

**Mayor**

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**Council Members**

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Tina Marquis

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Mark Wallach

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Council Chambers

1777 Broadway

Boulder, CO 80302

June 13, 2024

6:00 PM

**City Manager**

Nuria Rivera-Vandermyde

**City Attorney**

Teresa Taylor Tate

**City Clerk**

Elesha Johnson

## STUDY SESSION BOULDER CITY COUNCIL

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Draft Form Based Code Updates to Implement the East Boulder  
Subcommunity Plan

90 min - 30  
min staff  
presentation/60  
min council  
discussion

Municipal Court/BPD Quarterly Update

105 min – 25  
min Muni  
Court/ 20  
BPD staff  
presentations /  
60 min Council  
discussion (30  
each)

Council Rules of Procedure Sec. II. Communications with Council, Sec. IV.  
Council Meeting Agenda and Sec. XVI. Rules of Decorum Discussion

30 min

**3:45 hrs**

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## **COVER SHEET**

### **MEETING DATE**

**June 13, 2024**

### **AGENDA ITEM**

Draft Form Based Code Updates to Implement the East Boulder Subcommunity Plan

### **PRIMARY STAFF CONTACT**

Kathleen King, City Planner Principal

### **ATTACHMENTS:**

#### **Description**

- ▣ **Item 1 - Draft Form Based Code Updates to Implement the East Boulder Subcommunity Plan**



## STUDY SESSION MEMORANDUM

**TO:** Mayor and Members of City Council

**FROM:** Comprehensive Planning, Planning & Development Services

**DATE:** June 13, 2024

**SUBJECT:** Draft Form Based Code Updates to Implement the East Boulder Subcommunity Plan

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### EXECUTIVE SUMMARY

The [East Boulder Subcommunity Plan](#) (EBSP), adopted by Planning Board and City Council in 2022, includes the following recommendation for near-term implementation:

*D9. East Boulder Zoning and Form-based Code Study*

*Implementing the vision of the East Boulder land use plan will require code updates, zoning changes and possibly, the creation of new zones. The East Boulder Place Types Map and Place Type Performance Standards will be used as a guide to develop code recommendations to implement the plan and deliver design quality and placemaking described in the EBSP. Form-based code will be considered as an implementation option. (page 83-84)*

Comprehensive Planning division staff began implementation of this recommendation in 2023, with the support of a consultant team. In addition to changes that will address East Boulder, staff are using this opportunity to make additional revisions to the existing form-based code (FBC) to enhance its usability and design outcomes. On [October 12, 2023](#), staff presented initial community input on the FBC to City Council and received feedback on code and FBC review processes. On [March 7, 2024](#), staff presented recommended future zoning for East Boulder and associated recommendations for use table modifications to guide development in East Boulder to meet the Place Type performance standards described in the EBSP. Since that time, the consultant team has been drafting an update to the city's FBC regulations based on collected feedback.

The purpose of this meeting is to review and gather feedback from City Council on the draft FBC revisions that are intended to implement recommendations of the EBSP and address comments on the existing code. A similar review and sharing of City Council



feedback will be provided to Planning Board as a Matters item at their June 18, 2024 meeting.

### **KEY ISSUES IDENTIFIED**

Staff recommends Appendix L and M of Title 9 – Land Use Code be revised to implement the goals of the EBSP and respond to feedback from the community, Focus Groups, a Technical Advisory Committee, staff, Planning Board, and City Council. Below is a summary of the proposed changes:

- **Application of FBC to East Boulder Areas of Change and Future Rezoning Strategy.** Appendix L identifies the areas of the city where FBC applies. Staff propose the following updates to implement the recommendations of the EBSP.
  - Updates to Appendix L to include the East Boulder areas of change, as identified in the EBSP. To update zone districts in the FBC areas to districts consistent with the intent of the plan, an additional designation would be incorporated into Appendix L. Properties within the East Boulder FBC areas that are redeveloped or substantially modified would be required to update the zoning to be consistent with a new future zone districts map that is proposed to be added to the EBSP.
- **East Boulder Place Types.** The mix of uses and character described in the place types defined in the East Boulder Subcommunity Plan were used to inform these code updates.
  - A new building type, street frontage type and ground floor base type enable greater flexibility for a mix of light industrial, business, cultural and housing uses envisioned by the plan. The combination of requirements in the ground floor base types and building types supports a mix of different uses within new structures.
- **Industrial Identity in East Boulder.** Multiple steps were taken to respect and carry forward the area's industrial identity.
  - A requirement for larger redevelopments to provide "production business space" on the ground floor that meets certain design standards and has specific use requirements has been added to ensure space for local and small businesses continues to be available in the area.
- **Building Design and Gathering Spaces in East Boulder.** The subcommunity plan envisions a variety of different gathering spaces interspersed within a creative mix of building types and materials.
  - A wider mix of building materials reflecting the industrial feel of the area is allowed.
  - Longer building facades are required to be broken up by "streetscape plazas" and courtyards.

- Minimum and maximum building setbacks are larger to allow more flexibility in locating building facades and provide more room for landscape and streetscape elements and small gathering spaces.
- **Development Costs.** The pilot FBC was originally developed as a result of the City's Design Initiative, so the focus was on high quality materials and building design.
  - In East Boulder, to increase affordable development and decrease costs, higher design standards have been prioritized onto A and B streets, with more flexibility allowed on newly created C streets and side and rear facades less visible from the streets.

Several other elements of the FBC have been updated to respond to issues identified by architects and staff to improve readability, set clear expectations, and make the code easier to use by designers, staff, and the community.

- **Chapter 14.** The form-based code is proposed to be moved out of Appendix M and into reserved Chapter 14 that became available from the repealed Residential Growth Management System. The map of form-based code areas will remain in Appendix L.
- **Adaptive Reuse.** Nonconforming buildings in the FBC areas may continue and flexibility has been provided to allow retention of existing building components. The threshold for additions to existing buildings to be reviewed under the FBC has been reduced from 60% of the existing building footprint to 40% for all developments in any FBC area (Boulder Junction and Alpine-Balsam included) to encourage conformance with the FBC.
- **Clarifications and Clean-up.** Several code updates are proposed to clarify the language in design standards, clean up inconsistencies, and re-organize sections for easier navigation. Refer to the checklist of existing FBC potential revisions in [Attachment A: Existing FBC Recommended Changes Checklist](#).

Refer to the Analysis section below for more detail on these specific updates and see [Attachment C: Draft Appendix M – FBC Update with Markups](#) for the full draft update.

### Questions for Council

Staff is seeking input on the following key issues:

1. Does City Council support the draft updates to [Appendix L: Form-based Code Areas](#) map and [Appendix M: Form-based Code](#) related to implementing the goals of the East Boulder Subcommunity Plan?
2. Does City Council support the draft updates to [Appendix M: Form-based Code](#) related to comments received about the current regulations?

## **BACKGROUND**

### **Purpose of the East Boulder Zoning Update**

The purpose of the East Boulder Zoning Update is to facilitate the realization of the community's vision and direction outlined in the adopted East Boulder Subcommunity Plan. The intended outcome of the process is a multi-part strategy to define new regulations which may be applied to areas of change identified in the EBSP. This will:

- Reduce barriers to achieving the types of places we heard community members want.
- Promote the design of buildings to strengthen their relationship to public space.
- Enhance the unique character of the East Boulder subcommunity.
- Nurture a more economically resilient, walkable place for businesses, workers and residents.
- Provide more attainable and affordable housing opportunities to accommodate a growing region.
- Encourage workspaces and commercial places for existing and new makers and merchants.

### **East Boulder Zoning Update Strategy**

To establish zoning and new regulations that align with the EBSP's Place Type recommendations, the East Boulder Zoning Update strategy includes four key components:

#### **1. Use Table Modifications**

These modifications are proposed to permit East Boulder Place Type preferred uses by-right. This component was discussed with Planning Board on February 20, 2024. The board voiced general support for the proposed use table modifications. The board discussed whether it would be feasible to designate percentages or other proportionality to regulate a balance between residential and non-residential uses across the area. Staff responded that while zoning regulates the uses that are allowed, it is difficult to anticipate economic and market conditions to successfully regulate uses to that degree of specificity. City Council reviewed the proposed changes on March 7 and also generally supported the revisions. Council also suggested staff explore removing auto-oriented uses from the Mixed Use-4 (MU-4) zone district. Given the application of MU-4 to many other areas of the city, and the nature of existing and potential future light industrial and service uses in East Boulder, staff recommend not removing auto-oriented uses from MU-4 at this time.

#### **2. Proposed Future Zone Districts**

Establishing future zone districts that align with Place Types are important to implement the vision of the EBSP. This component was also discussed with Planning Board on February 20 and City Council on March 7. Both expressed general agreement with the proposed future zone districts, and each noted a few concerns for staff to consider. Planning Board desired a requirement to develop residential in mixed-use zone districts and other zone districts that allow residential uses. Rather than addressing this comment within the zone district

regulations which apply citywide, the proposed form-based code updates will require residential uses for larger projects (greater than 15,000 sf) in specific areas. Planning Board and City Council agreed Industrial Main Street (IMS) is the most appropriate equivalent zone for the Destination Workplace place type but noted a concern about increasing the allowed office square footage to 50,000 sf, especially because it would also apply to other IMS locations in the city. Staff will bring forward additional analysis and recommendations for IMS as part of the final proposed code amendments later this year.

3. Application of Form-Based Code  
Application of form-based code in appropriate areas through an update to the [Appendix L: Form-based Code Areas](#) map.
4. Updates to Appendix M: Form-Based Code  
Update [Appendix M: Form-based Code](#) as needed to implement the recommendations of the EBSB.

### Process

Staff are seeking feedback from City Council on the questions introduced at the beginning of this memo. The project team will present the same information and gather feedback from Planning Board on June 18, 2024. Additionally, the draft FBC updates were made available for community review and comment from May 28 through June 21, 2024. The project team will meet with the Technical Advisory Committee in June and then prepare a final draft of the code updates over the summer. Staff anticipate initiating the adoption process with Planning Board and City Council in the fall of 2024.



Figure 1: East Boulder Zoning Implementation Process and Timeline

### Public Feedback

The East Boulder Subcommunity Plan process included three years of robust community engagement to help define a community vision for the future of the subcommunity. The plan describes community expectations for desired land uses, building character, street-level activation, streetscape character, access and mobility, and parking. As described in the Boulder Valley Comprehensive Plan, a key tool to manage the execution of that vision through redevelopment is the Boulder Revised Code (B.R.C. 1981).

This phase of implementation includes drafting the form-based code update based on community, staff, Planning Board and City Council feedback to date. The project team will share the public review draft via the following channels:

1. *Technical Advisory Committee (TAC) Meetings*

The TAC is composed of approximately 12 members of the local design and construction community. Members represent various disciplines and specialties in the design process and bring a critical eye to inform potential rezonings, code changes and the potential update to the city's form-based code. Three scheduled TAC meetings were held on September 12, 2023, December 12, 2023, and June 10, 2024. The first two meetings were focused on technical issues related to the existing form-based code, and the last meeting was focused on a review of the draft FBC updates.

2. *Focus Group Sessions*

The project team assembled four focus group sessions focused on key issues to inform future zoning recommendations for the first phase of the project. The four groups included participants representing area property and developers, local business owners, mobility service providers and advocates, and long-range planning advocates. Similarly, the focus group sessions introduced the project to participants and collected feedback on their interests, concerns and plans for zoning changes in the area. Key themes from these sessions included:

- Interest in ability to create more and wider variety of housing options in East Boulder
- Concerns for affordability of commercial space and subcommunity's ability to support small businesses in the face of redevelopment

3. *Community-wide Communications Channels*

In addition to collecting targeted input from impacted community members and those working in the design and development industries, the project team has provided information about the project to the broader community through updates to the East Boulder Subcommunity Plan [project webpage](#). Drafts of the proposed updates to Appendix L and Appendix M were uploaded to the webpage on May 28, 2024. Community members can read and provide comments on the drafts until June 21, 2024.

4. *East Boulder Business Questionnaire*

To ensure the FBC updates reflect the needs of businesses in East Boulder, the project team posted a questionnaire on BeHeardBoulder from March 10, 2024, to April 4, 2024. Staff also went door to door to collect feedback in person and walk business owners through the questions. The questionnaire was specifically related to space and design needs for business owners who currently rent or own spaces in the area. Responses were used to prepare the space requirements included for the East Boulder areas that will be subject to FBC in the future. Twenty-six businesses of diverse types responded to the questionnaire. There was consensus from respondents about the need for ceiling heights over twelve feet, roll

up/garage doors, and loading/unloading capabilities. About one third of respondents were concerned about an increase in transparency requirements due to concerns about theft of property. However, the majority of respondents desired their business to be visible and accessible to the public. A little over half of respondents agreed that their current parking was adequate and shared with other businesses. Finally, the staff heard concerns voiced over being priced out of Boulder because of redevelopment and allowing residential uses to be built in the area.

5. *Boulder Chamber Meetings*

The project team met with the Boulder Chamber Commercial Brokers group on Monday, May 13 to provide a project update and share the results of the East Boulder Business Questionnaire. Approximately 40-50 members were in attendance. The project team presented to Chamber members to receive further feedback surrounding the needs of businesses in the area. Concerns from this group mirrored several of the concerns staff have been hearing from both the Technical Advisory Committee and Focus Group members. In addition, they were interested in expanding allowed uses in areas zoned as industrial.

The project team is planning to provide an overview of the FBC update to Boulder Chamber design and development members later in June.

## ANALYSIS

**Does City Council support the draft updates to [Appendix L: Form-based Code Areas map](#) and [Appendix M: Form-based Code](#) related specifically to the East Boulder Subcommunity Plan recommendations?**

***What key recommendations of the EBSP are reflected in the proposed FBC updates?***

The consultant team, along with staff, have prepared a draft [Appendix M: Form-based Code](#) update that includes several major changes to reflect the recommendations included in the EBSP.

1. **Application of FBC to East Boulder Areas of Change and Future Rezoning Strategy.** Appendix L identifies the areas of the city where FBC applies. Staff propose the following updates to implement the recommendations of the EBSP.
  - Updates to Appendix L to include the East Boulder areas of change, as identified in the EBSP. Other areas included in the EBSP would not be subject to the form-based code.
  - To update zone districts in the FBC areas to districts consistent with the intent of the plan, an additional designation would be incorporated into Appendix L (see [Attachment B: Draft Appendix L – FBC Areas Map](#)). Properties within the East Boulder FBC areas that are redeveloped or substantially modified would be required to update the zoning to be consistent with a new future zone districts map that is proposed to be added to the EBSP. The plan would be amended with the map as part of the FBC adoption process. Note, the

future zone districts were discussed with City Council earlier and are not described in detail in this memo. City Council will review the final proposed future zoning districts map during the adoption process expected this fall.

2. **East Boulder Place Types.** The EBSP outlines a series of Place Types for implementation in the areas of change within East Boulder. Each Place Type includes a mix of allowed uses, illustrated in the plan and listed by Place Type, distributed vertically within new developments. The design requirements for each use were considered carefully to ensure these uses could occur within each area of East Boulder areas of change. The Place Types directly informed the choice of proposed future zoning districts and building forms allowed in the FBC.

The EBSP Place Types implemented through the form-based code support the Design Quality & Placemaking policies in the plan (D1, D2, D3, D7). These policies describe making East Boulder open and accessible to everyone, creating more public environment through redevelopment, reinforcing the creative, working, industrial nature of the area, and creating varied architectural outcomes with varied rooflines.

- A new building type, the Workshop Building, supports industrial and office building formats to continue to house non-residential uses in the area.
  - A new street type, the C street, provides a more flexible street type that allows less stringent design requirements and offers functions and characteristics between a primary multimodal street and alley.
  - A new base type, the Workshop Base, allows a more industrial and productive base which includes loading docks and garage doors on the ground story of both the Workshop building and in other buildings along the new C streets.
3. **Industrial Identity in East Boulder.** The FBC updates related to industrial spaces specifically support Local Business policies (B1) to create ground-floor affordable commercial and industrial spaces for specific uses that may be displaced within the areas of change; allows a mix of uses throughout the area of change to support new residents in the area (B4); and recognizes the need to accommodate truck traffic and loading (B5). Multiple steps were taken to respect and carry forward the area's industrial identity:
    - A wider mix of building materials reflecting the industrial feel of the area are allowed in the East Boulder section of the FBC.
    - Larger buildings are required to include "production business space" (10% of the ground floor area) to account for smaller productive uses that may otherwise be pushed out of the area. The required space must be small in scale to help with affordability, meet certain design requirements (e.g., minimum 14 ft. ground floor height), and have garage door access. Uses allowed in production business space are also limited to appropriate activity such as a distillery, commercial kitchen, light manufacturing, theater/rehearsal space, and art studios.

4. **Building Massing, Building Variability, and Public Space.** The updates to the FBC support the Design Quality & Placemaking policies from the plan, including the creation of welcoming environments through the interaction between buildings, streetscapes, and public spaces (P1), providing public spaces (D4). They also support the Access & Mobility policies in the plan including the creations of connections (M1), pedestrian support/walkability (M11 for 55th Street Design) and providing locations to accommodate Mobility Hubs (M12).
- Longer building facades along the street in the East Boulder areas are required to be broken up by “streetscape plazas” and courtyards to enhance variability in architecture and introduce more small gathering spaces.
  - Minimum and maximum building setbacks in East Boulder are larger, providing more landscape and streetscape space as well as allowing for more flexibility in terms of locating the building facade. These spaces also provide for more gathering spaces and landscape areas along the street.
  - Outdoor spaces of varying sizes are required to be located on redevelopment sites unless one already exists within 1/8 mile. Some of these outdoor space types require playgrounds to be included especially in areas that will likely contain residential that accommodates families. Mobility hubs have also been added as a permitted feature in some outdoor space types.
5. **Development Costs.** The pilot Form-Based Code was originally developed because of the City’s Design Initiative, so the focus was on high quality materials and building design. However, the EBSP includes Arts & Culture and Housing Affordability & Diversity policies that suggest greater flexibility in design to reduce development costs will be needed.
- Design standards have been prioritized onto A and B streets with more flexibility allowed on newly created C streets and side and rear facades less visible from the streets.
  - The range of allowed building materials has been expanded for East Boulder, and the amount of major materials (higher quality materials) required on Type B and C facades has been reduced.
  - Longer building frontages are allowed to help reduce additional vertical circulation costs (additional elevators and stairwells). Longer facades must still meet enhanced design expectations as described by the required facade variability discussed in item 3 above.

**Does City Council support the draft updates to [Appendix M: Form-based Code](#) related to issues identified with the current FBC?**

***What key issues identified in the current FBC are addressed in the draft FBC updates?***



- **Chapter 14.** The form-based code is proposed to be moved out of the appendix and into reserved Chapter 14, resulting from the repealed Residential Growth Management System. This will result in more consistent administration of the code and easier interpretation by staff, applicants, and community members.
- **Adaptive Reuse.** Buildings constructed prior to adoption of the FBC in the FBC areas may continue to be used, and the code allows for retention of existing building components. Previously, modifications expanding the existing floor area by 60% or more were required to meet FBC standards. Staff proposes to change this threshold so that modifications expanding the floor area by 40% or more would have to meet FBC standards. This change is proposed to apply in any FBC area, Boulder Junction and Alpine-Balsam, included. The goal here is to allow flexibility for use of existing buildings, while still moving larger investments in nonconforming buildings toward conformance with the FBC.
- **Clarifications and Clean-up.** Several code updates are proposed to clarify the code language, clean up inconsistencies, remove unnecessary standards, and re-organize sections for easier navigation. Refer to the checklist of existing FBC potential revisions in [Attachment A: Existing FBC Recommended Changes Checklist](#).

## NEXT STEPS

The project team will consider City Council’s feedback alongside comments from Planning Board and input from the community on the draft updates through June 21, 2024. Staff will refine the draft based on feedback over the next few months. A final draft of the East Boulder form-based code updates and other associated plan amendments and code changes will be presented for review and potential adoption by Planning Board and City Council in fall 2024. It is anticipated that several actions will be needed to fully implement the zoning strategy including the following:

1. Amendment to the East Boulder Subcommunity Plan and 55<sup>th</sup> & Arapahoe Station Area Master Plan to incorporate the proposed future zone district map and make minor corrections to the Connections Plan to be consistent with the FBC regulating plans (requires Planning Board and City Council approval).
2. Amendments to specific sections of Title 9, B.R.C. 1981, to update allowed uses in certain zone districts, edit rezoning criteria related to East Boulder, and include new transportation demand management standards for the MU-4 zone district in East Boulder (requires Planning Board recommendation and City Council approval).
3. Amendments to Appendix L, Appendix M, and Chapter 14 to implement the updates to the form-based code (requires Planning Board recommendation and City Council approval).

## **ATTACHMENTS**

Attachment A: Existing FBC Recommended Changes Checklist

Attachment B: Draft Appendix L – FBC Areas Map

Attachment C: Draft Appendix M – FBC Update with Markups

**DRAFT**

# Summary of Recommendations

## Overall Goals of FBC

- |             |  |
|-------------|--|
| <b>CITY</b> | • Continue to evaluate locations for use of the form-based code. Create evaluation standards for selecting appropriate locations for use of the FBC.   |
| ✓           | • Update the code based upon feedback and exceptions requested during project reviews.   |
| <b>CITY</b> | • Further discussion is needed to outline how to communicate information about the code, such as a frequently asked questions (FAQ) document or short recorded presentations on the website. |

## Structure of the FBC

### OVERLAY & UNDERLYING ZONING DISTRICTS

- |                         |  |
|-------------------------|--|
| <b>Not at this Time</b> | • Consider translating the overlay into zoning districts incorporating the use requirements into the form-based code, simplifying the process.   |
| <b>Not at this Time</b> | • While it is not usually recommended, an overlay could supersede all regulations in the underlying zoning district. The existing Flex district or a new FBC district could be utilized to apply to all future FBC areas. Allowed uses could then be defined in the form-based code overlay for those locations, using the same categories of uses existing in the current, revised land use code. |
| ✓                       | • Move the FBC to Chapter 14, in place of the repealed Residential Growth Management System.   |

## Procedures

### CALL-UPS

- |                         |  |
|-------------------------|--|
| <b>Not at this Time</b> | • Consider establishing triggers for call-ups, such as a majority vote among planning board members to call-up a project, or a list of concerns of staff interpretations from the form-based code.                   |
| <b>Not at this Time</b> | • Consider a report-out to planning board quarterly in lieu of call-ups to determine if adjustments are needed to the form-based code or staff's interpretations need adjustment.                                    |
| ✓                       | • Create a list of design elements in the form-based code that are triggering the DD phase prior to approvals. Establish other ways those items might be handled otherwise, while ensuring compliance with the code. |

### EXCEPTIONS TO THE REGULATIONS

- |   |  |
|---|--|
| ✓ | • Use commonly requested exceptions to update the code.  |
| ✓ | • Consider creating more "alternative compliance" paths for staff to approve exceptions that have clearly defined options for meeting the regulations, in order to avoid the need for planning board approval in clear-cut situations. For example, the code could allow for an alternative window orientation that results in acceptable distribution of glass on the facade. |

**SUBMITTAL DOCUMENTATION****CITY**

- Create a template to accompany FBC applications outlining what is required for submittals. The template would also make it easier for new firms to by-pass the learning curve Coburn experienced.



- Some regulations may be removed, further reducing the number of submittals required. See Modification of Regulations section of this memo.



- Some regulations could simply be an assurance note on the plan specifying the project will meet the regulations. For example, a citation that the window transparency will be met keeps the designer from having to specify the window for the project at the submittal phase. This, in turn, could reduce risk and project cost at that stage, by preventing the project from having to enter the entering the Design Development phase (see Call-Up Costs subsection). Those items could also be reviewed at the time of building permit.



- A reduction in overall building cost would also result in reduced fees for design and submittals, typically a percentage of construction costs. See "Expensive Construction" in the Modifications to Regulations section.

**PUDS & ADAPTIVE REUSE**

- Map locations of existing PUDs in East Boulder FBC areas.



- Coordinate with the City Attorney to determine the age and applicability of those PUDs.



- Owners have the option of rescinding their PUD and using the FBC or the existing zoning in place.



- Address how and when existing buildings being reused in East Boulder would need to come into compliance with the code. See "Adaptive Reuse" in the "Specific to East Boulder" section of this memo.

**INFRASTRUCTURE REVIEW**

- In locations where subdivision is needed for parcelization, introduction of new streets, or new dedicated park areas, a separate process should be outlined. This process should essentially be an engineering of the regulating plan for the site. The submittals can be simplified. See "Regulating Plans (MPD)" in the "Specific to East Boulder" section of this memo.

**INTENT LANGUAGE REVIEW**

- Verify with staff that the intent language is being used in this way.



- Revise the language to reflect this point.

## Modifications to Regulations

### STREET FRONTAGE TYPES

- ✓ • Potentially allow larger developments to create their own regulating plans using a set of guiding regulations. This would allow developments to define the type for internal streets meeting the development's needs. See "Regulating Plans (MPD)" in the "Specific to East Boulder" section of this memo.
- ✓ • For other developments, ensure that all parcels have enough type B frontage to accommodate parking entrances and refuse/recycling pick-up. **[Also added type C street with more flexibility.]**
- ✓ • Note that section 9-9-5 Site Access Control, not the FBC, defines the number of curb cuts allowed. The issue of curb cuts brought up related to trash receptacles being pull out of an enclosure onto the street for pick-up is an issue of section 9-9-5. See section of this memo called "Coordination with the DCS".
- ✓ • A bit off topic, but locating electrical transformers has also been an issue. Xcel Energy has a new setback requirement for transformers, placing them at least 20 feet from all operable windows. In an urban setting, this is difficult to achieve, especially without a clear location for this type of necessary back-of-house elements. In East Boulder, consider the locations of transformers in the street type designations.

### BUILDING MASSING & VARIABILITY

- ✓ • Allow more variability in the streetwall, increasing the build-to zones and allowing for courtyards and plazas to count towards front build-to zone coverage.
- ✓ • Consider including courtyards and plazas as outdoor spaces in addition to paseos, but allowing more flexibility in the location.
- ✓ • Revisit section M-1-28 Building Massing to increase options for achieving more variability in height.
- ✓ • Allow other cap types to be approved either for alternative compliance or provide for additional types, such as a barrel-vaulted roof, to ease approvals.
- ✓ • Add allowances for rooftop terraces and how to manage pergolas, canopies on rooftops.

**Not at this Time**

- Consider allowing unoccupied enclosures of utility appurtenances to extend above the 55-foot maximum in East Boulder in a very limited footprint and with specific design standards within the parameters of the City Charter (see blue box on page 12). This could be consistent/similar to Section 9-7-7, but within fully enclosed building structure such as a "belfry" or "cupola," similar to the tower language in the pilot code.

**Not at this Time**

- Consider modifying how building heights are measured within the form-based code areas, which are meant to be tighter, more urban locations. Typically, in FBCs, height is measured from the adjacent street curb, sidewalk, or right-of-way line as opposed to the lowest point on the site. However, a city-wide vote is required to modify the Charter in order to allow development in East Boulder to utilize a different measuring system.

- ✓ • Note that the extensive exceptions process also allows for relief from the code via planning board approval for a different massing (or other design standard).

#### FACADE VARIABILITY

- ✓ • In addition to deeper build-to zones, a menu of options such as courtyards and other smaller, defined outside spaces may be used to break up facades while also creating more usable private outdoor spaces for gathering (versus paseos where users are passing through the site).
- ✓ • Modification to the vertical window standards requires further study and discussion is needed to avoid blank walls on street facades.
- ✓ • Allowed building materials will be revisited for East Boulder, including allowances on less visible facades, particularly to address cost concerns (see "Expense of Construction"). Solar facade systems are been approved recently on less visible facades, so they could be allowed in the code.

**Not at this Time**

- Consider strengthening the facade variability requirements in M-1-27; however, [more flexibility in the material and window design may allow for more differentiation between buildings](#).

- ✓ • Because it is having no impact and is likely just an added submittal cost, remove Section M-1-29 Building Proportions from the code.

#### EXPENSE OF CONSTRUCTION

- ✓ • Experiences in both Boulder Junction and Alpine-Balsam will inform parking for the East Boulder FBC areas. Access and location should be addressed, considering costs and practicability.
- ✓ • Use of paseos should be required only in specifically defined instances, such as through longer blocks, to access particular amenities, or to preserve views.
- ✓ • Longer facades on bigger building footprints should be considered, provided they are broken up by courtyards and other outdoor spaces as described in the Facade Variation section of this memo. Courtyards allow the building to utilize a single bank of elevators instead of two required if the paseo broke the building up.

**Already defined in code.**

- The FBC does not define how to measure the required window depth. Typically it is measured from the glass to the facade and 2 inches should be easily met on most designs

- ✓ • Revisit the depth of the expression lines as 2" is difficult to achieve with masonry. Also, consider allowing the expression lines to be broken to some degree, using things like canopies over windows to define the line.
- ✓ • Coordinate the window transparency with other City regulations and current high performance window specifications.

#### COORDINATION WITH DCS

- ✓ • Review DCS and make recommendations for elements to address. Outline how the DCS conflicts with the East Boulder subcommunity plan and the form-based code.
- ✓ • Coordinate with the City transportation team to determine what elements can be defined further within the form-based code.
- ✓ • Coordinate conflicts between public access easements and paseo design.
- ✓ • See "Facade Variability" for expansion of streetscape area allowing for more interest.

## Specific to East Boulder

### REGULATING PLANS

- ✓ • Work with staff to coordinate the street types in conjunction with the TMP and the need to accommodate back-of-house functions. Consider creating an additional type C for accommodating industrial activities.
- ✓ • Study and consider a system that allows for submittal of a developer-driven regulating plan to allow for more flexibility within a specific development parcel. The code can still define all of the components required along with general locations for the components, while allowing more flexibility for the specific locations.
- ✓ • As stated in the previous section, allow for a wider mix of outdoor space types, including courtyards and plazas along the build-to zone, creating for more variability along the streetwall and incorporating gathering and landscape spaces along the street.

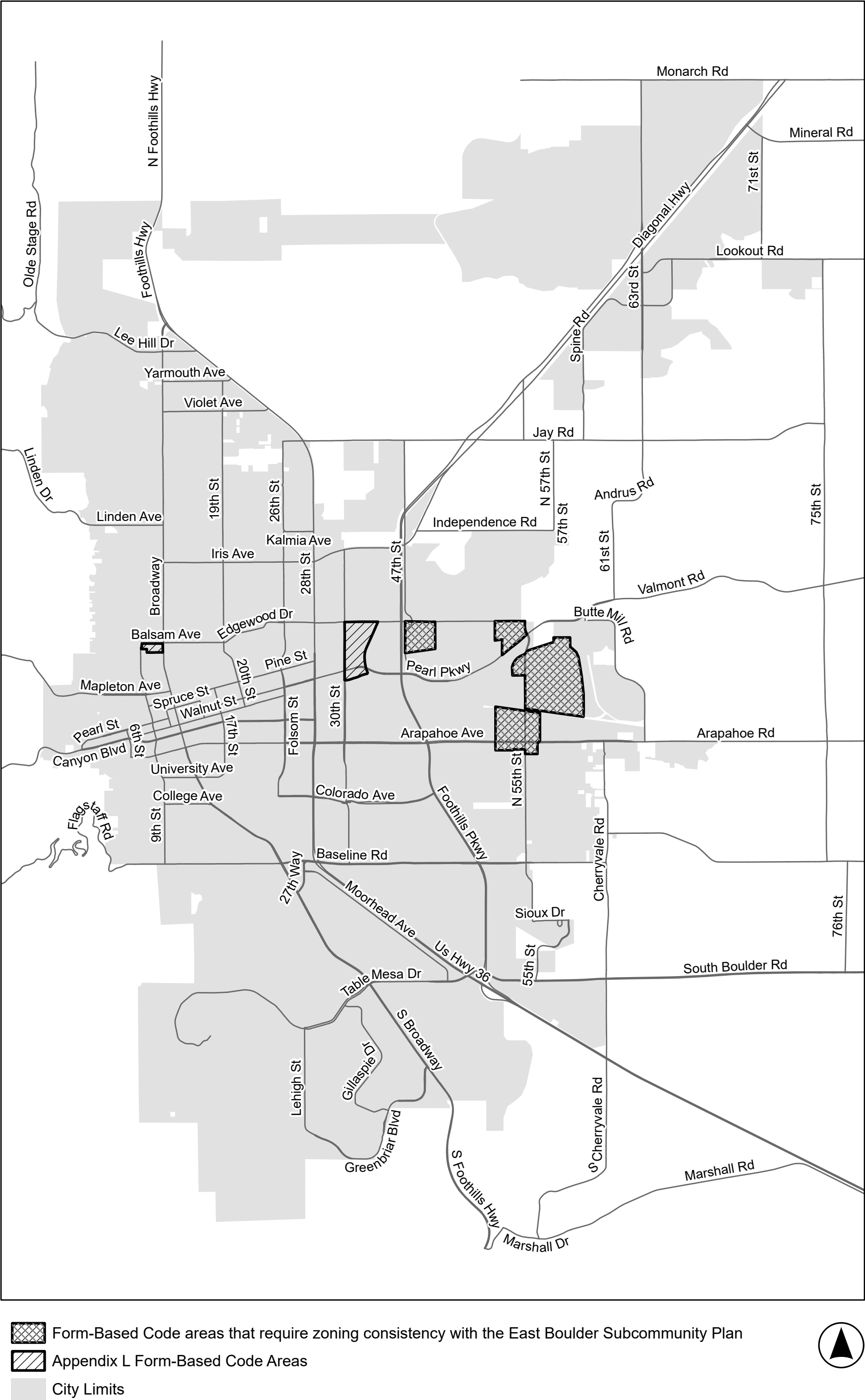
### ADAPTIVE REUSE

- ✓ • Review the City's current regulations and consider additional standards for expansion of non-conforming buildings within the form-based code.
- ✓ • Provide for alternative compliance routes to retain existing building components without meeting code standards.
- Already defined in code. • Create flexible frontage designs to address building reuse for those that might be set back farther from the street than allowed in the code.

### INDUSTRIAL IDENTITY

- ✓ • Allow a wider mix of building materials in the area, reflecting the industrial uses and history of the area.
- ✓ • Incorporate industrial elements, such as loading docks, garage doors, taller floor-to-floor heights in certain locations to accommodate industrial uses.
- ✓ • Research and map appropriate locations for light industrial and service uses into the area. Type B streets can create frontage for these types of uses and their design features (loading, access doors). **[Actually used Type C streets.]**
- ✓ • Allow artisan industrial uses (maker spaces) in all ground floors. Require shallow pedestrian-focused activities along "retail" frontages in storefronts for these uses, such as a small sales area, display area, or viewing area for activity.
- ✓ • Consider replacement of or a percentage of existing industrial spaces in new buildings to ensure the uses can be accommodated in the area. See Community Benefits memo, under separate cover, that includes a discussion of this proposal.

Appendix L to Title 9 – Form-Based Code Areas





**Title 9: Land Use Code  
Chapter 14**

# **Form-Based Code**

**PUBLIC REVIEW DRAFT**  
**MAY 27, 2024**

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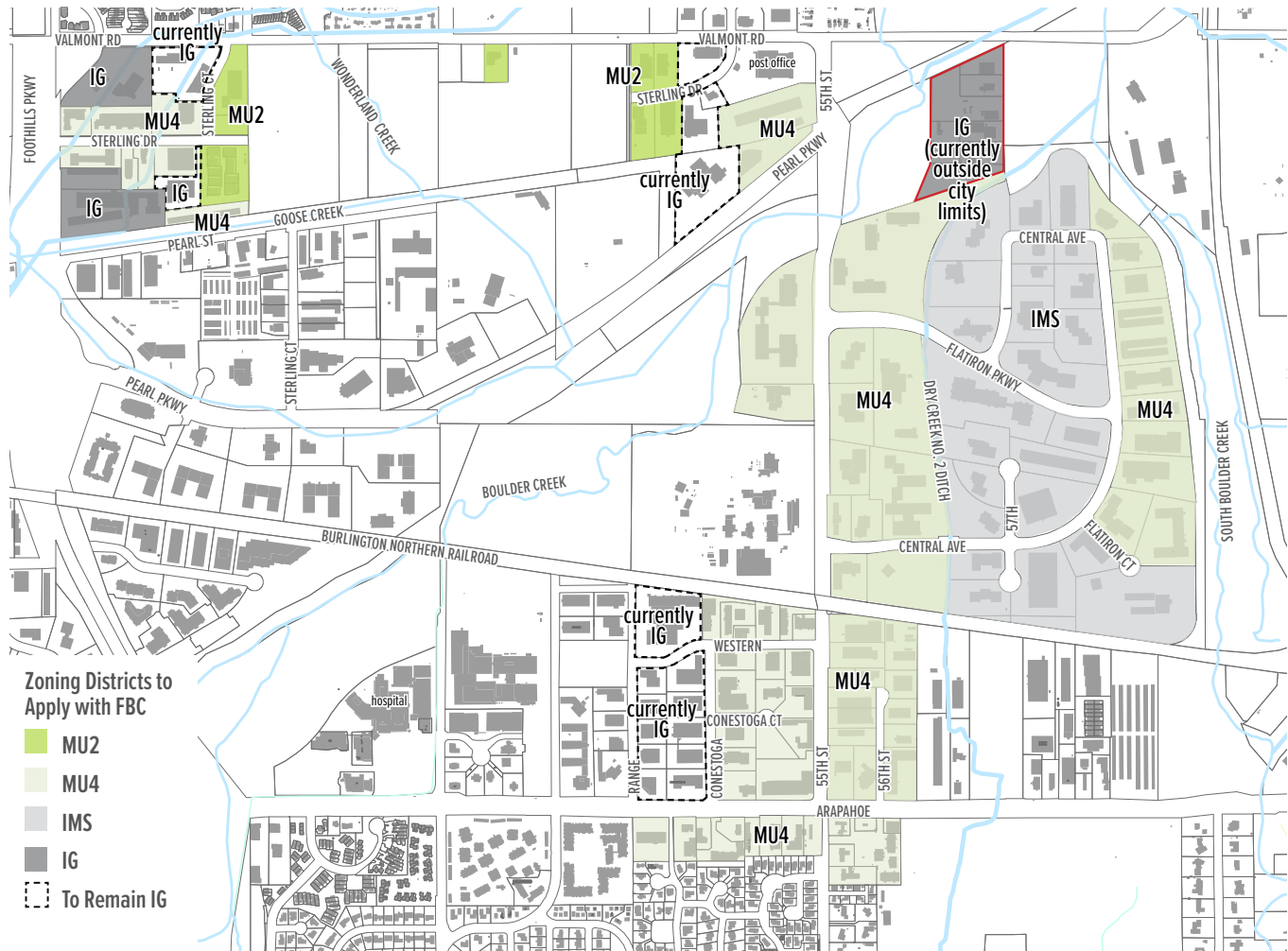
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# General Provisions

# General Provisions

**PROPOSED UNDERLYING ZONING: PROVIDED HERE FOR REFERENCE ONLY**



### 9-14-1. PURPOSE OF FORM-BASED CODE

The purpose of this chapter is to establish building form and design requirements for development within the areas designated in Appendix L to Title 9, “Form-Based Code Areas,” B.R.C. 1981. The requirements for these areas implement the desired development, including functional characteristics, form, design character and quality, as guided by the plans for each designated area and the Boulder Valley Comprehensive Plan.

### 9-14-2. FORM-BASED CODE REQUIREMENTS

No person shall occupy, use, change the use of, alter or develop any building, structure or land within the areas shown in Appendix L, “Form-Based Code Areas,” B.R.C. 1981, and subject to form-based code review pursuant to Section 9-2-16, “Form-Based Code Review,” B.R.C. 1981, except in conformance with the requirements of this chapter unless modified through an exception under Subsection 9-2-16(i), B.R.C. 1981.

- (a) **SPECIFIC LOCATIONS.** The locations where form-based code standards apply are shown in Appendix L, “Form-Based Code Areas,” B.R.C. 1981, ~~and include:~~  
~~Boulder Junction Phase I and Alpine-Balsam Area.~~

### 9-14-3. DESIGN GOALS FOR THE FORM-BASED CODE AREAS

The requirements of this chapter are intended to accomplish the following objectives:

- (a) **CHARACTER, CONTEXT, AND SCALE.** Preserve or enhance the character, context, and scale planned for the area while supporting a more sustainable future by accommodating future residents, reducing dependence on single occupant vehicles, increasing energy efficiency, and promoting safe transportation options for pedestrians and bicycles.
- (b) **HUMAN-SCALED BUILDING DESIGN.** Design to a human scale and create a safe and vibrant pedestrian experience.
- (c) **BUILDING DESIGN QUALITY AND AESTHETICS.** Design high-quality buildings that are compatible with the character of the area or the character established by adopted plans for the area through simple, proportional, and varied design, high quality and natural building materials that create a sense of permanence, and building detailing, materials and proportions.

- (d) **A VARIETY OF HOUSING TYPES.** Produce a variety of housing types, such as ~~attached dwelling units, and detached single family units~~ attached dwelling units, townhouses, live-work units, and duplexes, as well as a variety of lot sizes, number of bedrooms per unit, and sizes of units within the form-based code areas.
- (e) **ADAPTABLE BUILDINGS.** Build adaptable buildings with flexible designs that allow changes in uses over time.
- (f) **PROVISION OF OUTDOOR SPACE.** Provide outdoor space that is accessible and close to buildings. Active and passive recreation areas will be designed to meet the needs of anticipated residents, occupants, employees, and visitors to the property.
- (g) **SUPPORT OF MULTI-MODAL MOBILITY.** Provide safe and convenient multi-modal connections and promote alternatives to the single occupant vehicle. Connections shall be accessible to the public within the project and between the project and the existing and proposed transportation systems, including, without limitation, streets, bikeways, paseos, and multi-use paths.

### 9-14-4. ORGANIZATION AND SCOPE

This section describes how this chapter is organized to provide the user with some guidance using this chapter and it addresses the scope of its application.

- (a) **ORGANIZATION.** This chapter is organized into the following sections:
  - (1) **Sections 9-14-1 through 9-14-8: General Provisions.** The general provisions include a purpose statement for the form-based code, a description of where the requirements for the form-based code apply, a description of this chapter’s organization and scope, the regulating plans for each form-based code area, and definitions that apply to the terms of this chapter.
  - (2) **Sections 9-14-9 through 9-14-13: Site Design.** These sections establish general site design and minimum outdoor space requirements, applicable to all form-based code areas, unless otherwise specified. Outdoor space types are established to guide the design of common outdoor spaces.
  - (3) **Sections 9-14-14 through 9-14-27: Building Types.** These sections establish a variety of building types and building form, design, location, and use requirements applicable to each building type.

# General Provisions

## Organization and Scope

The regulating plans determine which building type may be used on a particular site.

- (4) **Sections 9-14-28 through 9-14-34: Building Design.** These sections establish general building design requirements that are applicable to all of the building types, unless otherwise stated.

**(b) SCOPE.** The requirements of this chapter supplement those imposed on the same lands by underlying zoning provisions and generally applicable development standards of this title and other ordinances of the city. If there is a conflict between the requirements of this chapter and Title 9, “Land Use Code,” B.R.C. 1981, the standards of this section control. The following describes how specific requirements of this title relate to requirements of this chapter:

- (1) **Chapter 9-6: Use Standards.** Chapter 9-6, “Use Standards,” B.R.C. 1981, regulates uses which are permitted, conditionally permitted, prohibited, or which may be permitted through use review. Additional use standards may be established for the different building types in Sections [9-14-14](#) through [9-14-18](#) of this chapter.
- (2) **Chapter 9-7: Form and Bulk Standards.** This chapter supersedes the standards in Chapter 9-7, “Form and Bulk Standards,” B.R.C. 1981, with the exception of Sections 9-7-3, “Setback Encroachments,” 9-7-5, “Building Heights,” and 9-7-7, “Building Heights, Appurtenances,” B.R.C. 1981. Building height shall be measured in accordance with the requirements of Section 9-7-5, B.R.C. 1981.
- (3) **Chapter 9-8: Intensity Standards.** This chapter supersedes the standards in Chapter 9-8, “Intensity Standards,” B.R.C. 1981, with the exception of [Sections 9-8-5, “Occupancy of Dwelling Units,” 9-8-6, “Occupancy Equivalencies for Group Residences,” and 9-8-7, “Density and Occupancy of Efficiency Living Units,” B.R.C. 1981.](#)<sup>1</sup>
- (4) **Chapter 9-9: Development Standards.** Chapter 9-9, “Development Standards,” B.R.C. 1981, applies to developments that are regulated by this chapter as follows:

(A) **Applicable Sections.** The following sections of Chapter 9-9, “Development Standards,” B.R.C. 1981, are applicable:

- (i) 9-9-1. Intent.
- (ii) 9-9-2. General Provisions.
- (iii) 9-9-4. Public Improvements.
- (iv) 9-9-5. Site Access Control, in addition to the access location requirements in Section [9-14-11\(a\)](#) “Driveways,” B.R.C. 1981.
- (v) 9-9-6. Parking Standards.
- (vi) 9-9-7. Sight Triangles.
- (vii) 9-9-8. Reservations, Dedication, and Improvement of Right of Way.
- (viii) 9-9-9. Loading.
- (ix) 9-9-10. Easements.
- (x) 9-9-12. Landscape and Screening Standards.
- (xi) 9-9-13. Streetscape Design Standards, in addition to the requirements established in Section [9-14-10](#), B.R.C. 1981, “Streetscape and Paseo Design Requirements.”
- (xii) 9-9-14. Parking Lot Landscape Standards.
- (xiii) 9-9-15. Fences and Walls.
- (xiv) 9-9-16. Lighting, Outdoor.
- (xv) 9-9-17. Solar Access.
- (xvi) 9-9-18. Trash Storage and Recycling Areas.
- (xvii) 9-9-19. Swimming Pools, Spas, and Hot Tubs.
- (xviii) 9-9-20. Addressing.
- (xix) 9-9-21. Signs.
- (xx) 9-9-22. Trip Generation Requirements for the MU-4, RH-6, and RH-7 Zoning Districts.

(B) **Superseded Sections.** The following sections of Chapter 9-9, “Development Standards,” B.R.C. 1981, are superseded by this chapter:

- (i) 9-9-3. Building Design, is superseded by this chapter.

<sup>1</sup> Track state bill and revise reference as needed.

- (ii) 9-9-11, Useable Open Space, is superseded by the requirements of this chapter.

(c) **OTHER SECTIONS AND ORDINANCES.** The Boulder Revised Code and other ordinances of the city are applicable unless expressly waived or modified in this chapter. If there is a conflict between the requirements of this chapter and other portions of the Boulder Revised Code other than Title 9, “Land Use Code,” B.R.C. 1981, the most restrictive standards shall control.

#### **9-14-5. EXISTING STRUCTURES AND USES NOT CONFORMING WITH THIS CHAPTER**

(a) **PURPOSE.** Adoption of the requirements of this chapter will create buildings, structures, and uses that were legally established but do not conform to the requirements of this chapter. The purpose of this section is to allow these preexisting buildings, structure and uses to be changed and upgraded without requiring their elimination if the change would not substantially adversely affect the surrounding area and would not increase the degree of nonconformity of uses.

(b) **SCOPE.** The provisions of this section apply to buildings and uses that were legally established prior to the adoption of this chapter. This section does not apply to sites that are subject to a valid site review or planned unit development. The buildings and uses can be continued, restored, modified or changed in compliance with Chapter 9-10, “Nonconformance Standards,” B.R.C. 1981. The following modifications are not permitted to buildings as provided in Chapter 9-10, B.R.C. 1981: Subsection 9-10-2 (c), “Replacement of Nonstandard Architectural Building Features” and Subsection 9-10-3 (a), “Nonstandard Buildings and Structures,” B.R.C. 1981. For the purpose of applying the applicable standards of Chapter 9-10, B.R.C. 1981, the standards for nonstandard structures shall be applied to legally established buildings and structures that do not meet the requirements of this chapter and the standards for nonconforming uses shall be applied to legally established uses that do not meet the requirements of this chapter.

#### **(c) EXPANSIONS AND MODIFICATIONS TO EXISTING STRUCTURES THAT DO NOT MEET THE STANDARDS OF THIS CHAPTER.**

- (1) Expansions of ~~60~~ **40** Percent of Floor Area. Any modification to a legally established building or structure that does not meet the standards of this chapter, ~~and~~ was not approved as part of a site review or planned unit development, ~~and~~ that adds more than ~~sixty~~ **forty** percent to the floor area existing at the time of the effective date of the ordinance first adopting form-based code standards for the area the building is located in, of this chapter shall meet the requirements of this chapter. For the purposes of calculating the amount of floor area being added, all floor area

# General Provisions

## Existing Structures and Uses Not Conforming with this Chapter

added in the five years preceding the building permit application shall be included.

- (2) **Facade Additions or Replacement.** Any facade being added or replaced shall meet the applicable site and building design requirements of Sections 9-14-17 through 9-14-22, B.R.C. 1981, of this chapter under any of the following circumstances:
  - (A) New exterior facades added as a result of the addition of any floor area;
  - (B) Replacement of thirty percent or more of the exterior facade material;
  - (C) Replacement or addition of thirty percent or more of the windows on any exterior facade;
  - (D) Replacement of or addition to any door or balcony located on any exterior facade.
- (3) **Facade Requirements.** If the facade exists or will be constructed within the build-to-zone frontage setback, the facade requirements, not including the cap types, of the applicable building type shall be met if any one of the following is included in the building modification or expansion:
  - (A) New exterior facades added as a result of the addition of any floor area.
  - (B) Installation or change of location of two or more additional doors.
  - (C) Expansion or change in location of thirty percent of window area.
  - (D) Replacement of thirty percent or more of facade materials with a different facade material.
- (4) **Roof Renovation.** The cap type requirements of the applicable building type shall be met when the shape or style of more than sixty percent of the roof is changed and thirty percent of the facade is within the build-to-zone frontage setback of the applicable building type.
- (5) **Other Expansions and Modifications.** All expansions and modifications to existing structures that do not meet the standards of this chapter and do not meet the thresholds of this subsection (c) shall be subject to the underlying zoning and standards of Title 9, “Land Use Code,” B.R.C. 1981.



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# General Provisions

## Regulating Plans

### 9-14-6. REGULATING PLANS

No person shall construct, develop, use or occupy a property located in the area designated in Appendix L, “Form-Based Code Areas,” except in conformance with Title 9, “Land Use Code,” B.R.C. 1981, this chapter, and the regulating plan that applies to such property, except as otherwise specified in this chapter.

(a) **BOULDER JUNCTION PHASE I REGULATING PLAN.** Within the Regulating Plan: Boulder Junction Phase I, as shown on [Figure 14-1](#), the following standards apply:

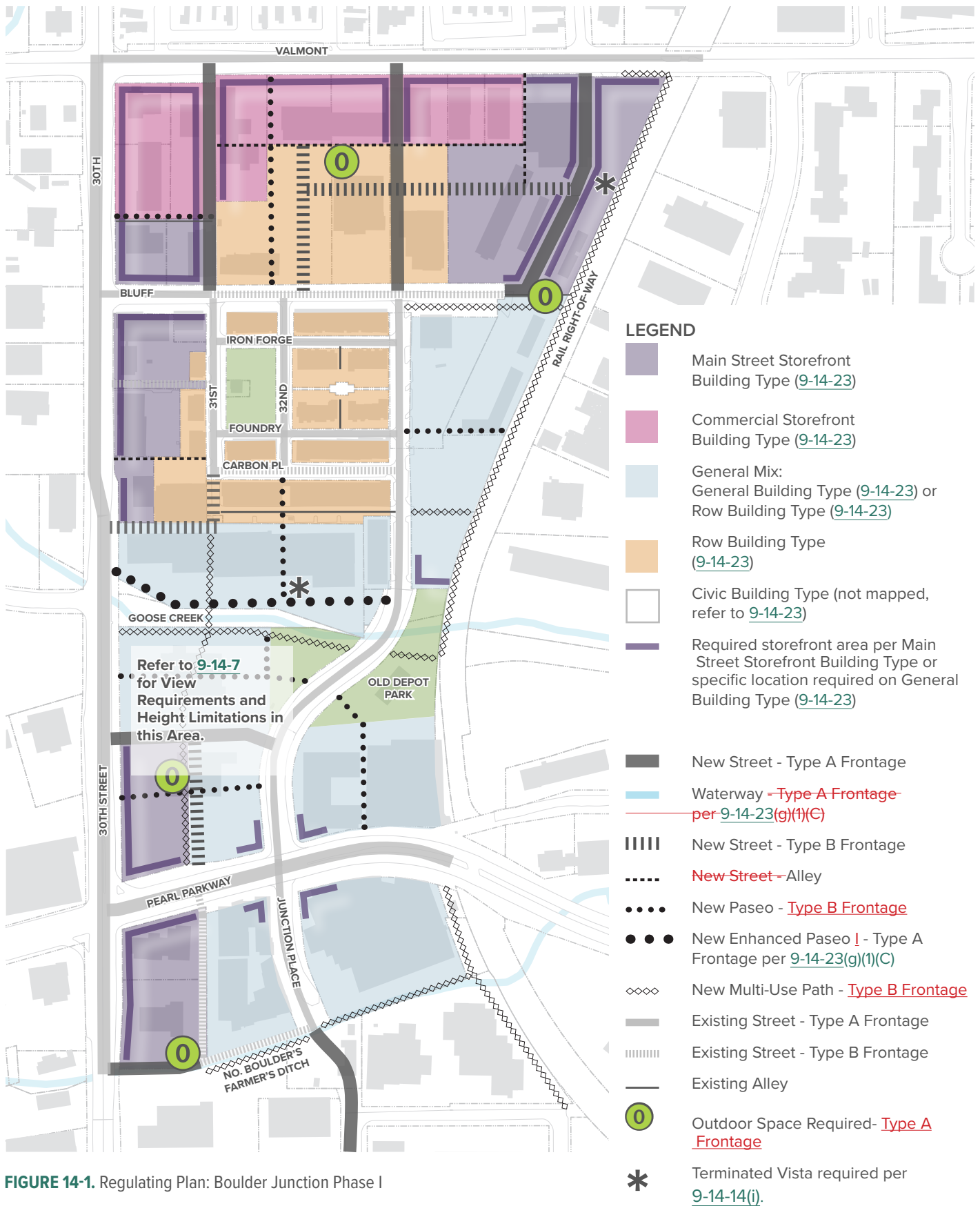
- (1) **Transportation Connections.** The arrangement, type, character, extent, and location of streets, alleys, paseos, paths, and other transportation connections shall conform to the regulating plans shown in [Figure 14-1](#) and the Transit Village Area Plan.
- (2) **Required Building Types.** The building shall be of the building type shown for the property in [Figure 14-1](#) or the civic building type meeting the requirements of Section [9-14-22](#), “Civic Building Type,” B.R.C. 1981.
- (3) **Location Based Height Limits.** No building shall exceed the maximum height and number of stories established for specific locations by [Figure 14-1](#) and [Figure 14-7](#). These location-based maximum height and story limitations supersede the maximum height and number of stories established in this chapter for the applicable building type.
- (4) **Required Residential.** Developments that include general, main street, or row type buildings with a total combined floor area exceeding 15,000 square feet shall include a minimum of fifty percent of residential floor area.
- (5) **Required Storefront.** Buildings shall have storefronts in the locations shown on [Figure 14-1](#) and [Figure 14-7](#).
- (6) **Type A and Type B Streets.** Type A and B street designations establish design standards for how a building ~~shall~~ **must** address the street and regulate access to the property; all buildings shall meet the standards applicable to the types of street frontages shown for the property in [Figure 14-1](#) and [Figure 14-7](#). (See building type requirements and Section [9-14-14](#), “Requirements Applicable to All Building Types,” B.R.C. 1981.)

(7) **Required Outdoor Space Locations.** Outdoor space shall be provided in the locations shown in [Figure 14-1](#). The required outdoor space shall meet the standards of Section [9-14-12](#) “Outdoor Space Requirements,” B.R.C. 1981.

(8) **Terminated Vistas.** When a street terminates or curves on a property as designated on [Figure 14-1](#) or [Figure 14-7](#), the site design or building shall include a feature to terminate the view from the street consistent with the standards in Subsection 9-14-14(i), B.R.C. 1981. ~~The project shall meet the following standards:~~

- (A) ~~If the property where the vista is required to be terminated is open space, one of the outdoor space types established in Section 9-14-12, “Outdoor Space Types,” B.R.C. 1981, shall be utilized, and a vertical feature shall terminate the view. Acceptable vertical features include, but are not limited to, a stand or grid of at least three large maturing trees, as defined by Chapter 3 of the City of Boulder Design and Construction Standards, a sculpture, a gazebo, or a fountain.~~
- (B) ~~If the property where the vista is required to be terminated is not utilized as open space, the facade of a building shall terminate the view. The building facade shall meet the standards applicable to a Type A frontage, whether or not fronting on a Type A street, with the exception of the entrance requirements. The building shall include a feature that terminates the view, such as, a tower, cupola, bay, or courtyard.~~
- (C) ~~A parking structure, surface parking lot, or side or rear facade shall not terminate a vista.<sup>2</sup>~~

<sup>2</sup> Moved to “Requirements Applicable to All Building Types at the front of the Building Type requirements to avoid repetition in each regulating plan section.

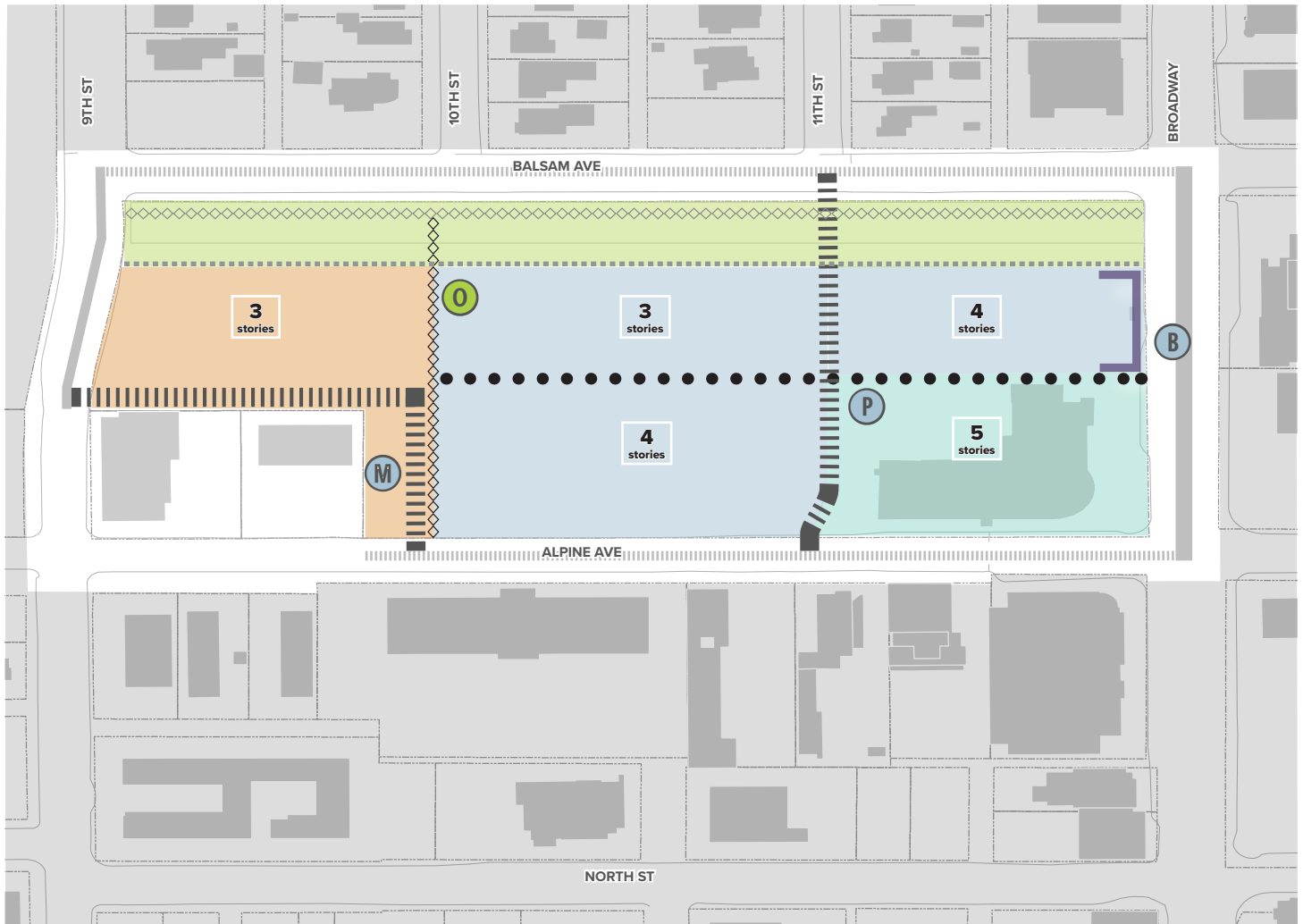


**FIGURE 14-1.** Regulating Plan: Boulder Junction Phase I

# General Provisions

## Regulating Plans

- (b) **ALPINE-BALSAM REGULATING PLAN.** Within the Regulating Plan: Alpine-Balsam, as shown on [Figure 14-2](#), the following standards apply:
- (1) **Transportation Connections.** The arrangement, type, character, extent, and location of streets, alleys, paseos, multi-use paths, and other transportation connections shall conform to the regulating plans shown in [Figure 14-2](#) and the Alpine-Balsam Area Plan.
  - (2) **Required Building Types.** The building shall be of the building type shown for the property in [Figure 14-2](#).
  - (3) **Location Based Height Limits.** No building shall exceed the maximum height and number of stories established for specific locations by [Figure 14-2](#). These location-based maximum height and story limitations supersede the maximum height and number of stories established in this chapter for the applicable building type.
  - (4) **Required Residential Mix.** The General Mix 2 shall include at least 2 Row buildings and a minimum of at least 12 units in a Row building type.
  - (5) **Required Storefront.** Buildings shall have storefronts in the locations shown on [Figure 14-2](#) along the Broadway frontage, turning the corners of the building and extending west a minimum of thirty feet along the paseos, per Section [9-14-14](#). “Requirements Applicable to All Building Types,,” B.R.C. 1981.)
  - (6) **Type A and Type B Streets.** Type A and B street designations establish design standards for how a building ~~shall~~ **must** address the street and regulate access to the property; all buildings shall meet the standards applicable to the types of street frontages shown for the property in [Figure 14-2](#). (See building type requirements and Section [9-14-14](#), “Requirements Applicable to All Building Types,,” B.R.C. 1981.)
  - (7) **Required Outdoor Space Locations.** Outdoor open space type shall be provided in the locations shown in [Figure 14-2](#) per the Alpine-Balsam Area Plan. The required outdoor space shall meet the standards of Section [9-14-12](#) “Outdoor Space Requirements,” B.R.C. 1981. In the Alpine-Balsam area, portions of any building facade across the street Outdoor space types ~~shall~~ **must** be treated with Type A frontage.



**LEGEND**

- General Mix 1: General Building Type (9-14-23)
- Required Storefront Treatment per General Building Type (9-14-23)
- General Mix 2: General Building Type (9-14-23) and/or Row Building Type (9-14-23)
- Civic Building Type (refer to 9-14-23)
- Flood Mitigation Area and Greenway by City - Type B Frontage

- New Street - Type B Frontage with curbside management per Connections Plan - by City (Right-of-way location determined by the City)
- Sidewalk Access to Buildings per City Code
- New A-B Enhanced Paseo II per 9-14-10 - (Type A Frontage per M-1-6(b)(7))
- New Multi-Use Path in Greenway (developed by City)
- New Multi-Use Path - Type B Frontage
- Existing Street - Type A Frontage
- Existing Street - Type B Frontage

- O Outdoor Space Type required per 9-14-12 - (Type A Frontage per M-1-6(b)(7))
- P Plaza (developed by the City) - (Type A Frontage per M-1-6(b)(7))
- M Mobility Hub (developed by the City)
- B Enhanced Bus Super Stop (developed by City)
- 3 stories Maximum building height (refer to building types)

**FIGURE 14-2.** Regulating Plan: Alpine-Balsam

# General Provisions

## Regulating Plans

- (c) **EAST BOULDER REGULATING PLANS.**<sup>3</sup> Within the Regulating Plans for East Boulder, as shown on [Figure 14-3](#) through [Figure 14-6](#), the following standards apply:
- (1) **Transportation Connections.** The arrangement, type, character, extent, and location of streets, alleys, paseos, multi-use paths, and other transportation connections shall conform to the regulating plans shown in [Figure 14-3](#) through [Figure 14-6](#) and the East Boulder Subcommunity Plan.
  - (2) **Mid-Block Pathway.** Developments with two opposite frontages of more than 450 feet of street, park, or trail frontage that is uninterrupted by a perpendicular street shall provide a mid-block pathway consistent with Subsection [9-14-11\(f\)](#), B.R.C. 1981.
  - (3) **Required Building Types.** The building shall be of the building type shown for the property in [Figure 14-3](#) through [Figure 14-6](#).
  - (4) **Required Residential.** Where residential uses are permitted, conditionally permitted, or may be permitted through use review per Title 9, Chapter 6, B.R.C. 1981, and any use review is granted, developments that include general, main street **storefront**, or row type buildings with a total combined floor area exceeding 15,000 square feet shall include a minimum of fifty percent of residential floor area.
  - (5) **Required Production Business Space.** Developments that include general or workshop type buildings with a total combined floor area exceeding 15,000 square feet shall include a minimum of ten percent of the ground story floor area of the general and workshop buildings for production business spaces. The production business space shall meet the following standards:
    - (A) The space shall meet the requirements of either the workshop base set forth in Section [9-14-25](#), “Workshop Base,” B.R.C. 1981, or storefront base set forth in Section [9-14-23](#), “Storefront Base,” B.R.C. 1981, and shall be located consistent with the regulating plans in [Figure 14-3](#) through [Figure 14-6](#).
    - (B) Space in a variety of sizes between 500 square feet and up to 5,000 square feet, totaling the required ten percent of ground floor area, shall be available to be separately leased or purchased.
    - (C) Uses in the space are limited to the following types: brewery, distillery, winery; commercial kitchen and catering; art studio or workshop; small theater or rehearsal space; research and development; media production; non-vehicular repair and rental service; greenhouse and plant nursery (indoor); and any use type in the industrial uses classification. Administrative offices and accessory sales are allowed in conjunction with any of the above uses located within the space, but do not count towards the minimum required production business space.
  - (6) **Location-Based Maximum Building Height.** No building shall exceed the maximum height and number of stories established for specific locations in [Figure 14-3](#) through [Figure 14-6](#). These location-based maximum height and story limitations supersede the maximum height and number of stories established in this chapter for allowed building types in the location.
  - (7) **Required Storefront.** Buildings shall use the storefront base in the locations shown on [Figure 14-3](#) through [Figure 14-6](#), turning the corners of the building and extending a minimum of thirty feet around the corner of the building along any street, paseo, trail, or outdoor space frontage, per Section [9-14-14](#), “Requirements Applicable to All Building Types,” B.R.C. 1981.
  - (8) **Type A, Type B, and Type C Streets.** Type A, B, and C street designations establish design standards for how a building shall address the street and regulate access to the property; all buildings shall meet the standards applicable to the types of street frontages shown for the property in [Figure 14-3](#) through [Figure 14-6](#). (See building type requirements and Section [9-14-14](#), “Requirements Applicable to All Building Types,” B.R.C. 1981.)
  - (9) **Valmont City Park Frontage.** Portions of any building facade fronting on Valmont City Park shall meet the Type A frontage requirements.
  - (10) **Large Site Requirements.** Any development that occupies four or more contiguous acres under

<sup>3</sup> All new.

common ownership or control shall be consistent with the standards in Section [9-14-13, B.R.C. 1981](#).

- (11) **Terminated Vistas.** When a street terminates or curves on a property as designated on [Figure 14-3](#) through [Figure 14-6](#), the site design or building shall include a feature to terminate the view from the street or path consistent with Subsection [9-14-14\(i\)](#), B.R.C. 1981.

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# General Provisions

## Regulating Plans

### BUILDINGS

- General Building Type (9-14-19)
- Flex Mix: General Building Type (9-14-19) or Workshop Building Type (9-14-21)
- Required Storefront Base (9-14-23)



Location-Based Maximum Building Height per Block



Terminated Vista required per 9-14-14(i)

### STREETS

- New Street - Type A Frontage
- Existing Street - Type A Frontage
- New Street - Type B Frontage
- Existing Street - Type B Frontage
- New Street - Type C Frontage
- Existing Street - Type C Frontage

### OTHER CONNECTIONS






- New Alley
- Paseo per 9-14-10(g)(1)(C) - Type B Frontage
- New Enhanced Paseo II per 9-14-10(g)(1)(C) - Type C Frontage
- New Multi-Use Path
- Bus Rapid Transit Stations (in abutting right-of-way)



FIGURE 14-3. Regulating Plan: East Boulder TOD



**BUILDINGS**







-  General Building Type (9-14-19)
-  Flex Mix: General Building Type (9-14-19) or Workshop Building Type (9-14-21)
-  Workshop Building Type (9-14-21)
-  Parkside Mix: General Building Type (9-14-19) or Row Building Type (9-14-20))
-  Required storefront base (9-14-23)

-  Location-Based Maximum Building Height per Block


-  Terminated Vista required per

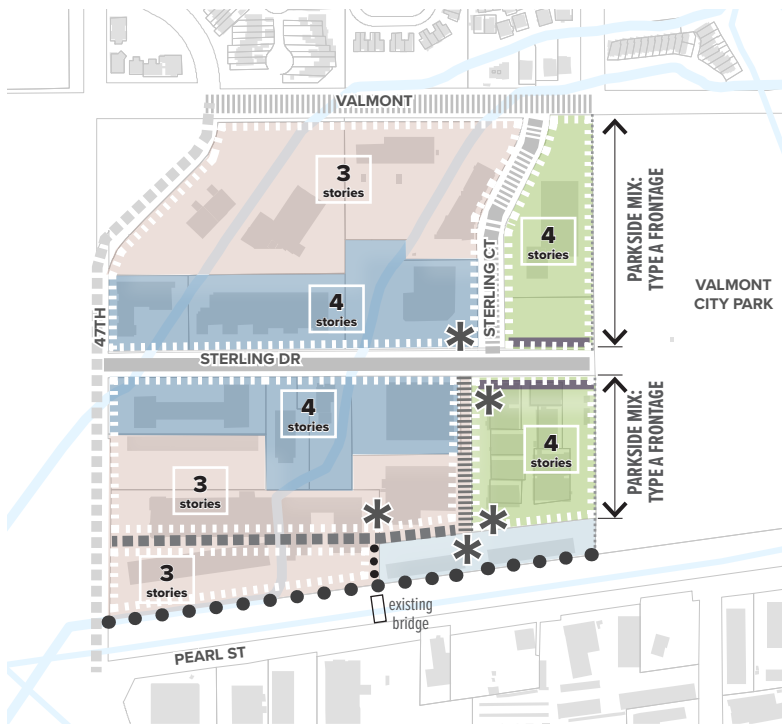
**STREETS**

9-14-14(i)

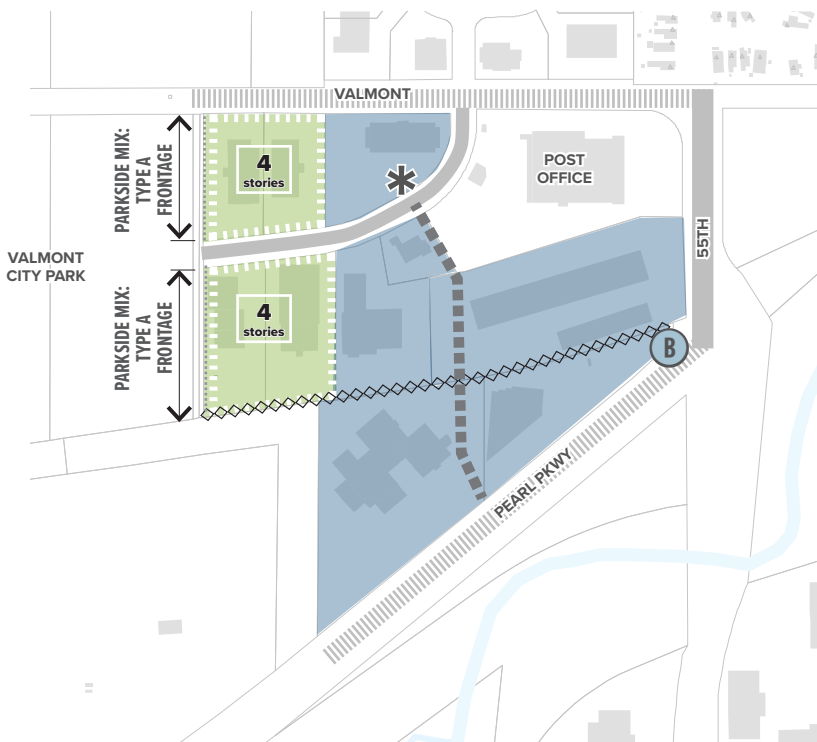
-  New Street - Type A Frontage
-  Existing Street - Type A Frontage
-  New Street - Type B Frontage
-  Existing Street - Type B Frontage
-  New Street - Type C Frontage
-  Existing Street - Type C Frontage

**OTHER CONNECTIONS**

-  Sidewalk access to buildings per City Code
-  Paseo per 9-14-10(g)(1)(C) - Type B Frontage
-  New Enhanced Paseo I - Type C Frontage
-  New Multi-Use Path
-  Bus Stop



**FIGURE 14-4.** Regulating Plan: East Boulder - Valmont Park West



**FIGURE 14-5.** Regulating Plan: East Boulder - Valmont Park East

# General Provisions

## Regulating Plans

### BUILDINGS

- General Building Type (9-14-19)
- Flex Mix: General Building Type (9-14-19) or Workshop Building Type (9-14-21)



Location-Based Maximum Building Height per Block



Terminated Vista required per 9-14-14((8)).

### STREETS

- Existing Street - Type A Frontage
- Existing Street - Type B Frontage
- Existing Street - Type C Frontage

### OTHER CONNECTIONS

- New Enhanced Paseo I - Type B Frontage
- New Multi-Use Path
- Existing Multi-Use Path

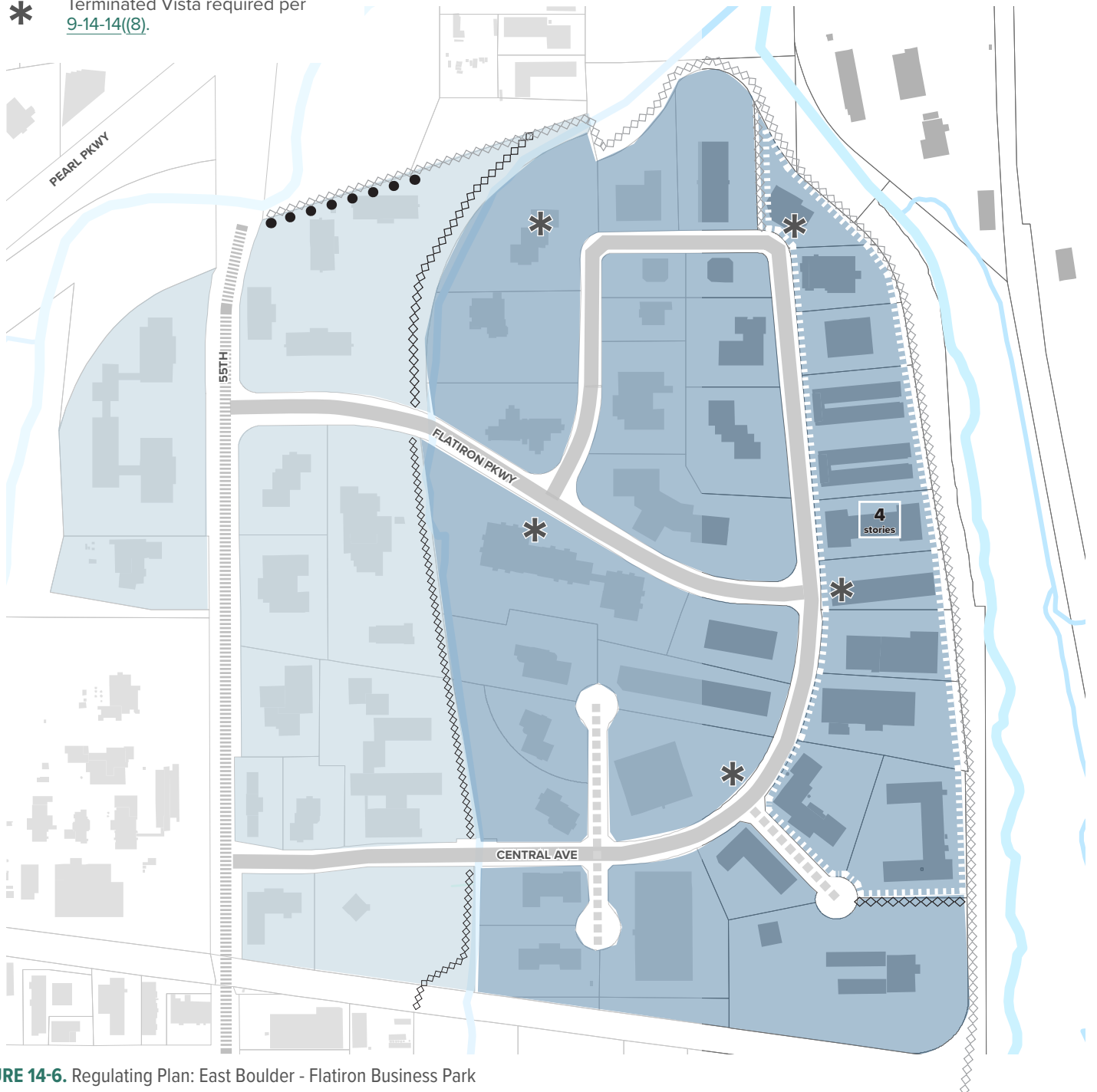


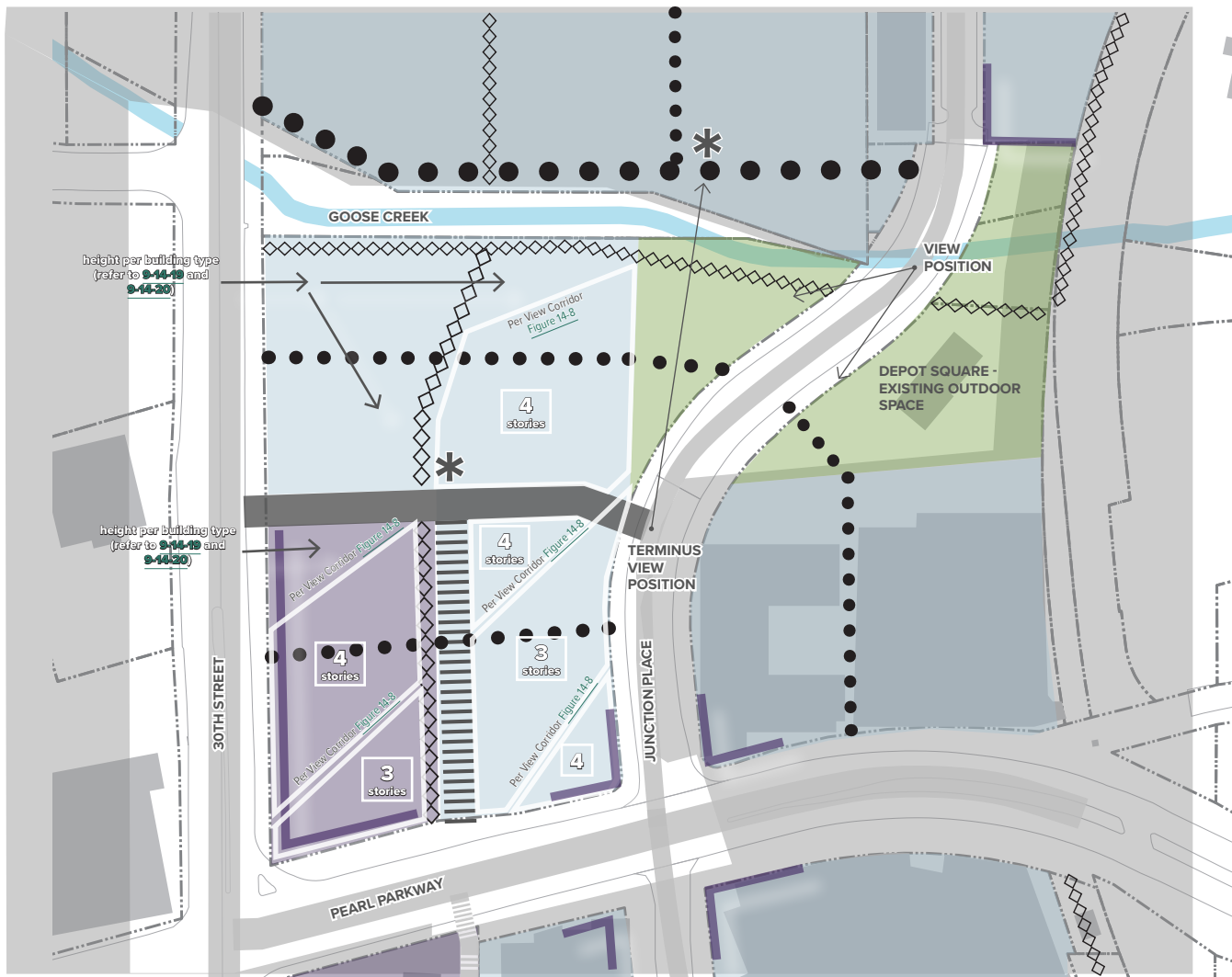
FIGURE 14-6. Regulating Plan: East Boulder - Flatiron Business Park

### 9-14-7. VIEW CORRIDORS

- (a) **PURPOSE.** Projects should be designed to protect important public view corridors. The purpose of this section is to identify and preserve within the built environment view corridors of identified features when viewed from the public locations described in this section.
- (b) **BOULDER JUNCTION PHASE I.** The view corridors identified in [Figure 14-8](#) and [Figure 14-7](#) shall be preserved consistent with the requirements of this section.
- (1) **View Corridors.** The following views are intended to be preserved:
- (A) From the southernmost point of the Depot Square bridge through the site to the Flatirons and west to tops of mountains as shown in yellow in [Figure 14-8](#). The view corridor shall preserve the complete view of all five Flatirons when viewed from the identified location.
  - (B) From Junction Place north of the Depot Square bridge, south to the old Depot Building in Depot Square as shown in light blue in [Figure 14-8](#). The view corridor shall preserve the view of the entire Depot Building when viewed from the identified location.
  - (C) From the north side of Goose Creek at approximately the intersection between the north-south multi-use path and the east-west enhanced paseo, to the old Depot Building in Depot Square as shown in light blue in [Figure 14-8](#). The view corridor shall preserve the view of the entire Depot Building when viewed from the identified location.
- (2) **Height Limitations.** Building heights shall be limited on the sites affected by the view corridors pursuant to the following standards:
- (A) The maximum number of stories shall not exceed the number of stories shown for a particular location in [Figure 14-7](#). (Refer to the building types requirements for floor-to-floor heights requirements for stories.)
  - (B) Roof top mechanical equipment, utilities, and appurtenances shall not be located within the view corridors.
  - (C) Roof decks are permitted on all roofs provided they do not exceed any overall building height limitations and do not inhibit the views established by the view corridors. Roof deck structures are to be included in building modeling.
- (3) **Specific Location.** The specific location of the horizontal limits of the view corridors established in paragraph (1) of this subsection shall be established by the reviewing authority based on a view corridor analysis so as to preserve the views described in paragraph (b)(1) of this section.

# General Provisions

## View Corridors



### LEGEND

- Main Street Storefront Building Type (9-14-23)
- General Mix: General Building Type (9-14-23) or Row Building Type (9-14-23)
- Civic Building Type (not mapped, refer to 9-14-23)
- Required storefront area per Main Street Storefront Building Type or specific location required on General Building Type (9-14-23)
- Maximum Height permitted in locations
- Street Terminus required per 9-14-23(a)(8).

- New Street - Type A Frontage
- Waterway - Type A Frontage
- New Street - Type B Frontage
- New Street - Alley
- New Paseo
- New Enhanced Paseo
- New Multi-Use Path
- Existing Street - Type A Frontage
- Existing Street - Type B Frontage

FIGURE 14-7. Regulating Plan Inset: SE Corner of Boulder Junction Phase I



# General Provisions

## Definitions

### 9-14-8. DEFINITIONS

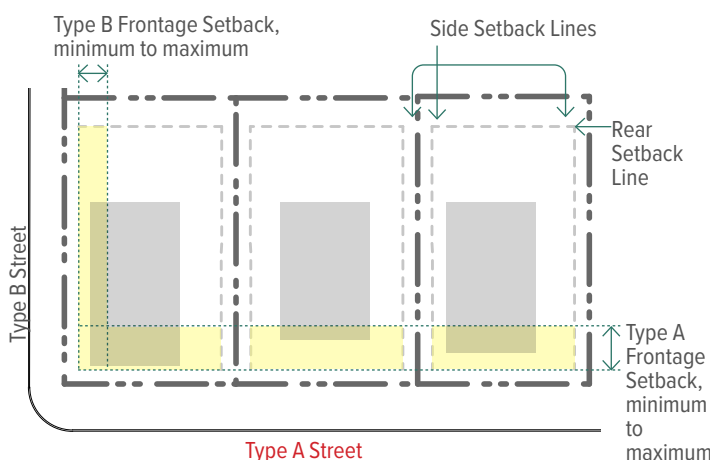
The definitions in Chapter 1-2, “Definitions,” and Chapter 9-16, “Definitions, B.R.C. 1981, apply to this chapter unless a term is defined different in this chapter or the context clearly indicates otherwise. For the purposes of this chapter, the following terms shall have the following meanings:

- (a) **BALCONY.** Balcony means a platform that projects from a facade of a building above grade and is enclosed by a parapet or railing. This does not include false balconies that consist of a railing across a door with no outdoor platform.
- (b) **BUILD-TO-ZONE FRONTAGE SETBACK.** Build-to-zone Frontage setback means a minimum and maximum setback and is the an area in which the facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line. Refer to Figure 14-10. Build-to Zone Minimum-Maximum Frontage Setbacks, and Figure 14-11. Facade Definition.
- (c) **COURTYARD.** A courtyard means any street-level area that is generally enclosed by a building or multiple buildings on three sides, is open to the sky, and

includes landscape and sidewalk, and may include patio, terrace, or deck space. Sides may be enclosed by buildings on abutting lots or lots across a street.

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

- (A) Expression lines shall extend continuously the full length of the facade, except breaks in the line that are no more than two feet in length may occur and the total length of the breaks may not exceed twenty percent of the facade length.
- (B) The minimum projection or indentation of an expression line in brick masonry may be

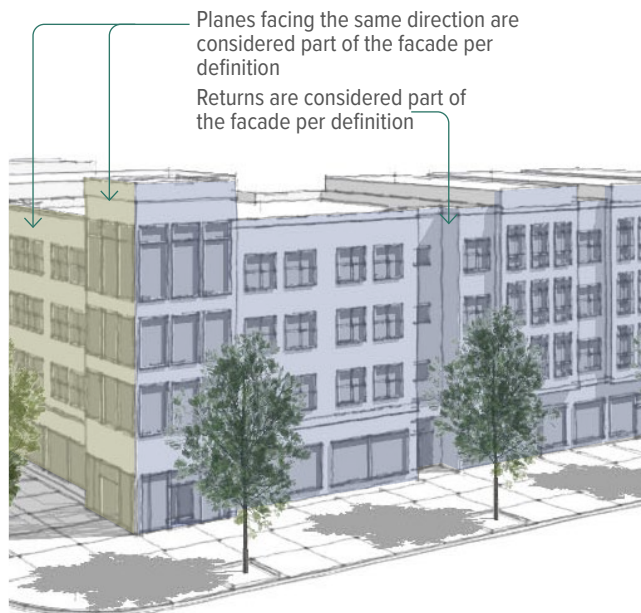


#### SETBACKS ALONG FRONTAGE LINE

A build-to-zone minimum-maximum frontage setback indicates a zone or area in which the facade of a building shall must be located. The use of a build-to-zone frontage setback allows control over building placement, while the range provides some flexibility. This method provides more predictability in building placement.

**FIGURE 14-10.** Build-to-Zone Minimum-Maximum Frontage Setbacks





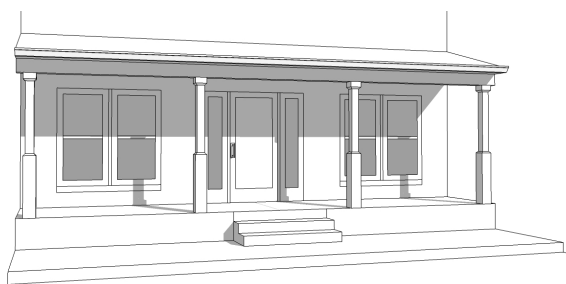
**FIGURE 14-11.** Facade Definition.

achieved through the use of up to three consecutively vertically stacked bricks, corbeled or racked.

- (e) **FACADE.** Facade means the exterior walls of a building exposed to public view and includes walls as shown in Figure 14-11. Facade Definition.
- (f) **GROUND STORY TRANSPARENCY.** ~~Ground story transparency means the measurement of the percentage of the ground-story facade that has highly transparent, low-reflectance windows with a minimum sixty-percent transmittance factor and a reflectance factor of not greater than 0.25.~~
- (g) **IMPERVIOUS SITE COVERAGE.** Impervious site coverage means the percentage of a lot or parcel developed with principal or accessory structures and other surfaces that prevent the absorption of stormwater into the ground, including without limitation, driveways, sidewalks, and patios.
- (h) **MAJOR MATERIAL.** Major material means a façade material meeting the standards for major materials established in Section 9-14-29, “Façade Materials,” B.R.C. 1981.
- (i) **MINOR MATERIAL.** Minor material means a façade material meeting the standards for minor materials established in Section 9-14-29, “Façade Materials,”

B.R.C. 1981.

- (j) **OCCUPIED BUILDING SPACE.** Occupied building space means interior building spaces regularly occupied by the building users. It does not include storage areas, utility space, vehicle service areas, or parking, or other uninhabitable spaces.
- (k) **PARKING YARD.** Parking yard means an area extending from the rear building facade to the rear property line between the side yards or, on a corner property, between the street adjacent side and side yards. Parking yards are fully screened from Type A frontages by the building and do not extend to any side lot line or street lot line.
- (l) **PASEO.** Paseo means a pathway designed for use by pedestrians, located mid-block, allowing pedestrian movement through the block from one street to another without traveling along the block’s perimeter.
- (m) **PERMEABLE SURFACE.** Permeable surface means a surface that allows water and air to permeate through it, e.g. soil, landscape, or a semi-pervious material.
- (n) **PORCH.** Porch means a roofed, raised structure at the entrance to the building, and a transition between the interior of the building and the exterior yard or adjacent sidewalk. Refer to Figure 14-12. Example of



**FIGURE 14-12.** Example of a Porch



**FIGURE 14-13.** Example of a Stoop

# General Provisions

## Definitions

a Porch

- (o) **PUBLIC WAY.** Public way means streets, paseos, and multi-use paths, but not alleys.
- (p) **SEMI-PERVIOUS SURFACE OR MATERIAL.** Semi-pervious surface or material means a material such as pervious pavers, permeable asphalt and concrete, or a green roof that allows for absorption of water into the ground or roof.
- (q) **STOOP.** Stoop means an elevated or at grade platform entranceway at the door to a building, providing a transition between the interior of the building and the sidewalk outside the building. The stoop may be covered by a canopy or awning. Refer to Figure 14-13. Example of a Stoop.
- (r) **STOREFRONT.**<sup>4</sup> ~~Storefront means a use limitation in specified areas that permits only dining and entertainment uses, personal service uses, and retail sales uses. Such uses must also meet the standards of Chapter 9-6, "Use Standards," B.R.C. 1981.~~
- (s) **STORY, GROUND.** Ground story means the first floor of a building that is level to or elevated above the finished grade on the front and corner facades. The ground story excludes basements or cellars. Refer to Section 9-16-1, "General Definitions," B.R.C. 1981, for a definition for basement.
- (t) **STORY, HALF.** Half story means either a story in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with windows or doors facing the street.
- (u) **STORY, UPPER.** Upper story means a story located one story or more above the ground story of a building.
- (v) **STREETWALL.** Streetwall means the portion of the building facade that is located generally parallel and facing the street right-of-way line. Refer to definition of facade.
- (w) **STREET YARD.** Street yard means any yard located between the principal building and a street right-of-way
- (x) **TRANSPARENCY.** Transparency means the measurement of the percentage of a facade that has highly transparent, low reflectance windows with:
  - (1) on a storefront base, a minimum sixty percent transmittance factor and a reflectance factor of not greater than 0.25; and<sup>5</sup>
- (2) on a facade other than a storefront base, a minimum fifty percent transmittance factor and a reflectance factor of not greater than 0.25.
- (y) **TYPE A FRONTAGE.** Type A frontage means a frontage along a Type A street or other feature as defined in this chapter that receives priority over other frontages in terms of locating principal entrances, prioritizing facade design elements, and incorporating design requirements associated with pedestrian orientation.
- (z) **TYPE A STREET.** Type A street means a street designated on the regulating plan that receives priority over other streets in terms of setting front lot lines and locating building entrances.
- (aa) **TYPE B FRONTAGE.** Type B frontage means a frontage along a Type B street or other feature as defined in this chapter that allows for a lower level of facade treatment as well as typically permits limited locations for garage and parking lot driveway entrances.
- (ab) **TYPE B STREET.** Type B street means a street designated on the regulating plan that receives lower priority than Type A street in terms of building frontage and facade requirements. Refer to definition of "Type B Frontage." ; it allows for a lower level of facade treatment as well as permits limited locations for garage and parking lot driveways entrances.
- (ac) **TYPE C FRONTAGE.** Type C frontage means a frontage along a Type C street or other feature as defined in this chapter that allows for a lower level of facade treatment as well as typically permits limited locations for multiple garage and parking lot driveway entrances.
- (ad) **TYPE C STREET.** Type C street means a street designated on the regulating plan that receives lower priority than Type A and Type B street in terms of building frontage and facade requirements. Refer to definition of "Type C Frontage." ; it allows for a lower level of facade treatment as well as permits locations for multiple garage and parking lot driveways entrances.
- (ae) **VISIBLE BASEMENT.** Visible basement means a half story partially below grade and partially exposed above.

storefronts.

<sup>4</sup> This is not necessary with the creation of the storefront base.

<sup>5</sup> Moved from "ground story transparency" and revised to only apply to



# Site Design

# Site Design

## Rights-of-Way

### 9-14-9. RIGHTS-OF-WAY

The arrangement, type, character, extent, and location of all rights-of-way shall conform to the requirements of Section 9-14-6, "Regulating Plans," and Section 9-9-8, "Reservations, Dedication, and Improvement of Rights-of-Way," B.R.C. 1981, unless modified in accordance with this section.

- (a) **AMENDMENTS.** Amendments to the location of rights-of-ways and addition to or deletion of rights-of-ways shown in the Transit Village connections plan of the applicable area or subcommunity plan, or the regulating plan may be approved pursuant to the process and criteria established in the Transit Village Area Plan applicable area or subcommunity plan for amendments to the Transit Village associated connections plan. A request for such an amendment may be processed in conjunction with a form-based code review under Section 9-2-16, "Form-Based Code Review," B.R.C. 1981

### 9-14-10. STREETSCAPE AND PASEO DESIGN REQUIREMENTS

- (a) **GENERAL REQUIREMENTS STREETSCAPE.** In addition to the requirements of the Boulder Revised Code and the City of Boulder Design and Construction Standards, the streetscape of all new and existing streets, and the design of all paseos, and enhanced paseos shall meet the standards of this section unless modified through approval of an exception under Section 9-2-16, "Form-Based Code Review," B.R.C. 1981.

- (1) **Conformance to Plans.** The streetscape and paseos shall be designed and completed consistent with the streetscape guidelines of the connections plan of the applicable area or subcommunity plan. ~~Transit Village Connections Plan in Boulder Junction or the Connections Plan in the Alpine-Balsam area plan.~~
- (2) **Streetscape Area.** ~~The streetscape of any existing or new street shall occupy the full pedestrian realm, including the pedestrian facilities area and any street buffer required for the street type or similar area of an existing street. For enhanced paseos and paseos, the streetscape occupies the entire right-of-way or easement.<sup>1</sup>~~

<sup>1</sup> Removing this as it duplicates the streetscape definition in Chapter 16. And the landscape in the paseos should not be called streetscape

- (3) **Compatible Design.** The design streetscape, including but not limited to paving patterns, seating areas, and bulb-outs, of all street frontages and paseos within the development shall be designed to be compatible in character.
- (4) **Additional Design Requirements.** The streetscape, and paseo design shall meet the following standards:
  - (A) **Bulb-outs.** To shorten pedestrian crossings, pedestrian bulb-outs shall be installed at each end of any pedestrian crossing located at an intersection except in locations where the city manager determines that the street design would not adequately accommodate the turning movements of emergency vehicles.
  - (B) **Sight Triangle Area.** The requirements of Section 9-9-7, "Sight Triangle," B.R.C. 1981, shall be complied with.
    - (1) **Alternative Method of Compliance.** The approving authority may approve an alternative design to the sight triangle requirements of Section 9-9-7, "Sight Triangle," B.R.C. 1981, if the applicant demonstrates that accepted engineering practice would indicate that a modified visibility distance, either greater or lesser, would be acceptable or necessary for the safety of pedestrians, motorists, and bicyclists.
  - (C) **Street Furnishings.** At least two benches and one trash receptacle shall be installed in each block of a street in either the streetscape or street yard.
  - (D) **Permeable Surface Area for Trees.** For each tree planted, permeable surface area shall be provided meeting the minimum size requirements established in Table 14-1. Permeable surface means the ground surface above the tree's critical root area that allows water and air to penetrate down to the roots.
    - (1) **Per Tree.** Permeable area for one tree shall not count towards that of another tree.
    - (2) **Suspended Pavement System.** When the required permeable surface area of a

based on this definition.

tree extends below any non-permeable hardscape, a modular suspended pavement system (Silva Cells, Root Space, or an approved equivalent) shall be used below that hardscape to ensure root growth and access to air and water.

**(b) PASEOS.** Paseos shall be designed consistent with the following:

- (1) **General Paseo Design Requirements.** Paseos shall be designed to meet the standards of Table 14-2. Table of Paseo Design Requirements.
- (2) **Paseo Surface Design.** The same Comprehensively designed paving patterns and materials shall be utilized for the entire length of the paseo. Designs may include intentional changes to material, color, and pattern to distinguish different functional areas.
- (3) **Maintenance.** Paseos shall be maintained by the property owner in good repair and safe and unobstructed condition. Any repairs or replacements to the paseo shall be consistent with the form-based code review approval.
  - (A) If the city manager finds that any portion of a paseo does not meet this standard, the manager may require that the owner of the paseo or underlying property repair or replace the non-complying portion to bring it into conformity with city standards.
  - (B) If the city manager determines to proceed under paragraph (A) of this section, the manager shall notify the property owner of the duty to repair or replace, that such owner has thirty days from the date of the notice to commence such repair or replacement and

has sixty days from the date of the notice to complete such repair or replacement. The manager may extend the time limit if weather would impede the work. Notice under this section is sufficient if it is mailed first class to the address of the last known owner of property on the records of the Boulder County Assessor, or hand delivered to an owner.

- (C) If the property owner fails to commence or complete repair or replacement as required by the notice prescribed by paragraph (B) of this section, the manager may perform the repair or replacement and charge the costs thereof, plus up to fifteen percent for administrative costs, to the property owner.
- (D) If any person fails or refuses to pay when due any charge imposed under this section, including any agreed charge, the city manager may, in addition to taking other collection remedies, certify due and unpaid charges to the Boulder County Treasurer for collection as provided by Section 2-2-12, "City Manager May Certify Taxes, Charges and Assessments to County Treasurer for Collection," B.R.C. 1981.
- (4) **Outdoor Lighting.** The city manager may waive lighting standards under Subsection 9-9-16(g), "Outdoor Lighting," B.R.C. 1981, to allow catenary lighting between buildings and over paseos for bulbs greater than seven watts and no greater than eleven watts.
- (5) **Fire Access.** The easement and travel way may be expanded to accommodate fire truck access, where required. All other elements required shall be included in the paseo design.
- (6) **Special Design Requirements.**
  - (A) **Narrow Paseo.**
    - (1) Narrow paseos shall be open to the sky. At least one of the buildings along a paseo shall be two stories or less along the paseo or the third and higher stories shall be set back a minimum of fifteen feet from the paseo.
    - (2) Narrow paseos shall be designed to include landscaping in decorative pots and planters where sufficient space exists

**Table 14-1. Minimum Required Permeable Surface Area**

TREE SIZE	ESTIMATED MATURE CANOPY SIZE	MINIMUM REQUIRED PERMEABLE SURFACE AREA
Small	300 sq. ft.	120 sq. ft. (e.g. 4 ft. x 30 ft.)
Medium	700 sq. ft.	240 sq. ft. (e.g. 8 ft. x 30 ft.)
Large	1,000 sq. ft.	400 sq. ft. (e.g. 8 ft. x 50 ft.)

# Site Design

## Site Design Requirements

between the pedestrian travel path and the buildings.

### (B) Wide Paseo.

- (1) Wide paseos shall be open to the sky with the exception of canopies and trellises.
- (2) Wide Paseos shall be designed to include art, such as a sculpture or mural.
- (3) Wide paseos shall include a mix of hardscaping and landscaping; no less than twenty-five percent of the paseo shall be landscaped, evenly distributed for the length of the paseo. Planters shall be at least six feet and no more than eleven feet wide and at least six feet, but no more than twenty feet long. Planters may be longer than twenty feet where not adjacent to a patio. Planting over underground parking structures shall be accommodated in recessed, extensive green roof planters and or full depth vaults and shall not project above the grade of the adjacent paseo. Ornamental or columnar trees adapted to the low light conditions of the paseo shall be planted where possible, at a distribution of no less than one per every fifty linear feet.

### (C) Enhanced Paseo.

- (1) Where a transitioning of grades occurs in an enhanced paseo, the grades shall transition with terraced retaining walls of a height not to exceed thirty-six inches; if the walls are intended for seating, their height shall not exceed twenty-four inches.
- (2) In East Boulder, the width of the enhanced paseo I along the Goose Creek frontage shall be measured from the outer northern edge of the ditch easement. The approving authority may approve a different configuration if the applicant is able to obtain ditch company approvals for the incorporation of the North Boulder Farmer's Ditch and associated easement area into the paseo design.
- (3) In East Boulder, the enhanced paseo along the Goose Creek frontage is designated as Type C, allowing the workshop base

consistent with Section 9-14-25, B.R.C. 1981. As motor vehicle access is prohibited on the enhanced paseo, garage access is limited to non-motorized vehicles.

## 9-14-11. SITE DESIGN REQUIREMENTS

(a) **DRIVEWAYS.** Driveway locations ~~are permitted-~~ consistent with shall meet the requirements of Section 9-9-5, "Site Access Control," B.R.C. 1981, except ~~as modified below:~~ follows:

- (1) For the purposes of this ~~appendix chapter~~ and determining site access, Type C frontages are lower category streets than Type B frontages, and Type B frontages are lower category streets than Type A frontages.
- (2) Multiple access points will be allowed on a lot or parcel to serve a building with a workshop base, provided the requirements of Section 9-14-25, "Workshop Base," B.R.C. 1981, and the City of Boulder Design and Construction Standards are met.
- (3) **Driveways.** Driveways may not be located in any ~~build-to-zone and street yard or~~ setbacks unless consistent with Section 9-9-5, "Site Access Control," B.R.C. 1981, ~~or with paragraph (b)(2) of this section to cross perpendicularly through the setback to access or~~ connect to an adjacent parking lot per (e) of this subsection. ~~When allowed, driveways shall may cross-perpendicularly through build-to-zones and setbacks.~~
- (4) **Trash and Recycling Areas.** One mountable, rolled curb section<sup>2</sup> is allowed at a Type B or C street per development, maximum ten feet in width, in order to roll receptacles out to the street.

(b) **STREET YARD DESIGN.** Street yards, including courtyards and streetscape plazas consistent with Subsection 9-14-14(n), "Required Streetwall Variation," B.R.C. 1981, shall be designed consistent with the following:

- (1) **Coordinated Design.** The combined streetscape and street yard area from building facade to the back of curb shall be coordinated and comprehensively designed with a combination of hardscape and landscape areas, although

<sup>2</sup> Can this be rolled curb or does it need to be a curb cut?

Table 14-2. **Table of Paseo Design Requirements**

DESIGN STANDARDS	NARROW PASEO	WIDE PASEO	BOULDER JUNCTION	ALPINE-BALSAM
			ENHANCED PASEO I	ENHANCED PASEO II
Minimum Width of Paseo	9 feet	20 feet	25 feet	<del>12</del> <u>35</u> feet
Minimum Width of Easement and Pedestrian Travel Way	6 feet	6 feet	25 feet minimum width of easement; 10 feet minimum width of pedestrian travel way	<del>6- 20</del> <u>feet</u>
Elements within public access easement	All elements in the public access easement must <del>receive approval</del> <u>be approved</u> as part of a revocable permit or lease as applicable. Doors <del>shall must</del> be recessed and shall not open into the public access easement.			
Surface Treatment of Pedestrian Travel Way	Permeable interlocking concrete pavers or brick. See Figure 14-14. Images of Paseo Surface Treatment	Buff or gray concrete with decorative scoring pattern and a border on each side that is composed of <u>contrasting and colored concrete</u> , brick, or pavers	Combination of buff or gray concrete in a decorative scoring pattern, patterned brick and permeable pavers. Brick and pavers shall constitute at least 30% of the surface treatment of the pedestrian travel way and 100% of adjacent seating areas.	
Minimum distance between Pedestrian Travel Way and Adjacent Buildings	18 inches	18 inches	18 inches	18 inches
Minimum Slope between Pedestrian Travel Way and Adjacent Buildings	2%	2%	2%	2%
Minimum dimensions for adjacent outdoor seating areas	6 feet by 6 feet	6 feet by 6 feet	5 feet by 10 feet	5 feet by 10 feet
Outdoor Lighting	Pedestrian scaled wall mounted lighting at intervals of no less than 15 feet on center; catenary lighting, in the paseo between buildings or above outdoor seating areas and building entries.	Catenary lighting, in the paseo between buildings or above outdoor seating areas and building entries	Pedestrian scaled pole mounted lighting	Pedestrian scaled pole mounted lighting
Special Design Requirements	See Paragraph <u>9-14-10(b)(6)</u> , B.R.C. 1981, for special design requirements for each paseo.			



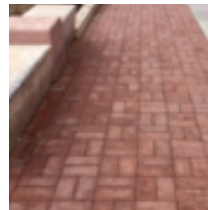
Permeable Interlocking Concrete Pavers



Brick Pavers



Decoratively Scored Concrete



Brick Pavers in Seating Area

**FIGURE 14-14.** Images of Paseo Surface Treatment



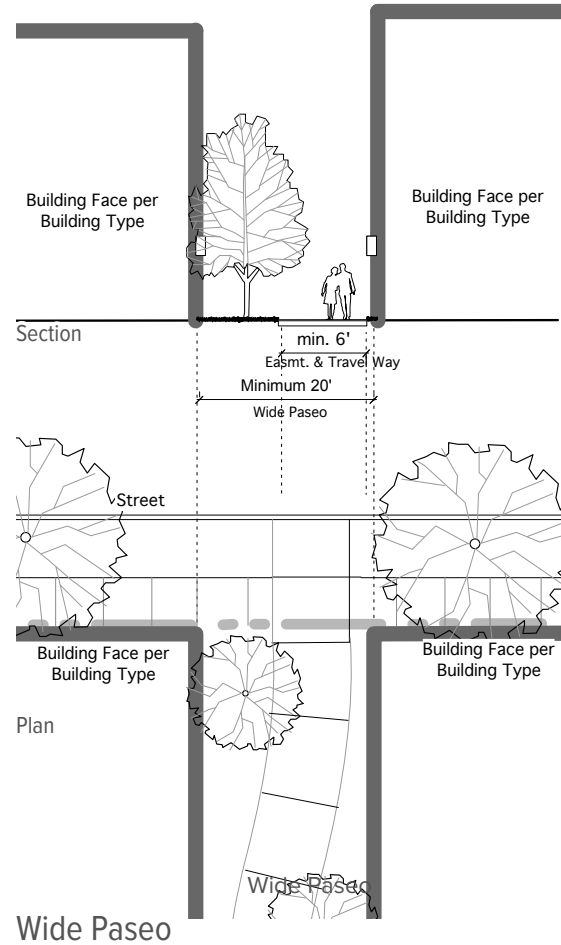
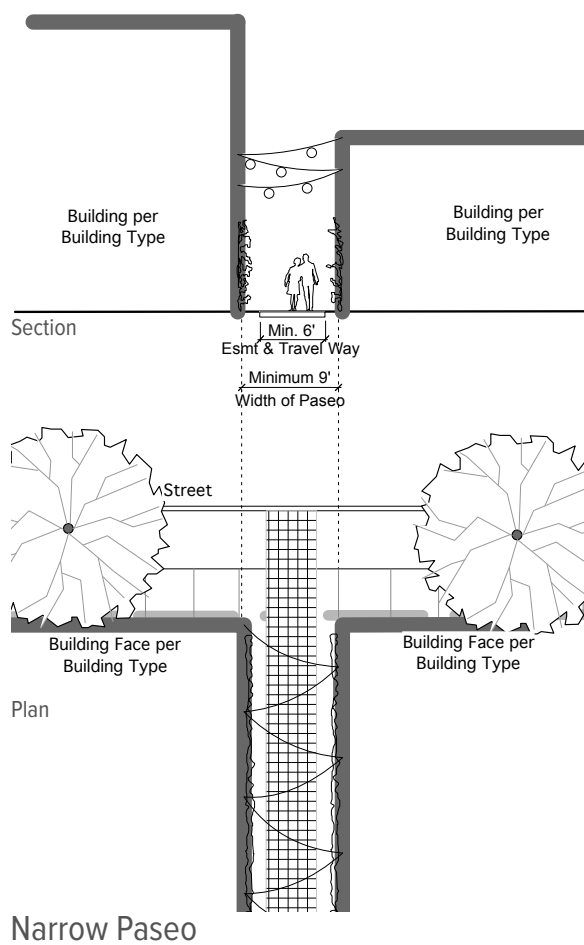
# Site Design

## Site Design Requirements

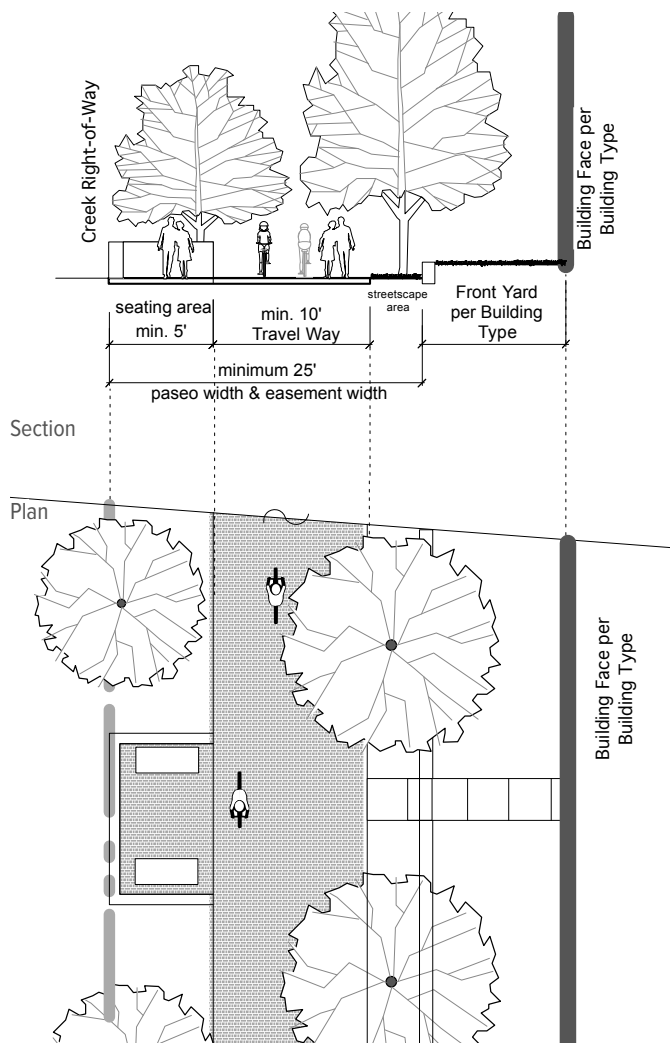


*Illustrative Examples of Paseos<sup>1</sup>*

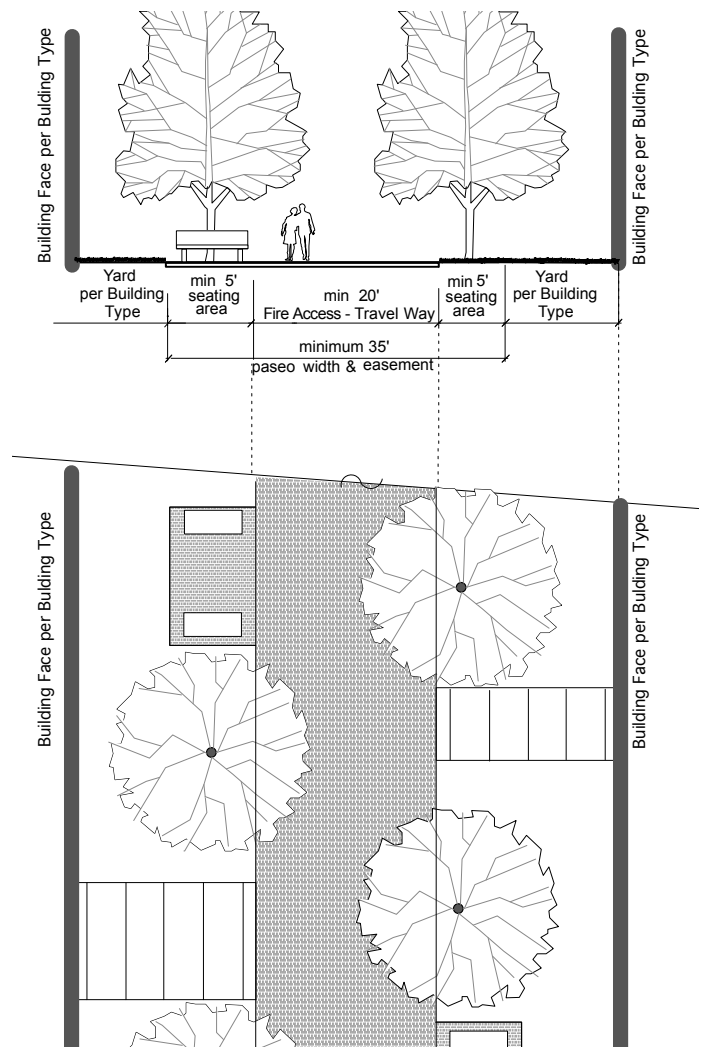
<sup>1</sup> Lots of construction when I was there last. Does anyone have any photos of 30 Pearl or newer paseos to drop in here? These look very similar.



**FIGURE 14-15.** Paseo Illustrations



**Boulder Junction & East Boulder:** Enhanced Paseo I



**Alpine-Balsam:** Enhanced Paseo II

# Site Design

## Site Design Requirements

- differences in materials and functional areas may exist.
- (2) **Storefront Streetscape.** Where the storefront base is required, hardscape shall be located within 24 inches or less of the storefront windows and that hardscape shall be connected to the path between the public sidewalk and the building entrances.
  - (3) **Trees.** At least one tree shall be planted for every 1,000 square feet of any street yard, courtyard, or streetscape plaza area, located in planting areas or tree wells. Street yard trees shall meet the minimum permeable area requirements in Paragraph 9-14-10(a)(4)(D), B.R.C. 1981.
  - (4) **Hardscape.** Hardscape areas shall be paved with unit pavers, such as bricks or quarry tiles, or porous pavers, or poured-in-place materials. If poured-in-place materials are selected, they shall be of decorative color or textures.
  - (5) **Landscape Beds.** A minimum of twenty-five percent of the street yard areas, including courtyards and streetscape plazas required per Subsection 9-14-14(n), B.R.C. 1981, shall include landscape beds with shrubs, perennials, grasses, and/or annual plants.
  - (6) **Seating and Amenities.** Seating and amenities shall be provided in courtyards and streetscape plazas required per Subsection 9-14-14(n), B.R.C. 1981, consistent with the following:
    - (A) Temporary or permanent seating shall be provided. Temporary seating shall be available or in place between March 15 and November 15.
    - (B) In addition to seating, at least one other amenity shall be provided, including a pergola, multiple trellises, catenary or string overhead lighting, a fountain, or artwork (sculpture or mural).
- (c) TREATMENT OF BUILD-TO ZONES, YARDS AND SETBACKS.** All build-to-zone, where not occupied by a building, all setbacks, and all yards shall be designed consistent with the following standards:
- (d) YARDS AND SETBACKS.** Site Open-Space. Build-to-zones, setbacks, and yards, with the exception of street yards, courtyards, street yard plazas, parking areas, driveways, loading zones, mechanical
- equipment areas, and refuse trash and recycling areas, shall meet the following standards: meet the design standards for useable open-space established in Subsection 9-9-11(e), "Types of Useable Open-Space," B.R.C. 1981.
- (1) **Trees.** To the extent practical and achievable, trees shall be planted at a minimum of one per 1,500<sup>3</sup> square feet, located in planting areas or tree wells.
  - (2) **Landscape Areas.** Yards and setbacks shall be designed for a mix of paved and landscaped areas, consistent with the maximum impervious and semi-pervious areas allowed per the building type.
  - (3) ~~**4Prohibited Uses.** Surface parking spaces, mechanical equipment areas, refuse trash and recycling areas, and loading areas shall not be located within any frontage setbacks build-to-zone or minimum setback, unless otherwise allowed in this chapter.~~
  - (4) ~~**5Driveways.** Driveways may not be located in any build-to-zone and setbacks unless consistent with Section 9-9-5, "Site Access Control," B.R.C. 1981, or with paragraph (b)(2) of this section to connect to an adjacent parking lot. When allowed, driveways may cross perpendicularly through build-to-zones and setbacks.~~
- (e) INTER-LOT DRIVES.** Adjacent parking lots in a development shall be connected with a shared drive that perpendicularly crosses any side and /or rear setback.
- (f) MID-BLOCK PATHWAYS.** In East Boulder, mid-block pathways are required on longer blocks consistent with the following:
- (1) **Pathway Location.** Mid-block pathways shall continuously connect the two opposite frontages specified in Paragraph 9-14-6(c)(2), B.R.C. 1981, and be located within 50 feet of the midpoint of the frontage.
  - (2) **Pathway Width.** The minimum width of the pathway area between building facades shall be
- 
- 3 This allows for more of a mix of shady and sunny spaces to occur.  
 4 This is redundant with other sections of the code. Parking is in the building types; trash and loading is in the "applicable to all building types" section; and mechanical equipment is in the building design section.  
 5 Moved to (a) Driveways



ten feet with a minimum pathway of five feet. The unpaved areas shall be landscaped.

- (3) **Path Construction Standards.** The pathway shall be constructed to accommodate pedestrians and other non-motorized vehicles, and shall meet the construction standards of a concrete walk and multi-use paths in the City of Design and Constructions Standards.
- (4) **Open-Air.** Mid-block pathways shall be open to the sky, except buildings may bridge over the pathways for distances along the pathway of no more than thirty feet and covering no more than thirty percent of the length of the mid-block pathway. The clear opening under the bridge shall be at least fifteen feet in height.

## 9-14-12. OUTDOOR SPACE REQUIREMENTS

- (a) **INTENT.** The intent of the outdoor space requirements is the provision of common outdoor spaces for gathering and socializing between neighbors as well as to provide breaks in the urban fabric of the area buildings.
- (b) **APPLICABILITY.** Outdoor space shall be designed and constructed or improved consistent with the requirements of this section.
- (c) **OUTDOOR SPACE REQUIRED BY LOCATION.** Outdoor space shall be provided in the following locations:
  - (1) **Specific Locations.** Outdoor space shall be provided within 150 feet of the locations shown in [Figure 14-17](#), Boulder Junction: Required Locations for Outdoor Space and [Figure 14-18](#), Alpine Balsam: Required Locations for Outdoor Space.
  - (2) **Underpass Outdoor Space.** Outdoor space shall be provided in any location where [Figure 14-17](#) shows a future underpass. The minimum size of such outdoor space shall be determined by the city manager. The space shall be not less than 200 feet in length and 35 feet in width and ~~shall~~ **must** be long enough to provide for transition grades and wide enough to allow for landscaping and paving area.
- (d) **OUTDOOR SPACE ON SITE OR WITHIN 1/8 MILE.** ~~At least~~ **One** outdoor space shall be provided on the project site, ~~or to which the anticipated residents located within no more than 1/8 of a mile of all public entrances to the buildings of the development;~~ **except as follows:**
  - (1) ~~unless one outdoor space that is a~~ **A** public outdoor space ~~outside of the development or to which the anticipated residents, tenants, employees, customers, and visitors to the development have a right of access and use~~ is located within 1/8 of a mile of all public entrances to buildings in the development can meet this requirement provided the space is accessible for use by to which the anticipated residents, tenants, employees, customers, and visitors to the development have a right of access and use.



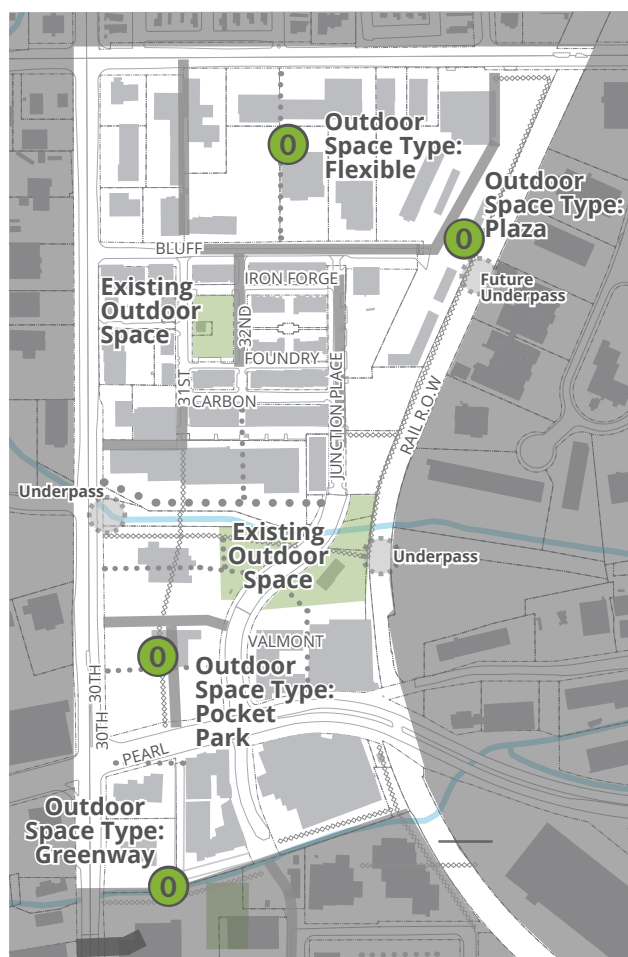
**FIGURE 14-16.** Outdoor Space: Measuring Minimum Dimensions

# Site Design

## Outdoor Space Requirements

- (2) A courtyard in the development meeting the requirements of Subsections 9-14-14(m) or (n), B.R.C. 1981, can meet this requirement.
- (e) **PLAYGROUND SPACE.** In all East Boulder form-based code areas per Section 9-14-6, “Regulating Plans,” B.R.C. 1981, playground space shall be provided consistent with the following:
- (1) One playground space is required per every 200 units of housing.
  - (2) The playground space shall be incorporated into an outdoor space type or a courtyard and shall occupy a minimum of 1,000 square feet, including equipment, play surfaces, and abutting seating areas.
  - (3) The playground space shall be separated by walls, seating areas, or allowed fences to provide enclosure and protection from streets and public ways.
- (f) **SMALL PROJECTS<sup>6</sup>.** The approving authority shall reduce the minimum size requirement of an outdoor space type to a size of fifteen percent of the project size if the applicant demonstrates the following:
- (1) The outdoor space requirements cannot be met through an off-site outdoor space within 1/8 of a mile of all public entrances to the buildings of the development that is a public outdoor space or a space to which the anticipated residents, tenants, employees, customers, and visitors to the development have a right of access and use; and
  - (2) The project site is smaller than 0.7 acres in size. All contiguous lots or parcels under common ownership or control shall be considered the project site for purposes of determining the project size under this subparagraph. Contiguity shall not be affected by the existence of a platted street or alley or any other public or private right-of-way.
- (g) **OUTDOOR SPACE TYPES.** All required outdoor space shall comply with one of the outdoor space types defined in Subsections 9-14-10 (q) through (u) of this section and the specifications applicable to the type used.

<sup>6</sup> Moved from the end as it seems to be lost and makes more sense to be closer to the other locational requirements.



**FIGURE 14-17.** Boulder Junction: Required Locations for Outdoor Space

- (1) **Specified Type.** If a type of outdoor space is specified in [Figure 14-17](#) or [Figure 14-18](#) for the project site, such type **shall must** be utilized.
  - (2) **No Specified Type.** If no type is specified in [Figure 14-17](#) or the type is designated as flexible, any one of the outdoor space types defined in Subsections 9-14-10 (q) through (u) of this section shall be utilized provided that the type utilized will result in a mix of outdoor spaces in the vicinity of the development.
- (h) **GENERAL DESIGN STANDARDS.** All outdoor space shall be designed and maintained to meet the following standards:
- (1) **Landscaped Areas.** Landscaped areas **shall must** meet the requirements of Section 9-9-12,

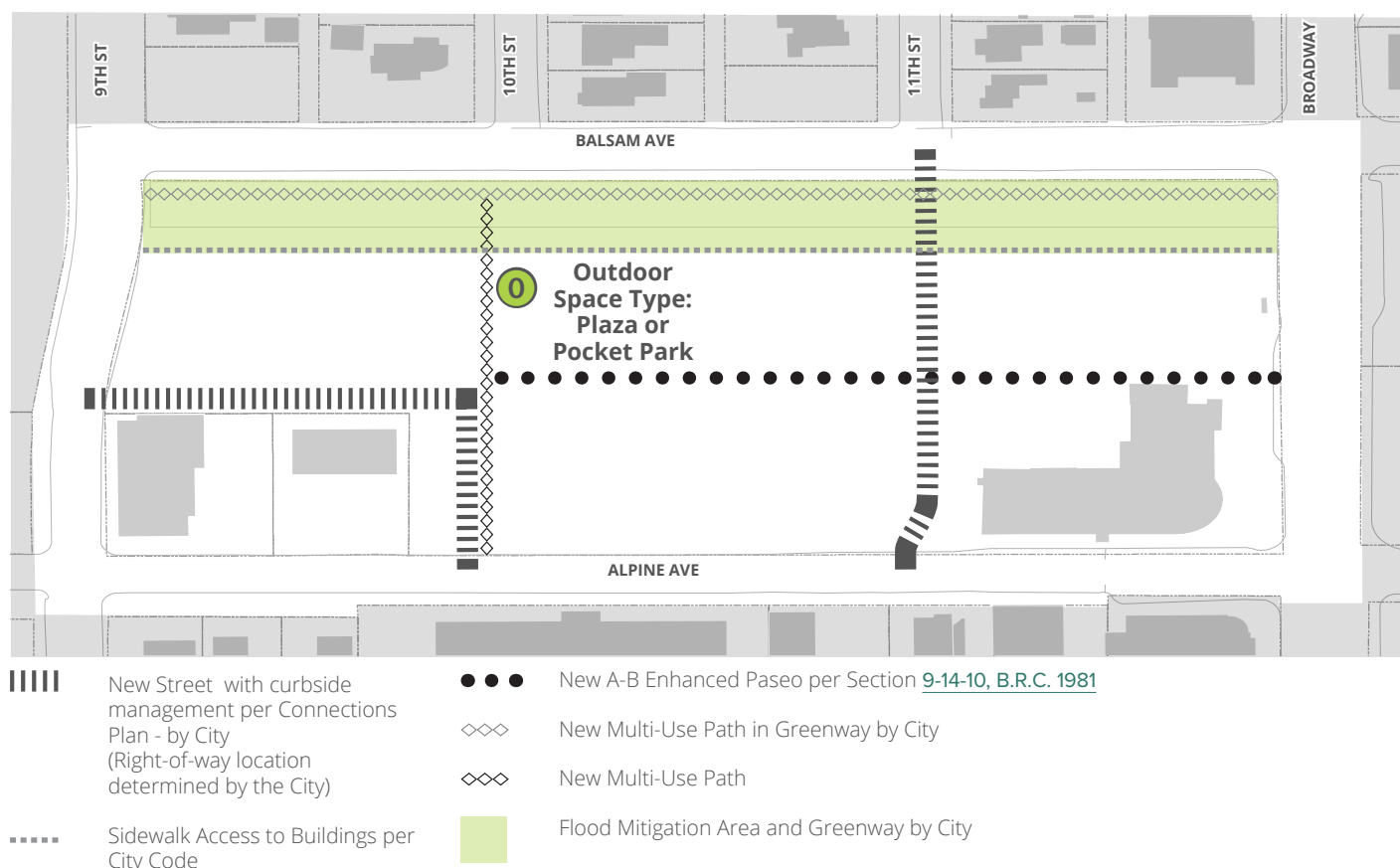
“Landscaping and Screening Standards, “ B.R.C. 1981;

- (2) **Exterior Paved Areas.** Exterior paved areas shall meet the standards of Subparagraphs 9-9-11 (e)(5) (A) and (B), B.R.C. 1981; and
- (3) **Recreational Amenities.** Seating and other elements encouraging use and occupation of the space shall be included in the design so as to make the space attractive and an integral part of the circulation pattern of the development. Such elements may include benches, tables, ornamental lighting, sculptures, landscape planters or movable containers, trees, tree grates, water features, or other recreational amenities.

(i) **ACCESS.** All required outdoor spaces shall be

accessible from a pedestrian route associated with a vehicular right-of-way and/or adjacent building entrances or exits.

- (j) **FENCING.** Outdoor space types may incorporate fencing provided that the following requirements are met:
  - (1) **Height.** No fence shall exceed forty-eight inches in height. This maximum fence height may be modified by the approving authority to ensure functionality and safety of the users of the outdoor space, for example, in proximity to railroad right-of-way and around swimming pools, ball fields, and ballcourts.
  - (2) **Level of Opacity.** Fence opacity shall not exceed sixty percent.
  - (3) **Type.** Chain-link fencing is prohibited along any street frontage. The approving authority may modify this standard around sports field or courts



**FIGURE 14-18.** Alpine-Balsam: Required Locations for Outdoor Space

# Site Design

## Outdoor Space Requirements

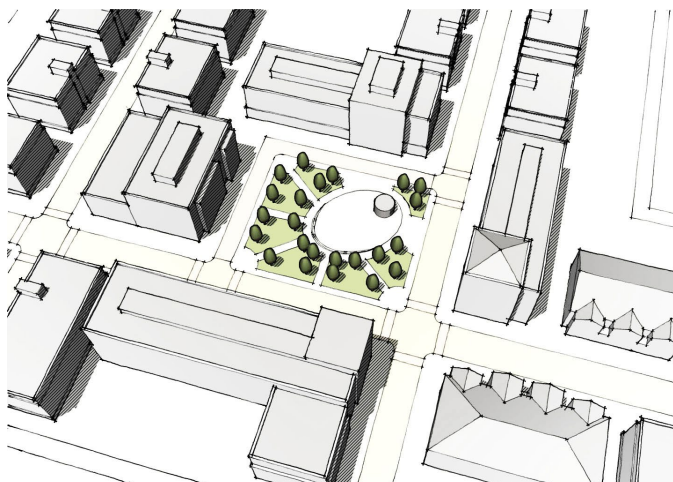
to ensure the safety of the users and visitors to the property and functionality of the outdoor space use.

- (4) **Openings.** Openings or operable, unlocked gates shall be provided on every street frontage at a minimum of one per every 100 feet of frontage.
- (k) **OPEN WATER BODY.** All open water bodies, such as lakes, ponds, pools, creeks, and streams, within an outdoor space type shall be located at least twenty feet from a property line to allow for pedestrian and bicycle access as well as a landscape area surrounding the water body.
- (l) **PARKING REQUIREMENTS.** Parking shall not be required for any outdoor space type, unless a use other than open space is determined by the city manager.
- (m) **CONTINUITY.** New outdoor space shall connect to abutting or proximate existing or planned public way or open space.
- (n) **MEASURING SIZE.** When determining whether dimensions requirements of this section are met, the following standards apply:
  - (1) **Size.** The size of the outdoor space is measured to include all landscape and hardscape areas associated directly with the outdoor space.
  - (2) **Minimum Dimension.** The minimum length or width of the outdoor space type shall be measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot consistent with Figure 14-16. Outdoor Space: Measuring Minimum Dimensions B.R.C. 1981.
  - (3) **Minimum Percentage of Street Frontage Required.** A minimum percentage of the outdoor space perimeter, as measured along the outer edge of the space, shall be located directly adjacent to a street.
- (o) **IMPROVEMENTS.** When determining the specific improvement standards applicable to each outdoor space type, the following shall apply:
  - (1) **Designated Sports Fields.** Designated sports field shall mean sports fields or ball courts designated for one or more particular sports, including but not limited to baseball fields, softball fields, soccer fields, basketball courts, football fields, and tennis courts.
  - (2) **Playgrounds.** Playgrounds shall mean a defined area with play structures and equipment typically designed for children under twelve years of age, such as slides, swings, climbing structures, and skate parks. ~~Where a playground is required, it shall include soft surfacing and structures and shall be a minimum of 1,800 square feet in total area.~~<sup>7</sup>
  - (3) **Mobility Hub.** Mobility hubs may be incorporated into an outdoor space, where noted in the outdoor space type tables. Mobility hubs may range from pick-up locations for taxis or ride-share services to stations for bike-share systems, and may range in size. To be incorporated into an outdoor space type, a mobility hub shall have a designated space and include paving, seating, and landscape.
  - (4) **Fully Enclosed Structures.** Where permitted, fully enclosed structures may include such uses as small cafes, kiosks, community centers, and restrooms. For some outdoor space types, fully enclosed structures are subject to a maximum building coverage limitation, limiting the building coverage to a percentage of the outdoor space area.
  - (5) **Semi-Enclosed Structures.** Semi-enclosed structure shall mean open-air structure, such as a gazebo. Semi-enclosed structures are permitted in all outdoor space types.
  - (6) **Maximum Impervious and Semi-Pervious Surface.** Limitations on impervious and semi-pervious surfaces are provided separately for each open space type to allow an additional amount of semi-pervious surface, such as permeable paving, above the impervious surfaces permitted, including, but not limited to, sidewalks, paths, and structures as permitted.
  - (7) **Maximum Percentage of Open Water Body.** Maximum percentage of open water body shall mean the maximum amount of area within the outdoor space that may be covered by an open water body, including but not limited to ponds, lakes, and pools.
- (p) **STORMWATER IN OUTDOOR SPACE TYPES.** Stormwater management practices, such as storage and retention facilities, may be integrated into any of the

<sup>7</sup> Moved to playground requirement in (e).

outdoor space types and utilized to meet stormwater requirements for surrounding parcels subject to the following standards:

- (1) **Stormwater Features.** Stormwater features in outdoor space may be designed as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, pond, or pool, as part of the landscape design.
- (2) **Fencing.** Stormwater features shall not be fenced and shall not impede public use of the space.
- (3) **Walls.** Retaining walls over 2.5 feet in height are not permitted in any outdoor space accommodating stormwater. Exposed concrete is prohibited; all concrete shall be faced with stone or brick.
- (4) **Structures.** All inlets, pipes, overflows, outfalls, and other structures required for the stormwater facility shall be incorporated into a landscape design and designed as unobtrusively as feasible. Exposed concrete is prohibited; all concrete shall be faced with stone or brick.
- (5) **Qualified Professional.** A qualified landscape architect shall be utilized to design the space for use by people, incorporating the stormwater features into the design.



**FIGURE 14-19.** Example of Plaza

**(q) PLAZA.**

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

**Table 14-3. Plaza Requirements**

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



# Site Design

## Outdoor Space Requirements



**FIGURE 14-20.** Example of Green

### (r) GREEN.

The intent of the green is to provide an informal outdoor space of medium scale for active or passive recreation located within walking distance for building occupants and visitors. The green is intended to be fronted mainly by streets. Greens shall be designed to meet the standards of [Table 14-3](#). See [Figure 14-19. Example of Plaza](#).

**Table 14-4. Green Requirements**

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



**FIGURE 14-21.** Example of Commons

### (s) COMMONS.

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

**Table 14-5. Commons Requirements**

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



**FIGURE 14-22.** Example of Pocket Park

**(t) POCKET PARK.**

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

**Table 14-6. Pocket Park Requirements**

Dimensions	
Minimum Size	0.10 acres
Maximum Size	1 acre
Minimum Dimension	25 feet
Minimum Percentage of Street or Public Way Frontage Required	30%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Required
<u>Mobility Hub</u>	<u>Permitted</u>
Fully Enclosed Structures	Not permitted
Maximum Impervious Surface + Semi-Pervious Surface	30% + 10%
Maximum Percentage of Open Water	30%



**FIGURE 14-23.** Example of Park/Greenway

**(u) PARK/GREENWAY.**

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

**Table 14-7. Park/Greenway Requirements**

Dimensions	
Minimum Size	2 acres
Maximum Size	None
Minimum Dimension	30 feet; minimum average width of 60 feet
Minimum Percentage of Street or Public Way Frontage Required	30% for parks less than 5 acres; 20% for parks 5 or more acres in size
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
<u>Mobility Hub</u>	<u>Permitted</u>
Fully Enclosed Structures	Permitted in parks 5 acres or larger in size
Maximum Impervious Surface + Semi-Pervious Surface	20% + 10%
Maximum Percentage of Open Water	30%

# Site Design

## Large Site Development Standards

### 9-14-13. **LARGE SITE DEVELOPMENT STANDARDS**

- (a) **APPLICABILITY.** A development four acres in size or larger shall meet the requirements of this section.
- (b) **STREETS & BLOCK LAYOUT.** The development shall provide safe and convenient vehicular and pedestrian transportation between and through lots and parcels to adequately serve the new development. To accomplish this, the approving authority may require connections in addition to those required under the regulating plan and any approved connections plan for the area consistent with the following considerations and requirements:
  - (1) **Block Length.** Block lengths is approximately 400 feet or less.
  - (2) **Block Perimeter.** Block perimeter is approximately with a maximum block perimeter of 1,600 feet.
  - (3) **Cul-de-Sac and Dead-End Streets.** Cul-de-sac and dead-end streets are not allowed except due to site constraints or natural features.
  - (4) **Configuration.** Additional connections shall be consistent with the standards of Section 9-9-8, "Reservation, Dedication, and Improvement of Rights of Way," B.R.C. 1981, and other required connections.
    - (A) **On-Street Parking.** Parking lanes shall be provided on both sides of the street.
  - (5) **Paseos.** Paseos shall meet the standards in Section 9-14-10, B.R.C. 1981.
  - (6) Any additions or other amendments to a connections plan for the area shall be reviewed pursuant to the process and criteria established therefor in the applicable plan and in conjunction with the form-based code review of the application.
- (c) **TYPE A, B, OR C FRONTAGE DESIGNATION.** Frontages along new connections shall be designated as Type A, B, or C frontages consistent with the standards in Section 9-14-15, "Type A, B, and C Frontages," B.R.C. 1981, and the following:
  - (1) Frontage designation shall be consistent with the intent of the area or subcommunity plan.
  - (2) A minimum of 25% of frontages of new and existing streets in and abutting the development shall be designated as Type A frontage.
- (d) **TERMINATED VISTAS.** Views down streets that terminate at parcels, including where streets angle at less than 90 degrees, shall meet the terminated vista requirements in Subsection 9-14-14(i), B.R.C. 1981.



# Building Types

# Building Types

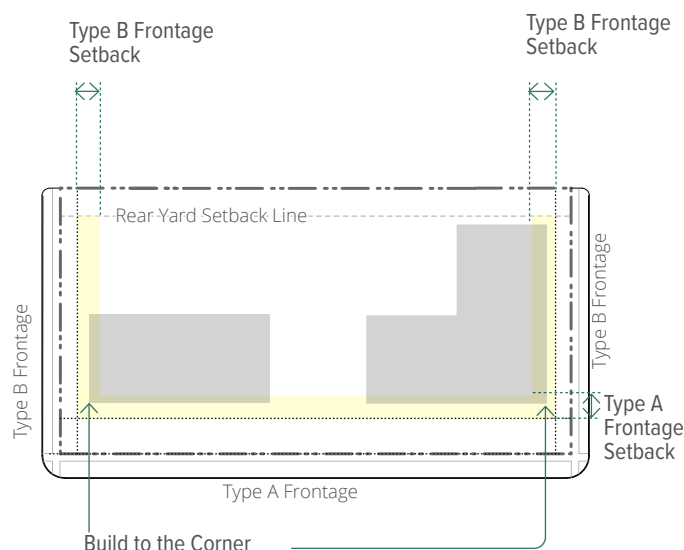
Requirements Applicable to All Building Types

## 9-14-14. REQUIREMENTS APPLICABLE TO ALL BUILDING TYPES<sup>1</sup>

- (a) **PURPOSE.** The purpose of the building types requirements is to establish standards for building design, building form, siting of buildings, and specific uses based on the building type that may be utilized on a property pursuant to the applicable regulating plan or as otherwise authorized.
- (b) **BUILDING TYPES REQUIREMENTS.** No person shall develop, use, or occupy any building or other property located within the area designated in Appendix L, “Form-Based Code Areas,” B.R.C. 1981, except in conformance with the building type standards of Sections 9-14-17 through 9-14-22 of this appendix chapter unless modified through an exception under Subsection 9-1-16(i), B.R.C. 1981. The following generally describes the building types:
- (1) <sup>2</sup>**Main Street Storefront Description.** The main street storefront building type is a highly pedestrian-oriented, mixed-use building. Ground story storefront is required along all Type A streets with only personal service, retail, dining, and entertainment uses to provide activity. Upper story uses are flexible. Parking is in the rear or off-site. Refer to Section 9-14-17, B.R.C. 1981, for requirements.
  - (2) **Commercial Storefront Description.** The commercial storefront building type permits single use buildings and more parking locations, but still addresses pedestrian orientation with buildings built up to the sidewalk and storefront glass requirements. This building type allows a broader variety of commercial, retail, and industrial uses on the ground story, including vehicle-related uses. Refer to Section 9-14-18, B.R.C. 1981, for requirements.
  - (3) **General Building Description.** The general building type is a basic building that serves as urban fabric, built along the sidewalk connecting the more commercial spaces with open spaces. This building can accommodate a wide range of uses. It differs from the storefront by its lower requirement for ground story glass and allowance for an above-sidewalk level ground story elevation. Refer to Section 9-14-19, B.R.C. 1981, for requirements.
  - (4) **Row Building Description.** The row building type is similar to the general building, but is smaller in scale. The ground story is required to be divided into different units, each with separate entrances. Townhouses, rowhouses, live-work units, incubator space, or small width industrial or craftsman spaces fit well into this building type. Refer to Section 9-14-20, B.R.C. 1981, for requirements.
  - (5) **Workshop Building Description.** The workshop building type is similar to the general building, but allows for garage door access. The ground story is also typically taller to allow for production uses. Refer to Section 9-14-21, B.R.C. 1981, for requirements.
  - (6) **Civic Building Description.** The civic building type is the most flexible building, meant to allow for more iconic designs within the urban fabric of the area. This building type is limited to specific public and institutional uses, such as governmental facilities, religious assemblies, schools, colleges, and universities, as well as parks and recreation uses, museums, and live theaters. Refer to Section 9-14-22, B.R.C. 1981, for requirements.
- (c) **USES IN BUILDING TYPES.** All uses of a property shall meet the requirements of Chapter 9-6, “Use Standards,” B.R.C. 1981. Where use requirements are imposed by this appendix chapter based on the building type, the use of the property shall also be consistent with those standards.
- (d) **GENERAL BUILDING DESIGN REQUIREMENTS.** All buildings shall comply with the building design requirements of Sections 9-14-28 through 9-14-34, B.R.C. 1981, of this chapter.
- (e) **MULTIPLE PRINCIPAL STRUCTURES.** Multiple structures may be constructed on a lot or parcel. All structures shall meet the applicable building type requirements, including the build-to-zone frontage setback requirements.

<sup>1</sup> Revised to remove “general” requirements, sometimes confused with the “General” building.

<sup>2</sup> Moving these here as the descriptions intro was already repeated here. Avoiding duplication.

**FIGURE 14-24.** Build to the Corner and Frontage Setbacks

- (f) **BUILD TO THE CORNER.** On corners, a building or structure shall be located at the intersection of the two build-to-zones frontage setbacks, as shown in Figure 14-24. The standards of Paragraph 9-14-10(a)(4)(B), “Sight Triangle Area,” B.R.C. 1981, shall must also be met.
- (g) **<sup>3</sup>BUILD-TO-ZONES FRONTAGE SETBACKS.** Build-to-zones- Minimum and maximum frontage setbacks are measured from the outside edge of any required easement or the right-of-way, if no easement is required. Easements may include a public access easement for a sidewalk, or a flood or drainage easement, where the frontage is along a flood or drainage area. Refer to Subsection 9-14-27(b), B.R.C. 1981, for additional information.
- (h) **YARD DEFINITION.** Yard is defined in Section 9-16-1, “General Definitions,” B.R.C. 1981. For the purposes of this chapter, the following standards shall supplement and, where inconsistent, supersede the definition of Section 9-16-1, B.R.C. 1981:
- (1) **Side and Rear Yards Abutting Other Lots, an Alley, or a Rail Right-of-Way.** On a property located in an area designated in Appendix L, “Form-Based Code Areas,” only yards abutting a lot, an alley, or a rail right-of-way at the lot line, and not a street, waterway or other Type A, ~~or B, or C~~ frontage, are considered side or rear yards.

- (2) **Front Yards, Side Adjacent Street Yards, and Side Equals Front Yards.** Front yards, side adjacent street yards, and side equals front yards are regulated through the designation of Type A, ~~and~~ Type B, ~~and~~ Type C frontages.
  - (3) **Parking Yard.** Parking yard shall have the meaning defined in Section 9-14-8, “Definitions,” B.R.C. 1981.
- (i) **TERMINATED VISTAS.** When a street terminates or curves on or adjacent to a property as designated on the regulating plan, the site ~~design~~ or building design shall include a feature to terminate the view from the street or path. The project shall meet the following standards:
- (1) **Open Space.** If the property where the vista is required to be terminated is open space, one of the outdoor space types established in Section 9-14-12, “Outdoor Space Types,” B.R.C. 1981, shall be utilized, and a vertical feature shall terminate the view. Acceptable vertical features include, but are not limited to, a stand or grid of at least three large maturing trees, as defined by Chapter 3 of the City of Boulder Design and Construction Standards, a sculpture, a gazebo, or a fountain.
  - (2) **Building.** If the property where the vista is required to be terminated is not utilized as open space, the facade of a building shall terminate the view. At the termination point designated on the regulating plan, a minimum of sixty feet of ~~T~~the building facade shall meet the standards applicable to a Type A frontage, whether or not fronting on a Type A street, with the exception of the entrance requirements. The building shall include a feature that terminates the view, such as, a tower, cupola, bay, ~~or~~ courtyard, or a streetscape plaza consistent with the streetwall variation requirements in Section 9-14-14, B.R.C. 1981.
  - (3) **Parking or Other Facades.** A parking structure, surface parking lot, or side or rear facade shall not terminate a vista.

<sup>3</sup> Moved from building type tables

# Building Types

Requirements Applicable to All Building Types

(j) **TRASH & RECYCLING AREAS.**<sup>4</sup> Unless otherwise defined by the building type, all trash, recycling, and other waste areas shall be located inside the building or in the parking yard consistent with the following requirements:

(1) **Interior of the Building.** Refuse, recycling, and other waste areas located inside the building shall meet the following requirements:

- (A) Access doors to the area shall be located on the rear or interior side facade.
- (B) If no rear or interior side facade exists, access doors may be located off a Type B or C street facade.
- (C) Access doors or gates on a street facade shall have a minimum opacity of 80 percent.
- (D) Access gates shall be set back a minimum of five feet from any street facade.

(2) **Other Locations.** When no parking yard exists, the parking or rear yard is less than ten feet in depth, and an interior building location is not available, trash, recycling, and other waste areas may be located in the rear yard, interior side yard or in a Type B or C street yard.

(k) **GARAGE ENTRANCES.**<sup>5</sup> Except on the workshop base, garage doors may be located only on a Type B frontage, Type C frontage, rear or interior yard, or along an interior side facade.

- (A) Garage doors on Type B frontages shall be set back from the majority of the frontage facade a minimum of five feet.
- (B) Garage doors on Type B frontages shall meet minimum facade transparency requirements unless art is incorporated into the door.<sup>6</sup>

(l) **LOADING LOCATIONS.**<sup>7</sup> All on-site loading areas shall be located in the rear or interior yard for all building types, except as otherwise allowed in the workshop base in Section 9-14-25, B.R.C. 1981.

(m) **STREETWALL COURTYARDS.**<sup>8</sup> Where minimum streetwall is required and streetwall variation is not required,

courtyards meeting the requirements of Paragraph 9-14-14(n)(1), B.R.C. 1981, are allowed provided they do not exceed thirty-five percent of the streetwall. The courtyard may be counted towards the required minimum streetwall percentage.

(n) **REQUIRED STREETWALL VARIATION.**<sup>9</sup> Where streetwall variation is required, a courtyard or streetscape plaza meeting the following requirements shall be provided for every 120-foot wide section of building streetwall:

- (1) **Courtyard.** Courtyards shall meet the following requirements:
  - (A) The courtyard shall be at least thirty feet in width and thirty feet in depth.
  - (B) The courtyard may count towards the streetwall percentage, when abutting the frontage setback.
  - (C) Motor vehicle parking is not allowed in courtyards.
  - (D) Courtyard facades shall be treated with the frontage type of the adjacent street frontage per facade requirements for the building type and building design requirements in Sections 9-14-28 through 9-14-34, B.R.C. 1981.
  - (E) The courtyard design shall include the following:
    - (i) A maximum of sixty-five percent of the area may be paved and the hardscape shall include special paving materials and patterns.
    - (ii) Landscape beds and trees consistent with Subsection 9-14-10(b), "Street Yard Design," B.R.C. 1981.
    - (iii) Seating and amenities consistent with Subsection 9-14-10(b), "Street Yard Design," B.R.C. 1981.
- (2) **Streetscape Plaza.** Streetscape plazas shall meet the following requirements:
  - (A) The streetscape plaza shall be located within the maximum setback.
  - (B) At least thirty-five percent of the streetwall shall front one or more streetwall plazas extending from the right-of-way to the maximum setback.

<sup>4</sup> Moved to this general section to free up space in the building type tables.

<sup>5</sup> Moved to this general section to free up space in the tables.

<sup>6</sup> Should (A) and (B) be an either/or?

<sup>7</sup> Moved to this general section to free up space in the tables.

<sup>8</sup> This is new. Marked allowed on BJ1 (and A-B) for future use.

<sup>9</sup> This is new. Marked allowed on BJ1 (and A-B) for future use.

**Building Types**

Type A, B, and C Frontages

- (C) Minimum width of each streetscape plaza along the frontage shall be 20 feet.
- (D) The streetscape plaza shall be designed to integrate with the street yard and streetscape design and shall include the following:
  - (i) Hardscape in the plaza shall include special paving materials and patterns.
  - (ii) Landscape beds and trees consistent with Subsection 9-14-11(b), “Street Yard Design,” B.R.C. 1981.
  - (iii) Seating and amenities consistent with Subsection 9-14-11(b), “Street Yard Design,” B.R.C. 1981.
- (8) Streetwall Variation. An alternative to the amenities listed for courtyards or streetyard plazas in Section 9-14-14, B.R.C. 1981, provided the amenity is similar in characteristics of those listed.

**9-14-15. TYPE A, B, AND C FRONTAGES**

A hierarchy of frontages is established for properties located within the area shown on Appendix L, “Form-

(o) **MODIFICATIONS.** The approving authority may approve the following modifications if the approving authority finds the proposed design substantially meets the intent of the requirement being modified:

- (1) **Building Location.** The location of the building within up to one foot from any minimum or maximum frontage setback or build-to-zone width or location requirement.
- (2) **Impervious Coverage.** Up to a ten percent increase in total impervious coverage, not to exceed the total amount of allowed impervious plus semi-pervious coverage.
- (3) **Type A Frontage Lot Line Coverage.** For the commercial storefront building only, up to ten percent decrease in Type A frontage lot line coverage requirements.
- (4) **Story Height.** An additional height of any floor-to-floor story height up to two feet, provided the overall building height does not exceed the maximum permitted height.
- (5) **Transparency.** Up to two percent reduction of the required transparency on a non-Type A frontage facade; and up to four square feet increase of the blank wall area limitation of Paragraph 9-14-27(g)(2), B.R.C. 1981, on a non-Type A frontage facade.
- (6) **Garage Entrances.** If none of the allowed options exists, a garage entrance on a Type A frontage, provided the requirements for Type B frontages in Subsection 9-14-14(k), B.R.C. 1981, are also met.
- (7) **Entrance Space.** Up to five additional feet in spacing of the required entrances in either the general or workshop base.

# Building Types

## Type A, B, and C Frontages

Based Code Areas.” Frontages are designated on the regulating plans pursuant to the standards of this section. include streets, paths, waterways, and other public ways.

**(a) TYPE A FRONTAGE DESCRIPTION.** ~~A Type A frontage designation establishes the fronts of lots and buildings and where to locate the principal entrance to the building. A Type A frontage designation requires the highest level of facade treatment and restricts locations for parking, driveways, and garage entrances.<sup>10</sup>~~ Type A frontages shall must be provided as follows:

- (1) **Regulating Plan.** Type A frontage requirements shall must be met along in those locations where a Type A frontage is designated on the regulating plan.
- (2) **Outdoor Space Types.** Where a lot or parcel contains or abuts a required outdoor space, the frontage of a building abutting the outdoor space shall meet Type A frontage requirements, unless otherwise defined on the regulating plan.
- (3) **Building Type Requirements.** Type A frontages shall meet the Type A frontage requirements established for the applicable building type in Sections 9-14-17 through 9-14-22, B.R.C. 1981.
- (4) **Specific Type A Frontages.** Type A frontage requirements also shall be met along the following ways:
  - (A) ~~Boulder Junction Phase I, Goose Creek, the North Boulder Farmer’s Ditch, and all enhanced paseos.~~
  - (B) ~~Alpine-Balsam, Balsam Flood Mitigation Area and Greenway, outdoor open space types, and City-developed plazas, not including the Mobility Hub.~~
  - (C) ~~East Boulder, Valmont City Park.~~
- (5) **Corners.** At corners of buildings on public ways, Where a Type A frontage facade is located perpendicular to a Type B or C frontage, or a rail corridor facade, the Type A frontage treatment shall be continued around the corner along the public way perpendicular facades for a minimum of thirty feet.
- (6) **Multiple Type A Frontages and No Type B Frontage.** If multiple Type A frontages and no Type B or C

frontages exist on a site, one Type A frontage may be treated as a Type B frontage for the building type requirements if the approving authority finds that one of the following standards is met with regard to such frontage:

- (A) Configuration of other parcels along the street, including fronts of buildings and locations of vehicular access, are more consistent with Type B requirements.
- (B) The classification of the street is more focused on traffic movement than pedestrian orientation.
- (C) The area plan prioritizes the street lower than other Type A frontages.

(7) **No Type A Frontage.** If no Type A frontage is designated for a parcel, a Type B frontage shall be treated as a Type A frontage for the building type requirements. If no Type A or B frontage is designated for a parcel, a Type C frontage shall be treated as a Type A frontage for the building type requirements.

**(b) TYPE B FRONTAGES DESCRIPTION.** ~~A Type B frontage designation allows for a lower level of facade treatment and allows garage and parking lot driveway entrances on the frontage. Type B frontages shall be provided as follows:~~

- (1) **Regulating Plan.** Type B frontage requirements shall be met in those locations where a Type B frontage is designated on the regulating plan.
- (2) **Building Type Requirements.** Type B frontages shall meet the Type B frontage requirements established for the applicable building type in Sections 9-14-17 through 9-14-22, B.R.C. 1981.
- (3) **Alternate Treatment.** A designated Type B frontage may alternatively be treated as a Type A frontage.
  - (A) ~~Other Ways. All ways other than streets or alleys, including but not limited to paseos, multi-use paths, waterways, busways, and rail lines, shall be treated as Type B frontages unless otherwise required in this chapter; however, vehicular access and recycling,~~

<sup>10</sup> Removing as Type A frontage is already in the definitions. Type B is revised similarly.



refuse, and loading access is not permitted off these ways.

- (c) **TYPE C FRONTAGES.** Type C frontages shall be provided as follows:
- (1) **Regulating Plan.** Type C frontage requirements shall be met only in those locations where a Type C frontage is designated on the regulating plan.
  - (2) **Building Type Requirements.** Type C frontages shall meet the Type C frontage requirements established for the applicable building type in Sections 9-14-17 through 9-14-22, B.R.C. 1981.
  - (3) **Alternate Treatment.** A designated Type C frontage may alternatively be treated as a Type A or Type B frontage.

### 9-14-16. DESCRIPTIONS OF BUILDING TYPES<sup>11</sup>

This section generally describes the building types established for development on land designated in Appendix L, “Form-Based Code Areas.” Sections 9-14-17 through 9-14-22 establish standards applicable to a building type. Sections 9-14-23 through 9-14-27 regulate the application of the requirements specific to a building type. No person shall use land designated in Appendix L except in conformance with the building type requirements of those sections, unless modified through an exception under Subsection 9-2-16(i), B.R.C. 1981.

- (a) **MAIN STREET STOREFRONT DESCRIPTION.** The main street storefront building type is a highly pedestrian-oriented, mixed-use building. Ground story storefront is required along all Type A streets with only personal service, retail, dining, and entertainment uses to provide activity. Upper story uses are flexible. Parking is in the rear or off-site. Refer to Section 9-14-17, B.R.C. 1981, for requirements.
- (b) **COMMERCIAL STOREFRONT DESCRIPTION.** The commercial storefront building type permits single-use buildings and more parking locations, but still addresses pedestrian orientation with buildings built up to the sidewalk and storefront glass requirements. This building type allows a broader variety of commercial, retail, and industrial uses on the ground story, including vehicle-related uses. Refer to Section 9-14-18, B.R.C. 1981, for requirements.
- (c) **GENERAL BUILDING DESCRIPTION.** The general building type is a basic building that serves as urban fabric, built along the sidewalk connecting the more-

commercial spaces with open spaces. This building can accommodate a wide range of uses. It differs from the storefront by its lower requirement for ground story glass and allowance for an above-sidewalk level ground story elevation. Refer to Section 9-14-19, B.R.C. 1981, for requirements.

- (d) **ROW BUILDING DESCRIPTION.** The row building type is similar to the general building, but is smaller in scale. The ground story is required to be divided into different units, each with separate entrances. Townhouses, rowhouses, live-work units, incubator space, or small width industrial or craftsman spaces fit well into this building type. Refer to Section 9-14-20, B.R.C. 1981, for requirements.
- (e) **WORKSHOP BUILDING DESCRIPTION.** The workshop building type is similar to the general building, but allows for garage door access. The ground story is also typically taller to allow for industrial and vehicle service uses. Refer to Section 9-14-21, B.R.C. 1981, for requirements.
- (f) **CIVIC BUILDING DESCRIPTION.** The civic building type is the most flexible building, meant to allow for more iconic designs within the urban fabric of the area. This building type is limited to specific public and institutional uses, such as governmental facilities, religious assemblies, schools, colleges, and universities, as well as parks and recreation uses, museums, and live theaters. Refer to Section 9-14-22, B.R.C. 1981, for requirements.

<sup>11</sup> Moved to front end of 9-14-14.

# Building Types

## Main Street Storefront Building Type

### 9-14-17. MAIN STREET STOREFRONT BUILDING TYPE

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

	BOULDER JUNCTION PHASE I	REFERENCES/ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to <a href="#">Figure 14-25</a> .		
1 Type A Frontage <b>Streetwall</b> <sup>1</sup> , minimum	90% required	<sup>2</sup> One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards Type A frontage build-to-zone coverage. Refer to Subsection <a href="#">9-14-14(m)</a> , B.R.C. 1981, for courtyard allowance.
2 Type A Frontage <b>Setback</b> <sup>3</sup> , minimum to maximum	0 ft. to 5 ft. <sup>4</sup>	<sup>5</sup> Build-to-zones are measured from the outside edge of any public access or waterway easement for sidewalk or the right-of-way, if no public access easement is required or exists. Refer to for additional information: Refer to Subsection <a href="#">9-14-14(m)</a> , B.R.C. 1981, for measuring minimum and maximum setbacks.
3 Type B Frontage <b>Setback</b> , minimum to maximum	0 ft. to 5 ft.	
4 Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	
5 Rear Yard Setback, minimum	10 ft.; minimum 25 ft. if no alley; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
6 Building Length along any <b>Type A &amp; B Frontage</b> , maximum	150 ft.	Refer to Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements.
7 Site Impervious Coverage, maximum Additional Semi-Pervious Coverage	70% 25%	Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
8 Surface or Accessory Parking Location	Parking yard only	Refer to Sections 9-9-9 and 9-9-12, B.R.C. 1981, for loading and screening requirements. Refer to Subsection <a href="#">9-14-11(a)</a> , B.R.C. 1981, for driveway access. Refer to Subsections <a href="#">9-14-14 (j)</a> , <a href="#">(k)</a> , and <a href="#">(l)</a> , B.R.C. 1981, for trash & recycling, garage entrances, and loading.

1 “Streetwall” instead of frontage build-to-zone coverage.

2 Moved to requirements applicability to all building types.

3 Switching from build-to zone to min and max setback.

4 Recommend using “ft.” instead of the symbol ( ft.) as it may be hard to read.

5 Moved up to General Requirements for All Building Types.

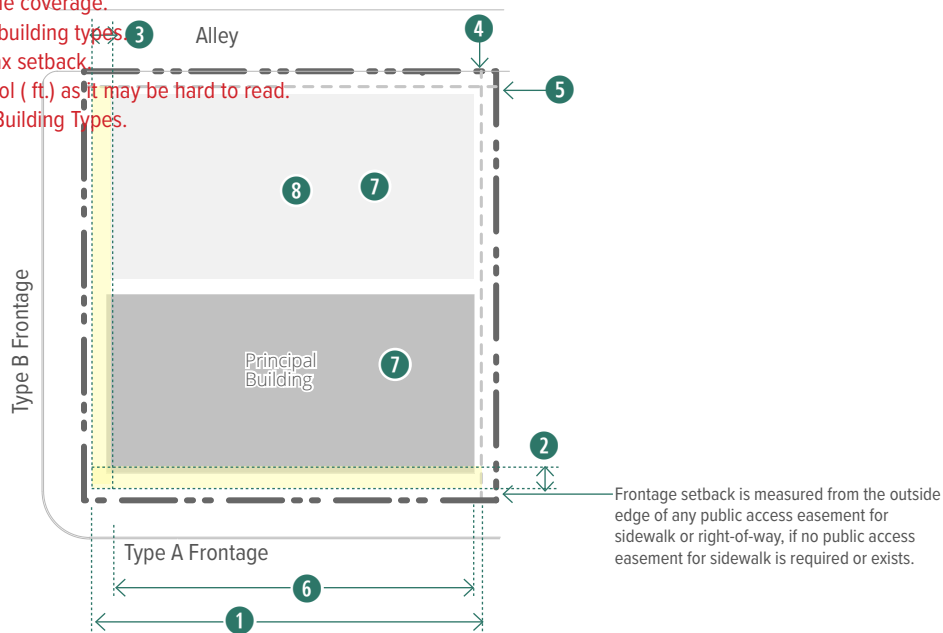


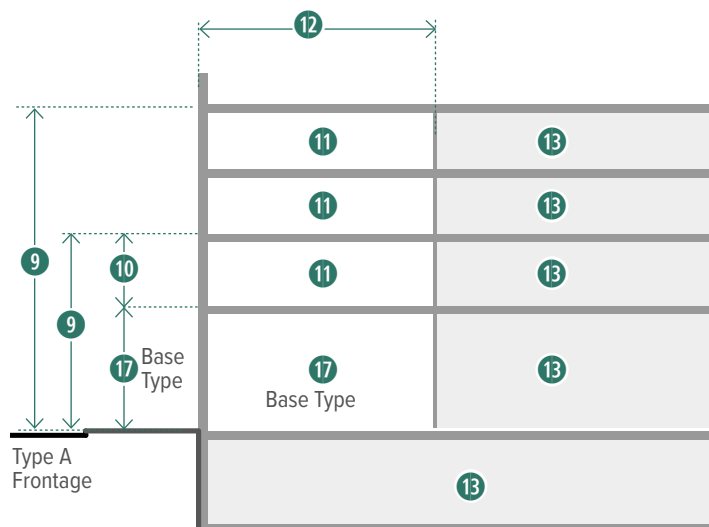
FIGURE 14-25. Storefront Building: Building Siting



		BOULDER JUNCTION PHASE I	REFERENCES/ADDITIONAL REQUIREMENTS
<b>HEIGHT</b> Refer to <a href="#">Figure 14-26</a> .			
<b>9 Overall:</b>	Minimum Height	2 stories	Refer to Subsection <a href="#">9-14-27(e)</a> , B.R.C. 1981, for height measuring requirements and Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements. Subsection <a href="#">9-14-26(g)</a> "Towers," B.R.C. 1981, allows additional height in a limited footprint.
	Maximum Height	3 stories, 40 ft. in height north of Goose Creek and west of Junction Place; 5 stories, 55 ft. elsewhere	
	Location-Specific Maximum Height	Heights shown may be otherwise regulated by Section <a href="#">9-14-6</a> , B.R.C., "Regulating Plans," and/or Section <a href="#">9-14-7</a> , B.R.C., "View Corridors"	
<b>6<sup>6</sup> Ground Story:</b>	<b>Minimum Height</b> <b>Maximum Height</b>	14 ft. 22 ft.	Stories are measured floor-to-floor. Refer to subsection(g) for explanation of measurement.
<b>10 Story Height:</b>	Minimum Height	9 ft.	Stories are measured floor to floor. Refer to Subsection <a href="#">9-14-27(f)</a> , B.R.C. 1981, for explanation of measurement.
	Maximum Height	12 ft.	
		Refer to allowed base types for story height requirements in ground story.	
<b>USES</b> Refer to <a href="#">Figure 14-26</a> .			
<b>7<sup>7</sup> Type A Frontage Ground Story</b>		Only dining & entertainment uses, personal service uses, retail sales uses consistent with chapter 9-6	Refer to Chapter 9-6, B.R.C. 1981, for permitted uses per zoning district and definition of uses.
<b>11 Type B Frontage &amp; All Upper All Frontages &amp; Stories</b>		All uses consistent with chapter 9-6  Base Types: refer to allowed base types for use requirements in ground story.	
<b>12 Required Occupied Building Space,</b> minimum depth from Type A or B frontage facade, all stories		Minimum 20 ft. deep on all full height floors, not including basement, from any street facade	Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for occupied building space. Occupied building space applies only to full height floors and does not apply to basements.
<b>13 Parking Location within Building</b>		Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.	Refer to occupied building space requirement above.

6 Moved to the base type.

7 Moved to the base type.

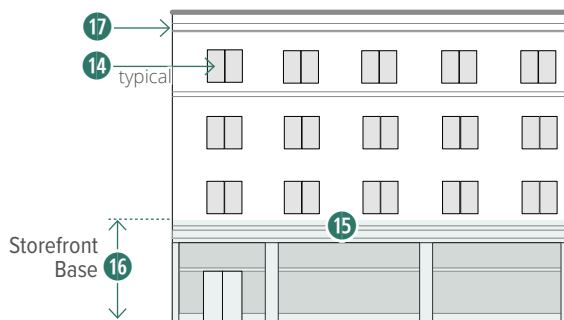


**FIGURE 14-26.** Storefront Building Section: Height & Use Requirements

# Building Types

## Main Street Storefront Building Type

BOULDER JUNCTION PHASE I		REFERENCES/ADDITIONAL REQUIREMENTS
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to <a href="#">Figure 14-27</a> .		
<b>8<sup>Ground Story Transparency, minimum</sup></b>	Minimum 75% measured between 2 ft. and 10 ft. vertically from average grade of adjacent sidewalk	Note that subsection 9-14-14 requires this treatment to turn corners. Refer to subsection 9-14-27(g) for information on measuring transparency.
<b>14<sup>Transparency on All Type A, B, and C Frontage Facades, minimum</sup></b>	20%, measured per story of all stories, including blank wall limitations defined in 9-14-27(g).	<b>Measured per each story.</b> Refer to Subsection 9-14-27(g), B.R.C. 1981, for information on measuring transparency.
	Blank wall limitations defined in Section 9-14-27(g).	
	Additional transparency required on ground story by allowed base type.	
<b>9<sup>Entrance Location &amp; Number</sup></b>	Principal entrance required on Type A frontage facade; entrances required a minimum of one per every 60 ft. of building facade	Refer to Section 9-14-27(h) for information on measuring entrance location.
<b>10<sup>Entryway Configuration</sup></b>	Recessed between 3 ft. and 8 ft., maximum 8 ft. wide, from the portion of the Type A frontage facade closest to the street	Refer to subsection 9-14-31(e) for principal entryway requirements.
<b>11<sup>Entrance/Ground Story Elevation Grade</sup></b>	80% of entrances and the ground story shall be within 1.5 ft. (vertically) of adjacent sidewalk elevation	
<b>12<sup>Ground Story Vertical Facade Divisions</sup></b>	One minimum 2" deep expression line per every 30 ft. of facade width	
<b>15<sup>Horizontal Facade Divisions</sup></b>	One minimum 2" deep expression line within 3 ft. of the top of the ground story and the bottom of any 5th story	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for expression line.
<b>13<sup>BASE REQUIREMENTS</sup></b> Refer to <a href="#">Figure 14-27</a> .		
<b>16<sup>All ground story Type A, B, and C frontage facades shall meet the requirements of an allowed or required base type.</sup></b>		
<b>Storefront Base</b>	Provide where required per regulating plans, Section 9-14-6, B.R.C. 1981; Allowed on any frontage	Refer to Section 9-14-23, B.R.C. 1981, for storefront base requirements.
<b>General Base</b>	Allowed any frontage, except where storefront base is required.	Refer to Section 9-14-24, B.R.C. 1981, for general base requirements.
<b>Workshop Base</b>	Not allowed.	Refer to Section 9-14-25, B.R.C. 1981, for workshop base requirements.
<b>CAP REQUIREMENTS</b> Refer to <a href="#">Figure 14-27</a> .		
<b>17<sup>Permitted Cap Types</sup></b>	Parapet, pitched, flat	Refer to Section 9-14-26, B.R.C. 1981, for cap types; and other cap requirements.



Type A Frontage

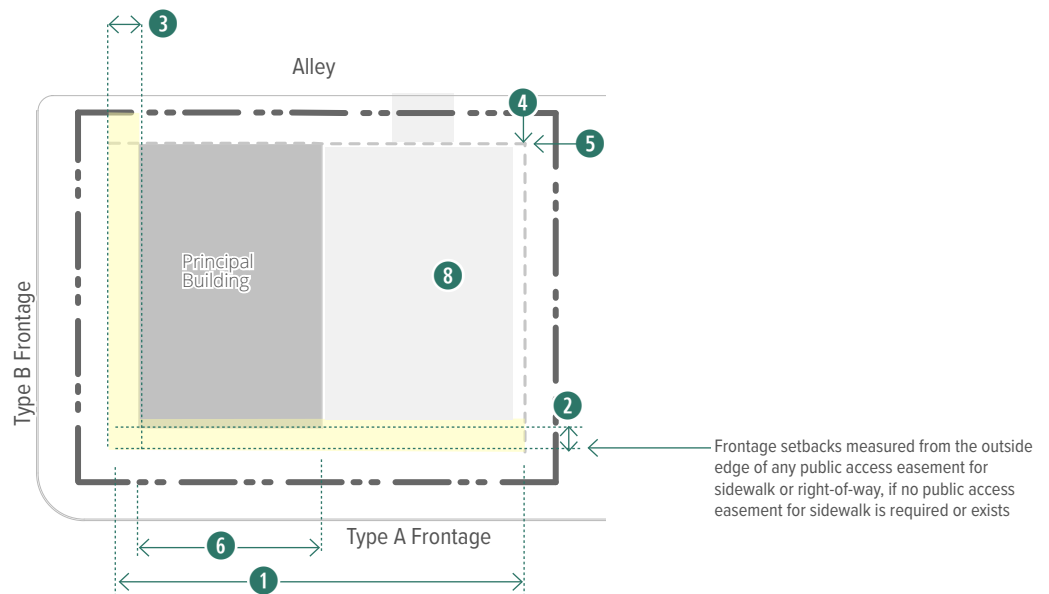
- 8 Moved to base requirements
- 9 Moved to base requirements
- 10 Moved to base requirements
- 11 Moved to base requirements
- 12 Moved to base requirements
- 13 New section

**FIGURE 14-27.** Storefront Building Elevation: Facade Design Requirements

**9-14-18. COMMERCIAL STOREFRONT BUILDING TYPE**

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

BOULDER JUNCTION PHASE I		REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to <a href="#">Figure 14-28</a> .		
1 Type A Frontage Streetwall, minimum	60% required	-
2 Type A Frontage Setback, minimum to maximum	12 ft. to 20 ft. along Valmont and 30th Street; 0 ft. to 10 ft. along new streets	For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
3 Type B Frontage Setback, minimum to maximum	0 ft. to 10 ft.	
4 Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	
5 Rear Yard Setback, minimum	15 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path	Refer to Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements.
6 Building Length any Type A & B Frontage, maximum	90 ft.	
7 Site Impervious Coverage, maximum Additional Semi-Pervious Coverage	70% 25%	Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
8 Surface or Accessory Parking	Parking yard & interior side yard	Refer to Sections 9-9-9 and 9-9-12, B.R.C. 1981, for loading and screening requirements. Refer to Subsection <a href="#">9-14-11(a)</a> , B.R.C. 1981, for driveway access. <a href="#">Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash &amp; recycling, garage entrances, and loading.</a>

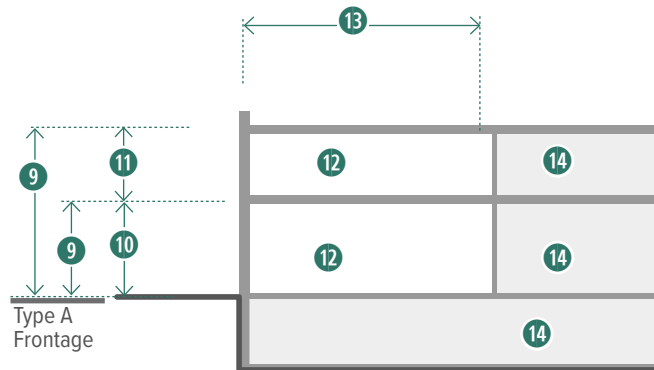


**FIGURE 14-28.** Commercial Storefront Building Plan: Building Siting Requirements

# Building Types

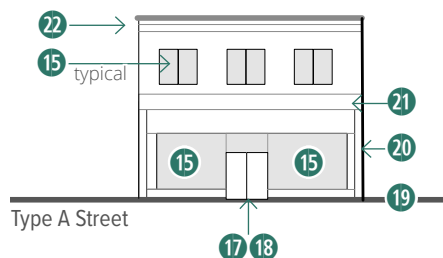
## Commercial Storefront Building Type

BOULDER JUNCTION PHASE I			REFERENCES/ ADDITIONAL REQUIREMENTS
<b>HEIGHT</b> Refer to <a href="#">Figure 14-29</a> .			
<b>9 Overall:</b>	Minimum Height Maximum Height	1 story 3 stories, 35 ft.	Refer to Subsection 9-14-27(2), B.R.C. 1981, for height measuring requirements and Section 9-14-32, B.R.C. 1981, for building massing requirements. Subsection 9-14-26(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint.
<b>10 Ground Story:</b>	Minimum Height Maximum Height	12 ft. 18 ft.	Stories are measured floor to floor. Refer to Subsection 9-14-27(f), B.R.C. 1981, for explanation of measurement.
<b>11 Story Height:</b>	Minimum Height Maximum Height	9 ft. 14 ft.	Stories are measured floor to floor. Refer to Subsection 9-14-27(f), B.R.C. 1981, for explanation of measurement.
<b>USES</b> Refer to <a href="#">Figure 14-29</a> .			
<b>12 All Frontages &amp; Stories</b>	All uses consistent with chapter 9-6		Refer to Chapter 9-6, B.R.C. 1981, for permitted uses per zoning district and definition of uses..
<b>13 Required Occupied Building Space</b> , minimum depth from Type A or B frontage facade, all stories	<del>Minimum 20 ft. deep on all full height floors, not including basement, from any street facade</del>		Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for occupied building space. Occupied building space applies only to full height floors and does not apply to basements.
<b>14 Parking Location within Building</b>	Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.		Refer to occupied building space requirement above.



**FIGURE 14-29.** Commercial Storefront Building Section: Height & Use Requirements

BOULDER JUNCTION PHASE I		REFERENCES/ ADDITIONAL REQUIREMENTS
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to <a href="#">Figure 14-30</a> .		
<b>15</b> Type A Frontage Ground Story Transparency, minimum	55% measured between 2 ft. and 8 ft. vertically from average grade of adjacent sidewalk.	Note that Subsection <a href="#">9-14-14(f)</a> , B.R.C. 1981, requires this treatment to turn corners. Refer to Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981, for measuring transparency.
<b>16</b> Transparency on All Other Frontages & Stories, minimum	15%, measured per story of all stories, including blank wall limitations defined in Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981.	
<b>17</b> Entrance Location & Number	Principal entrance required on Type A frontage facade; entrances required a minimum of one per every 50 ft. of building facade	Refer to Section <a href="#">9-14-27(j)</a> , B.R.C. 1981, for information on measuring entrance location.
<b>18</b> Entrance Configuration	Recessed between 3 ft. and 8 ft., maximum 8 ft. wide, from the portion of the Type A frontage facade closest to the street	Refer to Subsection <a href="#">9-14-33(e)</a> , B.R.C. 1981, for principal entryway requirements.
<b>19</b> Entrance/Ground Story Elevation Grade	80% of entrances and the ground story shall be within 1.5 ft. (vertically) of adjacent sidewalk elevation	
<b>20</b> Ground Story Vertical Facade Divisions	One minimum 2" deep expression line per every 30 ft. of facade width	Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for expression line.
<b>21</b> Horizontal Facade Divisions	One minimum 2" deep expression line within 3 ft. of the top of the ground story	
<b>22</b> Permitted Cap Types	Parapet, pitched, flat; one tower permitted per building.	Refer to Section <a href="#">9-14-26</a> , B.R.C. 1981, for cap types; and other cap requirements.



**FIGURE 14-30.** Commercial Storefront Building Elevation: Facade Design Requirements

# Building Types

## General Building Type

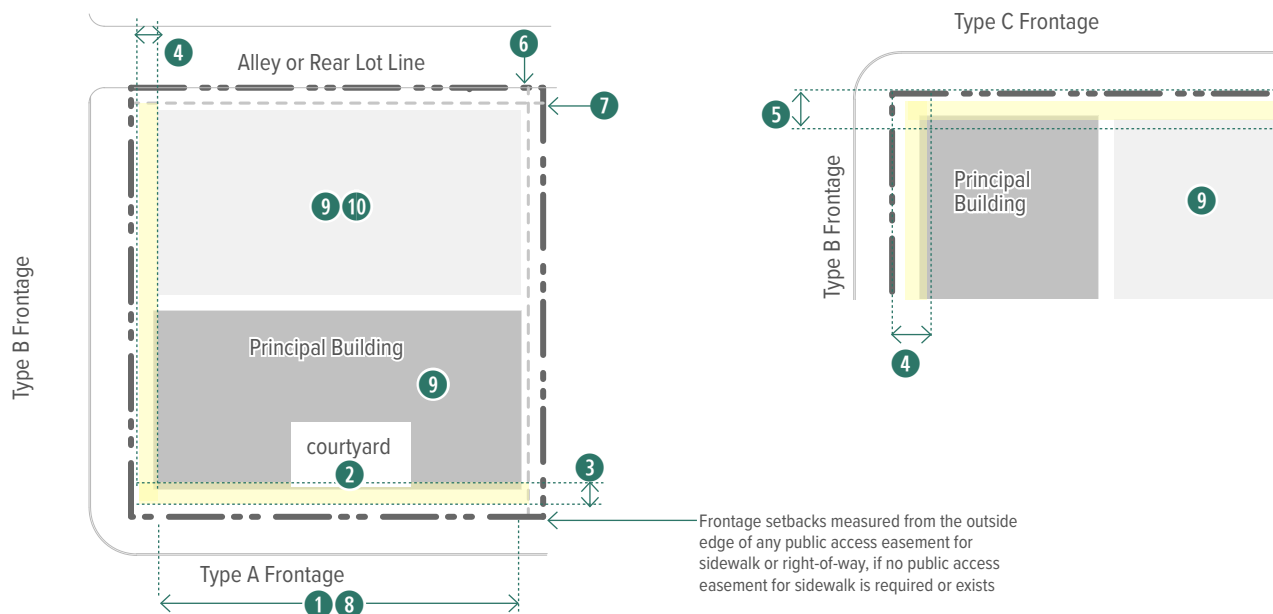
### 9-14-19. GENERAL BUILDING TYPE

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

	BOULDER JUNCTION PHASE I	ALPINE-BALSAM	EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to <a href="#">FIGURE 14-31</a> .				
1 Type A Frontage Streetwall, minimum	90%	80%	80%	Refer to <a href="#">9-14-14(m)</a> for allowed courtyards in the streetwall and <a href="#">9-14-14(n)</a> definition of required streetwall variation.
2 Streetwall Variation for Type A and Type B Frontages	--	--	Required for buildings over 120 ft. in width	
3 Type A Frontage Setback, minimum to maximum	5 ft. to 10 ft.	5 ft. to 20 ft.	10 ft. to 25 ft.	Refer to Section <a href="#">9-14-27</a> , B.R.C. 1981, for measuring minimum and maximum setbacks. Refer to Section <a href="#">9-14-14</a> , B.R.C. 1981, for minimum streetscape area requirements.
4 Type B Frontage Setback, minimum to maximum	5 ft. to 10 ft.	5 ft. to 20 ft.	5 ft. to 20 ft.	
5 Type C Frontage Setback, minimum to maximum	--	--	0 to 15 ft.	
6 Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path			For paseos and multi-use paths locations, refer to the regulating plans and the connections plans for the form-based code area.
7 Rear Yard Setback, minimum	10 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path		15 ft.; 0 ft. required at paseo or multi-use path	
8 Building Length along Type A & B Frontage, maximum	150 ft.	65 ft. in General Mix 2 area; none in General Mix 1 area; refer to map, <a href="#">Figure 14-2</a> .	--- <sup>1</sup>	Refer to Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements.
9 Site Impervious Coverage, maximum Additional Semi-Pervious Coverage	70% 25%	65% 25%	65% 25% <sup>2</sup>	Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
10 Surface or Accessory Parking Location	Parking yard only	No surface parking allowed	Parking yard; Limited side yard parking allowed Valmont Park West, Valmont Park East, and Flatiron Business Park (see regulating plans: <a href="#">Figure 14-4</a> through <a href="#">Figure 14-6</a> )	Refer to Sections <a href="#">9-9-9</a> and <a href="#">9-9-12</a> , B.R.C. 1981, for loading and screening requirements. Refer to Subsection <a href="#">9-14-11(a)</a> , B.R.C. 1981, for driveway access. Refer to Subsections <a href="#">9-14-14 (j)</a> , (k), and (l), B.R.C. 1981, for trash & recycling, garage entrances, and loading.

1 Using the streetwall variation to provide breaks in buildings instead of maximum length.

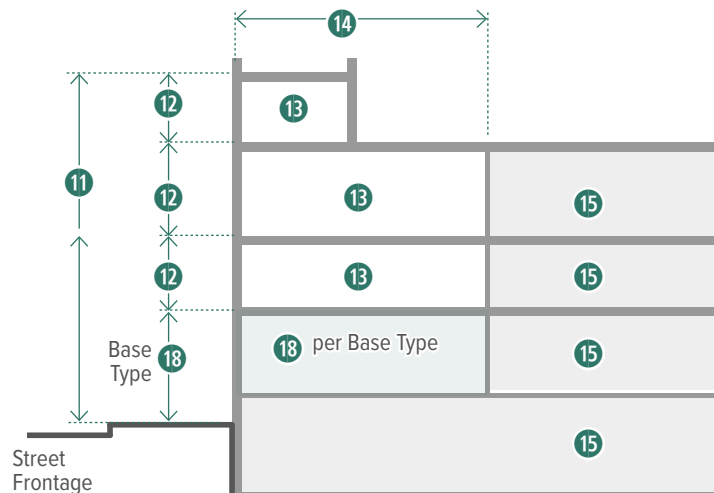
2 Results in approx. 10% landscape space per the plan. Destination Workplace & Innovation TOD has a 20% open space requirement; Innovation TOD (non-res) has 15%; all others are 10%.



**FIGURE 14-31.** General Building: Building Siting

		BOULDER JUNCTION PHASE I	ALPINE-BALSAM	EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
HEIGHT Refer to <a href="#">FIGURE 14-32</a> .					
11 Overall:	Minimum Height	2 stories	2 stories	2 stories	Refer to Subsection <a href="#">9-14-27(e)</a> , B.R.C. 1981, for height measuring requirements and Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements. Subsection <a href="#">9-14-26(g)</a> , "Towers," B.R.C. 1981, allows additional height in a limited footprint.
	Maximum Height	3 stories, 40 ft. north of Goose Creek and west of Junction Place; 5 stories, 55 ft. elsewhere	3 stories, 35 ft. or with pitched roof, 55 ft.; 4 stories, 55 ft.	5 stories, 55 ft.	
	Location-Specific Maximum Height	Heights shown may be otherwise regulated by Section <a href="#">9-14-6</a> , B.R.C., "Regulating Plans," and/or Section <a href="#">9-14-7</a> , B.R.C., "View Corridors"			
12 Story Height:	Minimum Height	9 ft.	9 ft.	9 ft.	Stories are measured floor to floor. Refer to Subsection <a href="#">9-14-27(f)</a> , B.R.C. 1981, for explanation of measurement.
	Maximum Height	18 ft.	--	12 ft.	
		Base Types: See allowances for additional height within specific base types allowed, line 18 of this table			
USES Refer to <a href="#">FIGURE 14-32</a> .					
13 All Frontages & Stories		All uses consistent with chapter 9-6	All uses consistent with chapter 9-6; in General Mix 2, residential and accessory uses only, maximum 4 dwelling units per building, consistent with chapter 9-6; refer to map, <a href="#">Figure 14-2</a> .	All uses consistent with chapter 9-6 <sup>3</sup>	Refer to Chapter 9-6, B.R.C. 1981, for permitted uses per zoning district and definition of uses.
		Base Types: See use requirements and allowances per base types.			
14 Required Occupied Building Space, minimum depth from Type A & B frontages, all stories		20 ft.	20 ft.	15 ft. on Type A only	Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for occupied building space.
15 Parking Location within Building		Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.			Refer to occupied building space requirement above.

3 We can limit this to residential, office, R&D, etc. in the upper stories, then base types allow the mix; however, this is not how we structured A-B and BJ-1.



**FIGURE 14-32.** General Building: Height & Use Requirements

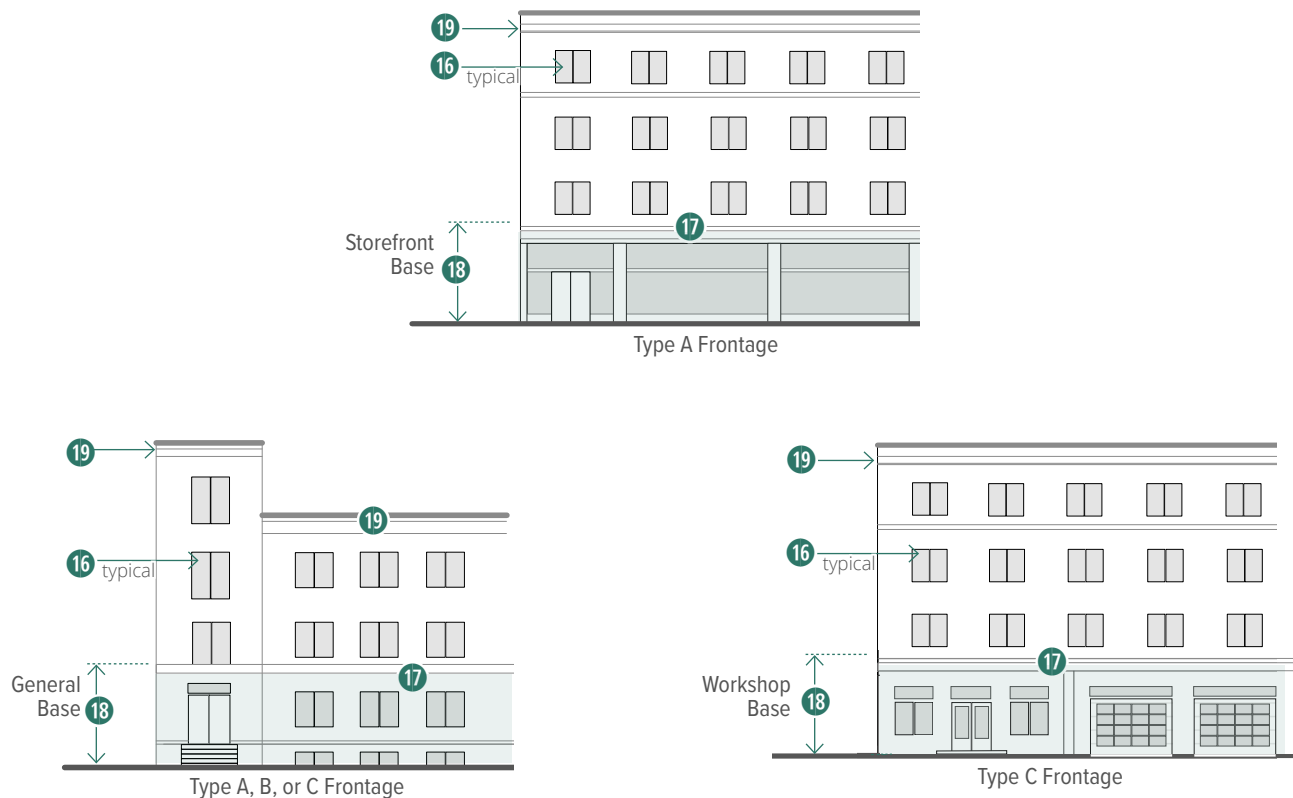


# Building Types

## General Building Type

	BOULDER JUNCTION PHASE I	ALPINE-BALSAM	EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
FACADE & CAP REQUIREMENTS Refer to <a href="#">FIGURE 14-33</a> .				
16 Transparency on All Type A, B, and C Frontage Facades, minimum	20%	20%	20%	Refer to Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981, for information on measuring transparency.
	Blank wall limitations apply defined in <a href="#">9-14-27(g)</a> . Additional transparency required by base type.			
17 Horizontal Facade Divisions	One minimum 2 inch deep expression line within 3 ft. of the top of the ground story and the bottom of any 5th story			Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for expression line.
BASE REQUIREMENTS <sup>4</sup> Refer to <a href="#">FIGURE 14-33</a> .				
18 All ground story Type A, B, and C frontage facades shall meet the requirements of an allowed or required base type.				
Storefront Base	Provide where required per Section <a href="#">9-14-6</a> , regulating plans; allowed on any frontage.			Refer to Section <a href="#">9-14-23</a> , B.R.C. 1981, for storefront base requirements.
General Base	Allowed on any frontage, except where storefront base is required.			Refer to Section <a href="#">9-14-24</a> , B.R.C. 1981, for general base requirements.
Workshop Base	--	--	Allowed on any Type C frontage, except where storefront base is required. Otherwise prohibited.	Refer to Section <a href="#">9-14-25</a> , B.R.C. 1981, for workshop base requirements.
CAP REQUIREMENTS Refer to <a href="#">FIGURE 14-33</a> .				
19 Permitted Cap Types	Parapet, pitched, flat:	Parapet, pitched, flat:	Parapet, pitched, flat	Refer to Section <a href="#">9-14-26</a> , B.R.C. 1981, for cap types; and other cap requirements.

4 New way to address storefront locations and now new workshop base locations.

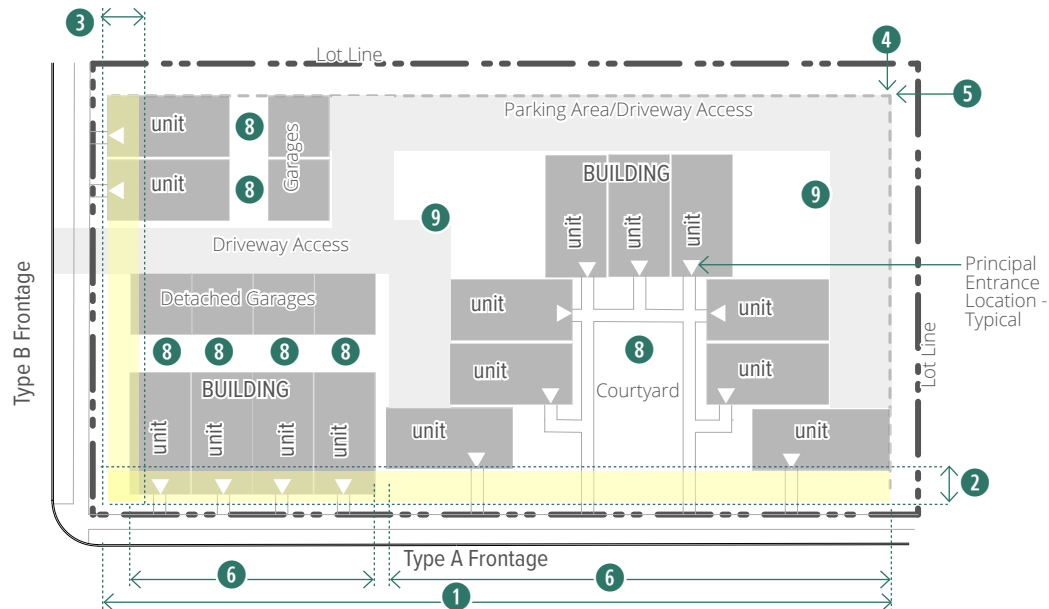


**FIGURE 14-33.** General Building: Facade Design Requirements

## 9-14-20. ROW BUILDING TYPE

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

	BOULDER JUNCTION PHASE I	ALPINE-BALSAM	EAST BOULDER	REFERENCES/ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to <a href="#">FIGURE 14-34</a> .	For the purposes of the Row Building, a building consists of multiple vertical units.			
<b>1 Type A Frontage Streetwall</b> , minimum	80%	80%	65%	Each unit shall have a facade located within the <a href="#">frontage setback</a> , except 1 of every 2 units may front a courtyard or outdoor space type. Refer to <a href="#">9-14-14(m)</a> for allowed courtyards in the streetwall.
<b>2 Type A Frontage Setback</b> , minimum to maximum	5 ft. to 15 ft.	5 ft. to 15 ft.	5 ft. to 25 ft.	
<b>3 Type B Frontage Setback</b> , minimum to maximum	5 ft. to 15 ft.	5 ft. to 15 ft.	5 ft. to 25 ft.	
<b>4 Side Yard Setback</b> , minimum	7.5 ft.; 0 ft. required at paseo or multi-use path			For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
<b>5 Rear Yard Setback</b> , minimum	20 ft.; 30 ft. if no alley; 5 ft. for detached garage			
<b>6 Building Length</b> , minimum to maximum <b>Space between Buildings</b> , minimum	3 to 6 units or 120 ft., whichever is less. 10 ft.			For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details. Refer to Section <a href="#">9-14-32</a> for building massing requirements.
<b>7 Site Impervious Coverage</b> , maximum Additional Semi-Pervious Coverage	60% 20%	60% 20%	60% 20%	Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
<b>8 Yard Area</b> , minimum	225 square feet rear yard required for each unit not fronting a courtyard or outdoor space type.			Minimum courtyard and outdoor space area shall meet the standards of one of the applicable types of useable outdoor space specified in Subsection <a href="#">9-9-11(e)</a> , B.R.C. 1981.
<b>9 Surface or Accessory Parking Location</b>	Parking yard only	Parking yard only	Parking yard only	Refer to Sections <a href="#">9-9-9</a> and <a href="#">9-9-12</a> , B.R.C. 1981, for loading and screening requirements. Refer to Subsection <a href="#">9-14-11(a)</a> , B.R.C. 1981, for driveway access. Refer to Subsections <a href="#">9-14-14 (j)</a> , <a href="#">(k)</a> , and <a href="#">(l)</a> , <a href="#">B.R.C. 1981, for trash &amp; recycling, garage entrances, and loading.</a>



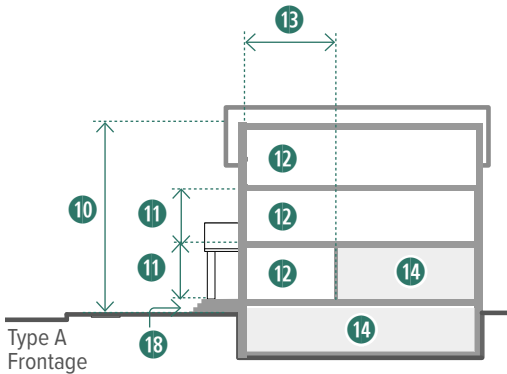
**FIGURE 14-34.** Row Building: Building Siting

# Building Types

## Row Building Type

		BOULDER JUNCTION PHASE I	ALPINE-BALSAM	EAST BOULDER	REFERENCES/ADDITIONAL REQUIREMENTS
<b>HEIGHT</b> Refer to <a href="#">FIGURE 14-35</a> .					
<b>10 Overall:</b>	Minimum Height Maximum Height	2 stories 3.5 stories, 35 ft.	2 stories 3 stories, 35 ft.	2 stories 3.5 stories, 35 ft.	Refer to Subsection <a href="#">9-14-27(e)</a> , B.R.C. 1981, for height measuring requirements and Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements. Subsection <a href="#">9-14-26(g)</a> , "Tower," B.R.C. 1981, allows additional height in a limited footprint.
<b>11 All Stories:</b>	Minimum Height Maximum Height	9 ft. 16 ft.	9 ft. 14 ft.	9 ft. 14 ft.	Stories are measured floor to floor. Refer to Subsection <a href="#">9-14-27(f)</a> , B.R.C. 1981, for explanation of measurement.
<b>USES</b> Refer to <a href="#">FIGURE 14-35</a> .					
<b>12 All Frontages &amp; Stories</b>		All uses consistent with chapter 9-6	Residential and accessory uses consistent with chapter 9-6	All uses consistent with chapter 9-6 <sup>1</sup>	Refer to Chapter 9-6, B.R.C. 1981, for permitted uses per zoning district and definition of uses.
<b>13 Required Occupied Building Space,</b> minimum depth from <a href="#">Type A or B</a> frontage facade, all stories		20 ft. <del>from any Type A facades</del>		<u>15 ft.</u>	Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for occupied building space.
<b>14 Parking within Building</b>		Permitted fully in any basement and in rear of ground story. Prohibited where occupied space is required.			Refer to occupied building space requirement above.

<sup>1</sup> Row buildings are only allowed in the Parkside Residential PlaceType. Other uses are allowed in that place type, but it's supposed to be focused on residential. Given the location of the required storefront on Sterling Drive on the west side, and other uses on the east side, should this be limited to residential only?



**FIGURE 14-35.** Row Building: Height & Use Requirements

	BOULDER JUNCTION PHASE I	ALPINE-BALSAM	EAST BOULDER	REFERENCES/ADDITIONAL REQUIREMENTS
FACADE & CAP REQUIREMENTS Refer to <a href="#">FIGURE 14-36</a> .				
15 Type A and B Frontage Transparency	Minimum 20%, measured per story of all stories; <del>including blank wall limitations defined in subsection 9-14-27(g)</del>			Refer to Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981, for information on measuring transparency.
	Blank wall limitations, defined in Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981, apply <a href="#">only on Type A &amp; B frontages</a>			
16 Entrance Location & Number	One entrance required per unit on the Type A frontage facade except 1 of every 2 units may front a courtyard or Type B frontage; minimum of one principal entrance per 30 ft. of facade.			Refer to Subsection <a href="#">9-14-27(i)</a> , B.R.C. 1981, for information on measuring entrance location.
17 Entrance Configuration	Entry doors shall be off a stoop, minimum 4 ft. wide and 3 ft. deep; OR a porch, minimum 8 ft. wide & 5 ft. deep. No more than 2 entry doors may be located off each stoop or porch.			Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for stoop and porch. Refer to Subsection <a href="#">9-14-33(e)</a> , B.R.C. 1981, for principal entryway requirements.
18 Entrance/Ground Story Elevation Grade on Type A Frontage Facade	All Type A frontage facade entrances and the ground story shall be within 30" (vertically) of adjacent street sidewalk average elevation OR between 30" and 5 ft. (vertically) with visible basement (transparency required)			Exception: <a href="#">In Boulder Junction Phase I</a> , entrances along Goose Creek frontage shall be located in reference to the elevation of 30th Street, Carbon Place, and/or Junction Place, whichever is closest.
19 Ground Story Vertical Facade Divisions	One minimum 2" deep expression line per every 60 ft. of facade width or every 2 units, whichever is less			Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for expression line and visible basement.
20 Horizontal Facade Divisions	One minimum 2" deep expression line within 3 ft. of any visible basement			
21 Permitted Cap Types	Parapet, pitched, flat; one tower is permitted per building.	Parapet, pitched, flat; one tower is permitted per every 8 units.	Parapet, pitched, flat; one tower is permitted per building.	Refer to Section <a href="#">9-14-26</a> , B.R.C. 1981, for cap types and other cap requirements.



**FIGURE 14-36.** Row Building: Facade Design Requirements

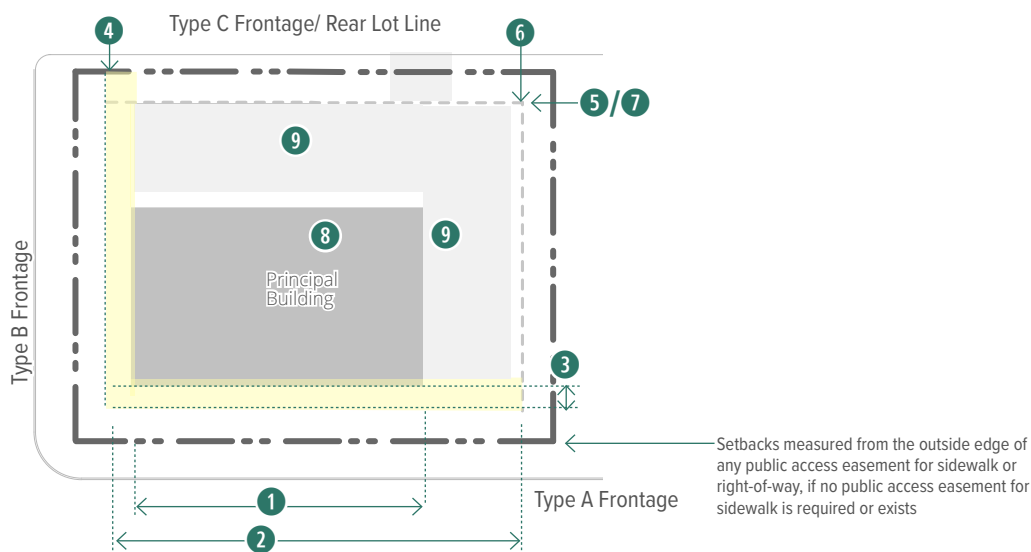
# Building Types

## Workshop Building Type

### 9-14-21. WORKSHOP BUILDING TYPE

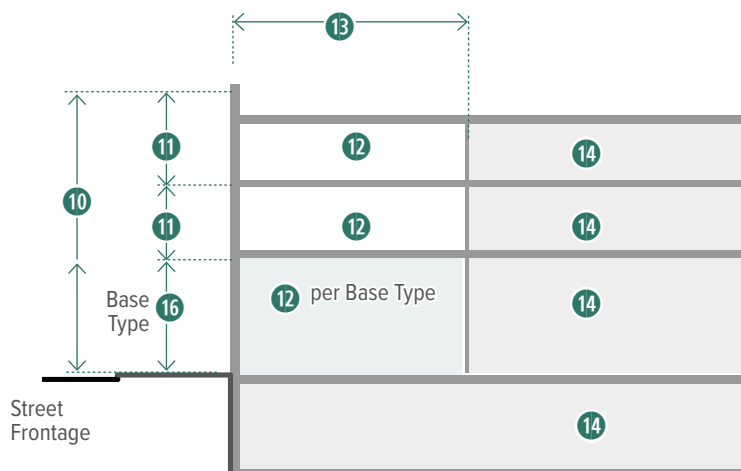
Refer to Section [9-14-6](#), “Regulating Plans,” B.R.C. 1981, for the locations of buildings in the form-based code areas..

	EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to <a href="#">FIGURE 14-31</a> .		
1 Type A Frontage Streetwall, minimum	65%	Refer to Subsection <a href="#">9-14-14(m)</a> , B.R.C. 1981, for allowed courtyards in the streetwall and Subsection <a href="#">9-14-14(n)</a> , B.R.C. 1981, explanation of required streetwall variation.
2 Streetwall Variation for Type A Frontages	Required	
3 Type A Frontage Setback, minimum to maximum	5 ft. to 25 ft.	Refer to Section <a href="#">9-14-27</a> , B.R.C. 1981, for measuring minimum and maximum setbacks. Refer to Section <a href="#">9-14-14</a> , B.R.C. 1981, for minimum streetscape area requirements.
4 Type B Frontage Setback, minimum	5 ft.	
5 Type C Frontage Setback, minimum	5 ft.	
6 Side Yard Setback, minimum	5 ft.; 0 ft. required at paseo or multi-use path	For paseos and multi-use paths, refer to the regulating plans and <a href="#">9-14-6</a> for locations and details.
7 Rear Yard Setback, minimum	10 ft.; 25 ft. required if no alley; 0 ft. required at paseo or multi-use path	
8 Site Impervious Coverage, maximum Additional Semi-Pervious Coverage	70% 25%	Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
9 Surface or Accessory Parking Location	Limited side yard & parking yard only	Refer to Sections 9-9-9 and 9-9-12, B.R.C. 1981, for loading and screening requirements. Refer to Subsection <a href="#">9-14-11(a)</a> , B.R.C. 1981, for driveway access. Refer to Subsections <a href="#">9-14-14 (j)</a> , <a href="#">(k)</a> , and <a href="#">(l)</a> , B.R.C. 1981, for trash & recycling, garage entrances, and loading.



**FIGURE 14-37.** Workshop Building: Building Siting

		EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>HEIGHT</b> Refer to <a href="#">FIGURE 14-32</a> .			
<b>10 Overall Height:</b>	Minimum Height Maximum Height	1 story 3 stories	Refer to Subsection <a href="#">9-14-27(e)</a> , B.R.C. 1981, for height measuring requirements and Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements. Subsection <a href="#">9-14-26(g)</a> , "Towers," B.R.C. 1981, allows additional height in a limited footprint.
<b>11 All Stories:</b>	Minimum Height Maximum Height	9 ft. 16 ft.  Base Types: See allowances for additional height within specific base types allowed, line <b>16</b> of this table	Stories are measured floor to floor. Refer to Subsection <a href="#">9-14-27(f)</a> , B.R.C. 1981, for explanation of measurement.
<b>USES</b> Refer to <a href="#">FIGURE 14-32</a> .			
<b>12 All Frontages &amp; Stories</b>		All uses consistent with chapter 9-6 except residential and lodging uses are prohibited in the workshop building.  Base Types: See requirements and allowances in base types.	Refer to Chapter 9-6, B.R.C. 1981, for permitted uses per zoning district and definition of uses.
<b>13 Required Occupied Building Space,</b> minimum depth from Type A frontage, all stories		15 ft.	Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for occupied building space.
<b>14 Parking Location within Building</b>		Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.	Refer to occupied building space requirement above.



**FIGURE 14-38.** Workshop Building: Height & Use Requirements

Building Types

Workshop Building Type

		EAST BOULDER	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to <a href="#">FIGURE 14-33</a> .			
15	Transparency on Type A, B, and C Frontage Facades, minimum	15%	Refer to Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981, for information on measuring transparency.
		Blank wall limitations apply only to Type A frontages, as defined in <a href="#">9-14-27(g)</a> .	
16	Horizontal Facade Divisions	One minimum 2 inch deep expression line within 3 ft. of the top of the ground story and the bottom of any 5th story	
<b>BASE REQUIREMENTS</b> Refer to <a href="#">FIGURE 14-33</a> .			
17	All ground story street, courtyard, & public way facades shall meet the requirements of an allowed or required base type.		
Storefront Base		Allowed on any frontage	Refer to Section <a href="#">9-14-23</a> for storefront base requirements.
General Base		Allowed on any frontage	Refer to Section <a href="#">9-14-24</a> for general base requirements.
Workshop Base		Allowed on any frontage	Refer to Section <a href="#">9-14-25</a> for workshop base requirements.
<b>CAP REQUIREMENTS</b> Refer to <a href="#">FIGURE 14-33</a> .			
18	Permitted Cap Types	Parapet, pitched, flat	Refer to Section <a href="#">9-14-26</a> for cap types; and other cap requirements.

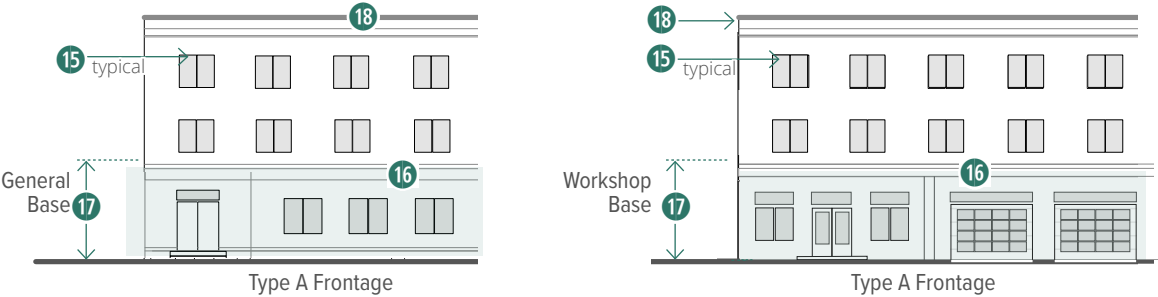


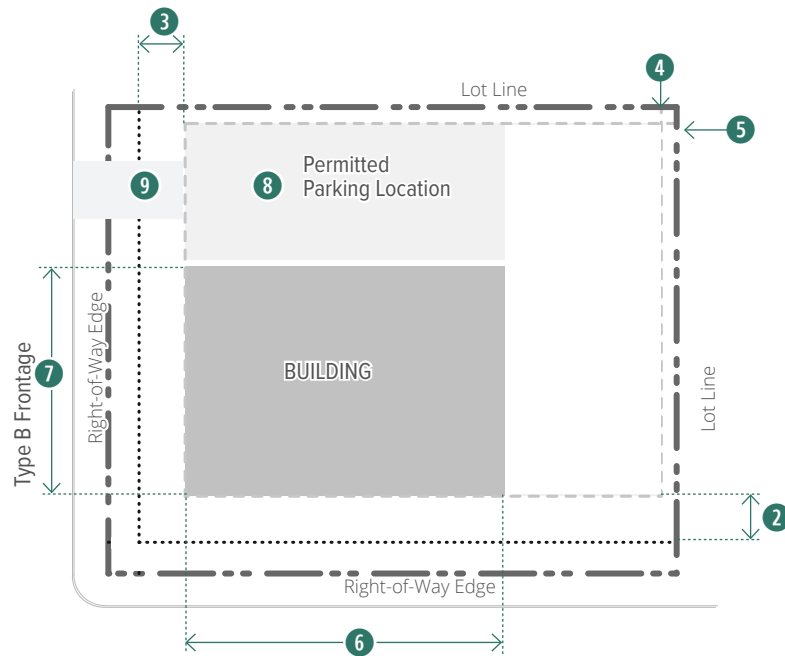
FIGURE 14-39. Workshop Building: Facade Design Requirements



## 9-14-22. CIVIC BUILDING TYPE

The Civic building type is not mapped on the regulating plans, but is permitted in any location, limited by the permitted uses inside. Refer to Section [9-14-6](#), “Regulating Plans,” B.R.C. 1981.

	BOULDER JUNCTION PHASE I	ALPINE-BALSAM	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to <a href="#">FIGURE 14-40</a> .			
1 Minimum Type A Streetwall, minimum	None required	None required	.
2 Type A Frontage Setback, minimum	20 ft.	20 ft.	
3 Type B Frontage Setback, minimum	15 ft.	15 ft.	
4 Side Yard Setback, minimum	15 ft.; 0 ft. required at paseo or multi-use path		For paseos and multi-use paths, refer to the regulating plans and the Transit Village Connections Plan for locations and details.
5 Rear Yard Setback, minimum	15 ft.; 0 ft. required at paseo or multi-use path		
6 Building Length, maximum	None required	None required	Refer to Section <a href="#">9-14-32</a> , B.R.C. 1981, for building massing requirements.
7 Site Impervious Coverage, minimum Additional Semi-Pervious Coverage	50% 20%	50% 20%	Refer to Section <a href="#">9-14-8</a> , “Definitions,” B.R.C. 1981, for semi-pervious coverage.
8 Surface or Accessory Parking Location	Parking yard only	No surface parking allowed	Refer to Sections 9-9-9 and 9-9-12, B.R.C. 1981, for loading and screening requirements. Refer to Subsection <a href="#">9-14-11(a)</a> , B.R.C. 1981, for driveway access. <a href="#">Refer to Subsections 9-14-14 (j), (k), and (l), B.R.C. 1981, for trash &amp; recycling, garage entrances, and loading.</a>



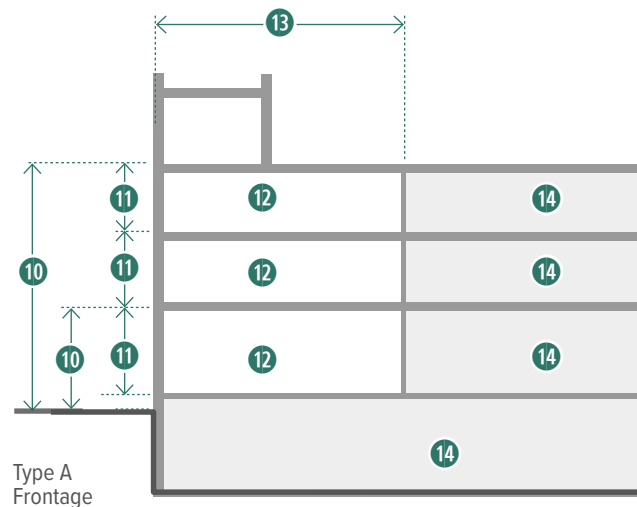
**FIGURE 14-40.** Civic Building: Building Siting

# Building Types

## Civic Building Type

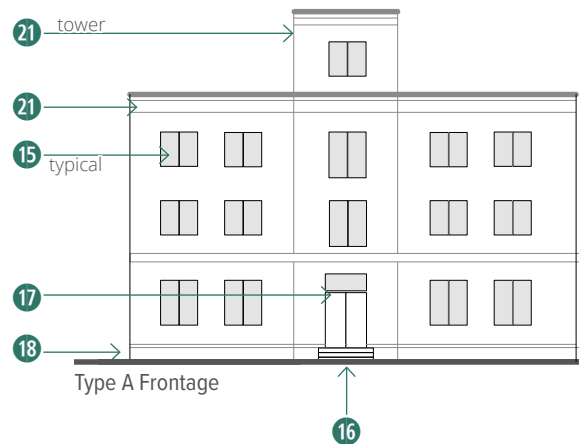
		BOULDER JUNCTION PHASE I	ALPINE-BALSAM	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>HEIGHT</b> Refer to <a href="#">FIGURE 14-41</a> .				
<b>10 Overall:</b>	Minimum Height Maximum Height	1 stories 5 stories, 55 ft.	1 stories 5 stories, 55 ft.	Refer to Subsection 9-14-27(2), B.R.C. 1981, for height measuring requirements and Section 9-14-32, B.R.C. 1981, for building massing requirements. Subsection 9-14-26(g), "Towers," B.R.C. 1981, allows additional height in a limited footprint.
<b>11 All Stories:</b>	Minimum Height Maximum Height	9 ft. 18 ft.; 24 ft. on single story building	9 ft. 18 ft.; 24 ft. on single story building	Stories are measured floor to floor. Refer to Subsection 9-14-27(f), B.R.C. 1981, for explanation of measurement.
<b>USES</b> Refer to <a href="#">FIGURE 14-41</a> .				
<b>12 All Frontages &amp; Stories</b>		Limited to <del>any use in the Public and Institutional use classification</del> <del>governmental facility, museum, theater, hospitals, religious assemblies, transportation stations, park &amp; recreation uses, public schools</del> consistent with chapter 9-6		Refer to Chapter 9-6, B.R.C. 1981, for permitted uses per zoning district and definition of uses.
<b>13 Occupied Building Space</b> , minimum depth from Type A or B Frontage, all stories		20 ft.		Refer to Section 9-14-8, "Definitions," B.R.C. 1981, for occupied building space.
<b>14 Parking within Building</b>		Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.		Refer to occupied building space requirement above.

- 1 This no longer includes theaters, as that use falls within the indoor commercial recreation use. (Note that the Civic building is not allowed in East Boulder.)



**FIGURE 14-41.** Civic Building: Height & Use Requirements

	BOULDER JUNCTION PHASE I	ALPINE-BALSAM	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to <a href="#">FIGURE 14-42</a> .			
15 Transparency on All Type A and B Frontage Facades, minimum	15%		Refer to Subsection <a href="#">9-14-27(g)</a> , B.R.C. 1981, for information on measuring transparency.
16 Entrance Location & Number	Principal entrance required on Type A frontage facade		Refer to Section <a href="#">9-14-27(i)</a> , B.R.C. 1981, for information on measuring entrance location.
17 Entrance Configuration	No requirement other than principal entryway requirements		Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for stoop and porch. Refer to Subsection <a href="#">9-14-33(e)</a> , B.R.C. 1981, for principal entryway requirements.
18 Entrance/Ground Story Elevation Grade	80% of entrances and the ground story shall be within 30" (vertically) of adjacent street sidewalk average elevation OR between 30" and 5 ft. (vertically) with visible basement (transparency required)		Exception: entrances along Goose Creek frontage shall be located in reference to the elevation of 30th Street, Carbon Place, and/or Junction Place, whichever is closest.
19 Ground Story Vertical Facade Divisions	No requirement		Refer to Section <a href="#">9-14-8</a> , "Definitions," B.R.C. 1981, for expression line.
20 Horizontal Facade Divisions	No requirement		
21 Permitted Cap Types	Parapet, pitched, flat		Refer to Section <a href="#">9-14-26</a> , B.R.C. 1981, for cap types; and other cap requirements.



**FIGURE 14-42.** Civic Building: Facade Design Requirements

# Building Types

## Storefront Base

### 9-14-23. **STOREFRONT BASE**<sup>1</sup>

The intent of the storefront base is to provide convenient, at-grade access between the interior space of the storefront and the adjacent sidewalk, creating a high level of permeability. The storefront base may be required or allowed per building type requirements, and where required or when utilized, these requirements supersede any building type requirements for the storefront base portion of the ground story, street facade. See [Figure 14-43](#).

USES		ADDITIONAL/REFERENCES
<b>1</b> Allowed Uses	<b>Required Storefront Base Locations per Regulating Plan</b>	Any use within the following categories is required: Food, Beverage, and Lodging; Recreation and Entertainment; Retail Sales Uses; Service Uses; and any category in the Public and Institutional Use Classification.
	<b>Other Storefront Base Locations</b>	Any use meeting the requirements of Chapter 9-6, B.R.C. 1981, except residential uses.
Uses are allowed per the base zoning district. Refer to Chapter 9-6, B.R.C. 1981, for permitted uses and definition of use categories.		
Refer to the building type requirements for occupied building space requirement.		
GROUND STORY HEIGHT		
<b>2</b> Ground Story:	<b>Minimum Height</b> <b>Maximum Height</b>	14 ft. 22 ft.
Stories are measured floor to floor. Refer to Subsection 9-14-27(f), B.R.C. 1981, for explanation of measurement.		
FACADE REQUIREMENTS		
<b>3</b> Ground Story Transparency, minimum	75% measured between 2 ft. and 10 ft. vertically from average grade of adjacent sidewalk	Measured per story. Note that Subsection 9-14-14(f), B.R.C. 1981, requires this treatment to turn corners. Refer to Subsection 9-14-27(g), B.R.C. 1981, for information on measuring transparency.
<b>4</b> Entrance Location & Number	Entrances required a minimum of one per every 60 ft. of building facade	Refer to Section 9-14-27(i), B.R.C. 1981, for information on measuring entrance location.
<b>5</b> Entryway Configuration	Recessed between 3 ft. and 8 ft., maximum 8 ft. wide, from the portion of the Type A frontage ground story facade closest to the street	Refer to Subsection 9-14-33(e), B.R.C. 1981, for principal entryway requirements.
<b>6</b> Entrance/Ground Story Elevation Grade	At least 80% of entrances and the ground story shall be within 30 in. (vertically) of adjacent sidewalk elevation	
<b>7</b> Ground Story Vertical Facade Divisions	One minimum 2 inch deep expression line per every 30 ft. of facade width	

<sup>1</sup> These requirements were located within each building type in the pilot code.

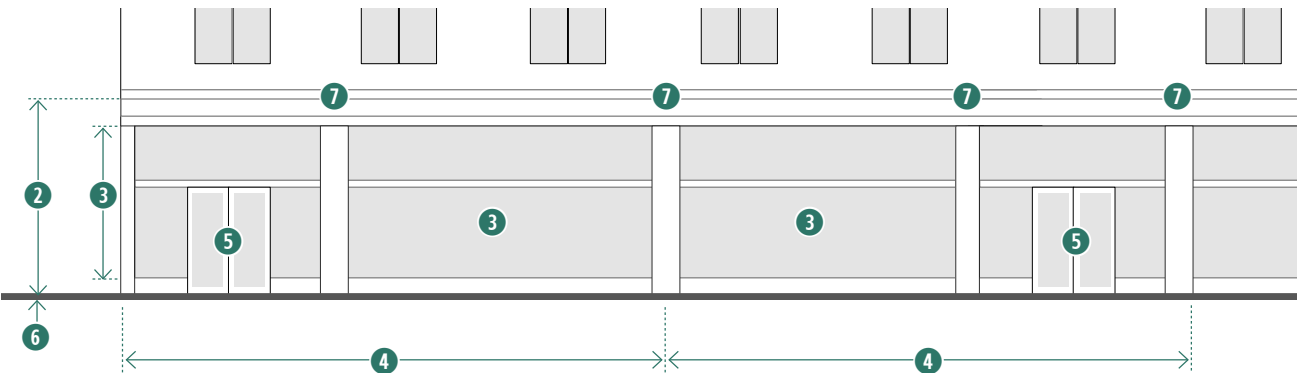


FIGURE 14-43. Storefront Base

## 9-14-24. GENERAL BASE<sup>1</sup>

The general base is flexible base type intended to allow residential and office-related uses, providing pedestrian-friendly access while allowing an elevated base for privacy on the ground story. The general base may be allowed per building type requirements, and where used, these requirements supersede any building type requirements for the general base portion of the ground story, street facade. See [Figure 14-44](#).

USES			
1	Allowed Uses	Any use meeting the requirements of Chapter 9-6, B.R.C. 1981.	Refer to the building type requirements for occupied building space requirement.
GROUND STORY HEIGHT			
2	Ground Story: Minimum Height Maximum Height	Per building type.	Stories are measured floor to floor. Refer to Subsection 9-14-27(g), B.R.C. 1981, for explanation of measurement.
FACADE REQUIREMENTS			
3	Ground Story Transparency, minimum	Per building type.	Measured per story. Note that Subsection 9-14-14(f), B.R.C. 1981, requires this treatment to turn corners. Refer to Subsection 9-14-27(g), B.R.C. 1981, for information on measuring transparency.
4	Number & Spacing of Entrances, minimum Type A Frontage Type B Frontage	One per ground story residential unit and one per every 50 ft. of facade for other uses. <b>One per 75 ft. of facade</b>	
5	Entryway Configuration	Off a stoop/platform, minimum 6 ft. wide and 3 ft. deep.	Refer to Subsection 9-14-33(e), B.R.C. 1981, for principal entryway requirements.
6	Entrance/Ground Story Elevation Grade	At least 80% of entrances and the ground story shall be either: within 30 in. (vertically) of adjacent street sidewalk average elevation OR between 30 in. and 5 ft. (vertically) with visible basement (transparency required)	
7	Ground Story Vertical Facade Divisions	One minimum 2 inch deep expression line per every 60 ft. of facade width or less	

<sup>1</sup> These requirements were located within each building type in the pilot code.

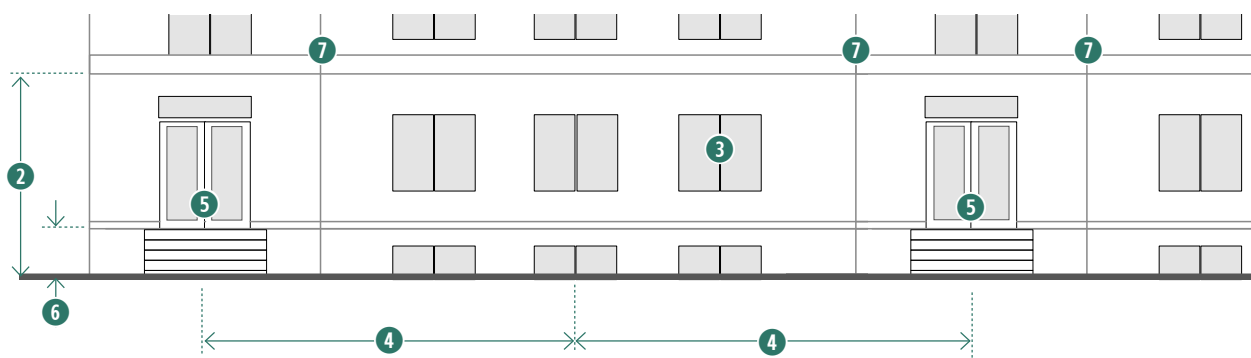


FIGURE 14-44. General Base

# Building Types

## Workshop Base

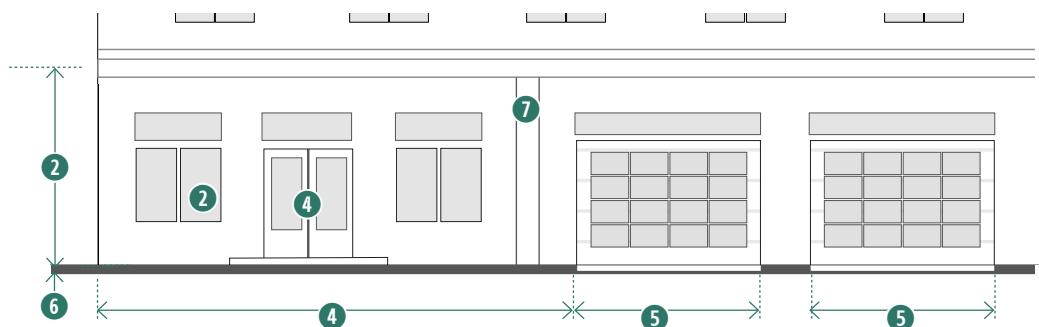
### 9-14-25. **WORKSHOP BASE**<sup>1</sup>

The intent of the workshop base is to allow workshops for maker spaces along Type C frontages in the TOD areas and other industrial areas, while maintaining pedestrian-friendly facades with garage entrances and loading bays. The workshop base may be allowed per building type requirements, and where used, these requirements supersede any building type requirements for the workshop base portion of the ground story, street facade. See [Figure 14-45](#).

GROUND STORY USES			
<b>1</b>	<b>Allowed Uses</b>	Any use meeting the requirements of Chapter 9-6, B.R.C. 1981, except residential uses. <sup>2</sup>	Refer to the building type requirements for occupied building space requirement.  Workshop base spaces are intended to be utilized to fulfill the requirement for minimum production business spaces in East Boulder.
GROUND STORY HEIGHT			
<b>2</b>	<b>Ground Story:</b> <b>Minimum Height</b> <b>Maximum Height</b>	14 ft. 24 ft.	Stories are measured floor to floor. Refer to Subsection 9-14-27(f), B.R.C. 1981, for explanation of measurement.
GROUND STORY FACADE REQUIREMENTS			
<b>3</b>	<b>Ground Story Transparency, minimum</b> <b>Type A Frontages</b> <b>Type B and C Frontages</b>	60% between 2 ft. and 10 ft. above adjacent sidewalk Consistent with building type requirement  Blank wall limitations apply only on Type A frontages.	Measured per story. Subsection 9-14-14(f) requires any Type A treatment to turn corners onto this frontage. Refer to Subsection 9-14-27(g) for information on measuring transparency.
<b>4</b>	<b>Number &amp; Spacing of Pedestrian Entrances, minimum</b>	One per each 75-foot portion of street facade without garage bays	
<b>5</b>	<b>Allowed Garage Bays on Frontages</b>	<div>Number</div> <div>Opening/Door width</div> <div>Door Transparency, minimum</div>	<div>Type A Frontage: One per 90 ft. of Type A frontage facade</div> <div>Type B &amp; C Frontage: One per 30 ft.</div> <div>12 ft. wide max.</div> <div>Glass required between 2 ft. and 10 ft. above sidewalk; One-way glass allowed on Type B and C frontages</div> <div>Garage bay glass counts towards minimum facade transparency.</div>
<b>6</b>	<b>Entrance/Ground Story Elevation Grade</b>	At least 80% of entrances and the full ground story shall either be within 30 in. (vertically) of adjacent street sidewalk average elevation OR between 30 in. and 5 ft. (vertically) with visible basement (transparency required on street facades). Visible basement transparency is not required below elevated loading bays with garage doors.	
<b>7</b>	<b>Ground Story Vertical Facade Divisions</b>	One minimum 2 inch deep expression line per every 75 ft. of facade width or less	

<sup>1</sup> Specific to East Boulder, all new.

<sup>2</sup> Note that we are managing the space design, but allowing any use to occur within it. This means that, for example, a hair salon could go in or a medical office, except for the uses allowed in the minimum production business space required in 9-14-6(c)(5).

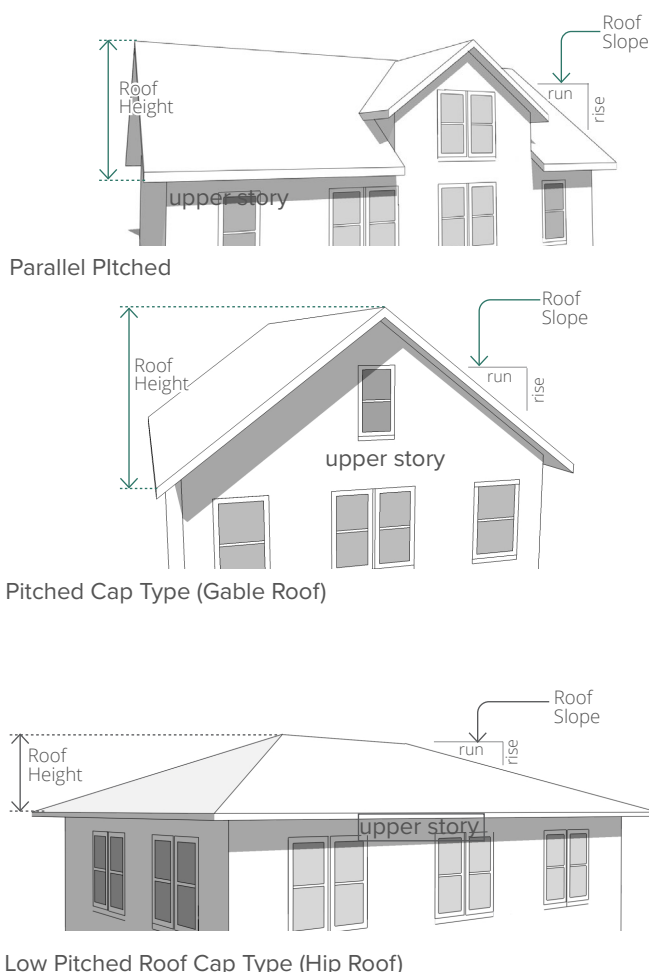
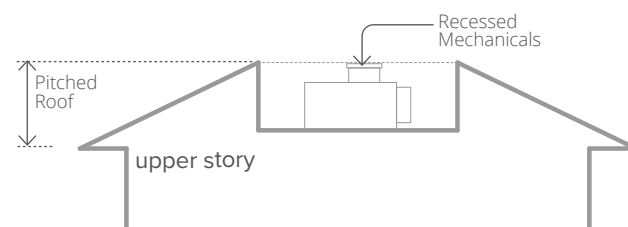


**FIGURE 14-45.** Workshop Base

**9-14-26. CAP TYPES**

The major components of any roof shall meet the requirements of one or a combination of the cap types permitted for the building type pursuant to the building types requirements of Sections 9-14-17 through 9-14-22, B.R.C. 1981.

- (a) **MINOR ROOFS.** Roofs for bay or bow windows, porches, canopies, and dormers are not required to meet the standards of a cap type.
- (b) **TERRACES, GREEN ROOFS, ROOFTOP GARDENS, AND OTHER OUTDOOR FACILITIES.** Terraces, green roofs, rooftop gardens, and other outdoor facilities are allowed on any roof; however, the roof and any vertical elements of the outdoor facilities shall be consistent with the standards of a cap type.
- (c) **ENCROACHMENTS.** Roofs, including all eaves or overhangs, shall be fully located within the property lines of the lot, but may encroach into yards consistent with the standards in Section 9-7-3, "Setback Encroachments," B.R.C. 1981.
- (d) **PITCHED CAP TYPE.** The pitched cap type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run, as shown in Figure 14-46. Examples of Pitched Cap Type.
  - (1) **Pitch Measure.** The roof shall not be sloped less than 4:12 (rise:run) or more than 14:12. Slopes less than 4:12 are permitted to occur on second story or higher roofs.
  - (2) **Configurations.**
    - (A) Hipped, gabled, and a combination of hips and gables with or without dormers are permitted.
    - (B) Butterfly (inverted gable roof) and shed roofs are permitted
    - (C) Gambrel and mansard roofs are not permitted.
  - (3) **Parallel Ridge Line.** A gabled end or perpendicular ridge line shall occur at least every 100 feet of the roof when the ridge line runs parallel to the front lot line. See Figure 14-46. Examples of Pitched Cap Type.
  - (4) **Roof Height.** Roofs without occupied building space or dormers shall have a maximum height on Type A and Type B frontage facades equal to no more than 1.5 times the upper story floor-to-floor height used on the building.

**FIGURE 14-46.** Examples of Pitched Cap Type**FIGURE 14-47.** Recessed Mechanicals in Pitched Cap Type



# Building Types

## Cap Types

(5) **Occupied Building Space.** Occupied building space may be incorporated within the pitched cap type. If occupied, the space counts as a half story.

(6) **Rooftop Appurtenances.** Any rooftop appurtenances shall be recessed within the pitched roof with no visibility when viewed from the sidewalk across the street and from any adjacent outdoor space. See [Figure 14-47. Recessed Mechanicals in Pitched Cap Type](#). See Section [9-14-34](#), “Mechanical Equipment & Appurtenances,” B.R.C. 1981, for additional requirements.

(e) **PARAPET CAP TYPE.** A parapet is a low wall projecting above a building's roof along the perimeter of the building as shown in [Figure 14-48. Example of a Parapet Cap Type](#).

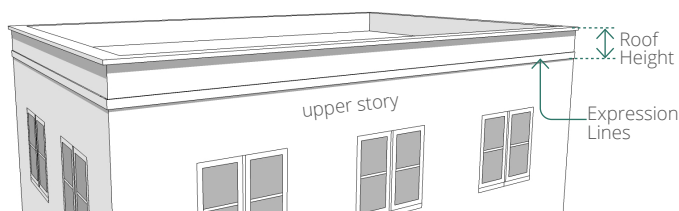
- (1) **Parapet Height.** Parapet height is measured from the top of the upper story to the top of the parapet.
- (2) **General Parapet Heights.** Minimum parapet height is two feet with a maximum height of six feet.
- (3) **Parapets Exceeding Maximum Height.** The approving authority may approve a parapet causing the building height to exceed the maximum permitted height if the approving

authority finds the standards for parapet walls of Section 9-7-7, B.R.C. 1981, are met.

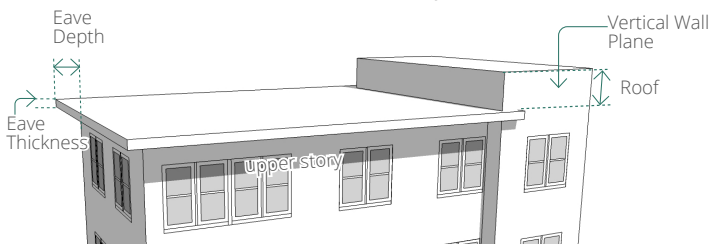
- (4) **Horizontal Expression Lines.** An expression line that is at least two inches deep and extends along at least eighty percent of the facade shall define the parapet from the upper stories of the building and shall define the top of the cap.
- (5) **Occupied Building Space.** No building shall have occupied space behind a parapet cap.
- (6) **Roof Terraces and Roof Decks.** Roof terraces and roof decks are permitted on the parapet cap type.
- (7) **Rooftop Appurtenances.** Any rooftop appurtenances shall be located towards the rear or interior of the parapet roof. The parapet shall screen the mechanicals when viewed from the sidewalk across the street and from any adjacent outdoor space. See Section [9-14-34](#), “Mechanical Equipment & Appurtenances,” B.R.C. 1981, for additional requirements.

(f) **FLAT CAP TYPE.** The flat cap type has a visually flat roof with overhanging eaves as shown in [Figure 14-49. Example of a Flat Cap Type](#).

- (1) **Configuration.** The roof shall have no visible slope from the street, and eaves are required on all Type A and Type B frontage facades.
- (2) **Eave Depth.** Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen inches.
- (3) **Eave Thickness.** Eaves shall be a minimum of six inches thick. Eave thickness is measured at the midpoint of the eave depth, from the bottom of the eave to the top of the eave. The measurement may be taken from a structural support element of the eave to the top of the eave, provided the structural support element occurs at least every four feet along the entire length of the eave.
- (4) **Interrupting Vertical Walls.** Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap if the following requirements are met:
- (5) No more than one-third of the front facade shall consist of an interrupting vertical wall.



**FIGURE 14-48.** Example of a Parapet Cap Type



**FIGURE 14-49.** Example of a Flat Cap Type

# Building Types

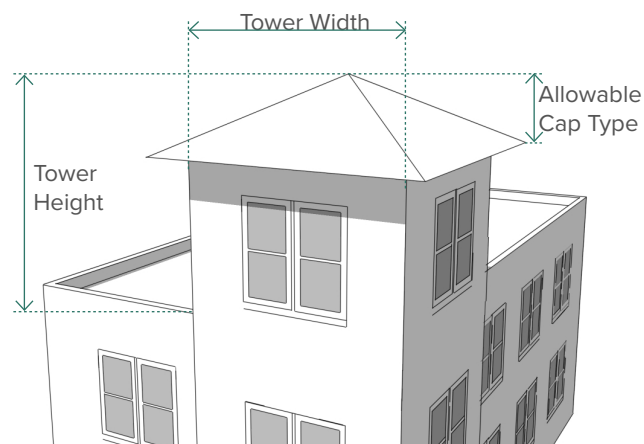
## Cap Types

- (6) Vertical walls shall extend no more than six feet above the top of the eave. See “Figure 14-49. Example of a Flat Cap Type”.
- (7) **Occupied Building Space.** No building shall have occupied space behind a flat cap.
- (8) **Roof Terraces and Roof Decks.** Roof terraces and roof decks are permitted on the flat cap type.
- (9) **Rooftop Appurtenances.**
  - (A) If the interrupting vertical wall is utilized, any rooftop appurtenances shall be located behind the vertical wall with no visibility when viewed from the sidewalk across the street and from any adjacent outdoor space.
  - (B) If no interrupting vertical wall is utilized, rooftop appurtenances shall be located such that the mechanicals are not visible when viewed from the sidewalk across the street or from any adjacent outdoor space. See Section 9-14-34, “Mechanical Equipment & Appurtenances,” B.R.C. 1981, for additional requirements.

**(g) TOWERS.** A tower is a vertical element, polygonal (simple), rectilinear, or cylindrical in plan that shall only be used with other cap types. See Figure 14-50. Example of a Tower.

- (1) **Additional Height.** Towers may add a single story of additional height beyond the maximum height allowed per building type, however, a tower may not exceed a maximum height of fifty-five feet.
- (2) **Tower Width.** The maximum tower width along all facades shall be one-third the width of the front facade or fifteen feet, whichever is less, and may not occupy more than 25% of the roof area. See “Figure 14-50. Example of a Tower”.
- (3) **Transparency.** Towers that meet the minimum floor-to-floor height of the building type shall meet the minimum transparency requirements of the building.
- (4) **Horizontal Expression Lines.** An expression line is required at the cap of the tower.
- (5) **Occupied Building Space.** Towers with minimum floor-to-floor heights required by the building type shall be occupied space and may contain any of the uses allowed in upper stories of the building type to which it is attached.

- (6) **Rooftop Appurtenances.** No rooftop appurtenances are permitted on tower roofs.
- (7) **Tower Cap.** The tower shall be capped by a cap permitted on the building per the building type.



**FIGURE 14-50.** Example of a Tower

# Building Types

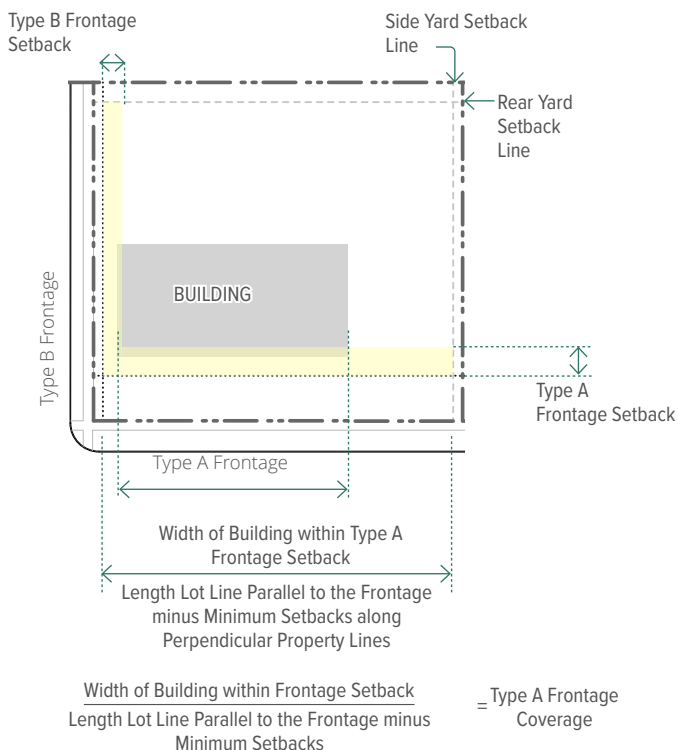
## Measurement of Building Type Requirements

### 9-14-27. MEASUREMENT OF BUILDING TYPE REQUIREMENTS

The standards outlined in the tables in Sections 9-14-17 through 9-14-22, applicable to each building type, shall be measured and calculated consistent with the following standards:

(a) **MINIMUM TYPE A FRONTAGE STREETWALL BUILD-TO-ZONE COVERAGE.** The minimum percentage of building facade along the Type A frontage of a lot is measured as follows:

- (1) **Measurement.** The minimum Type A frontage streetwall build-to-zone coverage shall, at a minimum, equal the width of the principal structures, as measured within the minimum and maximum setback build-to-zone along the frontage edge, divided by the length of the frontage parallel to the property line following the street minus setbacks along perpendicular

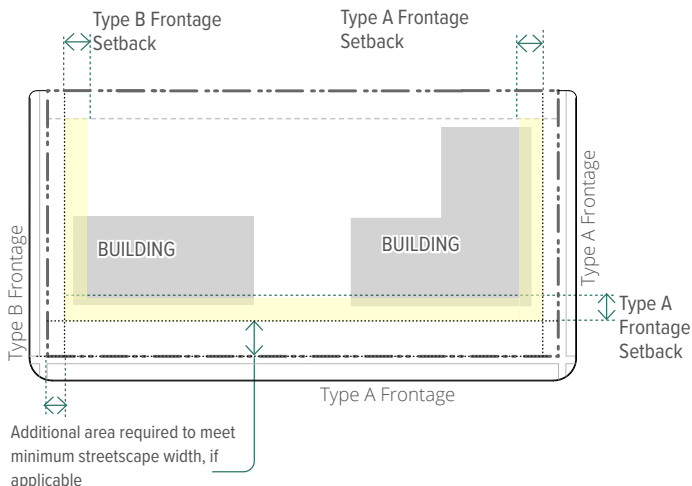


**FIGURE 14-51.** Minimum Type A Frontage Streetwall Build-to-Zone Coverage

property lines. Refer to Figure 14-51. Minimum Type A Frontage Streetwall Build-to Zone Coverage.

- (2) **Courtyards.** For some building types, courtyards located along the facade in the frontage setback build-to-zone count towards the minimum coverage. Refer to building type requirements of Sections 9-14-17 through 9-14-22, B.R.C. 1981.
- (3) **Outdoor Space Type.** Open spaces meeting the requirements of one of the outdoor space types established in this appendix chapter are exempt from the minimum Type A frontage streetwall build-to-zone coverage requirement.

(b) **BUILD-TO-ZONE FRONTAGE SETBACK.** The minimum to maximum frontage setback build-to-zone shall be calculated and measured as follows. Refer to Figure 14-52. Build-to Zones Frontage Setbacks.



**FIGURE 14-52.** Build-to-Zones Frontage Setbacks

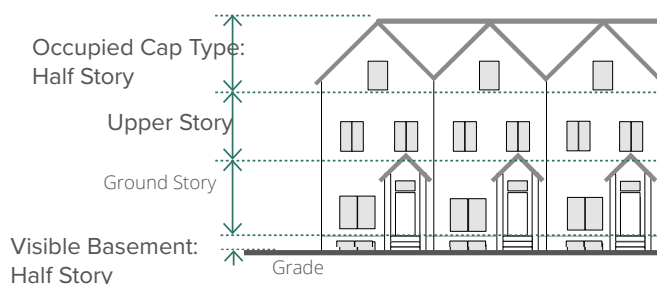
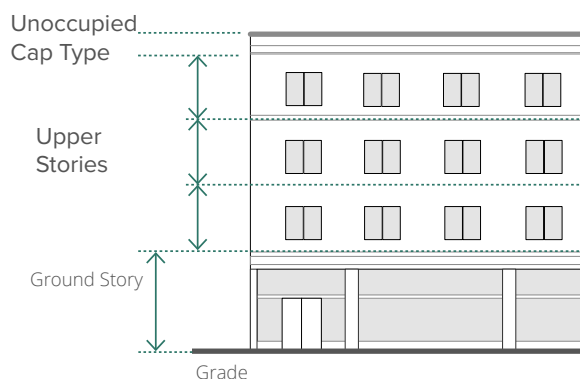


**FIGURE 14-53.** Site Impervious and Semi-Pervious Coverage

**Building Types**

## Measurement of Building Type Requirements

- (1) **Measurement.** The minimum to maximum setback build-to-zone for all frontages is measured from the property line parallel to the frontage from any waterway easement or public access easement for sidewalk required under Section 9-9-8, “Reservations, Dedications, and Improvement of Rights-of-Way,” B.R.C. 1981, or the right-of-way if no public access easement for sidewalk is required or exists.
- (2) **Height.** All building facades located within the frontage setback build-to-zone shall meet the minimum building height of the building.
- (3) **Encroachments.** Awnings, architectural projections, balconies, and building mounted signage may extend beyond the frontage setback build-to-zone into any yard area, but shall not extend into the street right-of-way unless approved with a revocable permit or lease, as applicable.
- (c) **LIMITED SIDE YARD PARKING.** Where allowed by building type, parking may be located in the interior side yard, but limited in width, per consistent with the following requirements:
- (1) A limited side yard parking lot is located fully in an interior side yard.
  - (2) Limited side yard parking shall be configured as one double- or one single-loaded aisle of parking with the centerline of the aisle located perpendicular to the street.
  - (3) Limited side yard parking is not allowed on corners in any street yard.
  - (4) A maximum of one limited side yard parking lot per building is allowed along any street frontage.
  - (5) Limited side yard parking lots may not be located next to another side yard parking lot.
- (d) **MAXIMUM SITE IMPERVIOUS AND ADDITIONAL SEMI-PERVIOUS COVERAGE.** Site impervious and additional semi-pervious coverage shall be calculated and measured as follows. Refer to “Figure 14-53. Site Impervious and Semi-Pervious Coverage”.
- (1) **Maximum Site Impervious Coverage.** The maximum site impervious coverage is the maximum percentage of a lot permitted to be covered by structures, hardscape, and other impervious surfaces.
- (2) **Additional Semi-Pervious Coverage.** In addition to the allowable impervious coverage on a site, a maximum amount of additional semi-pervious coverage is permitted.
- (e) **OVERALL MINIMUM AND MAXIMUM HEIGHT.** (Refer to Figure 14-54. Measuring Stories with Floor-to-Floor Height).
- (1) **Minimum Overall Height.** Each building type requires a minimum number of stories. The building shall must meet the minimum required height along all Type A frontage facades and measured a minimum of thirty feet deep into the building.
  - (2) **Maximum Overall Height.** Maximum heights are specified both in number of stories and overall dimension. This requirement applies to the entire building.
  - (3) **Towers.** Where specifically allowed in the building type tables, Sections 9-14-17 through 9-14-22, B.R.C. 1981, towers may exceed the

**FIGURE 14-54.** Measuring Stories with Floor-to-Floor Height

# Building Types

## Measurement of Building Type Requirements

overall maximum height of the building type per Subsection (f) of Section [9-14-26](#), “Cap Types,” B.R.C. 1981. Towers shall not exceed the maximum height per Section 84 of the charter of the City of Boulder.

- (4) **Cap Type.** Where specified in Subsection (f) of Section [9-14-26](#), “Cap Types,” B.R.C. 1981, certain cap types may allow additional height.
  - (5) **Maximum Heights per the City Charter.** Under no circumstances may any building or structure exceed the height limitations established in Section 84 of the charter of the City of Boulder.
  - (6) **Height Measurement Standards.** Height shall be measured consistent with height measurement standards of Section 9-7-5, “Building Height,” B.R.C. 1981, and the definition of “height” within Section 9-16-1, “General Definitions,” B.R.C. 1981.
  - (7) **View Corridors.** Height is subject to additional limitations where maximum heights are restricted pursuant to the regulating plan to preserve a view corridor. Refer to Sections [9-14-6](#), “Regulating Plans,” and [9-14-7](#), “View Corridors,” B.R.C. 1981.
  - (8) **Two Half Stories.** If a building has both a half story within the roof and a half story that is partially above and partially below grade, the combined height of the two half stories shall be considered one full story.
- (f) MINIMUM AND MAXIMUM HEIGHT PER STORY.** Each story is measured with a range of permitted floor-to-floor heights. Refer to [Figure 14-54. Measuring Stories with Floor-to-Floor Height](#).
- (1) **Measurement.** Story height shall be measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required to be met along facades for a minimum of eighty percent of each story.
  - (2) **Single Story Buildings and Top Story Measurement.** For single story buildings and the uppermost story of a multiple story building, the minimum floor-to-floor height shall be one foot less than that required per building type. The measurement shall be from the floor of the story to the ceiling.
  - (3) **Mezzanines.** Mezzanines may be included within the floor-to-floor height of any story. Mezzanines occupying more than thirty percent of the floor

area below and extending above the story ft.s allowable floor-to-floor height shall count as an additional story and shall meet transparency requirements in Subsection (e)(5), below.

- (4) **Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building type are not permitted on Type A frontage facades; however, such spaces are allowed on interior lots and Type B frontage facades.
- (g) REQUIRE OCCUPIED SPACE.** Minimum occupied space is measured from the required frontage facade into the building on all floors of the building except any basement.
- (h) MINIMUM REQUIRED TRANSPARENCY.** Per the requirements of each building type, a minimum amount of transparency is required on all stories of street, courtyard, and public way facades.
  - (1) **Measurement.** Minimum facade transparency is measured from floor-to-floor of each story separately, except for required minimum ground story transparency (refer to Paragraph [9-14-27\(g\)](#) (4), B.R.C. 1981, below). Refer to [Figure 14-55. Measuring Minimum Facade Transparency](#). Transparency requirements shall be met with windows meeting the standards for transparency as defined in Section [9-14-8](#), “Definitions,” B.R.C. 1981. The measurement may include the frame, mullions, and muntins, but shall not include trim or casing.
  - (2) **Blank Wall Segments.** No rectangular area greater than thirty percent of the story ft.s facade, as measured floor to floor, shall be without transparency. And, no horizontal segment of a story ft.s facade greater than fifteen feet in width shall be without transparency. Refer to [Figure 14-56. Measuring Blank Wall Limitations](#).
  - (3) **Exception.** When the facade of any story is located less than six feet from another parallel building facade, no minimum transparency is required for that story.
  - (4) **Minimum-Ground Story Transparency.** ~~When required by the building type tables of Sections 9-14-17 through 9-14-22, B.R.C. 1981, g~~Ground story transparency shall be measured between two feet and either eight or ten feet, as specified per building type, from the average grade at the base of the facade. The minimum ground

# Building Types

## Measurement of Building Type Requirements

story transparency requirements supersedes the minimum transparency required for the building type.

- (5) **Mezzanines.** Mezzanines shall be treated as a separate story and include the required upper story transparency amounts.
  - (6) **Tall Stories.** Stories that are eighteen feet or taller in height shall include additional transparency consistent with the following standards. Refer to “Figure 14-57. Transparency on Tall Stories”.
  - (7) **Separate Ground Story Transparency Required.** When a separate minimum ground story transparency is required per the building types requirements of Sections 9-14-17 through 9-14-22, B.R.C. 1981, the facade design shall fulfill that requirement in addition to a minimum of twenty-five percent transparency for the remainder of the ground story.
  - (8) **No Separate Ground Story Transparency Required.** Except on a ground story facade to which a Type A frontage ground story facade transparency requirement applies, a tall story shall be treated as two separate stories, divided in half horizontally, with the minimum transparency per story applied to each half.
  - (9) **Half Stories.** All half stories located within the roof structure and within visible basements are required to meet the minimum required transparency.
- (i) **MINIMUM NUMBER OF REQUIRED ENTRANCES.** Entrances shall be provided consistent with the entrance location and number requirements established for the building type and consistent with Figure 14-58. Number of Required Entrances.

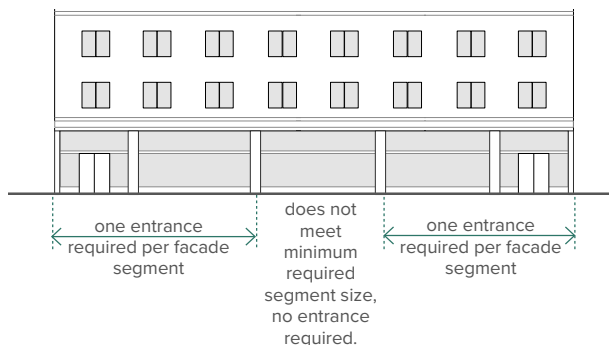


FIGURE 14-58. Number of Required Entrances

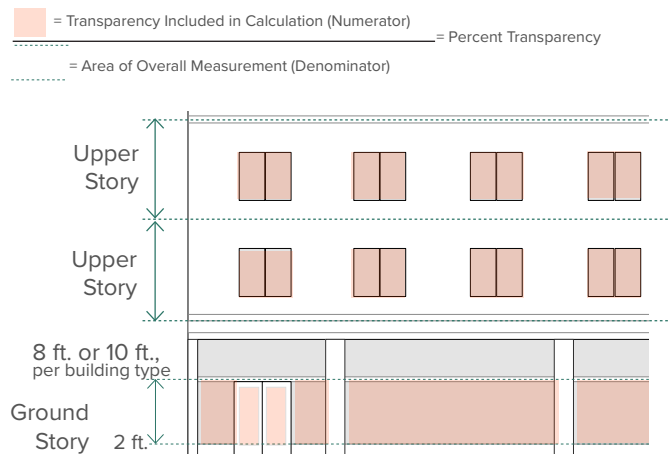


FIGURE 14-55. Measuring Minimum Facade Transparency

Examples of rectangular areas measured per story on a building facade, meeting the blank wall limitation requirement

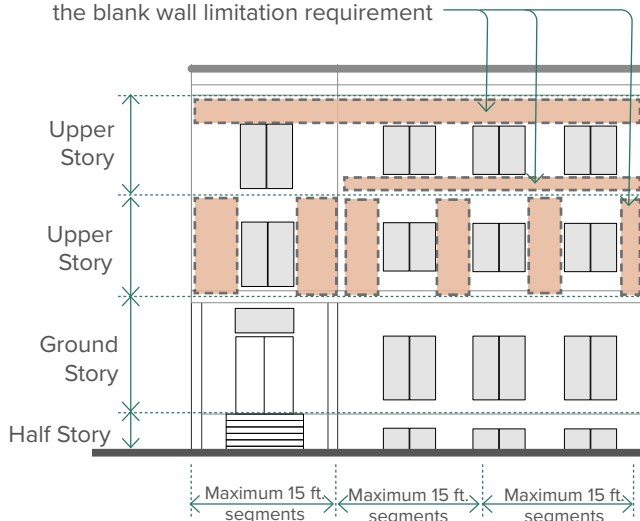


FIGURE 14-56. Measuring Blank Wall Limitations

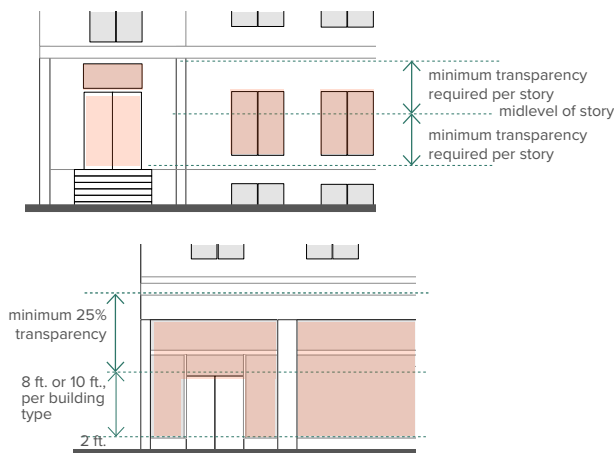


FIGURE 14-57. Transparency on Tall Stories

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# Building Design

# Building Design

## Applicability and Intent of Building Design Requirements

### 9-14-28. APPLICABILITY AND INTENT OF BUILDING DESIGN REQUIREMENTS

(a) **INTENT.** The intent of the requirements in Sections 9-14-29 through 9-14-34, B.R.C. 1981, is to implement the vision for the area as defined in adopted plans for the area; create a sense of place and community; elicit **simple, honest**, high quality, durable buildings of appropriate scale and massing that are visually interesting, aesthetically pleasing, create a sense of permanence, and are human-scaled to enhance the pedestrian experience.

**All buildings are intended to be articulated in a simple, honest manner at human-scaled dimensions.**

- (1) **Simple.** Simple means the building design is organized and easy to comprehend through the use of repetition, regularity, and a clear hierarchy.
- (2) **Honest.** Honest means the building is easily interpreted by the casual observer. Entrances, floors, and building use are apparent and the form of the building follows the function. The overall bulk and mass of the building clearly represents the structure, spatial layout, and materiality.
- (3) **Human-Scaled.** Human-scaled means the buildings are scaled to proportions comfortable

to people. Typically, human-scaled buildings have smaller building material units, architectural detailing to accentuate building elements, and a predictable rhythm to the facade pattern. This design approach is used particularly on the ground story where people walk adjacent to the building.

(b) **APPLICABILITY.** The requirements of Sections 9-14-29 through 9-14-34, B.R.C. 1981, establish general building design requirements applicable to all buildings located on a property designated in Appendix L, “Form-Based Code Areas,” regardless of the building type. No person shall use or develop land in such areas except in conformance with the requirements of Sections 9-14-29 through 9-14-34, B.R.C. 1981, unless an exception has been granted pursuant to Subsection 9-2-16(i), B.R.C. 1981.

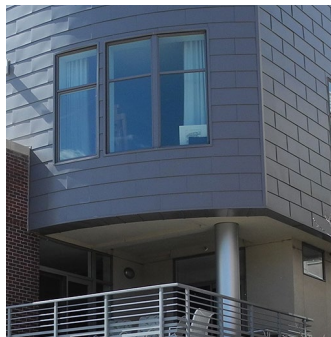
### 9-14-29. FACADE MATERIALS

(a) **INTENT.** The intent of the facade materials standards of this section is to:

- (1) Provide minimum material standards to ensure use of well-tested, high quality, durable, weather-resistant, exterior grade, preferably natural



Brick with Metal Details



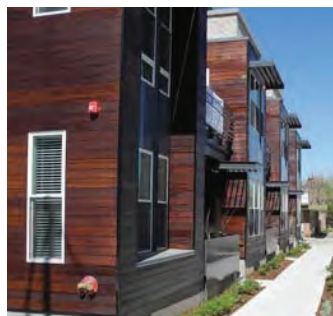
Architectural Metal Panels



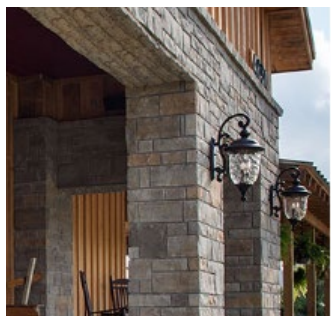
Glass Curtain Wall



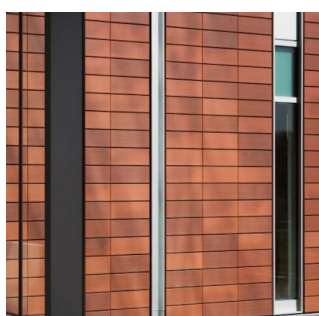
Synthetic Stucco



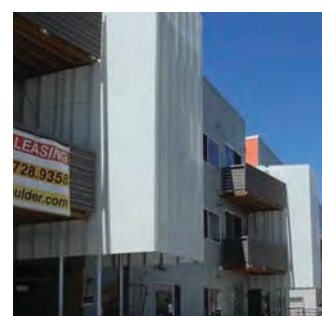
Wood with Metal Details



Concrete Masonry Units:  
architectural



Terra Cotta Rainscreen



Plastic Panels

**FIGURE 14-59.** Examples of Allowed Facade Materials

**FIGURE 14-60.** Examples of Prohibited Facade Materials

**TABLE 14-8. ALLOWED MAJOR FACADE MATERIALS**

	<b>BOULDER JUNCTION I</b>	<b>ALPINE- BALSAM</b>	<b><u>EAST BOULDER</u></b>	
<b>MAJOR FACADE MATERIAL</b> (alphabetical)	ALL BUILDING TYPES	ALL BUILDING TYPES	GENERAL, ROW BUILDINGS	WORKSHOP BUILDINGS
<b>Brick</b> full dimensional, unit, face brick	●	●	●	●
<b>Brick</b> economy size (larger than 3 inches in height)	Limited to rear, alley, and rail corridor facades		Limited to rear, alley, rail corridor, & multi- use trail facades	●
<b>Concrete Masonry Units, Architectural</b> <u>architectural, minimum 3 inch depth, “artisan stone” look, varied sizes, “stone” face, “hewn stone”, rock cut; with complementary trim pieces and finished corner units; integral color</u>	–	–	●	●
<b>Concrete Masonry Units</b> minimum 3 inch depth, split-faced, burnished/ground face, glazed, or honed	Limited to rear, alley, and rail corridor facades			
<b>Fiber Cement Board</b> panels, finished lap siding or shingles	Row Building only	Row Building only	Row Building only	●
<b>Glass</b> curtain wall	●	–	●	–
<b>Metal, Architectural</b> architectural panel, cladding system (steel, titanium, zinc)	●	On rear, alley, and Type B facades only	●	●
<b>Metal, Corrugated, Other</b> ribbed, corrugated, sheet	–	–	On rear, alley, rail corridor, and Type C facades only	
<b>Solar Facade System</b> <u>PV cladding system or rainscreen system</u>	●	–	●	●
<b>Stone</b> natural, units	●	●	●	●
<b>Stucco</b> cement-based, 2-3 layer hard coat	On rear, alley, and Type B facades only			●
<b>Terra Cotta or Ceramic</b> <u>tiles or panels, rainscreen system</u>	–	–	●	●
<b>Wood</b> painted, stained, treated, natural, or aged lap siding, shingles, board & batten	●	●	●	●
<b>Wood, Composite</b> lap siding, shingles, board & batten, rainscreen system	●	●	●	●
KEY: ● = Allowed Major Material      – = Prohibited				

# Building Design

## Applicability and Intent of Building Design Requirements

**TABLE 14-9. ALLOWED MINOR FACADE MATERIALS**

All allowed major facade materials may be used for minor facade materials, unless otherwise listed as prohibited in [Table 14-11. Prohibited Materials](#).

MINOR FACADE MATERIAL (alphabetical)	BOULDER JUNCTION I	ALPINE- BALSAM	EAST BOULDER	
	ALL BUILDING TYPES	ALL BUILDING TYPES	GENERAL, ROW BUILDINGS	WORKSHOP BUILDINGS
<b>Brick</b> thin, veneer	–	–	–	○
<b>Concrete Surfaces, Unfinished</b> untreated, unstained, unpainted	–	–	–	○
<b>Concrete Surfaces, Finished</b> stained, painted, treated	–	–	–	○
<b>Concrete Masonry Units, Architectural</b> <u>architectural, minimum 3 inch depth, “artisan stone” look, varied sizes, (Echelon Masonry or approved equal), “stone” face, “hewn stone,” rock cut</u>	○	○	○	○
<b>Concrete Masonry Units</b> minimum 3 inch depth, split-faced, burnished/ground face, glazed, or honed,	○	○	○	○
<b>Fiber Cement Board</b> finished panels	○ Upper stories only			○
<b>Glass</b> curtain wall	○	○	○	○
<b>High-Pressure Laminate (HPL)</b> <u>panels, rainscreen system</u>	–	–	○	○
<b>Metal Architectural</b> architectural panel, cladding system (steel, titanium, zinc, corten steel)	○	○	○	○
<b>Metal, Aluminum Composite</b> <u>aluminum composite materials (ACM) or panels (ACP)</u>	–	–	–	○
<b>Metal, Corrugated, Other</b> <u>ribbed, corrugated, sheet</u>	–	–	○	○
<b>Stucco</b> cement-based, 2-3 layer hard coat	○	○	○	○
<b>Terra Cotta or Ceramic</b> tiles or panels	○	○	○	○

KEY: ○ = Allowed Minor Material      – = Prohibited

materials on the majority of finished surfaces, while permitting a wider range of materials for details. High quality materials can improve quality of buildings in that they weather well, have a low failure rate, require a low level of maintenance, and create buildings with a longer life cycle and a sense of permanence;

- (2) Limit the number of facade materials to promote simpler, clearly articulated facades; and
- (3) Encourage a high level of detail from smaller scaled, less monolithic materials in order to relate facades to pedestrians, especially at the ground level.

**(b) MAJOR MATERIALS.** The major material requirements of this section may be met only with materials listed as allowed major facade materials in Table 14-8, “Allowed Major Facade Materials,” for the relevant form-based code area. See Figure 14-59. Examples of Allowed Facade Materials.

- (1) **Type A Frontages.** A minimum of eighty percent of each Type A frontage facade, not including window and door areas, shall be composed of major materials, as specified in this section.
- (2) **Type B and C Frontages.** A minimum of sixty percent of each Type B and C frontage facades, not including window and door areas, shall be composed of major materials, as specified in this section.
- (3) **Simplicity of Surface Materials.** To meet the major facade materials of this section, a minimum of

**TABLE 14-10. ALLOWED DETAIL & ACCENT MATERIALS**

All allowed major and minor facade materials may be used for details, trim, and accents.

<b>Concrete Details</b>
precast stone ornamentation, lintels, sills, banding, columns, beams
<b>Fiber Cement Details</b>
trim, soffits
<b>Metal Details</b>
trim, ornamentation, lintels, beams, columns
<b>Wood and Wood Composite Details</b>
painted/treated trim, soffits, other approved details
<b>Vinyl Details</b>
limited to soffits, window trim; minimum .04 inches thick

sixty percent of each Type A, B, and C facade, not including window and door areas, shall be faced of a single major material, not including except in Boulder Junction I and Alpine-Balsam architectural metal panel systems shall not be used to meet this standard.

- (4) **Corners of Buildings.** Where Type A, B, or C facades are located perpendicular to a rear, interior side, or rail corridor facade, the major materials on the Type A, B, or C facade shall be continued around the corner along the perpendicular facade for a minimum of thirty feet.
- (5) **Allowed Major Materials.** The following are allowed major materials. See Figure M-1 (46). Acceptable Materials and Figure M-1 (47) Unacceptable Major Materials:
  - (A) Stone:
  - (B) Brick:
  - (C) Wood:
  - (D) Architectural metal panel systems in Boulder Junction only:

**(c) (6) PROHIBITED MATERIALS.** The materials listed in Table 14-11, “Prohibited Materials,” are prohibited on any building facade. See Figure 14-60. Examples of

**TABLE 14-11. PROHIBITED MATERIALS**

<b>Concrete Surfaces, Unfinished (except as allowed in Table 14-9)</b>
untreated, unstained, unpainted
<b>Fiberglass and Acrylic Panels</b>
all
<b>Glass Block</b>
all
<b>Plastic Panels</b>
all, including high-density polyethylene, polyvinyl chloride (PVC), and polycarbonate panels
<b>Stucco or Synthetic Stucco Moldings &amp; Assemblies</b>
trim, sills, cornices, banding, columns, pilasters or other 3 dimensional decorative details
<b>Synthetic Stucco Surfaces</b>
all
<b>Vinyl &amp; PVC Siding</b>
all
<b>Wood</b>
unfinished, untreated plywood siding or panels

# Building Design

## Facade Materials

Prohibited Facade Materials. The following materials are prohibited as major materials:

- (A) Face-sealed EIFS synthetic stucco assemblies and decorative architectural elements.
- (B) Synthetic stucco or elastomeric finishes on stucco.
- (C) Unfinished or untreated wood.
- (D) Glass Block.
- (E) Vinyl siding.
- (F) Plastic, including high-density polyethylene, polyvinyl chloride (PVC), and polycarbonate panels.
- (G) Fiberglass and acrylic panels.
- (I) **Limited Use Major Materials.** The following materials are prohibited as a major material except consisten with the following:
  - (A) Economy Bricks. Brick types larger than three inches in height are allowed as major materials on rear, alley, and rail corridor facades.
  - (B) In Alpine-Balsam, architectural metal panel systems are allowed as major materials only on rear, alley, and Type B frontage facades.
  - (C) Fiber Cement Board. Fiber cement building materials are allowed on the ros building type.
  - (D) Cement-based Stucco. Traditional cement-based, hard coat stucco is allowed on all upper stories and on ground story facades facing rear yards, alleys, or the rail corridor. Where the ground story of a facade that is facing a rear yard, alley, or the rail corridor is adjacent to a facade where limited use major material may not be used on the ground story, major materials allowed pursuant to paragraph (2) of this subsection or approved pursuant subsection (d) of this section shall be continued around the corner on the ground story of the facade for no less than thirty feet along the cement-based stucco facade.
  - (E) Concrete Masonry Units. Burnished, glazed, or honed concrete masonry units or blocks are allowed as major materials on facades rear yards, alleys, or the rail corridor. Where the ground story of such a facade is adjacent to a ground story facade where limited use major material may not be used, major materials

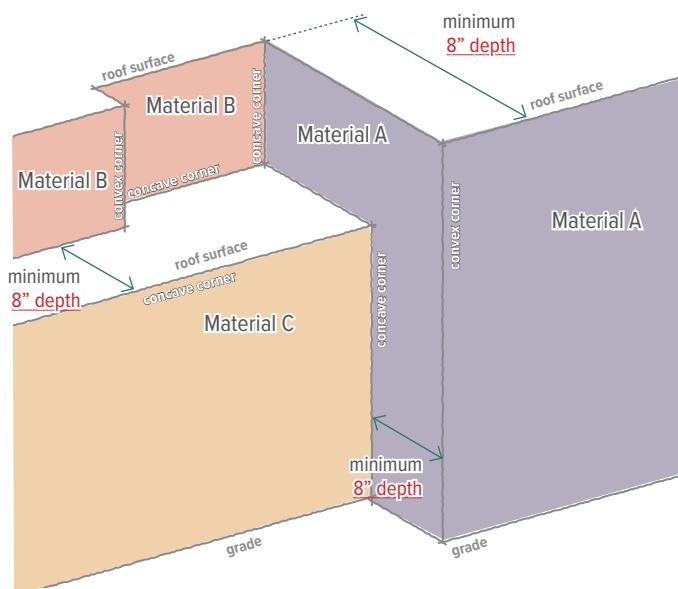
allowed pursuant to paragraph (2) of this subsection or approved pursuant subsection (d) of this section shall be turn the corner of the ground story facade no less than thirty feet along the facade.

- (d) **MINOR MATERIALS.** Minor materials may be installed on the remaining facade areas of the building not required to meet major material requirements. Minor materials are materials listed as allowed minor facade materials in Table 14-9, "Allowed Minor Facade Materials," for the relevant form-based code area. Allowed minor materials are limited to trim, details, and other accent areas that combine to twenty percent or less of the total surface of each facade.
- (1) **Major Materials.** All allowed major materials may serve as minor materials.
- (2) **Allowed Minor Materials.** The following are allowed minor materials:
  - (A) Fiber cement and wood trim pieces.
  - (B) Metal for beams, lintels, trim, exposed structure, and other ornamentation.
  - (C) Split-faced, burnished, glazed, or honed concrete masonry units or block cast stone concrete elements.
  - (D) Vinyl for window trim.
  - (E) Glass curtain wall.
  - (F) Two- or three-coat cement-based or cement-hybrid stucco for surfaces.
  - (G) Terra cotta or ceramic tiles or panels.
  - (H) Architectural metal panel systems.
- (3) **Limited Use Minor Materials.** The following materials are allowed as minor surface materials on upper story facades only:
  - (A) **Fiber Cement Board.** Fiber cement building materials.
- (4) **Prohibited Minor Materials.** The following materials are prohibited for use as minor materials:
  - (A) Face-sealed EIFS synthetic stucco assemblies and decorative architectural elements.
  - (B) Elastomeric finishes on stucco.
- (e) **DETAIL AND ACCENTS.** Detail and accent materials listed in Table 14-10 may be installed as a detail or accent on any facade. The approving authority may



allow other details and accent materials that are similar in quality and durability to those listed in Table 14-10, “ Allowed Detail & Accent Materials.”

- (f) **SOLAR PANELS.** Where solar panels are mounted on any facade, any major or minor facade material may be used on that facade, provided the material is not visible through the panels.
- (g) **OTHER MATERIALS WITH APPROVAL.** Materials that are not listed in this section for its proposed application as an allowed major materials, ~~limited-use materials~~, or ~~allowed~~ minor materials may not be installed on any facade unless approved by the approving reviewing authority pursuant to this subsection (g).
- (1) The approving reviewing authority may approve facade materials that are not listed in this section for its proposed application if the applicant demonstrates the material in its proposed application meets the intent of the facade material standards described in subsection (a) of this section. Samples and examples of successful high quality local installation shall be provided by the applicant.



**FIGURE 14-61.** Diagram of Allowable Changes in Surface Materials

## 9-14-30. BUILDING CONSTRUCTION QUALITY

- (a) **INTENT.** The intent of the building construction quality requirements is to advance the quality of construction, durability, and aesthetics of new buildings, specifically related to application and detailing of facade materials.
- (b) **CHANGES IN MATERIAL.** Changes in vertical surface materials shall meet the following standards:
- (1) **Changes in Surface Materials.** Changes in surface materials, whether major materials or minor materials, shall occur only at concave corners, where the distance to the next generally parallel facade plane is a minimum of ~~twelve-eight~~ inches. Surface materials are materials intended to cover the facade surface (such as unit materials, siding, stucco, panels) and do not include detail materials, such as but not limited to cast stone for lintels or cornices, exposed metal beams, or any material used to create an expression line. See Figure 14-61. Diagram of Allowable Changes in Surface Materials.
  - (2) **Materials Hierarchy.** Unit materials shall be elevated from the face of the building above less detailed, surface materials. For example, stucco, as a constant surface material, shall be recessed behind a bricked surface.
  - (3) **Expression Shadow Lines on Surfaces.** Expression Shadow lines shall be created with solid materials of a thickness depth that is greater than two inches, such as cast stone, masonry, or stone. For example, cast stone pieces may be offset to create a shadow, where the convex corner of the piece is used to create the corner of the detail.
- (c) **APPROPRIATE GRADE OF MATERIALS.** Except on row buildings, all doors, windows, and hardware shall be of commercial quality.
- (d) **APPLIQUE MATERIALS.** Materials with thickness of less than two and a half inches, including but not limited to stucco, shall not be used or formed to create expression lines.
- (e) **STUCCO INSTALLATION.** Stucco, when allowed, shall be of the highest installation quality, meeting the following criteria:
- (1) **Contractor Submittal.** The contractor utilized for installing the stucco shall have a minimum of five years experience with a minimum of at least thirty



# Building Design

## Building Articulation

projects. The applicant shall submit as part of the design review application the contractor name, address, experience level, including years and number of projects, and examples of installations within the last five years. Examples of installation shall be of high quality installations meeting the requirements of this subsection (e).

- (2) **Jointing.** All stucco joints shall be aligned along the facade in the pattern shown on the elevations submitted for the design approval. Joints shall also align with the locations of windows and doors and other changes in material.
- (3) **Construction.** The stucco wall assembly shall be indicated on the plans specifying stucco type and construction.

### 9-14-31. BUILDING ARTICULATION

- (a) **INTENT.** The intent of this section is to require building design that achieves balanced and articulated building composition, a perceived intimate scale of buildings, and pedestrian interest.
- (b) **ARTICULATION OF THE BASE.** With the exception of entryways, the ground story of a building with a required storefront pursuant to Section [9-14-6 "Regulating Plans,"](#) B.R.C. 1981, shall not be recessed more than eighteen inches from the second story facade.
- (c) **BUILDING FACADE VARIETY.** See [Figure 14-62](#). Illustrations of Building Massing and Articulation. All buildings 120 feet in width or greater along any Type A, B, **and C** frontage shall fulfill the following requirements:
  - (1) **Increments.** Each Type A, B, **and C** frontage facade shall be varied in segments less than or equal to ninety feet.
  - (2) **Requirements.** Each facade segment shall vary by the type of dominant material or by color, scale, or orientation of that material, and by at least two of the following:
    - (A) The proportion of recesses and projections. within the **build-to-zone frontage setback**.
    - (B) The location of the entrance and window placement, unless storefronts are utilized.
    - (C) Roof type, plane, or material, unless otherwise stated in the building type requirements.
    - (D) Building heights.
  - (3) **Alternative Method of Compliance.** The reviewing authority may approve a facade design that does not meet requirements of this subsection **(c)** if the applicant demonstrates that the proposed design achieves the intent of the building articulation requirements of this section without meeting the building facade variety requirements. The applicant shall submit fully rendered elevations and 3-dimensional drawings of all street, paseo and multi-use path facades with materials samples for all surfaces to demonstrate that the intent of this section is met.

**9-14-32. BUILDING MASSING**

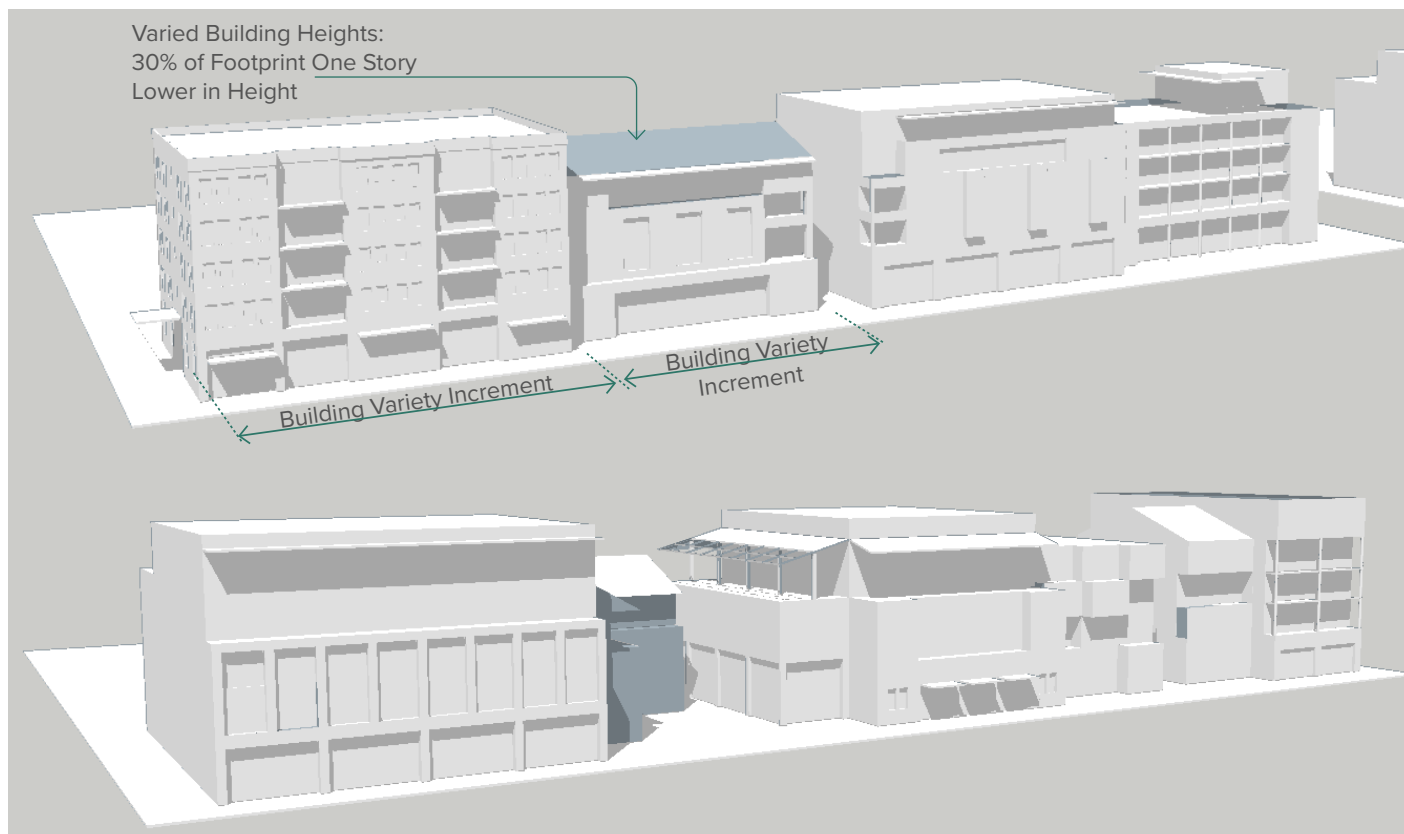
(a) **INTENT.** The goals of the building massing standards are to ensure an appropriate perceived scale of buildings from the public ways -- breaking up large buildings in a simple way to ensure a human-scaled place and to provide a high level of permeability to all blocks.

(b) **BUILDINGS OVER FORTY FEET IN HEIGHT.** See [Figure 14-62](#). Illustrations of Building Massing and Articulation. If any building of the project is over forty feet in height and not utilizing a pitched cap on at least sixty percent of the roof, the following standards shall be met:

- (1) **Varied Building Heights.** A minimum of thirty percent of the total footprint of all buildings combined on the site shall be at least one story lower than the tallest portion of the building footprint, not including towers.
  - (A) Along Type A Frontages. The lower height shall occur along the Type A frontage.
  - (B) Stepped-Back Facade. The requirement for varied building heights in paragraph [\(b\)\(1\)](#),

[above](#), shall not be met by a linear stepping-back of the facade along the top story, but shall constitute a change in massing of the building.

- (C) **Pitched Roof.** The lower height area may include a pitched roof with or without a half story beneath. The half story may not exceed 50% of the floor area of each of the stories below the half story.
- (D) **Terraces.** Roof areas on lower height portions of buildings may be occupied by roof terraces; however, areas of the terraces covered by permanent roof structures do not count as a lower story for the purposes of this requirement.
- (2) **Terraces & Pitched Roofs.** Roof areas on lower portions of buildings are encouraged to be used for roof terraces, located to maximize mountain views, or for pitched cap types per Subsection 9-14-26(d), "Pitched-Cap Type," B.R.C. 1981, to increase the variety of caps in the area.



**FIGURE 14-62.** Illustrations of Building Massing and Articulation

# Building Design

## Building Facade Elements

### 9-14-33. BUILDING FACADE ELEMENTS

(a) **WINDOWS.** Windows on all buildings shall be constructed consistent with the following requirements:

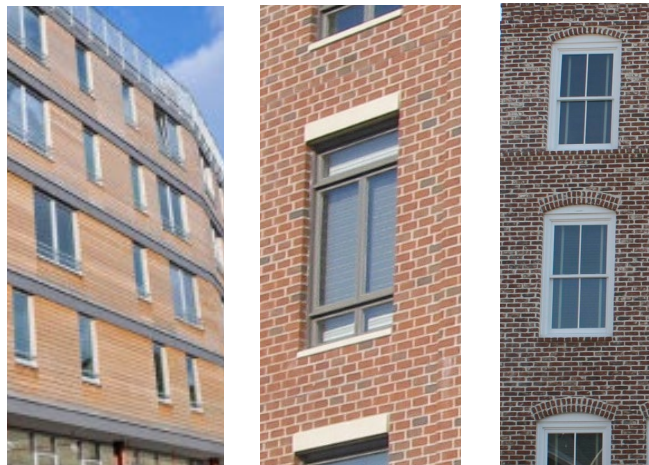
- (1) **Amount.** Each building shall meet the transparency requirements applicable to the building type pursuant to Sections 9-14-17 through 9-14-22, B.R.C. 1981.
- (2) **Recessed.** All windows, with the exception of ground story storefront systems, shall be recessed with the glass a minimum of two inches back from the facade surface material or adjacent trim.
- (3) **Vertically Oriented.** All windows on Type A, B, and C frontage facades shall be vertically oriented unless the following standards are met:

(A) ~~Flat Cap Type. When the flat cap type pursuant to Subsection 9-14-32(e), "Flat Cap Types," B.R.C. 1981, is used,~~ Upper Stories. Horizontally oriented windows may be used for up to thirty percent of the total transparency area of each upper story.

(B) ~~Rear & Side Facades. On facades facing the rear and interior side yards, up to fifty percent of the total transparency area of each story may include horizontally oriented windows.~~

(C) Window Height and Location. Horizontally oriented windows may be used if the ~~transparency of each story is forty percent or more,~~ the height of at least seventy-five percent of the horizontally oriented windows is a minimum of five feet, and the bottom of those windows are located no more than three feet above the interior floor level.

- (4) **Visibility Through Glass.** Reflective glass ~~and glass-block are is~~ prohibited on Type A, B, and C frontage street facades. Windows shall meet the transmittance and reflectance factors established in the transparency definition of Section 9-14-8, "Definitions," B.R.C. 1981. ~~Windows on the ground story shall meet the transmittance and reflectance factors established in the ground story transparency definition in Section 9-14-8, B.R.C. 1981.~~



**FIGURE 14-64.** Vertically Oriented Windows with Expressed Lintels



Metal Awning



Canvas Awning

**FIGURE 14-63.** Examples of Permitted Awnings.

- (5) **Expressed Lintels.** Lintels shall be expressed above all windows and doors by a change in brick coursing or by a separate element. See [Figure 14-64. Vertically Oriented Windows with Expressed Lintels.](#)
- (b) **AWNINGS, CANOPIES, & LIGHT SHELVES.** [On Type A, B, and C frontage facades.](#) awnings, canopies, and light shelves shall be constructed consistent with the requirements of this subsection. See [Figure 14-63. Examples of Permitted Awnings.](#)
- (1) **Encroachment.** Awnings, canopies, and light shelves shall not extend into a city right-of-way or easement except consistent with the requirements of Section 8-6-6, “Requirements for Revocable Permits, Short-Term Leases and Long-Term Leases,” B.R.C. 1981.
  - (2) **Attached Awnings & Canopies.** Awnings and canopies that are attached to the building and could be removed shall meet the following standards:
    - (A) **Material.** All awnings and canopies shall be canvas or metal. Plastic awnings are prohibited.
    - (B) **Solar Panels.** Solar awnings or canopies are allowed.
    - (C) **Shapes.** Waterfall or convex, dome, and elongated dome awnings are prohibited.
    - (D) **Lighting.** Backlit awnings are prohibited.
    - (E) **Structures.** Frames shall be metal and shall be wall mounted. Support poles are prohibited unless utilized for outdoor eating areas over eight feet in depth.
    - (F) **Multiple Awnings on the Facade.** When more than one awning is mounted on a facade, the awning types and colors shall be coordinated by matching the color, shape, material, or other element.
  - (3) **Canopies & Light Shelves.** Permanent canopies, projections, or overhangs used as architectural features, light shelves, or shading devices are permitted, subject to materials standards of Section [9-14-29](#), “Facade Materials,” B.R.C. 1981.
  - (4) **Clearance.** All portions of any awning, canopy, or light shelf shall provide at least eight feet of clearance over any walkway and shall not extend over any driveway.
- (c) **BALCONIES.** [On Type A, B, and C frontage facades.](#) the installation or construction of balconies on street facades is encouraged, but not required. The construction of any balcony on a facade facing any street or public way shall be consistent with the requirements of this subsection. See [Figure 14-66. Examples of Balconies.](#)
- (1) **Definition.** For the purpose of this subsection (c), balconies shall include any roofed or unroofed platform that projects from the wall of a building above grade and is enclosed only by a parapet or railing.
  - (2) **False Balconies.** False balconies are not permitted on any Type A frontage facade. False balconies consist of a rail and door, and any outdoor platform less than eighteen inches in depth. The requirements of this subsection (c) shall not apply to false balconies.
  - (3) **Size.** Balconies shall be a minimum of four feet deep and five feet wide.
  - (4) **Integrated Design.** A minimum of thirty-five percent of the perimeter of each balcony shall abut an exterior wall of the building, partially enclosing the balcony. The balcony support structure shall be integrated with the building facade; separate columns or posts supporting any balcony from the ground are prohibited.
  - (5) **Platform.** The balcony platform shall be at least three inches thick. Any underside of a balcony that is visible from any public way shall be finished.
  - (6) **Facade Coverage.** A maximum of forty percent of the Type A and Type B frontage facades, calculated separately for each facade, may be covered by balconies. The balcony area is calculated by drawing a rectangle around the platform or floor of the balcony, any columns or indentations, and any ceiling, roof, or upper balcony.
  - (7) **Right-of-Way.** Balconies shall not extend into any city right-of-way or easements.



# Building Design

## Building Facade Elements



**NOT PERMITTED**  
Balconies: Covers More than 40 Percent of Facade

Balconies Appropriately Attached to or Incorporated into Facade.

**FIGURE 14-66.** Examples of Balconies.



**FIGURE 14-65.** Examples of Defined Principal Entryway.

(d) **SHUTTERS.** If included in the design, shutters, whether functional or not, shall meet the following requirements:

- (1) **Size.** All shutters shall be sized for the windows, so that, if the shutters were to be closed, they would not be too small for complete coverage of the window.
- (2) **Materials.** Shutters shall be wood, metal, **or** fiber cement, **composite wood, or high-pressure laminate (HPL).** Vinyl shutters are prohibited. Other “engineered” **woods materials** may be approved provided that the applicant submits a sample and examples of high quality, local installations of the material, installed a minimum of five years earlier and showing no degradation or wear of the material.

(e) **PRINCIPAL ENTRYWAY.** See [Figure 14-65. Examples of Defined Principal Entryway.](#) Principal entrances to buildings or units, **with the exception of ground story storefront systems, are subject to the following:**

- (1) **The principal entrances** shall be clearly delineated through **one or more at least two** of the following design features **listed in paragraphs (1) through (4) of this subsection:**
  - (A) Cap or Canopy. The entryway is covered by a cap or canopy differentiating it from the overall building cap.
  - (B) Porch. The entryway is through a porch.
  - (C) Sidelights and Transom. Sidelights or transom windows are included around the entryway.
  - (D) **Lighting Feature. The entrance is lit with a sculptural lighting feature or other unique lighting system visible during daylight.**
  - (E) **Sculpture or Mural. The entryway is defined by a special art feature, either a sculpture or mural.**
  - (F) Extended Articulation. The entryway is included in a separate bay of the building that extends up at least two stories.
- (2) **Right-of-Way.** Doors shall not swing into city right-of-way or easement.
- (3) **Other Design.** The approving authority may approve a design that does not meet the standards of this subsection if the authority finds that the design adds emphasis and draws attention to the entryway

**9-14-34. MECHANICAL EQUIPMENT & APPURTENANCES UTILITY ELEMENTS**

- (a) **INTENT.** Mechanical equipment and appurtenances utility elements can have a negative visual impact and detract from the quality of the design of a building. The purpose of the standards of this section is to ensure that the visual impact of mechanical equipment and utility elements is minimized.
- (b) **MECHANICAL EQUIPMENT IN BUILDING.** Mechanical equipment shall be located within the building, unless the applicant demonstrates the equipment is necessary for the function of the building and locating the equipment within the building would conflict with the equipment's function.
- (c) **ROOFTOP MECHANICAL EQUIPMENT.** Any rooftop mechanical equipment, including without limitation vents, ventilators, skylights, and antennas, and excluding solar energy and wind energy conversion systems, shall meet the following standards:
- (1) Rooftop mechanical equipment shall be located consistent with one of the following methods:
    - (A) Incorporate equipment into the roof design consistent with the applicable standards of Section 9-14-32, "Cap Types," B.R.C. 1981.
    - (B) Set the equipment back a minimum of twenty feet from any Type A or B frontage facade.
  - (2) The requirements of Section 9-7-7, "Building Height, Appurtenances," B.R.C. 1981, shall be met.
- (d) **MECHANICAL APPURTENANCES COMPONENTS ON TYPE A, B, AND C FRONTAGE FACADES.** Mechanical appurtenances equipment and utility elements shall not be located on a Type A, B, or C frontage facade unless the applicant demonstrates that locating the equipment in a different location would conflict with the equipment's function. Any mechanical appurtenance that may be located on a facade, ~~which~~ may include, without limitation, dryer vents, gas meters, and air conditioners, and shall be located consistent with the following standards:
- (1) **Facade.** The mechanical equipment may be located on a non-Type A frontage facade. The mechanical equipment may be located on a Type A frontage facade only if the following requirements are met:
    - (A) The equipment is located on a surface perpendicular to any right-of-way;
    - (B) The equipment extends from the facade surface no more than three inches; and
    - (C) The equipment is screened from the sidewalk.
  - (2) **Alignment.** Multiple pieces of mechanical equipment shall be organized on the facade in a regular pattern and aligned. Compliance with this standard shall must be illustrated on the drawing elevations submitted as part of the application.
  - (3) **Material Coordination.** To the extent practicable, facade-mounted mechanical components shall be located on a material that limits their visibility. For example, dark colored vents will be more visible on light colored stucco than a textured, darker surface such as brick.
  - (4) **Screening.** Mechanical equipment shall be screened from view unless the approving authority finds that such screening conflicts with the function of the equipment. The form, material, and color of the screening shall meet the following criteria:
    - (A) Screening, other than landscaping, is consistent with the building design, colors, and materials;
    - (B) The equipment is placed where it is least visible from adjacent streets;
    - (C) The height of any screen is the minimum appropriate to adequately screen the mechanical equipment; and
    - (D) Screening does not increase the apparent height of the walls of the building.
  - (5) **No encroachment.** Mechanical equipment shall not extend into any city right-of-way or easement.
- (e) **MECHANICAL EQUIPMENT ON OTHER HORIZONTAL SURFACES.** Mechanical equipment located on the ground, decks, or horizontal surfaces other than the roof, such as, but not limited to, electrical equipment and air conditioners, shall be located consistent with the following standards:
- (1) All mechanical equipment may be located in the parking yard or a Type B or Type C street yard.
  - (2) Mechanical equipment may be located in a side yard provided the side yard does not contain or abut a paseo.
  - (3) All equipment shall be screened from view from any public way with landscaping, fencing, or walls

# Building Design

## Building Proportions

consistent with the building design, colors, and materials.

- (4) The reviewing authority may approve utility elements located on a Type A street or on a paseo only if the following conditions are met:
  - (A) The applicant demonstrates that the equipment cannot be located in a parking yard, Type B or Type C street yard, or in a side yard that does not contain a paseo.
  - (B) The appurtenance is fully screened with a wall that is consistent with the building design, colors, and materials and of a height that is the minimum to adequately screen the appurtenance and that does not prevent the facade from fulfilling any transparency requirements.

### 9-14-35. BUILDING PROPORTIONS

- (a) **INTENT.** The golden ratio is a proportioning metric used throughout history in art and architecture to achieve what has been considered “divine” or visually pleasing proportions. The intent of this section is to achieve aesthetically pleasing building design through incorporation of the golden ratio into the exterior design of each building.
- (b) **DEFINITION OF THE GOLDEN RATIO AND GOLDEN RECTANGLE.** Two quantities are in the golden ratio if their ratio is the same as the ratio of their sum to the larger of the two quantities, as shown in Figure 14-66. Numerically, the ratio is approximately 1:1.6180339887.
 

— A golden rectangle is a rectangle with side lengths that are in the golden ratio, as shown in Figure 14-66; if a square section is removed as shown in Figure 14-66, “Description of Golden Ratio,” the remainder is another golden rectangle.
- (c) **USE OF GOLDEN RATIO.** The design of facade elements or the massing of each building shall include expression of the golden ratio. Use of the golden ratio may include massing of building segments, windows, divisions of the facade, and overall height to width of the building. The preferred method of use is through the massing proportions and organization of facade components. See Figure 14-67, “Example of Documentation of Use of the Golden Ratio in the Building Design,” for examples of demonstrated use of the golden ratio.





## **COVER SHEET**

### **MEETING DATE**

**June 13, 2024**

### **AGENDA ITEM**

Municipal Court/BPD Quarterly Update

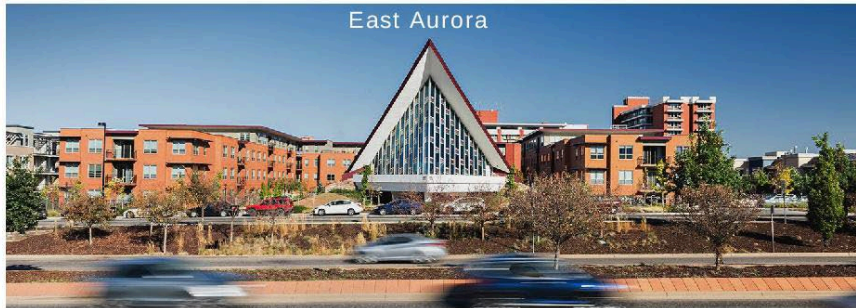
### **PRIMARY STAFF CONTACT**

NA

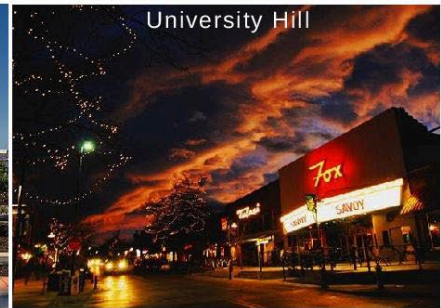
### **ATTACHMENTS:**

#### **Description**

- ▣ **Off-Campus Housing & Neighborhood Relations**
- ▣ **Assessment of Community Court Program**



East Aurora



University Hill



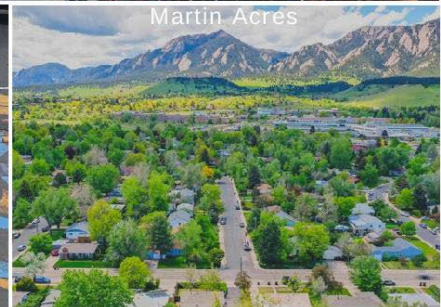
Westminster, CO



Downtown Longmont, CO



Goss Grove



Martin Acres

## FY25 BUDGET NARRATIVE/REVIEW

*"Educating and supporting students in their development of independent life skills"*

### **Mission**

*The mission of the Off-Campus Housing & Neighborhood Relations (OCHN&NR) office is to provide information about the available off-campus rentals, to educate students so they can make informed choices as tenants, roommates and neighbors, to act as an advocate for student renters, to help improve housing conditions for students and to build positive relationships with community neighbors.*

**Cost Center Director – Jeff Morris**

## **Who We Are**



### **Jeff Morris**

#### *Director*

Jeff provides leadership, programming, and support for off-campus students by directly supervising the staff within the Off-Campus & Neighborhood Relations office. Jeff is always exploring new, intentional, and innovative engagement opportunities that can better invest our student population with the neighborhoods they reside. Jeff also focuses on relationships and partnerships with community stakeholders in order to best advocate for all CU students.



### **Tara Korst**

#### *Assistant Director of Neighborhood Life*

In her role, Tara oversees our Neighborhood Life/Ambassador program which helps students in their transition to their on-going living experience on The Hill and other popular neighborhoods for CU students, helping them get connected to resources on and off-campus. Tara also teaches the Community Living class to help students successfully navigate city ordinances and avoid citations. Tara's engagement directly with permanent Boulder residents is also vital to OCHNR's success.



### **Marisa Jergensen**

#### *Coordinator of Commuting Buffs (temp role)*

Marisa focuses on the overall support for CU's entire off-campus first-year population. She coordinates services that facilitate support systems focused specifically on first-year off-campus student programs, engagement, and communication. Her specific responsibilities include ownership of the Commuting Buffs program including structure, implementation, and commuter orientation. Marisa also manages the Commuter Lounge including overseeing operations, staffing, procedures, and managing a large budget for the Commuting Buffs program as a whole.



### **Bruce Sarbaugh**

#### *Legal Advisor*

Bruce was born and raised in Boulder, so he knows all about the Boulder neighborhoods. Bruce loves working with students through OCHNR and provides legal advice on leases, roommate issues, repair issues, security deposits, and just about any other issue that can arise in a rental situation. Bruce also works with the City of Boulder, and state of Colorado in various capacities in regard to issues regarding student rental housing.



## **OCHNR Vision & Goals**

- Help students make informed choices about housing and roommates
- Encourage students to become knowledgeable and responsible tenants
- Assist students in gaining proficiency to solve problems when landlord and roommate difficulties arise
- Enhance student's emotional investment in the neighborhoods they reside
- Develop student awareness of community values and responsibilities
- Create valuable partnerships with community stakeholders to enhance citywide collaboration
- Advocate an off-campus student perspective to landlord as well as city policy makers





## **What We Do**

- **Neighborhood Life** – We manage a team of student ambassadors that are our direct connection to students living in off-campus neighborhoods. Neighborhood Ambassadors (NA's) serve as student leaders, assisting off-campus student tenants with their transition to off-campus communities and for the majority of students, assistance with their first time living off-campus. NAs provide a network of support for CU students and members of the neighborhood at large by serving as a mentor, connecting students to campus resources, planning programs that will aid in community building efforts, and working with Off-Campus Housing & Neighborhood Relations and other campus offices to plan, promote, and implement initiatives specifically focused on off-campus student tenants. *See Appendix C – pages 18-23*
  - Community Living – a 90-minute class that covers a variety of city ordinances that students are commonly given citations for. The goal of the class is to help students avoid future citations by filling in some of the finer points and knowledge gaps that they might have.
  - Party Registration – Off-campus students are able to register their parties with our office, which encourages them to take responsibility for their party, become educated on city ordinances, and keeping open communication with CU and the Boulder Police Department.
  - Knock & Talks – when a community member/neighbor makes a formal complaint within our office that is in regard to student behavior/issues, we are able to send a Neighborhood Ambassador out to the address/house in question in order to have a peer to-peer conversation with the student in regard to the complaint. These conversations are less of an adjudication type process, and more of an educational one. Recidivism on houses that receive a “knock and talk” tends to be extremely low.
- **Off-Campus Large-Scale Events** – OCHNR plans, manages, and hosts (6) large-scale off-campus events that are designed to bring both the CU student body and the city of Boulder's non-student population together for community engagement. These types of large-scale events allow CU to connect with the city in a light-hearted and fun environment, and have become a staple during our fall activities. These events connect students, neighbors, CU staff/faculty, and city staff together for beneficial positive moments early on in the semester and sustained throughout the school year. It should be noted that for FY25 OCHNR will be sunsetting the majority of large-scale programming due to financial capacity, and department bandwidth. *See Appendix C – pages 18-23*
- **Community Collaboration & Engagement** – We partner with many external partners to develop effective and engaging community programs; including, but not limited to Boulder Fire Department, Boulder Police Department, Boulder Code Enforcement, City of Boulder, Boulder Area Rental Housing Association (BARHA), University Hill Neighborhood Association (UHNA), International Town & Gown Association (ITGA), BVSD, and many more.



- **Supporting students in Transition** – We provide outreach and community-building programs to students by connecting them to student liaisons who act as peer mentors. OCH&NR has direct contact and provides assistance to commuter, transfer, or international identified students through interactions with student liaisons or OCHNR staff, workshops, email newsletters or correspondence, dedicated programming opportunities, or one-on one-interactions.
- **Off-Campus Housing and Roommate Search** – We utilize a database that annually receives over 3,000,000 views from students, families, and alumni. Ralphie’s List is our one-stop shop for apartment rentals, off-campus roommate profiles, message boards, and neighborhood resources. In addition to having an online resource, we also offer various Off-Campus workshops around campus throughout the year which focus on topics such as leasing, neighborhoods, property managers, budgeting, commuting, being a ‘good neighbor’, etc. These workshops are accompanied by 3 large Housing Fairs held throughout the academic year.
- **Legal Advising/Consulting** – We assist students with free legal advising; lease reviews, consequences of breaking a lease, security deposit returns, repairs, over-occupancy and roommate issues. Additionally, our Legal Advisor advocates for students while working with the city of Boulder and State of Colorado in matters related to student tenants. Ultimately leading to the recuperation of wrongfully withheld funds, warranty of habitability issues, and ensuring the utmost safety for our student tenants.
- **First-year off-campus student support** – The Commuting Buffs program aims to assist first year students living off campus, as well as any undergraduate student who commutes from outside of the local Boulder area. The program continues to directly support first-year off-campus students and their families as they navigate attending CU as a non-residential student. This type of support includes individual academic cohorts led by a Commuter Peer Mentor, hosting dozens of programs on and off campus, connection points for first year students, and managing the Commuter Student lounge. Due to an over admittance of first year students and limited on campus housing options, the program had an 21% increase in first year students automatically enrolled in Commuting Buffs compared to the previous year. *See Appendix F – pages 27-30*
  - *\*486 first year students in 2022-2023 academic year & 615 first year students in 2023-2024 academic year.*
  - To improve first year off campus student retention rates, Commuting Buffs increased programming initiatives including weekly tabling, bi-weekly lunches, and active monthly events held by Commuter Peer Mentors. The program intended to connect students to their peers and to the CU Boulder campus, increasing their sense of belonging.
  - Following a semester that had an extreme focus on first-year off-campus student engagement and retention, accomplished by various programs within Commuting Buffs, OCHNR is happy to report that **student persistence rates from fall 2023 to spring 2024 are 93%.**



## Appendix C

# Neighborhood Programming & Engagement

### Fire Pit Friday

In the third iteration of “Fire Pit Friday” (an outdoor social event created during COVID and continued due to high praise), OCHNR welcomed **180 attendees** to the event (record high). This was likely due to the great weather and updates to the event setup. A heated tent was rented (since the event last year experienced freezing temperatures and firepits could not provide enough warmth). With a heated tent, we could also accommodate a hot meal buffet instead of cold sandwiches. OCHNR also partnered with Phi Kappa Alpha for 25 volunteers and sponsorship of s’mores.

#### Quick Facts:

- 180 Attendees:
  - Students: 128
  - Long-term residents: 50
  - 2 non-OCHNR staff
- How most attendees knew about event:
  - Live nearby or saw it while walking by
  - 24 of the student party/groups (accounting for 44 of the total students tracked) had at least one person in their group say it was not their first OCHNR event
- Phi Kappa Alpha (IFC on the Hill) assisted with over 25 volunteers and sponsored s’mores
- Event Features:
  - 6 fire pit lounge areas
  - 2 showings of Shrek (one added at request of neighbors with kids)
  - Catered food for 150 people (all gone before end of event)
  - S’mores & Hot Cocoa Bar (all gone before end of event)

### Hilloween

10/27 5:00-8:00pm

*Beach Park on The Hill*

In the second iteration of Hilloween, OCHNR provided a hot meal buffet, screened the movie Casper, and offered pumpkin carving and a photo booth. Officially, 111 attendees were tracked - 73 students and 38 long-term residents (with fire marshal requirements of a secondary entrance/exit, there may have been some attendees we missed as we were unable to keep both entrances/exits staffed continuously).

- Students: 111
- Long-term residents: 73
- Total attendance: 184

*(large-scale event data continued on next page)*





### Block Party Series

685 confirmed students (with BuffOne Cards/student ID numbers. 10 other students were tracked onsite that had errors in their ID numbers) attended our 3 neighborhood block parties plus over 250 non-students/long-term neighbors. 4 block parties were originally scheduled, but one had to be rescheduled to the spring semester due to weather.

- **Hill Block Party**  
9/7 5:00-8:00pm  
*Hill Business District*
  - Students: 371
  - Long-term residents: 16
  - Total attendance: 387
- **Goss Grove**  
9/8 5:00-8:00pm  
*Emma Gomez Martinez Park*
  - Students: 209
  - Long-term residents: 81
  - Total attendance: 290
- **Martin Acres**  
9/15 5:00-8:00pm  
*Martin Park*
  - Students: 115
  - Long-term residents: 176
  - Total attendance: 291
- **East Aurora**  
9/14 5:00-8:00pm  
*Arrowwood Park*
  - The Fall 2023 East Aurora block party was postponed due to inclement weather.
    - OCHNR was still able to set up a tent, table, and hand out treats for neighbors that ventured out looking for the event. We were still able to connect with students and neighbors, talk about our office, and how the event will be happening sometime in the spring
  - In Fall of 2022, East Aurora unfortunately also had to be rescheduled to Spring 2023.
    - For the Spring 2023 East Aurora Block Party, attendance was not officially tracked but with food consumption we estimate there were around **300 attendees**. We do not have a breakdown of student to long-term resident.

### Overall Event Attendance for large scale neighborhood events in 2023:

*(Numbers do not include student attendees at Spring 2023 East Aurora Block Party)*

- Students: 934
- Long-term residents: 396



# Off-Campus Housing & Neighborhood Relations

UNIVERSITY OF COLORADO BOULDER

## Neighborhood Ambassador Engagement Data

Fall 2023 Semester Data

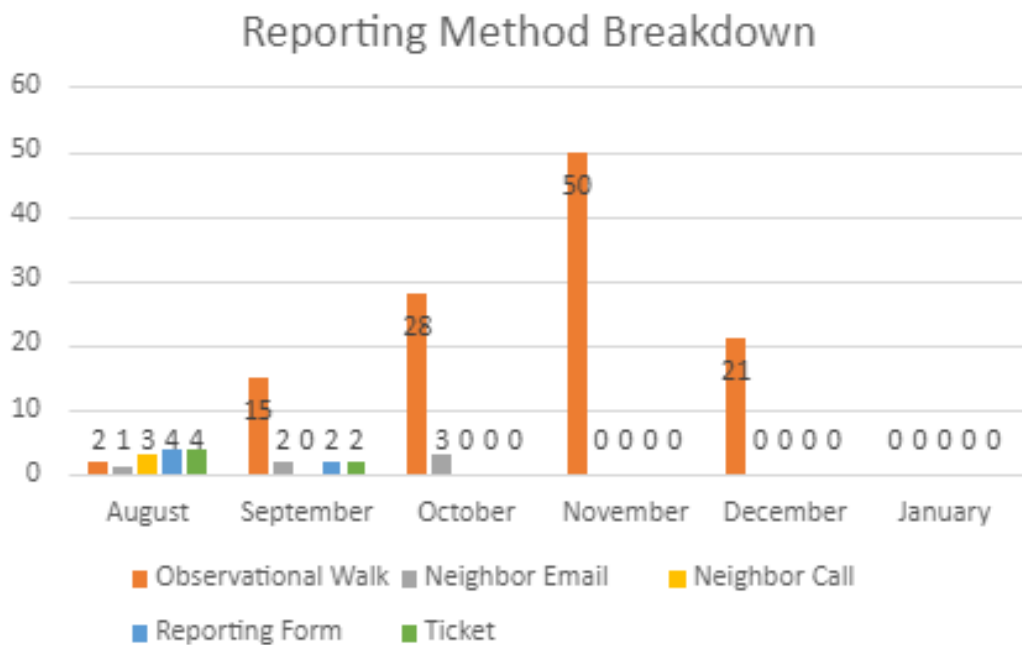
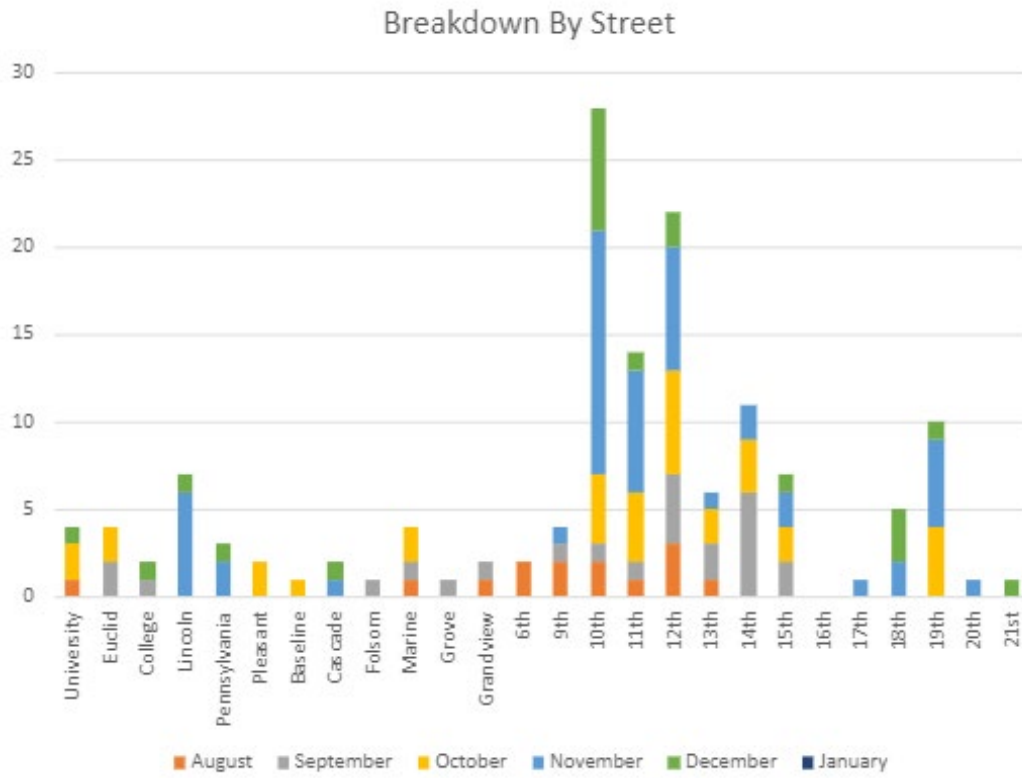
Issues Tracked Key	
Noise	Noise ordinance violation
Trash	Unreasonable trash in yard
Couch	Couch ordinance violation
Bear	Bear trash violation
Names	Names on house (no violation, safety concern)
Special	Follow ups, elevated issues, etc.
Furniture	Upholstered furniture in yard or patio (Hill only ordinance)
Ordinance	Misc. ordinances, spray paint on house, tarps covering door, etc.

## Issues Tracked vs. Completed Neighborhood Ambassador Visits

Category	Tracked	Visited	Completion %
Noise	21	20	95%
Trash	34	31	91%
Couch	51	44	86%
Bear	5	2	40%
Names	14	1	7%
Special	4	2	50%
Furniture	11	10	91%
Ordinance	3	3	100%
Total	143		

## Issues Tracked by Month

Month	Noise	Trash	Couch	Bear	Names	Special	Furniture	Ordinance	Total
August	11	1	1	0	0	0	0	0	13
September	4	1	16	1	0	2	0	0	24
October	4	11	12	2	1	1	1	0	32
November	2	15	14	0	13	1	5	3	53
December	0	6	8	2	0	0	5	0	21





### **Fall 2023 Tabling**

Neighborhood Ambassadors conducted 23 tabling sessions during the Fall 23 semester with topics ranging from ordinance education, upcoming OCHNR events or office programs like Party Registration.

#### **Quick Facts**

- Total tabling sessions: 23
- Supplies purchased (giveaways/incentives):
  - Food/drinks (donuts, cookies, candy, snacks, coffee etc.)
  - Snow shovels
  - Trash bags
  - Other cleaning products (sponges, dish detergent etc.)
  - Fire extinguishers
- Supply cost
  - \$1445.13 (averages to \$62 per tabling session)

#### **Tabling Sessions by Week**

Week(s)	# of tabling sessions	Topics
9/18-9/22	2	General office
9/25-9/29	2	Party registration
10/2-10/6	2	Engagement focused - brownie mix giveaway
10/9-10/13	2	Fire safety
10/16-10/20	2	Bear resistant trash containers, Housing Fair
10/23-10/27	1	Hilloween event
10/30-11/3	2	party reg/snow removal law education
11/6-11/10	1	trash and sofa ordinances
11/13-11/26	2	Dog ownership in Boulder
11/27-12/1	2	Snow removal
12/3-12/9	3	Housing fair/assorted ordinance education
12/9-12/15	2	Party reg/finals week support giveaways

### **Other Fall 23 Operating Costs:**

#### **Training:**

- NASPA Certified Peer Mentor Training (\$29 per attendee)

#### **Bike/Mobile Office investments:**

- Bike cover, lockable storage, bike pump, coats, packable tables/chairs, etc.
  - \$492.49

#### **Software:**

- Timeero (off-site work tracking system)
  - \$8 per user per month (7 users)
  - \$56 a month total (started in October 2023)



### **Spring 2023**

The Neighborhood Ambassador team was less robust in Spring of 2023. Spring can often see fewer complaints provided to our office due to colder weather (fewer impactful outdoor parties), but the ambassador team also had less bandwidth and tools to track and visit houses. Below were the counts of issues reported to OCHNR (some houses had multiple issues, so total issues reported is more than total houses reported – which was 23). Only 1 out of the total 23 houses reported did not receive a visit from an Ambassador.

- Trash: 9
- Noise: 14
- Couch violation: 2
- Firework: 1
- Fire: 1

While Ambassadors tabling regularly (once to twice a week at least), precise numbers and topics were not tracked. Few specific tabling purchases were made as Ambassadors would utilize office swag and supplies purchased for “party registration” bags (as a common topic Ambassadors tabled about was to promote the Party Registration program).

### **Changes Made for Fall 2023**

OCHNR was able to hire a total of 6 Neighborhood Ambassadors (in Spring of 23, there were only 3). With a larger team, Ambassadors were able to be more proactive in their engagement off-campus. Instead of solely relying on neighbor complaints, Ambassadors were able to do more “Observational Walks” and respond to issues they could witness firsthand.

OCHNR also implemented their own “Neighborhood Reporting Form” to replace a form that the University Hill neighborhood created but was no longer managing. Use of the form unfortunately started to dwindle past the first month of launching the form. Many neighbors prefer to just call or email the office to provide their concerns.

To increase accountability and provide a better tool for coordinating off-campus engagement, OCHNR began utilizing the software Timeero. This app uses GPS to track staff when they are going “off-site” and allows for job/task assignments in a more efficient way than previously relied upon group chats. Staff are only tracked when they have selected and are actively completing a job (like a house visit or an observational walk).



## Appendix D

# Party Registration

Fall 2023 was by far our most successful semester for party registration. Ownership of the program was handed over to our department from BPD, who has managed the system for years. This allowed OCHNR to redevelopment the program as whole and create a much more effective tool for educating students as well as keeping them accountable. Not only did we see a major increase in registrations, and a decrease in tickets written, but we also implemented a required party registration orientation which made our registrants more informed hosts. OCHNR redesigned its Orientation to be longer, more detailed oriented, more interactive, and implemented a quiz in order to best assess student learning. In fall of 2023 specifically, we have had **340 students attend** these orientations.

Registration Data Over Last 9 Semesters	
<u>Semester</u>	<u># of Registrations</u>
Spring 22	226
Summer 22	51
Fall 22	499
<b>Spring 23</b>	406
<b>Summer 23</b>	39
<b>Fall 23</b>	507 (0 tickets)

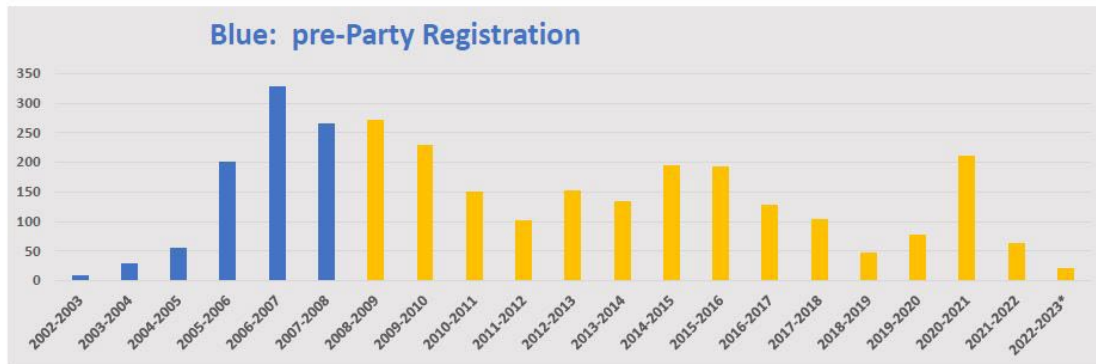
Top 5 registration dates	
<u>Dates</u>	<u># of Registrations</u>
10/27/2023	31
10/28/2023	26
9/30/2023	23
10/13/2023	22
9/9/2023	21

- Greek Life affiliated houses – orientations/registrations
  - 31 out of 41 (76%) houses have gone through Party Reg. Orientation
  - CUIFC: 6 out of 6 (100%)
  - Sororities: 0 out of 10 (0%) – Sororities do not host parties
  - IFC on the Hill: 22 out of 22 (100%)
  - Unaffiliated: 3 out of 3 (100%)
- Number of tickets issued for registered parties: 2
- Nuisance party violation numbers are at their lowest since '02/'03

*(chart of Noise/Nuisance Party Violations by Academic Year on next page)*



## Noise/Nuisance Party Violations by Academic Year







## Appendix E

# Community Living

Community Living is a 90-minute class primarily attended by students that have been assigned by Student Conduct or the Boulder Municipal Court. OCHNR generates \$25 per student from this class. The class covers a variety of city ordinances that students are commonly given citations for. Our goal is to help students avoid future citations by filling in some of the finer points and knowledge gaps they might have.

We have seen a reduction in overall Community Living participants due to a decrease in overall ticketing made by BPD and sanctions from CU Student Conduct & Conflict Resolution. As our goal is to reduce negative impacts on the community, this is a bittersweet goal as less participants *do* negatively impact our overall revenue models.

Community Living Data		
Semester	# of classes held	# of total attendees
Fall 2020	24	158
Spring 2021	22	131
Summer 2021	8	48
Fall 2021	17	79
Spring 2022	13	52
Summer 2022	10	33
Fall 2022	17	84
Spring 2023	15	43
Summer 2023	9	20
Fall 2023	11	25

# ASSESSMENT OF COMMUNITY COURT PROGRAM

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City of Boulder, Colorado



**JANUARY 2024**

**Prepared by**  
Chris Handberg Consulting



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# Introduction

The Boulder Municipal Court utilizes a problem-solving approach in its management of cases, with the aim of addressing the root causes behind behaviors that lead to criminal citations. As described by former Presiding Judge, Linda Cooke, the court frequently handles cases related to homelessness, where the key drivers of offenses are lack of housing, untreated mental illness, and substance abuse. Rather than adhere to traditional court models that summon offenders to hearings, Boulder Community Court staff proactively seek out those with pending cases to ensure minor infractions do not escalate into further criminal activity. Informally, court personnel have prioritized restoring dignity to clients by evaluating individual needs and connecting them with resources to improve quality of life. For many experiencing addiction, homelessness, and mental health crises, the criminal justice system is often the last place they fall before incarceration or worse. It is here that the most vulnerable require life-saving interventions and care. By leveraging a community-based problem-solving approach, the Boulder Municipal Court aims to break destructive cycles and provide solutions tailored to the needs of offenders.

The Boulder Community Court utilized the services of Chris Handberg to assess the effectiveness of the program as well as recommend improvements to its existing structure. Mr. Handberg has an extensive background in working with those experiencing trauma, program assessment, and strategic improvements to enhance organizational efficiency. The assessment was conducted by meeting individually and collectively with court staff, community partners, and law enforcement to determine successes and areas of improvement for the community court program.

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# Development of Community Court

In the early 2010s, Boulder Municipal Court staff noticed concerning gaps in social services failing to adequately assist community members experiencing homelessness, mental illness, and addiction who frequently came into contact with the justice system. People were often turned away or referred endlessly between organizations without their core needs being addressed in any substantive way. Compelled by compassion and a sense of moral duty, court staff began conducting informal needs assessments and providing referrals, resources, and hands-on assistance to support this vulnerable and underserved population. Court staff found many lacked basic necessities like identification paperwork, housing security, and other basic human needs which contributed to criminal citations. Seeing the lack of solutions through proper channels, court staff chose to fill these gaps themselves driven by care for their community.

Around this pivotal time of shift in focus to human needs, total court filings dropped significantly from 25,000 in 2012 to 4,910 in 2022 as both the population and enforcement resources changed over the decade. However, minor criminal offenses directly related to homelessness, mental health issues, and substance abuse remained steady at around 1,000 citations annually.

Clearly, a new approach was needed to break the cycle of recidivism and instability facing the community's most vulnerable. Seeing an opportunity, Boulder Municipal Court piloted alternative, needs-based sentencing options in 2016 for common homeless-related offenses such as illegal camping, public consumption, and littering rather than relying on ineffective and costly jail sanctions. Preparing individuals for housing, employment, and treatment to reduce interactions with the criminal justice system became the priority. With increased success connecting defendants with essential services and resources, the Community Court program formally launched in 2020 thanks to a Department of Justice grant supporting innovation.

Now operating weekly virtual dockets to improve access, the Boulder Community Court collaboratively assigns conditional dismissals tailored to each individual's needs. Intensive case management, counseling, and housing assistance with community partners provide a supportive yet accountable path to self-sufficiency.

Through persistent innovation, compassion, and a solutions-first mindset over the past decade, the Boulder Community Court has evolved into an accessible, needs-based program elevating community-wide well-being and providing long-awaited hope.

# Understanding Barriers

The Boulder Community Court program's mission is to reduce, limit, and eliminate people's engagement with the criminal justice system. It is the court's belief that, by doing this, it will improve the quality of life for participants and the wider community. With the values of respect for all people, understanding personal and systemic barriers that cause unlawful behavior, and compassion for those living in trauma, the Boulder Community Court takes extraordinary steps to identify the root causes behind each individual's actions and develop tailored approaches to address them. When designing the community court program, it became apparent that accommodations were needed to break down systemic barriers when engaging with those who have business before the court.

The Boulder Community Court program's mission is to reduce, limit, and eliminate people's engagement with the criminal justice system. In pursuit of this goal, the court upholds values of respect, understanding, and compassion. Recognizing both personal and systemic challenges that can lead to unlawful behaviors, the court is committed to identifying root causes and crafting individualized solutions. While establishing this program, it became clear that specific barriers obstructed unhoused individuals from effectively engaging with the court.

# Common Barriers to Court Engagement

## FEAR OF THE BOULDER COUNTY JUSTICE CENTER

Many unhoused individuals express a profound apprehension about attending proceedings at the Boulder County Justice Center. This fear is often rooted in past negative experiences or the perceived threat of interacting with law enforcement, which can be particularly intimidating for this vulnerable population.

## CHALLENGES WITH KEEPING APPOINTMENTS

The experience of trauma, coupled with the daily challenges of being unhoused and living in survival mode, can make it exceedingly difficult for individuals to remember and adhere to court dates and appointments. The constant state of uncertainty and the urgency to meet immediate needs, such as finding food or shelter, often overshadow the importance of scheduled commitments.

## MENTAL HEALTH CONCERNS

Mental health issues, which can be both a cause and consequence of homelessness, pose a significant barrier. Individuals suffering from conditions like depression, anxiety, or more severe disorders might find it overwhelming to navigate the court system, or they might be mistrustful of the intentions behind such processes.

## ADDICTION AND SUBSTANCE ABUSE

Substance abuse issues further complicate engagement. Dependency on drugs or alcohol can cloud judgment, impair memory, and inhibit the motivation to seek help or adhere to court protocols. Furthermore, the physical and psychological challenges stemming from substance dependency can impede individuals from not only attending court but also from actively engaging with social services or maintaining stable housing and security.



# Community Court Adaptations

To address these issues and build trust with unhoused individuals, the court developed accommodations to not only ensure people attend hearings, but also engage with services to improve their quality of life.

## Off-Site Hearings

The court operates virtual court sessions via Zoom from Grace Commons Church during the Deacon's Closet program. Grace Commons Church has been part of the Boulder community since 1872, one year after the city was founded. Having such deep roots in the community combined with their spiritual beliefs led them to partner with the community court to connect with unhoused people. During the Deacon's Closet program, church members distribute clothing and hygiene products to those in need. The court staff chose this location to hold virtual hearings because many unhoused people frequent Deacon's Closet allowing for more direct communication and outreach. By situating the virtual court within Deacon's Closet, it strategically positions the proceedings in a space where unhoused individuals already feel safe and have built trust with the service providers (Currently Deacon's Closet is hosted by Trinity Lutheran Church while Grace Commons Church undergoes renovation). This innovative approach not only exemplifies a commitment to understanding and respect but also fosters a greater willingness among the unhoused community to engage in court proceedings. By bridging the court system with a trusted community entity, it not only simplifies the logistical challenges but more importantly, creates an environment where justice is pursued with compassion and understanding.

The virtual format provides flexibility and accessibility for unhoused individuals who have difficulty behaving according to societal norms. Rather than sanctioning individuals with fines, jail sentences, or community services, the court incentivizes people to address the root causes of offending behavior. To this end, participants can earn dismissal of low-level charges like public consumption, camping, and littering by completing conditions which are determined by a team consisting of court staff, prosecutor, and judge. The conditions for dismissal are developed for individuals based on formal and informal assessments which can lead to needs-based referrals and setting short and long-term goals. Depending on the individual, some of the conditions can include: obtaining legal documents (state identification, social security cards, etc.), joining a housing waiting list, and engaging with local providers to receive supportive services. Many of the conditions for dismissal are met by referring individuals to local service providers who provide case management services, housing assistance, and support to those in need.

# Community Court Adaptations

## Community Partner Engagement

When the Boulder Community Court program was launched in 2020, those providing services had little interaction or collaborative opportunities with the court, law enforcement, and government agencies. Seeing the need for partnership, court staff worked to build trust and relationships with these groups to elevate their level of service. Currently, Community Court staff participate in weekly meetings with law enforcement, criminal justice professionals, local service providers, and government agencies. During these meetings, members discuss local issues affecting their work and the community such as capacity limits for local providers, support program options, and discuss individual needs to determine the best case plan. These partnerships are a pillar which strengthens the effectiveness of the Community Court program and provides unparalleled support to those engaged in services.

Through reasonable sentencing focused on securing services and stability, coupled with persistent yet compassionate outreach, the Community Court provides a dignified pathway to positively impact lives and decrease criminal activity stemming from homelessness and associated issues. It offers hope and understanding when they are most needed.

## Community Court Staff

Even before developing the Boulder Community Court program, it was determined that additional staff was needed who have specialized knowledge to work with unhoused individuals as well as a strong understanding of court proceedings. Based on this need, the court navigator position was created in 2016. Quickly, court navigators became the heart of the court by conducting proactive outreach at encampments and frequented areas of unhoused individuals to inform them of upcoming hearings, informally assess needs, and identify conditions to dismiss their cases. Beyond working directly with individuals engaged with the court, they also facilitate collaboration between community partners as well as serve as the primary contact between court staff, clients, and providers. Navigators provide a human face to the justice system and demonstrate compassion to the most vulnerable.

# Navigator Responsibilities

Court navigators are at the foundation of Boulder's Community Court outreach and case management operations. Their multifaceted role includes:

- **Conducting outreach at encampments and commonly frequented areas** to engage and build trusting relationships with the unhoused community. This enables effective communication about upcoming court dates and program options.
- **Managing court-ordered conditions for individuals**, including following up on referrals, attending appointments alongside participants, assisting with paperwork, and tracking scheduled services. Navigators provide compassionate accountability while removing barriers.
- **Developing and maintaining partnerships** with law enforcement, government agencies, and social service providers.
- **Participating in weekly meetings with community partners** to discuss specific cases, collaborative areas of focus, and develop strategies to address the most urgent needs for individual clients.
- **Participating in standard court duties** like record-keeping, following up on recent cases, and communicating with the City Attorney's office and court staff.
- **Navigators have additional duties** outside the scope of the community court program such as serving as a clerk for other courts.

Through relentless advocacy and support, navigators uphold the Boulder Community Court's mission of providing solutions over punishment, dignity over stigma, and hope over despair. They walk alongside participants on the pathway to improved well-being and quality of life.

# Probation Officer Responsibilities

While not directly engaged with clients, Probation Officers perform critical behind-the-scenes work to support Community Court operations including:

- **Extensive record retrieval and cross-referencing** of case information across multiple databases to provide holistic background for court reviews. This entails consolidating offense histories, social records, and prior conditions.
- **Close monitoring** of current conditions, incarceration status, and any new charges for all clients. Violations or concerns are promptly reported.
- **Managing the sealing process for dismissed cases** by notifying attorneys, law enforcement, state records bureaus, and other stakeholders through email and postal correspondence.
- **Participating in weekly Community Court docket reviews** by compiling updated records that speak to client condition compliance and additional offenses.
- **Minimal direct contact with clients**, functioning more as information gatherers and coordinators indirectly facilitating client accountability and progress.
- **Probation Officers assemble critical insights and oversee record sealing**, enabling the court's problem-solving approach through holistic tracking and review of client cases.

# Community Partnerships

One of the distinguishing features of the Boulder Community Court program is its collaborative approach, working hand-in-hand with a diverse array of community partners. These partnerships enhance the court's effectiveness, ensuring the holistic needs of participants are met – from housing and healthcare to reentry support and direct outreach. By collaborating with organizations which cater to specific needs, the community court demonstrates its commitment to offering comprehensive and tailored solutions to those it serves.

## Community Outreach Coalition

The Community Outreach Coalition meets weekly to discuss issues to ensure comprehensive support tailored to individual needs, bridging the gap between the court system and essential services. The key partners who participate in the coalition are as follows:

- **Behavioral Health Assistance Program (BHAP):** Offering support for individuals with behavioral health concerns.
- **Boulder Shelter for the Homeless:** Dedicated to aiding the homeless community.
- **City Attorney:** Collaborating on legal matters pertinent to the community court's mission.
- **Clinica Family Health:** Ensuring that even those with limited financial means receive necessary medical care.
- **Focus Reentry:** Assisting in the smooth transition of individuals re-entering society.
- **Homeless Outreach Team (HOT)** from Boulder Police Department: Fostering a connection between law enforcement and the unhoused, emphasizing compassion and understanding.
- **Housing and Human Services:** Providing essential housing solutions and vital human services.

# Case Study

## *Integrated Support in Action*

A long-standing resident of the community, referred to as "Jane" to maintain anonymity, recently underwent a significant transition. Through the diligent efforts of court navigator Nhat Nguyen, Jane was placed in an apartment in Longmont. However, the shift to this new environment brought with it a series of unforeseen challenges. Consumed by feelings of isolation and mounting depression, Jane struggled to adjust to the new residence.

Recognizing the criticality of Jane's situation, a multifaceted community intervention was initiated, encapsulating the spirit of collaboration fostered by the Boulder Community Court program and its partners. Nhat, members of Boulder Police Department's Homeless Outreach Team, Behavioral Health Assistance Program (BHAP), Focus Reentry, and a specialized Mental Health team aligned their resources and expertise to extend support tailored to Jane's requirements.

A particularly alarming incident underscored the necessity of this collaborative approach. During a coordinated welfare check by the Homeless Outreach Team and Nhat Nguyen, Jane was discovered in a harrowing state in her apartment. Clear signs of acute distress were evident, which demanded immediate intervention. Swift actions were taken in collaboration with the Longmont PD. Jane was safely transported to a withdrawal center in Boulder where an emergency hold was instituted. The initial 72-hour hold, due to the severity of her condition, was extended to an involuntary two-week stay.

Throughout this period, a web of support surrounded Jane. The decision to move her to a Transitional Residential Treatment (TRT) program meant she had six weeks of structured, intensive care. Concurrently, the team at Focus Reentry ensured that her financial responsibilities, such as bill payments, were addressed, shielding her from additional stresses. Upon completion of the treatment program, the Community Outreach Coalition's members connected her with a peer navigator and continued to coordinate weekly wellness checks. She has been living successfully post treatment for six months at the time of this report.

# Engaging with Community Court

## IN CUSTODY

The City Attorney will instruct people to go to Deacon's Closet for Community Court

## NOT IN CUSTODY

Navigators will conduct outreach by walking through encampments, common gathering areas, ask partners to assist locating people.

## NEW TO COMMUNITY COURT

Navigators will conduct an informal needs assessment regarding housing, paperwork, food security, etc.

## PREVIOUSLY INVOLVED

Navigators will reference notes, continue services which were in process

## CONDITIONS FOR DISMISSAL PROCESS

Once charges have been filed, navigators will meet with the City Attorney to recommend conditions for case dismissal which could include: obtaining identification/paperwork, formal evaluations/assessments, joining a housing waitlist, engaging with local service providers

## FILING CONDITIONS

Conditions for case dismissal are filed with the Community Court Judge who accepts/rejects proposed conditions

Conditions for case dismissal are filed with the Community Court Judge who accepts/rejects proposed conditions

## NAVIGATORS MONITOR AND ASSIST COMPLETION OF CONDITIONS

## DISMISSAL CONDITIONS MET

- The City Attorney files a motion with the Court stating conditions have been met
- The Judge approves case dismissal based on conditions being met
- Judge creates order to dismiss, leading to motions processing and the case is closed
- Once it is closed, Probation Officers finalize the process of sealing the case



# Successes

## *Outreach and Trust-Building*

For those experiencing homelessness which is often rooted in trauma, establishing trust with criminal justice and social services can be extraordinarily difficult. Community Court staff have worked diligently to nurture an atmosphere of dignity and respect, gradually building trust with vulnerable populations. Their persistence is dissolving skepticism and opening doors to better futures. They have accomplished this by conducting direct outreach at encampments and other spaces frequented by those experiencing homelessness. By meeting people where they are both literally and figuratively, they have increased participation in criminal justice proceedings and provided resources to Boulder's most vulnerable citizens.

### **Case Study: The Critical Role of Persistent Intervention**

For years before the Community Court's outreach program, numerous service providers and court staff members struggled to make contact with and provide resources to a client referred to as "Martin." Despite being in the community for over 15 years and accumulating more than 150 cases annually, offering services, identifying conditions for dismissal, and securing a stable housing situation for Martin proved exceptionally challenging. Nhat Nguyen, a Community Court navigator, recognized the unique set of obstacles posed by Martin's situation. Nguyen's outreach efforts made it possible to locate Martin, build trust with him, and negotiate conditions for release.

Martin's behavioral patterns were emblematic of deeper mental health challenges often exacerbated by the precarious nature of homelessness. One of the conditions for dismissal was obtaining a Social Security card. Nguyen and a member of Boulder Police Department's Homeless Outreach Team (HOT) escorted him to the Social Security Office. Given Martin's history, trauma, and survival-mode mentality, Martin was uncomfortable and excused himself to the restroom. He remained in the restroom for an extended duration, leading to concerns from staff. When they investigated, they discovered that Martin, in an attempt to meet basic hygiene needs, had taken a makeshift shower. This inadvertently caused the toilets to overflow, resulting in significant flooding. Such actions reflect the desperate measures many unhoused individuals resort to in seeking basic amenities that many take for granted. Yet, it also highlights Martin's sporadic decision-making and difficulty in foreseeing consequences, likely compounded by his mental health condition. Furthermore, when approached by the HOT officers to address the situation, Martin discreetly left the premises, demonstrating his tendency to avoid confrontational situations and perhaps a fear of retribution. This evasion required the combined efforts of the court staff and HOT officers to locate him and retrieve his social security card. In the end, the incident demonstrated to Martin that people care about his safety and well-being, resulting in building trust with Coalition team members and ultimately reducing the frequency of engagement with the Court.

# Successes

## Cross-Sector Collaboration

The Community Court has fostered robust collaboration between entities that rarely communicated prior to 2020 – court staff, law enforcement, service providers, and city/state agencies now meet regularly to discuss cases, strategize improved care, and align efforts. Breaking down silos has expanded resources and solutions.

### Case Study

#### Comprehensive Collaboration for Stable Housing

An individual who will be referred to as John to maintain anonymity, presented a complex case that underscored the importance of holistic community intervention. Struggling with mental health challenges, notably symptoms commonly associated with bipolar disorder, John's path to stability was marked with various obstacles. Initially, Focus Reentry assisted him in obtaining a housing voucher and handling the necessary documentation. However, as challenges arose and his engagement with Focus Reentry waned, the coalition was alerted. This is when Nhat Nguyen, from the Boulder Community Court program, assumed a pivotal role in ensuring John's continued support.

Understanding the intricate nuances of John's situation, Nguyen facilitated a referral to the Mental Health Partners (MHP) housing team. This collaboration aimed to assign a dedicated case manager to work closely with John. As the MHP and Nguyen jointly identified suitable housing for him in Longmont, another challenge presented itself. The housing voucher did not cover initial expenses like the security deposit, application fee, and a holding fee. Demonstrating remarkable commitment, a partner from the collaborative network went above and beyond, personally covering these costs, amounting to \$370.

However, the journey didn't conclude there. On the day scheduled for John's move, the Boulder Police Department's Homeless Outreach Team and Nguyen escorted him to his new residence. They were met with an unforeseen roadblock when the housing authorities declined to accept a personal check for the fees. Undeterred, the team mobilized swiftly, returning to John's camp to gather his belongings and ensuring he was settled into his new home by 8:30 p.m. that evening.

Working with John demanded patience, resilience, and multi-agency collaboration. Despite the challenges, by mid-October 2022, the collective efforts bore fruit. John remained stably housed, and importantly, distanced from any further interactions with the criminal justice system.

# Successes

## Community Partner Feedback

At a meeting of the Community Outreach Coalition which took place on July 24, 2023, members reflected on the successes and challenges of the Community Court Program. They discussed that, prior to the establishment of the Community Court program, organization's operated separately with little collaboration or partnership. This method of approach saw limited long-term success because there was little coordination of care. Frontline workers representing organizations who are now part of the Community Outreach Coalition began working with each other and identifying partnership strategies to better serve their clients. These efforts resulted in the formation of the Coalition which now celebrates a robust, close relationship between agencies who share information, develop multi-agency care plans for individuals, and coordinate case management strategies. None of this would be possible without the initiative and leadership of the partner organizations and Community Court staff.

Additionally, the Community Outreach Coalition, beyond its primary aim of addressing the challenges faced by the unhoused population, presents a crucial secondary benefit: fostering mutual support among its members. Frontline workers, constantly exposed to the traumas and adversities faced by the people they serve, are susceptible to secondary trauma. This form of trauma can manifest as emotional, physical, or psychological exhaustion and can significantly hinder their capacity to effectively assist those in need. Experiencing the distress of another person repeatedly, especially without an adequate support system, can lead to burnout, decreased empathy, and even personal mental health challenges. During weekly Coalition meetings, members come together to discuss the multifaceted challenges presented by their clients, express frustrations stemming both from the intricacies of serving the population and the limitations imposed by scarce resources, and connect on a deeply personal level. These gatherings provide a unique space where they can not only share their professional struggles but also offer and receive emotional support from their peers. A key supportive function in the group is that they recognize the early signs of burnout and offer to take the lead with certain clients who may be challenging for individuals at that point in time having the effect of minimizing secondary trauma and potential burnout. Within this environment, Coalition partners not only find solace but also draw strength from shared experiences, ensuring that they remain resilient and effective in their crucial roles.

In reflecting on their collaboration, the Coalition overwhelmingly praises the Boulder Community Court staff for their commitment to genuine partnership. They particularly commend the Court for its exceptional responsiveness in communication, its receptiveness to feedback—even when it's critical—and its promptness in instituting recommended changes. This proactive approach, coupled with the deep-seated impacts the court has made, showcases the transformative care they extend to the community's most vulnerable. The mutual respect and trust between the Coalition and the Boulder Community Court are palpable, a testament to their shared mission of bringing about meaningful change in the lives of those they serve.

# Challenges

## Work Distribution to Navigators

Divided focus among court staff—Navigators have additional court responsibilities. Navigators have a multitude of responsibilities from identifying and managing conditions for dismissal to facilitating and maintaining collaborative relationships between community partners. These responsibilities are coupled with duties assigned from other courts which take away time and energy from the community court program.

## Secondary Trauma

Secondary trauma, also known as vicarious trauma, refers to the emotional distress that can occur from hearing about or witnessing another individual's traumatic experiences. As frontline workers engage intensively with a highly marginalized population, community navigators are at high risk for secondary trauma from repeatedly being exposed to stories and situations involving trauma, abuse, and hardship. If unchecked, this cumulative secondary trauma can lead to compassion fatigue, burnout, and mental health concerns which could impair navigators' wellbeing and effectiveness in their role. Court staff receive support from each other, Coalitional members, and in their personal lives; however, it is an area which deserves focus when implementing internal changes.

## After Dismissal Care

Often, once defendants complete assigned conditions, they may have no one following up with them on their progress toward self-sufficiency. Aftercare when being involved with services is a missing piece to the community outreach program. Informally, Court staff and Coalition members identify high-risk individuals in need of post-dismissal care. Though they connect individuals with case management services, some clients need additional support to maintain sobriety, housing, and/or adjust to changes in living circumstances.

# Challenges

## Mixed Support from the Community

There is a philosophical disagreement within the community on the best approach to addressing issues around homelessness and crime associated with mental health struggles. While the Boulder Community Court aims to provide supportive interventions to improve lives, others believe that stricter enforcement and consequences are needed to maintain public safety and public spaces. This clash of perspectives between advocates for accountability and advocates for compassion has created an adversarial environment, making it difficult to find common ground on solving the underlying issues.

In Boulder's small, public space-rich community, the visibility of chronic homelessness seems to be increasing, with those experiencing it often building encampments in full view of residents and visitors. Many scenic trails, public areas, and small business hubs have become gathering spaces for unhoused individuals in the city. While community members may feel initial compassion for these individuals, it quickly grows into resentment when they witness drug use, public urination/defecation, or those experiencing mental health crises in public areas.

## Housing Vouchers

Court staff and community partners agreed that the Community Court should have access to and the ability to distribute housing vouchers which are available from the City of Boulder. Research shows that providing safe, affordable, and supportive housing can lead to a significant reduction in criminal acts and recidivism rates among individuals experiencing homelessness, mental illness, and addiction. When wraparound services address root causes through a housing-first approach, individuals are empowered to improve their lives and reduce negative impacts on the community. Advocates believe the Community Court is ideally positioned to connect eligible individuals with housing resources while monitoring their progress through accountability measures. Access to housing vouchers and partnerships with proven transitional programs could provide both care and consequences to break cycles of citations and court appearances. Many officials support this expanded system of supportive accountability to improve lives while also restoring public spaces.

# Challenges

## Increase in Visibility of Citizens Experiencing Homelessness

In individual and group settings, stakeholders relayed that community members and city leaders were often unaware of the impact, processes, and opportunities provided by the Community Court program. At the same time, the visibility of unhoused individuals seems to be increasing from the public's perspective. Community members report seeing more encampments built in public parks, trails, and spaces. Business owners and citizens perceive public urination, defecation, and open drug use to be on the rise, with substance abuse increasingly occurring in plain sight. Disturbing public acts by people suffering from untreated mental health crises have also become more visible. This increased visibility of the effects of homelessness, mental illness, and public hygiene issues has been frightening and frustrating for many local citizens and businesses. While data is needed to confirm the trends, the visibility alone has created unease among residents. There is a sense that the social and environmental impacts of chronic homelessness are getting worse, even if supportive interventions are occurring out of public view.

Many express compassion for those experiencing homelessness, mental illness, and addiction, but growing visibility has increasingly shifted public attitudes to resentment and urgency around sanitation and public safety issues. There is a perceived lack of accountability and dignity for all. Some believe stricter enforcement of existing bans on public camping and drug use is needed. However, leaders at Boulder Community Court counter that punitive policies without addressing root causes will not improve lives nor create an environment where all feel safe and welcome. More public awareness of both the issues and current intervention efforts appears needed to align community sentiment with evidence-based solutions.

# Recommendations

- **Develop a communication strategy** for the general public as well as training modules for law enforcement and criminal justice professionals. Each stakeholder who was interviewed in either an individual or group setting expressed distress stemming from community members, business leaders, elected officials, and high-ranking law enforcement officers who are critical of the Community Court program.

Examples of a potential communication strategy include:

- Blog posts by Court staff describing their work, clients, and sharing success stories/community needs
  - Writing letters to the editor of local newspapers/online publications
  - Developing written material to dispel myths about the work of Community Court and address it's harshest criticisms
- **Facilitate a task force of community leaders** representing differing philosophical views on how to address issues surrounding homelessness. The task force should include frontline workers, civic leaders, high-ranking law enforcement officials, and other stakeholders. Over the course of a year, the task force's purpose is to identify innovative solutions to address the concerns of Boulder's citizens in a way that respects all individuals, regardless of life circumstances.
  - **Develop training material and resources** for service providers and law enforcement about community court programs, services offered, and limitations of resources available in the community. Training material could include: in person training events, videos, infographics, and virtual material.
  - **Evenly distribute workload**—Probation Officers assume some responsibilities currently held by Navigators
  - **Formalize new distribution of workload** in writing to clearly guide expectations of Probation Officers and Navigators



# Literary Review

The following articles have been reviewed and critical information referenced as they relate to court practices, restorative justice, and innovations in criminal proceedings.

1. *New community court and bridge house programs at the Municipal Court of Boulder*
2. *Community Justice Today: A guide to community-centered interventions*
3. *The Future of Problem-Solving Courts*
4. *Restorative Justice in Youth and Adult Criminal Justice*
5. *What New Orleans can teach other cities about reducing homelessness*

# New Community Court and Bridge House Programs at the Municipal Court of Boulder

By Linda Cooke, Presiding Judge, City of Boulder Municipal Court

Court staff began providing resources, referrals, and assistance to those involved with the criminal justice system because they noticed a gap in services left by the non government organizations meant to provide service. Anecdotaly, they reported that people experiencing homelessness were turned away or given menial service due to lack of resources, being labeled as “too difficult to work with”, or having too many challenges resulting in agencies sending them to another without providing adequate care. With a sense of compassion, court staff conducted informal assessments to people and discovered common trends. Often, people did not have appropriate identification, food resources, and were not receiving the treatment needed. It was then that court staff chose to act by becoming a conduit to provide this type of assistance to those in need.

The volume of cases has changed significantly in the past 10 years.

In 2012, the Municipal Court received 25,000 filings with an estimated 6,000 being criminal charges and the remainder low-level parking violations or similar offenses.

In 2022, there were 4,910 total filings with 1,000 being criminal charges and the rest low-level parking violations or similar offenses.

## Key Insights

- The Boulder Municipal Court uses a problem-solving approach to deal with cases, aiming to address the root causes of behavior that leads to criminal citation.
- The court often handles cases related to homelessness, and has found that the key root causes of behavior in these cases are being unhoused, untreated mental illness, and substance abuse.
- Rather than jail sanctions, the court began implementing alternative sanctions in 2016 to address these root causes. These alternatives aim to prepare someone for housing and include tasks such as obtaining necessary documentation, and accessing public benefits.
- The Community Court formally began in 2020 with a grant from the Department of Justice. It uses technology to meet people where they are and conduct court via Zoom. Community Court is currently held every Thursday morning at Deacon’s Closet, a service of Grace Commons Church.
- Participants in the Community Court can earn dismissal of low-level charges by completing alternative sanctions assigned by a team consisting of the navigator, the prosecutor, and the judge. The court also provides no-cost mental health and substance use counseling.

# Community Justice Today: A Guide to Community-Centered Interventions

Community Justice Exchange. (2022). Community justice today: A guide to community-centered interventions. Innovating Justice.

Available at:

[https://www.innovatingjustice.org/sites/default/files/media/document/2022/Guide\\_CCI\\_TA\\_CommunityJusticeToday\\_pageview\\_11012022\\_1.pdf](https://www.innovatingjustice.org/sites/default/files/media/document/2022/Guide_CCI_TA_CommunityJusticeToday_pageview_11012022_1.pdf)

The Center for Court Innovation published the report, "Community justice today: A guide to community-centered interventions. Innovating Justice" in 2022 which outlines the benefits of community court programs which utilize restorative practices, alternative sentencing, and are focused on addressing the root causes of crime.

## Benefits of Prioritizing Community-Based Solutions

- **Reduced incarceration rates** – "Community justice measures success based on reduced reliance on imprisonment" (p. 8). Tracking incarceration rates allows you to quantify this reduction.
- **Lower recidivism rates** – "Community-based programs...have been documented to lower recidivism rates" (p. 14). Measuring recidivism shows if community programs decrease reoffending compared to incarceration.
- **Increased community participation** – "Community justice relies on community wisdom and participation" (p. 6). Looking at participation rates tracks whether initiatives empower community engagement.
- **Improved community perception of safety** – "Promoting community wellbeing and safety" (p. 9) is a goal. Surveying safety perceptions measures if initiatives make communities feel more secure.
- **Increased civic engagement** – "Building community capacity" (p. 10) necessitates civic engagement. Tracking voting, volunteering, etc. gauges community empowerment.
- **Cost savings** – "Community interventions cost less than imprisonment" (p. 14). Calculating savings quantifies decreased spending on incarceration.
- **Client satisfaction** – "Bringing community perspectives into program design" (p. 20) requires feedback. Surveying participants provides input to improve initiatives.
- **Improved social outcomes** – "Link participants to education, jobs, housing, and health care" (p. 15) to increase stability. Tracking these metrics determines wellbeing impacts.
- **Restitution compliance** – "Victim-offender dialogues" (p. 12) facilitate restitution. The compliance rate shows if victims feel amends are satisfactory.

# Community Justice Today: A Guide to Community-Centered Interventions

## Best Practices

- Engage in extensive community outreach and relationship building, as "Building authentic partnerships with community groups" (p. 20) supports this.
- Co-design the community court process with ample community input and participation, since "Co-designing the program model and processes elevates community ownership" (p. 25).
- Focus on addressing root causes of crime through linkages to social services, not just efficient case processing, because you should "Link participants to social services" (p. 15) to address root causes.
- Incorporate community service directly benefiting the neighborhood as an alternative sentence by "Sentencing individuals to community service hours that repair harm and meet community needs" (p. 17).
- Bring community volunteers into court processes as advisors, restorative justice facilitators, mentors, etc. by "Training community members to serve as restorative justice facilitators" (p. 13).
- Establish mechanisms for continual community feedback and oversight of the court operations by "Forming a community oversight committee to monitor the program" (p. 24).
- Provide community members most impacted by crime a strong voice in court policies and accountability processes by "Centering the voices of those directly impacted by crime" (p. 22).
- Replace adversarial court culture with collaboration, dialogue and mutual understanding through "Using non-adversarial, dialogue-based processes" (p. 12).
- Monitor court processes and outcomes to ensure racial, economic or other disparities are not replicated by "Tracking outcomes to ensure racial and economic disparities are not replicated" (p. 35).
- Share data and information on court processes and sentencing transparently with the community by "Reporting data and outcomes back to community stakeholders" (p. 35).

# Community Justice Today: A Guide to Community-Centered Interventions

## Additional Information

- "Community justice requires shifting away from adversarial processes" (p. 8). Assessing readiness for non-adversarial, community-focused approaches would be crucial.
- "Build and maintain relationships with system stakeholders" (p. 26). Developing connections with court/legal system actors would provide an important perspective.
- "Identify gaps in services and supports" (p. 27). Surveying current community-based programs would reveal where there are holes to fill.
- "Map existing community resources and activators" (p. 28). Understanding already established community groups/leaders provides assets to leverage.
- "Analyze policies and practices that drive mass criminalization" (p. 30). Examining systemic factors behind incarceration can pinpoint reform needs.
- "Document how community wisdom is ignored" (p. 29) in current processes. Identifying exclusions shows where community input is lacking but needed.
- "Track budgets, costs and expenditures" (p. 33) of the current system. Cost analysis demonstrates potential savings of community alternatives.
- "Review your court's approach to procedural justice" (p. 31). Assessing the degree of procedural fairness establishes a baseline for improvement.

# The Future of Problem Solving Courts

Stacy L. Burns, The Future of Problem-Solving Courts: Inside the Courts and Beyond, 10 U. Md. L.J. Race Relig. Gender & Class 73 (2010).

Available at: <http://digitalcommons.law.umaryland.edu/rrgc/vol10/iss1/5>

## Key Insights

- Community justice aims to build community capacity and increase community control over justice processes: "Community justice refers to a community-building orientation that...enhances the community's capacity to exercise informal social control" (p. 3).
- It focuses on localized, decentralized, indigenous solutions with participation of non-professionals: "Community justice emphasizes decentralized, neighborhood-based initiatives and relies on the participation of ordinary citizens" (p. 10).
- Prevention and restorative justice models are favored over punitive, impersonal control: "Interventions are problem-oriented and restorative rather than oriented towards punishment and impersonal control" (p. 4).
- Partnerships between justice agencies and community institutions/groups are critical for legitimacy: "For the criminal justice system to maintain its legitimacy it must partner with individuals, private groups and communities in pursuing public safety" (p. 7).
- Devolution of resources and power back to the community level is necessary: "Power-sharing and devolution of resources are necessary for community justice" (p. 12).
- Impacts should be continually evaluated from a community perspective: "Programs must be accountable to the communities they aim to serve and be evaluated based on community standards" (p. 11).

# The Future of Problem Solving Courts

## Restorative Justice

- "Restorative justice refers to a process whereby parties with a stake in an offense collectively resolve how to deal with the aftermath of the offense." (p. 5)
- "Restorative models bring victims, offenders, families, and other community stakeholders together." (p. 5)
- "The goal is offender accountability and compensation to victims and the community." (p. 5)
- "Restorative justice practices include victim-offender mediation, family/community conferencing, sentencing circles, and community reparative boards." (p. 5)
- "These interventions aim to repair harms, empower victims, impose offender obligations, and reconnect both parties to the community." (p. 12)
- "Restorative models enable victims to obtain reparations, participate, communicate harms, and achieve closure." (p. 12)
- "For offenders, these models develop moral learning, restitution to victims, and community integration." (p. 12)

In summary, restorative justice models bring together stakeholders for accountability, compensation, repairing harm, and community reintegration in a collaborative process. They focus on victim and community needs while obligating and reconnecting the offender.



# The Future of Problem Solving Courts

## Partnerships

- "Partnerships are needed to mobilize political, social, and economic resources." (p. 8)
- "Collaboration across sectors can better identify and respond to community needs." (p. 7)
- "Joint efforts enhance perceived fairness, cultural relevance, and community acceptance." (p. 9)
- "Partners can match services to community norms and provide oversight." (p. 11)
- "Police and prosecutors should partner with religious groups, schools, businesses, social services, etc." (p. 8)
- "Community prosecution models prosecutors partnering with local groups on problem-solving." (p. 9)
- "Community courts link criminal justice to community services and local stakeholders." (p. 10)
- "Partnerships leverage expertise and relationships vital for legitimacy." (p. 7)

In summary, partnerships between justice agencies and community stakeholders mobilize resources, enhance legitimacy, provide oversight, and allow for collaborative problem solving tailored to local needs.

# The Future of Problem Solving Courts

## Devolution of Power

- "Community justice requires decentralizing and devolving power to local levels." (p. 3)
- "Communities should exercise decision-making about priorities, programs, and outcomes." (p. 11)
- "Community-oriented policing devolves some police power to residents and neighborhoods." (p. 9)
- "Community prosecution gives communities influence over charging, disposition." (p. 9)
- "Community courts allow input into sentencing and community restitution." (p. 10)
- "Devolution reinforces self-determination and mobilizes indigenous capabilities." (p. 12)
- "Localized authority enables flexibility and responsiveness to community dynamics." (p. 3)

In summary, community justice requires decentralizing authority and devolving decision-making power, resource allocation, and roles to the local community level in order to mobilize grassroots capabilities, reinforce self-governance, and increase responsiveness to unique community needs and dynamics through flexible localized policies and programs.

# The Future of Problem Solving Courts

## Community Perspective

- "Communities should be involved in defining desired outcomes." (p. 11)
- "Criteria for evaluation should reflect community experiences and standards." (p. 11)
- "Process and satisfaction measures important alongside crime rates." (p. 11)
- "Evaluation roles should be created for community representatives." (p. 11)
- "Findings should be shared transparently with the community." (p. 11)
- "Programs must be accountable and responsive to community assessment." (p. 11)
- "Evaluation from a community lens enhances legitimacy and improvement." (p. 4)

In summary, community justice requires continual accountability and responsiveness to community perspectives through engaging residents in defining goals, integrating experiential standards into evaluation criteria, enabling community oversight via representative roles, transparent reporting of data to residents, participatory assessment driving reforms, and prioritizing local perceptions of legitimacy alongside traditional metrics.

# The Future of Problem Solving Courts

## Best Practices

- Engage in participatory design and planning: "Communities should be involved in defining desired outcomes." (p. 11)
- Ensure community representation and oversight: "Evaluation roles should be created for community representatives." (p. 11)
- Build relationships with local groups and institutions: "Police and prosecutors should partner with religious groups, schools, businesses, social services, etc." (p. 8)
- Incorporate community input on sentencing and restitution: "Community courts allow input into sentencing and community restitution." (p. 10)
- Link to localized, culturally relevant services: "Collaboration across sectors can better identify and respond to community needs." (p. 7)
- Share data and evaluation findings transparently: "Findings should be shared transparently with the community." (p. 11)
- Focus on restoring community capacity and cohesion: "Interventions aim to...reconnect both parties to the community." (p. 12)
- Enable community participation throughout the process: "Community justice relies on the participation of ordinary citizens." (p. 10)
- Redirect resources to community priorities: "Resources should follow function so communities can fund local strategies." (p. 12)

In summary, best practices emphasize participatory processes, community representation, local partnerships, transparency, capacity building, and resource allocation aligned with community needs and input.

# The Future of Problem Solving Courts

## Metrics for Success

- Community participation rates in court programs and processes, as "Community justice relies on the participation of ordinary citizens" (p. 10)
- Percentage of court budgets and resources allocated to community needs, since "Resources should follow function so communities can fund local strategies." (p. 12)
- Number of local partnerships and collaborative problem-solving initiatives, as "Police and prosecutors should partner with religious groups, schools, businesses, social services, etc." (p. 8)
- Rates of community service compliance and completion, because "Community courts allow input into...community restitution." (p. 10)
- Restitution completion and victim satisfaction rates, since "The goal is offender accountability and compensation to victims and the community." (p. 5)
- Recidivism rates for community court-referred individuals, as interventions aim to "reconnect both parties to the community." (p. 12)
- Representation of community residents on advisory boards and oversight committees, because "Evaluation roles should be created for community representatives." (p. 11)
- Percentage of culturally competent and localized services linked through the court, as "Collaboration across sectors can better identify and respond to community needs." (p. 7)
- Community-informed criteria integrated into evaluation processes, since "Criteria for evaluation should reflect community experiences and standards." (p. 11)
- Survey feedback from community members on trust, legitimacy, and satisfaction, because communities should evaluate "Process and satisfaction measures." (p. 11)

# Restorative Justice in Youth and Adult Criminal Justice

Wood, William and Suzuki, Masahiro and Hayes, Hennessey, Restorative Justice in Youth and Adult Criminal Justice (September 19, 2022). Oxford Research Encyclopedias of Criminology and Criminal Justice (2022),

Available at SSRN: <https://ssrn.com/abstract=4223856> or <http://dx.doi.org/10.2139/ssrn.4223856>

## Key Insights

- Community courts seek to address quality-of-life crimes and local disorder through partnerships, problem-solving, and alternative sanctions.
- They handle misdemeanors like shoplifting, vandalism, and low-level drug offenses that impact community life.
- Community engagement, personalized interventions, social service connections, and restorative sentencing aim to address root causes behind offenses.
- Alternative sanctions prioritize community restitution through projects, neighborhood beautification, and repairing harm caused by crimes.
- Community court goals include reducing recidivism, improving perceptions of legal legitimacy, and strengthening bonds between justice institutions and marginalized groups.
- They originated from the Midtown Community Court established in New York City in 1993 and have since expanded across the U.S. and globally.
- Partnerships are created between courts, probation departments, police, residents, businesses, social service providers, and other community groups.
- Community residents can participate through advisory boards, volunteer programs, restorative justice practices and providing input into sanctions.
- Evaluations show modest reductions in recidivism and arrest rates plus high levels of community service and social service mandate completion.
- Questions remain about the model's scalability, impact sustainability, unintended consequences, and influence of contextual factors.

# What New Orleans Can Teach Other Cities About Reducing Homelessness

Wiltz, T. (2019, October 15). What New Orleans can teach other cities about reducing homelessness. Stateline.

Available at: [https://stateline.org/2019/10/15/what-new-orleans-can-teach-other-cities-about-reducing-homelessness/?silverid=%25%25RECIPIENT\\_ID%25%25](https://stateline.org/2019/10/15/what-new-orleans-can-teach-other-cities-about-reducing-homelessness/?silverid=%25%25RECIPIENT_ID%25%25)

## Key Insights

- New Orleans dramatically reduced homelessness by 85% over the past decade through a "housing first" approach. "New Orleans has shown other communities that it's possible to effectively fight homelessness" by focusing on housing first.
- The model prioritizes getting people into stable housing without preconditions: "The model centers on providing homeless people with quick access to housing — without first requiring sobriety or psychiatric treatment."
- Coordinated screening, data sharing, and outreach ensure the neediest are housed quickly: "Coordinated assessment has helped New Orleans homelessness agencies share information and quickly move the neediest individuals into housing."
- Partnerships between government, nonprofits, and health systems help align resources: "The city aligned its resources with nonprofit health care and housing providers." This collaboration was key.
- They revamped shelters to serve as entry points for permanent housing rather than indefinite stays: "The old model of shelters ... allowed people to languish there." The new model uses them as "a first step toward stable housing."
- Increased affordable housing stock and landlord incentives expanded housing options: "The city offered landlords incentives" and capital to increase "the stock of affordable housing units."
- Ongoing support services like job assistance and mental health care sustain housing stability: "People who have homes are staying in them because of the wrap-around services."

In summary, the coordinated, housing-focused approach with strong partnerships and support services enabled the large reduction in homelessness in New Orleans.





## **COVER SHEET**

### **MEETING DATE**

**June 13, 2024**

### **AGENDA ITEM**

Council Rules of Procedure Sec. II. Communications with Council, Sec. IV. Council Meeting Agenda and Sec. XVI. Rules of Decorum Discussion

### **PRIMARY STAFF CONTACT**

Teresa Taylor Tate, City Attorney

### **ATTACHMENTS:**

#### **Description**

No Attachments Available