cc: John Garnett <johne.garnett@gmail.com>
Subject: Proposed ADU changes

External Sender

Hi,
We have been evaluating an ADU on our property for our working kids for a couple of years. They both work in Boulder from home based businesses.

First, the recommendations being proposed are great. Some clarifications, simplifications, and easing of restrictions will help encourage ADU development.

My recommendations would be as follows:

Make the maximum detached ADU size proportional to the lot size. Much like the FAR. 900 sq ft is really small for a larger family. I don't understand why an attached ADU can be so much larger.

Measure the square footage from inside the framing. 900 sq ft is still only 840 sq ft after a 6" wall is subtracted. Wall thickness adds insulation but it reduces the square footage. It encourages builders to limit the insulation. ?

We live in a 2700 sq ft house on almost a full acre. Address: 858 Gapter Road. We Would like to build an ADU for our kids to live in. They could live there, run their businesses, and help assist us as we age in place. A detached ADU makes more sense for us, but 900 square feet looks like a **postage stamp** on our lot.

Lastly, the cost of a home in Boulder is very high and the cost per square foot is higher for a smaller home. We had an 800 sq ft ADU quoted at \$700,000(and that was before the Marshall fire.) Any change that can make it easier or less expensive to build in Boulder would be welcome.

That's my input. I believe you are moving in the right direction.

Cheers,
John

Cheers,
John

October 19, 2022

Members of Boulder Housing Advisory Board,

Members of the Goss Grove Neighborhood Association, University Hill Neighborhood Association and Martin Acres Neighborhood Association met to discuss the proposed changes to several of the aspects of the ADU ordinance that were on the agenda at the September 28, 2022 HAB meeting.

Everyone present at this meeting agreed that availability of affordable housing is an important issue in Boulder. Providing affordable options for residents in all parts of Boulder is crucial. Strengthening the current ordinances in Boulder that address the affordability of units should be a goal. One of the specific suggestion from the group is that the metrics attached to the pricing of affordable ADU units should be revised to provide even lower cost living opportunities in these units.

This group also appreciates the ADU opportunity in Boulder as an important addition to the options homeowners have to best utilize their home for their future.

This group is taking a survey of neighbors in order to get more citizen feedback on the HAB agenda items. The wider survey that is being gathered may not be available before the HAB October 26th meeting but that citizen feedback will be included in future discussions.

The consensus of this group so far is that the “one size fits all” approach that HAB is considering is not a good fit for the varied specific circumstances present in different neighborhoods, or sections of neighborhoods, particularly those adjacent to CU campuses and/or where investors are the primary motivators. In fact, other cities like Austin have had experience with ADUs¹.

The consensus of this group was that any changes to the ADU requirements should be neighborhood specific to fit with the zoning, parking district, density, and nature of the varied neighborhoods in Boulder.

The specific issues discussed consisted of the 6 items from the HAB agenda of September.

Here are the results of this group’s discussions during the meeting.

- **Eliminate saturation limits**—the consensus of the group was not to eliminate saturation limits but rather work with different neighborhoods to establish a reasonable saturation

¹ , https://centralaustincdc.org/fair_affordable_housing/Family_Displacement_in_Central_Austin.pdf

limit depending on the circumstances and preferences of the neighborhood. These neighborhoods already have a high number of renters and non-ownership tenants.

- **Eliminate parking requirements for an ADU or triggered by ADU construction**—the consensus was to not eliminate these requirements but to make any future changes by the specific neighborhood, zoning, parking district, density etc.
- **Eliminate lot size minimums for ADUs**—the consensus was to not eliminate lot size minimums. Full lots, not legally subdivided lots, in GG for instance are as small as 3600 sq. ft.
- **Increase ADU size limits**—the consensus was not to increase ADU size limits in the attached and detached units in both the market rate or affordable units.
- **Allow one attached and one detached, or two detached, ADUs per parcel**—the consensus was that the number of ADUs should depend on the lot size, neighborhood conditions, saturation, zoning, and inputs from the specific neighborhood.
- **Allow ADU permitting before or at the same time as house permitting**—the group had several suggestions to qualify this provision. These include new construction of both the main house and ADU would be less disruptive for the neighbors by being accomplished simultaneously. One dwelling is therefore not required to wait for construction of the other. The previous city policy of ‘3 year stagger’ was discussed as a way to improve compliance with the residency requirement for ADU properties. Ensuring the residency requirement of the property when both units are complete was a concern of the group.

Thank you for your time and careful attention as you consider these suggestions and responses to proposed changes to the ADU regulations.

Regards,

Deb Crowell, Susan Iott, Michele Bishop, Lisa Spalding, Valerie Stoyva Yavuz, and Jan Trussell

Houde, Lisa

From: Sugnet, Jay
Sent: Friday, September 16, 2022 10:22 AM
To: Houde, Lisa; Guiler, Karl; Hendrikson, Hollie
Subject: FW: Housing advocacy groups' recommendations for ADU reform

Follow Up Flag: Follow up
Flag Status: Flagged

fyi

From: Kurt Nordback <knordback@yahoo.com>
Sent: Friday, September 16, 2022 9:20 AM
To: Housing Advisory Board Group <housingadvisoryboard@bouldercolorado.gov>
Subject: Housing advocacy groups' recommendations for ADU reform

External Sender

Dear Housing Advisory Board,

We, the undersigned, are members of organizations dedicated to addressing Boulder's housing crisis: Better Boulder, Boulder Is For People, and Boulder Housing Network. Like many problems, the housing crisis does not have a single solution. However, we firmly believe that there are many policy changes that can individually make small contributions to alleviating the crisis, and if combined, could significantly improve the availability and affordability of housing in Boulder. A couple of us testified at your August 28 meeting about ADUs, and Board members invited us to present our ideas about ADUs in writing before your next meeting.

We have been meeting to discuss one such policy tool: Accessory Dwelling Units (ADUs). We chose to tackle ADU policy first because, although it may not be the most impactful of potential tools, reform of Boulder's ADU rules is on the city staff work plan for this fall, and because we feel many of the potential reforms are relatively simple code changes.

We have reached consensus on six changes that could be quick to implement, simple, and require no significant funding. We have also discussed longer-term, more challenging, or more costly changes, and we may be bringing some of those forward in the future. But for now, these are the quick-fix code and policy changes we recommend:

1. Eliminate saturation limits.

Current rules limit the fraction of properties with ADUs within a given area. For instance, in the city's largest residential zone district, RL-1, only 20% of properties within a 300-foot radius are allowed to have ADUs.

A saturation limit was put in place originally to alleviate fears of an overabundance of ADUs. The limit was raised as part of the 2019 ADU code revisions, but it remains an obstacle to creating more ADUs in some areas of town, particularly since nonconforming properties such as duplexes are also included in the calculation. Perhaps just as important, it is an opaque and confusing metric that may deter would-be ADU developers, and it slows the ADU permitting process. It's impractical for a property owner to determine on their

own whether their property meets the limits. Only city staff have the data and tools to do the calculation, and it must be done by hand (the city's GIS software can't do it automatically). Last and perhaps least, this provision significantly complicates the ADU code in the Boulder Revised Code.

2. Eliminate parking requirements for an ADU, or triggered by ADU construction.

The ADU rules currently require one off-street parking space for a market-rate ADU. Moreover, they require that in order to build a market-rate ADU on a parcel that does not have the required one off-street space for the primary house, two parking spaces (one for the house and one for the ADU) must be provided.

The parking requirement is a significant impediment on constrained lots, or those with limited street access. It is also contrary to Boulder's efforts to reduce incentives for motor vehicles and to create a less car-dependent urban form. And private land that is valuable for environmental, social, and health purposes — for trees, gardens, recreation, gathering, and open space — should not be required to be paved to park vehicles.

3. Eliminate lot-size minimum for ADUs.

Current rules do not allow an ADU on any lot smaller than 5,000 square feet. While such lots are fairly rare in Boulder, this restriction seems unnecessary and arbitrary.

4. Increase ADU size limits.

The following table shows the current ADU size limits:

	Market-rate	Affordable
Attached	1/3 dwelling size or 1000 sq ft, whichever is less	½ dwelling size or 1000 sq ft, whichever is less
Detached	550 sq ft	800 sq ft

We recommend increasing the size limits so that the square footage of the ADU can be half the area of the principal structure, even for market rate ADUs.. This allows a property owner to create an ADU on one floor of a house without having to wall off a portion of that floor in order to meet the limitations noted above. We also suggest increasing the detached ADU size limits to 650 square feet (market-rate) and 900 square feet (affordable), to allow them to be more suitable for families. Alternatively or in addition, the size-limit exception process could be changed from one requiring a hearing at BOZA (Board of Zoning Adjustment) to a simpler administrative process.

5. Allow one attached and one detached, or two detached, ADUs per parcel.

The existing rules do not explicitly limit a property to a single ADU, though some may argue that that is implied.

Based on a suggestion from City Council, we recommend explicitly allowing one attached and one detached ADU, or two attached ADUs, per parcel. Many property owners are not able to or interested in providing an ADU. Allowing those who are able and interested to create a second ADU would help to meet our housing needs.

6. Allow ADU permitting before or at the same time as house permitting.

Although not specified so in the city code, the administrative convention has been to only allow an ADU application for parcels where a primary house exists or construction permits have been issued.

This results in an inefficient and unduly costly process when attempting to build a house and ADU at the same time. It requires an applicant to submit sequentially for the house and ADU permits, and given the protracted time period for issuance of the permits, it means that construction also happens sequentially. Therefore crews for excavation, foundation, framing, etc. do their work for the house, and then must return -- months later -- to do similar work for the ADU. With delayed permitting, rising costs, and supply-chain issues for materials and construction, the current system can lead to canceling plans for an ADU.

It also means that an owner of any empty lot who wishes to build and perhaps live in an ADU first, before building the house, is not allowed to do so. This administrative restriction seems unnecessary and counterproductive to easing our housing crisis.

Thank you for considering our suggestions, and thank you for your service to our community on HAB.

Eric Budd
Jan Burton
Jake Brady
Ed Byrne
Chelsea Castellano
Macon Cowles
Rosie Fivian
Lisa Wade
Kathleen McCormick
Kurt Nordback

Houde, Lisa

From: No Reply
Sent: Sunday, November 6, 2022 5:29 AM
To: Council; ContactCoB
Subject: james martin :- Feedback on pending council action

Preferred Form Language: English / Inglés

Name: james martin

Organization (optional):

Email: jimmymartin@comcast.net

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one):Feedback on pending council action

Direct my submission to: Council

Comment, question or feedback: I am writing to ask that you NOT adopt the recommendations of the HAB regarding ADUs. This is an attempt to eliminate single family zoning in the city and I am opposed to that.

I have reviewed the HAB Agenda and record dated October 26, 2022. It is appalling that the HAB only referenced the recommendations of an activist group called Boulder Housing Network. BHN 's ultimate goal is to eliminate single family zoning and upend Boulder's unique neighborhoods.

No to eliminating saturation limits and parking requirements.
No to increasing ADU size limits (increases to 650 or 950 sq. ft.).

Two recommendations make some sense:

1. Creating pre-approved ADU plans;
2. Streamline the entitlement process.

Thank you.

[[FSF080521]] Submission ID is #: 1030326661

[Compose a Response to this Email](#)

Houde, Lisa

From: No Reply
Sent: Thursday, November 10, 2022 1:56 PM
To: Council; ContactCoB
Subject: Kathleen McCormick :- Feedback on pending council action

Preferred Form Language: English / Inglés

Name: Kathleen McCormick

Organization (optional):

Email: fonthead1@gmail.com

Phone (optional): (303) 817-2088

My question or feedback most closely relates to the following topic (please choose one):Feedback on pending council action

Direct my submission to: Council

Comment, question or feedback: Dear City Council Members,

In your study session this evening, please support revisions to the ADU regulations that have been recommended by the Boulder Housing Advisory Board, as well as Better Boulder, the Boulder Housing Network, and Boulder is for People, with whom I participated in an ad-hoc ADU policy group. I'm a member of the Boulder Arts Commission, the Better Boulder Board, and an editor for the Boulder Housing Network, and I'm also married to HAB chair Michael Leccese, though I write here for myself.

Michael and I built a licensed attached ADU studio apartment in our house six years ago, and since then have rented it to a series of young Boulder professionals and graduate students at an affordable rate. These have included a middle-school math teacher/graduate student, a CU administrator/graduate student, a staff member for an environmental conservation organization, and a nanny/graduate nursing student. All of them have been quiet, respectful, and grateful to live in a convenient neighborhood at a reasonable rent. These are next-generation Boulderites who are contributing to our community and otherwise would have been living in over-occupied housing or driving into Boulder daily from surrounding less-expensive communities.

I respectfully ask City Council to make ADU changes a priority now to allow more Boulder homeowners to offer similar opportunities to people who work and attend school in Boulder and can't afford the rents. ADUs offer low-hanging fruit for expediting an increase in the supply of gentle-infill housing in single-family neighborhoods, at the expense of homeowners. Eighty percent of residents support ADUs, and the City's recent ADU survey showed that the vast majority of ADUs are in the affordable range. ADUs provide income for homeowners and more diverse housing options to accommodate multiple generations of family, caregivers, caretakers, and others.

The City has done extensive community engagement for ADUs, and we know the factors that make them a successful housing option for many U.S. cities, so staff does not need to conduct further engagement. From many discussions with neighbors and other Boulder residents, the ADU recommendations I think are most important are to eliminate the saturation limits, the off-street parking requirements, and the lot-size restrictions to allow homeowners with smaller lots and more modest homes to benefit from ADU ownership.

Let's encourage greater diversity and economic inclusion by making key ADU revisions now. I appreciate your consideration and all your efforts to promote more and more equitable housing in Boulder.

Kind regards,
Kathleen McCormick
3055 11th Street, Boulder CO 80304
303.817.2088; fonthead1@gmail.com

[[FSF080521]] Submission ID is #: 1032340994

[Compose a Response to this Email](#)

Houde, Lisa

From: Ferro, Charles
Sent: Monday, December 5, 2022 9:46 AM
To: Guiler, Karl; Houde, Lisa; Houde, Lisa
Subject: FW: Jessica Murdzek :- Planning and Development Services

FYI

From: No Reply <noreply@bouldercolorado.gov>
Sent: Monday, December 5, 2022 6:46 AM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Pannewig, Hella <Pannewigh@bouldercolorado.gov>; Ferro, Charles <FerroC@bouldercolorado.gov>; Stafford, Edward <StaffordE@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>
Subject: Jessica Murdzek :- Planning and Development Services

Preferred Form Language: English / Inglés

Name: Jessica Murdzek

Organization (optional):

Email: jessica.murd.123@gmail.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Planning and Development Services

Direct my submission to: Staff and Council

Comment, question or feedback: Hi City Council folks,

I know y'all have quite a few items on your list regarding increasing affordable housing in Boulder. I'd like to encourage you to lower restrictions on ADUs, remove parking minimums for all new structures, and allow densification in the current city limits. I'm currently being priced out of Boulder, and I'm sad to leave. You need to allow more housing stock to be created ASAP. The single family zoning areas must be changed to allow for more dense zoning. Incremental change will be key.

I'd also like to encourage you all to learn about the Strong Towns approach (from Chuck Marohn). He focuses on making a city financially sustainable.

Thanks for all the work you're doing! Please remember there are a lot of low income folks who don't have time to email you but still need your help. Please think of what would be best for them, don't only take into account the noisy neighborhood groups.

Houde, Lisa

From: No Reply
Sent: Monday, November 7, 2022 4:36 PM
To: Council; ContactCoB
Subject: Kurt Nordback :- Feedback on pending council action

Preferred Form Language: English / Inglés

Name: Kurt Nordback

Organization (optional):

Email: knordback@yahoo.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one):Feedback on pending council action

Direct my submission to: Council

Comment, question or feedback: I'm writing in regards to your upcoming discussion of ADUs. I'd like to underscore the thoughtful and well-considered recommendations from HAB, which would address many of the most significant restrictions in our current ADU policy while still being an evolutionary change from the 2018 reforms.

I'd also like to raise a couple of additional points for your consideration.

1. Condominium conversion

As you know, although rentals in Boulder are expensive, our greatest affordability challenge is in homeownership. This was highlighted in the Middle Income Housing Strategy, and was repeated in the Staff memo for your recent study session on affordable housing:

"In 2016, middle income households were able to afford 99% of the city's rentals, but only 17% of detached for-sale homes. Affordable ownership remains the challenge for renters looking to buy a home in Boulder."

I would therefore urge you to consider recommending that condo conversion (separate conveyance) of ADUs be allowed. Condo conversion of a house plus ADU allows each to be purchased independently of the other, and it replaces property that is held under one title (that in almost all cases is unaffordable to the middle class) with more affordable pieces held under separate titles. Unlike subdivision, with which it is sometimes conflated, condo conversion doesn't affect what's allowed in terms of density or physical form in any way; it simply allows for independent ownership of parts of a single property. As I see it, this is completely consistent with the goals of the Middle Income Housing Strategy and other city housing objectives. Condo conversion was only prohibited as an afterthought to the 2018 ADU update, and it's my perception that it was prohibited not because there was any identified problem with it, but simply because it hadn't been considered. I would suggest that now is the time to consider it.

2. Owner occupancy

As Staff pointed out to HAB during their discussion, if we really want more of the desperately-needed moderate-cost

Attachment K - CCR & Public Comment

housing provided by ADUs, we'll need to remove the owner-occupancy requirement. The main reason is that many homeowners aren't comfortable being landlords, or are unaccustomed to sharing space with another family unit. Even when a homeowner wants an ADU, financing can be a challenge.

So I'd like to encourage you to consider how we could relax the owner-occupancy requirement in a way that would be politically feasible. I would propose that we permit non-owner-occupied ADUs other than in the Hill neighborhood, and with a 20% saturation limit for non-owner-occupied ADUs (assuming the general saturation limit is removed). This of course is not necessarily the "right" answer, but I do feel we should be creative in coming up with a way to allow for more of the ADUs we need so much, including in select cases on non-owner-occupied properties, in a way that will be politically acceptable.

Thank you.

[[FSF080521]] Submission ID is #: 1030940696

[Compose a Response to this Email](#)

Houde, Lisa

From: No Reply
Sent: Wednesday, November 9, 2022 8:59 PM
To: Council; ContactCoB
Subject: Francoise Poinatte :- Housing and Human Services

Preferred Form Language: English / Inglés

Name: Francoise Poinatte

Organization (optional):

Email: fmpoinatte@msn.com

Phone (optional): (720) 210-8802

My question or feedback most closely relates to the following topic (please choose one):Housing and Human Services

Direct my submission to: Council

Comment, question or feedback: Dear Council members,

I urge you to prioritize ADU policy revisions at tomorrow night's Study Session. The HAB suggested a list of very needed ADU reforms that Better Boulder supports as well. These include elimination of saturation rate, parking requirements and minimum lot sizes, in addition to the City offering pre-approved plans and stream lined processes for City approval. All these revisions are common sense and would do a lot to promote ADUs as a much needed supply of housing beneficial to both homeowners and renters alike.

Please request staff to minimize public process in adopting these revisions. The City went through an exhaustive process in 2018, and shouldn't have to repeat this. ADUs enjoy public support and these changes are simply revisions designed to simplify and encourage creations of ADUs.

Reducing process, and looking at what other communities have done successfully, will greatly reduce work load on staff. These revisions ought to have been included in the work done on ADUs in 2018. It's time to adopt them now as a priority.

Thank you for your hard work!

Françoise Poinatte

[[FSF080521]] Submission ID is #: 1031932064

[Compose a Response to this Email](#)

Results of Accessory Dwelling Units (ADU) Survey 11/9/22

To: City Council

From: Goss Grove, Martin Acres, and University Hill Neighbors

Date: Nov. 9, 2022

Subject: Input on changes to ADU regulations

As the neighborhoods closest to the University and downtown, we already feel the impacts of dense, rental housing. All of the Goss Grove neighborhood, the northern and eastern parts of University Hill, and the core of Boulder from Alpine south to Baseline, including many areas to the east of campus, are zoned to have 4 unrelated occupants per rental unit. We are aware of efforts by the city to update its ADU policy and would like to provide the results of a Google Questionnaire distributed city-wide to our neighbors via Next Door and through neighborhood association lists. In general, we support more affordable housing in Boulder and live in areas that provide it. We ask that our neighborhoods be carved out of policies that might encourage ADUs in less dense, yet accessible neighborhoods.

For these reasons, most of the neighbors don't agree that raising saturation limits, lowering lot size requirements, eliminating parking requirements, and allowing more ADUs per lot will help the city achieve affordable housing goals—at least in our experience in our neighborhoods. See response summaries and graphs below.

Responses from around the four neighborhoods surrounding downtown and CU

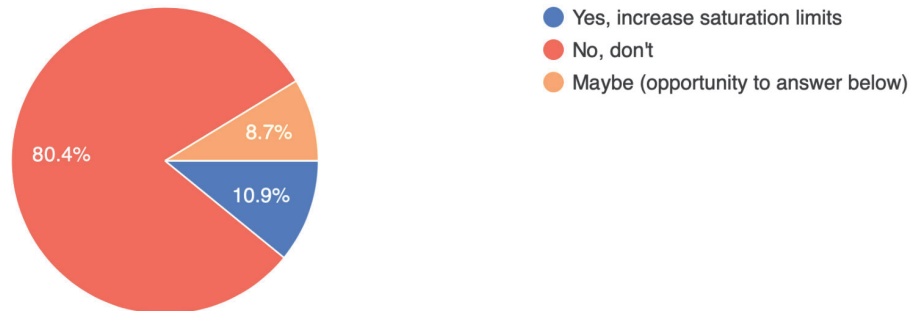
Questions were provided through a Google Survey document. We received 13 responses from Martin Acres, 9 from Goss Grove, 8 from Whittier, 6 from University Hill, 3 from the Community Gardens, 4 from Table Mesa, and a few unlabeled responses.

Summary of Results: Increase saturation limits?

Comments included: A lot of thought went into the saturation limits so don't change them. This will lead to a loss of trees, vegetation, privacy, and community. It will increase noise, parking, tension, and problems. This is a back-door way to change the single-family zoning category to allow more housing—don't do it. City Council asks for more affordable housing but they miss opportunities to provide housing and instead allow increased expensive student housing.

The first recommendation is Increasing saturation limits. This means that there will be no limit on how many ADU's are built in a given area of a neighb...of zoning. Are you in support of this proposal?

46 responses

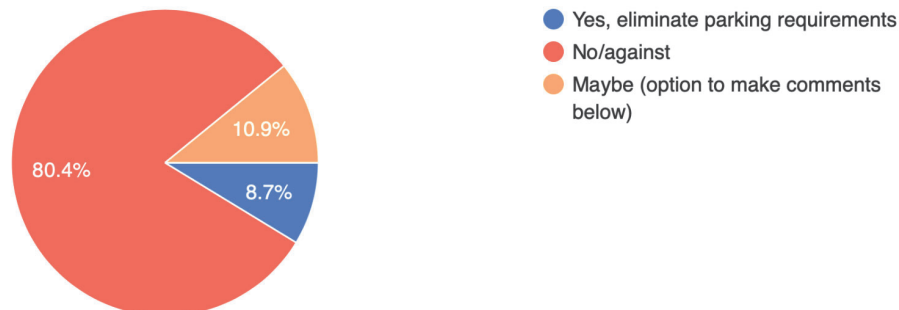


Summary of Results: Eliminate parking requirements?

Comments include: Parking is already too hard in many high density neighborhoods. Lifting the parking restrictions may be well intended—e.g., reducing gas and emissions—that backfires. People drive and will want to have cars. Restricting cars is a disingenuous appeal to eco-minded people but in reality just creates worse problems.

They are also proposing to eliminate parking requirements for ADU's. (Under the new proposal, ADU residents would occupy parking spaces on the s...irement) Are you for or against this proposal?

46 responses



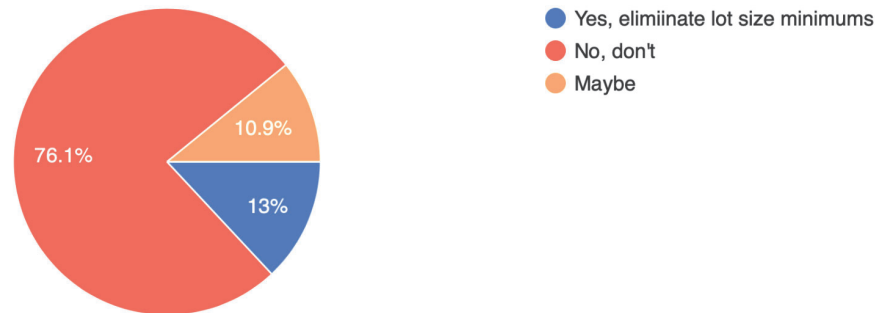
Summary of Results: Eliminate lot size minimum?

Comments included: The size of houses to lots needs to be controlled. There is such a thing as too much density. This will affect heating and flooding and with increased climate change, these things will be worse. There will be no yards and all will be concrete.

Some said the limits seem arbitrary. But if building occurs, measures need to be taken to limit the impact on neighbors by controlling size and proximity to neighbors—such as location on the lot.

They are also proposing to eliminate lot size minimums (currently lots less than 5,000 square feet are not allowed to build an ADU). Are you for or against this proposal?

46 responses



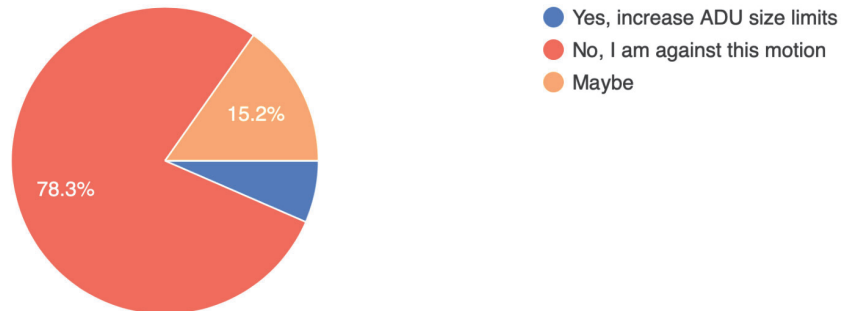
Summary of Results: Increase ADU size limits?

Comments included: This is as large as some of the older homes in Boulder and is against the spirit of the “granny-flat.” Larger ADUs won’t help affordability—affordable level is already too high and more space will make it higher. One comment said that the larger size will allow more renters and more money.

One said that increased size would remove regulations, another said that it would be okay if it was an owner and related party (to prevent the problems of unknown renters).

They are proposing to increase ADU size limits. (The proposal is to increase market rate ADU size limits to 650 square feet (from 500) and allow addit... Boulder.) Are you for or against this proposal?

46 responses



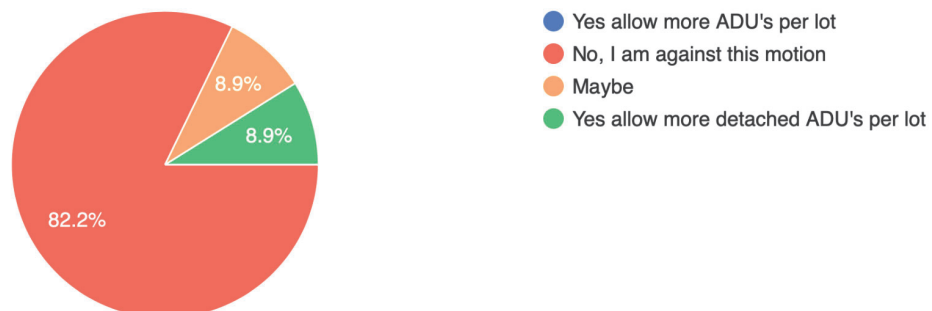
Summary of Results: Allow 1 attached and 1 detached or 2 detached ADUs?

Comments included: This would change single family zoning and compounds the problems described above. People purchased their homes in these areas to retain some land and privacy and taking that away impacts their lives and investments.

Some said this depends on the size of the lot, the flood plain, and location. One person in favor of ADUs generally said that having 1 ADU per lot helps to keep it owner occupied.

They are proposing to allow either 1) single attached and one detached OR 2) two detached ADU's in addition to the original building, per lot. Are you for or against this proposal?

45 responses



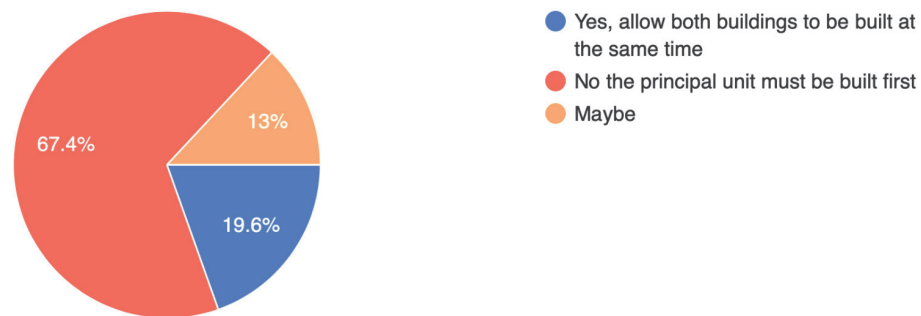
Summary of Results: Allow house and ADU to be built at the same time

Comments included: Get the noise, lack of privacy and dust done all at the same time; it is an inhumane inconvenience for those that live next door! The neighbors do recognize, from experience, the hassle of having a house and ADU built separately. If an ADU is approved, any work on both the house and ADU should be allowed to go ahead at the same time

Those not in favor said that simultaneous building benefits the contractor, not the neighbors. And building one house might reduce the frenzied home-building activity that is occurring.

They also are proposing to allow the ADU to be built before or at the same time as the primary house (either a renovation or scrape and build). **A... project). Are you for or against this proposal?

46 responses



Summary of Results: Should LLC's have the same rights as Individual home owners with respect to ADU ownership, and owner occupancy rules?

Comments Included: Neighbors have experienced Limited Liability Corporations (LLCs) buying houses in the neighborhood and charging more to rent them either to long-term or short-term tenants. This doesn't support affordable housing or an increase in housing. LLCs add a renter to their corporation and allow them to live on site as an "owner," thus meeting the city rules that an owner occupy the site where an ADU is built. LLC's are not real people. The distinction of who the owner occupant is is a slippery slope allowing for many loop-hoops. Therefore LLC's should not have the same privileges as individual home owners that care about the community that they live in..

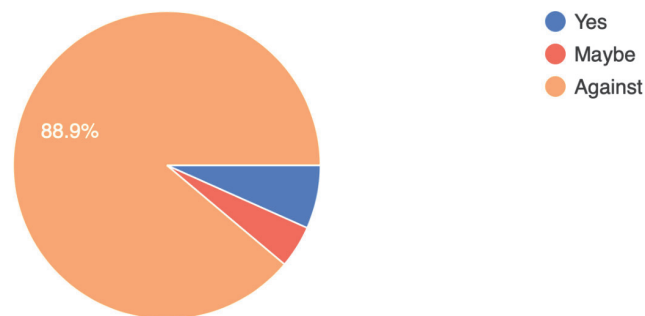
Most of the neighbors do not support LLCs being able to get around the city's rules. Comments included that the LLCs are interested in profit and not the character of the neighborhood and that they do not contribute to the community. Typically the "Owner-Occupant" representative is

not invested in being a long term resident. The floor plans being built by LLC's are made for renters not long term occupants. They in fact take away from the community by causing problems with additional trash and noise. Neighbors commented that allowing LLCs to build ADUs doesn't support the intent of the rules. Many commented that the city can't build its way to affordability—prices just keep going up because people want to move to Boulder.

Those who support ADUs said that they should be owner-occupied for the long-term to ensure affordable housing is provided. Most neighbors understand that these LLCs are not contributing to affordable housing. If, LLC's are going to be allowed to participate in ADU ownership, owner-occupant representatives should not be allowed to live in the affordable unit since this does nothing to contribute to affordable housing.

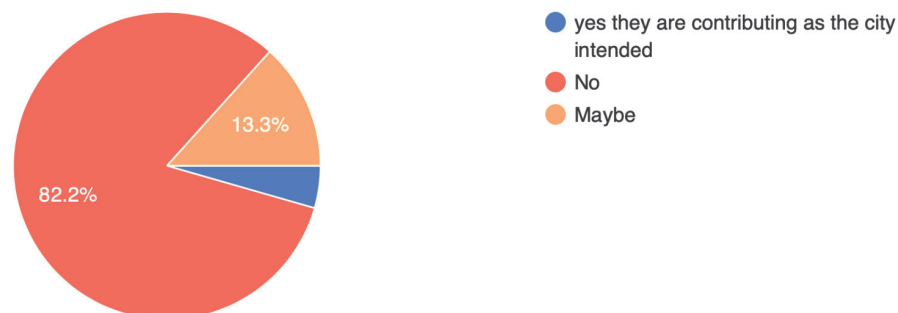
Are you in support of investor groups/LLC's being allowed to build ADU's?

45 responses



Do you think that LLC's/investor groups that are building ADU's are significantly and appropriately contributing to the city's goal to increase affordable housing as intended?

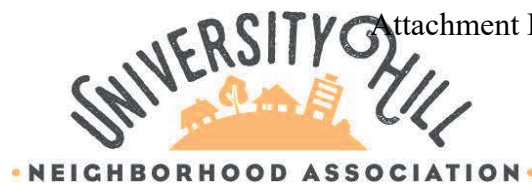
45 responses



In summary, General Survey Theme: A request for “THOUGHTFUL Development”

A common thread in discussions and input generated by this survey was what could be summarized as a request for “Thoughtful Development.” Those who replied “maybe” to the questions consistently stated “it depends on the neighborhood.” Some have tons of parking, for example, and some have none. Some have huge yards and others have none. As a result, we ask whether codes, and development, can be thoughtful towards maintaining community. If an ADU is going to be built, is it going to foster a neighbor and keep existing neighbors in doing so? Should new builds be allowed to put windows, stairways etc. only 3 feet away from the fence of an existing and established neighbor? That is, a general lifting of all restrictions, unchecked with respect to the needs and different neighborhoods throughout the city is not going to get us to a place of more housing, and even more affordable housing, all the while maintaining community, liveability and character. Already people are moving away from Boulder because it is losing its community. Let’s add ADU’s, and affordable ADU’s thoughtfully.

Thank you for considering the input put forth by Boulder residents that spent the time to complete this survey in light of the proposed code changes and allowances that are presently given to LLC’s and private investors.



December 12, 2022

Dear Members of the Boulder City Council,

The proposed changes to ADU regulations discussed at your November 10, 2022 study session raised concerns for the University Hill Neighborhood Association due to the current impacts of the high population density in our neighborhood. We object to the one size fits all approach of eliminating saturation limits and increasing ADU size limits for neighborhoods of vastly different needs, desires, and carrying capacities. We share these concerns with other neighborhoods surrounding the university and hope to discuss alternatives with staff before your study session next year.

The assertion that no other city in the country has saturation limits has been taken up as a rallying cry for deregulation, but three of the five zones in Chicago that allow ADUs have an annual limit of two per block. This allows the city to judge the effects of a gradual population increase. Utah's new law allowing ADUs in any residential zone statewide and stipulating that cities may not regulate or restrict them went into effect in October 2021. However, a provision of the law allows cities to prohibit ADUs in a percentage of their residential areas, which ranges from 25% in most cities to 67% in cities with large universities. Provo, home to Brigham Young University and comparable in population to Boulder, passed a code change that permitted the exemption of up to 67% of its residential areas.

There are other examples of cities with saturation limits, but many cities use other tools to guard against adverse impacts on neighborhoods, like special permits that include a public hearing. Dallas requires an appeal for a special exception to single-family regulations adjudicated at a public hearing before the Board of Adjustments. The board may "not consider how the appeal may benefit the applicant" and can grant the exception only if it will not adversely affect neighboring property.

The saturation limit is the only tool Boulder has that prevents adverse effects from population increases that could overwhelm our neighborhoods. The number of legal nonconforming properties on University Hill places a strain on many blocks. For example, the 800 block of 11th Street has a sorority with an occupancy of 109, a triplex across the street with 9 legal residents, and the soon to be completed apartment complex across the alley, which will have an occupancy of 48.

We ask that representatives of the University Hill Neighborhood Association, the Martin Acres Neighborhood Association, the Goss Grove Neighborhood Association, and representatives of the East Aurora neighborhood be given the time to discuss with staff how best to accommodate our neighborhoods if changes to our current ADU regulations are going to occur.

Daniel Hopkins, Professor of Political Science at the University of Pennsylvania, determined that Americans' strongest connections are to their neighborhoods, not their states, cities, or towns. Please respect our connection to our neighborhoods and trust our ability to advise on what is best for them. Do not rush through an irreversible change that will affect the entire city without considering whether the change is appropriate for specific neighborhoods.

Sincerely,

University Hill Neighborhood Association – Executive Committee

Nancy Blackwood
Stephen Clark
Mary Cooper Ellis
Valerie Stoyva
Lisa Spalding
Jyotsna Raj
Scott Thomas

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 9:21 PM
To: Houde, Lisa
Subject: FW: In support of relaxing ADU regulations

From: Ryan Bonick <ryan.bonick@gmail.com>
Sent: Monday, January 16, 2023 5:14 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: In support of relaxing ADU regulations

External Sender

Hi,

I am writing as I am unable to attend tomorrow's planning board meeting, but wanted to make my thoughts on ADUs known in advance of the vote tomorrow.

I do not believe ADUs will singlehandedly solve Boulder's affordability problems. However, I do believe they are an incredibly valuable tool in the city's arsenal, and relaxing the regulations around it will be a good thing. [Boulder's Housing Advisory Board agrees with me.](#)

I would also like to see modifications to occupancy calculations and parking requirements, but those are sadly not on the docket tomorrow.

Thank you for your time,
Ryan Bonick

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:22 PM
To: Houde, Lisa
Subject: FW: ADU Reform

-----Original Message-----

From: Buzz Burrell <buzzburrell@icloud.com>
Sent: Monday, January 16, 2023 11:36 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board:

ADU's are a Win-Win-Win. For zero cost to anyone except the person constructing one, this is the easy button for affordable housing.

Just drop all regulations, except maximum size. There are no problems. Stop sweating the easy stuff.

I constructed an ADU 12 years ago. Going through the red tape was extremely difficult, dissuades many from attempting it, and protects or accomplishes nothing.

In the ensuing 12 years, my two units have been fabulously successful. My son and his family of 4 live in the main unit, and my wife and I live in the accessory unit. Our combined electric, gas, and water bills are significantly lower than for the average single family home. Two families are living in one structure, taking up far less space, having less impact, and with excellent affordability as this house with ADU has the same Appraised Value as this house without the ADU.

JUST DO IT. Boulder likes to think of itself as being progressive, when in fact, it has become remarkably regressive. Let's walk our talk.

Buzz Burrell
1290 Chambers Dr
Boulder Co
80305

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, January 17, 2023 10:02 PM
To: Houde, Lisa
Subject: FW: Saturation Limit: where one neighbor can get it, another cannot
Attachments: 180226 300 ft. of 1726 Mapleton.pdf; 180226 300 ft. of 1735 Mapleton.pdf

From: Macon Cowles <macon.cowles@gmail.com>
Sent: Tuesday, January 17, 2023 9:33 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Saturation Limit: where one neighbor can get it, another cannot

External Sender

PB, tonight I spoke of my cross the street neighbor who had to move her historic garage on the alley 3 feet from the alley because as built in the 19th c., it extended 3" into the alley. Moving the building 3 ft, it then violated the height ordinance. Sinking the historic structure in order to get a building permit for the studio-ADU cost them \$30,000. The cross the street neighbor is Beth Helgans, at 1735 Mapleton.

I wanted to let you know also that when the saturation rate was raised to 20%, Beth and I lined up at 7:30 the first morning so we would not be barred by the saturation limit. But we agreed that I would be in front of her in line. I could only get an ADU that complied with the 20% saturation limit if I were first in line. Because if Beth got hers first, hers would count toward the 20% and our house would not qualify. But my getting approved first did NOT bar her. That is because each of our houses had a different radius, and therefore a different number of non-conforming structures within that 300 feet.

If you want an idea about the counting difficulties, I am attaching the two charts made for us by City staff in 2018 to count the number of units that would be counted to apply the saturation limit.

FYI, we have a 1650 main house and a 700 sq. ft. affordable ADU. It is used for 1) long term rental, 2) our niece to live in while she attends CU, and 3) for caretakers to live in when Regina and I need help as we age.

Macon Cowles
1726 Mapleton Ave.
Boulder, Colorado 80304
macon.cowles@gmail.com
(303) 447-3062

Houde, Lisa

From: Macon Cowles <macon.cowles@gmail.com>
Sent: Thursday, January 26, 2023 11:01 AM
To: Matt Benjamin; Aaron Brockett; Lauren Folkerts; Friend, Rachel; Junie Joseph; Nicole Speer; Wallach, Mark; Tara Winer; Bob Yates
Cc: Houde, Lisa; Mueller, Brad
Subject: Please eliminate saturation and parking requirements for ADUs

External Sender



Dear Council:

The sign announcing it had taken 408 days to get a building permit from the City of Boulder arrived the same week as a postcard offering a small lot on Bluff St., described as “Nestled Bliss,” for \$1,700,000. (See image below.) The two counterpoints are emblematic of the crisis of planning in our beloved city.

Our processes are so lengthy and difficult that dreams of opening a business or making a home are turned to dust by the planning machinery. Planners are so busy administering the machinery that we cannot timely make the changes we must to make this vibrant city available to the young and different. If action is deferred, it will be too late.

The only projects that survive are those sponsored by and for the very rich, like the lot on Bluff. An ambitious builder will apply the rule of thumb: spend twice as much on the home as you spent on the lot. There will soon be another \$4 million home in the neighborhood.

Our code has secured the primacy of the very expensive single family home. “\$13 million sale of Boulder estate shatters county record for home sales” is the headline of a January 24, 2023 Denver Post article documenting that the three priciest homes in the entire County are in Central Boulder. **It is stunning that in the face of placemaking for the rich, we cannot take simple steps to make room for others: such as eliminating the saturation and parking requirements for ADUs. We must act quickly, lest we turn away so many people that our beloved City becomes a wealthy shell.**

Macon Cowles
1726 Mapleton Ave.
Boulder, Colorado 80304
macon.cowles@gmail.com
(303) 447-3062



Houde, Lisa

From: Deb Crowell <DebCrowell@live.com>
Sent: Wednesday, January 25, 2023 6:38 AM
To: Houde, Lisa; Guiler, Karl; Mueller, Brad; Meschuk, Chris; Rivera-Vandermyde, Nuria; Winer, Tara; Sugnet, Jay
Subject: ADU's Developed/Owned by LLC's: A Case Example

External Sender

To the members of City Council and the Planning Department,

Having lived in our house for 30+ years, we expected that someday someone would build an ADU next to our backyard. In that there are only two owner-occupants at our end of the neighborhood, the prospect of having a new permanent neighbor, invested in living in our neighborhood was exciting. While we continue to see the value of increasing housing in Boulder, we have come to realize from our first-hand experience, that some of the present codes and allowances, especially with respect to LLC ownership and development 1) defeat the purpose of the city's attempt to increase affordable housing and 2) threaten the quality of community cohesiveness of our neighborhoods. In light of the upcoming focus on ADU revisions that are under consideration, we would like to share our observations based on our personal experience with regards to an "Affordable ADU" that is nearing completion this month. They are as follows:

1. The extremely flexible definition of the "owner occupant" in the case of an LLC owning an ADU provides loop holes that create opportunities for development groups that are solely aimed at financial gain. There are several case examples in our neighborhood where the definition of an "owner occupant" is blatantly non-existent such that it is clear that there is no real person that is truly living in the neighborhood and therefore there is no on-site management of the property. We suspect that the LLC "owner-occupant" representative, soon to move in next door, is a puppet who will not last more than a few years before his LLC takes advantage of the transferable definition of an owner occupant for LLC's. If there is no enforcement by the city, this scenario will continue to grow, as we have seen in the Goss-Grove neighborhood in the last few years. We want ADU's to create neighborhoods filled with invested neighbors, not investment development groups.

Bottom line: If LLC's are allowed to build ADU's the result is not consistent with the city's goal of creating affordable housing

2. We are specifically aghast at the fact that LLC's are allowed the same building privileges as an individual owner (increased square footage and parking-exempt) when building an "affordable ADU" in which the said "owner occupant" of the LLC is then allowed to then occupy, meanwhile, renting the primary house for market rate. If the owner is living in the affordable unit, how does that make it an affordable ADU? How can the owner occupant also double as one that qualifies for affordable housing?

Additionally, in a neighborhood rife with parking problems we wonder why off-street parking, even for an affordable ADU, is waived? One would think that additional parking be the responsibility of the party that is adding density to our neighborhood and also profiting from increasing density? As it is in our case example next door, the second inhabitant(s) have yet to move into the front house and

the “owner occupant” (living in the “affordable” ADU) has yet to park in his (long and skinny) driveway. He clearly prefers the convenience of parking in the street. So, where will the tenant for the primary house park I wonder? Very likely on the street as well. I hope, as the city seems to hope, that that person will not have a car, but our neighborhood can’t take that risk.

Bottom line: if LLC’s are allowed to build affordable ADU’s and the owner occupant representative is allowed to live in the affordable unit, then they are being granted privileges that do not meet the city’s goal of creating affordable housing, meanwhile creating a public burden with regards to parking availability on the street.

3. In our case example, it is our experience that the larger the ADU (and corresponding expansion of the front house in order to maximize the allowable build size), the more the development affects the quality of life of those on neighboring lots. With the present codes that already allow for maximization of every square footage of a lot (in our neighborhood), there is no consideration for the livability, and privacy of the existing houses surrounding the lot. Nor are there any mediation services in place by the city to protect existing neighbor’s privacy during the planning process. In our case, 5 properties were affected. That is, the onus was on us to try and negotiate the rearrangement of stairways and request that windows be frosted that run along the scant 3-foot side-yard set-back allowances. We now look at, hear and smell the HVAC system that is no more than 5 feet away from our very small and intimate backyard. As it was, property line disputes, and other unneighborly negotiations ensued during construction. We would suspect that, if the lot next door were being developed by a true owner-occupant, rather than an LLC, more polite considerations negotiations would be taken with respect to how the floor plans would affect existing neighbors.

Bottom line: if this project were that of a private home owner, wanting to become an integral part of our neighborhood, we suspect that the development of the lot would have progressed far more amicably. If the city wants to increase housing and maintain quality of community living, then mediation and code protections should be in place such that everyone can continue to experience a quality of life under increased and imposed high density regulations as well as during the construction phases.

4. Finally, if the city continues to allow an entity to a) purchase land b) immediately expand the front house in order to build an ADU to maximum size which is contingent on the front house and then c) break ground on the ADU only several months later, we would suggest and are in agreement with HAB’s proposal that all construction occurs as one project instead of two separate, staggered projects.

Bottom Line: While we see many advantages of the now extinct 3-year clause requiring an owner to inhabit the property before building (this would be a barrier to LLC investors), if the city’s goal is to support unchecked growth than please take bordering neighbors (sometimes up to a block away) out of their misery and get all the construction done at once, in the shortest turnaround time as possible. It has been a painful and disruptive year of blow-by-blow surprises, noise, dirt and privacy violations.

5. What will happen to Boulder’s neighborhoods if the goal of increasing housing supersedes community planning? With only one other permanent owner occupant within the Goss & Grove 21st and 22nd blocks of high-density housing, we have been crucial anchors to keeping our end of the neighborhood in check as a safe, aesthetic and livable neighborhood and not a student slum. We pick

up glass and trash on the street, shovel the walks, maintain our lawns, trim the city trees and maintain amicable relationships with the managers of the rental properties on our street. We are frequent users of the city's 303-441-3333 number to report back yard open fires, broken median sprinklers, noise ordinance violations and other concerning neighborhood issues using the Inquire Boulder site. (I myself have been the eco-cycle neighborhood representative, and have been an active chair and member of the Goss Grove Neighborhood Association where I was involved in formulating the 6-day (trash) review as well as serving as an integral member on the parking permit program committee.) We have worked to create cohesiveness in our very diverse community; we built a community garden on old 23 between Goss and Grove, we have an annual cook-out/lawn game party every fall to welcome the new residents, and have held summer yard sales which have generated the result of building community cohesion between our diverse residents on our block. We know that students and young professionals renew their rental agreements on our street because, to quote a student on move-in day, "it's a real neighborhood, and that's cool".

After all of the work we have invested in this end of the neighborhood, we did not want to have to move, rent or sell our property. However, our back yard will no longer be a sunny and private living space due to the two story ADU with windows towering over our yard and 3 feet from our hot tub. Every time we smell and hear the whir of the HVAC motor, we are reminded of what looms above our yard. We can hear the heat pump in the winter with our bedroom windows shut so we know that sitting in our back yard in the summer while our neighbor runs his air conditioner will be unpleasant. It didn't have to be this way had we had mediation and protections in place that represented the needs of those that lived on both sides of the fence.

Bottom Line: As a result, we are moving out of Boulder and will add our house to the rental fleet until we sell our home. We don't think we are alone in making this move. There will be only one true owner-occupant left on our block. We know that we are not alone; there is an exodus of people leaving the city. The city needs to look at the big (community) picture if they are going to accelerate plans to increase housing density and further lift restrictions.

To conclude: We are not against affordable housing nor are we against an increase in density in order to create more housing. We share our story in hopes the city is able to accomplish its goals by offering:

- Careful consideration that ADU ownership and development by LLC's is a threat to the city's best intentions with regards to creating housing, especially with respect to the privileges granted and loop-holes created to benefit LLC development groups.
- Thoughtful code revisions for all parties involved
- Mediation, open plans and discussions for all members involved in ADU development (on all sides of the fence)
- Strict and dedicated enforcement of owner occupancy requirements

Thank you in advance for your consideration,
Deb Crowell
2276 Goss Circle



Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 9:21 PM
To: Houde, Lisa
Subject: FW: ADU Reform

From: Diane Dvorin <diane@bayhillsgroup.com>
Sent: Monday, January 16, 2023 5:38 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board:

My husband and I strongly support the 6 recommendations you have before you regarding regulation of ADUs. We know from personal experience that this type of housing is an important part of diversifying the housing choices in our community and a gentle way of increasing density in our neighborhoods as we move into a very different future on many fronts.

We are long-time Boulder residents, still living in the same house I bought here in 1976. When purchased, the property already included a bare-bones "mother-in-law unit," converted from what had previously been an alley garage. Over the years, we significantly improved our "Little House," tracking with the permitting and rental licensing requirements as they changed over time. Unequivocally, over these 47 years, this flexible ADU format has served both our family and our neighbors in many significant ways. We expect this will be the case going forward as well, making it more possible to for us now to age in place and continue to enjoy the neighborhood and City that we love.

Thank for your work on behalf of our community.

Sincerely,--
Diane Dvorin & Bill Butler

*3232 Sixth St
Boulder, CO 80304
Mobile 303-641-6478
Home/Office 303-449-0981*

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, January 17, 2023 11:35 AM
To: Houde, Lisa
Subject: FW: ADU's

From: Emily Reynolds <emily2reynolds@gmail.com>
Sent: Tuesday, January 17, 2023 11:27 AM
To: Barbara Fahey <barbara.s.fahey@gmail.com>
Cc: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Re: ADU's

External Sender

Love it! Awesome m'dear!!

On Tue, Jan 17, 2023 at 11:22 AM Barbara Fahey <barbara.s.fahey@gmail.com> wrote:

Dear Planning Board,

Many years ago I lived on University Hill for a number of years. Due to the continuous noise, accessibility, trash and traffic issues there, I embarked on an aggressive savings program for many years so I could afford to buy a less than 1000 square ft home in a single family Boulder neighborhood in 1981. We're retired now after a 40+ year career as public servants and still live on the same street.

Now we hear plans are afoot to turn our quiet and accessible neighborhood into University Hill by adding the potential of ADU's in every single family neighborhood. We feel this is a slap in the face to those of us who sacrificed much to be able to live in a peaceful place. Please vote this down and instead recommend that the City subsidize more and free express buses from Longmont, Denver, Broomfield and Golden.

There's a certain subset of people who will always choose to live in cheaper housing in less desirable areas no matter how much housing we provide in Boulder. Fast and free buses will allow them to get here in a more environmentally sound way.

Missoula, Montana has a bus system that generated huge ridership once it became free and now it's mostly electric. They accomplished this through a combination of federal grants and local business and government subsidies. Their surprising environmental success is worth a look.

Sincerely,
Barbara and Mark Fahey

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, January 17, 2023 5:57 PM
To: Houde, Lisa
Subject: FW: Yes to ADUs

-----Original Message-----

From: k. f. <kartzner@hotmail.com>
Sent: Tuesday, January 17, 2023 5:18 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Yes to ADUs

External Sender

Hi board,

Sorry I'm late to this, but just wanted to send a note to encourage this board to support measures like legalizing ADUs and actively exploring other ways to make Boulder equitable and more affordable for folks. Thanks!

Katie Farnan

Sent from my iPhone

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, January 17, 2023 6:27 PM
To: Houde, Lisa
Subject: FW: Make ADUs as easy to build as possible

From: Adrian Fine <adrianfine@gmail.com>
Sent: Tuesday, January 17, 2023 6:20 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Fwd: Make ADUs as easy to build as possible

External Sender

Dear Planning Board,

You're probably getting a ton of emails saying "go slow on ADUs we don't know their impacts" and a bunch of emails saying "change the saturation limit to X, reduce sideyard requirement to Y".

I won't go into all the details of the ordinances you are updating, but **I encourage you to make it as easy as possible for as many people as possible to build an ADU.** If we're interested in seeing more housing, then ADUs are part of the equation, and I encourage you to do everything you can to make it easy to plan, permit, construct and inhabit an ADU.

Thanks,
Adrian Fine

--

Adrian Fine
adrianfine@gmail.com | 650-468-6331
<https://www.linkedin.com/in/adrianfine/>

Houde, Lisa

To: Mueller, Brad
Subject: RE: ADUs

From: Nicholas Fiore <nick@flowerarchitecture.com>
Sent: Monday, January 16, 2023 9:40 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADUs

External Sender

Hello PB -

I've applied for many ADUs in the city, and I built one myself at my house in TMesa. The rules are arbitrary and capricious, to say the least. It's embarrassing, the state of zoning and housing rules in this highly conservative 'progressive' bastion of a city. We're not even the most progressive city in Boulder County, on the issue of housing. You likely know this.

For ADUs - there are many rules that need to change:

- No saturation limit
- Adjust height limit calculations or raise the height (the 25' rule was designed to hamstring buildings in a hilly town... if you don't know what I mean by this, then you, like 99.9% of Boulderites, don't know how the code defines height)
- Market rate vs affordable limited - trash this distinction; only city politicians and city staff cares. Build ADUs don't argue about definitions
- Size limits: a bit larger is ok, IMHO
- 'COMPATIBILITY' language in the code. DELETE. There is NO good reason that a city staffer, new to town, not a resident nor neighbor, etc., should have ANY say on 'compatibility' of the design. Credential? Experience in design? Why this is in the code escapes me, other than a NIMBY instinct in past CCs. Even (honest) staff understand this is silly.
 - Note - I served on the Landmarks Board, and I understand the big fat juicy instinct to 'shape' or have a say in design of structures that you might pay for or live in. Resist this instinct. Let owners/architects do their thing. Great stuff comes with meh stuff, that's life.
- Energy Code: This is an aside, but we are at the point where the energy code is a real reason that we are a fully 'wealthy only' town. We can pretend it adds only 2-3% or whatever b.s. staff will tell you, but it's not true. I'm in favor, but the city should be subsidizing this, PV for example.

Cheers
Nick

Nicholas Fiore AIA (he/him)
Desk [720 515 7749](tel:7205157749)
Mobile [434 531 6837](tel:4345316837)
nick@flowerarchitecture.com

FLOWER
[1100 Spruce Street Suite 104](#)
[Boulder, CO 80302](#)
flowerarchitecture.com
[@flowerarchitecture](#) (insta)
A Curiosity Shoppe

Houde, Lisa

From: Sugnet, Jay
Sent: Monday, January 23, 2023 4:57 PM
To: Housing Advisory Board Group
Cc: John Garnett; Houde, Lisa
Subject: FW: John Garnett :- Housing and Human Services

Dear HAB,
Below is an email we received through the city's online portal. It is directed to you.
Jay

From: No Reply <noreply@bouldercolorado.gov>
Sent: Monday, January 23, 2023 4:47 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Firnhaber, Kurt <FirnhaberK@bouldercolorado.gov>; Crowe, Elizabeth <CroweE@bouldercolorado.gov>; Sugnet, Jay <sugnj1@bouldercolorado.gov>; Morse-Casillas, Lyndsy <morsecasillasl@bouldercolorado.gov>
Subject: John Garnett :- Housing and Human Services

Preferred Form Language: English / Inglés

Name: John Garnett

Organization (optional):

Email: johne.garnett@gmail.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Housing and Human Services

Comment, question or feedback: My comments are directed towards the Housing Advisory Board recommendations. I support those proposed changes but have the following comments.

My perspective is that of a home owner who wishes to build a detached ADU to allow our son's family to live near us while we age in place. Currently, our son and his partner commute into Boulder to work.

Comments:

1. The HAB recommends increasing the allowed size of detached ADU's. I agree and suggest that "there be a relationship between lot size and ADU, particularly for larger lots." A 1000 sq ft detached ADU on a 39,000 sq ft lot is very reasonable and can house a family.

—Based on FAR we could build a 10,000sq ft home on our nearly one acre lot
—It's common in other cities to allow larger ADU's on larger lots
—All sizes of ADU's are needed to house a diverse population

2. HAB recommends simplifying the measurement of allowed square footage. I agree, and want to point out that the current regulations result in a 7-9% reduction of the actual living space. Measuring from the outside walls and counting mechanical rooms as living space further reduce the allowable living space.

3. Simplify the process for ADU approval it adds complexity to the already burdensome rules for building in Boulder. That results in additional cost and time to build. Currently, A nice, small ADU in Boulder would cost \$700 per sq/ft or more. That is prohibitive for many.

Bottom line, increase the size of allowed ADU's and simplify the process if you wish to expand the stock of this type of housing.

Thank you

John Garnett

[[FSF080521]] Submission ID is #: 1060645441

[Compose a Response to this Email](#)

Houde, Lisa

From: Ferro, Charles
Sent: Thursday, January 19, 2023 7:33 AM
To: Houde, Lisa
Subject: FW: a comment regarding proposed changes to ADU's

-----Original Message-----

From: Molly Greacen <mollygreacen@womanmedicine.com>
Sent: Wednesday, January 18, 2023 10:11 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: a comment regarding proposed changes to ADU's

External Sender

Hello friends on planning board,

Thank you for your service to our city.

I am writing to let you know that as a resident of Boulder for 45 years, I am strongly against city council's proposed changes and deregulation of ADU's. I have seen what it does in the Table Mesa neighborhood, a two story ADU looming over the backyard of my long time friends. For them, it is a disaster. The proposal would allow not just one, but two ADU's of 800 sq ft in single family low density zoned neighborhoods like mine in north Boulder. This type of increased density would make us more vulnerable to flooding and wildfires, not to mention destroying the peace and quiet of my neighborhood.

Please build multistory residential dwellings in the new East Boulder industrial area around 55th street. Leave the neighborhoods alone.

Thank you,

Molly Greacen

Conifer ct in north Boulder

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, January 17, 2023 1:48 PM
To: Houde, Lisa
Subject: FW: ADU's

-----Original Message-----

From: Kathleen Hancock <khancock@khancock.com>
Sent: Tuesday, January 17, 2023 1:14 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU's

External Sender

Dear Planning Board,

I am writing to encourage you to take a moderate approach to considering how to expand ADU development in Boulder. I am sympathetic to the goal of increasing affordable housing in Boulder. However, I also understand market rates are high in Boulder and that the best/only way to increase access to affordable housing is to require that that housing be reserved for those who meet affordable housing income requirements. Simply adding more housing, particularly in many of the highly desirable and thus expensive neighborhoods that have been zoned to be single family homes, will not bring down prices. It will increase density, create parking challenges, add traffic congestion and probably more accidents between cars and bikes, and otherwise change the neighborhoods in which people have invested hard earned income.

I note that the survey consisted entirely of (200) people who already have ADUs. While this is an important demographic to sample, it leaves out all the neighbors who might well have different opinions of how existing ADUs have worked and whether they really want to go from 20% saturation to no limit on saturation. The vote on Bedrooms are for People asked the entire city for their opinion; it was voted down. This must be taken seriously and not simply over-ridden because some elected officials had hoped for a different result.

Given the above, I would support Planning Board and then City Council approving a limited increase in ADUs - from 20 to 25% - keeping the current parking restrictions, and making some improvements to the process (such as extending the approval expiration period and removing the Unit A and Unit B addressing). I oppose the height increases; these have been a mainstay of Boulder and help keep Boulder the attractive city it is for so many. In addition, these new ADUs should be required to meet the affordable housing requirements; otherwise, you are just adding more expensive housing to Boulder.

Thank you for your consideration.

~ Kathleen Hancock

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:20 PM
To: Houde, Lisa
Subject: FW: ADU Reform

From: Betsy <bjhandco@comcast.net>
Sent: Monday, January 16, 2023 10:06 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board:

I strongly support reforming ADU regulations that make it easier for residents to create these apartments. We desperately need more housing in Boulder. We know that is true. Planning Board can help make it happen. These reforms will help (I eliminated the height variance recommendation because I'm afraid that might jeopardise the rest of the reforms):

1. Remove the saturation limit, so that ADUs are not limited to the first 20% of homeowners within a 300 foot radius.
2. Increase the permitted maximum size of ADUs, which for detached market rate units is now limited to 500 sq. ft.
3. Give owners more time than one year after a permit is issued to actually complete construction
- 4.
5. Simplify the code sections on ADUs to eliminate repetitive, wordy and confusing language.
6. Improve the process, getting rid of red tape. For example, permit a property owner to apply for an ADU permit AND a building permit at the same time

Betsy Hand

880 6th Street

Boulder

303 447-87073

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:22 PM
To: Houde, Lisa
Subject: FW: ADU Reform

From: Nina Handler <ninaasnes@comcast.net>
Sent: Monday, January 16, 2023 11:16 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board:

I hear that you are looking into ADU reforms. I live in North Boulder and would like to add my opinion.

Please remove the saturation limit. That seems unfair and also limits the amount of housing available.

Please increase the maximum square footage which is now limited to 500 square feet. I think 1200 would be a more reasonable number.

Please remove any laws that base the size of the ADU on the size of the main house. If this is true, it is totally inequitable. For example, my nextdoor neighbor has a 5000 square ft house and is allowed to build up to an additional 750 square foot detached garage with the same amount of land. My house is only 1790 square feet and I shouldn't be penalized for having a smaller house.

Thank you for your help in changing these outdated policies for our city.

Best regards,

Nina Handler Asnes
1734 Sumac Ave, Boulder, CO 80304
303-807-1963

Nina Handler
ninaasnes@comcast.net

Houde, Lisa

From: Mueller, Brad
Sent: Tuesday, January 17, 2023 8:28 PM
To: Houde, Lisa
Cc: Ferro, Charles
Subject: FW: Kimman Harmon :- Feedback on pending council action

Probably an ADU comment.

From: No Reply <noreply@bouldercolorado.gov>
Sent: Tuesday, January 17, 2023 8:15 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Meschuk, Chris <MeschukC@bouldercolorado.gov>; Davis, Pam <DavisP@bouldercolorado.gov>; Rivera-Vandermyde, Nuria <Rivera-VandermydeN@bouldercolorado.gov>; Huntley, Sarah <Huntleys@bouldercolorado.gov>
Subject: Kimman Harmon :- Feedback on pending council action

Preferred Form Language: English / Inglés

Name: Kimman Harmon

Organization (optional):

Email: kimman@kimmanharmon.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Feedback on pending council action

Direct my submission to: Staff and Council

Comment, question or feedback: Under the category of anything that can be done can be over done; please consider what you are proposing.
Could you start a little lighter?
And be a little smarter?

You want to cover every square inch of a property with buildings? Where will the moisture go?

Let's be a lot smarter about all of this.

Slow down and think about who will truly benefit from all this....not the renter, that's for sure.

[[FSF080521]] Submission ID is #: 1058477348

[Compose a Response to this Email](#)

Houde, Lisa

From: Ferro, Charles
Sent: Wednesday, January 25, 2023 8:45 AM
To: Houde, Lisa
Subject: FW: ADU changes

From: rmheg@aol.com <rmheg@aol.com>
Sent: Tuesday, January 24, 2023 8:23 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU changes

External Sender

I am deeply concerned about the proposed changes to ADU's in city of Boulder. I am concerned with the huge size of ADU's and multiple ADU's being allowed on one property. Deeply concerned with the removal of current requirements for maintaining percentage of property not being developed vs buildings allowed. The current size of ADU's proposed are the size of my house!!! Not an ADU! My house!!! What is going to happen with flooding? wildfires ?? with these densely packed neighborhoods? Look at Louisville and Superior!! My neighborhood is already densely packed. It cant handle any more. It cant handle more cares, more noise, more pollution. Boulders solution to pack our neighborhoods while ignoring housing projects such as Millennium which would have been a great mixed housing for affordable/seniors etc but was sold and approved for CU high end non affordable housing is so disappointing. Boulder will only ruin itself if we keep packing people it, but have no cap on CU students- we build more housing and CU will keep filling it up... Why dont we have any talks about mass transit. We have missed so many opportunities - letting developers pay in lieu vs building affordable housing! These changes are just more pieces leading to destruction of any quality of living in Boulder.

Rosemary Hegarty PT, APT,CCRT
303-499-4602 office
rmheg@aol.com
www.rosemaryhegarty.com

1.16.2023

Dear Planning Board Members,

I am writing in support of changes to the current ADU policies. ADU provide an opportunity for more affordable housing and we need more housing opportunities in Boulder. I have lived and worked in Boulder for the last 53 years and have seen many changes. The one issue that continues to be a problem is affordable housing. I have many friends who have moved out of Boulder because they couldn't afford it. The majority of my friends who had to move are people of color, thus making Boulder an even "whiter" community. This makes me very sad. There are solutions to these problems.

I live in and own a duplex that is an older house. I would love to be able to apply for an ADU. It is my understanding under the current rules, I am not allowed to build an ADU. I have a sufficient size lot and should be able to build an ADU. I think we need to eliminate the saturation level for a neighborhood to have ADU's. I realize initially people were concerned about everyone wanting to add an ADU but that hasn't turned out to be the case.

It would be nice if the City of Boulder could eliminate some of the red tape in applying for an ADU. The code could eliminate repetitive wording, confusing language. I don't see any good reason why an applicant couldn't apply for an ADU and a building permit at the same time. It would make it so much simpler.

In addition, I think it would be good to be able to build more than 500 sq. ft. in an ADU. I would suggest up to 1000 sq. ft. per unit. If you wanted to differentiate between a market rate and a unit that is affordable, you could make the market rate one under 1000 sq. ft. I don't believe there needs to be a limit on the lot size to build an ADU.

These are simple changes to the current rules that would make it easier to build an ADU and help ensure more affordable housing. I appreciate your consideration of changing the rules to make more opportunities for affordable housing.

With appreciation,

Janet Heimer

2216 Bluff St.

Boulder, CO

Houde, Lisa

From: Mueller, Brad
Sent: Tuesday, January 17, 2023 7:24 AM
To: Houde, Lisa
Subject: FW: ADU Reform

From: JONATHAN HONDORF <jonathanhondorf@aol.com>
Sent: Tuesday, January 17, 2023 1:43 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Fwd: ADU Reform

External Sender

Sent from my iPhone

Begin forwarded message:

From: JONATHAN HONDORF <jonathanhondorf@aol.com>
Date: January 16, 2023 at 10:50:48 AM MST
To: planningboard@bouldercolorado.gov
Subject: ADU Reform

Dear Planning Board:

Thank you for reviewing our draconian ADU code.
I have studied the ADU codes in LA and ours are
In need of a change.

I was the last to receive an ADU on my area and let me tell you this has not been an easy process.

People harass me because

1. They can't get one in
2. I rent to minorities
3. I'm elderly

There should be no restrictions on the amount in neighborhoods allowed.

1. So people don't get harassed
2. There's a housing crisis
3. It's more sanitary due to Covid to have separate kitchens baths and units.
4. Allow More than 3 unrelated to live together
 - A. Because since birth control big families dont

Live in our ridiculous fifties housing stock. While during the 50's most homes had 5-6 persons mine had 7. My neighbors had 9. Our infrastructure can handle this.

5. ADU's allow homes to be repurposed ,upgraded to the new Energy efficient IBC codes
6. Allow affordable rent units priority.
7. Promote minority rentals .

8. Allow more than one year to build the ADU because it's a confusing expensive process and most contractors are very busy.
9. Combine the permitting with the ADU approval process and the rental licensing . I think this will help staff and the applicants.

I'm excited that you are reviewing this.

Finally use it or lose it! If the applicants hoard the ADUs and don't use them they forfeit the unit. Because many are not even using the ADUs they are hoarding them to create value in their homes

Thank you
Elizabeth Hondorf
Former BOZA chair

Sent from my iPhone

Houde, Lisa

From: Elizabeth Kois <lizrobb@me.com>
Sent: Tuesday, January 17, 2023 9:34 AM
To: boulderplanningboard
Subject: ADU's

External Sender

I am writing this letter opposing the idea of Boulder allowing 3 ADU's per household lot. This is way too big an allowance and feels much like throwing gas on a fire. Allowing one ADU per owner is reasonable. However, not a cart blanc! Clear rules on setback specifications, height restrictions and architectural lighting and aesthetic considerations required. Tripling the allowance would negatively impact Boulder in ways that the city nor county of boulder is prepared nor equipped to handle. We will trade out walkable, welcoming neighborhoods where natural landscapes and greenery meet the eye for a landscape of parked cars, built out spaces, clogged roads, noise and neighbor stress and conflict. The idea that this huge increase will help low income housing is unfounded. ADU's will not house low income families, nor any of the homeless addicts on the street. They will become an income boost for the property owners who will prefer to house new hires of high paying tech jobs and college students who's parents will pay ridiculously high rents. Remember the majority of these students won't be paying taxes nor voting for all of the trickle down issues and expenses generated by a surge of population.

Slow, controlled growth is the intelligent way to handle the housing issue. There is a reason this is a desirable place to live. I suggest that the entire board as well as the entirety of city council be required to read Paul Danish's proposals and plan. I am very thankful for the forward thinkers that saw what would be lost and never recovered if conservative parameters were not established. Your leadership must bear wisdom and grit and hold our ground so to not destroy all the reasons we all live here. I am not an elitist. I am for a Healthy community that blends all ages, incomes, professions, ethnicities and families. As I drive into Boulder via east Pearl, I feel angry by the ugly, cheap, un-welcoming hard scape that greets us now. My God, they blocked the flatirons view from Pearl Street?! This town has been hijacked by outside money and it's greed. How can any of those who were elected to be gaurdians for this paradise look in the mirror? I am heartbroken by the direction this council has moved. I hope and pray that you all will fight for ideas that help balance the population. And that you will keep your focus on being good stewards of this beautiful place. Encourage creativity in the process and fight the temptation to "take- the-money" way out.

Back to the main point of this letter, Let's all experience the implications of "just One" ADU. I know we will all be very glad we held the reins.

PS- let's clean up our town! More pressure on the state to provide a treatment/rehab center for addicts! You don't fix that problem, we won't need more housing.

Sincerely,
Liz Kois

Sent from my iPhone

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:19 PM
To: Houde, Lisa
Subject: FW: ADU Reform

From: Bogdan Lita <optoengineer@gmail.com>
Sent: Monday, January 16, 2023 9:44 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board:

I support increasing the density of allowed ADU for each neighbourhood, allowing the parking on the street and allowing mods to the building code to enable taller units.

I also think the city should partner with one of the prefab manufacturers so that owner cost will be decreased and the building permit is simplified. For example, Simple Homes or any others.

Regards,
Bogdan Lita
5477 Blackhawk Rd.
Boulder

Houde, Lisa

From: Ferro, Charles
Sent: Monday, January 23, 2023 1:11 PM
To: Houde, Lisa
Subject: FW: Andrew Lowell :- Planning and Development Services

From: No Reply <noreply@bouldercolorado.gov>
Sent: Monday, January 23, 2023 12:46 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Pannewig, Hella <Pannewigh@bouldercolorado.gov>; Ferro, Charles <FerroC@bouldercolorado.gov>; Stafford, Edward <StaffordE@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>
Subject: Andrew Lowell :- Planning and Development Services

Preferred Form Language: English / Inglés

Name: Andrew Lowell

Organization (optional):

Email: andrewclowell@gmail.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Planning and Development Services

Comment, question or feedback: ADU Study Session

I see that the council will engage in a study session this week around decreasing ADU densities in neighborhoods as well as increasing size limits and occupancy of these ADUs.

I have been a resident of Martin Acres for 15 years now and I purchased my home because of the low density zoning in the neighborhood. I am protesting the idea of more density within our neighborhoods, they are not built for this. As city council, you are constantly forgetting about residents that have lived here for a long time and are only focusing on how you can jam more people into this town and drive all current residents out with increased taxes.

Again, I formally protest any changes to ADU laws and zoning changes within my neighborhood, Martin Acres. The people spoke with voting down "Bedrooms for people" and you seem to have not listened to them and are just looking at other back door methods to get the same thing. Stop. You are only inviting more crime, higher taxes, and decreases in quality of life for all residents.

[[FSF080521]] Submission ID is #: 1060542351

[Compose a Response to this Email](#)

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 9:24 PM
To: Houde, Lisa
Subject: FW: Concerns about eliminating ADU regulations

From: MANA Steering Committee <manasteeringcommittee@gmail.com>
Sent: Monday, January 16, 2023 7:19 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Cc: Jan <janalan80305@gmail.com>; porath005@earthlink.net; Bennett Scharf <bjscharf@centurylink.net>; Dorothy Cohen <dorothy_cohen@q.com>; Mike Marsh <mgmarsh1@juno.com>; ronma <ronma@rockymountainmoggers.com>; LisaMarie Harris <lisamarieharris@hotmail.com>
Subject: Fwd: Concerns about eliminating ADU regulations

External Sender

Dear Boulder Planning Board:

In advance of your Jan. 17 meeting, we're sharing the concerns we've heard from our neighborhood residents about the proposed de-regulation of ADUs. Allowing density to increase from one to three (or even two) dwelling units per lot will have very negative consequences in the four CU-adjacent neighborhoods of Martin Acres, Uni Hill, Goss Grove, and East Aurora. Ditto for eliminating the off-street parking requirements. That's because our four neighborhoods are already under much greater strain than many parts of the city, due to our very high percentage of student rental houses.

Our comments can be summarized under five major headings:

1. Boulder's four CU-adjacent neighborhoods are already under much more impact than most of Boulder, due to our very high percentage of student rental houses. We are close to the tipping point of livability, as is. This ADU proposal may well push us past the tipping point. As such, we request specific carve outs for the four CU-adjacent neighborhoods. Specifically, that current ADU saturation limits are maintained for our four neighborhoods. If City leaders don't understand why we're asking this, they might consider trying to live in one of our neighborhoods for a month, preferably at beginning of a semester, when nightly student parties are at a maximum. One will understand then. In addition, 800 to 900 sq ft ADUs are larger than many of the original houses in our neighborhoods. (It's not an accessory unit, when it's larger than the principal unit.)
2. Boulder already has much better ways of creating affordable housing. Increase those. \$1650/month for an "affordable" ADU is a falsehood, when the average going monthly rent per bedroom is \$1,000/month for shared rental houses...which is, by far, the normative case for Boulder renters. Nearly every renter we know, including ourselves earlier in life, lived in shared rental houses in Boulder. We know of no one who could afford the privilege of a private apartment with a private kitchen and private bathroom. So we ask: Why is \$1650/month considered affordable, when the actual experience for 98% of Boulder's renters is shared rental houses or apartments, at \$1,000 per bedroom?
3. Increased risk of flooding: Three, or even two, ADUs per lot will greatly exceed Boulder's current "maximum surface coverage" law that dictates that roughly 75% of a residential lot cannot be built on, but instead must be maintained as "permeable surface" to absorb extreme rainfall and flood risk events. We are very surprised the City would be seriously considering increasing flood risk by decreasing our permeable surfaces. Houston, TX flooded so badly because, in the

face of little to no building regulations...practically every surface was built on, with virtually no remaining permeable surfaces. Why would Boulder go down that same road?

4. Increased risk of urban wildfires: Housing density was cited as a main reason for the severity of the Marshall fire, both in terms of how quickly it spread, and the damage to property and life. Again, we are very surprised that the City of Boulder would be considering a change that could potentially triple or double Boulder's residential density. We are even more vulnerable than Superior and Louisville, because unlike those cities, our residential areas directly abut the foothills forests. Why would Boulder increase its risk of urban wildfires?

5. Consider that Austin, TX, passed a high occupancy unit (HOU) law that greatly increased neighborhood density. It pushed neighborhoods, particularly those near the University of Texas "past the tipping point" (quoting from Austin's report, to which we give you a link, below). Austin saw a mass exodus of families from neighborhoods, something that in Boulder will further erode our already diminishing public schools. Families with children don't want strangers living in their backyard. If you want to preserve public school enrollment and keep Boulder's families, you need to make neighborhoods more family-friendly. This ADU law is the opposite of family friendly. It's landlord and developer-friendly...not so much for families which typically want privacy in their living arrangements. Note that **Austin quickly repealed its HOU law**, because of all the unforeseen problems and unintended consequences it created. Can Boulder learn from the failed experiments of other cities, or will it repeat them?

Please see below, for elaborations on these points.

1. Boulder's four CU-adjacent neighborhoods:

We're not sure if the City fully appreciates how much more challenging day-to-day life already is, in our four neighborhoods (Martin Acres, Uni Hill, Goss Grove, East Aurora). Due to our proximity to CU, our neighborhoods have very high percentages of rentals, particularly student rentals.

Even without this proposed ADU density increase, we already struggle with exponentially more daily quality of life issues: noise, congestion, much greater daily churn (loud comings and goings at all hours of the day and night), trash, and parking issues. Until you have lived in a predominately student-rental neighborhood, you likely under-appreciate how many more issues we struggle with, daily.

We're familiar with many quiet, stable Boulder neighborhoods in which perhaps only 5% to 10% of the homes are rentals, and those rentals tend to be families and professionals rather than students. Such Boulder neighborhoods might be able to withstand more infill and density-related stress, without being pushed past a tipping point. That's not the case for us.

Our neighborhoods are widely known as "targets of opportunity." So investors know they'll have high demand for whatever they develop here, due to our proximity to CU, and they'll reap large profits as a result. So we're always first in line, and we're often (almost exclusively) the deployment ground for the City's densification plans like ADUs, co-ops, etc.

Our request: Maintain ADU limits in the four CU-adjacent neighborhoods:

We request in the strongest possible terms a regulatory carve-out for our four neighborhoods, in which a saturation limit of one (not two) ADU projects every 200 feet be maintained. That's conceding some density. We also request that the off-street parking requirement be maintained because of parking problems many parts of our neighborhoods already experience.

Additionally, we respectfully request that the City not suggest that if we have issues with noise, trash and parking, that we "just call Code Enforcement." For those of you who aren't cast into the unfortunate position of having to regularly utilize enforcement, we assure you that is not at all a successful or satisfactory option. That is a myth. Contacting Code Enforcement is almost totally ineffective. Boulder's deeply flawed "complaint-based system" forces the burden of proof

onto the victims. We are told that we must document, photograph, find the source of noise ourselves, create logs of incidents, etc. None of us wish to spend our lives that way. We are not (nor do we wish to become) investigators, detectives or prosecutors, such as Boulder's current complaint based code enforcement requires.

Instead, a far better strategy would be to maintain guardrails to prevent problems from developing in the first place, rather than trying in vain to fix them on the back end. Please recognize that if you don't take steps to prevent it, the ADU ordinance, like others before it, will take the form of additional "piling on" to the neighborhoods least able to handle more impacts.

2. There are better ways of creating affordable housing; please utilize them instead.

We feel that ADUs do not represent a significant increase for affordable housing, at \$1,650/month when 98% of Boulder renters are paying \$1,000/month per bedroom in shared rental houses or apartments. We strongly feel that the City should instead **increase the required percentages of inclusionary housing in new residential developments, and increase linkage fees for new commercial developments**. Both policies directly and irrefutably create true affordable housing, while ADUs don't. We don't understand why the City would ignore these indisputably successful, surgical tools, but instead be so eager to further compromise neighborhoods that are already near the tipping point.

\$1650/month rent for an "affordable ADU" is not at all affordable, compared to the \$1,000 per bedroom average going monthly rent in shared rental houses. A quick craigslist search reveals many 3 bedroom rental houses in Boulder renting for around \$3,000/month, or \$1,000 per person. We, and everyone we know in Boulder, lived in shared rental houses earlier in our lives. We don't know anyone who had the money to enjoy the privilege of private kitchens and bathrooms, such as a private ADUs and private apartments provide. So we don't understand why \$1650/month is considered affordable, and the City is prepared to grant concession after concession for them, when the normative renter experience in Boulder (by far) is \$1000 per bedroom.

3. Conflict with Boulder's "maximum surface coverage" law:

Boulder currently has a very worthy, intelligent requirement that only approximately 25% of the surface area of a residential lot can be built upon. This is so that 75% of the yard is maintained as "permeable surface" that can absorb water from severe rainstorms and potential flood events. Already, a 1,000 sq ft house + a driveway + a backyard shed or two + a backyard patio = about 25% of the lot. How will 3 houses on a lot not vastly exceed Boulder's current maximum surface coverage law?

4. Increased risk of urban wildfires:

Recall that the Superior Fire Marshall attributed "housing density" as one of the leading causes for the Marshall "urban wildfire" - both its severity, and how quickly it spread. As such, it seems foolish to allow, as this ADU proposal would, a tripling of density in all neighborhoods in Boulder - a town with much more of an urban/forest foothills interface, compared to Superior and Louisville.

In closing: A sobering, cautionary tale from the City of Austin, TX:

Around the year 2010, Austin, TX passed a "city-wide" law known as the High Occupancy Unit (HOU) ordinance. As the following summary shows, actual HOU deployment wasn't anything approaching city-wide. HOU's coagulated and concentrated in the already-beleaguered neighborhoods closest to the University of Texas. The effects on those neighborhoods were devastating, leading Austin to repeal its HOU ordinance just a few years later. Can Boulder learn from history, and other cities' mistakes, or are we condemned to repeat those mistakes?

In particular, Austin's experience regarding loss of families (which we're also seeing in Martin Acres, as quality of life deteriorates each year) speaks directly to Councilman Benjamin's publicly-stated concern over decreasing BVSD enrollment in South Boulder. To quote the Austin report:

(Austin report): “...**today, our community is losing a most important component of that diversity: its families.** This loss is already complete in areas zoned and thought protected for single-family use. It may be irreversible, and many areas have reached the tipping point. **The trend began near the campus...**”

“**Single family uses** in the 78751 zip code, most particularly the Northfield Neighborhood, **have been devastated. HOU’s have placed many of their blocks beyond the tipping point of recovery.** Northfield has experienced the brunt of conversions of buildings to High-Occupancy Units (HOU), and **the disappearance of families, long term renters, and the historically contributing structures** they once lived in.”

“Based on rents published in listings, **HOU’s have not created household affordability for the people who rent them,** nor as a class, have they delivered meaningful supply to the market to reduce rents elsewhere. Conversely, HOU’s have increased the prevailing rents on a per-person basis, compared to rents in denser multi-family uses and less restrictive zoning districts.”

“**When HOU structures reach a tipping point in an area, family flight accelerates.** These areas become a street with **yards that are not maintained, parking that is inadequate, and a monoculture that lacks social cohesion and continuity.**”

Link to the full Austin report is here:

https://centralaustincdc.org/fair_affordable_housing/Family_Displacement_in_Central_Austin.pdf

Thank you for considering our earnest requests and deep concerns regarding ADU de-regulation.

The Martin Acres Neighborhood Association steering committee

Jan Trussell
Bob Porath
Dorothy Cohen
Bennett Scharf
Mike Marsh
Ron DePugh
Lisa Harris

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:22 PM
To: Houde, Lisa
Subject: FW: ADU update

From: Kurt Nordback <knordback@yahoo.com>
Sent: Monday, January 16, 2023 10:55 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU update

External Sender

Dear Planning Board,

I'm writing in regards to your discussion tomorrow night of proposed changes to the city's ADU regulations. As you see in your memo, at a series of meetings HAB has discussed extensively how to encourage more ADUs. HAB's proposal is a well-thought-out suite of reforms that would make it easier and cheaper for Boulderites to create ADUs, which would increase our supply of moderate-price housing at zero cost to the city and simultaneously make it easier for homeowners to afford rising taxes and insurance.

On Staff's recommendation, City Council elected not to include HAB's full set of proposals in this phase of the project. I want to encourage you to recommend that all of the HAB proposals be incorporated into these reforms. The proposed code changes (eliminating the parking requirement, eliminating the lot-size minimum, and modestly increasing allowable ADU sizes) are straightforward and don't require any additional study. Creating pre-approved plans obviously would take some time, but we should start on it now.

There's no good reason to delay. Please urge Council to incorporate all of HAB's -- really very modest -- suggestions into this project.

Thank you.

Kurt Nordback

Houde, Lisa

From: Emily Reynolds <emily2reynolds@gmail.com>
Sent: Tuesday, January 17, 2023 9:39 AM
To: boulderplanningboard
Subject: ADUs NO!
Attachments: IMG_0512.JPG; IMG_0933.jpeg

External Sender

Hello Planning Board,

Presto change-o! Cha ching! Your view and mine can be taken over this same way. No view of the weather coming in, no mountain views, no afternoon sunshine in one of Boulder's earliest solar homes.

A worker on the monstrosity to the west asked if he could work from my side of the fence during construction because he **couldn't open his ladder** in the 3-foot space left. Of course the owner (from Pennsylvania) installed a toilet before that was legal. Of course he pretended it was an office when that was the only allowed use. Of course he lied to neighbors saying he was building a 10 x 12 shed. Of course he doesn't live on the property. And of course he has made radical changes to the appearance of the historic home on the lot altho that too is illegal.

Please check the attached pix to get an idea of the wanton destruction caused by people like your own ml robes, who clearly represents a **conflict of interest**.

Can you guess which attached picture was before and which one was after?

Before ADU:

After ADU:

So sad what Boulder has become! How sad that Planning Board won't protect Boulderites from out-of-state, out-of-mind developers!

Sincerely, Emily

Houde, Lisa

From: Mueller, Brad
Sent: Tuesday, January 17, 2023 9:34 AM
To: Houde, Lisa
Subject: FW: Destruction of Neighborhoods via ADUs

From: Emily Reynolds <emily2reynolds@gmail.com>
Sent: Tuesday, January 17, 2023 8:21 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Destruction of Neighborhoods via ADUs

External Sender

Dear Planning Board,

I am writing today about the destructive move to densify every neighborhood in Boulder with more and more and more ADUs. I am adamantly opposed to this move. You got all that nasty stuff at 30th & Google and countless massive new developments all around town. Now you need to further degrade our established neighborhoods in search of more money for developers and greedy landlords, along with higher housing prices? Let's not pretend this will help chip away at Colorado's housing shortage. In case you missed it, this would be the third and most ghastly relaxing of regs for ADUs within a few years. Please do not allow this!

Also, it is critical to note that Board member ml robes has a clear and obvious CONFLICT OF INTEREST being a developer of ADUs and should NOT be allowed to vote on an issue that clearly benefits them personally. Please do not allow this travesty!

Please do the right thing instead of mindlessly approving yet more development. You're destroying what used to make Boulder special.

Thank you, Emily
Emily Reynolds
2030 Mesa Drive, Boulder, CO 80304

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:21 PM
To: Houde, Lisa
Subject: FW: ADU Reform

From: Paul Anthony Saporito <saporitoarchitects@gmail.com>
Sent: Monday, January 16, 2023 10:20 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

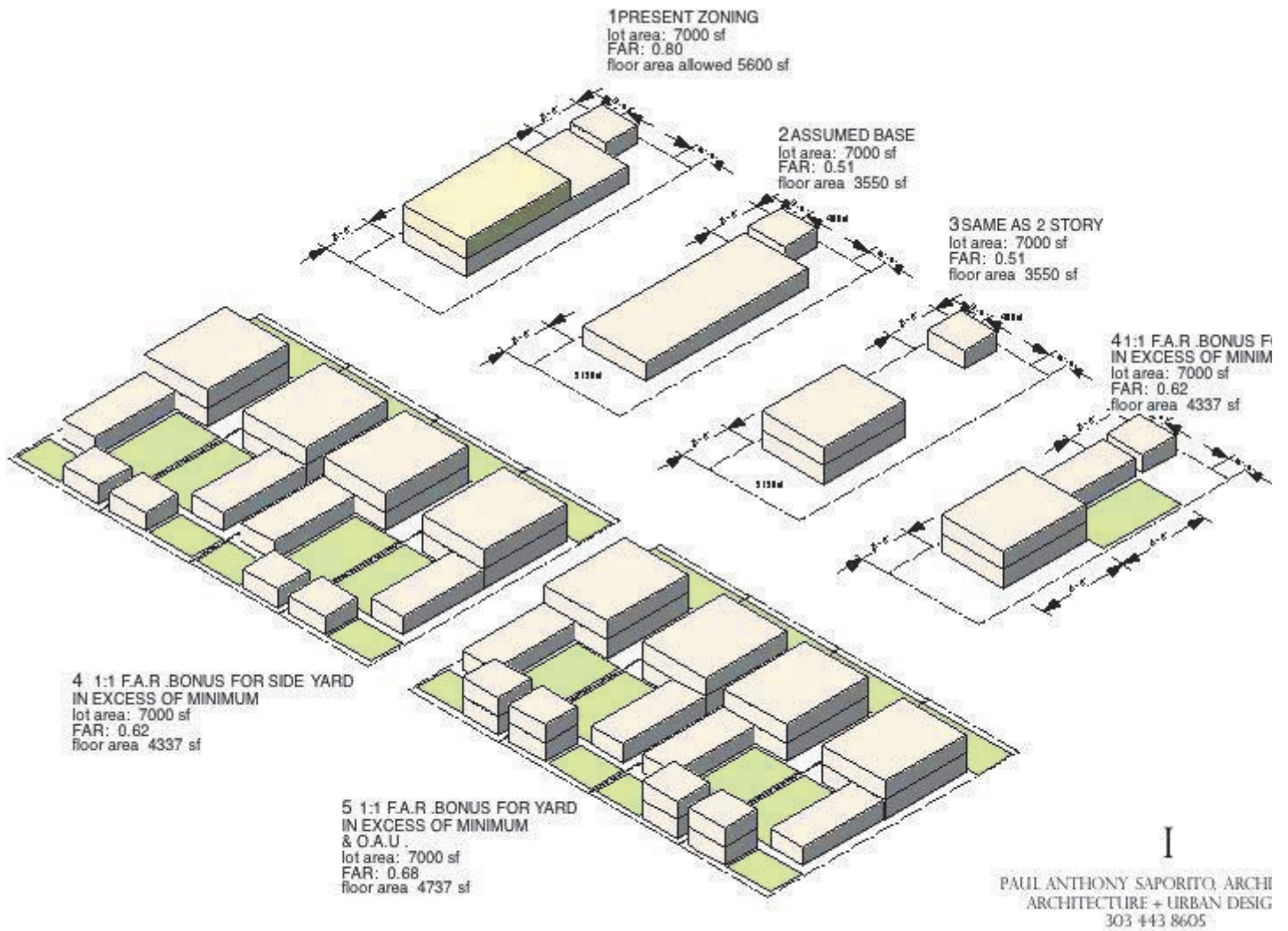
External Sender

Dear Planning Board:

I write in support of proposed modifications to the current ADU regulations. These reforms will address the inequities and challenges facing the supply of available housing within the city, and create alternatives to continued suburban sprawl.

To those concerned about the negative perception of greater densities, please consider linking additional units with meaningful urban spaces, the courts and semi private yards at the interior of blocks. As shown in the attached image, 2,3 or even 4 units on a lot can contain such spaces. You might also refer to the book "Courtyard Housing in Los Angeles " by Tice, Sherwood, and Polyzoides.

Thanks for your consideration,
Paul Saporito



Sent from my iPhone

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:20 PM
To: Houde, Lisa
Subject: FW: 8 Benfits of updating ALL staff recommended ADU changes

From: Jerry Shapins <jshapins1@gmail.com>
Sent: Monday, January 16, 2023 10:04 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: 8 Benfits of updating ALL staff recommended ADU changes

External Sender

Dear Planning Board:

Of coarse you should approve ALL of the recommended changes to the ADU regs. Why?

1. To strengthen and deepen the demographic , neighborhood and housing complexity and supply throughout the city.
2. To provide and encourage more affordable, smaller and more sustainable housing choices.
3. To reduce wasted urban land.
4. To provide citizen a means to additional personal income.
5. To encourage more rapid implementation of increased housing supply.
6. To offer a way for seniors to age in place by allowing a place to build a ground level bedroom, a caregivers bedroom, or a temp home for relatives.
7. To reduce the frustration and costs of using the existing regs.
8. To encourage creative and surgical land development.
9. To make the ADU regs proactive!

Thank you so much for considering these ideas!

With Appreciation,

Jerry Shapins

--

Jerry Shapins, ASLA Emeritus 644 Dewey Avenue Boulder, Colorado 80304 Tel 7208396280
www.jerryshapins.tumblr.com Art /Design /Advocacy

Houde, Lisa

From: Ferro, Charles
Sent: Wednesday, January 18, 2023 4:17 PM
To: Houde, Lisa
Subject: FW: ADU Reform

-----Original Message-----

From: Ellen Stark <starkellen@gmail.com>
Sent: Wednesday, January 18, 2023 3:44 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board: i support A.D.U's. First because it can provide affordable housing for people within established neighborhoods. Secondly, because it enables people whose children have moved out to be able to remain in their homes. It has been wonderful for me and there has been no complaints from neighbors and the young couple living in the ADU are very happy.

Yes to ADU's.

Thank you,
Ellen Stark

Sent from my iPad

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:20 PM
To: Houde, Lisa
Subject: FW: ADU Reform

-----Original Message-----

From: Isaac Stokes <isaacstokes@gmail.com>
Sent: Monday, January 16, 2023 10:00 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform

External Sender

Dear Planning Board:

Please adopt all 6 of the potential measures to loosen and encourage more ADUs.
Meet need more housing. Period.

Thank you,
Isaac Stokes
457 Pearl St

Sent from my iPhone

Houde, Lisa

From: Mueller, Brad
Sent: Monday, January 16, 2023 7:20 PM
To: Houde, Lisa
Subject: FW: ADU Reform - Support the quickest, most comprehensive changes possible

From: Vida Verbena <islandlark@gmail.com>
Sent: Monday, January 16, 2023 10:17 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU Reform - Support the quickest, most comprehensive changes possible

External Sender

Dear Planning Board,

Greetings and thank you for your service! I wanted you to hear from someone who is:

- from Boulder (born and raised)
- rented over 20 houses and apartments here (including ADUs) between 1980-2009
- owned a mobile home/rented land here 2009-2015
- now owns a single family home (without an ADU) in East Aurora, one of the few neighborhoods with a healthy mix of family, student rental, and elderly homeowners in Boulder.
- is supporting aging parents in Boulder, who would benefit from being able to move into an ADU (ours or another)
- would love to have an ADU that we could earn rent from to supplement the insane costs of homeownership

We would heartily support our neighbors or us — every house on the block, even! — to be able to build ADUs of any size that fits on their lot (not limited to 500 sq ft).

Please do:

1. Remove the saturation limit, so that ADUs are not limited to the first 20% of homeowners within a 300 foot radius.
2. Increase the permitted maximum size of ADUs, which for detached market rate units is now limited to 500 sq. ft.
3. Give owners more time than one year after a permit is issued to actually complete construction
4. Provide a route by which a property owner can get a height variance on an ADU if there is a difficult condition or lot.
5. Simplify the code sections on ADUs to eliminate repetitive, wordy and confusing language.
6. Improve the process, getting rid of red tape. For example, permit a property owner to apply for an ADU permit AND a building permit at the same time

Thank you!

E & B

Houde, Lisa

From: Mike Marsh <mgmarsh1@juno.com>
Sent: Thursday, January 19, 2023 12:04 PM
To: Houde, Lisa
Subject: ADUs

External Sender

Hi Lisa,

Thanks for your note. First, I should clarify: My predominate interest is simply having a good, accurate, non-biased 360 degree perspective on the ADU question, before the community dives into it. I always believe in this, whether I am for or against something. I am not so much taking a position about ADU saturation limits (I'm still evolving thoughts about it), as much as I'm just wanting us to start from an accurate, unbiased reference point.

I remain curious why you don't mention all the U.S. local jurisdictions that don't allow any ADUs at all. There are literally hundreds of towns across broad stretches of the U.S. that take single family zoning very seriously, and its definition of one dwelling unit per lot. Your email below asks about cities that have limitations on ADUs. My answer is that there are hundreds of such communities that have a 100% limitation on ADUs...that is, they allow none. That is a very strict limitation on ADUs. I don't advocate, or agree with, totally banning ADUs, but it's factual to say that such a limitation exists in many US communities. Why you totally omit this fact, has become a curiosity to many. It doesn't feel like good science to selectively omit relevant facts.

I, and many others I've spoken with, feel that your introductory slide, whether consciously or not, produced a "sensationalist, screaming headline" via the opening bullet point that no other community has ADU saturation limits. The truth is, most of the lay public doesn't track this stuff closely. So your opening slide very likely produced a false perception that Boulder is some type of extreme outlier...perhaps that no other community in the U.S. limits ADUs, or has such a discriminatory policy against ADUs.

And that's far from the truth. Many other communities have other ways of limiting ADUs. And hundreds don't allow them at all. So the truth is, Boulder is somewhere in the middle to progressive end of the ADU spectrum, because we do allow them. But the lay public would never know that, from your opening slide. That's why people are concerned about it.

You can see the fallacy of the way the search has worked so far: When you google "ADU saturation limits," your search by definition only includes cities that allow ADUs, but restrict them in some way. However, that's not what you write below. You ask us to find cities that have limitations on ADUs...and the answer is there are literally hundreds of communities which limit ADUs so severely that none are allowed at all. That still comports with the definition you have stated - a limitation on ADUs. Other have annualized saturation limits. Being transparent to the public about these points would get our city out of this counterproductive hair splitting, in which many residents are unfortunately being led to believe that no other cities limit ADUs.

For example, I think it would serve the community much better, and it would be far more accurate, for the opening slide to say something like this:

- Some cities limit ADUs in various ways. We'll explore some of those.
- Some cities and towns don't allow any ADUs at all.
- While we couldn't find an exact replica of Boulder's ADU saturation limit, we found several examples of annualized saturation limits.

The above would produce the following benefits: 1) It's accurate and provides a more 360 degree perspective on the question. 2) It doesn't put a "spin" on the ADU question...a conscious or unconscious effort to "set up" the community to be "outraged:" about Boulder's "outrageous and unparalleled" anti-ADU policies, and 3) It would inform the public that there's a spectrum on how communities treat ADUs, we're somewhere in the middle, given that many communities don't allow any ADUs.

I believe that we are getting hung up on semantics, and staff are unnecessarily splitting hairs by restricting analogies to the the strictest definition possible. For example, your team seems to feel there's an incredibly significant difference between "annualized" saturation limits (# per year) and an "absolute, gross total #) saturation limit. But I don't think the community sees a huge difference. The people I've spoken with look at a city with an "annual" saturation limit and say, yes, that's a saturation limit, and we'd be interested in it. Psychologists say that one of humans' problems with change is not just the size, scale and appearance of change...but also the pace of change, i.e., how quickly it's happening. An annualized saturation limit allows ADUs, it simply manages the pace at which they're built. Which in turn doesn't overwhelm people with the rate or pace of change.

I and many others feel it's really splitting hairs, and rather opportunistic or even deceiving, to say there are no comparable examples, simply because they don't precisely match Boulder's. That's not the interest of most people. Most (understandably) simply seek something to manage the pace of change so that it's not too much, too soon. When we see an annual saturation limit, we still consider that a saturation limit.

By the way, the "Carr Amendment" that previous Boulder City Attorney Tom Carr proposed for the 2015 or 2016 co-op ordinance would have limited the number of new co-ops per year, in the four CU-adjacent neighborhoods. We were supportive of that annualized saturation limit. I don't know anyone who split hairs and complained that it was an annualized saturation limit rather than a gross total saturation limit. So we don't understand why City staff now refuse to consider an annualized saturation limit to be a saturation limit. It absolutely is...just on an annualized basis.

Thanks,
Mike

On Jan 18, 2023, at 12:03 PM, Houde, Lisa <HoudeL@bouldercolorado.gov> wrote:

Mike,

Thank you for reaching out with these concerns. While certainly there are many ways that cities choose to regulate ADUs, we have been unable to find any other city that uses a saturation limit for ADUs in the same way that Boulder does. We very much appreciate the work that yourself and others have done to find other cities with the same type of limit, but the examples provided differ in important ways as outlined below. If you discover other cities that have limitations on ADUs, either similar or dissimilar to Boulder's saturation, please let us know. We will also continue our research as well.

Boulder's saturation limit sets a radius of 300 feet from the subject parcel in the RL-1 and RL-2 districts, within which only 20% of properties may have an ADU, coop, or nonconforming multi-unit property. This saturation limit exists in perpetuity unless a neighbor officially removes their ADU and thus the saturation of the neighborhood is reduced. If an area exceeds the saturation limit, an owner may choose to be placed on a waiting list in case a neighbor ever removes their ADU, coop, or nonconforming multi-unit property. Below are the other examples we've investigated that have been cited by community members:

1. **Chicago** - Chicago only recently adopted ADU regulations and is currently in a pilot program that began in 2021. For this pilot program, they've identified 5 different areas of the city that they are initially allowing ADUs within. In three of those zones, they are indeed allowing 2 ADU permits per block, per year. The important difference here is that the limit is reset every year, so it is not a saturation limit like Boulder's but rather a limit of the number of permits that can be issued per year. Owners would need to only wait until the next year to apply for an ADU; they would not be precluded in perpetuity from pursuing an ADU based on their neighbors' status. Additionally, this is a temporary pilot program as this is Chicago's first attempt at allowing ADUs, while Boulder has allowed ADUs since 1983. A few other notes about Chicago's ADU ordinance: Chicago actually allows more than one ADU per lot (while Boulder limits to only 1/lot), and allows ADUs to be established on lots with more than one parcel (where in Boulder an ADU may only be placed on a lot with a single-family home). Chicago does not require any additional parking for new ADUs, where Boulder requires 1 space for the ADU plus the requirement for the principal home.
2. **Provo, Utah** – This is quite different as it is a district-level exemption in response to state-mandated requirements to allow ADUs. While the state mandates that all Utah cities must allow ADUs, in college towns with large student populations, cities may prohibit ADUs in up to 67% of the land area zoned for residential use. While this is a restriction on where ADUs may be located, it is not a saturation limit. There is no maximum number of ADUs within a specific radius – in the 33% of land zoned to allow ADUs, there is not a set limit on the number of ADUs that may be established within a specific area. In that way, it is quite different from Boulder's saturation limit.

Thanks again for the input and please let us know if you find other examples. City Council has directed our department to make changes to the ADU regulations to encourage more housing options and solicit feedback on the ideas to change the code. We understand that some residents are opposed to additional ADUs or oppose the removal of the saturation limit, so we will convey that feedback to City Council at our study session next week and throughout the duration of the project.

Lisa Houde, AICP
Senior City Planner

<image001.png>

O: 303-441-4234

houdel@bouldercolorado.gov

Planning & Development Services Department
1739 Broadway, 3rd Floor, Boulder CO 80306
bouldercolorado.gov

Houde, Lisa

From: Mike Marsh <mgmarsh1@juno.com>
Sent: Thursday, January 19, 2023 4:56 PM
To: Houde, Lisa
Subject: Other cities' examples of ADU policy

External Sender

Hi Lisa,

To answer your question, below are some examples that people I've worked with have found. Understand...this is not our profession. We have professional responsibilities totally unrelated to these things. But when many of us first heard you make the sweeping statement that saturation limits don't exist anywhere else in the U.S., there was the instant realization that sweeping statements such as that generally aren't accurate. And sure enough, further research confirmed it. Annualized saturation limits are saturation limits in most people's minds. We also feel that, given enough time and resources, we could find more examples of saturation limits, annual saturation limits, or other limits. But there's only so much time we can throw at this.

Here are just a few examples that popped up in fairly quick searches:

Chicago limits the number of ADUs on an annualized basis. I think many Boulder residents might be interested in this method, too, so it absolutely should be included as an example of what other cities are doing. Especially if, as I recommend, you broadened your narrow definition to instead use the more on-point phrase "ADU limitations." The fact that Chicago's is a pilot program is irrelevant. You didn't handicap or qualify your statement as such. Your bullet point wasn't "Boulder is the only example of non-pilot program ADU saturation limits." Nor did it say, "Boulder is the only example of gross total ADU saturation limits vs. annualized saturation limits." Since your bullet point was broad and sweeping in its statement, Chicago should be included, as should other cities that have annualized saturation limits.

Traverse City, MI, has saturation limits on at least an annual basis. That is a type of saturation limit.

Dallas, TX policy says ADUs can't be used for rentals. That supports the "family and relatives" use for ADUs. But the proponent still has the burden of proof to show it won't negatively impact the neighborhood. I think many in Boulder would be interested in this, so it should be included.

Fairfax, VA says either the ADU occupant or owner has to be at least 55 years old. That's something that I believe would be of interest because it addresses at least two oft-stated concerns: people being able to age in place, and concerns about ADUs adding to overall noise and general craziness in neighborhoods. Older adults are often more respectful and quiet.

Newcastle County, Delaware issues building permits for ADUs up to 0.4% of the number of single family detached homes in the county, annually.

Provo, Utah has exclusion zones. While not a saturation limit per se, I think it might still be of great interest to residents in Boulder's four CU-adjacent neighborhoods, which are already under much greater stress and impacts than other neighborhoods. I've heard many of my neighbors, Uni Hill, and Goss Grove neighbors say they think our four neighborhoods should be an exclusion zone in which

Houde, Lisa

From: Mike Marsh <mgmarsh1@juno.com>
Sent: Tuesday, January 17, 2023 7:32 PM
To: Houde, Lisa
Subject: Why are you saying no other cities have ADU saturation limits?

External Sender

Hi Lisa,

Numerous residents have delivered to the City multiple examples of U.S. cities that have ADU saturation limits.

Why are you continuing to promulgate the mis-truth that “no other U.S. cities have ADU saturation limits?”

That’s a demonstrably false statement.

In addition, keep in mind that hundreds of cities across the U.S. allow no ADU’s. That’s an ADU saturation limit that allows none. But it’s the most extreme example of a saturation limit, nevertheless. Any honest count of saturation limits must surely include the hundreds of communities that allow none.

I’m very concerned that you’re ignoring the lists of U.S. cities that have ADU saturation limits, that our MANA board, and the UHNA board, have sent to the City.

We can all have discussions about ADUs, but to start the discussion off with falsehoods such as you’re promulgating, is not helpful at all.

We can, and will, publish our findings of several U.S. communities with saturation limits. That will simply expose staff’s falsehoods. It’s unfortunate that staff couldn’t have simply included the examples of ADU saturation limits that we sent.

In disappointment,

Mike Marsh
Martin Acres Neighborhood Association (MANA) steering committee member

current ADU saturation limits are maintained, because they feel like they're literally at the tipping point, as is. Some neighborhoods are literally teetering on the brink and don't have the resiliency to absorb any more impacts.

Our neighborhood, for example, is roughly 50% rentals, many are student rentals. Long-term residents have steadily sought to increase the percentage of owner-occupied dwelling units, simply because every neighborhood needs enough long term residents to work for long term neighborhood improvements. When most of a neighborhood is short term residents who rent for a year or two, and move on, they (understandably) don't have much interest in long-term neighborhood improvements. Adding more ADUs is adding more short term residents. Balance in all things...and some neighborhoods are significantly out of balance with regard to the number of short-term vs. long-term residents, and this imbalance manifests in obvious ways, including lack of care and concern which presents significant challenges. In contrast, many other Boulder neighborhoods are 95% owner-occupied. Adding ADU rentals there would help them create more balance. I don't believe in neighborhoods being all, or nearly all, owner-occupied, either. Balance is the key, and having carve-outs for the four CU-adjacent neighborhoods would provide it.

Thanks
Mike

Houde, Lisa

From: Sonnet Grant <sonnetcg@gmail.com>
Sent: Tuesday, January 24, 2023 11:02 AM
To: Housing Advisory Board Group; Houde, Lisa
Subject: ADU regulations - please consider

External Sender

Hi,

Thank you for revisiting the ADU rules in your upcoming meetings. Clearly the most recent changes helped increase in the number of ADU's being built in Boulder which is a much needed housing source!

Please consider supporting the following changes to help accommodate more diverse living situations and provide additional housing options in Boulder. Not only to students and young people just getting into a rental but to middle class mature adults that are looking for long term alternative ways to live and thrive in Boulder.

1. Increase allowed square footage so that people can actually build livable homes that can accommodate many types of families and also support those wishing to age in place. With care homes closing and the elderly being unhoused ADU's with decent sized living spaces could take up some of the slack. Maximum ADU size should have a relationship to lot size as is allowed in Denver and other cities. Please consider guidelines that don't unfairly disadvantage those with small or large lots.
2. Change how ADU square footage is calculated and what's included in that calculation. The current rules are confusing and make no logical sense. Outdoor space, entryways, walls and stairways are not living space. These rules make already tiny homes even smaller and the building process unnecessarily complicated.
3. Get rid of the size difference for attached/detached - this rule only confuses things further. Someone should be allowed to build the same size ADU regardless of it being attached or detached. Allowable building size should be proportional to lot size instead.
4. Follow recommendations to eliminate saturation limits and parking requirements. This will help remove additional barriers to ADU building.

Thank you for your consideration!

Houde, Lisa

From: Jessica Dion <jessdion@gmail.com>
Sent: Thursday, January 26, 2023 4:12 PM
To: boulderplanningboard; Houde, Lisa
Subject: NO to changes in ADU

External Sender

Dear Planning Board,

I am writing today against the loosening of the rules regarding development of ADUs in the City of Boulder. It is another flawed idea that will again line the pockets of developers while degrading the quality of life of the residents. Refer to what happened in Austin. The resident of Goss Grove.

I am not against ADUs but there need to be stronger rules around LLCs, size, off street parking.

This will not make housing costs more affordable. If you are serious about affordable housing:

- enrollment of CU students needs to be capped
- stop inviting tech companies (and their high paid employees) to set up in the city
- tax property investors higher rates if they own more than 2 homes as they do in some European countries
- manage job/ housing imbalance

Please look at housing demand instead of focusing on supply- it takes both and even then, Boulder will always be expensive

Houde, Lisa

From: Ferro, Charles
Sent: Thursday, January 26, 2023 5:36 PM
To: Houde, Lisa
Subject: FW: Saturation Limit: where one neighbor can get it, another cannot
Attachments: 180226 300 ft. of 1726 Mapleton.pdf; 180226 300 ft. of 1735 Mapleton.pdf

From: Macon Cowles <macon.cowles@gmail.com>
Sent: Thursday, January 26, 2023 5:32 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Saturation Limit: where one neighbor can get it, another cannot

External Sender

PB, tonight I spoke of my cross the street neighbor who had to move her historic garage on the alley 3 feet from the alley because as built in the 19th c., it extended 3" into the alley. Moving the building 3 ft, it then violated the height ordinance. Sinking the historic structure in order to get a building permit for the studio-ADU cost them \$30,000. The cross the street neighbor is Beth Helgans, at 1735 Mapleton.

I wanted to let you know also that when the saturation rate was raised to 20%, Beth and I lined up at 7:30 the first morning so we would not be barred by the saturation limit. But we agreed that I would be in front of her in line. I could only get an ADU that complied with the 20% saturation limit if I were first in line. Because if Beth got hers first, hers would count toward the 20% and our house would not qualify. But my getting approved first did NOT bar her. That is because each of our houses had a different radius, and therefore a different number of non-conforming structures within that 300 feet.

If you want an idea about the counting difficulties, I am attaching the two charts made for us by City staff in 2018 to count the number of units that would be counted to apply the saturation limit.

FYI, we have a 1650 main house and a 700 sq. ft. affordable ADU. It is used for 1) long term rental, 2) our niece to live in while she attends CU, and 3) for caretakers to live in when Regina and I need help as we age.

Macon Cowles
1726 Mapleton Ave.
Boulder, Colorado 80304
macon.cowles@gmail.com
(303) 447-3062

Houde, Lisa

From: Guiler, Karl
Sent: Tuesday, March 14, 2023 9:45 AM
To: Houde, Lisa
Subject: FW: Tamar Larsen :- Accessory Dwelling Units (ADUs)

From: Ferro, Charles <ferroc@bouldercolorado.gov>
Sent: Tuesday, March 14, 2023 8:08 AM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: Tamar Larsen :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Monday, March 13, 2023 5:08 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Tamar Larsen :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Tamar Larsen

Organization (optional):

Email: tamarlarsen@yahoo.com

Phone (optional): (510) 717-2836

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: Lower Chautauqua/Upper Hill already experiencing a huge problem with disrespectful, loud, partying students. DO NOT INCREASE amount of people allowed on a single property with ADUs! This will only mean there are more students packed onto each property (to lower the rent per student), and create a worse living environment for the neighborhoods near campus. I am asking City Council Members to vote NO to ADU's added to properties and No to allowing more than 3 unrelated people per dwelling unit.

[[FSF080521]] Submission ID is #: 1079043608

[Compose a Response to this Email](#)

Houde, Lisa

From: Guiler, Karl
Sent: Tuesday, March 14, 2023 9:43 AM
To: Houde, Lisa
Subject: FW: Jane Dixon :- Accessory Dwelling Units (ADUs)

From: Ferro, Charles <ferroc@bouldercolorado.gov>
Sent: Tuesday, March 14, 2023 9:11 AM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: Jane Dixon :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Tuesday, March 14, 2023 8:59 AM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Jane Dixon :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Jane Dixon

Organization (optional):

Email: jdixonweber@comcast.net

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: No to --

De-regulating the construction of ADUs with construction up to 900 sq ft (that's the size of many Martin Acres houses!) and removing limits on number of ADUs per block.

Put these kinds of "ideas" to the vote of the people.

[[FSF080521]] Submission ID is #: 1079265990

[Compose a Response to this Email](#)

Houde, Lisa

From: Guiler, Karl
Sent: Tuesday, March 14, 2023 9:49 AM
To: Houde, Lisa
Subject: FW: Mary Sznewajs :- Accessory Dwelling Units (ADUs)

From: Ferro, Charles <ferroc@bouldercolorado.gov>
Sent: Tuesday, March 14, 2023 8:07 AM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: Mary Sznewajs :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Monday, March 13, 2023 6:05 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Mary Sznewajs :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Mary Sznewajs

Organization (optional):

Email: msznewajs@comcast.net

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: I am opposed to raising occupancy and allowing more/bigger ADUs in single family home neighborhoods.

Why is it not a priority to make boulder appealing to families? We already have an aging population and our schools are shrinking. Do you think by adding more ADUs, condos, increasing non-familiar occupancy we will attract families to this city? I raised 4 kids here and the only growth I see is condos and apartments, no single family homes. That is totally unappealing for families.

The city VOTED against BAFP already, so why does the city council not respect our votes? Why can't the council address crime in our city, which is totally out of control, instead of revisiting what the voters have already decided is NOT in the best interest of our communities?

Mary Sznewajs

[[FSF080521]] Submission ID is #: 1079061820

[Compose a Response to this Email](#)

Houde, Lisa

From: chris.alaimo@yahoo.com
Sent: Tuesday, March 7, 2023 7:55 PM
To: Houde, Lisa
Subject: I support eliminating the ADU saturation limit

External Sender

Lisa -- I am writing to voice my support for removing barriers to building more ADUs in the city of Boulder, and specifically eliminating the ADU saturation limit. My wife and I are long-time homeowners in Boulder, and feel very lucky to live here. However, we are concerned about the lack of diversity, and believe that building more affordable housing will have a positive effect on the community. With a shortage of housing at the national and local level, it seems reasonable to build more units in cities like ours that already have the infrastructure to support more people.

In our specific situation, we live in the University Hill neighborhood / RL-1 district, and our block is fairly well saturated with rental units. A developer is currently constructing an apartment building across the street (former Marpa House), and it's clear that the surrounding area can support denser housing. We would be happy to convert our detached garage into an ADU to provide another rental unit to help combat the housing shortage. However, the ADU saturation rate for our property is 42%, which is above the 20% limit for new construction, and we are not permitted to build (I believe).

From my standpoint, the 20% limit seems arbitrary, especially considering that more than half of the block is rentals, and many homeowners are already renting unregistered units that do not count against the saturation rate.

I recently found some materials on the city's website that indicate that the city is planning to reconsider some of the restrictions against new ADU construction. As a supporter of affordable housing, I lend my support to any efforts to increase the density of ADUs in the city.

Thank you for your work on this important issue.

Chris Alaimo
916 11th St, Boulder, CO

Houde, Lisa

From: Ferro, Charles
Sent: Wednesday, February 22, 2023 2:00 PM
To: Houde, Lisa
Subject: FW: Proposed ADU ordinance modifications to increase citywide density in single family neighborhoods

From: Diane Curlette <dcurlette25@gmail.com>
Sent: Sunday, February 19, 2023 10:24 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Proposed ADU ordinance modifications to increase citywide density in single family neighborhoods

External Sender

Dear City Planning Board Members,

For more than a decade, the leadership of the City of Boulder has ignored and refused to confront the jobs and housing imbalance created by importation of too many jobs and a dearth of housing for those employees, combined with uncontrolled enrollment growth at CU which also refuses to house its students, dumping the burden on existing neighborhoods.

Squeezing these extra residents into a tightly limited land area has forced residential rents and housing ownership costs to stratospheric levels and drawn focused attention from national and local property developers and hedge funds seeking to cash in on the bounty.

City leaders have also refused to seriously study developing housing in city owned lands, such as the Planning Reserve 3 or the Boulder airport property — each of which could house thousands of new homes — and focus instead almost exclusively on forcing increased density on existing single family neighborhoods.

In recent years voters defeated an attempt to remove Single Family zoning, thus preserving the tacit agreement between the city and a home buyer assuring the buyer that his/her major monetary investment would be protected from increased density.

While considering proposed changes the City is considering to ADU ordinances, please consider these facts:

- 1). Neighborhoods are a wonderful resource that helps make Boulder a good place to live and should be respected and preserved. The city's focus on an individual property only, and not the impact on neighbors and the neighborhood as a whole, smack of developer convenience, not residents needs.
- 2). Neighborhoods vary so much in lot size, housing style, percentage of owner-occupation, parking availability, auto and pedestrian traffic, noise patterns, household privacy, and view sheds, among other factors. Therefore, some are more able than others to accept infill such as ADU's.

Summarily downzoning neighborhoods is unfair to homeowners whose family wealth and enjoyment is centered in their homes. The investment in a home is usually the largest of a lifetime, and made with the understanding that the zoning of the property and the ones around it will not be summarily altered by their city government to negatively affect the enjoyment of that property. These homeowners are the tax paying backbone of the city, whose payments make possible the city government and whose property rights and interests should be respected. The current ADU ordinance recognizes and protects these rights to some degree. The city would be wise to recognize and protect this diversity, supporting existing neighborhood assets and promoting improvements in qualities of life where possible. The city's social fabric is only as healthy as its' most stressed neighborhoods. This is further reason to prudently tailor efforts to increase housing density to the local conditions in the neighborhoods.

3). Decisions about neighborhood density should be made by the citizens and homeowners of that neighborhood, working with the city. There is strong support for neighborhood planning to make these changes. Developers reject this effort as too time consuming — but also maybe too democratic?

The City Council has so far refused to consider neighborhood planning as a solution to planning infill via ADUs.

Please help protect Boulder's neighborhoods through neighborhood planning and efforts to gracefully include more density via ADU's tailored to neighborhood capabilities.

Housing policy affects NEIGHBORS and NEIGHBORHOODS not just ADU owners. This is an actual ADU being constructed under current permits. Proposed ADU regulations changes would repeat this scene citywide. Please help do a good job of planning for the future of our city and stop the commodification of housing in our neighborhoods.



Thank you for your consideration of these important changes.

Diane Curlette
Boulder

Houde, Lisa

From: Ferro, Charles
Sent: Wednesday, February 22, 2023 2:00 PM
To: Houde, Lisa
Subject: FW: Proposed changes in ADU regulations to increase residential density in single family neighborhoods

-----Original Message-----

From: Diane Curlette <dcurlette25@gmail.com>
Sent: Sunday, February 19, 2023 9:51 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Proposed changes in ADU regulations to increase residential density in single family neighborhoods

External Sender

Dear Planning Board Members,

Proposed changes to ADU regulations will have a serious detrimental, and potentially life threatening impact on Boulders neighborhoods — a major asset of this community whose viability must be protected.

Three important points we should keep in mind regarding relaxing the ADU regulations to induce increased density throughout the City of Boulder.

Creating more intense housing density in our existing neighborhoods is unwise because it increases the likelihood of structure infernos during wildfires, it reduces the ability of residents to create defensible space around dwellings, as requested by our wildland firefighters, and it increases the summer temperatures and creates heat islands by reducing the amount of green spaces and shade in residential areas, counter to our environmental goals for the city.

1. The total loss of the Sagamore neighborhood in the Marshall fire was partly due to the dwellings being too close together, according to the experts. In many existing Boulder neighborhoods (like mine in Table Mesa), our homes are only about 15 feet apart at present. We won't benefit by increasing that danger.

2. Using the diagrams for defensible space in the fire prevention materials it is obvious that there will not be sufficient defensible space between dwellings to reduce structural fire infernos. Screening ADU's with shrubbery or trees to create private spaces for both dwellings will violate the defensible space rules on most city lots. And perhaps prevent adjacent neighbors from attaining defensible space as well.

3. When the city recently released their recent study of heat islands in Boulder — areas where paved areas, roofs and congestion predominated were hottest. Coolest areas were the single family neighborhoods. Conclusion was to plant more trees, and create more green spaces in the congested areas. Densifying existing green cooler spaces works against this goal.

So we simultaneously have two city agencies — fire and climate change — advocating for more defensible space and more greenery while the housing staff are pushing an opposite agenda — unlimited density of housing in existing single family neighborhoods — even near open space. Such folly!

Attachment K - CCR & Public Comment

Added to this are the still valid concerns about parking density, noise, crowding, barking dogs, and marijuana smoke that often accompany dense living and which many of us paid dearly to avoid.

And I see no action by the city to improve the wildfire evacuation routes in the city to accommodate the increased projected population due to density. Evacuation via Table Mesa during the NCAR fire took several hours in bumper to bumper traffic. As one resident caught in the huge linear parking lot observed, "Good thing they put that fire out so fast. We would have burned to death in our cars if they hadn't." And that was only evacuating the current population.

Please recommend that any changes to the current ADU regulations be considered on a neighborhood by neighborhood basis, with input from those residents. Neighborhoods vary greatly in individual characteristics and ability to gracefully absorb various amounts of increased density.

Thank you for your consideration.

Diane Curlette
Boulder

Houde, Lisa

From: Ferro, Charles
Sent: Monday, February 6, 2023 10:02 AM
To: Houde, Lisa; Guiler, Karl
Subject: FW: Roz Dorf :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Monday, February 6, 2023 8:24 AM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Roz Dorf :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Roz Dorf

Organization (optional): N/A

Email: roz.dorf@gmail.com

Phone (optional): (303) 494-6935

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: Water, and the lack of it, should be considered in the discussion of ADUs and raising the density of Boulder. Here is a link from CSU regarding droughts in Colorado.

<https://libguides.colostate.edu/waterhistory/drought#:~:text=According%20to%20the%20Colorado%20Climate,several%20years%20of%20severe%20drought.>

During the historic flood of 2013, a representative from NOAA was on the local news and stated that Colorado is three days from a drought. Please read the articles listed in the link.

One of my fields of expertise, as a paralegal, is water law. There are unintended consequences to density.

[[FSF080521]] Submission ID is #: 1065799640

[Compose a Response to this Email](#)

Houde, Lisa

From: Guiler, Karl
Sent: Tuesday, March 7, 2023 5:00 PM
To: Houde, Lisa
Subject: FW: Stacey Goldfarb :- Accessory Dwelling Units (ADUs)

FYI

From: Ferro, Charles <ferroc@bouldercolorado.gov>
Sent: Tuesday, March 7, 2023 4:49 PM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: Stacey Goldfarb :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Tuesday, March 7, 2023 4:48 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Stacey Goldfarb :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Stacey Goldfarb

Organization (optional):

Email: saufarb1@gmail.com

Phone (optional): (720) 427-8144

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: Boulder is full enough. Don't ruin our neighborhoods. Not everyone can live in Boulder. Quit trying to squeeze too many people into our neighborhoods!
Our forefathers fought to keep Boulder a small, quaint city by buying up all the land around the City so other towns would not merge into us. Now you want to increase the density. Are you crazy??

[[FSF080521]] Submission ID is #: 1076886353

[Compose a Response to this Email](#)

Houde, Lisa

From: Guiler, Karl
Sent: Wednesday, March 22, 2023 8:22 AM
To: Houde, Lisa
Subject: FW: Pamela Gilbert :- Accessory Dwelling Units (ADUs)

From: Ferro, Charles <ferroc@bouldercolorado.gov>
Sent: Tuesday, March 21, 2023 5:47 PM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: Pamela Gilbert :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Tuesday, March 21, 2023 4:53 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Pamela Gilbert :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Pamela Gilbert

Organization (optional):

Email: gilbertp001@hotmail.com

Phone (optional): (303) 543-8223

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: I live at 415 s. 45th st. Currently across the street is a rental which regularly rents to 5 people ALL of whom have cars. (I have complained about Barb Miles several times, but she has figured out a way to usurp the 3-people rule - she only has 3 of her renters sign the lease.) Also, there is the "Beet Collective" katy-corner from me which has an undetermined amount of cars. However those renters seem more mindful about where they park, but they do have guests who aren't as mindful. The other 5 nearby properties are all occupied by single families. So of the 8 homes (mine included & I park in the garage), it is not uncommon for my (dinner) guests to find it difficult to secure a nearby parking spot. The point of this narrative is that it doesn't take much to clog up the street. These houses were built in the 1950s with single car garages. Of course, some of the garages have been turned into living space. Plus many of today's vehicles are too large to fit into a 1950s garage even if it was available. If there was an enforceable rule that each house or ADU only have as many vehicles as there were 'adjacent to the property' spaces, then I wouldn't mind ADUs.

Houde, Lisa

From: Guiler, Karl
Sent: Friday, March 17, 2023 2:24 PM
To: Houde, Lisa
Subject: FW: Theresa Barker :- Accessory Dwelling Units (ADUs)

From: No Reply <NoReply@bouldercolorado.gov>
Sent: Friday, March 17, 2023 12:11 PM
To: Council <council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <FerroC@bouldercolorado.gov>
Subject: Theresa Barker :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Theresa Barker

Organization (optional):

Email: alakavern@aol.com

Phone (optional): (720) 324-6416

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: I am against de-regulating the construction of ADU's. It will increase the congestion, noise, traffic and parking issues. There is currently a way for ADU's to be controlled that works. It already is difficult to park without taking the current rule away for off street parking.

[[FSF080521]] Submission ID is #: 1080793701

[Compose a Response to this Email](#)

Houde, Lisa

From: Guiler, Karl
Sent: Friday, March 17, 2023 8:41 AM
To: Houde, Lisa
Subject: FW: Laura Dirks :- Accessory Dwelling Units (ADUs)

From: Ferro, Charles <ferroc@bouldercolorado.gov>
Sent: Friday, March 17, 2023 8:36 AM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: Laura Dirks :- Accessory Dwelling Units (ADUs)

From: No Reply <noreply@bouldercolorado.gov>
Sent: Thursday, March 16, 2023 8:10 PM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <ferroc@bouldercolorado.gov>
Subject: Laura Dirks :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Laura Dirks

Organization (optional): Entrepreneur

Email: laura.m.dirks@gmail.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: There was a good reason for Boulder/ Boulder county to limit growth.
Do not be bullied into adding ADUs in already crowded lots and residential areas!
Think about the long term repercussions of ADUs!

[[FSF080521]] Submission ID is #: 1080516839

[Compose a Response to this Email](#)

Houde, Lisa

From: M Woolley <margiewoolley@yahoo.com>
Sent: Friday, March 31, 2023 12:40 PM
To: Houde, Lisa; margiewoolley@yahoo.com
Subject: ADUs

External Sender

Hi Lisa,

I am a property owner on the Hill, and my house is currently used as a licensed rental. The address is 912 9th Street.

I am writing today to ask that my voice be heard in the deliberations concerning occupancy limits. Currently, my house's occupancy is limited to 3 unrelated persons, but I have 4 bedrooms, and enough space to accommodate a 4th person easily.

My concern is that the use of my property is being limited, while others are encouraged to build out or construct ADUs to add more living space. It doesn't seem fair to allow others to invite more people in, or ask others to spend money to make more space, while limiting the use of my space, which could easily accommodate another person. While the debate about ADUs and trying to increase housing options for those who need it swirls around, my 4th bedroom remains empty. It doesn't seem fair, nor logical.

Can the City relax the occupancy limit on the Hill to allow for 4 unrelated persons, instead of 3? This would allow me to make the empty living space I currently have (at no further expense to myself or the City) available for use for someone.

If a blanket change from 3 to 4 persons for the area is not possible, could the City at least address this issue on a case by case basis? I feel it is unfair to allow my neighbor to build an ADU to make more living space, while I have great space already available that cannot be used.

I hope this makes sense, and am hopeful that my voice will be heard in the ongoing deliberations regarding occupancy limits.

Thank you for your time and attention.

Best,

Margaret Woolley
626-298-3001
Margiewoolley@yahoo.com

[Sent from Yahoo Mail for iPad](#)

Houde, Lisa

From: Guiler, Karl
Sent: Monday, April 3, 2023 10:47 AM
To: Houde, Lisa
Subject: FW: ADU ordinance

-----Original Message-----

From: Ferro, Charles <FerroC@bouldercolorado.gov>
Sent: Monday, April 3, 2023 9:10 AM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: ADU ordinance

-----Original Message-----

From: Sarabeth Mitton <saramitt@gmail.com>
Sent: Sunday, April 2, 2023 8:04 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU ordinance

External Sender

Planning Board:

I would like to state that unlimited ADUs would further devastate my longtime neighborhood. I moved to the Hill in June, 1975, to a part of the neighborhood that was affordable single family homes on very small urban lots, not even buildable today. At that time there were no CU students this far SW of the business district. Some of those homes were subsequently subdivided in various ways over the decades so now we see 1912 single family bungalows like the one next to me, owned by an out of state investor and rented to 6 wealthy CU students at an exorbitant per bedroom rent. This may be dense but it is certainly not affordable to working people.

I believe the saturation of so many of the "grandfathered" properties around the Hill will fill any ADU with further densification of more of the same wealthy students. This is not the stated goal of expanding ADU availability. It may very well work on larger lots closer to places our workers would want to be, far from the density of so many students, some of whom are good neighbors but also so many who are not.

Please consider the saturation as already "over the limit" of practicality for quality of life for "anyone" on the Hill.

SARA MITTON
885 Lincoln PL
303-444-1597

Houde, Lisa

From: Guiler, Karl
Sent: Monday, April 3, 2023 10:46 AM
To: Houde, Lisa
Subject: FW: ADU licensing

From: Ferro, Charles <FerroC@bouldercolorado.gov>
Sent: Monday, April 3, 2023 9:10 AM
To: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: FW: ADU licensing

From: Viktor Przebinda <vprzebinda@gmail.com>
Sent: Monday, April 3, 2023 8:51 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU licensing

External Sender

Good morning, I came across the line item in tomorrow's agenda regarding ADU permitting. As a university hill resident I would like to remind the board of the consequences that increased housing density has on this neighborhood.

-v

1061 10th.

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, April 4, 2023 8:59 AM
To: Guiler, Karl; Houde, Lisa
Subject: FW: ADU proposal

From: Mary H. Cooper Ellis <coopermh@gmail.com>
Sent: Tuesday, April 4, 2023 8:57 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU proposal

External Sender

Dear members of the Planning Board,

Historically single-family neighborhoods that are already overwhelmed by CU's failure to house its students deserve special consideration as you review the proposed changes to Boulder's ADU policies.

In particular, the proposed elimination of saturation limits throughout the city ignores the overcrowding that University Hill, Martin Acres, Goss Grove, and East Aurora already experience, with the attendant traffic, parking, trash, and noise problems that we residents face on a daily basis.

Please acknowledge this disparity in conditions by recommending that Council exempt our neighborhoods from any removal of saturation limits as part of their reconsideration of ADU policies.

Respectfully,

Mary Ellis
764 14th St
Boulder, CO 80302

Houde, Lisa

From: Ozi Friedrich <ozi@radix.design>
Sent: Tuesday, April 4, 2023 1:47 PM
To: Houde, Lisa
Subject: letter of support for ADU zoning changes

External Sender

Hi there Lisa, hopefully I'm in time to send a letter of support for the ADU zoning revision before it goes to the planning board.

I'm an architect based in Denver who has made designing ADUs a focus of my practice. We are currently working for a retired school principal and longtime Boulder resident to design a detached ADU to support aging-in-place behind his longtime home. It has been extremely challenging to design an accessible dwelling unit for long-term living in 550 sf. Many of the required design solutions also escalate the cost of the project.

800 sf is a much more viable maximum size. It is big enough that one could even design a small two-bedroom unit, meaning that it would be possible to build ADUs that provide for family living. This would help house people who are dramatically underserved in the current construction market.

Thank you,

Ozi Friedrich, AIA, LEED AP
720-432-5528
www.radix.design
Pronouns: they/them



Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, April 4, 2023 4:07 PM
To: Houde, Lisa; Guiler, Karl
Subject: FW: ADU's

From: Dan Guesman <dan@ccmboulder.com>
Sent: Tuesday, April 4, 2023 4:00 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU's

External Sender

Dear Board,
Increasing density won't solve the housing issues. It will just make Boulder less livable.

Daniel K. Guesman
3417 Iris Ct
Boulder, Colorado 80302
Ph: 303-442-9008
Email: dan@ccmboulder.com

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, April 4, 2023 10:37 AM
To: Houde, Lisa; Guiler, Karl
Subject: FW: Unintended consequences concerning ADU Ordinance

From: Sue Ellen Harrison <sueellenh@gmail.com>
Sent: Tuesday, April 4, 2023 10:28 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Unintended consequences concerning ADU Ordinance

External Sender

Dear Members of the Planning Board:

I am a long time resident of UniHill - living in the house I own in the 800 block of 12th St. since 1977. Like many long time residents, I have watched Boulder grow and change - sometimes for the better - but not always. You are considering changes to the ADU ordinance tonight and should you agree to eliminate the saturation limit, there will be severe unintended consequences to UniHill.

I will assume that there are neighborhoods within our City that can absorb more ADUs, but University Hill is not one of them. Statistics will tell you that there are not a lot of ADUs on UniHill and so eliminating the saturation limit should not have much impact. But it will have a negative impact on an area that is already over-saturated with density. Unlike other parts of the City, UniHill is proliferated with nonconforming uses. The ADU statistics do not tell the story of our neighborhood. We deal with parking, trash, noise at an unprecedented level compared to the rest of the City. And it is not just the legal nonconforming uses - we are all aware of houses that pack more people into a structure than is legally allowed. The Hill needs to be carved out of this ordinance and treated differently.

As a Hill resident, I am tired of Council and Staff saying that there are ordinances to address the problems and all we need to do is complain. The City does not have the resources necessary to control the issues on the Hill. I have been told by enforcement officers that it is difficult to enforce over-occupancy. I believe that - but I also think there are better things these officers could be doing with their time than counting tooth brushes. And it does not do any good to call in a noise complaint when it (often, not always) takes two hours to respond.

Do not start down a path that makes things worse for the Hill. It is my understanding that no one on the Planning Board lives on UniHill. That is unfortunate because you would better understand our issues if you did. Creating a situation that will allow for greater density of the Hill is a path that does not recognize the extent of our existing density due to nonconforming uses and will only result in unintended consequences to our neighborhood. Treat the Hill differently - because we are different from the rest of the City - carve us out of these changes.

Thanks for your time and consideration.

Sue Ellen Harrison
840 12th St.
Boulder CO 80302
sueellenh@gmail.com

Houde, Lisa

From: No Reply
Sent: Monday, April 3, 2023 5:06 PM
To: Council; ContactCoB; Mueller, Brad; Stanek, Cate; Causa, Julie; Johnson, Kristofer; Ferro, Charles
Subject: Lincoln Miller :- Accessory Dwelling Units (ADUs)

Preferred Form Language: English / Inglés

Name: Lincoln Miller

Organization (optional): Boulder Housing Coalition

Email: Lincolnisaac@gmail.com

Phone (optional): (303) 883-2526

My question or feedback most closely relates to the following topic (please choose one): Accessory Dwelling Units (ADUs)

Comment, question or feedback: Hi y'all, we are heading right for it, an iceberg that is a complete lack of affordable housing and the climate apocalypse. So the City of Boulder is moving some chairs around, tinkering at the edges of the ADU ordinance, to make it a bit better. Instead we need big, bold, action to turn this wheel. For a lesson on how to not hit the iceberg, see the bold policy put forward by governor Polis, SB23-213. I want to give credit to our Mayor Aaron Brockett for supporting this measure!

Now don't get me wrong, you all should pass these incremental improvements in the Cities ADU ordinance. ADU's are part of a solution and they steer us away from the iceberg a bit. ADU's provide: smaller, naturally affordable housing, help with aging in place, give homeowners options to make ends meet, all while providing gentile urban infill (that helps with climate, part of the iceberg). So go ahead and improve what is perhaps the most restrictive ADU ordinance in the country. Please get rid of the archaic saturation limits, by all means, post haste.

But I have said this before and I guess I need to keep saying it, there are 3 natural limits to ADU's development in Boulder:

1. COB cost of construction is very high for a regular homeowner
2. COB's planning process is just a bear for regular folks to navigate (your staff changes do try to help out here so that is also good)
3. Architectural costs are also very high

Because these three limits are enough, you do not need any other limits in my opinion.

So if your curious what a bold ADU policy might look like it could have:

No restrictions

Fee's waived, yes no planning fees at all

2 Adu's per property

Full occupancy for adu's up to the health and safety limit for the square footage

Supplement the cities cost by offering pre-approved ADU building plans for sale at a low cost to homeowners.

Oh and no parking minimums on anything, ever again, #CitiesAreForPeople

[[FSF080521]] Submission ID is #: 1087100196

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, April 4, 2023 8:57 AM
To: Guiler, Karl; Houde, Lisa
Subject: FW: ADU changes

-----Original Message-----

From: Steven Phillips <steven.x.phillips@gmail.com>
Sent: Tuesday, April 4, 2023 6:37 AM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: ADU changes

External Sender

Dear Boulder Planning Board,

I heartily approve of the proposed changes to ADU requirements, though I would personally go further and remove parking restrictions and other impediments to ADUs.

I feel that ADUs in general have a number of huge benefits:

- more affordable housing
- income options for elderly residents who are low-income but house-rich
- ability for families with a disabled child to provide their child semi-independent living space
- more community vibrancy
- less greenhouse gas emissions due to more compact and efficient housing

Thank you,

-- Steven

Houde, Lisa

From: Ferro, Charles
Sent: Tuesday, April 4, 2023 5:00 PM
To: Guiler, Karl; Houde, Lisa
Subject: FW: Changing ADU Regulations/The Hill's Case

From: Valerie Bliss Stoyva <Valerie.Stoyva@colorado.edu>
Sent: Tuesday, April 4, 2023 4:56 PM
To: boulderplanningboard <boulderplanningboard@bouldercolorado.gov>
Subject: Changing ADU Regulations/The Hill's Case

External Sender

Dear Planning Board Members:

I urge you to see the Hill as a special case. Please do not encourage the expansion of ADU's on the Hill.

Gary Garrison writes in the Camera that neighborhood peace and tranquility are unimpaired by ADU expansion.

Since the 90's, when CU began expanding its student population and not building student housing, the Hill has been a Wild West, not peaceful and not tranquil.

When I was in high school, my family would eat at restaurants on the Hill, buy books on the Hill, and buy clothes on the Hill. Now, we avoid our own neighborhood. It's no longer a destination.

Matt Applebaum writes ADU expansion poses no emergency for Boulder's neighborhoods. On the Hill, Rosenberg's shut its doors, citing the difficulty of the environment. Guns are discharged at parties, people are selling their houses and leaving, and, last September, the Revised Noise Ordinance passed as an **emergency** measure.

The Hill is in an emergency.

More ADU's would further erode and destabilize the neighborhood. They would end up as student rentals, not long-term residences for young professionals.

Please exempt the Hill from ADU expansion, as well as Goss Grove, Martin Acres and Aurora 7.

Let the other Boulder neighborhoods catch up in terms of density, ADU's and rentals to students. Be kind to the Hill.

Sincerely,

Valerie Stoyva
1004 Lincoln Place

Houde, Lisa

From: Ferro, Charles
Sent: Wednesday, April 5, 2023 11:39 AM
To: Guiler, Karl; Houde, Lisa
Subject: FW: Margaret Woolley :- Occupancy Limits

From: No Reply <noreply@bouldercolorado.gov>
Sent: Wednesday, April 5, 2023 10:57 AM
To: Council <Council@bouldercolorado.gov>; ContactCoB <ContactCoB@bouldercolorado.gov>; Mueller, Brad <MuellerB@bouldercolorado.gov>; Stanek, Cate <StanekC@bouldercolorado.gov>; Causa, Julie <CausaJ@bouldercolorado.gov>; Johnson, Kristofer <JohnsonK3@bouldercolorado.gov>; Ferro, Charles <FerroC@bouldercolorado.gov>
Subject: Margaret Woolley :- Occupancy Limits

Preferred Form Language: English / Inglés

Name: Margaret Woolley

Organization (optional):

Email: margiewoolley@yahoo.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one):Occupancy Limits

Comment, question or feedback: Hi,

I am a property owner on the Hill, and my house is currently used as a licensed rental. The address is 912 9th Street.

I am writing today to ask that my voice be heard in the deliberations concerning occupancy limits. Currently, my house's occupancy is limited to 3 unrelated persons, but I have 4 bedrooms, and enough space to accommodate a 4th person easily.

My concern is that the use of my property is being limited, while others are encouraged to build out or construct ADUs to add more living space. It doesn't seem fair to allow others to invite more people in, or ask others to spend money to make more space, while limiting the use of my space, which could easily accommodate another person. While the debate about ADUs and trying to increase housing options for those who need it swirls around, my 4th bedroom remains empty. It doesn't seem fair, nor logical.

Can the City relax the occupancy limit on the Hill to allow for 4 unrelated persons, instead of 3? This would allow me to make the empty living space I currently have (at no further expense to myself or the City) available for use for someone.

If a blanket change from 3 to 4 persons for the area is not possible, could the City at least address this issue on a case by case basis? I feel it is unfair to allow my neighbor to build an ADU to make more living space, while I have great space already available that cannot be used.

I hope this makes sense, and am hopeful that my voice will be heard in the ongoing deliberations regarding occupancy limits.

Thank you for your time and attention.

Best,

Margaret Woolley
Margiewoolley@yahoo.com

[[FSF080521]] Submission ID is #: 1087819873

[Compose a Response to this Email](#)

Houde, Lisa

From: Karen George <karengorge@me.com>
Sent: Thursday, March 30, 2023 3:31 PM
To: Houde, Lisa
Subject: ADUs

External Sender

Dear Lisa et al.,

I am in favor of increasing occupancy only on one condition, that the increased occupancy is only allowed when there is increased off-street parking. All ADUs must have additional off street parking.

The best way to ruin a neighborhood and engender emnity between neighbors is to have new occupants and their friends and family taking up all the street parking spaces.

I experienced this with a rental next door which was occupied by unrelated people (over the limit) who had many vehicles and friends with vehicles and consistently parked them in front of my house (and sometimes in front of my driveway). Me, my friends, my family, and my contractors could not park on street near my house. SO FRUSTRATING. I liked the people who lived next door, but I hated the parking they brought with them and was very relieved when they left.

Not providing enough off-street parking spaces does not prevent people from using their cars nor does it prevent having their visitors drive to, and park near, their homes. Not providing for additional off street parking for additional occupants creates resentment and frustration in a neighborhood—the opposite of what people want home to be.

I don't like "bait and switch" from planners anymore than I like "bait and switch" from retailers. I studied North Boulder Development Plan before buying my house and took on large mortgage so I could live in single family neighborhood.

Please don't ruin Boulder neighborhoods by allowing more people without requiring more off street parking.

Thank you for your consideration of this issue,

Karen George
1120 Union Ave
Boulder, CO 80304

Houde, Lisa

From: Michelle Theall <michelle@michelletheall.com>
Sent: Thursday, April 13, 2023 11:28 AM
To: Houde, Lisa
Cc: Ross, Jenn; Rental Housing Licensing
Subject: Community Engagement on ADU and Land Use Changes

External Sender

Hi Lisa,

We have a legal attached ADU and have rented it out to long-term tenants over our 23 years of owning the home. It allows us to pay our mortgage and provides affordable housing to young couples just starting out. We're nearing our retirement years and my wife was just diagnosed with cancer. In looking at treatments, we considered going out of state for 3 to 6 months, and were surprised to find out that we could not rent our home AND keep our tenants in the ADU. We would have to kick them out AND relinquish our rights to have an ADU and reapply later upon our return. This wouldn't be fair to our tenants or to us, frankly, so I wanted the council to consider this important (and with an aging population nearing retirement becoming more common) scenario. Having a long-term tenant in our home does not increase the density of people in the neighborhood. It replaces our occupancy while we are away and provides us with the income to live elsewhere during treatment. If the new tenants in our primary home are a nuisance or disruptive, there are ordinances in place for that AND after 23 years living in our home, we have a great relationship with our neighbors and would certainly take care of it. We don't live on The Hill, and perhaps that area needs its own rules, but older, decades-long residents shouldn't be penalized for what goes on down the road. We've been paying our taxes for 23 years, after all. I'm not talking about short-term rentals, which we aren't allowed to do on our ADU or main dwelling. Just allowing us to rent out space we aren't using, pay huge property taxes on, and plan to return to. With a shortage of housing, would the city of Boulder rather us leave it unoccupied and leave us unable to offset the costs we'll incur to be housed elsewhere? When we return, will we even be able to afford to live here anymore?

I'm all for rules that make sense, but we need housing in Boulder (short and long term) and we need a way for those who own homes here to be able to afford to continue to live in them once they reach retirement age. Social security at this point isn't going to cover much of the rising property taxes, let alone mortgages. Just asking for a little help that seems to make sense.

Let me know you received this. We'd be at the meeting next week in person, but we will be out of town during that time.

Cheers,

Michelle Theall

-Author/Novel: The Wind Will Catch You (Sept. 2023): www.michelletheall.com

-Author/Memoir: Teaching the Cat to Sit

-Owner, Wild Departures: www.wilddepartures.com

-Senior editor, Alaska Magazine: www.alaskamagazine.com

Facebook: @michelletheallauthor

Instagram: @theallm

Twitter: @theallm

Houde, Lisa

From: HoudeL@bouldercolorado.gov
Subject: FW: Accessory Dwelling Unit Regulation Update

From: rob@traddb.com <rob@traddb.com>
Sent: Tuesday, April 18, 2023 8:39 AM
To: Houde, Lisa <HoudeL@bouldercolorado.gov>
Cc: Guiler, Karl <GuilerK@bouldercolorado.gov>
Subject: RE: Accessory Dwelling Unit Regulation Update

External Sender

Hi Lisa & Karl,

I just wanted to share some ADU feedback that I relayed to the Planning board on the April 4th Meeting. I wanted to reiterate that I think the height language should extend to new structures as well especially when the low point on some lots virtually prevents an ADU from being built.

In general I think the staff recommendations for ADU reviews will all be improvements; however, I would like to suggest expanding the maximum height to not only include existing buildings but to also include new structures. We live in a hilly town and physical constraints like steep lots can virtually eliminate the ability to build a 20' tall structure when the height is dictated by a low point 25' away. Even a moderately steep site greatly limits what can be built if anything at all. If we are going to consider a height variance for existing building, why not have it include other known constraints for new structures as well. Thanks for taking this into consideration.

—
ROB ROSS | Principal, AIA
C: 720.250.7903 | [TRÄD DESIGN + BUILD](#)

Houde, Lisa

From: COSIMA KRUEGER-CUNNINGHAM <cardamomseed@aol.com>
Sent: Monday, April 17, 2023 10:50 PM
To: Houde, Lisa
Subject: ADUs

External Sender

No ADUs on the Hill or West of the Hill!
Period!

Cosima Krueger-Cunningham

Sent from my iPad

Houde, Lisa

From: Ken Farmer <kenfar@gmail.com>
Sent: Tuesday, April 18, 2023 8:16 AM
To: Houde, Lisa
Subject: Another way that ADUs can help our city

External Sender

Lisa,

I'm a pro-ADU homeowner in Martin Acres for two typical reasons and one that I feel that we should be more aware of:

The typical reasons:

- Typically provides housing that is much cheaper than new apartments
- Can provide additional income to help let existing members of our city age in place

Other reasons:

- A small number of additional people can make our neighborhoods more vibrant: these communities weren't designed for just 1-2 people per home, but for families. Bringing in another 1-2 adults into a home can bring a lot more ideas, activities and fun into our neighborhoods. Here's an example that I ran into when walking my neighborhood for ballot signatures a few years ago: I met a woman who was about 75 years old who introduced me to her roommate. He was a CU grad student, around 25 years old. These two clearly adored each other. She did most of the cooking, he did a lot of the errands and gardening. She was thrilled to have a roommate that could help with the heavy lifting, or if she needed help; he was thrilled to have an adopted grandmother in his life. They seemed to have a really rich, intergenerational and supportive relationship. I will never forget these two! This is what roommates and ADUs can help enable within our town.

And one suggestion:

- Building an ADU can be expensive if it's a separate building. But remodeling part of a basement into an ADU can be very affordable. I'd love to see the city provide a bit of guidance for folks on how to do that: the importance of building to code, of insulation, of proper wiring & plumbing, whether the ceiling height will be a problem, etc.

Thanks!

Ken Farmer
Martin Acres



COVER SHEET

MEETING DATE

May 4, 2023

BOARDS AND COMMISSIONS ITEM

March 1, 2023 Environmental Advisory Board Meeting Minutes

PRIMARY STAFF CONTACT

Jonathan Koehn, Climate Initiatives Director

ATTACHMENTS:

Description

- ▣ **March 1, 2023 Environmental Advisory Board Meeting Minutes**

**CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS
MEETING SUMMARY**

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: March 1, 2023

NAME/TELEPHONE OF PERSON PREPARING SUMMARY:
Heather Sandine, 303-441-4390

NAMES OF MEMBERS, STAFF AND INVITED GUESTS:

Environmental Advisory Board Members Present: Michael SanClements, Brook Brockett, Amanda Groziak, Hernan Villanueva

Environmental Advisory Board Members Absent: None

City Staff Members Present: Carolyn Elam, Heather Sandine

1. CALL TO ORDER

M. SanClements declared a quorum and called the meeting to order at **6:00 PM**.

H. Sandine reviewed the meeting protocols.

2. APPROVAL OF MINUTES

On a motion by **M. SanClements**, seconded by **B. Brockett**, the Environmental Advisory Board (EAB) approved the February 1, 2023 meeting minutes.

3. PUBLIC PARTICIPATION

- **Paul Culnan** shared his support for the board.
- **Lynn Segal** spoke about her experience with a cold house. She would like to see LEAP participants have the option to participate in district energy ground source heat pumps.
- **C. Elam** provided information about programs in development.

4. DISCUSSION ITEMS

A. Environmental, Health & Equity Impacts of Landscaping Equipment

i. Overview

- **C. Elam** provided an update on landscaping equipment and related impacts on the environment and health equity. She would like to hear from the board about what types of community engagement they would like to see.
- Summary: project was launched in 2022 after hearing concerns from the community. There is a nexus with many of our city goals. American Green Zone Alliance has been hired to lead the study. Our landscaping service providers are diverse and outreach can be complex.
- Steps taken with AGZA: City staff walked AGZA through the city's Racial Equity Instrument; AGZA interviewed service providers at Western Disposal's drop off location for yard and wood waste; shadowed providers to understand the needs of the customer, the environment and the landscapers; shadowed a provider who uses all electric equipment.

- One of the biggest concerns we hear from the community is about leaf blowers because they are two-stroke engines, create noise, dust and debris and have an environmental impact. Electric leaf blowers are equally invasive in terms of noise and dust. Additionally, by clearing fallen leaves from the landscape we are impacting pollinators and other invertebrates.

ii. Clarifying Questions and Discussion

- **B. Brockett** asked what the equity concerns are and what would the cost be to transition to electric landscaping equipment.
- **C. Elam** replied that there is not an electric version of the type of blowers used available. Providers would need multiple electric leaf blowers to provide the services at the same level as gas. The cost would be about \$7,500 as opposed to \$1,000 for gas equipment. Employees would have to take home batteries to charge and would be bearing the cost of recharging.
- **A. Groziak** referenced the packet section discussing noise complaints. She was concerned about the potential of police responding to noise complaints. She asked if there is discernable difference in the noise levels produced by gas vs electric to help enforcers determine the type of equipment used. She wanted to know how city staff would know if a piece of equipment is gas or electric if someone calls in a complaint.
- **C. Elam** said that the city has a noise ordinance that allows for certain decibel amounts with an exception for landscaping equipment. Council could remove that exception or allow the exception for electric only. The way the ordinance is written requires observation of the noise source.
- **H. Villanueva** asked what problem we are trying to solve and what are the proposed next steps given the cost of replacement.
- **C. Elam** responded that we need to educate the public on the negative impacts on the environment caused by traditional landscaping and how we can holistically landscape. We would want to do that before considering a full ban on leaf blowers. We would possibly look for a seasonal allowance. Leaf blowers could be banned for all but two months of the year when the highest debris is present. It is best to leave the leaves and debris on the lawn and let them decompose or rake instead. We also don't want to cause any negative impacts on employees or employers within the landscaping industry.
- **H. Villanueva** was concerned about the impact neighboring yards left with leaf litter would have on his yard if leaves blew over to his. He said the issue of landscaping equipment seems to be a noise concern disguised as a health and environmental concern. He wanted to know if landscaping equipment poses a real problem or if people are making a noise concern into a bigger problem than it is.
- **C. Elam** responded that these are the kinds of concerns staff wants to hear. Commercial leaf blowers contribute about 10% of our front range ozone. They have a larger impact on the environment as discussed previously.
- **A. Groziak** asked if first raking then blowing would be an option.
- **C. Elam** responded that staff can investigate that option and asked how compliance would be quantified, reported and enforced.
- **H. Villanueva** was concerned that providers will find loopholes or run gas

generators to recharge their batteries.

- **B. Brockett** asked how much less effective a leaf blower is than the rake. It doesn't seem reasonable to maintain the use of leaf blowers on lawns. She worries that the outreach would not reach the people who would complain about the debris.
- **C. Elam** said you should expect some debris left on a lawn if using a rake. Leaf blowers wouldn't be practical to use on brick, rock or large areas. Homeowners associations carry large contracts and may hear complaints from homeowners if contractors aren't meeting their expectations. This could result in businesses losing customers if there is a perception that they aren't doing a thorough job. We need a slower, seasonal approach to counter this. For example, an approach could be by 2024 the city only allows leaf blower use in certain months and will engage in soft enforcement (warnings). Then by 2025 there could be limits to allow only electric equipment and have stronger enforcement for repeat offenders.
- **A. Groziak** asked if the city could invest in the development of a quieter leaf blower that is comparable to a gas one.
- **C. Elam** responded that this is an interesting idea that we haven't thought of. The city secured a grant from Boulder County to pilot a new incentive program to drive more electric adoption by paying a portion of the cost at the point of sale. Small businesses may not have the option to wait for rebates. We want to ensure we are providing good charging infrastructure by purchasing charging stations outright and providing them to small businesses. All of this would be paired with information for folks to voluntarily transition and would be backed with a robust education program.
- **M. SanClements** said he believes customers should bear the burden of some of the costs of providers switching to electric.
- **C. Elam** replied that we have few or no providers that only work in the city. If we, as a community, drive this incentive model there will be a larger impact throughout the area. She added that we are also thinking about who we are enforcing against. One option would be to enforce against the provider and the other would be against the person purchasing those services. Staff recommends enforcing against the person purchasing the services. Another consideration is who enforces it. We will look at case studies where noise enforcement has shifted from police enforcement to code enforcement.
- **C. Elam** provided a recap. She said she hears loud and clear the board shares the concerns for equity. She asked what else the board would like her to take to council. She will ensure this work is centered in the right outcomes and not only the noise concern.
- **B. Brockett** said she doesn't want to see noise issues blown out of proportion.
- **A. Groziak** would like to see the city fund development of a better leaf blower.
- **H. Villanueva** said this seems to be a situation where we need to wait for the market to adapt, which may be 5 – 10 years away. We don't currently have the right battery capacity. He is against banning gas lawn equipment until there are better equipment options available. He is very concerned about police enforcing bans. Many landscaping workers aren't documented and that's unfair to them to

put them in a situation where they are required to interact with the police.

- **M. SanClements** would like to see programs to encourage voluntarily transition to electric equipment rather than a forced change or ban. He added that the National Science Foundation has a program to help fund private sector innovation.

B. University Hill Trash Ordinance

- **A. Groziak** requested to add an agenda item about the University Hill trash ordinance. The board approved this addition. She shared an article about the ordinance.
- **C. Elam** said she was not an expert on the ordinance and would defer to other staff for information.
- **H. Sandine** offered to invite other staff involved to a future EAB meeting. She will reach out to Utilities, Code Enforcement, Encampment Cleanup and any others suggested. She will also share the council memo related to the ordinance with the board.
- **A. Groziak** said she is concerned that decisions with an environmental impact are being made without EAB input.

5. OLD BUSINESS/UPDATES

None

6. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY DEBRIEF MEETING/CALENDAR CHECK

A. Recruitment update

7. DEBRIEF MEETING/CALENDAR CHECK

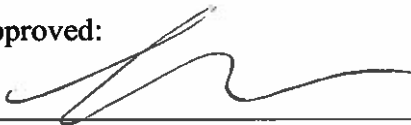
A. The next EAB meeting is scheduled for April 5 at 6 PM. Does EAB wish to reschedule to April 12 in light of April 5 being the first night of the Jewish holiday of Passover? The board agreed to the change.

B. The next EAB meeting is scheduled for **April 12 at 6 PM.**

8. ADJOURNMENT

The Environmental Advisory Board adjourned at **7:27 PM.**

Approved:



Chair

4/12/23

Date



COVER SHEET

MEETING DATE

May 4, 2023

DECLARATIONS ITEM

National Mental Health Awareness Week Declaration

PRIMARY STAFF CONTACT

Taylor Reimann

ATTACHMENTS:

Description

- ▣ **National Mental Health Awareness Month**

Mental Health Awareness Month May 2023

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.

We, the City Council of the City of Boulder, Colorado declare May 2023 as

Mental Health Awareness Month



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 4, 2023

DECLARATIONS ITEM

Archeology and Historic Preservation Month Declaration

PRIMARY STAFF CONTACT

Taylor Reimann

ATTACHMENTS:

Description

- ▣ **Archeology and Historic Preservation Month**

Boulder Archaeology and Historic Preservation Month

May 2023

Historic preservation is more than just restoring old buildings. Historic preservation is also a part of how we celebrate community, create more housing, prepare for climate change, respect agriculture, conserve resources, build healthy communities, and think about our future.

Boulder's historic places are meaningful to our community for many reasons. Historic places help us establish our identity and give us a sense of place. They are tangible links to our city's history and give us an authentic opportunity to tell the stories of past residents. Boulder's historic places contribute to our community's vibrant and strong economy.

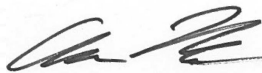
Archaeology and Historic Preservation Month is an opportunity to celebrate our community's historic places, and the community members doing the great work of saving places --in ways big and small. It is an opportunity to inspire others to do the same.

People Saving Places is the theme for Archaeology and Historic Preservation Month in Colorado for 2023; it is co-sponsored by the Boulder County Heritage Roundtable.

We, the City Council of the City of Boulder, Colorado, declare May of 2023 as

Archaeology and Historic Preservation Month

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



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 4, 2023

DECLARATIONS ITEM

Shrink the Lawn, Plant for Pollinators! Declaration

PRIMARY STAFF CONTACT

Taylor Reimann, Assistant to City Council

ATTACHMENTS:

Description

- ▣ **Shrink the Lawn, Plant for Pollinators!**

Shrink the Lawn, Plant for Pollinators!

May 2023

Pollinators play vital roles in our ecosystems. They are responsible for the reproduction of three-quarters of the world's wild plants and one third of our agricultural crops. Pollinators support flowering trees, shrubs and flowers which provide food and shelter for wildlife and humans alike.

In addition to honeybees, Boulder County has over 562 species of wild bees plus thousands of species of moths, butterflies, and other insect pollinators that require diverse and abundant floral resources. A primary cause of pollinator decline is the decreasing availability of biodiverse habitat due to simplified urban landscapes, such as turf grass lawns. Monoculture lawns lack floral resources for pollinators, require valuable, limited resources, like water, for support and often use fertilizers and herbicides that can cause further decline in pollinators species.

Alternatives to turf grass include trees, shrubs and flowers which create a more diverse landscape and provide habitat for pollinators, birds, and other wildlife. Planting native wildflowers that flower in spring can also provide important nectar and pollen for pollinators emerging from winter. These turf grass alternatives reduce the noise and pollution associated with maintaining lawns while creating a more resilient landscape using less water, sequestering CO₂, and helping to lessen the effects of our warming climate.

The City of Boulder recognizes the importance of raising awareness across our community about the value in reducing monoculture lawns and creating biodiverse habitats to protect and support the pollinating insects who are vital to our ecosystems and our way of life. City Departments will continue to utilize best practices for where and when to mow and to grow more diverse plantings to encourage pollinator and wildlife friendly landscapes.

We, the City Council of the City of Boulder, Colorado declare May as the month to

Shrink the Lawn, Plant for Pollinators!

To encourage people to reduce or eliminate monoculture lawns, plant a diversity of native plants, shrubs and trees and to discontinue the use of chemical treatments to create more biodiverse habitats and healthy ecosystems for all pollinators, wildlife and humans.



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

May 4, 2023

DECLARATIONS ITEM

National Child Abuse Awareness Month Declaration

PRIMARY STAFF CONTACT

Taylor Reimann, Assistant to City Council

ATTACHMENTS:

Description

- ▣ **National Child Abuse Awareness Month**

National Child Abuse Awareness Month April 2023

Our children are our most valuable resources and will shape the future of the City of Boulder, but child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse. Protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children. Effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families. Communities must make every effort to promote programs and activities that create strong and thriving children and families.

Local county human services agencies in Colorado assessed the safety of more than 50,678 children. Of those children 10,918 children experienced abuse and neglect and an additional 17,024 children's families received voluntary support from social services to help strengthen their relationships and prevent child abuse or neglect in the future. Local non-profit Blue Sky Bridge administered youth and family services like forensic interviews and crisis counseling to a total of 152 city youth and families in 2022. Another local organization, Voices for Children, reported that at least 193 city youth survivors of child abuse/domestic violence received court appointed special advocates and advocacy services in 2022.

We acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment. Prevention remains the best defense for our children and families.

We, the City Council of the City of Boulder, Colorado declare April 2023 as

National Child Abuse Awareness Month



Aaron Brockett, Mayor

