BOULDER CITY COUNCIL MEETING
COUNCIL CHAMBERS, 1777 Broadway
Tuesday, September 2, 2014
6:00 p.m.

AGENDA

1. **CALL TO ORDER AND ROLL CALL**

   A. **Declaration in support of LGBTQ Pride Week, September 8-14**

   B. **Declaration in support of BoCo Strong Flood Commemoration Week**

2. **OPEN COMMENT and COUNCIL/STAFF RESPONSE** (limited to 45 min.) Public may address any city business for which a public hearing is not scheduled later in the meeting (this includes the consent agenda and first readings). After all public hearings have taken place; any remaining speakers will be allowed to address council. All speakers are limited to three minutes.

3. **CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time.

   A. Consideration of a motion to accept the August 12, 2014 **Study Session Summary on Boulder Housing Partners' draft Strategic Plan**

   B. First reading, consideration of a motion to publish by title only, and adopt as an **emergency** measure **Ordinance No. 7991 authorizing the issuance** by the City of Boulder, Colorado, **of** its **Open Space Acquisition Bonds, Series 2014, in the aggregate principal amount of $10,000,000**, **for the purpose of** providing funds for the **acquisition of open space real property or interests therein** and the costs of issuance of the Series 2014 Bonds; prescribing the form of said Series 2014 Bonds; providing for the sale of said Series 2014 Bonds; providing for the payment and redemption of said Series 2014 Bonds from and out of the revenue to be derived by the City from that portion of the City's Sales and Use Tax available for such purposes by ordinances approved by vote of the qualified electors of the City; providing a pledge of the full faith and credit of the city as additional security for said Series 2014 Bonds; providing other details and approving other documents in connection with said Series 2014 Bonds; and declaring an emergency and providing the effective date hereof

   C. Introduction, **first reading** and consideration of a motion to order published by title only, the following **ordinances**:

      1. An ordinance **amending Section 9-2-13, "Concept Plan Review and Comment,"** B.R.C. 1981, **to add a process for review of concept plans by City Council**; and

2. An ordinance **amending Section 9-8-5, "Occupancy of Dwelling Units,"** B.R.C. 1981, **to modify occupancy limitations for housing for persons 62 years of age or older**

4. **POTENTIAL CALL-UP CHECK IN**
Opportunity for Council to indicate possible interest in the call- up of an item listed under agenda Item 8-A1.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS**

A. Consideration of a **motion to approve the Comprehensive Housing Strategy (CHS) goals and provide direction** on the next phase of public engagement, short term actions and opportunity sites

B. Consideration of a **motion approving potential projects for** submittal to the Denver Regional Council of Governments for **the 2016-2021 Transportation Improvement Program**

6. **MATTERS FROM THE CITY MANAGER**

None

7. **MATTERS FROM THE CITY ATTORNEY**

None

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL**

A. **Potential Call-Ups**

1. **Use review approval** No. LUR2014-00044, **for expansion of the Escoffier Culinary School** within the Table Mesa Shopping Center at 693 Table Mesa Dr. Information Packet Date: September 2 Last Opportunity for Call-Up: September 2

B. Consideration of a **motion regarding 2014 performance evaluations** and performance based salary adjustments **for the City Manager, City Attorney and Municipal Judge**

C. **Conversation of whether to schedule a Study Session related to Planning Policies**

9. **PUBLIC COMMENT ON MATTERS** (15 min.) Public comment on any motions made under Matters.

10. **FINAL DECISIONS ON MATTERS** Action on motions made under Matters.

11. **DEBRIEF** (5 Min.) Opportunity for Council to discuss how the meeting was conducted.

12. **ADJOURNMENT**

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: September 2, 2014

AGENDA TITLE: Consideration of a motion to accept the August 12, 2014 Study Session Summary on Boulder Housing Partners' draft Strategic Plan

PRESENTERS:
Angela McCormick, Chair, BHP Board of Commissioners
Karen Klerman, Vice Chair, Board of Commissioners
Betsey Martens, Executive Director, BHP

EXECUTIVE SUMMARY

This agenda item provides a summary of the August 12, 2014 study session on the Boulder Housing Partners' (BHP) draft Strategic Plan.

The purpose of the study session was to request City Council feedback on the following questions:

1. Based on the data that suggests a small window of time to preserve market affordable rentals, does the City Council support BHP's strategy of accelerating the acquisition of affordable and workforce housing units and land increasing our inventory of deeply affordable and workforce housing over the next ten years?
2. Does the City Council have any additional comments or suggestions on the proposed draft Strategic Plan which BHP would plan to implement over the next ten years.

STAFF RECOMMENDATION

Suggested Motion Language:
Staff recommends City Council consideration of this summary and action in the form of the following motion:

Motion to accept the August 12, 2014 Study Session Summary on Boulder Housing Partners' draft Strategic Plan.

August 12, 2014 Study Session Summary on Boulder Housing Partners Strategic Plan

PRESENT
City Council: Lisa Morzel, Andrew Shoemaker, Macon Cowles, George Karakehian, Sam Weaver, Suzanne Jones, Mary Young (Tim Plass, absent)

BHP Commissioners: Angela McCormick, Karen Klerman, Tom Haggerty, Valerie Soraci, Mark Ruzzin, Dick Harris, Andrew Shoemaker, Nikki McCord (Robin Chavez absent)

BHP staff members: Betsey Martens, Stuart Grogan, Jim Koczela, Penny Hannegan, Tim Beal

Staff members: City Manager Jane S. Brautigam, Division of Housing Manager Jeff Yegian

I. OVERVIEW OF THE PRESENTATION AND DISCUSSION

Chair of BHP's Board of Commissioners, Angela McCormick, opened the meeting by introducing the Board of Commissioners in attendance and staff and gave an introduction about the draft Strategic Plan.

Commissioner McCormick stated that BHP has been working on its draft Strategic Plan (SP) since November, 2013 and thanked the Council for the opportunity to discuss the SP with them. She assured the City Council and audience that the community engagement process to review the draft strategic plan is not over yet. To date, BHP has talked with over 50 of its major stakeholders including city and county housing authorities and housing departments. The SP is also currently on BHP's website with an invitation to participate in a community survey. BHP will also hold a public discussion of the plan at its next Board meeting on September 8, 2014 at 2:30pm and will continue to reach out to stakeholders, partners, residents and neighbors until the SP is adopted in final form.

Commissioner McCormick introduced Ms. Martens, Executive Director of BHP who gave an overview of BHP, its portfolio, and households served. She explained that BHP's mission is "*to provide quality, affordable housing, inspire vibrant communities, and create the opportunity for change in people's lives. We envision a diverse, inclusive and sustainable Boulder as a result of our efforts."* Ms. Martens explained that BHP won't move away from its historical focus of housing the most low income and vulnerable of Boulder residents including the homeless and chronically homeless, seniors, victims of domestic violence, families and people living with disabilities. The SP does propose an enhancement and acceleration of additional inventory and a new emphasis on housing the middle of the market.

II. DEFINITION OF THE PROBLEM

Ms. Martens presented the data influencing BHP and the SP and outlined the problem stating that most of it points to what we already know: Boulder has an acute and chronic housing affordability problem. Ms. Martens explained that:

- A community is defined by the housing choices it offers;
- The Boulder Valley Comprehensive Plan (BVCP) calls for Boulder to be inclusive and diverse as a community;
- Boulder's market is appreciating at such a rate that housing choices are increasingly limited;
- In the last 12 years, Boulder has lost 5,650 affordable rental units to market inflation;
- Apartments that, in 2000, were affordable to households earning less than $50,000 are no longer available. If you assumed a straight line loss, that's the equivalent of 471 units each year, or 39 units each month;
- Through its affordable housing programming, Boulder creates only 81 units each year between for sale and for rent. We have a net loss of 400 rental units each year;
- Today, the market offers 7,700 units and the city's affordable program has just under 2100;
- As a housing authority our traditional focus has been to work in markets that the private sector cannot and won't serve;
- Traditionally, BHP is a "first responder" for households with income below $20,000;
- With the changing market environment, the market is not operating at or serving incomes below $40,000;
- BHP is called to expand to be a first responder for the $40-60,000 market;
- BHP anticipates that there's a window of time in which to preserve affordability; and
- BHP has challenged itself to respond over the next ten years.

Ms. Martens introduced Commissioner Klerman who gave a recent example of the difficulty competing to acquire existing apartments in Boulder's currently over-heated market. Using this example, she explained that if Boulder wants to preserve similar units as affordable, BHP would need the city's help to bridge the gap between purchase price at affordable rents and current market prices.

III. BHP'S STRATEGIC RESPONSE

For the reasons noted above, Ms. Martens explained that BHP's SP proposes to implement eight strategic initiatives to help Boulder respond to the affordable housing needs in the community and remain consistent with the vision articulated in the BVCP. BHP's perception is that there is a disconnect between the stated vision for Boulder in the BVCP and the direction the market is taking this community. She noted the BVCP guiding principles that Boulder wants to be a diverse and inclusive community and the lack of a broad mix of housing choices will restrict both diversity and inclusivity. Ms. Martens went on to explain BHP's response as stated in the SP:

1. **More**: Through land banking, acquisition, development, and new vouchers BHP's plan is to increase our inventory of housing by 2,000 units over 10 years to help the broader goals of 10% affordability and a diverse community. BHP currently produces an average of 50 rental units/year;

2. **Broader**: While maintaining our traditional focus on the most vulnerable, BHP intends to expand efforts to include workforce housing opportunities;

3. **Wider:** Expand our geographic focus in two ways:
    - Welcome the opportunity to partner on affordable housing projects that have regional significance; and
    - Consider income producing assets anywhere in Boulder County;

4. **Louder**: Increase our advocacy efforts related to preservation of existing affordable inventories and pursue a more ambitious and meaningful housing goal for the city;

5. **Greener**: Much bigger investment in aligning with the city's climate commitment while also focusing energy investment in BHP's own portfolio and engaging with the community in reporting outcomes and drawing the connection between housing and environmental impact;

6. **Bigger:** We know that housing instability and poverty are very damaging for kids BHP plans on partnering with other education providers to increase children's educational outcomes in a big way and continue support for service coordination for all residents;

7. **Better**: Improve on organizational excellence by stewarding a strong financial core, expanding internal operations and improving community outreach; and

8. **Smarter:** BHP believes in changing the focus in the housing industry from outputs to outcomes, or in other words, from counting units created (outputs) to measuring the impact on individuals, families and the community (outcomes).

Ms. Martens explained that BHP's SP proposes two things with its portfolio:

1. It responds the city's most urgent need which is the loss of a middle income market affordable housing and its most chronic need which is people who are tremendously vulnerable or hard to house; and

2. It rebalances its portfolio, to increase the percentage of unrestricted units, to assure financial stability and the viability of BHP over the long-term.

IV. WHAT THE CITY CAN DO

Commissioner McCormick explained that with the tools and policies we currently have in Boulder, BHP is able to contribute approximately 50 units per year to the city's affordable rental inventory. BHP's Board thinks this is an insufficient pace based on what we now understand to be the impact of market escalation. She explained that if we don't start doing things differently, business as usual will mean that between now and 2022 we will lose most households with an income under $60,000 - $80,000.

Commissioner McCormick stated that if we want to preserve both affordability and diversity in the community, and begin to house more of the in-commuters, we need leadership and financial support in at least three areas:

1. Land use and policy changes to make affordable housing more financially feasible including density bonuses, flexibility on land use regulations, etc;
2. Leadership support for preserving existing affordable housing, particularly public housing and housing that is operating at affordable rents but is subject to strong market pressure to appreciate; and
3. Continued funds to provide housing opportunity for special populations and low income households.

Several of the opportunity sites described in the memo to City Council for the May 27, 2014 Study Session on the Comprehensive Housing Strategy (CHS) have been identified by BHP as having strong potential to address some of the housing needs in the community including the redevelopment of the northeast corner of the intersection of Valmont Road and Folsom Ave. Using this as an example, Commissioner McCormick explained this site could be a great place to experiment with some land use concessions to preserve the neighborhood cohesiveness and increase the affordable potential. Without any variances, BHP can create 34 units by right, but with some open space and parking reductions, BHP could increase the number of units to 46.

V. NEXT STEPS FOR BHP

In the coming months, BHP indicated that it would:

- Continue outreach to the community;
- Refine the SP based on feedback received;
- September 8 public comments and Board action; and
- February 2015 check back following the adoption of the CH S.

VI. CITY COUNCIL DISCUSSION

Commissioner Shoemaker:

- Emphasized that BHP was asking the City Council for guidance on their proposal to be responsive to the city's housing affordability problem by increasing their housing inventory for workforce and higher income households as well as their traditional lower income residents. The mechanics and policy changes necessary to accelerate the increase in inventory will be addressed later in the fall by the CHS.

Councilman Cowles:

- Most people don't want to live in a town where you can't live here unless you make more than $80,000;
- It is clear we need community discussion on this issue which we will have through the CHS process;
- Can we be sure the price of housing will be where you say it will be if the City invests in the deal?

    - *Ms. Martens: Yes. When BHP spends the city's money, there are deed restrictions on the land and we can be sure rents are guaranteed. We make a permanent commitment to keeping the rents affordable.*

Councilwoman Young:

- Why did BHP's strategic plan process not stay in synch with the timing of the CHS?

    - *Ms. Martens: BHP works closely with the city on all of our planning efforts. Both plans started off together with the same timing but the CHS timing got pushed out. BHP has been working on this since November. We need to finalize our plan now for our 2015 work plan. We will check back on the SP in February to make sure our plan is in synch with the CHS.*

- What might the mix look like in terms of housing types for the 2000 units? In-commuters would live in Boulder if there were duplexes/triplexes. Are you looking at that type of housing for households at this increased AMI?

    - *Commissioner Shoemaker: BHP is somewhat opportunistic in its development activity. The site sometimes dictates the project and the design type. The quality of product with BHP is high compared with other market affordable units on the current market as evidenced by the Holiday and Red Oak Park neighborhoods.*

Councilwoman Jones:

- A question about existing units vs. new development with the 2,000 units? Is there a lot of acquisition to be had?

- *Commissioner McCormick: The BHP Board has not defined that yet, but speaking personally, acquisition is preferable option given cost, risk and pace.*
- *Ms. Martens: It is much easier to acquire units than develop them, but we don't have a precise number or percentage at this time. Units that we have identified that we would like to preserve for example include Boulder Meadows, Golden West and the Tantra Apartments.*

- There are a lot of people who are concerned about the amount of development going on so preserving what we have and keeping it affordable is the least controversial and the path of least resistance to you.
- We need to keep having the public discussion.

  - *Ms. Martens: I certainly agree a preservation strategy could align the community but acquisition is not a magic bullet. There are some challenges with this strategy. The last time BHP was able to successfully bid on something was 2001. We have been very active in the market, learned a lot and will need some help to be successful.*

- What are the preservation strategies for currently affordable market units?

  - *Ms. Martens responded with the following ideas:*
    - *Investment dollars to bridge the value gap between affordable and market rents*
    - *Property tax abatement and, cooperative buying and management.*
    - *Identification as a community that these are the assets we want to preserve.*
    - *Continued learning about new financial tools that will help us preserve affordability for the long term.*

<u>Councilman Weaver:</u>

- Question about Private Activity Bonds (PAB) and how do we use that assistance?
- Stuart explained the City's options for using PABs, that the use of PAB's could increase affordability more than the 20% and that continuing to use PAB is a way the City can contribute to getting more affordability.
- It would be great if BHP could put acquisition vs development targets in its plan;
- Acquisition will help the community come to terms with the SP;
- One of the things that will be controversial will be more high density building;
- The lower impact infill development BHP is considering at Wallace/Valmont is okay;
- Why market units? At 7% of total units now, why the drive to do market units when that doesn't seem to fit within the mission.

  - *Ms. Martens: BHP started using market units as a source of long term sustainable cash flow for projects that are very mission driven in 1985. At the time, the Board of Commissioners was concerned about the erratic stream of public funding. BHP created Bridgewalk to flow cash to BHP's mission as a*

cross subsidy strategy. In the new SP, BHP is looking for new tools given the short window of time to accelerate preservation of affordability. We have enough money in the CHAP to add 69 units per year now, we need new tools to do 200 units/year. Adding market rate units to the portfolio can underwrite units as a way to increase internal subsidy and be less dependent on external sources. Additionally, perhaps more importantly, market rate units create mixed income/mixed use neighborhoods which are the preferred model. We think the Holiday Neighborhood is a great example.

- Understand the strategy but not comfortable with the amount of the increase in market units;
- What is taking us off course from the BVCP is the market doing what the market does. There is really high demand and the demand is increasing. What may be taking us off course from the BVCP is not making really good top down planning decisions. That involves taking a holistic look at our community and that involves the CHS and the BVCP update.

<u>Councilwoman Morzel:</u>

- What is the basis for 2,000 additional units? Is the 809 units that we need to get to 10% is that included in the 2,000?
    - *Ms. Martens: The 809 is a projection for the entire program. We propose to add 650 units within this plan as well as 300 currently in the pipeline. That will take us above the 10% goal.*

- 15% is market rate used for cash flow which you propose to go up to 27%? Why the increase.
- People are concerned about the amount of development in the city.
- Advocated for years that we need to condemn and get Boulder Meadows; much more that could be done there.
- There is a list of different places that you could preserve. How are you going to do that without condemnation?

    - *Ms. Martens: Regarding preservation, we don't have all the answers now. We have found the best strategy is building relationships to start. Talking with a lot of different partners to identify new tools. If City Council would think with us about this list that targets workforce property, that would be a very strong message to us and our community. There is such a connection between our SP and Boulder's climate commitment when we address workforce housing.*

<u>Councilman Shoemaker:</u>

- I think there is an analogy to be made between the open space campaign to acquire what's left before we lose it and the current situation we find ourselves in. At that

time we made a conscious decision as a community to acquire open space. If council's feedback and the community's feedback is for BHP to expand its mission to include more workforce housing opportunity, then what would need to be done is for the City staff and BHP to determine what the City could do to help fund/incentivize this preservation. If the feedback is BHP is the right organization to do this, people would roll up their sleeves and try to figure out a way to make it happen.

Councilwoman Morzel:

- I don't see BHP's ideas about preservation as a problem. But I don't think there is an appetite for building more new units. BHP would be a great entity to help with preservation.
- The problem is our planning strategies are siloes. We need an integrative planning strategy between housing, transportation, jobs, economic diversity. The plans are not jiving together.
    - *Ms. Martens-We don't want to be misleading that we can do everything with preservation of existing units. Historically, BHP has not been successful in that market. If BHP had the support of council then things could look differently. Development is the one solution that we can exert some control over. There are four tools; acquisition, land banking, vouchers, new construction. We have to bring all of these. I don't want the take away to be the only thing we're talking about is preservation.*
- Is any of the development you are planning in Area III?
    - *Commissioner McCormick: No.*

Councilman Weaver:

- Preservation is an important piece to focus on. If you could set target goals to focus on it that would be helpful. The City could talk creatively about new tools to make that happen.

Mayor Applebaum:

- Generally agree with direction proposed. How much subsidy makes sense is hard to figure. Puzzled why more of the lower end rentals have not converted and upgraded before now. Market supply of these units is beginning to diminish. Are those the type of units that would be attractive to our workforce? There is going to be residential building in Boulder whether we like it or not.
- Can make reasonable argument that additional density at Red Oak makes sense. Hard to answer the density question in general because it's so specific to location.
- Incentives or money is the key. Zoning is also important. The regional discussion is also important and has to be held. Boulder cannot solve this by itself.

Councilman Karakehian:

- I applaud your look at workforce housing. Your preservation goal is very exciting and I'm interested in hearing more about it but I think you will have trouble acquiring units unless you have our help.
- BHP has had so much success in building units that are a credit to our community. BHP pays attention to the details that the city wants.
- Overall the plan is aggressive but that's exciting to me.
- In this plan there has to be a balance of acquisition and development to make it work.
- Residential building is going to increase in the city.
- Applaud BHP for having the foresight to build units for profit (101 Canyon) it's a great idea to diversify and to support the mission.
- You have been smart in refinancing to help with your goal of providing affordable housing. I would be excited to work with you to address our affordable housing crisis.
- I would be open to discussions to find ways of helping to fill the financial gap for your acquisitions.
- Excited about your plan and the additional workforce units and it will make a big difference in the community.

    - *Ms. Martens: Thank you for your support. When we ask for money you are well represented by your professional staff*

Councilwoman Young:

- Regional conversation discussions being held at the Consortium of Cities. Topics for the next meetings include mobility, homelessness, and aging in place.
- Shared Councilman Weaver's concerns about building market rate and going outside the city.
- Have you thought about seeking charitable bequests of residential units?
- Your goal of being Louder; would like you to also be active on the issue of supporting a living wage.

Councilwoman Jones:

- Very interested in having the council help figure out preservation strategies with BHP. Other strategies might be more controversial.
- Good list to start to build momentum for workforce housing and it would be a great place to start.

Mayor Applebaum:

Great update. We've been long time partners with BHP and expect to be for a long time to come.

C I T Y O F B O U L D E R
CITY COUNCIL AGENDA ITEM

MEETING DATE: September 2, 2014

AGENDA TITLE:
First reading, consideration of a motion to publish by title only, and adopt as an emergency measure Ordinance No. 7991 authorizing the issuance by the City of Boulder, Colorado, of its Open Space Acquisition Bonds, Series 2014, in the aggregate principal amount of $10,000,000, for the purpose of providing funds for the acquisition of open space real property or interests therein and the costs of issuance of the Series 2014 Bonds; prescribing the form of said Series 2014 Bonds; providing for the sale of said Series 2014 Bonds; providing for the payment and redemption of said Series 2014 Bonds from and out of the revenue to be derived by the City from that portion of the City's Sales and Use Tax available for such purposes by ordinances approved by vote of the qualified electors of the City; providing a pledge of the full faith and credit of the city as additional security for said Series 2014 Bonds; providing other details and approving other documents in connection with said Series 2014 Bonds; and declaring an emergency and providing the effective date hereof.

PRESENTERS:

Jane S. Brautigam, City Manager
Mike Patton, Director of Open Space and Mountain Parks
Bob Eichem, Chief Financial Officer
Cheryl Pattelli, Director of Finance

EXECUTIVE SUMMARY:

On August 19, 2014 the City Council approved Resolution No. 1139 authorizing the City Manager to call for a public sale of City of Boulder, Colorado, Open Space Acquisition Bonds, Series 2014, in the aggregate principal amount not to exceed $10,000,000. The public sale of the bonds is scheduled to be held on September 2, 2014.

The bond proceeds will be used to finance open space acquisition by the City, and to pay necessary issuance costs. The charter of the City of Boulder requires that all bonds be competitively bid. The public sale will be held at 9:30 a.m. and the results of that sale will be put into the attached ordinance prior to the City Council meeting the night of September 2. The bond sale ordinance must be adopted as an emergency measure because the bid for the bonds is only good for 24 hours.

At the meeting, the following items will be distributed to the City Council:

Change in principal amount (if any) - $_____
Interest rates bid by maturity –

Maturity	Principal Amount	Coupon %
12/01/2015		
12/01/2016		
12/01/2017		
12/01/2018		
12/01/2019		
12/01/2020		
12/01/2021		
12/01/2022		
12/01/2023		
12/01/2024		
12/01/2025		
12/01/2026		
12/01/2027		
12/01/2028		
12/01/2029		
12/01/2030		
12/01/2031		
12/01/2032		
12/01/2033		
12/01/2034		

_____ as successful bidder

Bid amounts and net interest:

Bidder Name	**True Interest Cost (TIC)**

STAFF RECOMMENDATION:

Suggested Motion Language:

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

A motion to publish by title only, and adopt as an emergency measure Ordinance No. 7991 authorizing the issuance by the City of Boulder, Colorado, of its Open Space Acquisition Bonds, Series 2014, in the aggregate principal amount of $10,000,000, for the purpose of providing funds for the acquisition of open space real property or interests therein and the costs of issuance of the Series 2014 Bonds; prescribing the form of said Series 2014 Bonds; providing for the sale of said Series 2014 Bonds; providing for the payment and redemption of said Series 2014 Bonds from and out of the revenue to be derived by the City from that portion of the City's Sales and Use Tax available for such purposes by ordinances approved by vote of the qualified electors of the City; providing a pledge of the full faith and credit of the city as additional security for said Series 2014 Bonds; providing other details and approving other documents in connection with said Series 2014 Bonds; and declaring an emergency and providing the effective date hereof.

COUNCIL SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: By management of 46,632 acres of land, the Open Space and Mountain Parks Department contributes to the economic vitality goal of the city as it provides the context for the diverse and vibrant economic system that sustains services for residents. The land system and the quality of life it represents attract visitors to the community who make significant contributions to city taxes. The city's open space values also help businesses recruit and retain quality employees.

- Environmental: Although there are no environmental issues as a result of the proposed bond offering, the preservation of open space lands contributes to the environmental sustainability goal of the City Council. The department's land acquisition, land and resource management and visitor service programs help preserve and protect the Open Space values of the surrounding publicly-owned land.

- Social: The City's open space land is acquired, maintained, preserved, retained and used to preserve or restore natural areas characterized by or including terrain, geologic formations, flora or fauna that are unusual, spectacular, historically important, scientifically valuable or unique, or that represent outstanding or rare examples of native species; to preserve water resources in their natural or traditional state, scenic area or vistas, wildlife habitats or fragile ecosystems; to preserve land for passive recreational use, such as hiking, photography or nature studies, and, if specially designated, bicycling, horseback riding or fishing; to preserve agricultural uses and land suitable for agricultural production; to utilize land for shaping the development of the City, limiting urban sprawl and disciplining growth; to utilize non-urban land for spatial definition of urban areas; to utilize land to prevent encroachment on floodplains; and to preserve land for its aesthetic or passive recreational value and its contribution to the quality of life of the community. Because Open Space and Mountain Parks lands, facilities and programs are equally accessible to all members of the community, they help to support the city's community sustainability goal because all residents "who live in Boulder can feel a part of and thrive in" this aspect of their community.

OTHER IMPACTS:

- Staff time: Administration of the revised debt service on this bond issue is part of normal staff time that is included in the appropriate department budgets.

ADDITIONAL BOND INFORMATION:

- Fiscal impact: The 2014 Bonds are payable from a pledge of certain City sales and use tax revenues and are additionally secured by a pledge of the full faith and credit of the City.

- Ratings: The City applied to Moody's and Standard & Poor's for ratings on these bonds. They are two of the major rating services in the United States. On August 19, the City was notified the 2014 Open Space Acquisition bonds were given ratings of Aaa from Moody's and AAA from Standard and Poor's. Credit ratings are made after analyzing the credit worthiness of the issuer and the quality of the bonds being issued. The ratings are then used by potential buyers of the bonds as one of the determinants in whether they will purchase the bonds or not. The highest investment grade rating given is AAA and the lowest is BBB.

ATTACHMENT A: Ordinance

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CITY OF BOULDER, COLORADO

SERIES 2014
OPEN SPACE ACQUISITION BOND ORDINANCE

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ORDINANCE NO. 7991
(2014)

AN EMERGENCY ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF BOULDER, COLORADO, OF ITS OPEN SPACE ACQUISITION BONDS, SERIES 2014, IN THE PRINCIPAL AMOUNT OF $_____, FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ACQUISITION OF OPEN SPACE REAL PROPERTY OR INTERESTS THEREIN AND THE COSTS OF ISSUANCE OF THE SERIES 2014 BONDS; PRESCRIBING THE FORM OF SAID SERIES 2014 BONDS; PROVIDING FOR THE SALE OF SAID SERIES 2014 BONDS; PROVIDING FOR THE PAYMENT AND REDEMPTION OF SAID SERIES 2014 BONDS FROM AND OUT OF THE REVENUE TO BE DERIVED BY THE CITY FROM THAT PORTION OF THE CITY'S SALES AND USE TAX AVAILABLE FOR SUCH PURPOSES BY ORDINANCES APPROVED BY VOTE OF THE QUALIFIED ELECTORS OF THE CITY; PROVIDING A PLEDGE OF THE FULL FAITH AND CREDIT OF THE CITY AS ADDITIONAL SECURITY FOR SAID SERIES 2014 BONDS; PROVIDING OTHER DETAILS AND APPROVING OTHER DOCUMENTS IN CONNECTION WITH SAID SERIES 2014 BONDS; AND DECLARING AN EMERGENCY AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Boulder, in the County of Boulder and State of Colorado (the "City"), is a municipal corporation duly organized and existing as a home rule city pursuant to Article XX of the Constitution of the State of Colorado (the "Constitution") and the charter of the City (the "Charter"); and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires that bonded debt not be issued without prior voter approval; and

WHEREAS, at a general municipal coordinated election held November 3, 2009, the electors of the City approved a ballot question (the "2009 Open Space Ballot Question") authorizing the issuance of up to $33,450,000 of bonds for the purpose of continuing the acquisition of open space real property or interests therein, such bonds to be payable from revenue derived from existing sales and use taxes, without any increase in rate, earmarked and committed for such purposes and additionally secured by a pledge of the full faith and credit of the City; and

WHEREAS, the City has earmarked and committed certain portions of the City's sales and use tax to the repayment of bonds issued for open space acquisition; and

WHEREAS, Section 3-2-39 of the Boulder Revised Code, 1981, as amended (the "Code"), initially enacted by Ordinance No. 3288 (1967), submitted to the electorate by the City Council (the "Council") provides in relevant part as follows:

> 3-2-39 *Earmarked Revenues*. (a) The amount of the sales and use tax revenue attributable to the levy and collection of one cent of sales and use tax for

each fiscal year shall be set aside in a separate fund entitled "Open Space and Street Fund," and expended by the city only as follows:

(1) To pay a portion of the tax refund program as provided under Chapter 3-5, B.R.C. 1981, as amended, such portion to be $160,000 for 1984, and an equivalent amount as adjusted by the change in the Consumer Price Index each year thereafter;

(2) All other moneys accruing to the Open Space and Street Fund shall be expended only for the acquisition of open space real property or interest in real property, or for the payment of indebtedness incurred for such acquisition, and for such expenditures as may be necessary to protect open space properties or interests in real properties so acquired from any and all threatened or actual damages, loss, destruction or impairment from any cause or occurrence, and also for projects related to transportation or for or related or appurtenant to transportation services or facilities, including without limitation, studying, acquiring, constructing, providing, operating, replacing or maintaining transportation services or facilities and all services and facilities incidental or appurtenant thereto, and the payment of indebtedness for any such expenditures; and

WHEREAS, Section 3-2-39 of the Code was amended by Ordinance No. 5222 (1989) and Ordinance No. 5958 (1997), submitted to the electorate by the Council, to provide in relevant part as follows:

3-2-39 Earmarked Revenues. (e) From January 1, 1990 through December 31, 2018, the amount of the sales and use tax revenues attributable to the levy and collection of 0.33% of sales and use tax shall be set aside in an Open Space Fund for the acquisition, maintenance, preservation, retention, and use of open space lands as defined in Section 170 of the charter, and the payment of any indebtedness and tax refunds related thereto; and

WHEREAS, at a general municipal coordinated election held November 5, 2013, the electors of the City approved a ballot question (the "0.33% Sales and Use Tax Ballot Question") reducing the 0.33% sales and use tax as follows:

Without raising additional taxes, shall the existing 0.33 cent City sales and use tax for the acquisition and preservation of open space land, approved by the voters by Ordinance No. 5222, be extended beyond the current expiration date of December 31, 2018; and beginning January 1, 2019 designating 0.22 cent of every dollar taxed to fund the acquisition and preservation of open space land; 0.11 cent of every dollar taxed to fund services such as fire, police, libraries, parks, recreation, human services and other general fund purposes; and beginning January 1, 2035 designating 0.10 cent of every dollar taxed to fund the acquisition and preservation of open space land; and 0.23 cent of every dollar taxed to fund

services such as fire, police, libraries, parks, recreation, human services and other general fund purposes; and

WHEREAS, Section 3-2-39 of the Code was amended by Ordinance No. 7323 (2003), submitted to the electorate by the Council, to provide in relevant part as follows:

> *3-2-39 Earmarked Revenues*. (h) From January 1, 2004 through December 31, 2019, the amount of sales and use tax attributable to the levy and collection of 0.15 percent sales and use tax approved by the electors in November, 2003, shall be used to provide additional revenues for open space purposes as defined in the charter, and the payment of any indebtedness therefore; and

WHEREAS, said earmarking and committing of said portions of the "Sales and Use Tax" (as hereinafter defined) to such purposes, and such provisions of said Ordinance No. 3288 (1967), said Ordinance No. 5222 (1989), said Ordinance No. 5958 (1997), said Ordinance No. 7323 (2003) and said Ordinance No. 7912 (2013), were approved by vote of the qualified electors of the City voting at general municipal elections held in the City on November 7, 1967, November 7, 1989, November 4, 1997, November 4, 2003 and November 5, 2013, respectively; and

WHEREAS, the City has previously issued its Open Space Acquisition Bonds, Series 2006 (the "Series 2006 Bonds") of which $8,975,000 is currently outstanding and its Open Space Acquisition Refunding Bonds, Series 2007 (the "Series 2007 Bonds") of which $6,435,000 is currently outstanding; and

WHEREAS, the Council determines to issue its Open Space Acquisition Bonds, Series 2014 (the "Series 2014 Bonds") in the aggregate principal amount of $10,000,000 pursuant to the Charter, the 2009 Open Space Ballot Question and the Supplemental Public Securities Act (being Part 2, Article 57, Title 11 of the Revised Statutes of the State of Colorado) as now in effect and as it may from time to time be amended (the "Supplemental Public Securities Act"), for the purpose of acquiring open space real property or interests therein and paying costs of issuance of the Series 2014 Bonds; and

WHEREAS, the Series 2006 Bonds, the Series 2007 Bonds and the Series 2014 Bonds will each constitute an irrevocable first (but not exclusive) lien upon a portion of the Net Pledged Revenues (as hereinafter defined) and upon the moneys deposited from time to time in the Open Space Acquisition Bond and Interest Fund (the "Bond Fund") previously created and herein continued; and the Series 2006 Bonds, the Series 2007 Bonds and the Series 2014 Bonds shall be further secured by a pledge of the full faith and credit of the City; and

WHEREAS, after advertising the sale of the Series 2014 Bonds, the Council hereby finds, in accordance with Section 98 of the Charter, that the highest responsible bidder for the Series 2014 Bonds is the hereinafter defined Original Purchaser, whose bid is in all cases to the best advantage of the City, and the City hereby determines to sell the Series 2014 Bonds to the Original Purchaser; and

WHEREAS, it is now necessary by ordinance to authorize the issuance, sale and delivery of the Series 2014 Bonds, and to provide for the details of and the security for the Series 2014 Bonds;

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

Section 1. Definitions. In addition to terms otherwise defined herein, the following terms shall have the following meanings, as used herein:

"*Bond Fund*" shall have the meaning set forth in Section 12(d)(ii) hereof.

"*Continuing Disclosure Undertaking*" means the Continuing Disclosure Undertaking of the City, dated the date of issuance of the Series 2014 Bonds, in the form set forth as Appendix C to the Official Statement.

"*Fifteen Percent Net Pledged Revenues*" shall mean the revenues attributable to the levy and collection of 0.15% sales and use tax through December 31, 2019 which shall be used to provide additional revenues for open space purposes as set forth in subsection 3-2-39(i) of the Code, which revenues shall be deposited into or accounted for in the Open Space Fund and used exclusively for open space purposes, as described in Section 12(c) hereof, and deducting therefrom only the amounts required or permitted to be disbursed, and which amounts have actually been disbursed pursuant to Section 12(d)(i) hereof.

"*Forty Percent Net Pledged Revenues*" shall mean 40% of the amount remaining after taking the total amount deposited, or required to be deposited (whichever is the greater), into the Open Space and Street Fund, pursuant to subsection 12(a) hereof, and deducting therefrom only the amounts required or permitted to be disbursed, and which amounts have actually been so disbursed, pursuant to Section 12(d)(i) hereof.

"*Net Pledged Revenues*" shall mean, collectively, the Forty Percent Net Pledged Revenues, the Thirty-Three Percent Net Pledged Revenues and the Fifteen Percent Net Pledged Revenues.

"*Net Sales and Use Tax Revenues*" shall mean the Sales and Use Tax Revenues after deduction only of the reasonable and necessary costs and expenses of collecting and enforcing the Sales and Use Tax, if any.

"*Official Statement*" means the final Official Statement relating to the Series 2014 Bonds.

"*Open Space and Street Fund*" shall have the meaning set forth in Section 12(a) hereof.

"*Open Space Fund*" shall have the meaning set forth in Section 12(b) hereof.

"*Original Purchaser*" shall mean the original purchaser of the Series 2014 Bonds as designated in Section 10(a) hereof.

"*Parity Lien Bonds*" shall mean any bonds or other obligations payable from, pledging and having a lien upon the Net Pledged Revenues equal to and on a parity with the lien thereon of the Series 2014 Bonds herein authorized, including the Series 2006 Bonds and the Series 2007 Bonds.

"*Paying Agent*" shall mean U.S. Bank National Association, or its successors or assigns, acting as, among other things, paying agent, registrar and authenticating agent under this Ordinance.

"*Permitted Investments*" shall mean any investment permitted by the laws of the State and the City's investment policies.

"*Person*" shall mean a corporation, firm, other body corporate, partnership, association or individual and also includes an executor, administrator, trustee, receiver or other representative appointed according to law.

"*Preliminary Official Statement*" means the Preliminary Official Statement relating to the Series 2014 Bonds.

"*Record Date*" shall mean the February 1 or August 1 (whether or not a business day) prior to each interest payment date with respect to the Series 2014 Bonds.

"*Registered Owner*" shall mean the Person or Persons in whose name or names a Series 2014 Bond shall be registered on the registration books of the City maintained by the Paying Agent.

"*Sales and Use Tax*" or "*Sales and Use Taxes*" shall mean the sales and use tax heretofore established and being collected by the City, pursuant to Title 3, Chapter 2 of the Code, pertaining to the sale, lease, rental, purchase, use, storage, distribution or consumption of tangible personal property and taxable services as therein more fully set forth and defined.

"*Sales and Use Tax Revenues*" shall mean all of the gross revenues derived or to be derived by the City from the levy, assessment and collection of Sales and Use Tax.

"*Subordinate Lien Bonds*" shall mean any bonds or other obligations payable from, pledging and having a lien upon the Net Pledged Revenues, inferior, subordinate and junior to the lien of the Series 2014 Bonds herein authorized and other Parity Lien Bonds.

"*Supplemental Public Securities Act*" shall means Part 2, Article 57, Title 11 of the Revised Statutes of the State of Colorado, as amended.

"*Tax Code*" shall mean the Internal Revenue Code of 1986, as amended and any Income Tax Regulations promulgated thereunder.

"*Tax Letter of Instructions*" shall mean the Tax Letter of Instructions, dated the date of delivery of the Series 2014 Bonds, delivered by Kutak Rock LLP to the City, as the same may be superseded or amended as provided in Section 15(a) hereof.

"*Ten Percent Net Pledged Revenues*" shall mean the amount deposited, or required to be deposited (whichever is greater), into an Open Space Fund, established pursuant to subsection 3-2-39(e) of the Code, pursuant to subsection 12(b) hereof, and deducting therefrom only the amounts required or permitted to be disbursed, and which amounts have actually been disbursed, pursuant to subsection 12(d)(i) hereof.

"*Thirty-Three Percent Net Pledged Revenues*" shall mean the amount deposited, or required to be deposited (whichever is greater), into an Open Space Fund, established pursuant to subsection 3-2-39(e) of the Code, pursuant to subsection 12(b) hereof, and deducting therefrom only the amounts required or permitted to be disbursed, and which amounts have actually been disbursed, pursuant to subsection 12(d)(i) hereof; provided, however, that pursuant to the 0.33% Sales and Use Tax Ballot Question, (a) beginning January 1, 2019 the Thirty Three Percent Net Pledged Revenues will convert to Twenty-Two Percent Net Pledged Revenues and (b) beginning January 1, 2035, the Twenty-Two Percent Net Pledged Revenues will convert to Ten Percent Net Pledged Revenues.

"*Twenty-Two Percent Net Pledged Revenues*" shall mean the amount deposited, or required to be deposited (whichever is greater), into an Open Space Fund, established pursuant to subsection 3-2-39(e) of the Code, pursuant to subsection 12(b) hereof, and deducting therefrom only the amounts required or permitted to be disbursed, and which amounts have actually been disbursed, pursuant to subsection 12(d)(i) hereof.

"*0.33% Sales and Use Tax Ballot Question*" shall have the meaning set forth in the recitals.

Section 2. Authorization of Series 2014 Bonds. For the purpose of the acquisition of open space real property or interests therein and for payment of costs of issuance, the City shall issue its "Open Space Acquisition Bonds, Series 2014," in the aggregate principal amount of $10,000,000. The principal of and interest on the Series 2014 Bonds shall be payable from and out of the Net Pledged Revenues, which is hereby so pledged subject to the use and release thereof as expressly permitted hereby. The Series 2014 Bonds are hereby determined to be issued pursuant the 2009 Open Space Ballot Question, the Charter and the Supplemental Public Securities Act.

Section 3. Series 2014 Bond Details.

(a) The Series 2014 Bonds shall be issued as fully registered bonds without coupons and shall be executed and delivered only in global book-entry form registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York, acting as securities depository of the Series 2014 Bonds, unless DTC shall be removed or replaced. The Series 2014 Bonds shall be issued in the denominations of $5,000 or any integral multiple thereof. The original issue date of the Series 2014 Bonds shall be October 9, 2014. Interest on the Series 2014 Bonds shall be payable on February 15 and August 15 of each year, commencing February 15, 2015. The Series 2014 Bonds shall provide that if interest on the Series 2014 Bonds shall be in default, Series 2014 Bonds issued in exchange for Series 2014 Bonds surrendered for

transfer or exchange shall bear interest from the interest payment date to which interest has been paid in full, or if no interest has been paid, then from the original issue date.

(b) The Series 2014 Bonds shall be consecutively numbered, shall mature on the fifteenth day of August in the principal amounts and years, and shall bear interest from their original issue date at the rates per annum, as shown in the following schedule:

Maturity (August 15)	**Principal Amount**	**Interest Rate**
2015	$	%
2016		
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		

(c) If upon presentation at maturity payment of any Series 2014 Bond is not made as herein provided, interest shall continue to accrue thereon at the interest rate designated in the Series 2014 Bond until the principal thereof is paid in full.

(d) Principal of the Series 2014 Bonds shall be payable to the registered owner (Cede & Co.) upon presentation and surrender of the Series 2014 Bonds at the principal office of the Paying Agent (or in the case of U.S. Bank National Association, at its operation center in St. Paul, Minnesota). Interest on the Series 2014 Bonds shall be payable by check or draft of the Paying Agent mailed (or, so long as Cede & Co. shall be the Registered Owner, such amount may be paid by wire transfer) on the interest payment date to said Registered Owner thereof as of the close of business on the Record Date. All payments of the principal of and interest on the Series 2014 Bonds shall be made in lawful money of the United States of America.

Section 4. Paying Agent; Transfer and Exchange. The Paying Agent is hereby appointed as authenticating agent, paying agent and bond registrar for the City for purposes of the Series 2014 Bonds unless the City shall designate and appoint a successor Paying Agent. The Paying Agent may resign or may be removed by the City at any time; provided, however, that no such resignation or removal shall be effective until the City shall have appointed a successor thereto. The Paying Agent shall maintain on behalf of the City books for the purpose of registration and transfer of the Series 2014 Bonds, and such books shall specify the persons entitled to the Series 2014 Bonds and the rights evidenced thereby. The Series 2014 Bonds may, subject to Section 3(a) hereof, be transferred or exchanged, upon payment of a transfer fee, any tax or governmental charge required to be paid with respect to such transfer or exchange and any cost of printing bonds in connection therewith, at the principal office of the Paying Agent. Subject to Section 3(a) hereof, the Series 2014 Bonds may be exchanged for a like aggregate principal amount of Series 2014 Bonds of other authorized denominations of the same maturity and interest rate. Upon surrender for transfer of any Series 2014 Bond, duly endorsed for transfer or accompanied by an assignment duly executed by the Registered Owner or his or her attorneys duly authorized in writing, the City shall execute and the Paying Agent shall authenticate and deliver in the name of the transferee or transferees a new Series 2014 Bond or Series 2014 Bonds of the same maturity and interest rate for a like aggregate principal amount. The person in whose name any Series 2014 Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, whether or not payment on any Series 2014 Bond shall be overdue, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

Section 5. Redemption. The Series 2014 Bonds maturing on and after August 15, 2025 shall be callable for redemption at the option of the City, in whole or in part, and if in part in such order of maturities as the City shall determine and by lot within a maturity on August 15, 2024, and on any date thereafter, at a redemption price equal to the principal amount thereof, plus accrued interest to the redemption date.

The City shall give the Paying Agent notice of its intent to redeem Series 2014 Bonds at least 45 days prior to the redemption date.

Notice of any redemption of Series 2014 Bonds shall be given by the Paying Agent in the name of the City by sending a copy of such notice by certified or registered first-class, postage prepaid mail, at least 30 days prior to the redemption date, to the Registered Owner of each of the Series 2014 Bonds being redeemed. Such notice shall specify the number or numbers of the Series 2014 Bonds so to be redeemed (if redemption shall be in part) and the redemption date. If any of the Series 2014 Bonds shall have been duly called for redemption and if, on or before the redemption date, there shall have been deposited with the Paying Agent in accordance with this Ordinance funds sufficient to pay the redemption price of such Series 2014 Bonds at the redemption date, then said Series 2014 Bonds shall become due and payable at such redemption date, and from and after such date interest will cease to accrue thereon. Any Series 2014 Bond redeemed prior to its maturity by call for prior redemption or otherwise shall not be reissued and shall be cancelled.

The City may provide that if at the time of mailing of notice of an optional redemption there shall not have been deposited with the Paying Agent moneys sufficient to redeem all the

Series 2014 Bonds called for redemption, such notice may state that it is conditional and subject to the deposit of the redemption moneys with the Paying Agent not later than the opening of business five business days prior to the scheduled redemption date, and such notice will be of no effect unless such moneys are so deposited. In the event sufficient moneys are not on deposit on the required date, then the redemption will be cancelled and on such cancellation date notice of such cancellation will be mailed to the Registered Owners, in the manner provided in the form of such Series 2014 Bonds.

Section 6. Execution of Series 2014 Bonds. The Series 2014 Bonds shall be executed in the name and on behalf of the City with the manual or facsimile signature of the Mayor or the Mayor Pro Tem, shall bear a manual or facsimile of the seal of the City and shall be attested by the manual or facsimile signature of the City Clerk, or his or her designee. Should any officer whose manual or facsimile signature appears on the Series 2014 Bonds cease to be such officer before delivery of any Series 2014 Bond, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes. The Mayor, the Mayor Pro Tem and the City Clerk, or his or her designee, are hereby authorized and directed to prepare and to execute the Series 2014 Bonds in accordance with the requirements of this Ordinance. When the Series 2014 Bonds have been duly executed and sold, the officers of the City are authorized to, and shall, deliver the Series 2014 Bonds to the Paying Agent for authentication. No Series 2014 Bond shall be secured by this Ordinance or entitled to the benefit hereof, or shall be valid or obligatory for any purpose, unless the certificate of authentication of the Paying Agent, in substantially the form set forth in this Ordinance, has been duly executed by the Paying Agent. Such certificate of the Paying Agent upon any Series 2014 Bond shall be conclusive evidence and the only competent evidence that such Series 2014 Bond has been authenticated and delivered hereunder. The Paying Agent's certificate of authentication shall be deemed to have been duly executed by it if manually signed by an authorized representative of the Paying Agent, but it shall not be necessary that the same representative sign the certificate of authentication on all of the Series 2014 Bonds issued hereunder.

Section 7. Delivery of the Series 2014 Bonds. Upon the authentication of the Series 2014 Bonds, the Paying Agent shall deliver the same to the Original Purchaser or its designee as directed by the City as hereinafter provided. Prior to the authentication and delivery by the Paying Agent of the Series 2014 Bonds there shall be filed with the Paying Agent the following:

(a) a certified copy of this Ordinance; and

(b) a request and authorization to the Paying Agent on behalf of the City and signed by its Mayor or Mayor Pro Tem, to authenticate the Series 2014 Bonds and to deliver the Series 2014 Bonds to the Original Purchaser or the persons designated therein, upon payment to the City of a sum specified in such request and authorization plus accrued interest thereon to the date of delivery. The proceeds of such payment shall be paid over to the City and deposited as provided in Section 12(f) hereof.

Section 8. Replacement of Series 2014 Bonds. If any outstanding Series 2014 Bond shall become lost, apparently destroyed or wrongfully taken, it may be replaced in the form and

tenor of the lost, destroyed or taken bond upon the Registered Owner furnishing, to the satisfaction of the Paying Agent: (a) proof of ownership (which shall be shown by the registration books of the Paying Agent); (b) proof of loss, destruction or theft; (c) an indemnity to the City and the Paying Agent with respect to the Series 2014 Bond lost, destroyed or taken; and (d) payment of the cost of preparing and executing the new security, in which case the Paying Agent shall then authenticate the Series 2014 Bonds required for replacement.

Section 9. Form of Series 2014 Bonds. The Series 2014 Bonds shall be in substantially the following form, with such omissions, insertions, endorsements and variations as may be required by the circumstances:

[(Form of Series 2014 Bond)]

EXCEPT AS OTHERWISE PROVIDED IN THE HEREINAFTER DEFINED ORDINANCE, THIS GLOBAL BOOK-ENTRY BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY (AS DEFINED HEREIN) OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.

UNITED STATES OF AMERICA
STATE OF COLORADO

CITY OF BOULDER, COLORADO
OPEN SPACE ACQUISITION BONDS
SERIES 2014

INTEREST RATE:	MATURITY DATE:	ORIGINAL ISSUE DATE:	CUSIP:
_____ %	August 15, _____	October 9, 2014	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL SUM: _____ DOLLARS

The CITY OF BOULDER, in the County of Boulder and State of Colorado (the "City"), for value received, hereby promises to pay to the order of the registered owner named above or registered assigns, solely from the special funds as hereinafter set forth, on the maturity date stated above, the principal sum stated above, in lawful money of the United States of America, with interest thereon from the original issue date stated above, at the interest rate per annum stated above, payable on February 15, 2015, and semiannually thereafter on the fifteenth day of August and the fifteenth day of February of each year, the principal of this bond being payable upon the surrender of this bond at the office of U.S. Bank National Association, Denver, Colorado, or at the office of its successor, as Paying Agent (the "Paying Agent"), and the interest hereon to be paid by check or draft mailed on the interest payment date to such person as is the Registered Owner on the Record Date, except that so long as Cede & Co. is the Registered Owner, by wire transfer to Cede & Co. on the interest payment date. The Record Date is the February 1 or August 1 (whether or not a business day) preceding any interest payment date.

This bond is one of an issue of bonds of the City designated Open Space Acquisition Bonds, Series 2014, issued in the principal amount of $_____ (the "Series 2014 Bonds"). The Series 2014 Bonds are being issued by the City for the purpose of acquiring open space real property or interests therein and paying the costs of issuance with respect to the Series 2014 Bonds, pursuant to and in full conformity with the constitution and laws of the State of Colorado, the Supplemental Public Securities Act, the Charter of the City of Boulder, Colorado, a ballot question approved by the City's electorate at a general municipal election on November 5, 2009

(the "2009 Open Space Ballot Question") and an ordinance duly passed and adopted by the City prior to the issuance hereof.

The Series 2014 Bonds maturing on and after August 15, 2025 are callable for redemption at the option of the City, in whole or in part in such order of maturities as the City shall determine and by lot within a maturity, on August 15, 2024, and on any date thereafter, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

The City shall give the Paying Agent notice of its intent to redeem Series 2014 Bonds at least 45 days prior to the redemption date.

Notice of any redemption will be given by the Paying Agent in the name of the City by sending a copy of such notice by certified or registered first-class, postage prepaid mail, at least 30 days prior to the redemption date specified in such notice, to the registered owners of each of the Series 2014 Bonds being redeemed. Such notice will specify the number or numbers of the Series 2014 Bonds so to be redeemed and the redemption date. If this bond shall have been duly called for redemption and if on or before the redemption date there shall have been deposited with the Paying Agent, in accordance with the Ordinance, funds sufficient to pay the redemption price of this bond at the redemption date, then this bond shall become due and payable at such redemption date, and interest hereon shall cease to accrue after the redemption date.

The City may provide that if at the time of mailing of notice of an optional redemption there shall not have been deposited with the Paying Agent moneys sufficient to redeem all the Series 2014 Bonds called for redemption, such notice may state that it is conditional and subject to the deposit of the redemption moneys with the Paying Agent not later than the opening of business five business days prior to the scheduled redemption date, and such notice will be of no effect unless such moneys are so deposited. In the event sufficient moneys are not on deposit on the required date, then the redemption will be cancelled and on such cancellation date notice of such cancellation will be mailed to the registered owners, in the manner provided in the form of such Series 2014 Bonds.

This bond is transferable by the registered owner hereof at the operations office of the Paying Agent in St. Paul, Minnesota, or at the office of its successor as Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance (including any tax or governmental charge required to be paid with respect thereto and any cost of printing bonds in connection therewith), and upon surrender and cancellation of this bond. Upon surrender for any transfer, a new registered Series 2014 Bond or Series 2014 Bonds of the same maturity and interest rate and of authorized denomination or denominations ($5,000 and integral multiples thereof) for the same aggregate principal amount will be issued to the transferee in exchange therefor. The City and the Paying Agent may deem and treat the registered owner hereof as the absolute owner hereof (whether or not payment on this bond shall be overdue) for the purpose of receiving payment of, or on account of, principal hereof, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The principal of and interest on the Series 2014 Bonds, including this bond, together with any Parity Lien Bonds heretofore or hereafter issued, are payable from, and shall constitute a

first and prior (but not exclusive) lien, each on a parity one with the other, on that portion of the net income and revenue derived and to be derived by the City from the City's sales and use tax earmarked for acquisition and protection of open space real property, or interests therein, by ordinances previously approved by vote of the qualified electors of the City and constituting the Net Pledged Revenues as defined in the Ordinance authorizing the issue of the Series 2014 Bonds, and a special fund designated as the "Open Space Acquisition Bond and Interest Fund" into which the City has covenanted and agreed to deposit sums sufficient to pay the principal of and interest on the Series 2014 Bonds and any Parity Lien Bonds heretofore or hereafter issued, when the same become due and payable, all as is more particularly set forth in the Ordinance authorizing the issuance of the Series 2014 Bonds. As of the original issue date of this bond, there are presently $8,975,000 of the City's Open Space Acquisition Bonds, Series 2006 outstanding and $6,435,000 of the City's Open Space Acquisition Refunding Bonds, Series 2007 outstanding, all of which are secured by a lien on all or a portion of the Net Pledged Revenues. The City agrees with the owner of this bond and with each and every person who may become the owner hereof, that it will keep and perform all the covenants and agreements contained in said Ordinance.

As additional security for the payment of the principal of and interest on the Series 2014 Bonds, including this bond, the City pledges its full faith and credit as set forth in the Ordinance.

It is hereby certified that all conditions, acts and things required by the constitution and laws of the State of Colorado, and the Charter and ordinances of the City, to exist, to happen and to be performed, precedent to and in the issuance of this bond, exist, have happened and have been performed, and that the Series 2014 Bonds do not exceed any limitations prescribed by said constitution or laws of the State of Colorado, the 2009 Open Space Ballot Question, the Supplemental Public Securities Act, or the Charter or ordinances of the City.

The Series 2014 Bonds are issued pursuant to the Supplemental Public Securities Act, constituting Part 2, Article 57, Title 11 of Colorado Revised States, as amended. This recital shall conclusively impart full compliance with all of the provisions of the Ordinance and shall be conclusive evidence of the validity and regularity of the issuance of the Series 2014 Bonds after their delivery for value and that all of the Series 2014 Bonds issued are incontestable for any cause whatsoever after their delivery for value.

This bond shall not be entitled to any benefit under the Ordinance authorizing the Series 2014 Bonds, or become valid or obligatory for any purpose, until the Paying Agent shall have signed the certificate of authentication hereon.

IN WITNESS WHEREOF, the City of Boulder, Colorado, has caused this bond to be signed with the manual or facsimile signature of its Mayor, sealed with the impression of its seal or a facsimile thereof, and attested with the manual or facsimile signature of its City Clerk.

[SEAL] CITY OF BOULDER, COLORADO

By: _____
Mayor

Attest:

By _____
City Clerk

[(Form of Paying Agent's Certificate of Authentication)]

Date of Authentication: _____

This is one of the Series 2014 Bonds described in the within-mentioned Ordinance.

U.S. BANK NATIONAL ASSOCIATION, as
Paying Agent

By _____
Authorized Representative

[(End of Form of Paying Agent's
Certificate of Authentication)]

[(Form of Assignment)]

FOR VALUE RECEIVED, _____, the undersigned, hereby sells, assigns and transfers unto _____ (Tax Identification or Social Security No. _____) the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

_____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

[(End of Form of Assignment)]

[(End of Form of Series 2014 Bond)]

Section 10. Acceptance of Bid; Sale of Series 2014 Bonds.

(a) As a result of the public sale held pursuant to the City's Resolution No. _____ and that Resolution's accompanying Notice of Public Sale, in accordance with Section 98 of the Charter, the Council hereby sells the Series 2014 Bonds to the highest responsible bidder and to the best advantage of the City, and in furtherance thereof the Council hereby accepts and approves the offer to purchase the Series 2014 Bonds as bid by _____ (the "Original Purchaser"). The Series 2014 Bonds, when executed as provided by law, shall be delivered to the Original Purchaser, upon receipt of $_____, plus accrued interest, if any, from the date of the Series 2014 Bonds to the date of delivery thereof.

(a) The proceeds of the Series 2014 Bonds shall be used exclusively for the acquisition of open space real property or interests therein and to pay necessary incidental and appurtenant costs in connection therewith including all costs of issuing the Series 2014 Bonds.

(b) Neither the Original Purchaser nor the subsequent Registered Owner or Registered Owners of any of the Series 2014 Bonds shall be responsible for the application or disposal of the funds derived from the sale thereof by the City or any of its officers. The issuance of the Series 2014 Bonds by the City shall constitute a warranty by and on behalf of the City, for the benefit of each and every Registered Owner of the Series 2014 Bonds, that the Series 2014 Bonds have been issued for valuable consideration in full conformity with law.

Section 11. Covenant With Respect to Sales and Use Tax. The Council hereby covenants and agrees that, so long as any of the Series 2014 Bonds remain outstanding, it shall take no action to reduce the rate or rates of the Sales and Use Tax, or alter, exempt or modify the transactions, properties or items subject to such taxes, or provide tax refunds from the Sales and Use Tax giving rise to the Net Pledged Revenues, to such an extent that the Net Pledged Revenues available in any year will be less than 110% of the amount necessary to pay the principal of, premium, if any, and interest when due on the Series 2014 Bonds and any Parity Lien Bonds and Subordinate Lien Bonds heretofore or hereafter issued.

Section 12. Flow of Funds; Deposit of Proceeds of Series 2014 Bonds; Transfer of Funds.

(a) There has heretofore been established and created, pursuant to Section 3-2-39 of the Code, and there is now in existence, a separate special fund designated as the "Open Space and Street Fund," into which shall be set aside and deposited as received $.01 of the Net Sales and Use Tax Revenues of the City (i.e., the Net Sales and Use Tax Revenues attributable to a 1% Sales and Use Tax).

(b) There has heretofore been established and created pursuant to Section 3-2-39 of the Code, a separate special fund designated as an "Open Space Fund" into which shall be set aside and deposited as received $.0033 of the Net Sales and Use Tax Revenues of the City (i.e., the Net Sales and Use Tax Revenues attributable to a

0.33% Sales and Use Tax), as amended by the 0.33% Sales and Use Tax Ballot Question to (A) commencing January 1, 2019, $.0022 of the Net Sales and Use Tax Revenues of the City (i.e. the Net Sales and Use Tax Revenues attributable to a 0.22% Sales and Use Tax) and (B) commencing January 1, 2035, $.0010 of the Net Sales and Use Tax Revenues of the City (i.e. the Net Sales and Use Tax Revenues attributable to a 0.10% Sales and Use Tax).

(c) Pursuant to Section 3-2-39 of the Code, $.0015 of the Net Sales and Use Tax Revenues of the City (i.e., the Net Sales and Use Tax Revenues attributable to a 0.15% Sales and Use Tax through December 31, 2019) shall be deposited to the Open Space Fund and used exclusively for open space purposes.

(d) Except as hereinafter specifically provided to the contrary, moneys deposited in said Open Space and Street Fund and said Open Space Fund are hereby irrevocably pledged, earmarked and committed to the following uses and shall be disbursed, expended and used only in the following manner and order:

(i) To pay a portion of the tax refund program as provided in Chapter 3-5 of the Code and paragraph 3-2-39(a)(1) of the Code.

(ii) After the disbursements required or permitted by Section 12(d)(i) above, there shall be deposited to the "Open Space Acquisition Bond and Interest Fund" (the "Bond Fund") established by Ordinance No. 3864 (1972) and ratified and continued by Ordinance No. 4496 (1980), Ordinance No. 4950 (1985), Ordinance No. 5188 (1989), Ordinance No. 5277 (1990), Ordinance No. 5668 (1994), Ordinance No. 5996 (1998), Ordinance No. 6072 (1999), Ordinance No. 6081 (1999), Ordinance No. 7046 (2000), Ordinance No. 7467 (2006), Ordinance No. 7520 (2007), Ordinance No. 7666 (2009), Ordinance 7667 (2009) and hereby ratified and continued (notwithstanding the fact that certain of said ordinances and the obligations of the City thereunder have been discharged), on or before the 15th day of each February and August, commencing February 15, 2015, but only from the Net Pledged Revenues (i.e., the Forty Percent Net Pledged Revenues, the Thirty-Three Percent Net Pledged Revenues (or the Twenty-Two Percent Net Pledged Revenues or Ten Percent Net Pledged Revenues, as applicable) and the Fifteen Percent Net Pledged Revenues through December 31, 2019) as and to the extent hereinafter provided, an amount equal to the interest coming due on the Series 2014 Bonds and any other Parity Lien Bonds then outstanding on such date and an amount equal to the principal coming due on the Series 2014 Bonds and any other Parity Lien Bonds then outstanding on such date. The moneys credited to the Bond Fund shall be used to pay the principal of and interest on the Series 2014 Bonds and any additional Parity Lien Bonds heretofore or hereafter issued. Any Subordinate Lien Bonds heretofore or hereafter issued shall be payable from a fund or funds into which deposits shall be made from the Open Space and Street Fund or the Open Space Fund after and subject to the prior deposits required or permitted by this Section, but may be made prior to the uses permitted by Section 12(d)(iii) below. The Series 2014 Bonds authorized herein, together with any additional Parity Lien Bonds

heretofore or hereafter issued, shall, from and after the issuance and delivery thereof, constitute an irrevocable and first (but not exclusive) lien upon the Net Pledged Revenues, derived and to be derived by the City from its Sales and Use Taxes, and upon said Bond Fund, for the payment of said principal and interest.

(iii) On August 15 of each year, or such earlier date upon which there shall have been deposited sufficient funds to meet all obligations described in (i) and (ii) above, any moneys remaining in said Open Space and Street Fund and said Open Space Fund may be used for any lawful and authorized purpose of said Open Space and Street Fund and said Open Space Fund, respectively, all as more fully set forth and specified in Section 3-2-39 of the Code.

(e) The revenues and expenditures of said Open Space and Street Fund and said Open Space Fund shall be periodically reviewed and budgeted by the Council in accordance with the applicable provisions of Section 3-2-39 of the Code.

(f) (i) The proceeds of the Series 2014 Bonds in an amount equal to $_____ shall promptly upon the receipt thereof be deposited by the City into a separate fund to be maintained by the City and entitled the "Open Space Acquisition Bond, Series 2014 Project Fund" (the "Project Fund") hereby authorized and created, and such moneys in the Project Fund shall be used and disbursed only for the purpose of acquiring open space real property or interests therein, together with all necessary, incidental and appurtenant costs and expenses in connection therewith.

(ii) $_____ of the proceeds of the Series 2014 Bonds shall be deposited in an account established by the City with a commercial bank and shall be used to pay costs of issuance in connection with the Series 2014 Bonds. Any moneys remaining in said account on April 8, 2015 shall be transferred to the Bond Fund referred to in subsection 12(d)(ii) hereof.

Section 13. Pledge of Full Faith and Credit. Pursuant to the provisions of Section 97 of the Charter, the full faith and credit of the City are hereby pledged as additional security for the payment of the principal of and interest on the Series 2014 Bonds; such pledge shall be implemented, to the extent required, by a levy of ad valorem taxes on all taxable property within the City without limitation as to rate or amount.

Section 14. Covenant Upon Deficiency in Bond Fund. In furtherance of said pledge of the full faith and credit of the City, it is hereby irrevocably covenanted and agreed that in the event that any time while any of the Series 2014 Bonds remain outstanding the payments required to be made pursuant to Section 12(d)(ii) hereof are not made in strict accordance with the terms thereof (unless other moneys sufficient to pay the principal of and interest on the Series 2014 Bonds when due shall be on deposit in the Bond Fund), the Council shall promptly transfer from the general funds of the City to the Bond Fund from moneys previously appropriated, and shall promptly pass and adopt supplemental or emergency appropriation ordinances or resolutions and make such allocations and deposits of moneys from general funds of the City to the Bond Fund, as are necessary in all cases to bring the amount on deposit in the Bond Fund to the level at which it would have been had the City strictly complied with the provisions of said

Section 12(d)(ii). Said actions shall be initiated and completed at such a time and in such a manner as to ensure strict compliance with the requirement to make deposits to the Bond Fund. Thereafter said transfers, appropriations, allocations and deposits shall continue to be made in such amounts and with sufficient frequency to assure that the sums of money required to be deposited in the Bond Fund, together with other moneys on deposit in the Bond Fund pursuant to said Section 12(d)(ii), shall be sufficient to pay the principal of and interest on the Series 2014 Bonds when due.

Section 15. Rebate Fund.

(a) There is hereby created and established by the City a separate special fund to be designated the "Open Space Acquisition Refunding Bonds, Series 2014 Rebate Fund" (the "Rebate Fund"), which shall be expended in accordance with the provisions hereof and the Tax Letter of Instructions, and there is further established within said Rebate Fund the Rebate Principal Account and the Rebate Income Account. The City shall make deposits and disbursements from the Rebate Fund in accordance with the Tax Letter of Instructions, shall invest the Rebate Fund only in legal investments for funds of the City and pursuant to said Tax Letter of Instructions, and shall deposit income from said investments immediately upon receipt thereof in the Rebate Income Account, all as set forth in the Tax Letter of Instructions. The City shall make the calculations, deposits, disbursements and investments as may be required by the immediately preceding sentence, or, to the extent it deems necessary in order to ensure the tax-exempt status of interest on the Series 2014 Bonds, shall employ at its expense a person or firm with recognized expertise in the area of rebate calculation, to make such calculations. The Tax Letter of Instructions may be superseded or amended by a new Tax Letter of Instructions drafted by, and accompanied by an opinion of, nationally recognized bond counsel addressed to the City to the effect that the use of said new Tax Letter of Instructions will not cause the interest on the Series 2014 Bonds to become includible in gross income for purposes of federal income taxation.

(b) The City shall make the rebate deposit described in the Tax Letter of Instructions. Records of the determinations required by this Section 15 and the Tax Letter of Instructions shall be retained by the City until four years after the final retirement of the Series 2014 Bonds.

(c) Not later than 30 days after the end of the fifth Bond Year (i.e. the year ended August 15, 2019) and every five years thereafter, the City shall pay to the United States of America 90% of the amount required to be on deposit in the Rebate Principal Account as of such payment date and 100% of the amount on deposit in the Rebate Income Account as of such payment date. Not later than 60 days after the final retirement of the Series 2014 Bonds, the City shall pay to the United States of America 100% of the balance remaining in the Rebate Principal Account and the Rebate Income Account. Each payment required to be paid to the United States of America pursuant to this Section 15 shall be filed with the Internal Revenue Service Center, Ogden, Utah 84201. Each payment shall be accompanied by a copy of the Internal Revenue Form 8038-G originally filed with respect to the Series 2014 Bonds and a statement summarizing the determination of the amount to be paid to the United States of America.

Section 16. Additional Tax Covenants.

(a) The City covenants that it shall not use or permit the use of any proceeds of the Series 2014 Bonds or any other funds of the City from whatever source derived, directly or indirectly, to acquire any securities or obligations and shall not take or permit to be taken any other action or actions, which would cause any of the Series 2014 Bonds to be an "arbitrage bond" within the meaning of Section 148 of the Tax Code, or would otherwise cause the interest on the Series 2014 Bonds to be includible in gross income for federal income tax purposes. The City covenants that it shall at all times do and perform all acts and things permitted by law and which are necessary in order to assure that interest paid by the City on the Series 2014 Bonds shall, for purposes of federal income taxation, not be includible in gross income under the Tax Code or any other valid provision of law.

(b) In particular, but without limitation, the City further represents, warrants and covenants to comply with the following restrictions of the Tax Code, unless it receives an opinion of nationally recognized bond counsel stating that such compliance is not necessary:

(i) Gross proceeds of the Series 2014 Bonds shall not be used in a manner which will cause the Series 2014 Bonds to be considered "private activity bonds" within the meaning of the Tax Code.

(ii) The Series 2014 Bonds are not and shall not become directly or indirectly "federally guaranteed."

(iii) The City shall timely file Internal Revenue Form 8038-G which shall contain the information required to be filed pursuant to Section 149(e) of the Tax Code.

(iv) The City shall comply with the Tax Letter of Instructions delivered to it on the date of issue of the Series 2014 Bonds with respect to the application and investment of Series 2014 Bond proceeds, subject to Section 15 hereof.

Section 17. Investments. The proceeds of the Series 2014 Bonds shall be used exclusively for the purposes recited herein and in the Series 2014 Bonds; provided, however, that all, or any proper portion of, the proceeds of the Series 2014 Bonds in the Bond Fund and other moneys in the Bond Fund with respect to the Series 2014 Bonds may be invested only in securities or obligations which are lawful investments for such funds of the City which constitute Permitted Investments. All earnings, income, profits and losses with respect to such funds shall be retained in the respective fund.

Section 18. Further Covenants. The City hereby irrevocably covenants and agrees with each and every Registered Owner of the Series 2014 Bonds as follows:

(a) That at least once each year it will cause an audit to be made of the books relating to its Sales and Use Tax Revenues, such audit to be made by a certified public or registered accountant after the close of each fiscal year, and a copy of which audit shall

be furnished, upon request, to the Original Purchaser of the Series 2014 Bonds and, on written request and at their expense, to the Registered Owners of any of the Series 2014 Bonds. The cost of making said reports and audits shall be paid from moneys available from such Sales and Use Tax Revenues, if any, or from general funds of the City if no such moneys are available. The annual audit of the City's general purpose financial statements shall be deemed to satisfy this requirement.

(b) That it will continue to operate and manage the collection and enforcement of the Sales and Use Taxes in the most efficient and economical manner possible.

(c) That in the event that the Sales and Use Tax, or any of such taxes, are replaced and superseded, in any manner, the revenues derived by the City from the replacement source or sources, as received by the City, are, to the extent permitted by law, hereby pledged and shall be placed in the Bond Fund in amounts at least sufficient to pay the principal of and interest on the Series 2014 Bonds herein authorized, and that the Council shall promptly, as required hereby, take any and all actions which may be necessary to accomplish such deposits. From and after the date of said replacement, the Series 2014 Bonds and any other then outstanding Parity Lien Bonds, shall have a first and prior (but not exclusive) lien upon such replacement revenues to the extent specified in this Ordinance.

Section 19. Additional Bonds. No additional bonds or other obligations shall be issued or incurred payable from the Net Pledged Revenues herein pledged to the payment of the Series 2014 Bonds and having a lien upon the Net Pledged Revenues which is prior or superior to the lien of the Series 2014 Bonds herein authorized. Nothing contained in this Ordinance shall be construed in such a manner as to prevent the issuance by the City of additional Parity Lien Bonds payable from the Net Pledged Revenues or a portion thereof and constituting a lien upon the Net Pledged Revenues equal to and on a parity with the lien of the Series 2014 Bonds authorized herein, provided:

(a) That at the time of issuance of any such Parity Lien Bonds, there is no deficiency in any fund required by this Ordinance.

(b) That the City must be in compliance with all of the covenants and agreements contained in this Ordinance.

Section 20. Defeasance. A Series 2014 Bond shall not be deemed to be outstanding hereunder if it shall have been paid and cancelled or if cash funds or direct general obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Governmental Obligations"), shall have been deposited in trust for the payment thereof (whether upon or prior to the maturity of any such Series 2014 Bond, but if such Series 2014 Bond is to be paid prior to maturity, the City shall have given the Paying Agent irrevocable directions to give notice of redemption as required by this Ordinance, or such notice shall have been given in accordance with this Ordinance). In computing the amount of the deposit described above, the City may include interest to be earned on the Governmental Obligations.

Section 21. Approval of Official Statement and Miscellaneous Documents. All action heretofore taken by any of the City's officials and the efforts of the City directed toward the issuance and sale of the Series 2014 Bonds, including use of a Preliminary Official Statement which is hereby approved, are hereby ratified, approved and confirmed. The Council hereby authorizes the use of a final Official Statement in substantially the form of the Preliminary Official Statement for use in connection with the sale of the Series 2014 Bonds, and the Mayor or the Mayor Pro Tem is hereby authorized and directed to execute the final Official Statement, with such changes therein as he shall deem necessary or appropriate. The Mayor, the Mayor Pro Tem, the Chief Financial Officer and the City Clerk, or his or her designee are hereby authorized to execute and deliver, and such officials and all other officers of the City are hereby authorized and directed to execute all other documents, agreements and certificates necessary or desirable to effectuate the issuance of the Series 2014 Bonds and the transactions contemplated thereby.

Section 22. Findings and Determinations. The Council, after examination of all pertinent facts and circumstances, hereby finds, determines and declares that it is in the best interest of the City, and its inhabitants and taxpayers, that the Series 2014 Bonds be authorized, sold, issued and delivered at this time and in the manner herein authorized in order to provide funds for the acquisition of open space property and the payment of the costs of issuing the Series 2014 Bonds.

Section 23. Undertaking to Provide Ongoing Disclosure. The City agrees to enter into the Continuing Disclosure Undertaking, dated the date of issuance of the Series 2014 Bonds for the benefit of the Registered Owners of the Series 2014 Bonds required by Section (b)(5) of Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (17 CFR Part 240, § 240.15c2-12) (the "Rule").

Section 24. Emergency and Effective Date. Due to fluctuations in municipal bond prices and interest rates, due to currently favorable interest rates and due to the need to finally act upon and accept the bid of the highest responsible bidder (in accordance with the Charter) for the Series 2014 Bonds in an expeditious manner (said bid being submitted for immediate acceptance), it is hereby declared that, in the opinion of the Council, an emergency exists, and therefore this Ordinance shall be in full force and effect upon its passage.

Section 25. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined to be invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

Section 26. Repeals. All ordinances, or parts thereof, in conflict with this Ordinance, are hereby repealed. After the Series 2014 Bonds have been issued, this Ordinance shall be and remain irrepealable until the Series 2014 Bonds and the interest thereon shall be fully paid, satisfied and discharged in the manner herein provided, or sufficient provision shall have been made for such payment, satisfaction and discharge.

Section 27. Publish by Title Only. The Council deems it appropriate that this Ordinance be published by title only in accordance with the provisions of the Charter of the City

and directs the City Clerk to make available in his or her office copies of the text of this Ordinance for public inspection and acquisition.

Section 28. Records. A true copy of this Ordinance shall be kept in a book marked "Ordinance Record" maintained by the appropriate officers of the City.

INTRODUCED, READ, PASSED BY A TWO-THIRDS VOTE OF THE COUNCIL MEMBERS PRESENT, ADOPTED AS AN EMERGENCY MEASURE AND ORDERED PUBLISHED BY TITLE THIS 2nd DAY OF SEPTEMBER, 2014.

[CITY SEAL]

_____
Mayor

Attest:

_____
City Clerk

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C I T Y O F B O U L D E R
CITY COUNCIL AGENDA ITEM

MEETING DATE: September 2, 2014

AGENDA TITLE:
Introduction, first reading and consideration of a motion to order published by title only, the following ordinances:

1. An ordinance amending Section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981, to add a process for review of concept plans by City Council; and

2. An ordinance amending Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, to modify occupancy limitations for housing for persons 62 years of age or older

PRESENTERS:
Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Susan Richstone, Deputy Director of Community Planning and Sustainability
Charles Ferro, Land Use Review Manager
Jeff Yegian, Housing Manager, Division of Housing
Jay Sugnet, Project Manager, Comprehensive Housing Strategy
Karl Guiler, Senior Planner/Code Amendment Specialist
David Gehr, Deputy City Attorney
Hella Pannewig, Assistant City Attorney

EXECUTIVE SUMMARY
The purpose of this item is City Council consideration of two draft ordinances related to implementing code changes identified as short term action items as part of the city's Comprehensive Housing Strategy:

1. Provide the option for City Council review of Concept Plan applications, which currently are only reviewed by Planning Board (See **Attachment A**), and

2. Modify the occupancy limitations within section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981 to permit shared housing for persons 62 years and older to allow shared housing for seniors in single-family neighborhoods. The proposal is to allow six persons 62 years and older in the RL (Residential Low) zoning districts and up to 10 persons 62

years and older in the RR (Rural Residential) and RE (Residential Estate) zoning districts. (See **Attachment B**)

At its January 2014 retreat, Council requested that staff identify and propose some "early wins" that could help improve conditions even as more significant policy work is undertaken in the coming months and year as part of the Comprehensive Housing Strategy. At the May 27 City Council Study Session, staff identified five short term actions (see **Attachment C**) and included the criteria used to select them. Planning Board considered the proposed changes at its July 31st public hearing and recommended approval of the draft ordinance with changes. These are discussed further in the 'Board and Commission Feedback' and 'Analysis' sections below.

STAFF RECOMMENDATION

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

Suggested Motion Language:
Motion to introduce on first reading and order published by title only the following ordinances:

1. *An ordinance amending Section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981, to add a process for review of concept plans by City Council; and*

2. *An ordinance amending Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, to modify occupancy limitations for housing for persons 62 years of age or older*

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None identified.
- Environmental: None identified.
- Social: The proposed change to relax occupancy standards would directly respond to the expected demographic increase of seniors in the community and create a new more affordable housing option for seniors consistent with the goals of the Comprehensive Housing Strategy. The proposed change to the Concept Plan process would enable City Council review of projects such that early comments at a policy level could inform projects to better respond to social needs of the community.

OTHER IMPACTS

- Fiscal: None identified.
- Staff time: The proposed code changes are within normal staff work plans.

BOARD AND COMMISSION FEEDBACK

Planning Board

Planning Board reviewed the proposed code changes at its July 31, 2014 meeting and recommended approval of the proposed ordinance to City Council. The two topics of the ordinance are discussed below and in the order discussed at the hearing:

Senior housing in single-family neighborhoods (proposed change to occupancy limits): The board recommended approval of the proposed senior occupancy change on a 6 to 1 vote with a

proposed change to increase the occupancy allowance from six to ten in RR (Rural Residential) and RE (Residential Estate) zoning districts and added a requirement for at least one of the residents to be the owner of the property. The motion would keep the occupancy limit at six in the RL (Residential Low) zoning districts without the owner occupied requirement. Board member Payton voted against the motion because it did not require owner occupancy in the RL zones. Board member Grey also proposed a motion to require more staff outreach to neighborhoods in advance of City Council review and the motion passed. This is discussed in the 'public feedback' section that follows.

- ⇨ *Motions:* Motion by A. Brockett, seconded by J. Putnam, to recommend approval to the City Council of an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to relax occupancy limitations for persons 62 years of age or older and specifically to allow up to 6 persons 62 years of age or older in RL, RR, and RE zones and up to 10 persons 62 years of age or older in the RR and RE zones provided that an owner is a resident in the house. 6-1 (L.Payton opposed)

  Friendly amendment by Gray and that the planning staff does outreach to neighborhoods and stakeholders and the that the results of that outreach be reported to City Council. Accepted by A. Brockett and J. Putnam. Vote: 6:1 [*pending approval by Planning Board on Aug. 28, 2014*]

City Council review of Concept Plan applications: The board recommended approval of the proposed Concept Plan change on a vote of 6 to 1 on a proposed motion to change the public hearing requirement to include a joint hearing with Planning Board and City Council. Board member Grey voted against the motion opposing the joint meeting requirement.

- ⇨ *Motions:* Motion by L. Payton, seconded by J. Gerstle, to amend to also consider joint concept plan hearings. Passes: 6:1. Gray opposed. [*pending approval by Planning Board on Aug. 28, 2014*]

PUBLIC FEEDBACK

An open house on the Comprehensive Housing Strategy was held on May 12, 2014. With respect to the proposed code changes at the request of Planning Board following its recommended changes, notice was sent to representatives of neighborhoods with RL (Low Density Residential), RR (Rural Residential) and RE (Residential Estate) zoning. Reactions to the proposed change have been mixed. Specific public comments received are found in **Attachment D**. Proponents of the senior occupancy code change have expressed support for providing a new housing option for seniors by allowing either adaptation of existing single-family homes to accommodate seniors or the option to build new shared housing. Some members of the community have expressed concern about the proposed concentration of individuals in single family homes and the potential impacts that could result. Staff has not received any written comments on the proposed Concept Plan process change, although one architect spoke against the proposed change at the July 31st public hearing.

BACKGROUND

City Council discussed the CHS and potential short term action items at a study session on May 27, 2014 and supported moving forward on the identified action items. City Council will also be discussing the overall scope of the CHS at the Sept. 2, 2014 meeting.

The Comprehensive Housing Strategy (CHS) will be a next generation housing policy framework, combined with an implementation toolkit, that will focus on:

1. Strengthening the city's affordable housing programs for low- and moderate-income households.

2. Expanding housing opportunities for middle-income households.

3. Exploring innovative approaches to providing additional housing and a broader range of housing options, particularly for housing needs not being met by the market.

The strategy will set forth a creative mix of policies, tools and resources to make progress on multiple fronts, in a manner consistent with the Boulder community's priorities, values and overarching sustainability framework.

It is meant to inform and guide Council decisions on which policies and tools to pursue in the short, medium, and long term within the context of the broader housing strategy. The CHS is intended as a "living document" that will guide ongoing work related to housing policies and programs. In other words, adoption of the strategy will not signal the end of the city's housing-focused discussions, but rather inform annual work program priorities aimed at continual monitoring, evaluation and action to strengthen and expand housing opportunities through a variety of tools and coordinated strategic initiatives.

ANALYSIS

City Council review of Concept Plan applications

At its 2014 retreat, City Council indicated a desire to help shape key projects early in the process. Through the CHS process, it was identified that some higher profile development proposals (e.g., ones that could fulfill city goals on providing additional housing) could benefit from City Council comments earlier in the review process. Currently, City Council's role in development approvals includes development approvals tied to Annexations and Site Reviews called up by council. When council is the final reviewing authority and reviews a fully shaped project, it is often years after a project is conceived. Creating an opportunity for council to review a project required to go through a Concept Plan review, will allow for council input early in the process and to help shape the project design. This may ultimately save time in the overall scope of review of a project. This is important considering the amount of time and cost that goes into development projects before any decisions are made.

Presently, Concept Plans require Planning Board review and comment per section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981. Applicants and staff find the comments from the board very helpful in informing the quality and general design of subsequent Site Review applications and the board's input results in better projects.

In fact, when Concept Plans were originally implemented by the city in 1994, the applications required Planning Board review and the resulting findings were forwarded to City Council for call-up consideration. After concerns were raised about the lengthy review process for Concept Plans, the process was simplified in 1999 and the City Council call-up provision was removed.

While it is not the intent to increase the review time on projects, allowing a mechanism for early comment by council, if council so desires, is viewed as an opportunity to perhaps better inform the design and composition of projects early with hopes of avoiding difficulties that may arise much further into the review process. The goal is to make the development review process more predictable to property owners, developers, neighbors and staff and also enable a forum for high level policy feedback that can inform projects to the extent that they could better meet city goals, policies and standards. Concept Plan is often the review stage where review bodies, staff and the community can comment on a project and influence the mix of housing, what amenities may be provided and inform how a project will appear and how it connects to its surroundings.

The proposed change to section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981 would create a process for City Council involvement earlier in the review process. Like the 1990s code provision, it would allow council to vote on whether or not to review a particular Concept Plan. However, unlike the previous provision it would not be referred to as a "call up" as this terminology is associated with the review of a formal decision.

The proposed changes that create this process are listed below. The changes within the context of the entire section 9-2-13 are found within **Attachment A**.

9-2-13 Concept Plan Review and Comment.

(a) Purpose of Concept Plan Review: The purpose of the concept plan review step is to determine a general development plan for the site, including without limitation, land uses, arrangement of uses, general circulation patterns and characteristics, methods of encouraging use of alternative transportation modes, areas of the site to be preserved from development, general architectural characteristics, any special height and view corridor limitations, environmental preservation and enhancement concepts, and other factors as needed to carry out the objectives of this title, adopted plans, and other city requirements. This step is intended to give the applicant an opportunity to solicit comments from the ~~planning board~~ reviewing authority early in the development process as to whether the concept plan addresses the requirements of the city as set forth in its adopted ordinances, plans, and policies. Comments on a concept plan are not binding, but are meant to inform any subsequent site review application. A concept plan review and comment shall not relieve the applicant of the burden to seek approvals for elements of the plan that require review and approval under the Boulder Revised Code.

(b) Projects Required to Complete Concept Review and Comment: Any applicant for a development that exceeds the "Site Review Required" thresholds set forth in Paragraph 9-2-14(b)(1), B.R.C. 1981, shall complete the concept review process prior to submitting an application for site review.

…….

(f) Review of and Comment on Concept Plans: Upon receipt of an application for a concept plan review, the city manager will review the submitted materials for general compliance with the requirements of this title, and prepare staff comments. The scope of staff comments will differ from application to application, at the discretion of the manager. Unless withdrawn, a concept plan shall be referred to planning board pursuant to paragraph (1) of this subsection and may be reviewed by city council pursuant to paragraph (2) of this subsection:

(1) Planning Board Review and Comment: The manager will forward the application, any comments received from neighbors and other interested persons, and any staff comments to the planning board. The planning board shall review the concept plan at a public meeting held pursuant to the provisions of Subsection 2-3-1(b), B.R.C. 1981. Planning board members may provide individual comments on the concept plan.

(2) City Council Review and Comment: Following planning board review of a concept plan, the city manager shall forward the application, any comments received from neighbors and other interested persons, any staff comments, and a summary of the planning board discussion to the city council. The city council may within thirty days of the review by the planning board vote at a regularly scheduled meeting to review and comment on the concept plan. If the city council votes to review the concept plan, the city council will review the concept plan at a public meeting within sixty days of said vote.

Planning Board recommended the proposed change with a requirement to make it a joint public hearing with City Council. The proposed ordinance in **Attachment A** does not include the provision for joint hearings for the following reasons:

1. Not all projects that require Concept Plan necessitate review by City Council based on lower levels of complexity and firm compliance with city policies. Such projects would be better handled by Planning Board. City Council would still have the option to choose projects it feels require higher level consideration.
2. The potential for what could be sixteen individual opinions on a project expressed in one hearing could be confusing for applicants as they must decide how to revise their project moving forward. Staff feels that the number of commenters in one hearing could be overwhelming for an applicant and difficult to respond to in a subsequent Site Review application.
3. The logistics would be difficult as the dais does not accommodate up to 16 board and council members. The “flex” space could be utilized by may be difficult if there are large numbers of public attendees in the audience.

Senior housing in single-family neighborhoods (proposed to change to occupancy limits)

Consistent with demographic trends across the United States, the number of seniors in the City of Boulder is expected to double between now and 2028 to approximately 30,000. In partial response to this trend, senior advocates have identified a need for a housing model that allows multiple, unrelated seniors to share a single-family home in a single-family neighborhood. The idea is for six older adults to share a large house, companionship, and living costs. A report by

AARP (American Association for Retired Persons) discusses the housing preferences of seniors and is found in **Attachment E** for reference. Further, an article about the growing number of seniors can be accessed here.

In response to this growing need, another identified short term action item is altering the occupancy limits in the Land Use Code related to senior citizens to make it possible for active seniors to share housing and resources within single-family homes and other dwelling units.

Staff has received a number of public comments on the matter in support of changing the occupancy limits to allow the shared housing option. Requests have also been received to not have an occupancy limit for seniors at all and to lower the age from 62 to 55 years. These comments can be found in **Attachment D**.

Current limits in the RR (Rural Residential), RE (Residential Estate) and RL (Residential Low) zone districts permit up to three unrelated persons. At present, there are no existing or proposed occupancy requirements specifically related to individuals per bedroom. Group homes, which are also possible in single-family zoning districts, differ in that they include a care component and permit a higher occupancy (e.g., eight to ten occupants) than permitted in Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981. Generally, higher occupancies are permitted for group home uses as there would be less of a need for parking for the occupants, because many are undergoing care and are unable to drive. Further, group homes are not permitted within 300 feet of one another in order to avoid an institutional setting in a residential context.

The following figures show the locations of the RR, RE and RL zones in the city of Boulder:

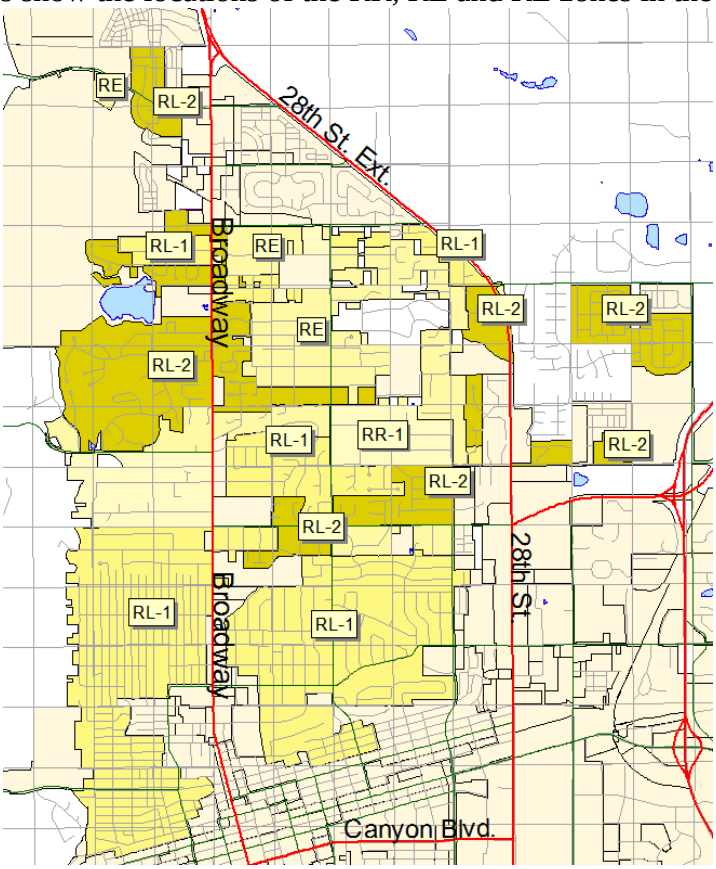

Figure 1- RR, RE and RL zones in North and Central Boulder.

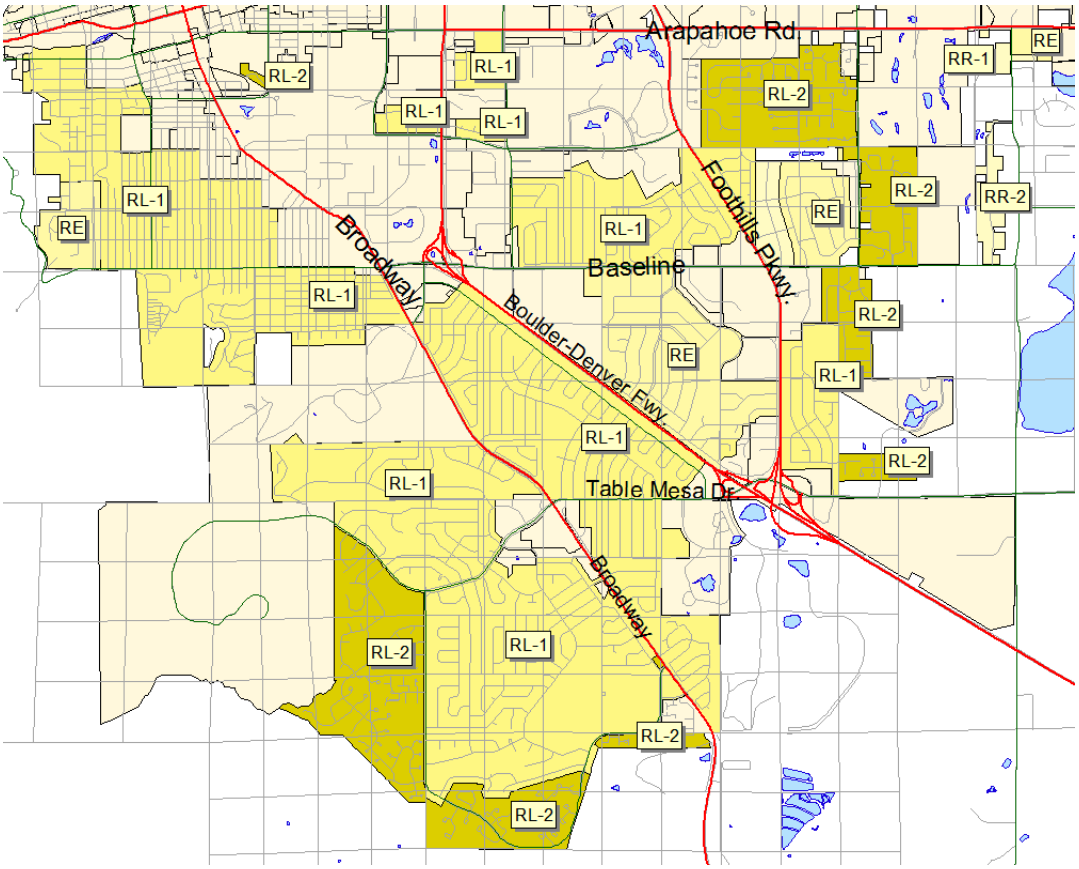

Figure 2- RR, RE and RL zones in South and East Boulder.

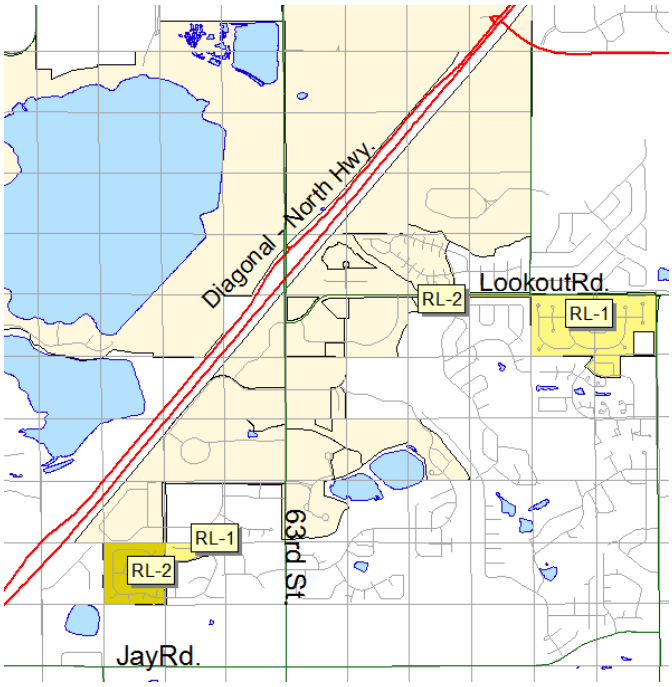

Figure 3- RL zones in Gunbarrel.

Staff's proposed occupancy limit to the Planning Board was a maximum of six occupants. Staff found that permitting six occupants (double the permitted three unrelated persons) is appropriate since it would be closer to possible family sizes in adjacent homes consistent with the character of the area and also since it is not likely that all occupants would own cars. Rental licenses are currently required in the Boulder Revised Code for owner-occupied residences with more than two roomers and would apply under this scenario. Shared housing, as an affordable housing option, would be an opportunity for cost savings for residents as they could share vehicles and other household expenses.

Staff recognizes that parking would likely be the largest real or perceived impact of this proposed change. A study entitled "Approving Senior Housing: Facts that Matter" prepared by the Senior Housing Council substantiates that seniors own fewer cars (see Chapter 3 of **Attachment F**); especially residents older than 75 years. Further, while the current occupancy rules would become less restrictive for seniors, staff does not expect to see a significant number of requests for shared housing as likely only a small percentage of seniors will opt to live in a shared housing situation and may choose other housing options. Therefore, parking impact to neighborhoods is not viewed as something that will become unmanageable and pervasive.

After hearing testimony from members of the public to increase the occupancy limit to 10 or 12 persons (and some for no limitation) and discussions with staff, Planning Board recommended that the occupancy limit be increased in the RE (Residential Estate) and RR (Rural Residential) zoning districts from six to ten. The proposed ordinance includes this recommended change. Staff's analysis of the proposed increased from six to ten indicates that:

1. Ten occupants appears reasonable on RE and RR lots (with minimum lot sizes at 15,000 square feet and higher) as the lots are larger than typical RL (Residential Low) lots, which are generally 7,000 square feet or less. Further, RE and RR zones typically include larger homes that could accommodate the number of residents and parking since such lots typically have larger street frontages and longer driveways. Staff has included some aerials of RE and RR lots compared to RL lots to show this within Figures 4 through 6 that show the larger lot sizes, larger frontages and longer driveways on RE and RR lots vis-à-vis RL properties.
2. Ten occupants would comply with the allowances within the International Residential Code (IRC) for single-family residences and would not require updates that would make the residence have to meet more commercial, institutional building code standards. The intent is to allow easy adaption of single-family homes for shared housing.
3. As stated above, staff does not expect the shared housing option to be common and therefore, impacts would be limited in these zones.

Figure 4- RE lots are shown in orange outline as compared to RL lots shown in yellow outline in this example in South Boulder.

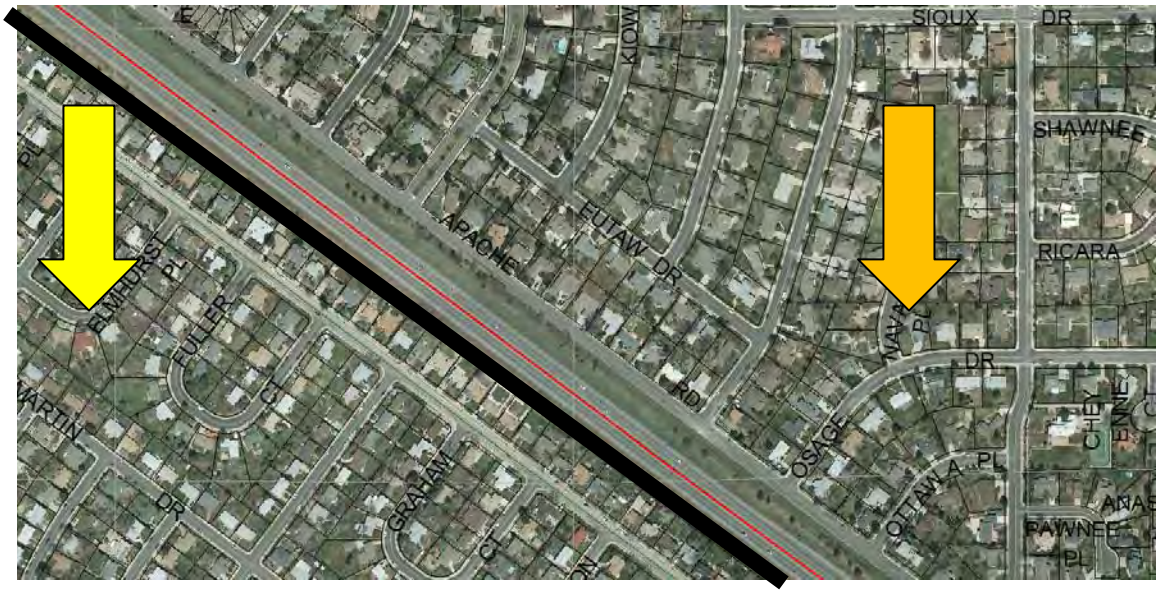

Figure 5- Martin Acres (RL zoning) shown under the yellow arrow versus Frazier Meadows (RE zoning) under the orange arrow.

Figure 6- Larger lots and frontages and longer driveways as shown on Gapter Road (RR zoning).

Staff noticed that some lots within the RR and RE zones do not meet the minimum lot size standards in the Land Use Code and as an added assurance, the proposed code changes requires that lots meet the minimum lot size requirements.

Conclusion:

Modifying the current occupancy limits for seniors is recommended as it would:

1) Increase the housing options for this growing demographic;

2) Create an additional affordable housing alternative targeted to seniors in the city's single-family neighborhoods;

3) Enable the opportunity for seniors who seek companionship to live together and help one another in a group situation and

Therefore, the following changes to the Land Use Code are recommended:

9-8-5 Occupancy of Dwelling Units.

(a) General Occupancy Restrictions: Subject to the provisions of Chapter 10-2, "Property Maintenance Code," B.R.C. 1981, no persons except the following persons shall occupy a dwelling unit:

(1) Members of a family plus one or two roomers. The quarters that the roomers use shall not exceed one-third of the total floor area of the dwelling unit and shall not be a separate dwelling unit;

(2) Up to three persons in P, A, RR, RE, and RL zones;

(3) Up to four persons in MU, RM, RMX, RH, BT, BC, BMS, BR, DT, IS, IG, IM, and IMS zones; ~~or~~

(~~4~~) Two persons and any of their children by blood, marriage, guardianship, including foster children, or adoption~~.~~;

(5) Up to six persons that are all 62 years of age or older in RR, RE, and RL zones provided that all requirements of the federal Fair Housing Act, 42 U.S.C. §3601, et seq., as amended, and the Colorado Housing Practices Act, §24-34-501, et seq., C.R.S., as amended, with respect to housing for older persons are complied with; or

(6) Up to ten persons that are all 62 years of age or older in RR and RE zones provided that the lot meets the minimum lot area requirement of Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981, the dwelling unit is actually and physically occupied by the owner and constitutes the owner's principal residence, and all requirements of the federal Fair Housing Act, 42 U.S.C. §3601, et seq., as amended, and the Colorado Housing Practices Act, §24-34-501, et seq., C.R.S., as amended, with respect to housing for older persons are complied with. An owner includes an occupant who owns an interest in a corporation, partnership, association, organization or any other group operating as a unit that owns the property.

This changed occupancy limit for older persons is a straightforward method to allow a new housing option for seniors. The change would open up the opportunity for seniors to adapt their existing homes that often have unoccupied rooms after children have moved out and the ability to age in place.

The age is set at a minimum of 62 years of age to comply with federal Fair Housing Act requirements. If the age is set below 62 years of age it would trigger a requirement to comply with age verification procedures and policies as prescribed by federal regulations. Setting the age at 62 years of age is recommended as it would not necessitate age verification and could be carried out without having to create additional review procedures and requirements such as conditional use reviews.

STAFF FINDINGS AND RECOMMENDATION:
Staff recommends that the City Council adopt the proposed ordinance at time of second reading to enable a process for City Council review of Concept Plans and to enable a new shared housing option for seniors as part of the identified short term action items of the Comprehensive Housing Strategy.

ATTACHMENTS:

A. Draft ordinance amending Section 9-2-13, "Concept Plan Review and Comment," B.R.C. 1981, to add a process for review of concept plans by City Council
B. Draft ordinance amending Section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, to relax occupancy limitations for housing for persons 62 years of age or older
C. CHS short term action items
D. Public comments
E. "What Is Livable? Community Preferences of Older Adults" prepared by the AARP Public Policy Institute
F. "Approving Senior Housing: Facts that Matter" prepared by the Senior Housing Council

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ORDINANCE NO. 7992

AN ORDINANCE AMENDING SECTION 9-2-13, CONCEPT PLAN REVIEW AND COMMENT, B.R.C. 1981, TO ADD A PROCESS FOR REVIEW OF CONCEPT PLANS BY CITY COUNCIL, AND SETTING FORTH RELATED DETAILS.

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

Section 1. Section 9-2-13, B.R.C. 1981, is amended to read:

9-2-13 Concept Plan Review and Comment.

(a) Purpose of Concept Plan Review: The purpose of the concept plan review step is to determine a general development plan for the site, including without limitation, land uses, arrangement of uses, general circulation patterns and characteristics, methods of encouraging use of alternative transportation modes, areas of the site to be preserved from development, general architectural characteristics, any special height and view corridor limitations, environmental preservation and enhancement concepts, and other factors as needed to carry out the objectives of this title, adopted plans, and other city requirements. This step is intended to give the applicant an opportunity to solicit comments from the ~~planning board~~reviewing authority early in the development process as to whether the concept plan addresses the requirements of the city as set forth in its adopted ordinances, plans, and policies. Comments on a concept plan are not binding, but are meant to inform any subsequent site review application. A concept plan review and comment shall not relieve the applicant of the burden to seek approvals for elements of the plan that require review and approval under the Boulder Revised Code.

(b) Projects Required to Complete Concept Review and Comment: Any applicant for a development that exceeds the "Site Review Required" thresholds set forth in Paragraph 9-2-14(b)(1), B.R.C. 1981, shall complete the concept review process prior to submitting an application for site review.

(c) Application Requirements: A concept plan should be a preliminary plan for the development of a site of sufficient accuracy to be used for discussing the plan's conformance with adopted ordinances, plans, and policies of the city. The concept plan provides the public, the city manager, and the planning board opportunity to offer input in the formative stages of the development. An application for a concept plan review and comment may be filed by a person having a demonstrable property interest in land to be included in a site review on a form provided by the manager and shall include the following:

(1) The written consent of the owners of all property to be included in the development;

(2) A context map, drawn to scale, showing the site and an area of not less than 300-foot radius around the site, including streets, zoning, general location of buildings, and parking areas of abutting properties;

(3) A scaled and dimensioned schematic drawing of the site development concept, and an area of not less than 200 feet around the site, showing:

(A) Access points and circulation patterns for all modes of transportation;

(B) Approximate locations of trails, pedestrian and bikeway connections, on-site transit amenities, and parking areas;

(C) Approximate location of major site elements, including buildings, open areas, natural features such as watercourses, wetlands, mature trees, and steep slopes; and

(D) Proposed land uses and approximate location;

(4) Architectural character sketches showing building elevations and materials; and

(5) A written statement that describes, in general, how the proposed development meets this title, city plans and policies, and addresses the following:

(A) Techniques and strategies for environmental impact avoidance, minimization, or mitigation;

(B) Techniques and strategies for practical and economically feasible travel demand management techniques, including without limitation, site design, land use, covenants, transit passes, parking restrictions, information or education materials, or programs that may reduce single-occupant vehicle trip generation to and from the site; and

(C) Proposed land uses, and if it is a development that includes residential housing type, mix, sizes, and anticipated sale prices, the percentage of affordable units to be included; special design characteristics that may be needed to assure affordability.

(d) Public Notice of Application: After receiving an application, the city manager shall provide public notification pursuant to Section 9-4-3, "Public Notice Requirements," B.R.C. 1981.

(e) Additional Information or Processes: Based on the concept plan submission, and to the extent that such requirements can be determined from the information provided by the applicant, the city manager will identify additional information or processes that may be needed prior to or concurrent with site review, such as:

(1) Variances and exceptions to existing standards necessary to achieve the defined objectives for the site, and the process and approving agency for the required changes;

(2) Processes, permits, and approvals that may be needed, including without limitation, wetland permits, floodplain permits, flood map revisions, special large water user or sanitary sewer pretreatment agreements, rezonings, or Boulder Valley Comprehensive Plan changes;

(3) Need for any further environmental studies or impact studies; and

(4) Public infrastructure improvements needed to serve the development, including without limitation, transportation improvements such as streets, alleys, transit stops, and shelters, other alternative mode facilities and connections, and acceleration and deceleration lanes, water, wastewater, and flood control.

(f) Review of and Comment on Concept Plans: Upon receipt of an application for a concept plan review, the city manager will review the submitted materials for general compliance with the requirements of this title, and prepare staff comments. The scope of staff comments will differ from application to application, at the discretion of the manager. Unless withdrawn, a concept plan shall be referred to the planning board pursuant to paragraph (1) of this subsection and may be reviewed by the city council pursuant to paragraph (2) of this subsection:

(1) Planning Board Review and Comment: The manager will forward the application, any comments received from neighbors and other interested persons, and any staff comments to the planning board. The planning board shall review the concept plan at a public meeting held pursuant to the provisions of Subsection 2-3-1(b), B.R.C. 1981. Planning board members may provide individual comments on the concept plan. ~~A concept plan review and comment shall not relieve the applicant of the burden required to seek approvals for elements of the plan that require review and approval under the Boulder Revised Code.~~

(2) City Council Review and Comment: Following planning board review of a concept plan, the city manager shall forward the application, any comments received from neighbors and other interested persons, any staff comments, and a summary of the planning board discussion to the city council. The city council may within thirty days of the review by the planning board vote at a regularly scheduled meeting to review and comment on the concept plan. If the city council votes to review the concept plan, the city council will review the concept plan at a public meeting within sixty days of said vote.

(g) Guidelines for Review and Comment: The following guidelines will be used to guide the planning board's discussion regarding the site. It is anticipated that issues other than those listed in this section will be identified as part of the concept plan review and comment process. The planning board may consider the following guidelines when providing comments on a concept plan:

(1) Characteristics of the site and surrounding areas, including without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including without limitation, mature trees, watercourses, hills, depressions, steep slopes, and prominent views to and from the site;

(2) Community policy considerations, including without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan and other ordinances, goals, policies, and plans, including without limitation, sub-community and sub-area plans;

(3) Applicable criteria, review procedures, and submission requirements for a site review;

(4) Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;

(5) Opportunities and constraints in relation to the transportation system, including without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;

(6) Environmental opportunities and constraints, including without limitation, the identification of wetlands, important view corridors, floodplains, and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site, and at what point in the process the information will be necessary;

(7) Appropriate ranges of land uses; and

(8) The appropriateness of or necessity for housing.

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

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

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 2nd day of September, 2014.

.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this _____ day of _____, 20__.

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_____
Mayor

Attest:

_____
City Clerk

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ORDINANCE NO. 7993

AN ORDINANCE AMENDING SECTION 9-8-5, OCCUPANCY OF DWELLING UNITS, B.R.C. 1981, TO MODIFY OCCUPANCY LIMITATIONS FOR HOUSING FOR PERSONS 62 YEARS OF AGE OR OLDER TO IMPLEMENT MEASURES RECOMMENDED AS PART OF THE CITY'S COMPREHENSIVE HOUSING STRATEGY, AND SETTING FORTH RELATED DETAILS.

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

Section 1. Section 9-8-5, B.R.C. 1981, is amended to read:

9-8-5 Occupancy of Dwelling Units.

(a) General Occupancy Restrictions: Subject to the provisions of Chapter 10-2, "Property Maintenance Code," B.R.C. 1981, no persons except the following persons shall occupy a dwelling unit:

(1) Members of a family plus one or two roomers. The quarters that the roomers use shall not exceed one-third of the total floor area of the dwelling unit and shall not be a separate dwelling unit;

(2) Up to three persons in P, A, RR, RE, and RL zones;

(3) Up to four persons in MU, RM, RMX, RH, BT, BC, BMS, BR, DT, IS, IG, IM, and IMS zones; ~~or~~

(4) Two persons and any of their children by blood, marriage, guardianship, including foster children, or adoption;

(5) Up to six persons that are all 62 years of age or older in RR, RE, and RL zones provided that all requirements of the federal Fair Housing Act, 42 U.S.C. §3601, et seq., as amended, and the Colorado Housing Practices Act, §24-34-501, et seq., C.R.S., as amended, with respect to housing for older persons are complied with; or

(6) Up to ten persons that are all 62 years of age or older in RR and RE zones provided that the lot meets the minimum lot area requirement of Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981, the dwelling unit is actually and physically occupied by the owner

and constitutes the owner's principal residence, and all requirements of the federal Fair Housing Act, 42 U.S.C. §3601, et seq., as amended, and the Colorado Housing Practices Act, §24-34-501, et seq., C.R.S., as amended, with respect to housing for older persons are complied with. An owner includes an occupant who owns an interest in a corporation, partnership, association, organization or any other group operating as a unit that owns the property.

(b) Accessory Dwelling Unit, Owner's Accessory Unit, or Limited Accessory Dwelling Unit: The occupancy of an accessory dwelling unit, owner's accessory unit, or limited accessory dwelling unit must meet the requirements of Subsection 9-6-3(a), B.R.C. 1981.

(c) Nonconformity: A dwelling unit that has a legally established occupancy higher than the occupancy level allowed by Subsection (a) of this section may maintain such occupancy of the dwelling unit as a nonconforming use, subject to the following:

(1) The higher occupancy level was established because of a rezoning of the property, an ordinance change affecting the property, or other city approval;

(2) The rules for continuation, restoration, and change of a nonconforming use set forth in Chapter 9-10, "Nonconformance Standards," B.R.C. 1981, and Section 9-2-15, "Use Review," B.R.C. 1981;

(3) Units with an occupancy greater than four unrelated persons shall not exceed a total occupancy of the dwelling unit of one person per bedroom; and

(4) The provisions of Chapter 10-2, "Property Maintenance Code," B.R.C. 1981.

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

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

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 2nd day of September, 2014.

.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this _____ day of _____, 20__.

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_____
Mayor

Attest:

_____
City Clerk

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Comprehensive Housing Strategy
Short Term Actions Updated August 15, 2014

A central tenet of the CHS initiative is to embrace the need for ongoing attention and action related to Boulder's affordable housing challenges. To that end, Council requested that staff identify and propose some "early wins" that could help improve conditions even as more significant policy work is undertaken in the coming months and year.

Evaluation criteria used to identify potential short term actions included:

1) Meets one or more of the three project focus area subjects:
   a) strengthening the city's affordable housing programs for low- and moderate-income households;
   b) expanding housing opportunities for middle-income households;
   c) exploring innovative approaches to providing additional housing and a broader range of housing options;
2) Generally consistent with existing polices or existing conditions (i.e., it helps improve application of existing policies, rather than represent a significant departure);
3) Can be accommodated in the existing work plan with existing resources (i.e., the scope is fairly narrow, and can be kept so, so that the "win" can be achieved in the near-term); and
4) The specifics of the issue are largely known (i.e., does not require extensive research or data analysis).

Following is a summary of the short term actions, including a brief description, required resources to accomplish it and estimates on timing. ***Staff proposes to bundle the first three items for Council consideration in August/September. The final three items will begin immediately after completion of the first three.***

1. Right-of-way (ROW) and density calculation ordinance

What is it? In areas of the city subject to adopted area plans or transportation network plans, the city has identified new public streets and connections needed to realize more gridded, interconnected neighborhoods where present conditions are more large lot and suburban. These connections are typically obtained through redevelopment of sites through the Site Review process. Under current land use code restrictions, the number of dwelling units allowed is calculated after ROW dedications are subtracted from the land area of sites, which reduces the number of overall units. This scenario in some cases significantly reduces the number of units to the extent that redevelopment becomes less feasible due to multiple dedications, and creates situations in which two community benefits (desired new housing units, and improved connectivity) are placed in competition with each other. The modification will allow calculation of the gross site area prior to dedication in determining the maximum number of units that might be achieved through the Site Review process. Importantly, the Site Review criteria and other regulatory controls that ensure context sensitive outcomes would remain in place (e.g., setbacks, height controls, BVCP land use densities, etc.). This code change would, however, remove an impediment to achieving housing densities in areas of redevelopment.
Where applied? Areas where there are adopted area and transportation network plans.
Required resources? Accomplished within existing city resources.

Estimates on timing: Planning Board approved on May 1; Council 1st reading on May 20; Planning Board reconsideration on August 7; *Planning Board voted 4-2 to recommend denial to Council.*
Issues: Planning Board expressed a desire to also look at how open space requirements are used to control housing density as part of a future code update effort. This issue has also been identified by staff previously, but is seen as a more substantial work effort.

2. Council call-up of Concept Review applications

What is it? At the 2014 retreat, City Council indicated a desire to help shape key projects early in the process. This would allow City Council to weigh in early on Concept Reviews (after Planning Board review and comment) as a method to inform the design and configuration of large scale, complicated proposals and help property owners gain a higher level of confidence in determining whether their proposals are consistent with city goals and policies. The land use code could be revised to require all Concept Plans to be subject to City Council call up.
Where applied? In the near term, specific projects could include 2100 30th St., the car dealership between Pearl and Walnut, where a Concept Plan has been submitted proposing re-zoning from BR-1 to MU-4 to provide a greater number of residential units; and the Hogan Pancost property near the East Boulder Community Center, for which the owner is expected to submit a new Concept Plan in the coming months.
Required resources? Accomplished within existing city resources.
Estimates on timing: Planning Board consideration on July 31; Council 1st reading on September 2; Council 2nd reading on September 16.
Issues: Would potentially increase Council and staff work load and number of applications for City Council to consider, with additional memorandums and presentations to City Council for those proposals that are actually called up. The staff proposal is available here.

3. Senior housing in single family neighborhoods

What is it? The number of seniors is expected to double between now and 2028 to approximately 30,000. In partial response to this trend, senior advocates have identified a need for a housing model that allows multiple, unrelated seniors to share a single family home in a single family neighborhood. The idea is for six to eight older adults to share a large house, companionship, and living costs. A concierge service could provide many basic needs, but one model includes a live-in caregiver as one of the six to eight residents.
Where applied? RR, RE and RL zones.
Required resources? May require additional city resources.
Estimates on timing: Planning Board consideration on July 31; Council 1st reading on September 2; Council 2nd reading on September 16.
Issues: Although a process exists currently to raise the occupancy limits for group home facilities, this type of use requires custodial care and treatment in a protective living environment to the handicapped or aged person (60 years or older). Staff proposed a senior shared housing option to allow up to 6 seniors (62 years or older) to share a single-family home in the RR (Rural Residential), RE (Residential Estate) and RL (Residential Low) zones. At the July 31 meeting, Planning Board recommended allowing up to 10 persons in the RR and RE zones with an owner occupancy requirement, but kept the limitation at six in the RL zone.

4. 1-to-1 unit replacement ordinance for 100% permanently affordable

What is it? Many affordable housing developments in Boulder were built prior to existing zoning districts. As a result, these developments have more residential dwelling units than the

current zoning districts allow. There are an estimated 21 affected projects that are unable to rebuild to the number of units currently existing on the site. In order to retain the total number of units in these developments, nonprofit organizations have been incrementally rehabbing these properties, with funding assistance from the city's Division of Housing in the form of CDBG, HOME and Affordable Housing funds. The incremental approach is often more expensive than demolishing the existing buildings and developing new projects. Boulder Housing Partners owns the majority of affected properties, but Thistle and Boulder Housing Coalition also have properties.
Where applied? The ordinance would apply only to existing affordable properties that are nonconforming.
Required resources? Accomplished within existing city resources.
Estimates on timing: Council consideration in Winter 2014-2015.
Issues: None identified.

5. Targeted fix to ADU/OAU

What is it? The intent of the Accessory Dwelling Unit (ADU)/Owner's Accessory Unit (OAU) ordinance was to enable the cost-effective and efficient use of existing single family homes in Boulder. In particular it was hoped that ADU's would offer supplemental income and possibly services to older residents and to single parent households, allowing them to stay in their homes. The resulting units are small, inherently more affordable due to size, and provide additional housing choice and opportunity within existing single family neighborhoods, though typically only attractive or available to one or two person households.
Where applied? To be determined.
Required resources? Depending on the scale of the project, may require additional city resources. Based on feedback from Planning Board and community members during the first round of early wins, additional community engagement may be necessary.
Estimates on timing: Council consideration in Winter 2014-2015, depending on the appropriate level of community engagement.
Issues: ADUs and OAUs have a long and complicated history in Boulder that will be documented as part of developing the strategy. The existing ordinance has numerous restrictions on the construction of ADUs. An early win would involve repealing one or more of the current restrictions to encourage this housing type. Of the existing barriers, three that could be accomplished within existing resources are removing the concentration restrictions (no more than 10% ADUs in a specified area), removing the parking requirement, and the neighborhood notice requirement. Currently, there are six people on the waiting list to build and ADU/OAU, but are restricted by the concentration restriction. Parking is a common concern, but providing an off-street parking space is a significant barrier considering that the occupancy limits for unrelated people are the same for a home with or without an ADU/OAU. Finally, the requirement for notice creates expectations with neighbors that it is a discretionary review process when it is not. ADU/OAUs are allowed by right.

6. Targeted fix to Cooperative Housing

What is it? A housing cooperative (or coop) is a community of unrelated people who share a dwelling and operate as a single housekeeping unit. Coop members usually pool resources to purchase food together and jointly pay for other household expenses. Frequent shared group meals and an explicit system facilitating the division of household responsibilities are also common. Coops usually hold regularly scheduled house meetings where decisions affecting the entire household are made, and members are held accountable for their responsibilities to the

community. Coops frequently use consensus or other egalitarian decision making processes. Cooperative households typically need to have 10 or more members to function.
Where applied? To be determined.
Required resources? Depending on the scale of the project, may require additional city resources. Based on feedback from Planning Board and community members during the first round of early wins, additional community engagement may be necessary.
Estimates on timing: Council consideration in Winter 2014-2015, depending on the appropriate level of community engagement.
Issues: Currently, Cooperative Housing is a conditional land use and the current ordinance has not produced any coops since its creation. An early win could remove one or more of the requirements in the ordinance. For example, the current ordinance only applies to homeownership cooperatives, requires a minimum of 300 square feet of habitable space per resident, requires that every coop member have an EcoPass, limits occupancy to 6 unrelated residents, requires off-street parking, and may revoke the permit for a noise or weed violation. Another option is to remove one or more of the above restrictions only for cooperative housing that is wholly owned by its residents and/or a non-profit, such as the Boulder Housing Coalition.

THE HIGHLAND GROUP

July 12, 2014

via email to: Jay Sugnet <sugnetj@bouldercolorado.gov>; David Driskell <DriskellD@bouldercolorado.gov>
Karl Guiler <Guilerk@bouldercolorado.gov>; Crystal Launder <LaunderC@bouldercolorado.gov>

Dear Jay, David, Karl, and Crystal:

I'm writing to provide some of my thoughts about changes to zoning rules governing the number of unrelated adults who may share single-family homes. I greatly appreciate that you are examining potential changes to these rules, and that you are starting with consideration of increasing the numbers of older persons who may share homes.

I've been a professional working with and for seniors in Boulder and statewide since I moved to Boulder in 1978, both in the public and private sectors. When I arrived here, I was a young person of 28. Of course, 36 years later, I find I have aged into a 60+ resident of Boulder – someone who intends to remain in Boulder the rest of my life and wants to have a range of affordable, sustainable choices for myself and my age peers. As a result, my comments come both from my professional experience, as well as my personal wishes as a citizen.

First, I do believe it is critically important to increase the variety and flexibility of the housing stock overall in Boulder. Shared housing is only one approach to doing that, but it is an important and zero-cost approach that does not require new development or expenditure of city housing funds to promote affordability. There have already been major household formation shifts occurring over the past 10+ years due to economic conditions, high housing costs, and increased numbers of single-person housholds. Add to that the huge numbers of boomers passing age 60 in Boulder, there is and will increasingly be a mismatch between the sizes and types of households and the housing stock available in our community. The 15,000+ boomers who have aged here in Boulder, as I have, will not all want to or be able to remain by ourselves in our single-family homes. Personally, when my last child leaves home in two years, I will be alone in a 2,840 square foot house, and I see no sense in continuing to live that way.

As you work to restructure rules about shared homes, I want to suggest that you not set a fixed limit on the number of people who may occupy a home, but rather let the number of occupants be flexible and related to the capacity of the home. To ensure there is no negative impact to neighborhhods, certainly, there are already in place and could be additional, reasonable limits on the amount of square footage or bathrooms per person, parking spaces and the number of automobiles. **The other parameter I want to suggest is that you use HUD's official, Fair Housing-defined age 55+ for the age threshold, rather than using the HUD-defined 62+ or an arbitrary age 65+.** The HUD 55+ definition is used by all for-sale new home communities that are age-restricted, for good reason. Many people in their late 50s in Boulder are now empty-nesters, many of them currently single. (I ran a demographic report [attached to this email] and see that *an estimated 30% of owner-occupied households just between ages 55 and 64 in Boulder live alone)*. These households have the same potential benefits to gain from sharing homes as those 65+ would, and, beginning to share housing, transportation and support services costs sooner rather than later preserves that a person's income for savings/retirement, and, eventually, expensive care services toward the end of life. What could possibly be the rationale for requiring people arbitrarily to wait til 65, if home sharing is a good option for them at 56 or 61?

Boulder Steel Yards 3020 Carbon Place Suite 202, Boulder, CO 80301 Telephone 720.565.0966 Fax 720.294.9663 www.thehighlandgroupinc.com

Certainly, home sharing isn't for everyone and only a small minority of Boulder's older residents will choose to share a home for affordability, companionship, and mutual support. We are an independent lot, for sure. In that regard, this zoning change should not constitute a threat of any magnitude. That said, home sharing is a very attractive option for some people, particularly in our baby boomer generation. Unlike our parents' generation, many of us lived in group-type situations when we were in college or in our 20s and are not only comfortable with the concept, but are drawn to it.

In the largest sense, I believe it is important for the city to look at housing as a community issue, as you are doing. It isn't just about the individual needs and preferences of each person. Sustainability for older residents of Boulder requires broad thinking that considers housing in connection with transportation, social, and service needs. There are opportunities to greatly impact sustainability by considering other community and individual costs and needs that are related to where and how people live. Sustainability includes:

1. **Housing and related costs** - The cost of the housing itself, other significant housing-related costs like utilities, insurance, taxes, and maintenance services for smaller and recurring items, as well as major items (appliances, roofing, etc.).

2. **Transportation** becomes increasingly problematic as people age. There is the cost involved in owning a car, combined with declining interest in and ability to drive. The cost involved in one or two residents of a shared home using their personal cars to drive themselves and other residents when needed is a small fraction of the cost required to support specialized door-to-door transportation, such as that provided by Via. And, transportation needs will most certainly increase dramatically in Boulder as many baby boomers begin to pass age 75 in 10 years.

3. **Support and care services -** A number of credible reports document that 80% of the care and supportive services needed by older persons has been provided informally, primarily by spouses and other family, with only 20% of care and support services provided to older persons paid out-of-pocket or by government services or charitable agencies. With demographic trends showing growing numbers of single older person housholds, combined with fewer adult children per boomer household, going forward, fewer family members will be available to provide support services and care to aging residents of Boulder, including transportation, help with grocery shopping, home maintenance, house cleaning, and later, help with personal care tasks. One of the greatest and most financially-valuable benefits of home sharing is exactly this – persons living together who choose to and are able to provide mutual support at no cost.

In closing, I would like to offer any of the resources of our office as you work to construct a good approach to zoning rules for shared housing. We have a vast library of material relative to 55+ housing, including national and Colorado research, housing trend reports and publications, housing/aging data from the US. Census, automobile use data, and subscriptions to several demographics services.

I would be happy to discuss any of the content of this letter, any questions or information needs you may have, and provide other assistance. I will be out of town this coming week, (July 14-17) and can respond after that time.

Sincerely,

Elisabeth Borden
Principal

ssarchitects

July 14, 2014

By email to: David Driskell DriskellD@bouldercolorado.gov>; Karl Guiler Guilerk@bouldercolorado.gov
Boulder Planning Board boulderplanningboard@bouldercolorado.gov

Dear David, Karl and Members of the Planning Board,

I am writing to share my thoughts about the Senior Occupancy standards. These standards are being prepared by Staff for your review as part of the zoning modifications proposed relating to the number of unrelated adults who may share a single-family home. This policy clearly has the potential of being an ***early win*** in your Comprehensive Housing Strategy as the "grey tsunami " approaches. As a 60+ individual, I am very concerned about providing affordable housing options at all levels for our senior population. Cooperative Housing for seniors is an important component of this plan.

As staff prepares these proposed zoning changes I would like to strongly suggest that you use HUD's official Fair Housing-defined age of 55+ for the age threshold rather than an arbitrary age of 65+. It is the standard for the age restricted *for-sale* new home communities. Creating a new and arbitrary standard simply adds to confusion and perhaps could even be deemed discriminatory to the population between 55 -64 years old. I don't anticipate Senior Cooperative housing in Boulder to be a large segment of our seniors housing but feel it is important to provide as many options to seniors as possible.

And finally, must we arbitrarily limit to 6 people occupying a cooperative? In my review of the data, a successful cooperative needs at least 8-10 members for a cooperative to work financially. Artificially limiting it to 6 members doesn't recognize the size of the property and only harms the sustainability and affordability of shared housing.

So when you review rezoning changes to our zoning code, please consider implementing these two important details into the Senior Occupancy proposal to make this zoning change a truly *early win* success.

Thank you for your consideration.

Sincerely,

STEPHEN SPARN ARCHITECTS, PC

Stephen Sparn
Principal Architect

Stephen Sparn Architects, PC 1731 Fifteenth Street, Suite 250 Boulder, Colorado 80302 T: 303/442-4422 www.sparn.com

Guiler, Karl

From: Ferro, Charles
Sent: Tuesday, July 15, 2014 12:28 PM
To: Guiler, Karl
Subject: FW: Senior Occupancy Limits

Follow Up Flag: Follow up
Flag Status: Flagged

From: Morgan McMillan [
Sent: Tuesday, July 15, 2014 10:37 AM
To: boulderplanningboard
Subject: Senior Occupancy Limits

Hello Planning Board:

Thank you for your careful consideration of the current occupancy limits regarding seniors. I urge you to get rid of the occupancy limits for people 55+ in the City of Boulder.

55 years is the age used by HUD for senior affordable housing - it seems unnecessary to create a different standard for our community. And I wonder what we're afraid of if we get rid of the limits entirely? Raging keggers in a house with 7-8 older adults, as opposed to 6?

In all seriousness, we should encourage affordable co-housing opportunities through lowering barriers and then monitor potential negative impacts on the community - rather than limiting options from the outset. With a rapidly aging population, we need to expand choices for older adults - including re-use of current housing stock. Removing the occupancy limits for 55+ in Boulder is a good strategy to implement.

Thank you for your time and leadership,
Morgan Rogers McMillan

Guiler, Karl

From: Neshama Abraham
Sent: Wednesday, July 16, 2014 4:51 PM
To: Launder, Crystal
Cc: Sugnet, Jay; Guiler, Karl
Subject: Crystal - Boulder pilot shared senior home re new ordinance

Importance: High

Hi Crystal,
Thank you for speaking last week. As City staff writing the updated occupancy ordinance, we wanted to provide you, Jay and Karl with a real-life example of why eliminating the occupancy level in single family zones for senior housing is important to Boulder's future. Since the residents and elected officials of Boulder have made sustainability and affordable housing a very high priority, it makes sense to craft a new occupancy ordinance which supports those overarching City goals.

Occupancy Limit re Boulder pilot
We have spoken with a Boulder senior homeowner who has a 23,500 square ft lot behind her home that she would like to develop as a shared home for a group of seniors. According to the floor area ratio (FAR) calculator on the City website, it would be possible to build up to a 5,800 square foot home on the property. The elder homeowner envisions a single family home which includes a number of "master suites" with room for a bedroom and sitting area plus a private handicapped accessible bathroom, and a couple of smaller bedrooms with a shared bath.

If occupancy limits are created that only allow for six (6) unrelated people to live on that property, then the individual purchase price puts this way out of the range of most seniors. However, if she is allowed to build this home to accommodate 10 bedrooms (eight - 400 sq. ft. suites and two - 300 sq. ft. rooms with shared bath) along with about 1,500 sq. ft. of shared space including kitchen, dining, multi-purpose room and bathroom, then a purchase price of $175,000 - $275,000 per bedroom becomes possible. This enables a critical mass of elders to share a more affordable home where they can age in community and bring in the services they may need as they age.

Anecdotal data among occupants of shared co-operative homes across the U.S. gives 10 as a base number or "floor" for what makes for a successful house community. The six limit you are proposing is too restrictive, both from the perspective of sharing finances and to ensure house tasks are fairly distributed. We'd be happy to provide occupancy research if you'd like more info.

Parking
This specific Boulder property only requires one off street parking space but it would be the owner's intention to provide up to three spaces to accommodate resident parking. We understand that neighbors are often concerned about the amount of parking that may be generated by the construction or renovation of higher occupancy shared homes. We offer several suggestions below that may be able to address parking issues.

1. Allow a maximum of 1-2 on-street parking spaces with additional spaces requiring a parking permit, as is done in other neighborhoods.
2. Provide at least 2 off-street parking spaces for homes in single family zones.
3. Offer car sharing for house residents as a green point credit to encourage a house membership in a car-sharing service and the placement of a shared car easily accessible from the home.

As 18-year residents of the Nomad Cohousing Community, an 11-unit neighborhood on a 1-acre in North

Boulder, we know first hand the benefits of a community-focused lifestyle. Because of our close proximity to one another and the ongoing interactions proximity encourages, residents often share resources such as cars, lawn maintenance equipment and tools. We anticipate that elders living in a home together are likely to share cars which will further lesson the need for parking impact. In addition, the affordable senior house we are describing is intended to be the last home for the elder residents. As the residents age, they will naturally drive less and the need for parking will only diminish over time.

55 and Over

We also wish to encourage the new housing ordinance for senior housing to apply to elders age 55 and above. Age 55 is HUD's standard number for Fair Housing law and age 55 is the basis for the **The Housing for Older Persons Act of 1995.** We suggest the City use HUD's definition of "senior" which will open up the opportunity for shared homes to a larger population of Boulder's older adults who are ready to live with other active seniors and make this affordable senior housing option available to as many people as possible. Plus, lowering the age will make better use of our housing stock as a number of seniors in the 55 to 64 age range we have spoken with wish to pursue this lifestyle.

We hope that our providing you with a real example of a pilot senior shared home that would not be economically feasible under the proposed six- person limit is helpful as you craft the new ordinance. As the population of Boulder ages we are being required to adjust our regulations to meet these needs to create more sustainability and affordability. Eliminating the City occupancy limit for unrelated seniors and applying the HUD definition of seniors are two important steps in the right direction.

Thank you very much for your thoughtful work on the senior housing issue.
Neshama

Neshama Abraham, President & CEO,
Abraham Paiss & Associates, Inc.

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& ASSOCIATES
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Guiler, Karl

From: Sugnet, Jay
Sent: Tuesday, July 22, 2014 8:52 AM
To: Guiler, Karl
Subject: FW: Home Sharing is going viral....
Attachments: A shorter Definition of Aging in Place.docx

For you report...

From: Ellen Taxman [mailto:
Sent: Friday, July 18, 2014 12:43 PM
To: Sugnet, Jay
Subject: Re: Home Sharing is going viral....

Your back!!! I hope you had a wonderful and restful vacation.

I would very much appreciate 20-30 min. of your time to go over the AAC's thoughts on increasing the occupancy limit to 6. For the most part, we are on board. We just have a few concerns before we totally sign off on it.
Do you have anytime next week to meet to let me go over a few points with you? I promise it won't take too long.
I also am attaching a definition of Aging in Place/Community that we would like to provide to the City Council members and the Planning Board so that they understand what that term actually means. At the last study session, I heard the council members fumbling around with what they thought it meant and I thought it might be helpful to know what it actually means.

Let me know. I could meet early Wed. morning if that would work for you?
Ellen

On Fri, Jul 18, 2014 at 12:24 PM, Sugnet, Jay <SugnetJ@bouldercolorado.gov> wrote:

Thanks Ellen for sharing.

Jay

From: Ellen Taxman [mailto:
Sent: Friday, July 11, 2014 8:56 AM
To: Sugnet, Jay
Subject: Home Sharing is going viral....

http://www.nytimes.com/2014/07/12/your-money/looking-for-a-housemate-not-a-mate-in-later-life.html?action=click&pgtype=Homepage&region=CColumn&module=TimesWire&src=twrhp&WT.nav=TimesWire

Definition of Aging in Place

The term has come to mean more than just the adaptation of an environment to accommodate the changing needs of people as they grow older. This can include physical adaptations to the home that help maintain independence, mobility and a healthy life style, designed to maintain independence, dignity and an enhanced quality of life.

The concept of aging in place has also been broadened to include aging within the community, recognizing the importance of social connections and established individual support systems as well as provided services. Their community provides a supportive and familiar context which helps individuals maintain their emotional and social connections as their needs change and they become more dependent on others.

Thus the individual's home and the wider community both have an interdependent role to play in the concept of successful aging in place.

AAC Housing Subcommittee Recommendations on Increasing Occupancy Limit to 6:

On behalf of the AAC, we would like to recommend that the current occupancy limit of 3-4 unrelated individuals living in a single family housing dwelling, be increased to 6 for elders ages 55 and older to accommodate the following living situations:
Shared Housing

Shared Housing is an newer socially acceptable and desirable living arrangement in which several unrelated individuals or couples choose to cohabitate in a single family house as a means to share resources and live more financially securely and affordably.

Arguments in support this type of living arrangement:

- ✓ Shared housing is one of a number of innovative uses communities across the country are considering to make efficient use of the existing housing stock.
- ✓ Allows for elders to stay in their community.
- ✓ Provides an affordable living option for elders.
- ✓ Creates a supportive environment for elders to age in place/community
- ✓ This living arrangement provides an alternative option to moving into an assisted living facility assuming supportive living arrangements by others are part of the shared living experience.
- ✓ Shared housing helps to address the lack of moderate to middle income housing for the elder population.
- ✓ Uses existing housing stock and resources to house elders.
- ✓ Shared services under "one roof" allows for efficiency and cost savings as well as cuts down on the number of trips to provide services to several households around town.

Other important considerations that need to be addressed:

- ✓ If the code reads 6 unrelated individuals living in a house that has 4 bedrooms, could 4 couples (units) live together?
- ✓ Will you there be restrictions on the sq. ft/bedroom unit/person or couple?
- ✓ Will you put in place special considerations for increasing the number to say 7 or 8 where the housing arrangement allows for live-in help?
- ✓ Will there be some flexibility or loosening of the codes to allow for shared home to be modified in order to make it more accessible?

We would support a higher number than six, but think six is a good starting point for these reasons:
- It would allow for a six bedroom house
- It would allow for a five bedroom house and converted den
- It would allow for a four bedroom house with at least two rooms being shared by two unrelated couples
- It would allow for a three bedroom house with three unrelated couples

Guiler, Karl

From: Ferro, Charles
Sent: Monday, July 28, 2014 4:59 PM
To: Guiler, Karl
Subject: FW: Remove Occupancy Limit for Seniors

fyi

From: [redacted] **On Behalf Of** Lauren Spinrad
Sent: Monday, July 28, 2014 4:57 PM
To: boulderplanningboard
Cc: Sugnet, Jay
Subject: Remove Occupancy Limit for Seniors

Dear Planning Board,

During your meeting this Thursday, I ask you to support lowering the age of seniors to 55 in order to allow more people to take advantage of the opportunity to live more affordably and sustainably, while still satisfying the requirements of the Fair Housing Act.

I also encourage you to suggest removing the occupancy limit entirely for older persons. This will allow those who decide to live cooperatively to have enough residents to comfortably take care of the home and each other. It does not make sense that only six seniors could live in a house with eight bedrooms.

I support removing the occupancy limit entirely for seniors 55 and older to allow more people the opportunity to live in more sustainable, affordable cooperative homes. In the fullness of time I hope that similar living options will be offered to people of all ages and walks of life in Boulder.

Thank you for reading this message.

Cha Cha Spinrad
Make Boulder Home

Guiler, Karl

From: Ferro, Charles
Sent: Monday, July 28, 2014 5:04 PM
To: Guiler, Karl
Subject: FW: In support of cooperative housing

From: [illegible]] **On Behalf Of** Nora Connor
Sent: Monday, July 28, 2014 5:43 PM
To: boulderplanningboard
Cc: Sugnet, Jay
Subject: In support of cooperative housing

To the planning board:

I would like to voice my support for cooperative housing options as part of the Comprehensive Housing Strategy process, which I understand is on the agenda this Thursday.

*****

First of all, with regards to the proposed changes for individuals over the age of 62:

-I encourage you to lower this age requirement. A cooperative housing community might be available to one domestic partner who is aged 62, but if the other domestic partner is younger, the couple would be ineligible to live there (together). I urge you to open this option to a wider population by lowering the eligibility age to 55.

-I have lived in the cooperative community, and having a limit of 6 unrelated individuals is untenable in my experience. Many co-housing and cooperative communities across the country have found that the minimum size for a cooperative living arrangement is 10. Please raise the occupancy limit so that realistic housing options for seniors are legal, with at least 10 unrelated individuals eligible to live together. (Is there a reason that this number can't, in fact, be higher? Or that we need an occupancy limit at all for seniors?)

*****

Second of all, with regards to the Comprehensive Housing Strategy as a whole:

-Cooperative housing options offer the city an easy way to provide affordable, sustainable housing to its residents. Coops allow increased housing density, eliminate the need for individuals to live outside of the city and commute in to work every day, and provide economies of scale to make families and young professionals more likely to stay in Boulder and build businesses and develop the local economy here. I urge the Planning Board to consider these benefits and support cooperative housing for all age groups, not just seniors.

-Student housing and cooperative housing are the not the same. I urge the Planning Board to address the issues separately.

*****

Thank you for your time and your service to the community.

Regards,

Nora Connor
East Aurora Neighborhood
Boulder, CO

Guiler, Karl

From: Ferro, Charles
Sent: Tuesday, July 29, 2014 4:47 PM
To: Guiler, Karl
Subject: FW: Increase occupancy for Boulder to at least 10 people per house.

fyi

From: Martha W D Bushnell [mailto
Sent: Tuesday, July 29, 2014 4:39 PM
To: boulderplanningboard
Subject: Increase occupancy for Boulder to at least 10 people per house.

Dear Boulder Planning Board:

I am asking you to support lowering the age of seniors to 55 in order to allow more people to take advantage of the opportunity to live more affordably and sustainably, while still satisfying the requirements of the Fair Housing Act.

I also encourage you to suggest removing the occupancy limit entirely for older persons. This will allow those who decide to live cooperatively to have enough residents to comfortably take care of the home and each other. If you do not view this as an early win because you believe there needs to be a limit, remove an arbitrarily small number and replace it with an allowance of two people per bedroom. It does not make sense that only six seniors could live in a house with eight bedrooms.

I support removing the occupancy limit entirely for seniors 55 and older to allow more people the opportunity to live in more sustainable, affordable cooperative homes. In the fullness of time I hope that more convivial living options will be offered to people of all ages and walks of life in Boulder.

Thank you for your time.

Martha W D Bushnell, Ph.D., , **Boulder, Co 80303-4732**

Guiler, Karl

From: Richstone, Susan
Sent: Tuesday, July 29, 2014 4:58 PM
To: Yegian, Jeffrey; Guiler, Karl; Sugnet, Jay
Subject: Fwd: Some Comments on Housing "Early Wins"

Begin forwarded message:

From: Zane Selvans < >
Date: July 29, 2014 at 4:28:37 PM MDT
To: "Planning Board (PB)" <boulderplanningboard@bouldercolorado.gov>, "Sugnet, Jay" <SugnetJ@bouldercolorado.gov>
Subject: Some Comments on Housing "Early Wins"

Dear Planning Board,

Please find below a few comments submitted on behalf of Make Boulder Home concerning the Comprehensive Housing Strategy item coming before you this Thursday.

Shared Senior Housing:

One of the options you're considering as an "early win" in the Comprehensive Housing Strategy is an increase in the occupancy limits for older persons. In particular, allowing up to 6 unrelated persons age 62 or older to live together in many of the city's single family neighborhoods. While this is an improvement on the existing limit of 3 unrelated persons, **we are disappointed that the proposal does not extend the opportunity to share housing to a broader population.** Ideally we'd like to see **everyone** have this opportunity, but in the context of these "early wins" we would prefer to see the age threshold for increased occupancy extended as low as possible, and it is our understanding that under the federal Fair Housing Act and its amendments, this kind of age-based discrimination is legal down to an age of 55, with age verification. Allowing more younger older people to live together would enable more couples of differing ages to live together convivially. **While age verification would undoubtedly create some management overhead, that seems to us a small price to pay for the creation of additional affordable senior housing in the city** — certainly it is extremely cheap in comparison to what the city would be willing to spend on creating new affordable housing units from scratch!

Given how non-threatening the senior population ought to be, **we are disappointed that the maximum occupancy is only being increased to 6, instead of being abolished entirely**, or at the very least, increased to about 10 persons at which point a unified cooperative household becomes practical. Using a fixed number that is unrelated to the size of the dwelling also seems strange to us — why not base the legal occupancy on the number of bedrooms instead? In our experience with cooperative households, bedrooms usually end up being the variable that limits comfortable occupancy rates. Allowing up to 1.5 or 2 people per bedroom would provide plenty of occupancy for some bedrooms to be occupied by couples.

If we removed the occupancy limits entirely for those over the age of 55, it seems unlikely that there would be a mad rush by seniors citywide to pack themselves into existing single family homes, two per bedroom… but that doesn't mean there aren't *any* older people who would like to live in community! The proposed changes will continue to thwart their efforts to engage in a more affordable, convivial, sustainable way of life in our city. Could there be neighborhood impacts if we enabled this way of life? Maybe — but we suspect that the 55+ crowd is relatively unlikely to throw lots of raging keggers and leave their yards unkempt, which makes on street parking the only remaining major complaint. On this point, we've simply got to get our priorities straight — **are we more concerned with creating housing for people or automobiles**? Would there be a few more cars parked on a block with a senior housing co-op? Maybe, but it's not clear how many more, and even if it *were* significant, it would be a modest impact in exchange for the creation of completely unsubsidized affordable senior housing in Boulder.

Student Housing and the Citizen Working Groups

Students make up close to a third of Boulder's population, and they're going to be with us as a population for the long haul. They have their own unique housing challenges and impacts on the city's housing market, and **we strongly believe that one of the citizen working groups being formed should focus specifically on student housing.** This group should include several representatives from the student body, as well as CU staff who work on housing and community relations, alongside representative from Boulder's broader non-student population.

In our discussions about housing over the last several months, **we have too often heard aggressive dismissals of "the students" as an entirely alien population to be managed or even subjugated, rather than citizens to be engaged**. They have been categorized as a burden on the city, rather than an integral part of life in Boulder — which they are! Many of us were once students at the university, before we decided to make this place our home. Calls on the University to house all of the students are not reasonable. On campus student housing is expensive, and not accessible year round for students who do not return home over the holidays and at other semester breaks. Especially for students who are supporting themselves — of which there are plenty, despite the stereotype of CU students as trust-fund party kids — it is entirely rational to seek off campus shared housing. We should be careful not to harm these and other responsible students in our zeal to address the real quality of life issues that exist in neighborhoods like University Hill.

Private Equity and Shared Equity Cooperatives

While they have not been included in the package of "early wins" we're still hopeful that ordinances enabling well organized cooperative housing options will come before Planning Board before next year. We believe that at the very least in the near future non-profit owned shared equity co-ops like those created by the Boulder Housing Coalition, and private equity cooperatives in which residents own their dwelling and operate it as a single housekeeping unit should be enabled as conditional land uses, permitting the creation of households having at least 10-12 members. Regardless of what ultimately happens with occupancy limits overall, we would also like to see a usable process developed for creating rental cooperatives.

We have compiled some statistics comparing the non-profit owned shared equity co-op communities in Boulder and Madison — number of members, square footage per person, etc. in a table below. Both of these co-op systems are "community" oriented and open to the public at large, rather than being student cooperatives like those found in, for example, Austin, TX;

Berkeley, CA; and Ann Arbor, MI. On average, including children, the Boulder and Madison co-ops:

- Have **17.5** members per household, with a range from **8** to **38**.
- Have **1.16** members per bedroom, with a range from **1.0** to **1.43**.
- Provide **311** finished square feet per person, with a range from **218** to **476**.

In our recent experience rental co-ops tend to have somewhat higher occupancy rates in terms of persons per bedroom (~2 per bedroom) but similar square footage per person, as rental houses that have not been converted to co-ops permanently tend to have more non-bedroom living area.

Thank you for your time and attention!

Name	Address	Adults	Kids	Lot Area	Lot Area per Resident	Finished Floor Area	Floor Area per Resident	Bedrooms	Residents/
Ambrosia	225 East Lakelawn Pl., Madison, WI 53703	32	4	7408	206	10385	288	27	1
Audre Lourde	625 North Frances St., Madison, WI 53703	17	0	3939	232	5206	306	15	1
Avalon	20 North Franklin St., Madison, WI, 53703	9	0	3267	363	No Data	#VALUE!	8	1
Chrysalis	2127 16th St., Boulder, CO, 80302	15	0	3679	245	3268	218	13	1
Friends	437 W. Johnson St., Madison, WI, 53703	12	2	4356	311	3690	264	12	1.
Hypatia	411 N Pinckney St., Madison, WI 53703	14	0	6650	475	5601	400	12	1.
International	140 West Gilman St, Madison, WI, 53703	26	0	7260	279	9257	356	26	1.
Lothlorien	244 West Lakelawn Pl., Madison, WI, 53703	34	4	8474	223	10641	280	31	1.
Masala	744 Marine St., Boulder, CO, 80302	13	0	9195	707	2987	230	11	1.
North Haven	2550 9th St., Boulder, CO, 80304	21	5	11491	442	6880	265	22	1.
Ofek Shalom	122 North Bassett St, Madison, WI, 53703	11	0	2178	198	3018	274	10	1.
Phoenix	636 Langdon St, Madison, WI, 53703	26	0	5280	203	12368	476	24	1.

Sofia	1239 Spaight St., Madison, WI 53703	7	3	4356	436	2326	233	7	1.
Syntropy	812 Jenifer St., Madison, WI, 53703	8	0	5550	694	3385	423	8	1.
							Average		**Average**
	Total Population:		**263**		**Totals:**	**79,012**	**311**	**226**	**1.**
	Average Community Size:		**17.53**						

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Zane A. Selvans
Amateur Earthling, PhD

@ZaneSelvans (twitter)
PGP: 55E0815F

[Flat Iron Bike | Amateur Earthling | Clean Energy Action | Transportation Advisory Board | Better Boulder | Community Cycles Advocacy Committee | Boulder Housing Coalition | Make Boulder Home]

Guiler, Karl

From: Ferro, Charles
Sent: Tuesday, July 29, 2014 7:57 PM
To: Guiler, Karl
Subject: FW: housing for seniors in boulder

From: Martin Krueger [mailto:r ___
Sent: Tuesday, July 29, 2014 7:46 PM
To: boulderplanningboard
Subject: housing for seniors in boulder

Hello, my name is Martin. I'm a long time boulder resident, and have worked with elderly here in Boulder. I love my town and I love the diversity that seniors add to a town with a large young population.

I am hopeful that you are considering allowing less restrictive occupancy limits for your senior citizens. I would like to urge that you extend occupancy relaxations to people over 55 years of age and increase the number of those people allowed to live in one dwelling to 10.

thanks for your time and for representing me in the City Council!

-Martin Krueger

Guiler, Karl

From: Ferro, Charles
Sent: Tuesday, July 29, 2014 7:58 PM
To: Guiler, Karl
Subject: FW: Support for More Shared Housing Options

From: Kat Bartell [mailto:
Sent: Tuesday, July 29, 2014 7:10 PM
To: boulderplanningboard; Sugnet, Jay
Subject: Support for More Shared Housing Options

Hi there,

I am 22 years old and living at the Masala Co-Op in Boulder. I fully support shared housing options because from my experience, it is a beautiful, enriching experience to share community, conversation, and support for each other's endeavors. I love living in a community of 12 people, where we cook together, garden together, remodel our yard together, go hiking together, and various other activities.

In my short 4 years of not living with my parents, I have had about 10 living situations, as I have moved quite a bit for different jobs. This is by far the best living situation I have ever had. We are extremely organized, our weekly house meeting are highly productive and efficient, and we have a blast together. My life feels so much more rich now that I live in this wonderful community.

I support seniors living together, fixing the co-op ordinances, and the city directly engaging with CU and students on their housing issues.

Of course, there will always be those students who party and disrespect where they live, but there are hundreds and thousands of other responsible Boulder adults and students who can live in shared housing just fine and even THRIVE.

The potential concerns of shared housing are far outweighed by the tremendous emotional benefits of shared housing. One's overall happiness generally improves and they feel much more supported through community.

I look forward to seeing Boulder take a step towards more community and change old, outdated ordinances that stifle opportunities for deeper connection and community.

Thank you!!

Kat Bartell
Women's Coach & Photographer
Eye of the Kat

Yes, it is absolutely possible to create a life you dream of.

Guiler, Karl

From: Yegian, Jeffrey
Sent: Wednesday, July 30, 2014 8:52 AM
To: Guiler, Karl
Subject: FW: AAC Housing Subcommittee Recommends and Supports Increase in Occupancy Limit to 6
Attachments: AAC Housing Subcommittee Recommendations on Increasing Occupancy Limit to 6.docx

Jeff Yegian
Division of Housing Manager
303-441-4363

** The Housing Division is now located at **1300 Canyon** (Atrium) **

From: Huntley, Sarah
Sent: Tuesday, July 29, 2014 5:01 PM
To: Yegian, Jeffrey; Sugnet, Jay
Subject: FW: AAC Housing Subcommittee Recommends and Supports Increase in Occupancy Limit to 6

This came into council

From: Ellen Taxman [mailto:
Sent: Tuesday, July 29, 2014 2:23 PM
To: boulderplanningboard; Council; Sugnet, Jay; Launder, Crystal
Subject: AAC Housing Subcommittee Recommends and Supports Increase in Occupancy Limit to 6

Please review our (AAC Housing Subcommittee) recommendation to increase the occupancy limit for seniors to live in shared housing to 6 from the current 3-4 unrelated individuals in a single family home.
Thank you.
Ellen Taxman
AAC Co-Chairperson

AAC (Aging Advisory Council) Housing Subcommittee Recommends and Supports the Increase in Occupancy Limit to 6.

On behalf of the AAC, we would like to recommend that the current occupancy limit of 3-4 unrelated individuals living in a single family dwelling, be increased to 6 for elders ages 62 and older to accommodate the following living situations: **Shared Housing**

Shared Housing is has become a socially acceptable and desirable living arrangement in which several unrelated individuals or couples choose to cohabitate in a single family house as a means to share resources and live more financially securely and affordably.

Arguments in support this type of living arrangement:

- ✓ Shared housing is one of a number of innovative uses communities across the country are considering to make efficient use of the existing housing stock.
- ✓ Allows for elders to stay in their community.
- ✓ Provides an affordable living option for elders.
- ✓ Creates a supportive environment for elders to age in place/community
- ✓ This living arrangement provides an alternative option to moving into an assisted living facility assuming supportive living arrangements by others are part of the shared living experience.
- ✓ Shared housing helps to address the lack of moderate to middle income housing for the elder population.
- ✓ Shared services under "one roof" allows for efficiency and cost savings as well as cuts down on the number of trips to provide services to several households around town.

Role of the Area Agency on Aging Advisory Council (AAC)

The Area Agency on Aging Advisory Council advises the Board of County Commissioners and Boulder County Area Agency on Aging on matters affecting older adults and caregivers. The AAC demonstrates leadership and vision in carrying out the following responsibilities:

1. Identify gaps in services for older adults and caregivers, with special attention to services for persons who are low-income, low-income minority, rural, and persons with limited English proficiency.

2. Review and approve Boulder County's plan for services for older adults and caregivers.

3. Establish priorities for Older Americans Act and Older Coloradans Program funding.

4. Educate the community about the strengths and needs of older adults and caregivers.

5. Identify new, and re-focus existing, resources on services for older adults and caregivers.

6. Advocate on matters of public policy (local, county, state, and national) that affect older adults and caregivers.

7. Provide information to the public.

8. Act as a liaison between local senior advisory councils and the AAC.

9. Support the work of Boulder County Aging Services Division.

Through its Technical Review Committee, the AAC shall:

10. Make recommendations regarding funding for services.

11. Monitor and evaluate services for older adults and caregivers.

Definition of Aging In Place/Community

The original concept of Aging in Place was created from an architectural perspective to design a place that would accommodate the changing physical needs of an individual as they aged. The idea being that as an person's needs change, the environment would be designed to adapt with them as a means to maintaining their independence and dignity while enhancing their quality of life.

While the initial context of aging in place has not changed, the definition has broaden to include a wider scope of possibilities that include new pathways, strategies and challenges of how to age successfully for better health, enhanced quality of life and a heightened sense of self-value and connection. Aging in place also has come to mean aging in *community*, which recognizes the importance of the social connections individuals form with one another, and as individuals needs change that they don't have to rely solely on provided services but can turn to existing support systems (i.e. family, friends and neighbors- the extended "family"). However should an individual need extra assistance beyond what the social connections can provide, there is organizational systems and service providers that can augment those needs (e.g. in home caregivers, meals on wheels, special transportation services, etc.).

Individuals that have lived in a community for a period of time develop supportive relationships both family and friends and a familiarity of the neighborhood around them that form the very fabric of one's life. Over time, the fabric becomes frayed but certain threads keep the material intact. Those threads are instrumental in supporting an individual as their needs change and they become more dependent on others to maintain their

emotional and social connections as well as their connection to the greater community around them.

Aging in Community doesn't necessarily mean staying in the same house. It might include staying within a geographic community but moving into a shared occupancy home, co-housing or an independent senior living facility. What's important is having a variety of living options for seniors as they age while maintaining an intact support system that keeps seniors living as independently and dignified as possible.

Guiler, Karl

From: Meissner, Susan
Sent: Wednesday, July 30, 2014 10:30 AM
To: Sugnet, Jay; Guiler, Karl
Subject: FW: Remove Occupancy Limit for Seniors

From: _ _____ **On Behalf Of** Lauren Spinrad
Sent: Monday, July 28, 2014 4:57 PM
To: boulderplanningboard
Cc: Sugnet, Jay
Subject: Remove Occupancy Limit for Seniors

Dear Planning Board,

During your meeting this Thursday, I ask you to support lowering the age of seniors to 55 in order to allow more people to take advantage of the opportunity to live more affordably and sustainably, while still satisfying the requirements of the Fair Housing Act.

I also encourage you to suggest removing the occupancy limit entirely for older persons. This will allow those who decide to live cooperatively to have enough residents to comfortably take care of the home and each other. It does not make sense that only six seniors could live in a house with eight bedrooms.

I support removing the occupancy limit entirely for seniors 55 and older to allow more people the opportunity to live in more sustainable, affordable cooperative homes. In the fullness of time I hope that similar living options will be offered to people of all ages and walks of life in Boulder.

Thank you for reading this message.

Cha Cha Spinrad
Make Boulder Home

Guiler, Karl

From: Meissner, Susan
Sent: Wednesday, July 30, 2014 10:31 AM
To: Guiler, Karl; Sugnet, Jay
Subject: FW: Senior Occupancy Limits

From: Morgan McMillan [mailto:
Sent: Tuesday, July 15, 2014 10:37 AM
To: boulderplanningboard
Subject: Senior Occupancy Limits

Hello Planning Board:

Thank you for your careful consideration of the current occupancy limits regarding seniors. I urge you to get rid of the occupancy limits for people 55+ in the City of Boulder.

55 years is the age used by HUD for senior affordable housing - it seems unnecessary to create a different standard for our community. And I wonder what we're afraid of if we get rid of the limits entirely? Raging keggers in a house with 7-8 older adults, as opposed to 6?

In all seriousness, we should encourage affordable co-housing opportunities through lowering barriers and then monitor potential negative impacts on the community - rather than limiting options from the outset. With a rapidly aging population, we need to expand choices for older adults - including re-use of current housing stock. Removing the occupancy limits for 55+ in Boulder is a good strategy to implement.

Thank you for your time and leadership,
Morgan Rogers McMillan
3oulder 80305

Elisabeth Borden

Boulder, CO 80304

July 29, 2014

To the City of Boulder Planning Board: Bryan Bowen, Aaron Brockett (Chair), Leonard May, John Putnam, John Gerstle, Crystal Gray, Elizabeth Payton
via email to: boulderplanningboard@bouldercolorado.gov

Dear Planning Board Members;

I am writing to encourage your support for changes to zoning rules governing the number of unrelated adults who may share single-family homes. I greatly appreciate that you are considering potential changes to these rules, and that you are starting with a proposed change to increase the number of older persons who may share homes.

I've been a professional working with and for seniors in Boulder and statewide since I moved to Boulder in 1978, both in the public and private sectors. When I arrived here, I was a young person of 28. Of course, 36 years later, I find I have aged into a 60+ resident of Boulder – someone who intends to remain in Boulder the rest of my life and wants to have a range of affordable, sustainable choices for myself and my age peers. As a result, my comments come both from my professional experience, as well as my personal wishes as a citizen.

First, I do believe it is critically important to increase the variety and flexibility of the housing stock overall in Boulder. Shared housing is only one approach to doing that, but it is an important and zero-cost approach that does not require new development or expenditure of city housing funds to promote affordability. There have already been major household formation shifts occurring over the past 10+ years due to economic conditions, high housing costs, and increased numbers of single-person housholds. Add to that the huge numbers of boomers passing age 60 in Boulder, there is and will increasingly be a mismatch between the sizes and types of households and the housing stock available in our community. Many of the 18,000+ boomers who live here now have aged in Boulder, as I have. We will not all want to or be able to remain by ourselves in our single-family homes. Personally, when my last child leaves home in two years, I will be alone in a 4-bedroom house, and I see no sense in living that way.

As you work to restructure rules about shared homes, I want to suggest that you not set a fixed limit on the number of people who may occupy a home, but rather let the number of occupants be flexible and related to the capacity of the home. To ensure there is no negative impact to neighborhhods, certainly, there are already in place and could be additional, reasonable limits on the amount of square footage or bathrooms per person, parking spaces and the number of automobiles. **The other parameter I want to suggest is that you use HUD's official, Fair Housing-defined age 55+ for the age threshold, or the HUD-defined 62+, rather than the arbitrary age 65+.** The HUD 55+ definition is used by all for-sale new home communities that are age-restricted, for good reason. Many people in their late 50s in Boulder are now empty-nesters, many of them currently single. (I ran a demographic report [attached to this letter] and see that *an estimated 30% of owner-occupied households just between ages 55 and 64 in Boulder live alone)*. These households have the same potential benefits to gain from sharing homes as those 65+ would, and, beginning to share housing, transportation and support services costs sooner rather than later preserves a person's income for savings/retirement, and, eventually, expensive care services toward the end of life. What could possibly be the rationale for requiring people arbitrarily to wait til 65, or even 62, if home sharing is a good option for them at 56 or 60?

Certainly, home sharing isn't for everyone and only a small minority of Boulder's older residents will choose to share a home for affordability, companionship, and mutual support. We are an independent lot, for sure. In that regard, this zoning change should not constitute a threat of any magnitude. That said, home sharing is a very attractive option for some people, particularly in our baby boomer generation. Unlike our parents' generation, many of us lived in group-type situations when we were in college or in our 20s and are not only comfortable with the concept, but are drawn to it.

In the largest sense, I believe it is important for the city to look at housing as a community issue, as you are doing. It isn't just about the individual needs and preferences of each person. Sustainability for older residents of Boulder requires broad thinking that considers housing in connection with transportation, social, and service needs. There are opportunities to greatly impact sustainability by considering other community and individual costs and needs that are related to where and how people live. Sustainability includes:

1. **Housing and related costs** - The cost of the housing itself, other significant housing-related costs like utilities, insurance, taxes, and maintenance services for smaller and recurring items, as well as major items (appliances, roofing, etc.).

2. **Transportation** becomes increasingly problematic as people age. There is the cost involved in owning a car, combined with declining interest in and ability to drive. The cost involved in one or two residents of a shared home using their personal cars to drive themselves and other residents when needed is a small fraction of the cost required to support specialized door-to-door transportation, such as that provided by Via. And, transportation needs will most certainly increase dramatically in Boulder as many baby boomers begin to pass age 75 in 10 years.

3. **Support and care services -** A number of credible reports document that 80% of the care and supportive services needed by older persons has been provided informally, primarily by spouses and other family, with only 20% of care and support services provided to older persons paid out-of-pocket or by government services or charitable agencies. With demographic trends showing growing numbers of single older person housholds, combined with fewer adult children per boomer household, going forward, fewer family members will be available to provide support services and care to aging residents of Boulder, including transportation, help with grocery shopping, home maintenance, house cleaning, and later, help with personal care tasks. One of the greatest and most financially-valuable benefits of home sharing is exactly this – persons living together who choose to and are able to provide mutual support at no cost.

In closing, I would again like to ask you to support this and other proposed zoning/planning changes that allow Boulder's citizens a greater variety of housing choices that promote mutual support and sustainability.

Sincerely,

Elisabeth Borden

City of Boulder, Households by Age, Tenure (Owner vs Renter), and Household Size, 2014 Estimated and 2019 Projected

Source: Ribbon Demographics LLC, via The Highland Group, Inc.

2014

Owner Households by Age Group - 2014

Age Group	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total	Percent Living Alone
55-64	1,409	2,302	587	262	73	4,632	30%
65-74	1,051	1,746	211	73	23	3,105	34%
75-84	634	605	114	25	2	1,380	46%
85+	252	164	48	2	10	477	53%
Total 55+	3,346	4,818	960	362	108	9,594	35%
Total 65+	1,937	2,516	373	100	36	4,962	39%
Total 75+	886	769	162	27	13	1,857	48%

Renter Households by Age Group - 2014

Age Group	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total	Percent Living Alone
55-64	822	281	133	66	51	1,353	61%
65-74	463	141	27	28	29	688	67%
75-84	352	112	21	18	33	535	66%
85+	564	86	26	3	35	715	79%
Total 55+	2,201	621	207	116	148	3,291	67%
Total 65+	1,379	339	74	49	97	1,938	71%
Total 75+	916	198	47	21	68	1,250	73%

Total Owner + Renter Households by Age Group - 2014

Age Group	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total	Percent Living Alone
55-64	2,230	2,583	720	328	123	5,985	37%
65-74	1,514	1,888	238	102	52	3,793	40%
75-84	986	717	135	43	35	1,915	52%
85+	817	251	74	5	45	1,192	69%
Total 55+	5,547	5,438	1,167	477	256	12,885	43%
Total 65+	3,316	2,855	447	149	132	6,900	48%
Total 75+	1,803	967	209	48	80	3,107	58%

2019

Owner Households by Age Group - 2019

Age Group	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total	Percent Living Alone
55-64	1,399	2,213	646	254	64	4,577	31%
65-74	1,473	2,303	274	78	31	4,160	35%
75-84	806	704	128	29	2	1,668	48%
85+	276	139	40	6	18	478	58%
Total 55+	3,954	5,359	1,088	367	115	10,883	36%
Total 65+	2,554	3,146	442	113	51	6,306	41%
Total 75+	1,081	843	168	35	20	2,146	50%

Renter Households by Age Group - 2019

Age Group	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total	Percent Living Alone
55-64	885	299	152	71	53	1,461	61%
65-74	703	216	48	41	36	1,044	67%
75-84	414	121	28	21	25	609	68%
85+	561	90	19	18	29	717	78%
Total 55+	2,563	726	247	151	144	3,831	67%
Total 65+	1,678	427	95	80	90	2,370	71%
Total 75+	975	211	46	39	54	1,326	74%

Total Owner + Renter Households by Age Group - 2019

Age Group	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total	Percent Living Alone
55-64	2,284	2,512	799	325	117	6,038	38%
65-74	2,176	2,519	323	119	67	5,204	42%
75-84	1,219	825	155	50	28	2,277	54%
85+	837	229	59	23	47	1,195	70%
Total 55+	6,516	6,086	1,335	518	259	14,714	44%
Total 65+	4,232	3,573	536	193	141	8,676	49%
Total 75+	2,056	1,054	214	73	75	3,472	59%

Guiler, Karl

From: Ferro, Charles
Sent: Wednesday, July 30, 2014 1:28 PM
To: Guiler, Karl
Subject: FW: Occupancy Limits

From: Ian Lee Basinger [mailto: _____
Sent: Wednesday, July 30, 2014 12:56 PM
To: boulderplanningboard
Subject: Occupancy Limits

Dear Boulder city planning board,

I will be unable to attend the meeting on July 31st and would like to voice some opinions about the comprehensive housing strategy that you are undertaking. In the fall I will finish my last semester of my undergrad study as an environmental engineer and I am trying to determine whether or not I will stay in Boulder and work when I graduate or pursue employment opportunities elsewhere.

During some of my time in Boulder I have lived (illegally) in houses with about 10 individuals. We consisted of students and professionals and had great relationships with neighbors and cared and gave a great deal to the Boulder community. We shared skills, cars, tools, ideas, and food and supported each other in a way that completely changed my life. I love Boulder's innovative spirit and feel like this is a place where positive change is happening and people genuinely care about the environment and their fellow humans. The recent reluctance of city council to make meaningful changes to the occupancy law has made me feel like Boulder doesn't want me here. Like the style of life that inspires me and pushes me to make this world a better place isn't welcome here. This is pushing me to find employment elsewhere. I understand that the concerns that have been brought up in opposition to removing the occupancy limit are legitimate. I would just urge you to consider the diverse social, environmental, and economic benefits that cooperative living provides and to keep this in mind as the development of the housing strategy moves forward.

I know that you are currently considering changing the code to allow 6 unrelated seniors to live together, this seems inadequate to me. I think that the concerns of shared housing like loud parties and lack of cleanliness hardly apply to this demographic and it seems insulting to imply that senior citizens cannot determine for themselves if they want to set up a living structure with more than 6 people. I hope that my concerns will be heard and I plan on following the progress of this debate. I know that your jobs are not easy. I greatly respect and would like to personally thank you all for the work that you do for the city, it's not easy to please 100,000 people.

Best,
Ian

Guiler, Karl

From: Neshama Abraham [m]
Sent: Wednesday, July 30, 2014 7:25 PM
To: boulderplanningboard
Cc: Driskell, David; Sugnet, Jay; Guiler, Karl; Launder, Crystal
Subject: Shared Affordable Senior Homes per July 31 Planning Board Meeting
Attachments: Shared_Senior_Home_Backgrounder_7.30.14.pdf

Hi Planning Board Members and Staff,
This email is to comment on the proposed ordinance to increase the occupancy limits for senior shared homes that will be discussed at the Thursday, July 31st Planning Board meeting.

We very much appreciate the excellent work compiled by staff in the Staff Housing Report, and believe increasing the occupancy to six older adults in a shared senior home is an excellent step in the right direction. However, this increase mostly applies to existing small to medium sized homes.

We suggest that the new ordinance increase the occupancy to 10 to 12 seniors so it works for more applications, specifically larger houses and new construction.

Our ask: **allow 10-12 older persons to live in a shared senior home to make best use of larger existing homes and for new builds.**

In new construction, these affordable senior houses would meet the single-family zoning FAR requirements and would be compatible with existing homes in the neighborhood. A senior shared home would simply have more bedrooms and baths on the inside along with planned community spaces, such as a gourmet-sized kitchen, dining area for group dinners, a media room, and a multi-purpose space, e.g. for exercise, classes, healthcare provider visits and other shared activities.

10 Occupants Works Economically & Socially
From our research in Boulder and in larger shared homes in California, Oregon and Wisconsin (please see attached document), 10 occupants is considered a good "floor" number for a functional shared house community, both from an economic and social standpoint. Ten occupants enables tasks to be equitably and comfortably managed, e.g. food shopping, meal prep, home maintenance, social activities, etc.

Comparing Co-Ops to Shared Senior Homes
Traditionally, people have lived together for safety, community and affordability. Successful co-operative homes across the U.S. illustrate the value of higher number of occupants to achieve these basic needs. The successful shared homes we researched all had more than six occupants. A priority is to properly utilize private and community space within the home and make sure bedrooms are put to good use and occupied.

Co-op occupancy data is relevant to establishing an ordinance for shared senior housing. The two groups exhibit similarities in their make up, including

- Occupants are mostly singles (sometimes couples)
- Residents are at a similar place in life (whether students or older adults)
- Economics is a driving force, along with the desire for community

• The home provides a well-organized structure that addresses social and financial agreements among house residents

• The feasibility of the home is tied to its size: more occupants – ideally around 10 residents – produces a successful shared house.

Let's Get it Right

Let's get this ordinance right from the beginning so we don't need to return to crafting new policy in a year or years later to "fix" a number that was too low to begin with. Six occupants is too low. Ten to 12 seniors per home is sufficient to apply to most housing situations and will enable innovative solutions that would otherwise not be possible to pilot in Boulder.

Let's create a sustainable policy that enables 10 to 12 older adults and friends to live together in a shared home in Boulder where safety, companionship and shared resources can be enjoyed for the last chapter of their lives. This is a simple, straight forward and common sense solution for seniors to age in place affordably in a community setting.

Thank you for our time and consideration. Feel free to contact me with any questions: **303.413.8066**.

Neshama

Neshama Abraham, President & CEO,
Abraham Paiss & Associates, Inc.

ABRAHAM PAISS
& ASSOCIATES
Supporting Sustainable Solutions

Marketing Communications since 1996

1460 Quince Ave. #102 • Boulder, CO USA 80304

303.413.8066 • neshama@abrahampaiss.com

To: Planning Board Members and Housing Staff
From: Neshama Abraham, Abraham Paiss & Associates
Re: Affordable Senior Shared Homes
Date: July 30, 2014

Sustainability = Community + Affordability

Housemates are the oldest and perhaps simplest solution to housing affordability. We propose a simple straight forward solution so older adults don't need to live alone and can enjoy the social, health and economic benefits of aging in community.

By sharing housing costs – our most expense cost of living – we can enable more middle income seniors to continue to live in Boulder. We applaud Staff for the excellent work in preparing the Housing Packet for the July 31st Planning Board meeting and proposing an increase from three to "up to six persons that are all 62 years of age or older."

However, based on our research of shared homes in Boulder and across the U.S., six is too small a number for sufficient economic affordability or social sustainability. Six occupants is an important step in the right direction for Boulder's existing small to medium-sized homes. But six seniors is not sufficient for larger homes that could accommodate more than six elders and for new builds.

To make best use of everyone's time, including staff, Planning Board, City Council, and engaged citizens, we recommend that this policy update is broadened to be its most beneficial in this early iteration, i.e. that we aim to get it right the first time and not need to go back for another round to improve or "fix" the ordinance.

We propose raising the occupancy limit to 10 to 12 older persons per dwelling.

This more reasonable increase will make the new ordinance work for most of our existing housing stock and new construction, maximize the affordability of senior housing options and thereby make this solution available to more seniors.

Pilot Shared Elder Home

As an example, the Our Home-Colorado non-profit organization identified a lot for a potential pilot shared senior home in a Boulder single-family neighborhood. According to the Boulder Planning Department, by right the lot could house a 5,800 sq. ft. home. The Our Home team determined the home could hold 10 bedrooms, of which eight would be 400 sq. ft. bedroom suites with a private bathroom and two 300 sq. ft. bedrooms with a shared bathroom, plus 1,500 sq. ft. of shared community space.

This project with 10 bedrooms and 10-12 occupants is economically feasible, while with six occupants it would significantly more expensive per occupant and could not provide the same degree of affordability for older adults.

Social Community
It is well known among intentional communities that you need a certain threshold of residents where both the economics and the social community "sing." That right number is based on having enough people to manage day-to-day living tasks, such as food purchasing and food preparation, getting tasks done and organizing social activities. Ten is the number most commonly referred to as a "floor" for a well-functioning house. Six occupants constrains what is possible in a shared home, reduces the affordability, and does not allow the best use of a larger home.

Transportation/Sustainability Impacts
People may be concerned that a larger home will produce more traffic or parking issues. On the contrary, we know from national cohousing neighborhood research that people living in community tend to drive 50 percent less and households often get rid of a car when they move in because their meal and social needs are met in their community.

Less Driving/Less Need for Parking Spaces
We believe reduced driving will be a by-product of elders living together in a shared home. The house structure is likely to include regular dinners and social, recreational and fitness activities as a core component of the home life. Residents are likely to dine together and won't need to drive to a restaurant. Shopping for food will be organized and likely handled by one resident at a time on a rotating basis. One person will go to the grocery store once or twice a week as compared to multiple trips by multiple residents. With less driving, senior shared homes will have less need for parking spaces.

In addition to shared senior homes having less car and parking impact than might be expected, we'd propose a Transportation Management Plan be an integral part of the house's development. This would include encouraging optional car sharing among the house residents that would further reduce the number of individually owned cars per home.

Another car reduction strategy we'd encourage is for residents in a shared home to partner with eGo Car Share and locate a station near the shared home. Car Share has a household account system where all the household members can participate under a single account. House members may be interested in loaning their auto to Car Share so it becomes part of their fleet and a station is set up near the senior shared home where house residents and up to 35 people will benefit from using that vehicle.

Freeing up Housing Stock
If we increase the occupancy limit to enable more seniors to live together in a shared home, this will free up more single-family houses that are currently occupied by one elder living alone. When a senior moves into a shared home with other active older adults, their previous house can be made available to families with children or younger couples, thereby making better use of our City housing stock.

Similarity between Co-ops and shared Senior Homes
The research we conducted includes both student and non-student shared homes. We believe the co-op home examples are relevant to senior shared homes in that ...

- Occupants are mostly singles (sometimes couples)
- Residents are at a similar place in life and about the same age
- Economics is a driving force along with the desire for community
- The house provides a well-organized structure that addresses social and financial house agreements
- The feasibility of the home is tied to its size: more than six occupants – ideally around 10 residents – creates a "floor" that produces a successful shared house.

The examples below illustrate well functioning shared homes across the U.S. each of which has more than six bedrooms and more than six occupants.

Woolley Mammoth , WA State - Started in 2010
10 residents, 1 acre of land, 8,600 sq. ft. home
info@woolleymammoth.com
http://woolleymammoth.com/

Woolley Mammoth is a rescued dot-com bubble McMansion that was modified to be a large shared home. The home includes a yoga room, nine bedrooms, five bathrooms, a grand hall, sauna, large community garden + green house, an outdoor solar-heated bath, two wood stoves, one fireplace.

Prag House, Seattle WA – Established in 1972,
http://www.evergreenlandtrust.org/
Email: Prag_House@riseup.net
15-bedroom house

Prag House, built in the early 1900s, is part of the Evergreen Land Trust. It is an urban housing cooperative composed of adults and children ranging in age from seven to 67. Prag House is located on Capitol Hill in Seattle, and was originally purchased in 1972. The property was put into a Trust in 1976 to maintain it as a cooperative house in perpetuity. Prag House is dedicated to encouraging communal living as a viable alternative and to advance the growth of cooperating communities and non-polluting technologies.

Sugar Shack - Los Angeles, CA – Established in 2001
https://www.facebook.com/sugarshackLA
7 bedrooms

The Sugar Shack residence is a large 7-bedroom house and includes two outdoor patios, a garden, and a large 2-floor area for workspaces and artist's studios.

Duma House, Eugene, Oregon - established 1998
dumacommunityblogspot.com
Email: info.dumacommunity@gmail.com
10 bedrooms, 9 residents and visiting guest(s)

Duma House typically has nine residents with 10 bedrooms, plus a guest room in a 4,400 sq. ft structure. The shared home was originally a Christian college built in 1926. Now it is a model of green living located on one of Eugene's main bike routes including: reused building materials, super insulation, energy efficiency upgrades, photovoltaic panels on the roof, edible landscaping and a rainwater catchment system.

Sunwise Coop – Davis, CA
8 bedrooms, 8 residents
sunwise.coop@gmail.com

The passive solar house design includes photovoltaic, solar water heater, thermal curtains, white roof, and deciduous vines and the solar tubes — no AC is needed. Includes an organic garden, compost, chickens and bees.

Hypatia House – Madison, WI

http://madisoncommunity.coop/house/hypatia
hypatia@madisoncommunity.coop
12 rooms, 14 adult residents

Hypatia is a 15-person shared house located in a mansion surrounded by a historic garden. The house is in a quiet neighborhood three blocks north of the capitol, and one block from Lake Mendota.

Avalon House, Madison, WI
http://madisoncommunity.coop/house/avalon
8 rooms, 9 residents

Avalon Co-op is an eight-room cooperative house whose intent is "creating a safe, sane, and supportive environment within the city of Madison as a whole." The community says a key to their evolution as a healthy and united household is the practice of constructive, direct communication, and communal decision-making. The house is centrally located in a quiet and diverse neighborhood, two blocks from James Madison Park and four blocks from the capitol.

Thank you for taking the time to read this document.

# # #

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 9:57 AM
To: Guiler, Karl
Subject: FW: occupancy limits for 62+

From: Gavin McMillan [mailto:]
Sent: Wednesday, July 30, 2014 10:03 PM
To: boulderplanningboard
Subject: occupancy limits for 62+

To the members of the planning board:

I am writing to you regarding tomorrow's planning board meeting to amend Title 9 of the land use code to relax occupancy limitations for persons 62 years of age and older. Thank you for considering this important issue, and thank you to City staff for a thorough and informative report.

I believe that amending the current occupancy standards to enable the creation of shared housing for 62+ households is an excellent way to provide a greater variety of affordable housing options for older residents of Boulder, with little to no cost to the City. While I am encouraged that the City is pursuing these changes, I suggest that the code be written to let the number of occupants in a home be flexible and related to the capacity of the home, instead of setting a fixed occupancy limit. Replacing an arbitrary occupancy limit number of three, with another seemingly arbitrary number of six occupants, seems to be bad policy. I don't believe that an occupancy limit is necessary for persons 62 years of age and older, and ask you to please consider removing the occupancy limit altogether for this age group. I believe this change will lead to the creation of viable and affordable shared housing options for older residents in our community.

Thank you for your time and consideration, and for your service on the Planning Board.

Sincerely,

Gavin McMillan, Director of Research
The Highland Group
Strategic Research, Planning, and Marketing Solutions for 55+ Housing and Care Communities
3020 Carbon Place Suite 202 Boulder, CO 80301
http://www.thehighlandgroupinc.com
telephone: 720.565.0966
fax: 720.294.9663
gmcmillan@thehighlandgroupinc.com

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 9:57 AM
To: Guiler, Karl
Subject: FW: Affordable Senior Housing Ordinance

From: Carolyn Bninski [mailto:]
Sent: Wednesday, July 30, 2014 11:37 PM
To: boulderplanningboard
Subject: Affordable Senior Housing Ordinance

Dear members of the Boulder Planning Board:

The Rocky Mountain Peace and Justice Center urges you to include a provision to accommodate shared senior homes in larger existing homes and for new builds in the new affordable senior housing ordinance.

In new construction, these would be houses that meet the single-family zoning FAR requirements and be compatible with existing homes in the neighborhood. These homes would simply have more bedrooms and baths on the inside along with planned community spaces, such as a large kitchen, dining area, a media room, and a multi-purpose space.

Research based on experience from around the country demonstrates that houses with ten occupants work well from both an economic and social standpoint. An advantage is that with ten occupants, 20% of the rooms can be affordable to lower income seniors.

Homes with ten people have been found to be ideal as the basis of a functional social community and for accomplishing tasks, e.g. food purchase, meal prep, home maintenance, social activities, etc.

Seniors who have lived in Boulder for years shouldn't have to leave because they can no longer afford to live here. This is their community and they deserve for us to think outside the box so that they can live out their lives here if they wish.

People who live in Boulder should have a place for their well functioning parents to come to without having to go into an institutional setting.

We urge you to allow for ten seniors in these larger homes at this point in the process, rather than having to fix this in the future. Allowing for ten occupants will better utilize our existing housing stock and allow seniors to age in an affordable community setting.

Seniors have served our community well; we need to reciprocate.

Thank you.

Carolyn Bninski
Rocky Mountain Peace and Justice Center

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 1:23 PM
To: Guiler, Karl
Subject: FW: In Support of Shared Housing for Seniors in Boulder

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From: Rick Moody [mailto
Sent: Thursday, July 31, 2014 11:46 AM
To: boulderplanningboard
Subject: In Support of Shared Housing for Seniors in Boulder

I am planning to attend the Planning Board meeting tonight, July 31, 2014,
and would like to offer testimony (3 minutes) on behalf of a new affordable
senior housing ordinance under consideration. I specifically will urge you to include
a provision to accommodate shared senior homes in larger existing homes for 10 unrelated
individuals above the proposed age of eligibility.

Let me say by way of background that I am a Boulder resident (3870 Broadway),
having moved here 4 years ago and having visited Boulder almost every year for
the past 43 years. Last year I retired as Vice President of AARP in Washington, DC,
where I worked in the area of Policy and Strategy, including issues of senior
housing.

In my judgment, Boulder should modify regulations to permit and encourage shared
housing among seniors in exactly the way that a new ordinance would provide. I will

offer more details tonight and will leave with you a research report on "Livable
Communities" in an aging society, a report prepared by my colleagues at AARP in our
Public Policy Institute.

If at any time you would like more input on senior housing issues affecting us here in
Boulder, I am happy, on a volunteer basis, to offer any consultation that could be
helpful to you.

I look forward to seeing you this evening.

Harry R. Moody, Ph.D.
Vice President (retired), AARP

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 2:06 PM
To: Guiler, Karl
Subject: FW: increase occupancy limit for elder shared housing in Boulder

-----Original Message-----
From: Susan Burggraf [mailto:
Sent: Thursday, July 31, 2014 2:01 PM
To: boulderplanningboard
Subject: increase occupancy limit for elder shared housing in Boulder

Dear Planning Board member,
In anticipation of the Planning Board meeting this evening, I am writing to implore you to consider some crucial points about the proposal for shared senior homes. I am 62 years old, single and currently happily living in a shared housing housing situation in a co-housing community. I hope to have the opportunity to live in a shared senior house in the near future. I think the number of people sharing the house will matter quite a lot for both affordability and community building. I suggest that 10-12 occupants is ideal for both of those points, especially if the lower age limit were set at 55 years old. Why? Because community building is a skill that many older adults now have so that many of us are attracted to living in community situations where costs, transportation, recreational options, and care could be shared. For example, I am a full-time faculty member at Naropa University where many of us have worked in shared governance for decades. We have many faculty whose expertise includes shared governance and community building so I hope to be able to live in a community with such like-minded friends old and new. It's exciting to anticipate what we can co-create with an opportunity to share suitable housing with 10-12 aging peers. My field is adult development and I hope for an opportunity to join others in building a growth-promoting community among fellow older adults. At Naropa, we have been talking about building such a community among our faculty because many of us are now in our 60's. It would be great to have enough such shared elder housing opportunities that each could have its own flavor and emphasis - e.g., a house for meditation practitioners.
The elder shared housing proposal with housing units that can accommodate 10-12 adults creates an affordable and sensible solution that fills the gap between seniors living alone and in institutional settings that most of us want to avoid and can't afford. The affordability factor is crucial for the success of this option because sharing expenses and community among 10-12 adults makes for a healthy community life both financially and relationally. Specifically, 10-12 residents is something of a 'floor' for affordable basics such as purchasing, meal prep, social activity planning, caregiving, and home maintenance. There is a real opportunity here for Boulder to serve as a model for new approaches to elder communities and would enable many of us to stay in Boulder after we retire. The cost of living without such a model means that while we've enjoyed our 'productive' years here in this thriving academic community, cost will prevent us from staying after retirement. This model of shared housing among 10-12 older adults is one that makes affordable senior housing available for middle-income adults.
There are many larger homes in Boulder that can be fitted to comfortably accommodate 10-12 adults and, of course, new builds could do this comfortably and creatively.
I have spoken with several single colleagues about our concerns about aging in Boulder and there is widespread agreement that this proposal for 10-12 housemates in a shared house is the most exciting we've seen. I am hoping you will approve it in time for the huge wave of us that's now in our late 50's and 60's to join. I see it as an innovative and compassionate solution for aging in place within a caring community of people who share similar challenges and interests.

Thank you for helping us make this possible in Boulder!
Sincerely,
Susan Burggraf

.....

Susan Burggraf, Ph.D.
Professor, Contemplative Psychology
School Director, School of Natural and Social Sciences Naropa University Boulder, Colorado, USA

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 2:07 PM
To: Guiler, Karl
Subject: FW: Title 9, "Land Use Code", B.R.C. 1981

From: Rob Thomas [mailto:
Sent: Thursday, July 31, 2014 1:55 PM
To: boulderplanningboard
Subject: Title 9, "Land Use Code", B.R.C. 1981

Boulder Planning Board –

I have been involved in elder care for many years. My mother moved in with my wife & I when she developed cancer for the third time, and lived with us until her passing. It was wonderful that she was able to stay in her home environment until the end. I'm currently providing care for my brother-in-law who is battling Alzheimer's disease. Our family's goal is to keep him in his home as long as we possibly can.

I am asking you to take into consideration the changing of occupancy limitations of persons 62 years and older by increasing the number of allowable residents in a single-family home to a maximum of 12 persons for the following reasons:

- The current restriction of 6 occupants was implemented to regulate the college age demographic and does not effectively address the needs of our increasing aging population.
- It is estimated by the US Census Bureau that in 2015, Colorado's 65+ age group will make up 12% of the state's population.
- Institutional facilities are being built at a rapid pace, but the more desirable solution is to create neighborhoods providing support so that when needed, our aging citizens will be able to continue to live in their homes with independence and dignity.

For the well-being of our elders and the Boulder community, I urge you to implement these occupancy changes so that we can continue, with your help and guidance, to improve the lives and provide an affording and compassionate housing solution to our elders so they can continue to live in Boulder.

Thank you.

Rob Thomas

Arvada, CO 80005

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 3:00 PM
To: Guiler, Karl
Subject: FW: Shared occupancy limit - Boulder

From: Karen Van Vuuren [mailto:
Sent: Thursday, July 31, 2014 2:20 PM
To: boulderplanningboard
Subject: Shared occupancy limit - Boulder

Dear Boulder Planning Board,

My name is Karen van Vuuren, and I have run a non-profit called Natural Transitions here in Boulder since 2003. I work as an end-of-life educator focusing conscious, holistic and green approaches to our winter years. I am also a documentary filmmaker. My background is in elder care and hospice.

I frequently encountered people who are planning for their elderhood here in Boulder, who share the desire to live in community in a sustainable way. I understand that there is a new 6 occupancy limit for shared homes and feel that this should be increased to 10-12 per home in order to allow for economies of scale and more cooperative living in our expensive city.

It is my hope that you will approve this increase in the occupancy limit and, in so doing, allow more elders to continue to reside within the city of their choice, Boulder.

Sincerely,

Karen van Vuuren

www.goinpeacefilm.org - What happens when veterans with trauma face their own mortality? How can we help them find peace, even at end of life?
www.dyingwishmedia.com - A dying doctor's decision to stop eating and drinking at end of life in order to find peace and die with grace
www.naturaltransitions.org - A non-profit educating about conscious, holistic, and green approaches to end of life.

Guiler, Karl

From: Ferro, Charles
Sent: Thursday, July 31, 2014 4:02 PM
To: Guiler, Karl
Subject: FW: Shared Housing for the Elderly

-----Original Message-----
From: Ged Thompson [mailto:
Sent: Thursday, July 31, 2014 4:00 PM
To: boulderplanningboard
Subject: Shared Housing for the Elderly

Dear Planning Board Members,

We are quite pleased to hear of the actions so far taken by the City Staff to assist us in our request to open the possibilities of housing unrelated seniors together in shared homes. The occupancy increase will make better use of our housing stock, including homes that have been donated or designated for that specific purpose. While the age limit of 62 seems quite an appropriate number, 55 would be even better as it would open up this possibility to more older persons. Providing a driver's license just one time is not that much more administration to manage. However, we do find that if that number of allowed residents was increased from 6 to 12 it would allow a reasonable number of elders to live in larger homes that would be a perfect fit for the type of programs we envision establishing. Ten to 12 occupants is also more workable for new construction and could enable an innovative model to be birthed in Boulder. Keeping the number at 6 occupants may preclude affordable shared house models for middle income elders from happening.
And it would force up the rental payments for each of the residents. We believe Boulder will be best served by raising the number of occupants ideally to ten or even twelve older persons per household.

Guiler, Karl

From: Judrenfroe@aol.com
Sent: Thursday, August 07, 2014 7:47 PM
To:

Cc: Sugnet, Jay
Subject: Re: Occupancy limits for seniors in low density residential districts

Follow Up Flag: Follow up
Flag Status: Flagged

Karl and all,

How did this ever fail to make the newspaper headlines!!

Please stop adding reasons for our neighborhood not to annex!!

I am a resident of an area that includes annexed and to be annexed residential RR zoning. I personally am totally, vehemently opposed to 10 unrelated people living in one house in our or any RR or RE neighborhood, or any neighborhood for that matter. I will forward the email to the rest of the neighborhood after I have read the entire proposed ordinance.

Age 62 is not at all old by today's standards.

With renters coming and going as they tend to do, it would be impossible to determine everyone's age. There could easily be 10 or more cars there, regardless of how infrequently they are driven, and no RR areas that I know of have parking for that many cars without parking on the yard or pastures. Old people do socialize, so there would be more than 10 people there, probably on a regular basis. There would have to be at least 5 bedrooms for 5 couples, unless they would be bunking like college students. Is there any requirement that at least one of them has to own the property? Is there any requirement that the lease must be signed by all 10 people, and that each provide proof of age?

I can't imagine wanting to live in a house with 9 other adults! I can't imagine sharing my house with 9 other adults if I outlive my husband, or with 8 if I don't. It would be worse than living in a dormatory as a college freshman, or an apartment with 2 or 3 other girls and trying to get everyone to do their share of housework and pick up their stuff, listen to their choice of entertainment, etc. I still remember I could hardly wait to escape that situation. I can't imagine anyone wanting to live like that except as an alternative to sleeping on the streets. Which raises the next question. . . .

I predict the vast majority of people who will try to take advantage of this will not be over 62, unless they are the former homeless. It is going to be a nightmare for the neighbors and an enforcement nightmare for the City!

Judy Renfroe
Cherryvale area

In a message dated 8/7/2014 3:45:16 P.M. Mountain Daylight Time, GuilerK@bouldercolorado.gov writes:

All,

As part of the city's Comprehensive Housing Strategy that is exploring ways to expand housing opportunities in the community, an early action item is being considered for shared housing for seniors.

The proposal is to allow up to six persons 62 years or older to share one single-family house in low density residential zones for the purposes of companionship, mutual assistance and resource sharing (e.g., costs, transportation etc.). This would **NOT** be a group home. The difference is that group homes require specific services and are generally meant for people that require special care. Under current zoning occupancy limitations, only three unrelated persons can occupy a single-family home. The city's current occupancy limits can be found at the following link:
http://www.colocode.com/boulder2/chapter9-8.htm#section9_8_5

This proposal would increase the occupancy limit from three to six for persons 62 years old and up to live in one single-family house. This requires a change to the occupancy standards above.

The proposal was presented to Planning Board on July 31. The staff memorandum on the proposal can be accessed here:
https://documents.bouldercolorado.gov/weblink8/Browse.aspx?startid=47549&row=1&dbid=0 [click on 2014 > 07 JUL > 07.31.14]

At the July 31 meeting, Planning Board recommended a change to the proposed ordinance that would permit up to 10 persons in the RR (Rural Residential) and RE (Residential Estate) zoning districts, but kept the limitation at six in RL (Residential Low) zones. The city's zoning map can be accessed here:
http://gisweb.ci.boulder.co.us/agswebsites/pds/pds_zoning/

As the proposed change would occur in low density residential neighborhoods, staff is reaching out to neighborhoods to hear any feedback or concerns.

The proposed changes are tentatively scheduled to be reviewed by City Council on **September 2nd** (first reading; no public hearing; comments would need to be done during public participation at the beginning of the meeting) and on **September 16th** (public hearing; comments would be made during the time the item is heard).

If you have any questions, comments or concerns please send any correspondence to Karl Guiler at guilerk@bouldercolorado.gov and Jay Sugnet at sugnetj@bouldercolorado.gov. Please note that Karl Guiler will be out of the office August 8-18 and will return on Tuesday, August 19. Jay will be able to respond during that time.

If there is an interest in meeting to discuss the proposed change, staff will be available at a set time during the week of August 18 to assist with any questions. If you are interested in meeting, please let Jay Sugnet know and he will set up the meeting time.

For more information on the Comprehensive Housing Strategy, please visit the project website at www.bouldercolorado.gov/chs.

Best regards,

Karl

Karl Guiler, AICP

Senior Planner/Code Amendment Specialist

City of Boulder Department of Community Planning & Sustainability

Planning & Development Services Center

1739 Broadway, 3rd Floor

Boulder, CO 80306-0791

Phone: 303.441.4236

Fax: 303.441.3241

Email: guilerk@bouldercolorado.gov

Guiler, Karl

From: Jennifer Johnson
Sent: Friday, August 08, 2014 4:20 PM
To: Sugnet, Jay; Guiler, Karl
Subject: support for senior home-sharing proposal

I support the proposal is to allow up to six persons 62 years or older to share one single-family house in low density residential zones.

Jennifer P Johnson

Guiler, Karl

From: Ostrander, Alyssa
Sent: Friday, August 08, 2014 2:36 PM
To: Guiler, Karl; Sugnet, Jay
Subject: FW: Occupancy limits for seniors in low density residential districts

---

From: Dom Nozzi [mailto
Sent: Friday, August 08, 2014 2:33 PM
To: Ostrander, Alyssa
Subject: RE: Occupancy limits for seniors in low density residential districts

Hi Karl,
I very much support this change, and am sorry that the proposed ordinance about ROW being allowed for open space calculations failed at the Planning Board last night.

Dom

From: Ostrander, Alyssa [mailto:OstranderA@bouldercolorado.gov]
Sent: Friday, August 08, 2014 10:19 AM
To: Dom Nozzi
Subject: Occupancy limits for seniors in low density residential districts

Greetings,

As part of the city's Comprehensive Housing Strategy that is exploring ways to expand housing opportunities in the community, an early action item is being considered for shared housing for seniors.

The proposal is to allow up to six persons 62 years or older to share one single-family house in low density residential zones for the purposes of companionship, mutual assistance and resource sharing (e.g., costs, transportation etc.). This would **NOT** be a group home. The difference is that group homes require specific services and are generally meant for people that require special care. Under current zoning occupancy limitations, only three unrelated persons can occupy a single-family home. The city's current occupancy limits can be found at the following link:
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http://gisweb.ci.boulder.co.us/agswebsites/pds/pds_zoning/

As the proposed change would occur in low density residential neighborhoods, staff is reaching out to neighborhoods to hear any feedback or concerns.

The proposed changes are tentatively scheduled to be reviewed by City Council on **September 2nd** (first reading; no public hearing; comments would need to be done during public participation at the beginning of the meeting) and on **September 16th** (public hearing; comments would be made during the time the item is heard).

If you have any questions, comments or concerns please send any correspondence to Karl Guiler at guilerk@bouldercolorado.gov and Jay Sugnet at sugnetj@bouldercolorado.gov. Please note that Karl Guiler will be out of the office August 8-18 and will return on Tuesday, August 19. Jay will be able to respond during that time.

If there is an interest in meeting to discuss the proposed change, staff will be available at a set time during the week of August 18 to assist with any questions. If you are interested in meeting, please let Jay Sugnet know and he will set up the meeting time.

For more information on the Comprehensive Housing Strategy, please visit the project website at www.bouldercolorado.gov/chs.

Best regards,

Karl

Karl Guiler, AICP
Senior Planner/Code Amendment Specialist
City of Boulder Department of Community Planning & Sustainability
Planning & Development Services Center
1739 Broadway, 3rd Floor
Boulder, CO 80306-0791

Phone: 303.441.4236
Fax: 303.441.3241
Email: guilerk@bouldercolorado.gov

Guiler, Karl

From: Jennifer Johnson
Sent: Friday, August 08, 2014 4:20 PM
To: Sugnet, Jay; Guiler, Karl
Subject: support for senior home-sharing proposal

I support the proposal is to allow up to six persons 62 years or older to share one single-family house in low density residential zones.

Jennifer P Johnson

Guiler, Karl

From: Caroline Hoyt
Sent: Friday, August 08, 2014 6:42 PM
To: Guiler, Karl
Subject: Occupancy limits for seniors

Hello Karl,
I was really happy to receive the email from Alyssa Ostender informing us of the Boulder planning staff's proposal to allow 6 unrelated seniors to live together in a single family home.
I am 72, my husband is 73 and we have many friends of a similar age. All of us are trying to figure out ways to age gradually and gracefully without some temporary health event forcing us into nursing homes when we would rather be in a support group where we can help one another.
Your proposed ordinance change would give us a new set of options to explore. It would be a type of senior co-housing that sounds most congenial.
Unfortunately I will be away traveling during every one of your proposed hearings, but I will forward Alyssa's email to everyone I can think of who might be interested. o for it!
Thank you,
Caroline Hoyt

Boulder CO 80302
Sent from my iPad

Guiler, Karl

From:
Sent: Saturday, August 09, 2014 11:50 AM
To: Guiler, Karl; Sugnet, Jay
Subject: occupancy standards

I object, vigorously, to any move to increase the number of unrelated occupants, in residential areas, from the current limits.
In 1976 or 1977, the citizens of Boulder voted for the Danish Plan, limiting growth to 1.5% to 2%. Lately, it seems the city government is focused on ignoring the people's desire to control population growth.
There are some who believe they know what the citizens should want better than the citizens themselves. Why not consider asking the citizens what they want as far as population growth.
Don't infer a desire for population growth from sympathy for those that need "affordable housing".
Ask the question directly.
As I look at the city as it now stands, it looks to me like a disaster in the making, if not already complete. I look at the apartments going up on Pearl St., just east of 30th, and elsewhere, and am appalled. Do you really think the streets of Boulder can handle all the added traffic?
I realize there are people who would like to live in Boulder who cannot.
I don't know where it is written that anyone who wants to live here should be able to do so.
I know the city thinks that traffic will be reduced if people who work here could live here.
I don't believe that would have any significant effect. Rather, people who would like to live here would do so but work elsewhere. Although people who do not live here like to derisively refer to Boulder as "The People's Republic", Boulder attracts people who would like to live here because it's a desirable city (although the city government seems bent on making it less desirable) not because they work here.
The city government seems to think we need more people in Boulder. I do not. Were it up to me, I'd build a wall around the city to preserve what few amenities remain.
Do you really think that Boulder needs more people?
R.T. Larson

Boulder 80303

Guiler, Karl

From: Sarabeth Mitton
Sent: Wednesday, August 13, 2014 9:26 AM
To: Guiler, Karl; Sugnet, Jay; Council; boulderplanningboard
Subject: Senior living density

Planning, Staff, Planning Board, City Council,

As a member of the age group defined by this proposal and as a long time resident of the city of Boulder in a low density zoned neighborhood, I strongly disagree with the proposed density increase to 6 residents. I will only support an increase to 4 in LRE, which allows for several iterations of arrangements of couples and singles. At 6, I feel it would become a de facto group home as the city cannot control what services individuals will choose to employ on their own and the traffic and caretaker vehicles will make a major impact to overcrowded living conditions in older sections of Boulder, already under pressure from the student population. Small homes will face the same restructuring debacle we have faced with student conversions, such as turning dining rooms and other living space into "rentable" bedrooms. These may be more considerate residents than the student population, but the conversion of the actual properties and impact on surrounding single family homes will certainly change the character of the neighborhood.

LRE will become meaningless.

Sincerely,
SARA MITTON

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AARP Public Policy Institute

What Is Livable? Community Preferences of Older Adults

Rodney Harrell

Jana Lynott

Shannon Guzman

AARP Public Policy Institute

Cheryl Lampkin

AARP Research

Research Report

AARP Real Possibilities

What Is Livable? Community Preferences of Older Adults

Rodney Harrell

Jana Lynott

Shannon Guzman

AARP Public Policy Institute

Cheryl Lampkin

AARP Research

AARP's Public Policy Institute informs and stimulates public debate on the issues we face as we age. Through research, analysis, and dialogue with the nation's leading experts, PPI promotes development of sound, creative policies to address our common need for economic security, health care, and quality of life.

The views expressed herein are for information, debate, and discussion and do not necessarily represent official policies of AARP.

2014-01
April 2014
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AARP Public Policy Institute
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http://www.aarp.org/ppi

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Executive Summary

What do we mean by the phrase “a livable community for all ages”? To answer that question, the AARP Public Policy Institute (PPI) is preparing a set of livability reports. Initially, PPI has prepared two companion reports: “Is This a Good Place to Live? Measuring Community Quality of Life for All Ages” and “What Is Livable? Community Preferences of Older Adults.” The latter, which is this report, explores the meaning of livability and describes lessons learned by PPI as part of its work to measure community livability. The goal of this work is to quantify the degree to which a community has the elements that are necessary to meet individual needs regardless of a person’s age, income, physical ability, ethnicity, and other factors.

Several approaches exist for measuring livability, including preference surveys, original data collection, multimethod case studies, Census Bureau studies, and online databases. Each of those methods is useful for investigating some part of community livability, but each methodology faces certain challenges. None can provide all of the data necessary to measure every element of a livable community. Researchers must understand that individuals perceive things different from one another, and blanket assumptions can be dangerous. Additionally, the preferences that people share tell only part of the story. More investigation is needed.

Thus, PPI is developing an AARP-sponsored, web-based index to measure community livability across the United States for people of all ages. Work on that initiative included focus groups and a nationwide community livability survey of more than 4,500 older adults. The focus groups and survey were specifically designed to investigate the diverse needs and wants of the older adult population and to support the development of an index to measure livability as we age. The design increased both the understanding of general preferences for livability and an understanding of how preferences differ within the general population of older adults.

Key Findings

To begin the process of developing this type of index, the staff of the AARP Public Policy Institute (PPI) developed a multipart study to understand preferences of the population ages 50 and over in general, as well as preferences among various subgroups.

- General findings about the population ages 50 and older:
  - Most members of the 50+ population want to age in their homes and communities.
  - The importance of proximity to community elements varies greatly.
  - Household income influences thoughts about the importance of local government spending priorities.
  - Increasing police presence and improving schools are key government services for most of the older adult population, but different groups rank other local actions in widely varying ways.
- Findings for subgroups within the population ages 50 and older:
  - There are modest racial and ethnic differences in priorities, but there are great differences in the places where different groups connect with community members.
  - Personal safety is more of a concern for family caregivers, for people with disabilities, for nondrivers, and for people with lower incomes.
  - Most nondrivers say they live in communities that are already pedestrian-friendly.
  - Specialized transportation and local government decision-making processes are important issues for people with disabilities and for family caregivers.
  - For renters, funding for affordable housing programs is the most important local government investment.

Research findings provided several lessons for developing a livability index:

- Individual definitions of "livability" can include issue areas that may or may not be addressed by public policy.
- People and communities have differing perspectives: one type of community does not fit all.
- Perceptions of a livable community are made when choosing housing, and they may not change as the person ages, unless a major life change forces a new perspective.

From the lessons learned, several implications evolve for an index that aims to measure livability. Those lessons will be applied to the development of AARP's index, and they may be useful for any attempt to measure or understand community livability. This document's companion report, "Is This a Good Place to Live? Measuring Community Quality of Life for All Ages," details lessons for measuring livability.

Introduction

What is a "livable community"? That simple question has a surprisingly complex range of answers. People may look to their communities to fulfill their desire for affordability; choice of a particular type of home or neighborhood; safety; access to schools, jobs, shopping, recreation, and other amenities; and attractiveness. AARP has developed the following definition:

> *A livable community is one that is safe and secure, has affordable and appropriate housing and transportation options, and has supportive community features and services. Once in place, those resources enhance personal independence; allow residents to age in place; and foster residents' engagement in the community's civic, economic, and social life.*[1]

The definition describes communities that support the needs of all residents, regardless of age, physical ability, income, cultural background, race, or other factors. In many ways, it is an aspirational goal of communities to become as "livable" as they can. AARP conducted focus groups and a national survey to investigate individual preferences for community livability with two main goals. The first goal was to understand the general preferences for community livability for people ages 50 and older, and the second was to understand how those preferences differed *within* the diverse population of people ages 50 and older.

[1] "Livable Communities," in *The Policy Book: AARP Public Policies, 2013–2014* (Washington, DC: AARP, 2013).

Livability Index Focus Groups and National Survey Results

Overview of Methodology

To capture preferences accurately and to improve understanding of what a livability index should reflect, the AARP Public Policy Institute (PPI) developed and implemented a multipart study to examine the preferences of the population ages 50 and older, with a focus on the diverse needs of different types of people within that group. The methodology for understanding preferences and needs included three phases:

- The initial phase, conducted in December 2011, was a qualitative study in the form of focus groups.
- Results from the focus group informed a quantitative survey instrument, fielded by GfK (Knowledge Networks) between September 2012 and January 2013. That 20-minute survey was conducted using GfK's KnowledgePanel®, a probability-based web panel designed to be representative of the United States. As part of that effort, PPI surveyed more than 4,500 people ages 50 and older through a series of questions related to their preferred community characteristics. The large sample size enabled PPI to oversample certain underrepresented populations, such as nondrivers, racial and ethnic minority groups, households with people with disabilities (including people with disabilities, people who live with people with disabilities, and family caregivers), and people living in low-income households.[2]
- The final phase of the data collection included 80 in-depth interviews with participants from the quantitative survey.

Survey and Interview Highlights

The surveys and interviews contributed greatly to our understanding of how people ages 50 and older perceived livability. (See box 1 for "Survey Population Segments.") Some livability concerns and preferences are broadly shared, whereas others are more important to particular segments of the population. Key findings are reported next.

Varying Importance of Livability Goals

Survey participants were asked to select 5 out of 10 local actions and to rank them in order of importance. The issues and services listed were displayed randomly and are listed in table 1 in order of preference by the national group.

[2] *People with disabilities* is defined as those who use a mobility device to get around or those who receive help with personal care activities. *Family caregivers* is defined as those who help someone who lives in their home with personal care activities (the caregiver may or may not be a relative). Although people with disabilities and family caregivers are distinct groups, they have been combined in our sample. When viewed together, they provide an understanding of the preferences of households that contain people with disabilities. Because the respondents in those categories were grouped together, results should be interpreted as reflecting the wants and needs of the households containing people with a disability, not either group of individuals.

Box 1. Survey Population Segments

Proximity to Amenities

- Nearby seekers*
- Non-nearby seekers**

Household Income

- People in households with incomes
  - Under $30,000
  - $30,000−50,000
  - $50,000−75,000
  - Over $75,000

Gender

- Male
- Female

Age

- 50−64
- 65 and older

Metro Status

- Metro area
- Nonmetro area

Housing Tenure

- Homeowners
- Renters

Driving Status

- Drivers
- Nondrivers

Disability/Family Caregiver

- Households with people with disabilities/family caregivers
- Households without people with disabilities/ family caregivers

Race

- White
- African American
- Hispanic/Latino
- Asian

Source: Data from the unpublished information in "AARP Community Livability Preference Survey," Washington, DC, January 2013.

* People with a preference for nearby amenities.

** People without a preference for nearby amenities.

Table 1. Ranking of Local Actions—General Public

Actions	General Public
Increase police presence.	1
Improve schools.	2
Make streets pedestrian-friendly.	3
Provide transportation services for seniors and people with disabilities.	4
Build or upgrade parks.	5
Implement or increase funding for affordable housing programs.	6
Add more buses, light rail, or subway systems.	7
Implement or increase funding for home modifications for people with disabilities.	8
Invest in or build libraries.	9
Build more stores and shops.	10

Source: Data from the unpublished information in "AARP Community Livability Preference Survey," Washington, DC, January 2013.
Sample: Probability-based 50+ population (*n* = 893).

Overall, survey responses showed that "increase police presence" and "improve schools" ranked number one and number two, respectively—safe communities and good schools may be signals of a generally "good" community. Ensuring that streets are pedestrian-friendly ranked third, and providing specialized transportation ranked fourth.

As the earlier focus groups indicated, some similarities and differences existed among population groups. Appendix C identifies several segments of the population and how they ranked each of the factors.

The population segments in box 1 were applied throughout the survey, thereby allowing investigation of differences in perceptions of livability. Table 1 shows the general public's ranking of the top 10 issues considered most important when seeking livability. (In appendix C, see table C.1 for a ranking of housing policy priorities by income groups, as well as tables C.2.a–C.2.c for rankings of the 10 local actions by various groups.) Some actions were important across the board—for instance, increasing police presence and improving schools were important for almost every group. Even there, differences appeared among groups—both were in the top three for every group except for those making less than $30,000. Among the group with the lowest incomes, the top three priorities were increasing police presence, providing transportation services, and improving programs that would increase affordable housing.

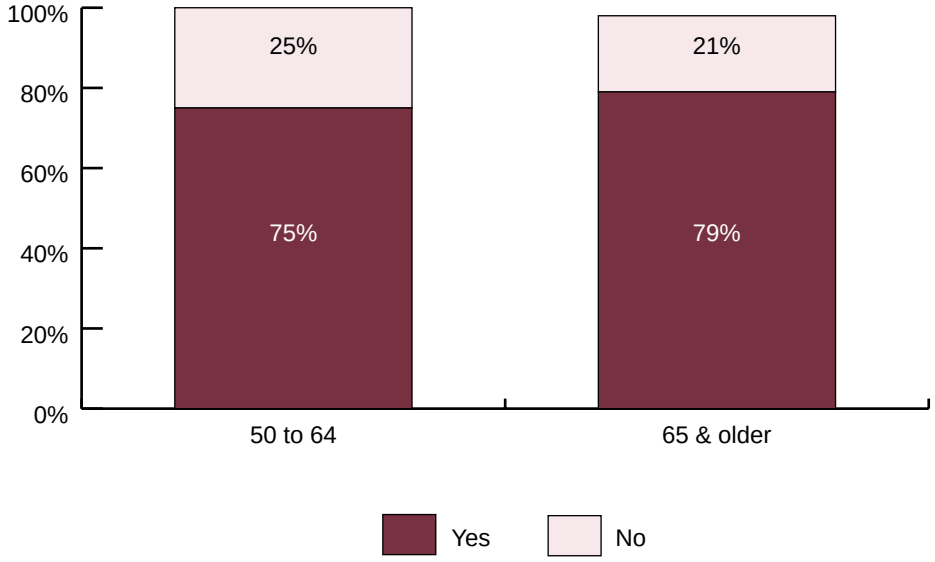
Income was not the only difference. Differences also appeared among racial and ethnic groups (discussed in detail later) and other populations. As an example, nondrivers ranked schools first, but they ranked specialized transportation second, and renters were the only group to put affordable housing first.

When one is forced to choose, differences among groups become clear—not everyone places the same value on the various elements of a livable community.[3] Moreover, the rankings aligned with conclusions from focus groups. People ranked items that affected their lives and their personal perceptions of livability highly, but among groups of similar persons, common preferences emerged. (For additional data about community participation and the influences of local government, see appendix E for figures E.1, E.2.a, and E.2.b.)

Aging in Place

A clear majority of people ages 50 and older say they want to age in place.[4] Adults ages 65 and older (compared with those ages 50 to 64) are more likely to say they want to age in their current home and community (87 percent v. 71 percent). A small proportion of adults ages 50 and older (17 percent) say they plan to move in the next three years. A new finding is that those who plan to move are more likely to be members of minority groups, to have low incomes, to be nondrivers, and to currently live in metropolitan areas. (See figures 1, 2, and 3.)

Figure 1. Have you thought about being able to live in your community as you age?



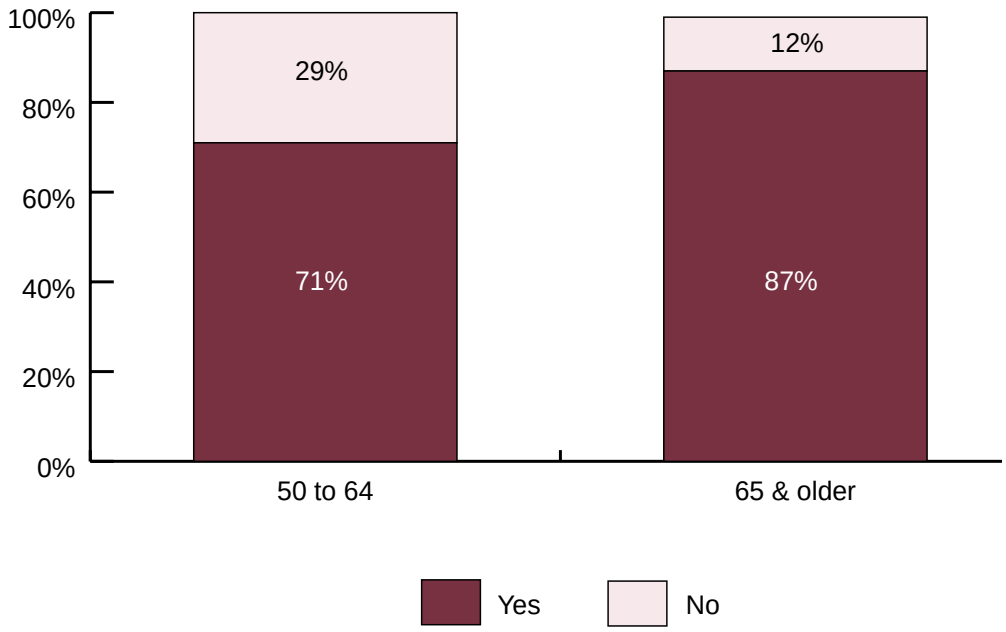
Sample: Probability-based 50+ population (*n* = 893).

Note: Totals may not add to 100% because of rounding or because respondents did not provide an answer.

[3] Although appendix B shows racial and ethnic differences in income, metropolitan location, and other factors, those differences do not appear to explain all of the differences in responses between and among groups.

[4] *Aging in place* refers to "the ability to live in one's home and community safely, independently, and comfortably—regardless of age, income, or ability level." See "Healthy Places Terminology," Centers for Disease Control and Prevention, Atlanta, 2010, http://www.cdc.gov/healthyplaces/terminology.htm.

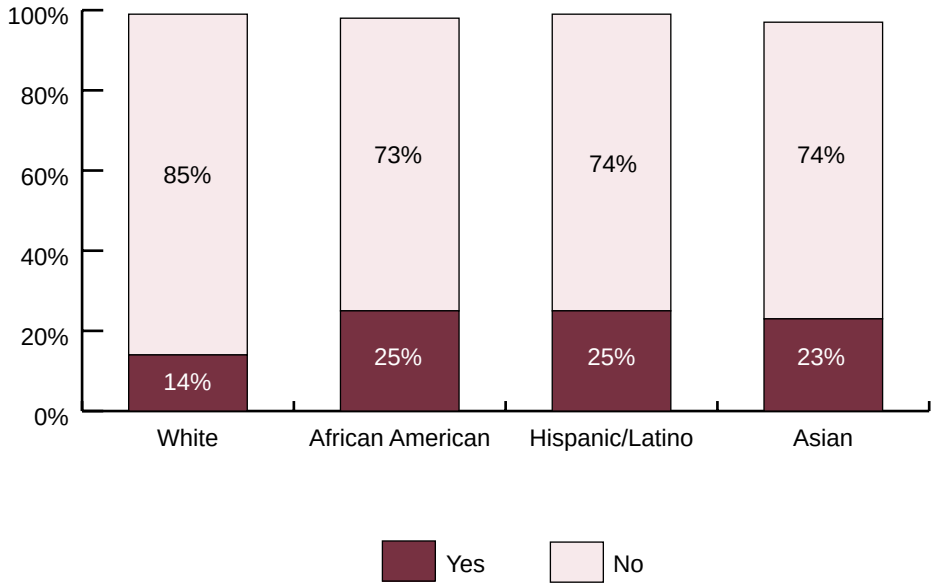
Figure 2. Do you want to live in your current community as you age?



Sample: Probability-based 50+ population (*n* = 893).

Note: Totals may not add to 100% because of rounding or because respondents did not provide an answer.

Figure 3. Do you plan on moving in the next three years?



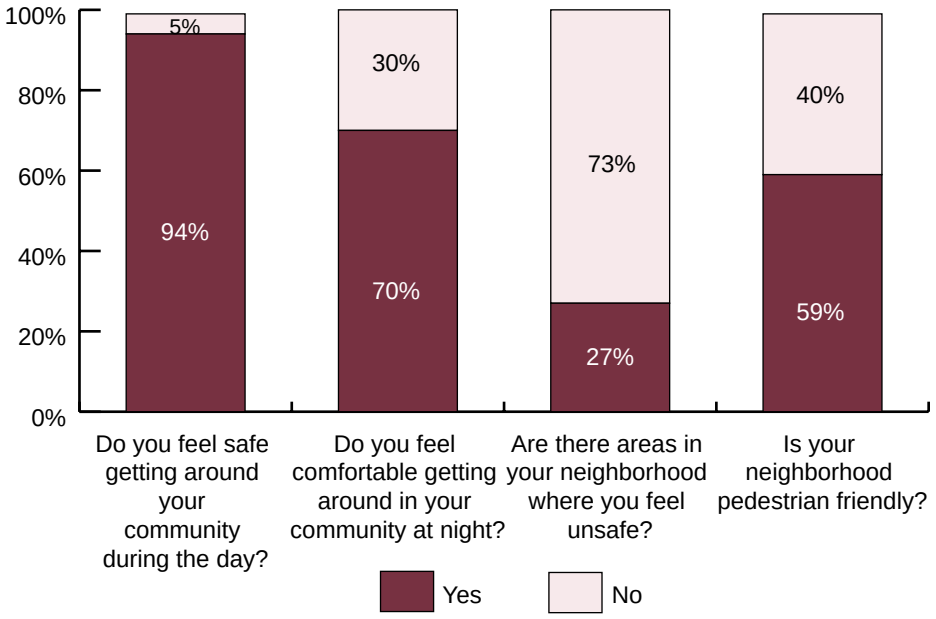
Samples: Probability-based 50+ white (*n* = 692); 50+ African American oversample (*n* = 455); Hispanic/Latino oversample (*n* = 456); Asian oversample (*n* = 452).

Note: Totals may not add to 100% because of rounding or because respondents did not provide an answer.

Personal Safety

Personal safety is of greater concern for family caregivers, people with disabilities, nondrivers, and people with lower incomes. When one measures level of concern about crime in the community, on a scale of 1 to 5—with 1 meaning very concerned about crime and 5 meaning not at all concerned—the average rating is about 3.57. That measure suggests that many are not too concerned about the level of crime in their neighborhood. Similarly, the vast majority of people (94 percent) say they feel safe getting around their community during the day, and 7 in 10 (70 percent) say they feel comfortable getting around their community at night. About one in four (27 percent) say there are areas in their community where they feel unsafe. (See figure 4.) Nondrivers, people with disabilities, and those with lower incomes are more likely to report that their community has areas where they feel unsafe and that they feel unsafe getting around their community during the day or at night.[5] Generally, personal safety is more of a concern for family caregivers and people with disabilities, as well as nondrivers and people with lower incomes who may feel more vulnerable because of the unsafe neighborhoods, physical limitations, or other issues.

Figure 4. Do you feel safe in your community?



Sample: Probability-based 50+ population (*n* = 893).

Note: Totals may not add to 100% because of rounding or because respondents did not provide an answer.

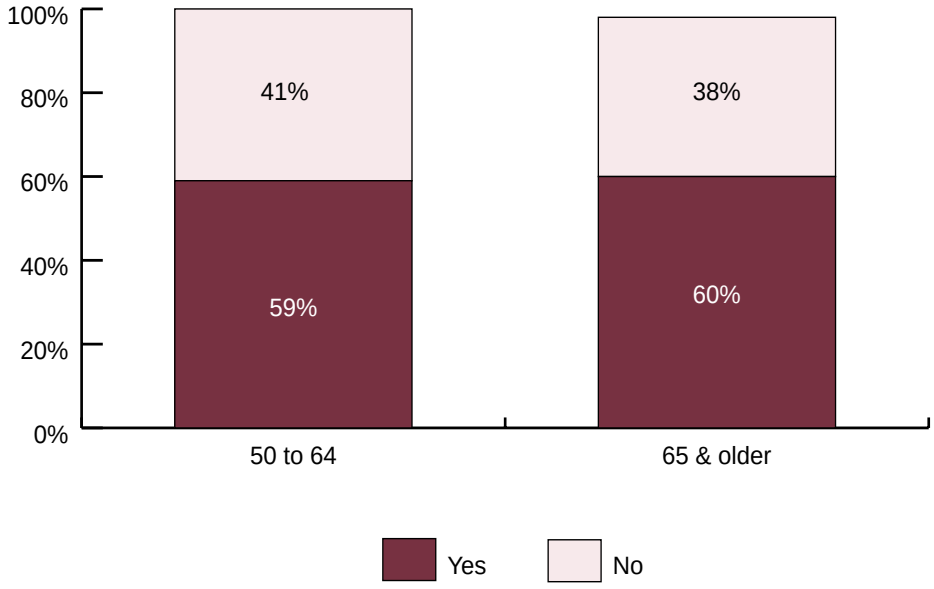
[5] Nondrivers, those in households with people with disabilities (including family members who provide care for them), and those with lower incomes seem to perceive themselves as being more vulnerable. As nondriver status increases with increasing disability or lower incomes, people in those groups may be more dependent on public transportation and walking, thereby eliminating the safe feeling they would have from getting around in their locked personal automobile. They may also be more likely to live in neighborhoods that generally feel less safe than do others.

As mentioned earlier, providing streets that are more pedestrian-friendly is a high priority for many people. (See figure 5.) About 6 in 10 (59 percent) said they currently live in communities that have pedestrian-friendly streets. Interestingly, people who are over 65 were more likely than people 50 to 64 to say they currently live in pedestrian-friendly areas. Similarly, nondrivers and people who live in metropolitan areas were more likely to say they currently live in pedestrian-friendly neighborhoods.

Demographics, Local Actions, and Livability

There are some racial and ethnic differences in local actions, but great differences in the places where various groups connect with community members. As mentioned earlier and shown in table 1, priorities that rose to the top for the general public were (in order of importance) "increase police presence," "improve schools," "ensure pedestrian-friendly streets," "provide transportation services for older adults and people with disabilities," and "build or upgrade parks." There are slight ranking differences based on race or ethnicity (see table C.2.a and its breakdowns by race in appendix C). Although the top two priorities remain the same for all races, respondents differ on the third priority ranking. African American and Latino respondents ranked "implement or increase funding for affordable housing programs" third, whereas Asian respondents ranked "add more buses, light rail, or subway systems" as the third priority. White respondents chose pedestrian-friendly streets. Those findings reflected the opinions that were shared in focus groups and interviews.

Figure 5. Is your neighborhood pedestrian-friendly?



Sample: Probability-based 50+ population (*n* = 893).

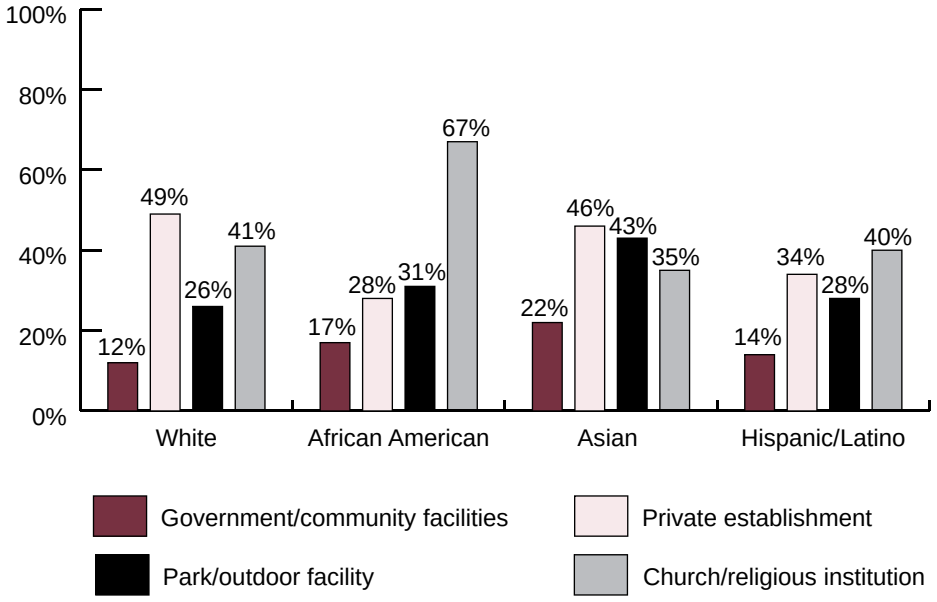
Note: Totals may not add to 100% because of rounding or because respondents did not provide an answer.

Some of the difference in ranking may be tied to income or location—white respondents' incomes were higher than African American or Latino respondents, and they were more likely to live outside metropolitan areas. However, some differences are clearly cultural. People connect with one another differently: about *half* of white respondents (49 percent) connect with fellow community members at private establishments, but *fewer than 3 in 10* African Americans do (28 percent).[6] Two-thirds of African American respondents (67 percent) connect at church—more than any other group.[7] (See figures 6 and 7.)

Drivers and Nondrivers

Most nondrivers say they live in communities that are already pedestrian-friendly. Driver and nondriver survey respondents agree that improving schools should be the first priority; however, they disagree slightly on the order of the next two priorities.[8] (Table 2 shows the top 10 priorities for both drivers and nondrivers.) Although increasing police presence is the second priority for drivers, "providing transportation services for older adults and people with disabilities" ranked second for the nondrivers. That difference is

Figure 6. Where do you connect and meet with fellow community members? (Race and Ethnicity)



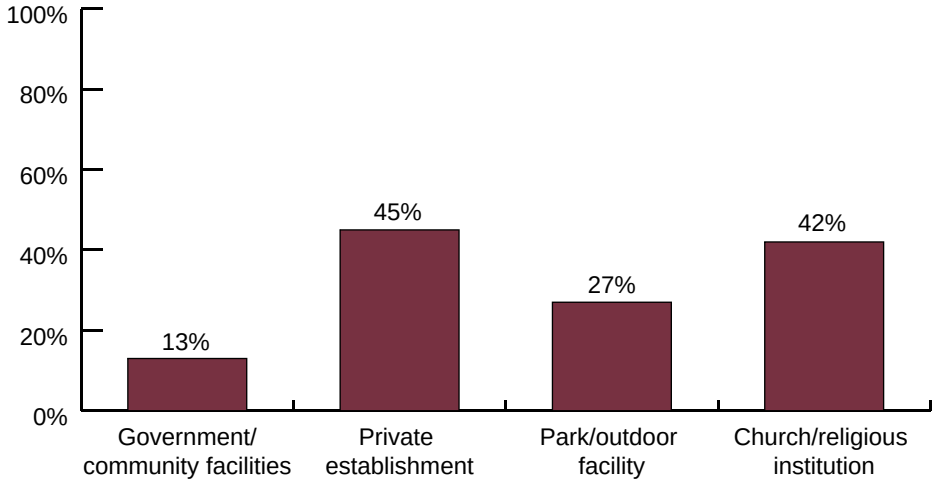
Samples: Probability-based 50+ white (*n* = 692); 50+ African American oversample (*n* = 455); Hispanic/Latino oversample (*n* = 456); Asian oversample (*n* = 452).

[6] *Private establishments* includes diners, restaurants, taverns, bars, shopping malls, and other similar places.

[7] *Church* includes all religious institutions.

[8] That result differs slightly from the general population because of oversampling of nondrivers.

Figure 7. Where do you connect and meet with fellow community members? (General Population)



Sample: Probability-based 50+ population (*n* = 893).

Table 2. Ranking of Local Actions—Drivers and Nondrivers

Actions	General Public	Driver	Nondriver
Increase police presence.	1	2	3
Improve schools.	2	1	1
Make streets pedestrian-friendly.	3	4	6
Provide transportation services for seniors and people with disabilities.	4	3	2
Build or upgrade parks.	5	8	8
Implement or increase funding for affordable housing programs.	6	7	4
Add more buses, light rail, or subway systems.	7	5	5
Implement or increase funding for home modifications for people with disabilities.	8	6	7
Invest in or build libraries.	9	9	9
Build more stores and shops.	10	10	10

Sample: Probability-based 50+ population (*n* = 893).
Full (probability-based and oversample): drivers (*n* = 3,683); nondrivers (*n* = 895).

not surprising. Interestingly, drivers ranked "making streets more pedestrian-friendly" in the top five priorities; however, that priority did not make the top five ranking for nondrivers (ranked sixth for nondrivers). Nondrivers were also more likely than drivers to say they currently live in a pedestrian-friendly neighborhood (67 percent v. 58 percent).[9] That difference may help explain why this policy area did not rank as one of the five most important issues for local governments to tackle, because those who cannot drive (as a result of income, physical ability, or other reasons) are more likely to have chosen a location compatible with getting around on foot. In fact, the nation's preeminent travel survey (the National Household Travel Survey) shows that 23 percent of trips taken by nondrivers ages 50 and older are on foot in contrast to only 9 percent by drivers of the same age group. Older nondrivers are also more likely to live in urban areas where sidewalk networks generally exist.[10]

Instead of more pedestrian-friendly streets, "implementing or increasing funding for affordable housing programs" was in the top five priorities for nondrivers, but not for drivers (ranked 7th for drivers). Similarly, that ranking difference coincides with the higher proportion of nondrivers (48 percent compared with 36 percent drivers) who said housing costs have a negative effect on their quality of life. That response is likely because of lower incomes among nondrivers ages 50 and older.[11]

Households with People with Disabilities

Specialized transportation and local government decision-making processes are important issues for people in households with people with disabilities. Improving schools and increasing police presence were the top two local government priorities for both those in households that have people with disabilities (includes answers from those with disabilities and family caregivers) and those without disabilities (see table 3). *The third priority for those with disabilities was "providing transportation services for older adults and those with disabilities." In contrast, that priority ranked 9 out of 10 for participants without disabilities.* Participants without disabilities ranked "make streets more pedestrian-friendly" third, whereas it was ranked fifth for people with disabilities. Adding more buses, light rail, or subway systems was the fifth most important policy priority for participants without disabilities; however, it was ranked seventh for participants with disabilities.

Although the differences between those demographic groups provide some insight on local priorities, the importance of local governance seems to be vital to people with disabilities and those family members who provide care. Participants with disabilities

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[9] In our interviews, level sidewalks and ramps were two features that garnered the most mentions for helping a user of a mobility device.

[10] The AARP Public Policy Institute's analysis of the "2009 National Household Travel Survey." See also http://www.aarp.org/research/ppi/liv-com2/resources/nhts-AARP-ppi-liv-com/.

[11] The 2012 survey conducted by GfK for AARP shows a significantly higher percentage of older nondrivers (51 percent) having an annual household income of less than $30,000 compared with that of older drivers (22 percent). That variation is further substantiated by evidence from the 2009 National Household Survey. The AARP Public Policy Institute calculated the median household income of older nondrivers (ages 65+) to be $19,000 per year compared with $36,000 for drivers.

Table 3. Ranking of Local Actions—Households with People with Disabilities and Family Caregivers

Actions	General Public	With Disability/ Family Caregiver	Without Disability/ Family Caregiver
Increase police presence.	1	1	2
Improve schools.	2	2	1
Make streets pedestrian-friendly.	3	5	3
Provide transportation services for seniors and people with disabilities.	4	3	4
Build or upgrade parks.	5	8	6
Implement or increase funding for affordable housing programs.	6	6	7
Add more buses, light rail, or subway systems.	7	7	5
Implement or increase funding for home modifications for people with disabilities.	8	4	9
Invest in or build libraries.	9	9	8
Build more stores and shops.	10	10	10

Sample: Probability-based 50+ population (*n* = 893).
Full (probability-based and oversample); people with disabilities/family caregivers (*n* = 2,083), people without disabilities/not family caregivers (*n* = 2,513).

and family caregivers are significantly more likely to say local governance plays a role in their decision to stay in or move to a community. (See figure 8.)[12]

Household Income

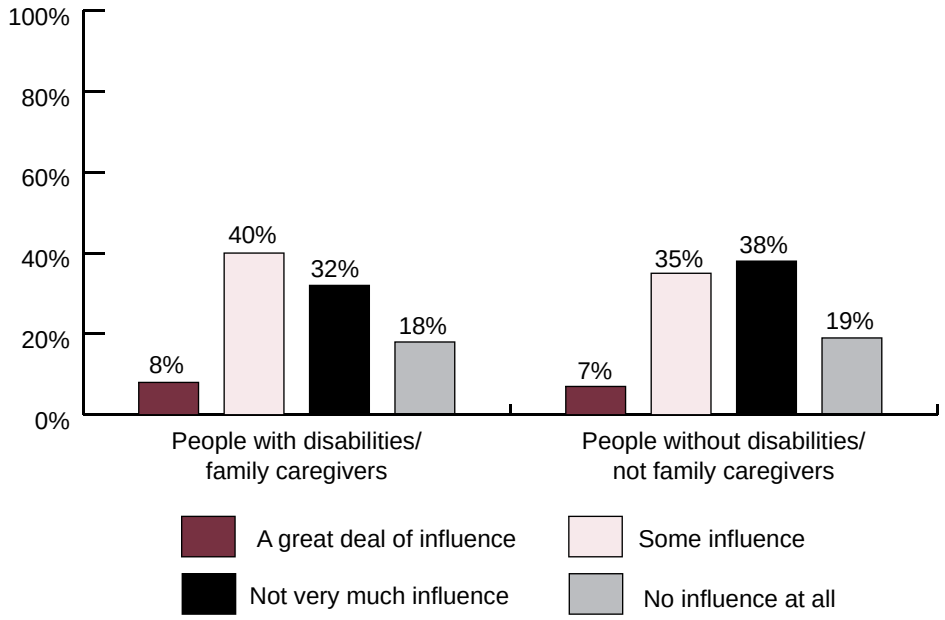
Household income will influence thoughts about the importance of local government spending priorities. Improving schools and increasing police presence were the top two local government priorities for all except the lowest income group ($30,000 or less). For that group, the top two priorities were increasing police presence and providing transportation services for older adults and those with disabilities. For the lowest income group, the policy to improve schools ranked fourth.

A direct correlation exists between household income levels and ranking of policy priorities regarding funding for affordable housing and home modifications. As income levels increase, the ranking for housing-related funding priorities decreases. (In appendix C, see tables C.1 and C.2.c.)

Providing transportation services for older adults and those with disabilities ranked in the top five for all income groups, whereas making streets more pedestrian-friendly ranked in the top five for all except the lowest income group. The highest income group ($75,000+) was the only segment to rank “build or upgrade parks” as one of the top five policy priorities for local governments.

[12] See appendix E for additional figures about local governance and households with people with disabilities and family caregivers.

Figure 8. How much does being able to participate in local government's decision-making process influence your decision to move to a community? (Disabilities and Family Caregivers)



Sample: Full (probability-based and oversample); people with disabiliites/family caregivers (*n* = 2,083); people without disabilities/not family caregivers (*n* = 2,513).

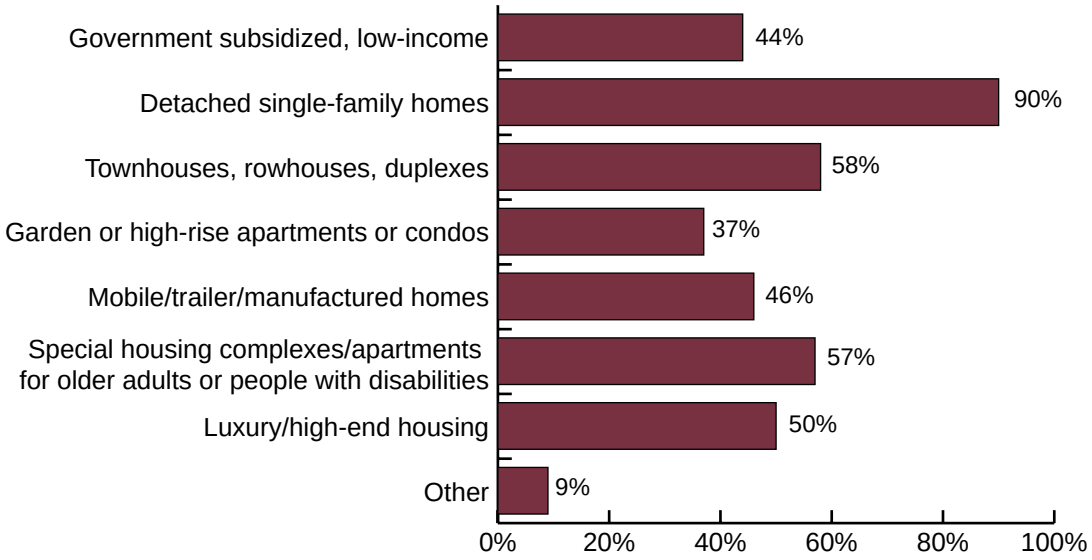
Housing

Participants were asked to indicate whether specific types of housing were available in their community (see figure 9). The vast majority (90 percent) of people said detached single-family homes were available in their community. About 6 in 10 (58 percent) said there were townhomes, a little more than half (57 percent) indicated there was some senior housing, and half (50 percent) said they had high-end luxury homes in their community. Only about 4 in 10 participants said there was low-income housing (44 percent) or manufactured housing (46 percent) in their community. A little more than one-third (37 percent) said there were garden apartments or high-rise apartments in their community. People who live in metropolitan statistical areas (MSAs) were more likely to report they had low-income or high-rise apartments in their community.[13]

For renters, funding for affordable housing programs is the most important local government investment (followed by increasing police presence and improving schools). Homeowners ranked improved schools and increased police presence as top priorities followed by providing transportation services for older adults and people with disabilities. (See table 4 for both homeowners and renters.) Although making streets more pedestrian-friendly was in the top five priorities for homeowners, it was ranked sixth for renters. Conversely, renters ranked adding more transportation services, such as buses

[13] Metropolitan statistical areas are geographical regions that are economically integrated and usually comprise major cities and surrounding urban and suburban counties.

Figure 9. What types of homes are available in your community?



Sample: Probability-based 50+ population (*n* = 893).

Table 4. Ranking of Local Actions—Homeowners and Renters

Actions	General Public	Homeowners	Renters
Increase police presence.	1	2	2
Improve schools.	2	1	3
Make streets pedestrian friendly.	3	4	6
Provide transportation services for seniors and people with disabilities.	4	3	4
Build or upgrade parks.	5	7	9
Implement or increase funding for affordable housing programs.	6	8	1
Add more buses, light rail, or subway systems.	7	6	5
Implement or increase funding for home modifications for people with disabilities.	8	5	7
Invest in or build libraries.	9	9	8
Build more stores and shops.	10	10	10

Sample: Probability-based 50+ population (*n* = 893).

and light rail, in the top five; it was ranked sixth for homeowners. For homeowners, providing funding to assist with home modifications for those with disabilities was a top five priority. That priority was ranked seventh for renters.

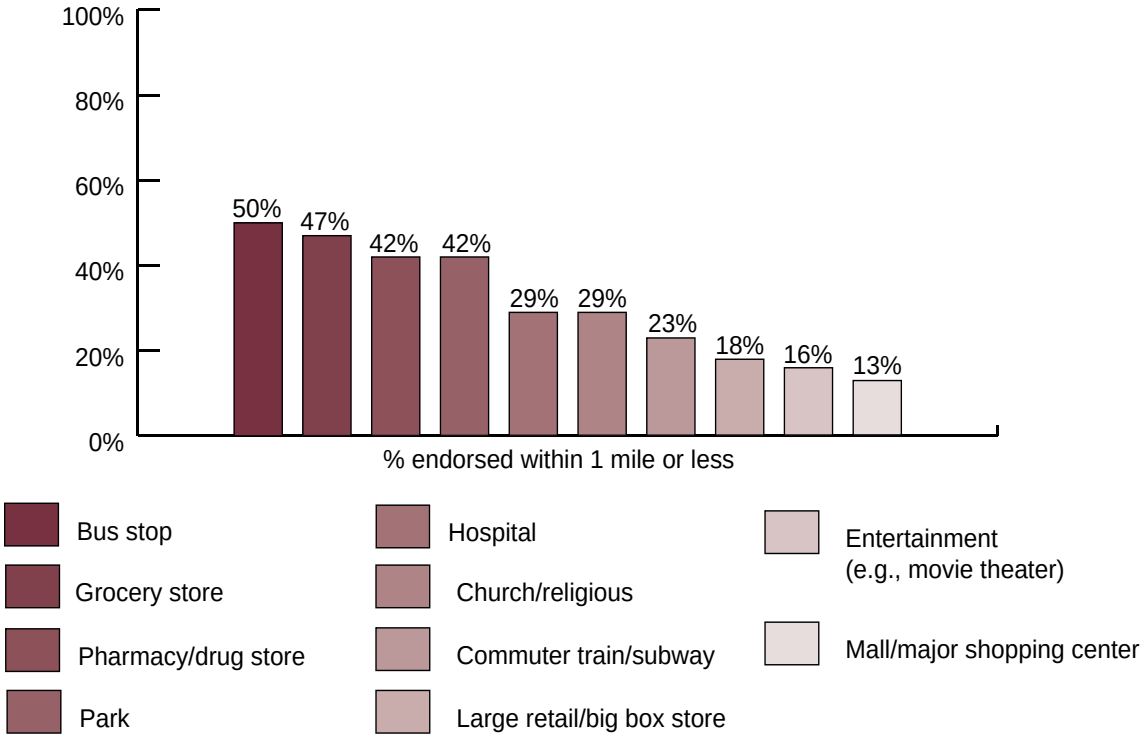
Proximity

To measure participants' interest in having amenities nearby, researchers asked those participants to indicate the maximum distance from their home (¼ mile, ½ mile, 1 mile, 2 miles, 5 miles, 15 miles) that they would prefer to have 16 different amenities (such as grocery store, gas station, church, coffee shop, etc.). Participants considered 10 core amenities (including grocery store, pharmacy, park, hospital, etc.), as well as 6 randomly selected amenities (including bar or pub, dry cleaner, public library, fire station, etc.).

Figure 10 presents the percentage of the general population who indicated they would like to have the listed core amenity within 1 mile of their home. Of those core amenities, bus stops, grocery stores, pharmacies, and parks are highly desirable neighborhood amenities. Between 42 and 50 percent of the general population expressed a desire for those four amenities to be within 1 mile of home. In contrast, fewer than 30 percent of respondents indicated a desire to have the other six core amenities within 1 mile of home.

Those top four-ranked amenities were also reported as the most desired amenities to have within ¼ mile of respondents' homes. In particular, respondents desire bus stops

Figure 10. What community amenities do you want close to home?



Sample: Probability-based 50+ population (*n* = 893).

located within ¼ mile of their home (30 percent). The next most popular amenities at the ¼ mile distance from home were grocery stores (12 percent) and parks (12 percent).

Additionally, survey participants were asked whether they would prefer (a) to drive to nearby amenities or (b) to be able to walk to nearby amenities. A "nearby seeker" variable was computed on the basis of the participant's preference to drive or walk and on the number of amenities he or she said should be within 1 mile of home. Nearby seekers were those with preferences for nearby amenities and included participants who preferred to walk and who indicated a desire to have 8 or more of the top 16 amenities within 1 mile of home.[14]

When looking at local government priority preferences, nearby seekers ranked "adding more transportation options, such as buses and light rail," as the most important priority followed by improving schools and increasing police presence. Non-nearby seekers ranked improving schools and increasing police presence as the first and second priority, respectively. For non-nearby seekers, the third priority was providing transportation services for older adults and those with disabilities followed by making streets more pedestrian-friendly (ranked fourth) and increasing funding for home modifications for people with disabilities (ranked fifth). Similarly, nearby seekers ranked providing transportation services for older adults fourth; however, they ranked increasing affordable housing programs fifth. Making streets more pedestrian-friendly did not rank in the top five priorities (ranked sixth) for nearby seekers. Perhaps, as we suggest with nondrivers, nearby seekers might already have chosen to live in communities that have a sufficient number of pedestrian-friendly streets and therefore find improving them to be of lower importance. (See table C.2.c in appendix C.)

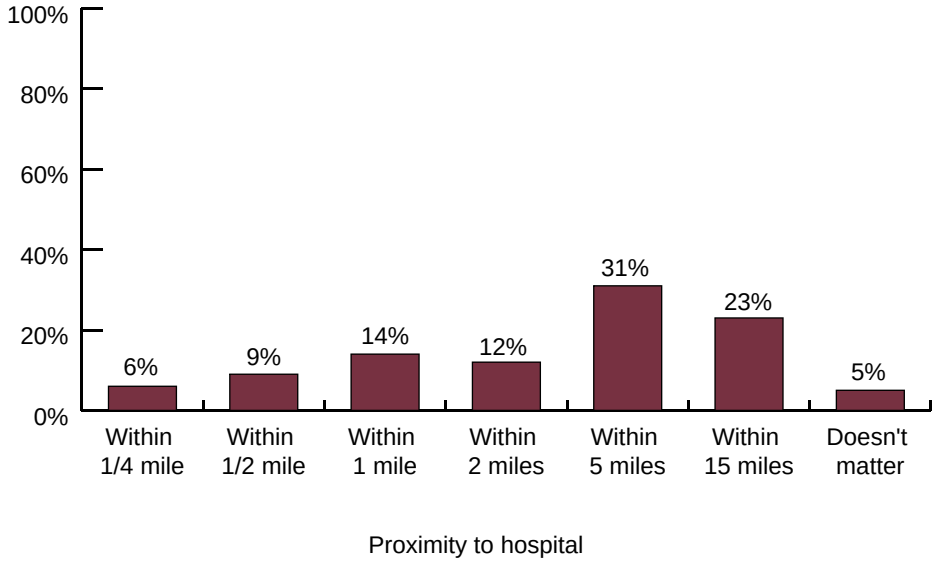
A major challenge with creating a livability index is how to weight the distance from a hospital. As shown in figure 11, access to medical facilities is important, but it is unclear whether access needs to be at a hospital or whether medical services need to be located in one's neighborhood. The proximity measure included location of a hospital in the 10 core amenities measured. About one-quarter said a hospital should be either within 1 mile (14 percent) or 2 miles (12 percent) from home. Another 23 percent said a hospital about 15 miles from home would be ideal. Only 5 percent said it didn't really matter how far a hospital was from home.

In a different set of questions, about half (49 percent) of the respondents said that ideally, it should take 5 to 15 minutes to reach a hospital for a non-life-threatening situation. Some may perceive hospitals to be a nuisance land use, possibly because of the likelihood of ambulance sirens nearby. Similarly, about half (49 percent) said it should take between 5 and 15 minutes to reach an urgent care clinic.

Low-income respondents (less than $30,000 per year) wanted features and services such as grocery stores within a ¼ mile of home more often than did higher-income counterparts. Women were more likely than men to agree with the ¼ mile preference for local retail (see figure 12), people within metropolitan areas were more likely to

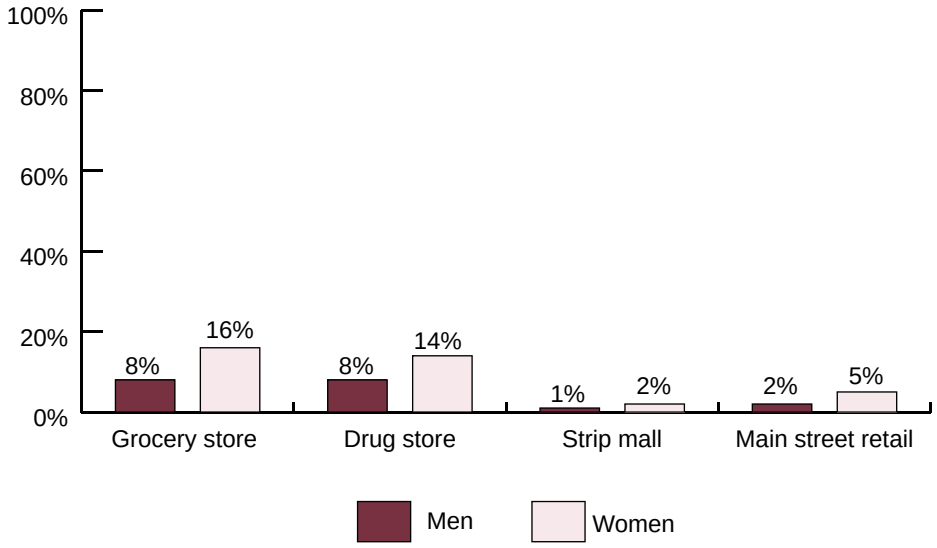
[14] Some might also refer to people with such preferences as "urbanites" or "urban minded." The term "nearby seeker" is used because its definition looks solely at preferences and not at the actual location choices of individuals. That distinction is important as an individual's residential choices may not reflect his or her preferences for a variety of reasons. (See "Mobility Limiters" in appendix A.)

Figure 11. What is the preferred maximum distance to medical facilities?



Sample: Probability-based 50+ population (*n* = 893).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure 12. By gender, who prefers a maximum distance of ¼ mile to local retail?



Sample: Probability-based 50+ population (*n* = 893).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

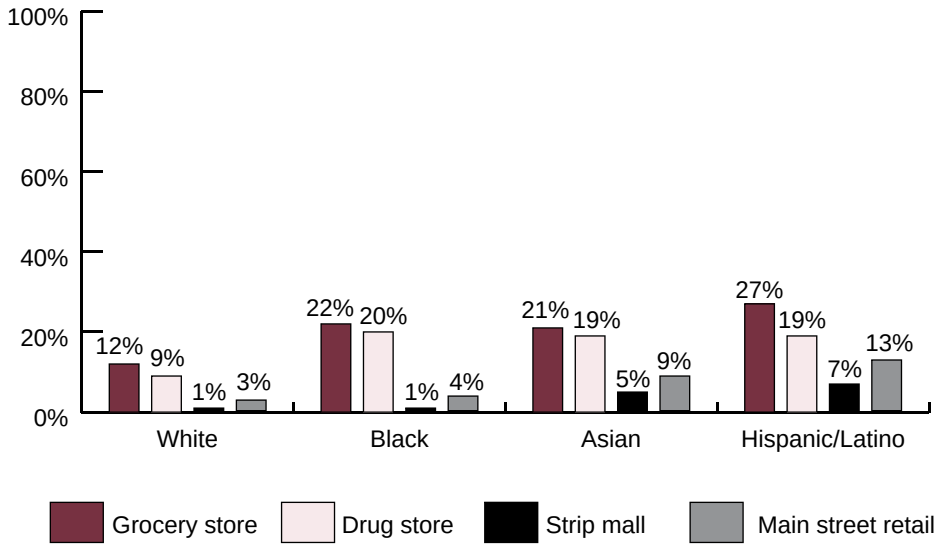
agree than those outside of metro areas, nondrivers were more likely to agree than those who drove, and people who had a disability or were family caregivers agreed as well. Whites were less likely than most other races and ethnicities to agree (see figure 13).[15] Those portions of the population that prefer nearby services overlap to some degree, but the wants and needs clearly differ from preferences of other groups in the community. Situations evolve over a lifetime, and it is important to note that income, driver status, level of physical ability, and other factors can change with age. Although most of the respondents ages 50+ are not currently nondrivers or people with disabilities, many will one day find themselves with a different set of needs.

Community Cohesiveness and Livability

A rather intangible livability measure is community cohesion. To explore the concept of community cohesion, participants were asked about what community pride existed, where community members meet, and what the importance was of being involved in local government decision-making processes (see figure 14).

The majority of people feel there is a great deal (27 percent) of or some (54 percent) community pride and unity among their neighbors. Around 4 in 10 (41 percent) people said being able to participate in the local government decision-making process would have at least some influence on their decision to move to a community. Similarly, 6 in 10 (60 percent) said a local government's reputation or local government's politics would

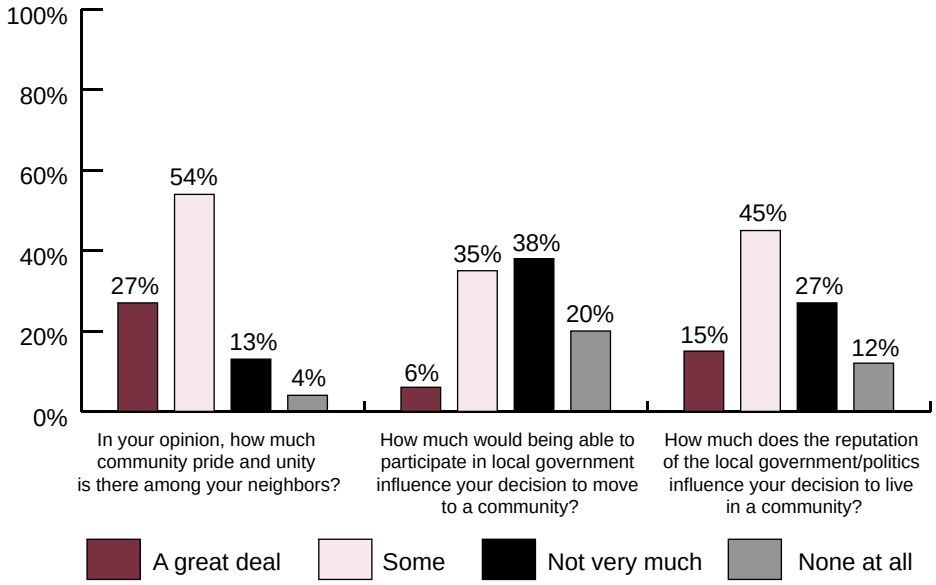
Figure 13. By race and ethnicity, who prefers a maximum distance of ¼ mile to local retail



Samples: Probability-based 50+ white (*n* = 692); 50+ African American oversample (*n* = 455); Hispanic/Latino oversample (*n* = 456); Asian oversample (*n* = 452).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

[15] For a comparison of ¼- and ½-mile radii by gender, race or ethnicity, and age, see appendix E.

Figure 14. How important is community cohesiveness in making decisions about where to live?



Sample: Probability-based 50+ population (*n* = 893).

have a great deal or some influence on their decision to live in a community. However, quantifying the amount of community cohesion in a livability index is difficult.

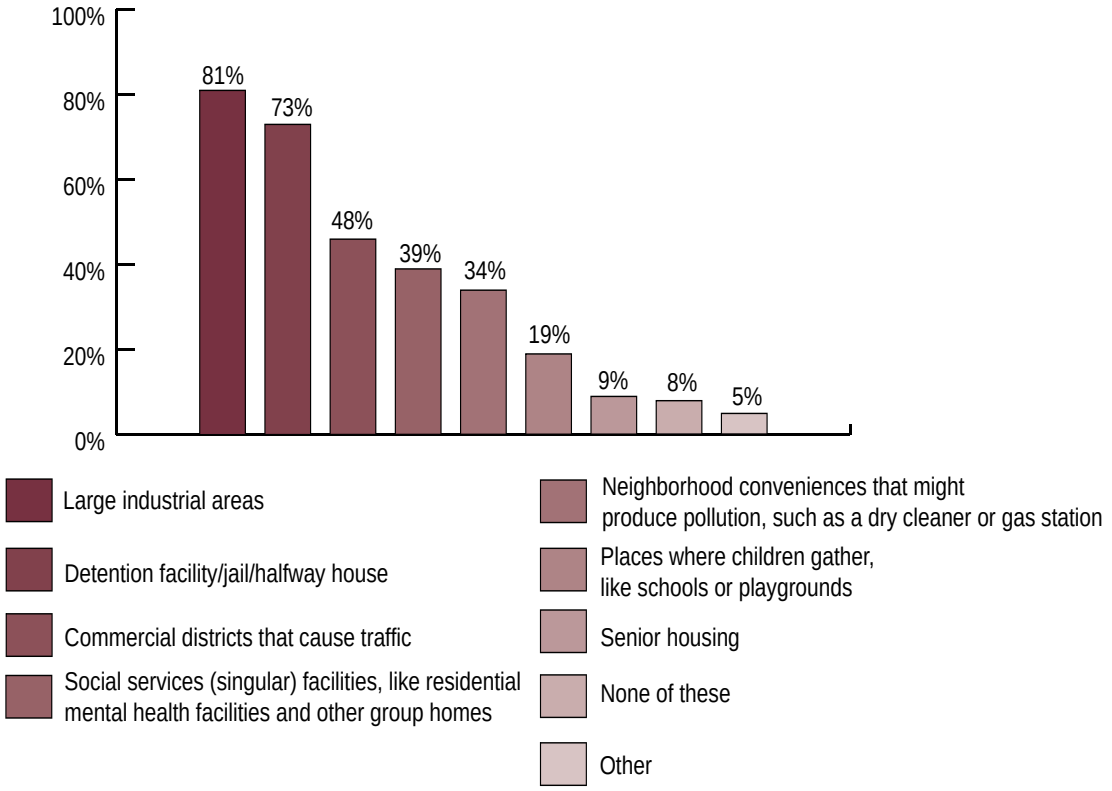
Disincentives or Features with Negative Effects

One important aspect of livability is how individuals feel about amenities, issues, or structures that might prevent them from moving into a community. Survey participants were provided with a list of possible disincentives and asked, "If you were selecting a home in a new community, which of the following, if any, would prevent you from moving to a home in that community?" (For more information, see figure 15.)

Large industrial areas and detention facilities are major disincentives for moving into a community, but reactions to other potential disincentives were more mixed. The majority of respondents indicated that large industrial areas, such as chemical manufacturing, pulp mill, landfill, and so forth (81 percent), and detention-related facilities—such as a detention center, jail, or halfway house (73 percent)—would prevent them from moving into a community. About half (46 percent) said a commercial district that might generate traffic from retail stores, restaurants, and other businesses would be a disincentive for moving into a community. Four in 10 (39 percent) indicated that they are less desirous of a community that has social service facilities, such as a group home or residential mental health facility. When looking at other businesses, only one-third (34 percent) said proximity to neighborhood conveniences that might produce pollution (such as a dry cleaner or gas station) might be a disincentive for moving into a community.

Fewer than one in five (19 percent) said places where children gather (like a school or day-care facility) would be a disincentive, and fewer than 1 in 10 (9 percent) said housing

Figure 15. What activities would prevent you from moving into a community?



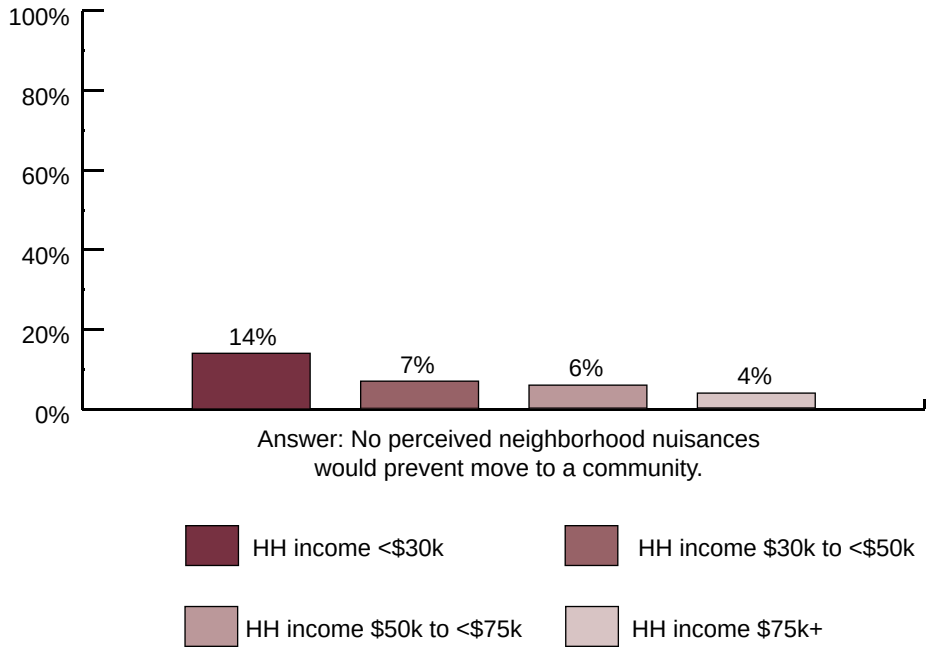
Sample: Probability-based 50+ population (*n* = 893).
Survey question: Which of the following would prevent you from moving to a home in that community?

for older adults (like a retirement community or nursing home) would be a disincentive for moving into a community.

Respondents were also allowed to indicate that none of the items listed would be a disincentive for moving into a community. A higher proportion of lower-income respondents (household income of less than $30,000) compared with respondents with higher incomes indicated that none of the items would prevent them from moving into a community (14 percent compared with between 4 percent and 7 percent for respondents with higher level incomes). (For income comparisons, see figure 16.) Similarly, a higher proportion of nondrivers compared with drivers indicated that none of the items would prevent them from moving into a community (12 percent v. 7 percent), and those in metropolitan areas are more likely to be dissuaded than are those who live in more rural "nonmetropolitan" areas (15 percent of those living outside of metropolitan areas said that none of the listed disincentives would prevent them from moving to a neighborhood, and only 6 percent within metropolitan areas said the same).[16]

[16] See appendix E for figures about drivers and metropolitan areas.

Figure 16. Does income impact decisions to move to a community because of perceived neighborhood "nuisances"?



Note: HH = household.
Sample: Full (probability-based and oversample); household income <$30,000 (*n* = 1,254); household income <$30,000 to <$50,000 (*n* = 997); household income $50,000–$75,000 (*n* = 902); household income $75,000+ (*n* = 1,434).
Survey question: Which of the following would prevent you from moving to a home in that community?

Lessons for Measuring Livability

Several lessons for index development evolved from the research previously described, and many of those reinforced findings from previous research. Our focus groups with Alabamians and residents in the Chicago region and our in-depth interviews with our survey respondents provided insights that elucidate the findings. Each of the lessons (shown next) influenced the design of AARP's ideal livability index.

1. **Individual definitions of livability can include issue areas that may or may not be addressed by public policy.** When asked, "What is a livable community?" respondents offered a range of responses:

   The first thing that I put down was safe or safety—a safe community. A pretty community. You like it. The terrain or the woods or whatever—you consider it beautiful.

   —Alabama rural resident

   You've heard the term "close-knit" community? I put that down—"close-knit." Friendly people. People in a community who care about one another.

   —Chicago resident

   A place that you want to raise your children, places that have recreational facilities for your time off. Good neighborhoods that you feel safe in.

   —Alabama rural resident

   It sounds like a good place. A livable community—it's a place where you raise your kids. Peaceful, nice neighbors—that kind of thing.

   —Birmingham, Alabama, urban/suburban resident

   Preferences for weather, terrain, friendliness of neighbors, and closeness to family cannot be affected by public policy, but safety, access to public transportation, recreational facilities, preservation of open space, and zoning for medical facilities can be.

2. **People and communities have differing perspectives: one type of community does not fit all.** The "important" issues change according to location; income; whether someone with a disability lives in the household; whether the household is urban, suburban, or rural; whether someone drives; and what the racial or ethnic background is of respondents. For example, some of the answers to "What are important community characteristics?" include the following:

   The area I live in, I like it. It's pretty peaceful. We've got a parkway, and it's got just about everything on the parkway that you could get downtown.

   —Birmingham, Alabama, urban/suburban resident

   I think Chicago is a very versatile city. It's a beautiful city. There's a lot to do, a lot to see in it. You can get just about anywhere in it on public transportation or driving on expressways. As far as shopping goes, you can get to just about any store fast. We have several malls in our area that accommodate us.

   —Chicago urban resident

> *They have beautiful schools, great schools. It's nicely racially mixed. The property values are good. I feel very safe in my community. They have many events. I just love living here. It's close to downtown (Chicago) —16 minutes away from downtown. They just got through renovating Marion Street, and it's beautiful with all the lights and cobblestone streets. It's gorgeous. I love it.*
>
> —Chicago suburban resident

> *It's convenient to Birmingham. It's got great recreational facilities. The city does a good job with parks and walking trails. We've got a decent-sized mall. We've got good medical facilities—a lot of doctors for a town this size. The new interstate opening up is going to be a big asset: it took me less than an hour to get to Birmingham, so it has a lot of advantages.*
>
> —Alabama rural resident

Because people find a range of community characteristics to be important, "livable" has many individual definitions.

3. **Perceptions of a livable community are made when choosing housing and may not change as the person ages, unless a major life change forces a new perspective.** Families that make their housing decisions when they have children can find themselves in the same community as they age. If a community has good schools and safe opportunities for children and a home becomes a place of fond memories, that location may seem livable even after the children have moved out and the needs of the older adult begin to change. The cul-de-sac design may have provided safety for the children years ago, but it may now contribute to isolation and limit the ability to get around if one can no longer drive. The respondents who considered the features that help one to age in place were often those who had or had developed some level of physical impairment or had lost the ability to drive (or lived with someone who had faced those challenges). That factor was true for most participants, from younger (closer to 50 years of age) homeowners in the Chicago region to 80-year-olds in Alabama. It was common to put off deciding how aging would affect one's life until some event forced one to think about it.

Conclusion

The lessons cause a challenge for researchers who seek to measure community livability: the preferences of older adults are complex, intertwined, and sometimes conflicting. As Peter Pan never aged, many people never expect to age until they one day find themselves no longer able to do things that they once did. The lessons from this research have several implications for efforts to measure community livability, and they are discussed in detail in the Public Policy Institute report titled “Is This a Good Place to Live? Measuring Community Quality of Life for All Ages.”

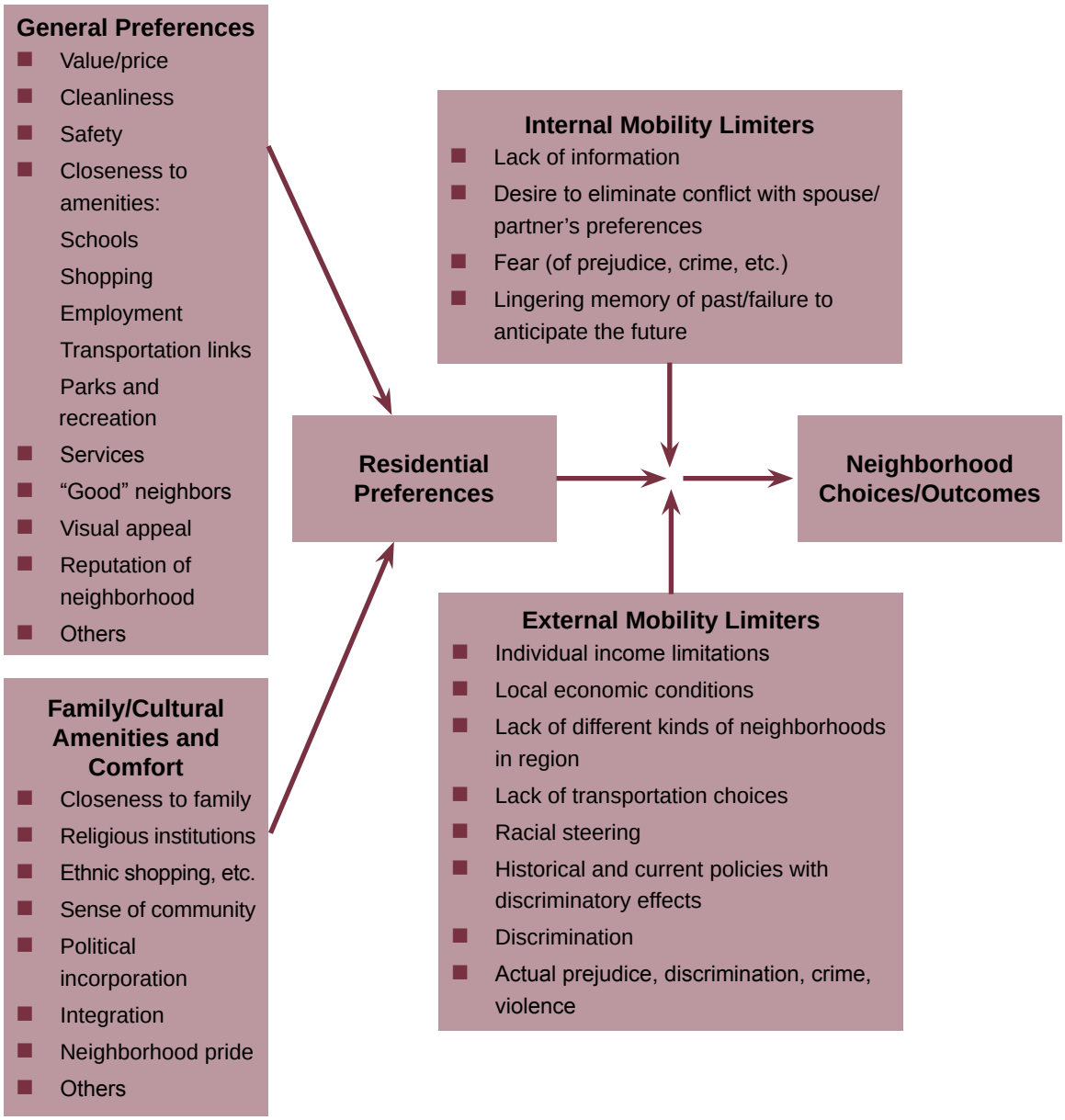
Appendixes

Appendix A. Preferences

Many researchers rely on preferences for their measurements of livability. To properly understand the role and limitations of preferences requires a deeper explanation.

The conceptual framework shown in figure A.1 models residential location decisions. In short, many elements go into stated preferences, and residential mobility limiters prevent those desires from being achieved.

Figure A.1. Conceptual Framework



Residential Mobility Limiters

Although an individual's personal preferences are created by his or her unique combination of the magnitude and direction of preferences, certain limits to mobility interact with preferences in ways that account for the differences between what an individual prefers and where that individual ends up living.

Those residential mobility limiters are grouped into two categories: internal and external. Internal mobility limiters are self-imposed constraints on choice and may affect that individual's perception of a particular neighborhood in ways contrary to that person's best interest. Those internal mobility limiters have the potential to interfere with an individual's own ability to find a neighborhood that meets his or her needs.

External mobility limiters are externally imposed constraints on choice. External mobility limiters also reduce an individual's ability to take advantage of other existing options. For example, the effect of actual discrimination, racial steering, and historical and current policies with discriminatory effects (such as redlining) can prevent someone from moving to a desired neighborhood. Additional external mobility limiters can best be described as regional limitations.

Additional external mobility limiters reduce the number of options, and they include (a) poor local economic conditions that prevent many from having the income necessary to purchase homes, (b) a lack of different kinds of neighborhoods, (c) a lack of transportation options, and (d) other differences that may exist in a particular region at a given point in time, including housing shortages, the effects of natural disasters, and other factors. External mobility limiters can restrict the number of choices or limit the ability to choose from among the available choices. A particular region may fail to benefit potential residents on any or all of those criteria and would thereby limit the ability of potential movers to find desirable neighborhoods.

People's stated preferences are not unassailable, because internal mobility limiters prevent individuals from knowing their "true" preferences. The external mobility limiters are issues that can be addressed by public policies that ensure that people can find what they want.

The framework and explanation are adapted from a framework originally developed for "Understanding Modern Segregation: Suburbanization and the Black Middle Class" by Rodney Harrell (PhD diss., University of Maryland, 2008). See that publication for a more detailed explanation.

Appendix B. Project Design

Methodology

The initial phase of the data collection was conducted in December 2011. That qualitative study, conducted by Turtle Bay Institute, Inc., included four 2-hour discussion groups with individuals ages 50 and older in the Chicago, Illinois, and Birmingham, Alabama, regions. Participants were from urban, suburban, and rural communities, with varying incomes and racial and ethnic backgrounds, as well as drivers, nondrivers, people with disabilities (including mobility limitations), family caregivers, retirees, and full-time and part-time workers.[17] The main objectives of the initial phase were to accomplish the following:

- Explore participants' perceptions of livable communities now and as they age, as well as their definition of a "livable community."
- Elicit participants' definitions of a "livable community" with regard to the physical characteristics, the properties and services, and the options that it would offer (both now and as they age).
- Provide insight into how definitions of a livable community differ by individual according to his or her community location (i.e., metropolitan [urban and suburban] and nonmetropolitan [rural]).

The second phase of the data collection, the quantitative survey, was initially conducted by GfK (Knowledge Networks) from September 2012 through November 2012. Additional data were collected from December 2012 through January 2013 to increase oversamples of people with disabilities or family caregivers, nondrivers, and certain income groups. The total number of participants was 4,596. The 20-minute survey was conducted using a sample from KnowledgePanel®, a probability-based web panel designed to be representative of the United States. The survey included a general population sample of adults ages 50+, with oversamples of African Americans, Asians, Hispanics and Latinos, nondrivers, people with disabilities (or family caregivers), and low-income households.

A poststratification process was used for the general population sample, as well as each individual race and ethnicity sample. The poststratification process was applied to adjust for survey nonresponse as well as noncoverage or undersampling and oversampling resulting from the study-specific sample design. Demographic and geographic distributions for the noninstitutionalized, civilian population ages 18 and older from the most recent US Census Bureau Current Population Survey (CPS) were used as benchmarks in those adjustments.

The final phase of the public opinion data collection was a follow-up 30-minute in-depth interview with randomly selected quantitative survey participants. The 80 in-depth interviews were conducted via telephone in English by Woefel Research, Inc., in November 2012. The main purpose of the follow-up interviews was to give the participants an opportunity to reflect on the livability concepts explored in the quantitative survey.

[17] Focus group demographics: age range 50 to 89; income range < $23,000 to $100,000+.

KnowledgePanel®

In a KnowledgePanel®, sample sources of deviation from an equal probability of selection design are corrected in the application of a base weight. A poststratification process was used to adjust for any survey nonresponse as well as any noncoverage or any undersampling and oversampling resulting from the study-specific sample design. Demographic and geographic distributions for the noninstitutionalized, civilian population ages 18 and older from the most recent CPS were used as benchmarks in the adjustment. The following benchmark distributions were used for the poststratification adjustment: gender, age, race/Hispanic ethnicity, education, household income, census region, metropolitan area, and Internet access.

Estimates

*Probability-Based Sample—50+ General Population (*n *= 893)*

The general 50+ population estimates in this report are from the probability-based sample. That sample was weighted using demographic and geographic distributions from the most recent CPS estimates of the noninstitutionalized, civilian population ages 18 and older. The following benchmark distributions were used for this poststratification adjustment: gender, age, race/Hispanic ethnicity, education, household income, census region, metropolitan area, and Internet access.

Race or Ethnicity 50+ Population Oversample[18]

- African American (*n* = 455); Hispanic or Latino (*n* = 456)
- Asian or Pacific Islander (*n* = 452)

The minority 50+ population estimates in this report are from the 50+ population race/ethnicity oversamples. Each individual race or ethnicity sample (African American, Hispanic or Latino, and Asian) was weighted using demographic and geographic distributions from the most recent CPS estimates of the noninstitutionalized, civilian population ages 18 and older within each race or ethnicity. The following benchmark distributions were used for this poststratification adjustment: gender, age, education, household income, census region, metropolitan area, and Internet access.

Other 50+ Population Oversample

Additional oversamples of various 50+ populations were obtained to enable in-depth analyses of the subpopulations. Estimates in this report for those subpopulations do not include poststratification adjustments. As such, comparisons within each oversampled population group may be made. Readers are cautioned not to draw comparisons across oversampled groups or the general public.

[18] The sample sizes presented here are from the targeted race or ethnicity oversamples. The race or ethnicity estimates presented in this report are based on those oversamples. A follow-up data collection was conducted to garner oversamples for additional groups (i.e., low income, nondriver, people with disabilities and family caregivers, etc.). The final full sample counts for the race or ethnicity samples were African American (*n* = 667), Hispanic or Latino (*n* = 542), and Asian or Pacific Islander (*n* = 463).

- Income 50+ population oversample
  - Less than $30,000 (*n* = 1,254)
  - $75,000−$99,999 (*n* = 656)
- Nondriver 50+ population oversample
  - Nondrivers (*n* = 895); includes nondriver with a disability (*n* = 558)
- Education 50+ population oversample
  - Less than high school diploma (*n* = 321)
- People with disabilities or family caregivers 50+ population oversample
  - Self-reported people with a disability: those who use a wheelchair, cane, walker, receive assistance with daily activities such as handling personal care, driving to places, cooking or cleaning because they are unable to do so (*n* = 1,362)
  - Self-reported family caregiver of a person with a disability (not with disability): family caregivers help someone who lives in their home with his or her personal care activities (*n* = 722)

NearbySeeker—Computed Variable

The NearbySeeker computed variable was determined by the respondents' preference to walk to amenities (versus drive) (Q25) and the number of amenities he or she said should be within 1 mile of his or her home (Q17). For the amenities part of the computed variable, we first determined the top amenities identified as ideal to have within 1 mile of home (16 out of 30 tested). A respondent was considered a nearby seeker if he or she indicated a preference for walking to amenities (Q25) and indicated a preference for having half or more of the top ranked amenities within 1 mile of home.

Note that not all respondents were shown all 16 of the top amenities, thus the total number of endorsed amenities to qualify varied by respondent. Estimates in this report for that subpopulation do not include poststratification adjustments. (See table B.1 for the sample demographics.)

Table B.1. Sample Demographics

	Total (*n* = 4,596) Percentage of the Sample
Gender	
Female	55
Male	45
Age	
50 to 64	59
65 and older	41
Race/Ethnicity	
African American	15
Asian/Pacific Islander	10
Hispanic/Latino	12
White	60
Marital Status	
Divorced/widowed/separated	27
Married	62
Single	11
Housing Type	
Apartment complex	16
Single-family detached	71
Townhouse/rowhouse/duplex	7
Own/Rent	
Own	77
Rent	21
Household Income	
Under $30,000	27
$30,000 to $49,999	22
$50,000 to $74,999	20
$75,000 or more	31
MSA/Non-MSA	
MSA	81
Non-MSA	13
Education	
Less than high school diploma/equivalent	7
High school graduate (or equivalent)	22
Some college (2-year degree or less)	33
College degree (4-year degree or postgraduate)	38
Employment	
Disabled	13
Employed	36
Retired	42
Unemployed	9

Table B.1. Sample Demographics

	Total (*n* = 4,596) Percentage of the Sample
Disability/Caregiver Status	
With disability	30
Family caregiver	16
Driver Status	
Nondriver (all)	19
Nondriver with disability	12

Note: Percentages may not total 100 because of rounding, nonresponse, or omitted categories. MSA = metropolitan statistical area.

Appendix C. Rankings of Housing Policies, Local Actions, and Population Segments

Respondents were asked to rank the importance of implementing or increasing funding for the programs shown in table C.1.

Table C.1. Ranking of Housing Policy Priorities by Income Level

Income Group	Affordable Housing Programs	Home Modifications for People with Disabilities
Overall	6	8
Less than $30,000	3	5
$30,000 to $49,999	6	5
$50,000 to $74,999	7	6
$75,000 and over	9	8

Sample: Full (probability-based and oversample); household income <$30,000 (*n* = 1,254); household income <$30,000 to <$50,000 (*n* = 997); household income $50,000–$75,000 (*n* = 902); household income $75,000+ (*n* = 1,434).

Tables C.2.a–C.2.c give additional information about rankings by various population segments.

Table C.2.a. Ranking of Local Actions—General Public, Plus Race or Ethnicity

Actions	General Public	White	African-American	Hispanic/Latino	Asian
Increase police presence.	1	2	2	1	1
Improve schools.	2	1	1	2	2
Make streets pedestrian friendly.	3	3	6	5	4
Provide transportation services for seniors and people with disabilities.	4	4	4	4	5
Build or upgrade parks.	5	5	8	7	6
Implement or increase funding for affordable housing programs.	6	7	3	3	9
Add more buses, light rail, or subway systems.	7	6	5	6	3
Implement or increase funding for home modifications for people with disabilities.	8	9	7	8	7
Invest in or build libraries.	9	8	10	9	8
Build more stores and shops.	10	10	9	10	10

Sample: Probability-based 50+ population (*n* = 893) and probability-based 50+ white (*n* = 692); 50+ African American sample (*n* = 455); Hispanic/Latino oversample (*n* = 456); Asian oversample (*n* = 452).

Table C.2.b. Ranking of Local Actions—General Public, Plus Household Income

Actions	General Public	<$30k	$30k to <$50k	$50k to <$75k	$75k+
Increase police presence.	1	1	1	2	2
Improve schools.	2	4	2	1	1
Make streets pedestrian friendly.	3	6	4	4	3
Provide transportation services for seniors and people with disabilities.	4	2	3	3	5
Build or upgrade parks.	5	8	8	8	4
Implement or increase funding for affordable housing programs.	6	3	6	7	9
Add more buses, light rail, or subway systems.	7	7	7	5	6
Implement or increase funding for home modifications for people with disabilities.	8	5	5	6	8
Invest in or build libraries.	9	9	9	9	7
Build more stores and shops.	10	10	10	10	10

Sample: Probability-based 50+ population (*n* = 893) and full (probability-based and oversample); household income <$30,000 (*n* = 1,254); household income <$30,000 to <$50,000 (*n* = 997); household income $50,000–$75,000 (*n* = 902); household income $75,000+ (*n* = 1,434).

Table C.2.c. Ranking of Local Actions— Nearby Seekers and Non-Nearby Seekers

Actions	General Public	Nearby Seekers	Non-Nearby Seekers
Increase police presence.	1	3	2
Improve schools.	2	2	1
Make streets pedestrian friendly.	3	6	4
Provide transportation services for seniors and people with disabilities.	4	4	3
Build or upgrade parks.	5	8	7
Implement or increase funding for affordable housing programs.	6	5	6
Add more buses, light rail, or subway systems.	7	1	8
Implement or increase funding for home modifications for people with disabilities.	8	7	5
Invest in or build libraries.	9	9	9
Build more stores and shops.	10	10	10

Sample: Probability-based 50+ population (*n* = 893).

Appendix D. Summary of Livable Communities Index Qualitative Data Collection—In-Depth Interviews

- 80 participants (chosen from among quantitative survey respondents)
- 30-minute telephone interview
- November 2012

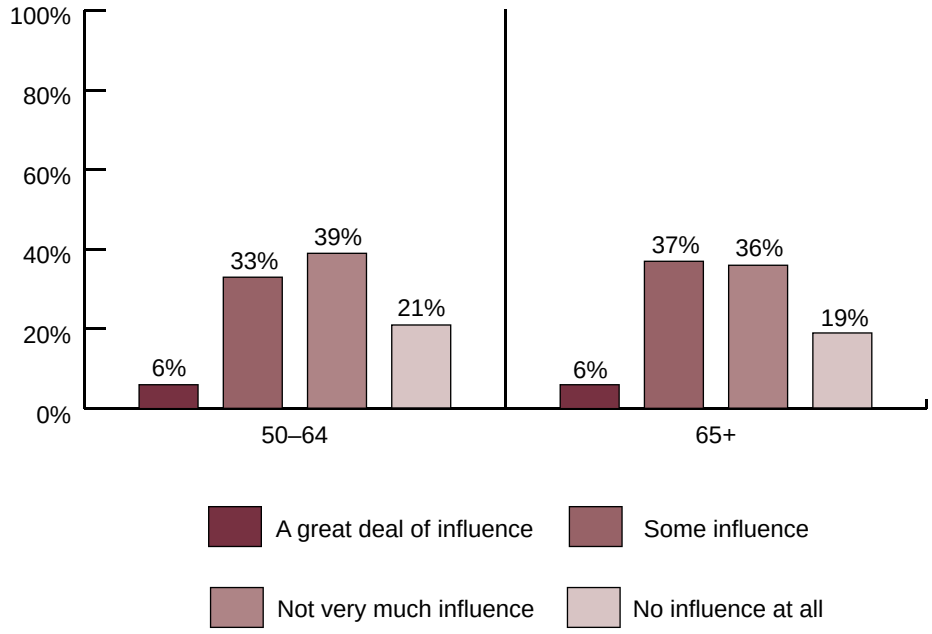
Major purpose: Gather additional data as participants reflect on the livability concepts that are being explored as part of the key findings

- After participants were asked to design the perfect community, their responses were categorized into the following broad areas: transportation, safety, location of services, parks and recreation, neighbors, and housing.
- The respondents mentioned seven main areas where changes would improve the neighborhood. Chief among them was transportation. Additional changes to improve the neighborhood included (a) enhance safety, (b) have better location of services (make them more accessible), (c) involve better upkeep of homes and general upkeep of neighborhood, and (d) increase or add parks and bike trails.
- Level sidewalks and ramps were the two features garnering the most mentions for helping a user of a mobility device. Additional features mentioned included curb cuts and low curbs, buses, accessible doors, specialized transportation, crosswalks, and elevators.
- The majority of respondents who currently drive said they believe they could live comfortably in their community even if they could no longer drive.
- Respondents who currently drive said if they were no longer able to drive and were to stay in their community, they would be concerned about the availability of transportation, the distances to services, and their personal safety.
- Respondents who do not drive mentioned a number of improvements to transportation that could help them get around better. The two most frequently cited improvements were shuttle service for seniors and more regular buses. Other suggestions included running public transportation on time, making bus service closer to the respondent (perhaps by adding more bus stops), making taxis more accessible, and adding bike access.
- Those respondents who said the community had “a lot or some” pride cited two major indicators: the neighbors and the fact that the property is well maintained and the community is clean.
- Respondents who said their community had “not very much” community pride or “none at all” cited primarily the fact that the community does not get together.
- Respondents who said they did not feel safe getting around in their community either by walking or using a mobility device said the main reasons were high crime, poor or no lighting, people loitering, no sidewalks, and poorly maintained sidewalks.

Appendix E. Additional Community Preference Survey Data Results

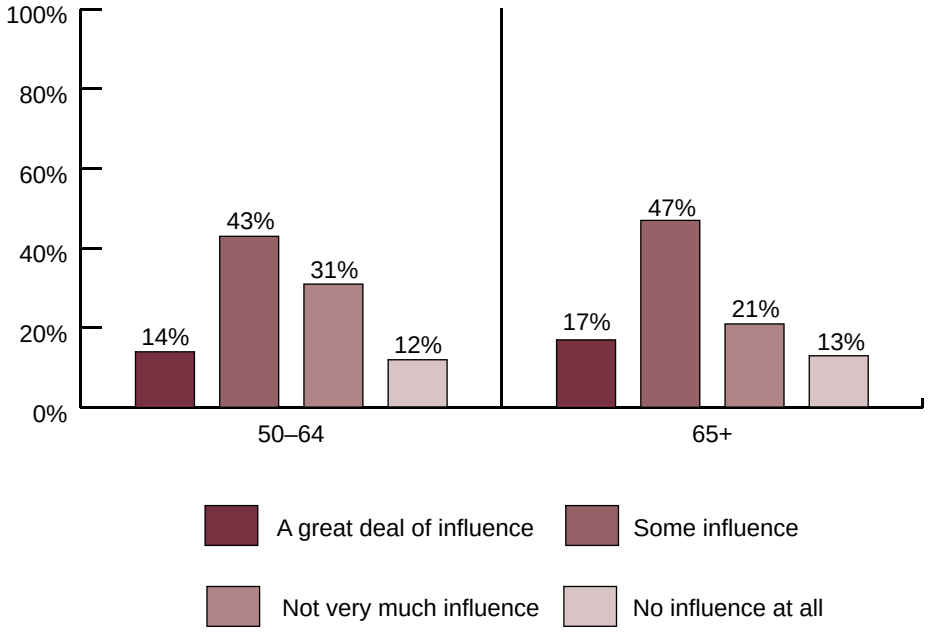
The following figures summarize the results of the qualitative data collection that were not shown in the main text.

Figure E.1. By age, how much does being able to participate in the local government decision-making process influence your decision to move to a community?



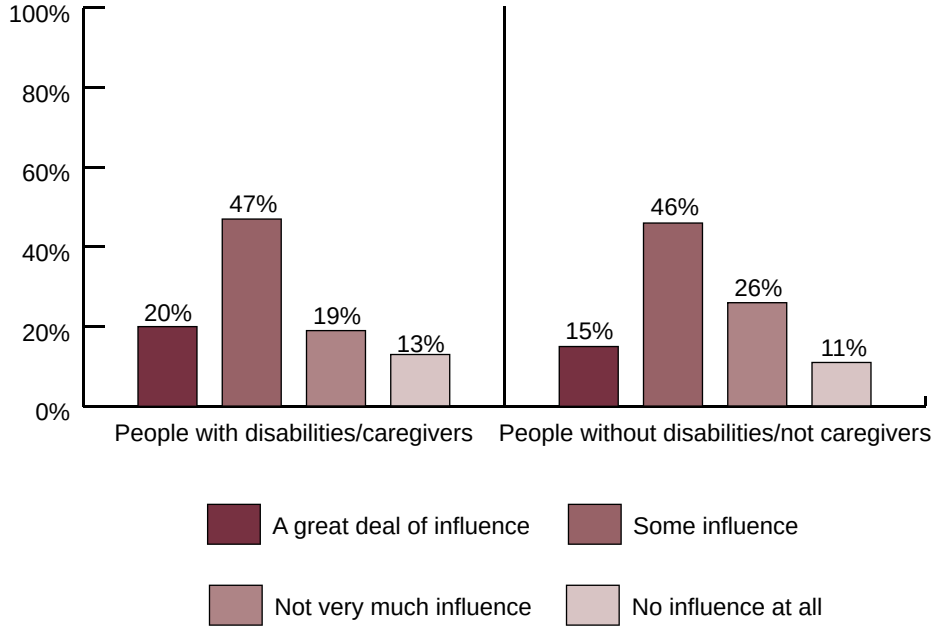
Sample: Probability-based 50+ population (*n* = 893).

Figure E.2.a. How much does the reputation of the local government or politics influence your decision to live in a community? (By age)



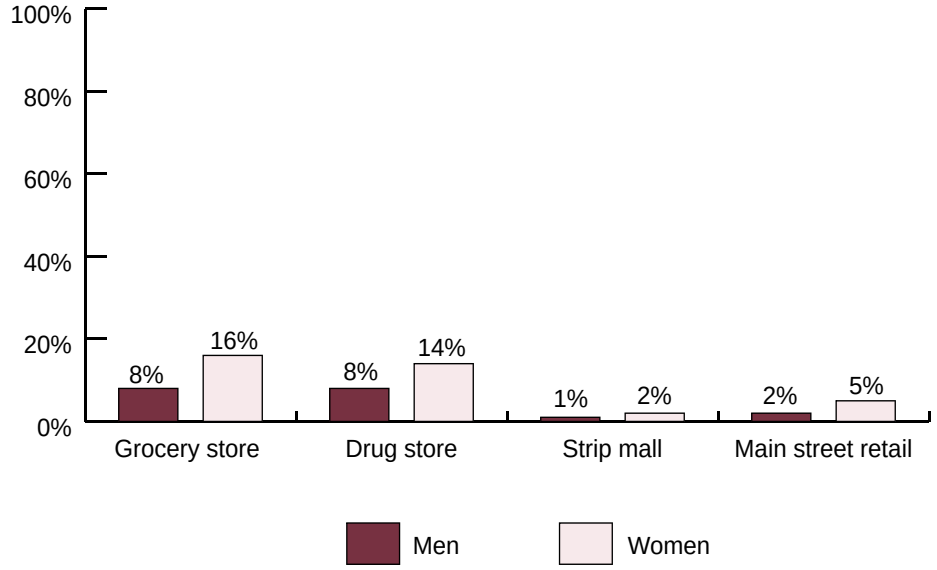
Sample: Probability-based 50+ population (*n* = 893).

Figure E.2.b. How much does the reputation of the local government or politics influence your decision to live in a community? (By households with people with disabilities)



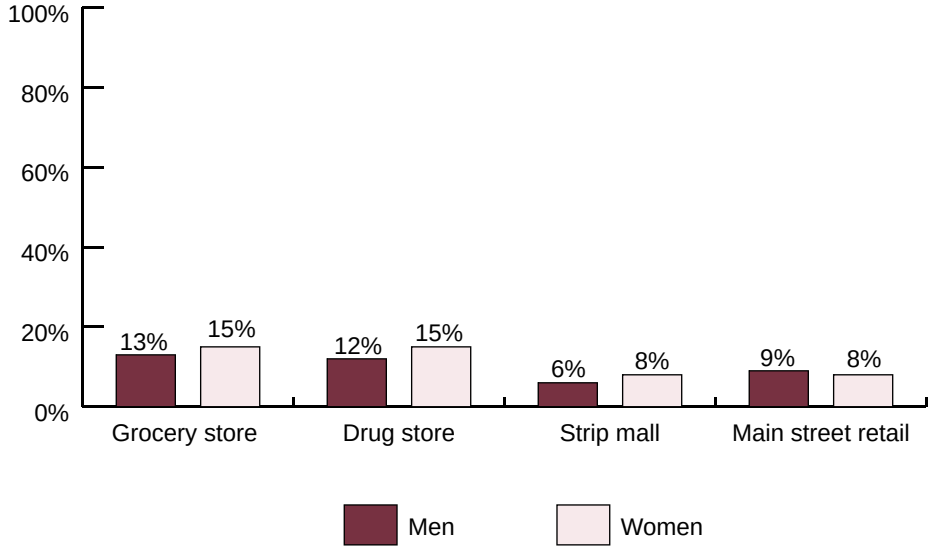
Sample: Full (probability-based and oversample); people in households with persons with disabilities (*n* = 2,083); people without disabilities/ not caregivers (*n* = 2,513).

Figure E.3.a. By gender, who prefers a maximum distance of ¼ mile to local retail?



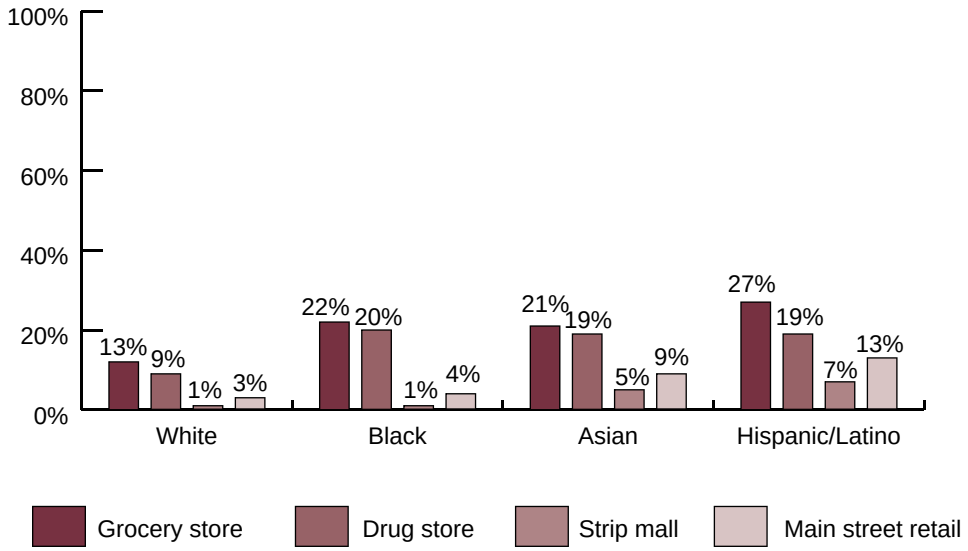
Sample: Probability-based 50+ population (*n* = 893).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure E.3.b. By gender, who prefers a maximum distance of ½ mile to local retail?



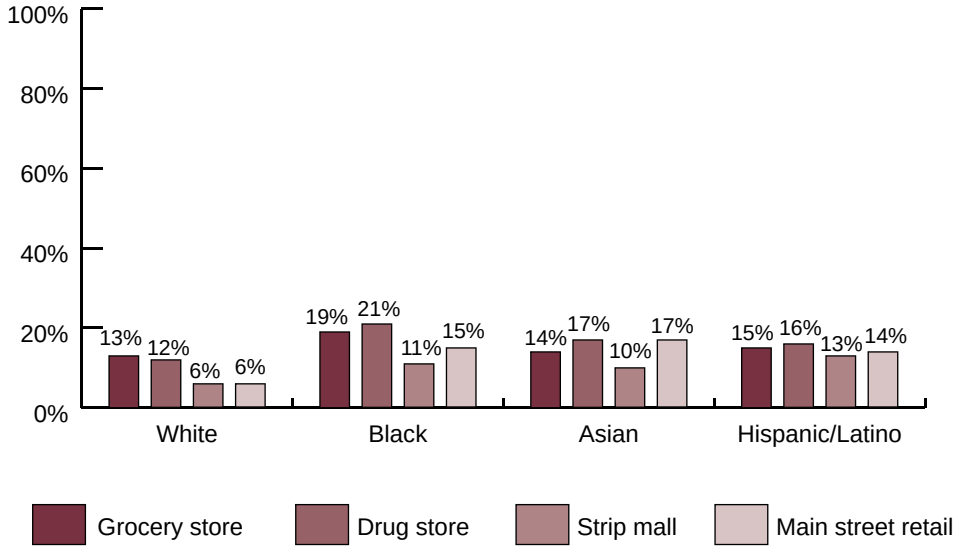
Sample: Probability-based 50+ population (*n* = 893).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure E.4.a. By race and ethnicity, who prefers a maximum distance of ¼ mile to local retail?



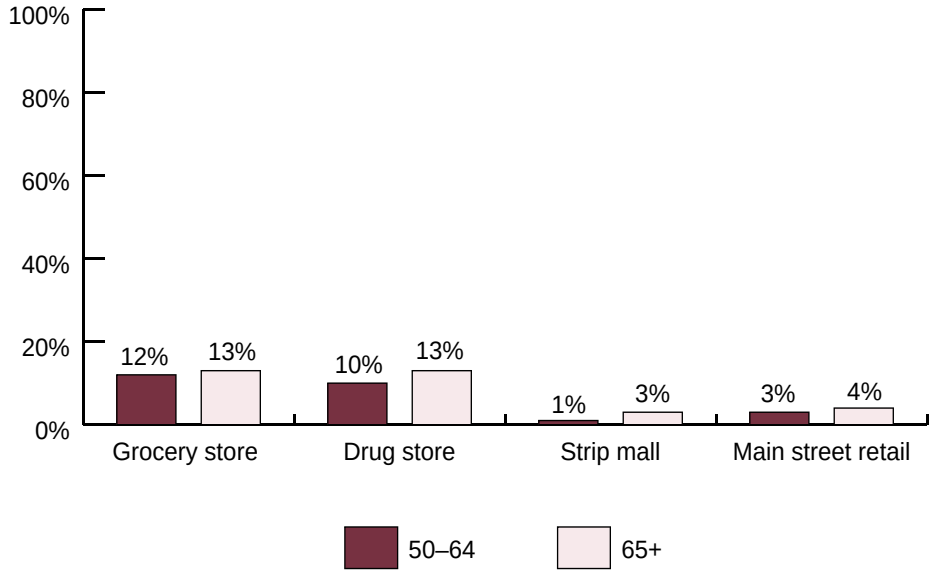
Samples: 50+ probability-based, white (*n* = 692); 50+ African-American oversample (*n* = 455); Hispanic/Latino oversample (*n* = 456); Asian oversample (*n* = 452).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure E.4.b. By race and ethnicity, who prefers a maximum distance of ½ mile to local retail?



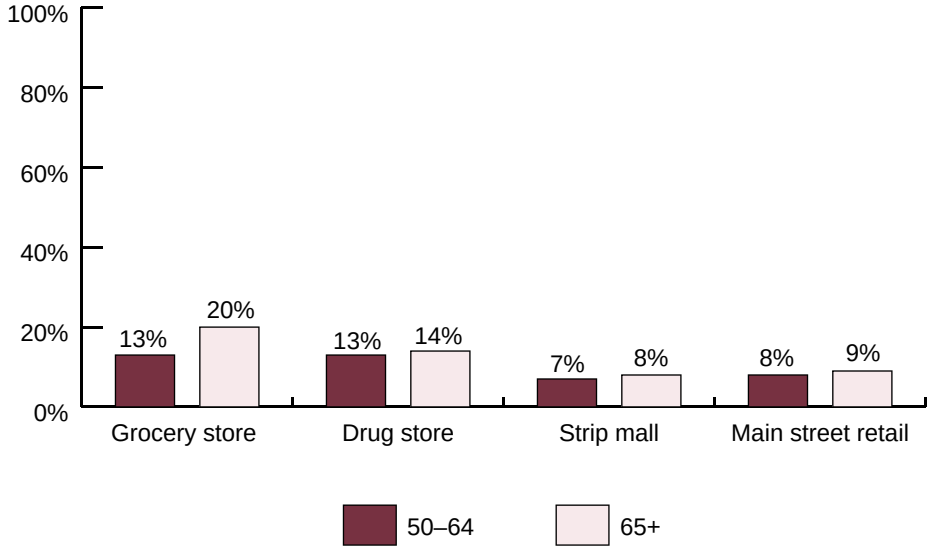
Samples: 50+ probability-based, white (*n* = 692); 50+ African-American oversample (*n* = 455); Hispanic/Latino oversample (*n* = 456); Asian oversample (*n* = 452).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure E.5.a. By age, who prefers a maximum distance of ¼ mile to local retail?



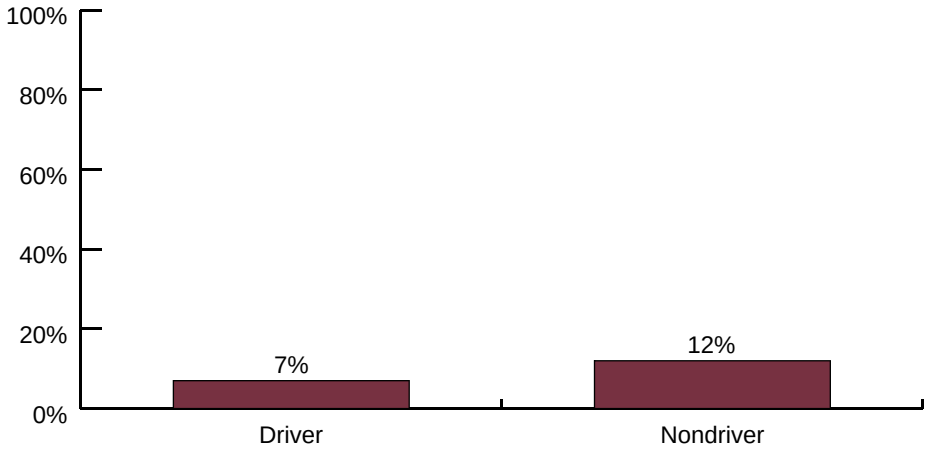
Sample: Probability-based 50+ population (*n* = 893).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure E.5.b. By age, who prefers a maximum distance of ½ mile to local retail?



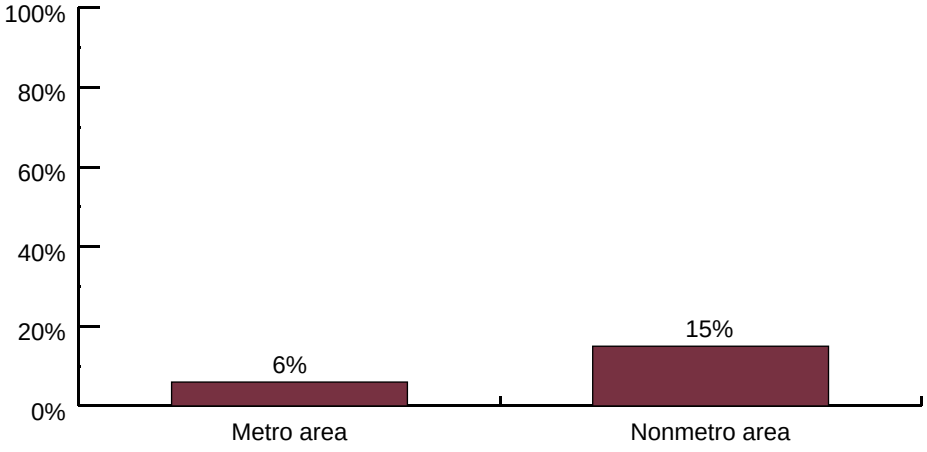
Sample: Probability-based 50+ population (*n* = 893).
Survey question: What is the maximum distance you would prefer to have the following item from your home?

Figure E.6.a. Would perceived neighborhood "nuisances" prevent you from moving into a community? (Drivers)



Sample: Full (probability-based and oversample); drivers (*n* = 3,683), nondrivers (*n* = 895).
Survey question: Which of the following would prevent you from moving to a home in that community?

Figure E.6.b. Would perceived neighborhood "nuisances" prevent you from moving into a community? (Metro area)



Sample: Full (probability-based and oversample); metro (*n* = 3,740); nonmetro (*n* = 604).
Survey question: Which of the following would prevent you from moving to a home in that community?

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About the Author

Paul Emrath, Assistant Staff Vice President of Housing Policy Research, NAHB Housing Policy Department, conducted the research on which he based this booklet, *Approving Seniors Housing: Facts That Matter*. The Housing Policy Department provides statistical and economic research to support other, primarily policy-making functions of NAHB—including legislative and regulatory advocacy and activities undertaken by various committees, councils, and state and local builder associations affiliated with NAHB. In addition to seniors housing, Emrath's areas of expertise include multifamily housing and estimating the economic impacts of home building.

Since joining NAHB in 1992, Emrath has developed many of the methods NAHB uses to analyze housing markets and government housing programs, and published articles on a wide variety of housing-related topics in *Seniors Housing News* and elsewhere. His articles "Seniors in the Market for Housing: State Forecasts Through 2006" (*NIC Review, Vol. 6,* November 1998) and "The American Housing Survey: A Valuable New Information Source for Seniors Housing" (*Seniors Housing & Care Journal, Vol. 10 No. 1, 2003*) won National Investment Center awards for original research in the field of seniors housing. Before joining NAHB, he taught economic theory and statistics at the University of Wisconsin-Oshkosh. He has a Ph.D. in Economics from the University of Wisconsin-Milwaukee.

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About Seniors Housing Council

The NAHB Seniors Housing Council serves NAHB members who are involved in providing housing for the 50+ populations. *Approving Seniors Housing: Facts That Matter* is another service of the Seniors Housing Council in cooperation with BuilderBooks, and the NAHB Department of Housing Policy.

Reviewers

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INTRODUCTION

Developers often face substantial obstacles in obtaining approval for a particular community. As local planning authorities adopt more stringent growth management policies

- Communities are subjected to greater scrutiny during the planning phase.
- Reviews become more time-consuming and costly.
- Developers increasingly bear the burden of proving that their communities will not adversely impact the surrounding communities.

For developers of seniors housing, the burden can be even greater. Many zoning ordinances still do not explicitly recognize seniors housing as an allowable land use, so a special exemption or use permit is required. Developers may also need to contend with infrastructure requirements or impact fees that are unrealistically high, given the nature of the communities. Partly because seniors housing is a relatively new and rapidly evolving segment of the industry, the relevant information is not always readily available.

When assessing the impacts of residential development, local planners often rely on national or regional population averages. The projected number of residents moving into the development, for example, may be based on average household size tables taken from the Census. Some frequently used development standards, such as parking requirements, are based on a consensus reached among one or two dozen experts gathered around a table in Washington D.C. In many cases, these numbers are obtainable at a reasonable cost and provide planners with good working estimates. However, these statistics seldom recognize the special nature of housing intended for seniors, who can differ from people in average households in important ways. The most often used statistics on household size, for instance, usually control for structure type and number of bedrooms, but seldom take the age of the residents into account. Yet statistics show that average household size declines with age after the head of the household reaches, approximately, age 45 (Figure 1).

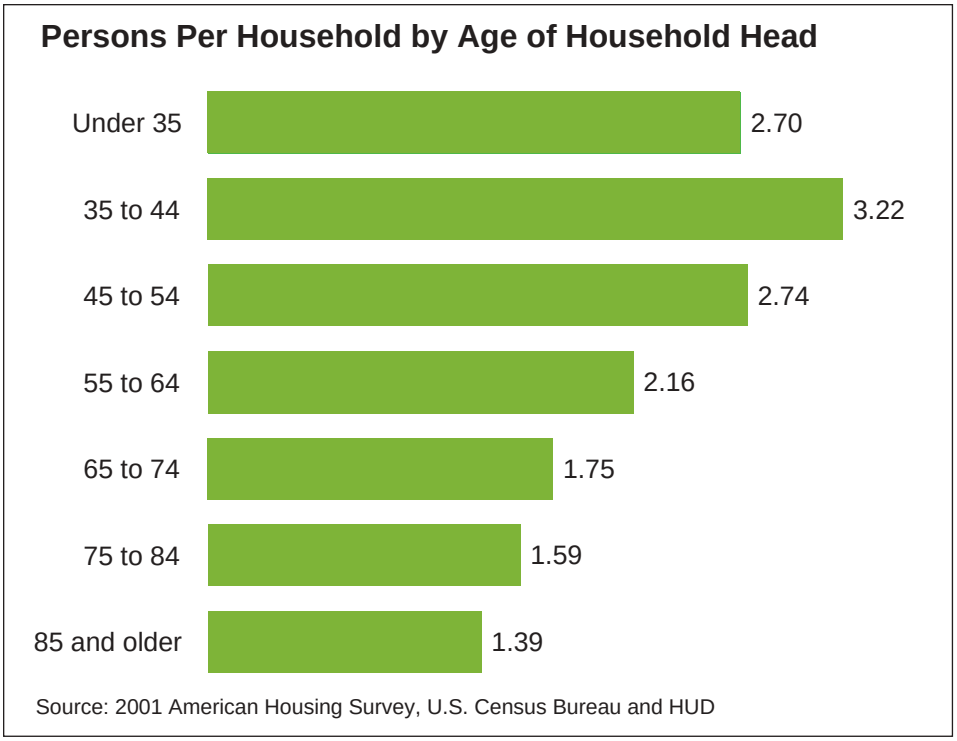


FIGURE 1 PERSONS PER HOUSEHOLD BY AGE OF HOUSEHOLD HEAD

Housing intended for seniors may be either explicitly age-restricted (or "age-qualified," as many industry experts would now prefer to say) or targeted to adults above a certain age threshold through a marketing effort and the amenities designed into the community. In either case, seniors housing comes in a variety of types, with active adult communities at one end of the spectrum and skilled nursing facilities at the other.

The Census Bureau classifies the places where people live as either housing units or group quarters. A housing unit is "a house, apartment, mobile home, or trailer, or group of rooms occupied as separate living quarters, or, if vacant, intended for occupancy as separate living quarters." Group quarters are then defined as all places where people live that that are not housing units.

Skilled nursing facilities are clearly group quarters. Other types of seniors housing are either housing units or are straddling the boundary between housing units and group quarters classifications. A universally recognized scheme for classifying these housing types doesn't exist, but the following terms are in common use in the industry.

Active Adult Communities. Primarily subdivisions of owner-occupied single-family homes.

Seniors Apartments (or Independent Living Facilities). Rental apartments that are age-restricted or otherwise targeted to seniors. Units built under the Low-Income Housing Tax Credit program that are intended for seniors but provide no special services beyond affordable rents would be an example, but this category also includes many market-rate apartments. In addition, multifamily condos have become a significant part of the seniors market. Some people would consider these examples of independent living; others would group them in the active adult category.

Congregate Care Facilities. Rental apartments with a central dining room where tenants usually would be served at least one meal a day. Other "hospitality-type" services, such as shopping and housekeeping, also may be provided.

Assisted Living Facilities. Apartments that offer tenants assistance with activities of daily living, such as bathing and dressing.

Continuing Care Retirement Communities. A combination of independent living and assisted living units that also provide medical services; access to on-site nursing care, if needed, is usually guaranteed by contract.

Many types of seniors housing have evolved fairly recently, and virtually all are in the process of evolving further. In order to grant approval for a seniors housing community without unnecessary delays, local officials need to document some of the ways in which seniors housing differs from other types of housing.

Listed below are summaries of seven chapters that present the results of seven studies designed to help developers successfully navigate the approval process for seniors housing communities. The studies resulted from discussions between NAHB economists and industry members who were encountering specific problems in obtaining approval for seniors housing communities. Each chapter addresses one of these problems and provides charts and statistics that developers can present to local authorities and community associations. The sources used to generate the charts and statistics (primarily data scientifically collected by government statistical agencies) are fully documented.

1. Education Issues. Explains the Fair Housing Law that lets developers age-restrict a property so it will contain no school-aged children. Demonstrates that, even if a seniors housing community is not explicitly age-restricted, it will not contain many children of that age. Presents a case study that shows how residents of an active adult community supported a large school bond issue.

2. Planning for Road Improvements. Shows that seniors housing has fewer people per household using local roads and that they tend to avoid roads during times of peak traffic congestion.

3. Parking Standards. Assuming that an adequate local parking standard exists for residential construction in general, shows how to generate a smaller yet still adequate standard for seniors housing communities. Provides a spreadsheet to perform the calculations for a specific community.

4. Public Safety Services. Addresses the issue of ambulance use, showing that the increase associated with a seniors housing development in many cases will be minimal. Also shows how to put this issue in the context of a local government's total public safety budget: demonstrates the advantages of new construction in terms of the fire protection budget, and the powerful advantages of a community occupied by seniors in terms of the budgets for police protection and correctional facilities.

5. Water and Sewer Services. Shows that seniors use fewer water and sewer services than other households in proportion to the differences in household size.

6. Public Parks and Libraries. Provides information about what types of recreational facilities seniors prefer to use. Shows that they tend to use libraries somewhat less than younger households.

7. Local Economic Benefits. Presents the local income, jobs, and taxes generated by a typical active adult community, and uses the NAHB Local Impact of Home Building Model.

Chapters will be updated as new material becomes available.

If you have questions or need assistance interpreting the material provided in these studies contact Paul Emrath, Assistant Staff Vice President, Housing Policy at (800) 368-5242, extension 8449.

CHAPTER 1: Education Issues

One important way seniors housing differs from traditional housing communities is in its impact on public education—the budget item that is usually the largest local government expenditure. Public education accounts for about 37 percent of all direct spending by local governments

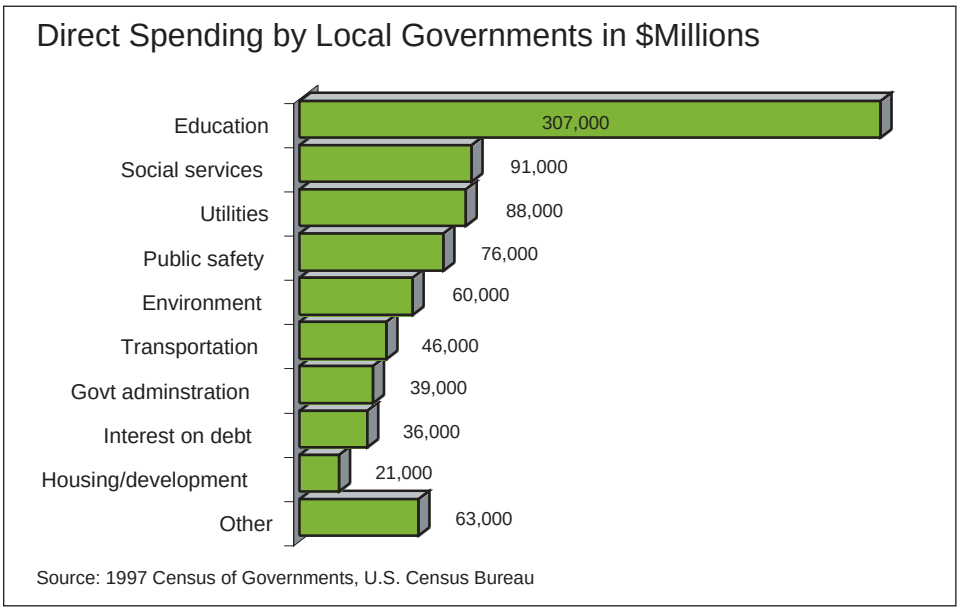


FIGURE 2 DIRECT SPENDING BY LOCAL GOVERNMENTS

DID YOU KNOW THAT THE FAIR HOUSING LAW LETS YOU BUILD COMMUNITIES FOR ADULTS ONLY REGARDLESS OF THEIR SIZE OR THE SERVICES THEY PROVIDE?

Legal Background: You can build for adults only, if you want.

Developers do not necessarily want to age-restrict all communities intended for older customers. If they do want to, however, the current federal laws do not make it particularly difficult. Not everyone understands the statutory changes that have taken place over the years to bring about this situation.

1968 **Fair Housing Act** made it illegal to refuse to sell or rent housing to families simply because they had children

1988 **An Amendment to the Fair Housing Act** allowed housing occupied by people age 55 or older to be legally age-restricted, but only if the property provided significant facilities and services for the elderly.

1995 **Housing for Older Persons Act** relaxed the conditions under which housing could be age-restricted by removing the "significant facilities" requirement, making it possible to build seniors housing communities of virtually any size and with any package of amenities.

The bottom line is that, under current Federal law, a housing community can exclude residents below a certain age if it meets any of the following requirements:

- Demonstrates the intent to house people age 55 or older and has at least one person of that age group in 80 percent of its occupied units.

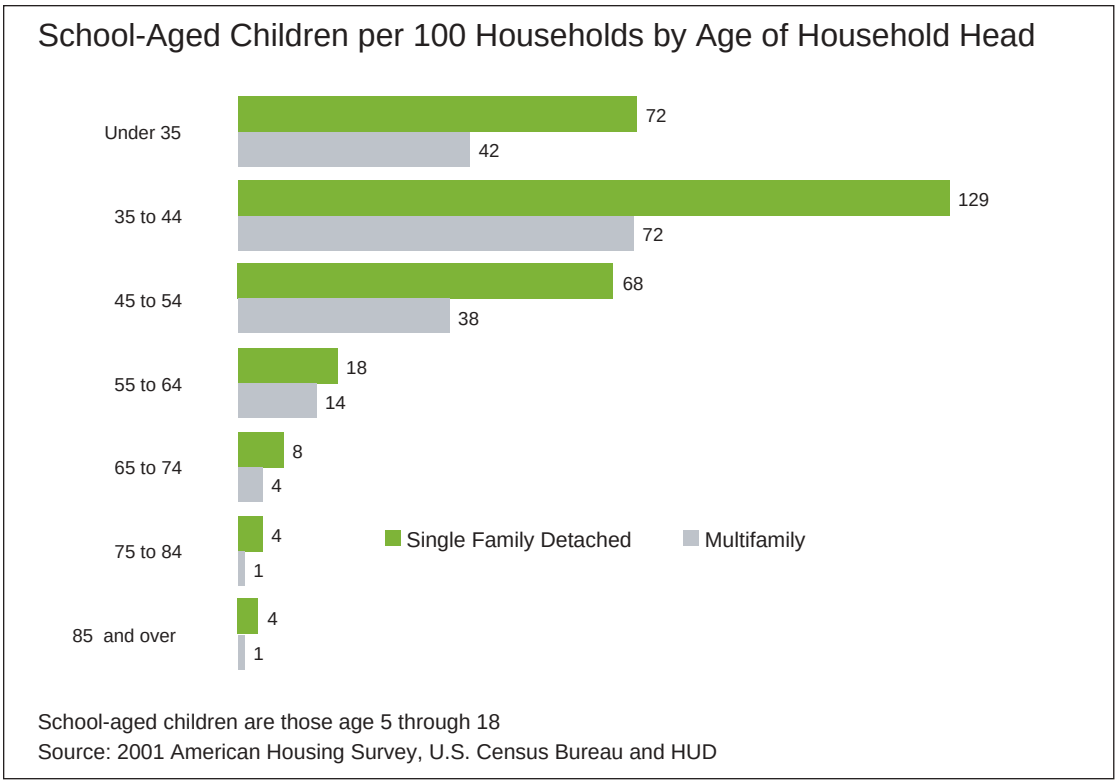
- Is occupied by people who are age 62 or older.
- Is designed for and occupied by elderly people under some federal, state, or local government program.

In practice, these regulations mean that the developer of an age-restricted community

- Does not have to officially register with the federal government (but may have to register with the state in which it is located).
- Needs to maintain records on the age of occupants.
- Needs to keep records, such as advertising materials, that document the intent to house people age 55 and older (unless it's a community only for people above age 62 or one developed using a government program).

In short, the 1995 change in the law made building age-restricted housing easier because the builder no longer has to include special seniors-related facilities in the structure. Obviously, age-restricted housing will contain no school-aged children, and therefore will not increase the demand for public elementary and secondary education.

Even if seniors housing is not age-restricted, the impact on public elementary and secondary schools will be minimal. Sometimes developers do not want to explicitly exclude school-aged children, but do so because that's the only way a local government will grant relief from school impact fees. Those local governments are essentially wasting time and energy on an unnecessary action. If a property's households are headed by adults over age 55, they are unlikely to contain many school-aged children. Figure 3 shows this data for both single-family and multifamily housing based on the 2001 American Housing Survey (AHS).



Households headed by someone 35 to 44 are most likely to have school-aged children.

FIGURE 3 SCHOOL-AGED CHILDREN PER 100 HOUSEHOLDS BY AGE OF HOUSEHOLD HEAD

In 100 typical households, there are 129 school-aged children if the households are headed by someone age 35 to 44. That's seven times the number of school-aged children in otherwise similar households headed by someone age 55 to 64, and more than 15 times the number in households headed by someone age 65 to 74.

Thus, even if it's not explicitly age-restricted, seniors housing will have a negligible impact on local school districts.

Supporting School Bonds: A California Case Study

Because seniors households contain few children, residents in many communities are afraid that seniors perceive themselves as having a small stake in local school systems, and that a seniors housing community will create a voting block that tends to oppose new school bond issues. But that perception isn't true in every case, as Measure K in California demonstrates.

MEASURE K WAS A $450 MILLION BOND ISSUE FOR SCHOOL CONSTRUCTION (THE 4TH LARGEST SCHOOL BOND IN CALIFORNIA HISTORY) THAT WAS ON THE NOVEMBER 2001 BALLOT IN THE DESERT SANDS UNIFIED SCHOOL DISTRICT IN RIVERSIDE COUNTY. IN ORDER TO PASS, THE BOND REQUIRED A 67 PERCENT SUPERMAJORITY OF THE VOTES.

A percentage of voters in the district live in Sun City Palm Desert, a Del Webb age-restricted active adult community. California adds some conditions to the federal laws governing seniors housing. In California every household in an age-restricted community must have at least one member who is age 55 or older, and none of the residents can be under age 45 with certain exceptions (such as a spouse, caregiver, principal means of support, or handicapped child).

According to information obtained from the Riverside County Registrar of Voters through Del Webb's director of public affairs, Measure K passed easily. Overall, the measure gained 12,110 "yes" votes compared to 2,896 "no" votes, so that just over than 80 percent voted in favor of the bond issue and easily surpassed the required two-thirds supermajority.

Rather than hindering passage of the bond issue, the seniors in Sun City Palm Desert showed strong support for it. Residents of Sun City Palm Desert cast 1,170 "yes" votes and only 234 "no" votes. In other words, 83 percent of the voters in the seniors community voted in favor of a $450 million school bond issue—a slightly higher percentage than in the school district overall (Figure 4).

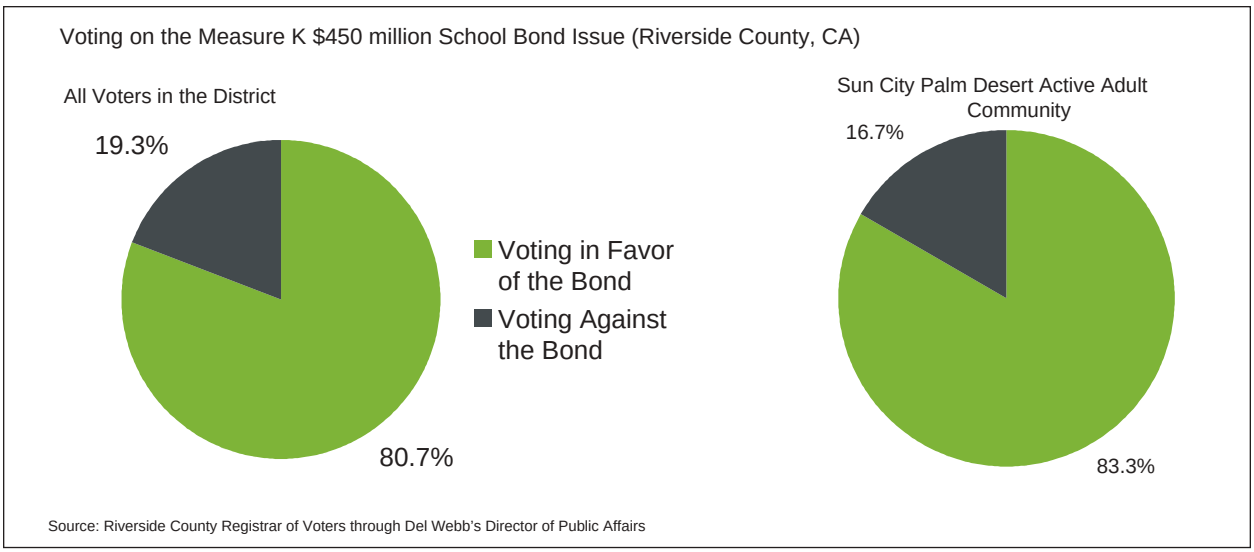


FIGURE 4 VOTING ON THE MEASURE K $450 MILLION SCHOOL BOND ISSUE (RIVERSIDE COUNTY, CA)

This case study is based on the results of one ballot in one school district. As such, it can't be generalized to the entire country. But it does provide one example to counter the assumption that seniors will automatically oppose any school bond issue.

CHAPTER 2: Planning for Road Improvements

TWO OF THE OBVIOUS ADVANTAGES OF SENIORS HOUSING ARE THAT SENIORS HAVE FEWER PEOPLE PER HOUSEHOLD TO GENERATE TRIPS ON LOCAL ROADS, AND SENIORS TEND TO AVOID ROADS DURING TIMES OF PEAK CONGESTION.

Compared to education, transportation is a smaller but still significant item in local government budgets (Figure 2). In the typical case, most of a local transportation budget consists of spending on roads and highways.[1] Although the amount spent on road infrastructure concerns the local jurisdictions that issue building permits, it's likely to be a greater concern for the state governments that fund the lion's share of highway spending (Figure 5).

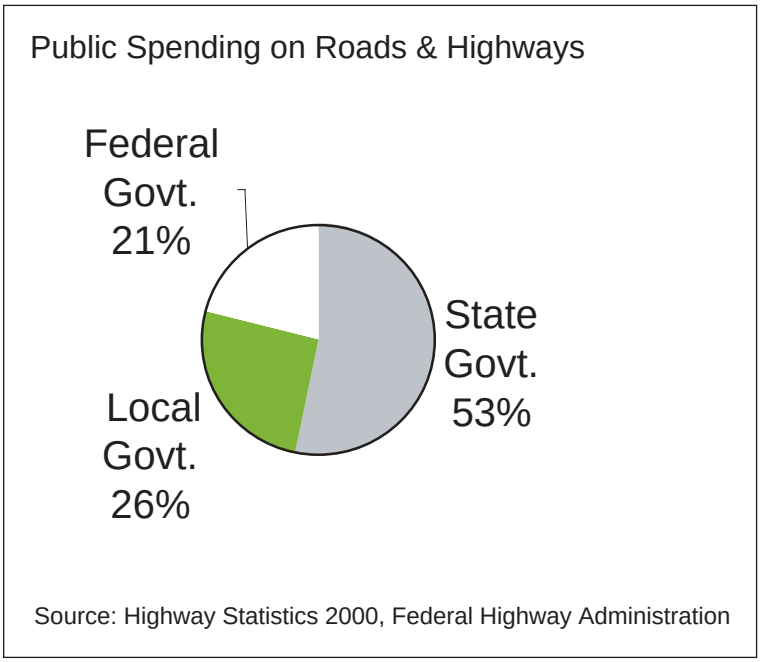


FIGURE 5 PUBLIC SPENDING ON ROADS AND HIGHWAYS

At the local level, concerns are more often related to physical, rather than fiscal, costs. Will new development strain the existing network of local streets? Will it increase congestion and commuting times for residents of existing neighborhoods?

RESIDENTIAL CONSTRUCTION AND TRANSPORTATION INFRASTRUCTURE ARE COMPLEMENTARY. SOUND COMMUNITY DEVELOPMENT REQUIRES THE RIGHT MIX OF THESE TWO ELEMENTS.

Sometimes, new roads precede other construction and allow traffic into previously inaccessible areas. Other times homebuilding takes place first, and the eventual population growth induces road improvements. Some jurisdictions require developers to build roads, dedicate land for that purpose, or pay an impact fee to cover the anticipated cost.

1. Public transit is classified as a "government enterprise," such as an electric utility (financed by charging users and requiring, in most cases, minimal government subsidy), that is usually not included when projecting fiscal costs of development.

Road-building requirements, land dedications, and fees need to be kept within reasonable limits. Current residents in a local jurisdiction have an incentive to charge excessive fees for new communities, especially if they need to make up for years of neglected infrastructure spending.

To guard against that situation, the public sector needs to provide adequate funding for road improvements on an ongoing basis. Alternatives such as growth moratoria are unlikely to be successful.

LOCAL GOVERNMENTS CANNOT CONTROL POPULATION GROWTH. PEOPLE HAVE TO LIVE SOMEWHERE.

Preventing development in one area merely shifts it outside the restricted area. The shift can easily move homes and trip destinations farther apart, leading to longer average commuting distances, more time spent on the road, and increased congestion. Congestion can even rise inside the growth restriction boundaries, as people may drive through the area even though they are prevented from living there.

Strategies for reducing congestion through some combination of increased carpooling, use of public transportation, and telecommuting also are unlikely to meet with widespread success. Driving alone remains the most popular way to get to work—by a wide margin (Figure 6).

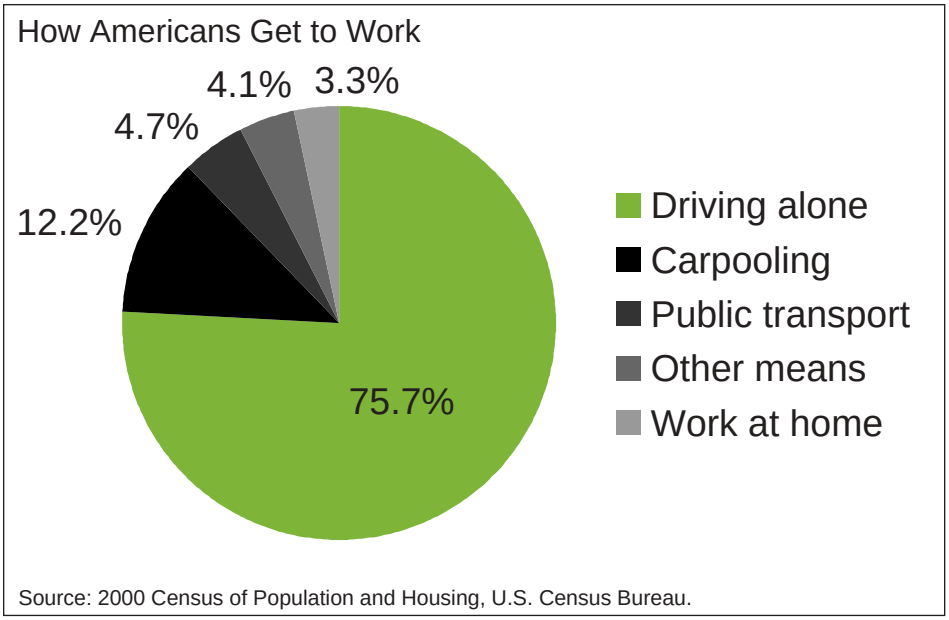


FIGURE 6 HOW AMERICANS GET TO WORK

IS DRIVING A BAD THING? ACCORDING TO RESEARCHERS FROM HARVARD AND TUFTS UNIVERSITIES, "CARS ARE JUST SO MUCH FASTER THAN PUBLIC TRANSPORTATION THAT COMMUTES IN THE OLD DENSE CITIES ARE ALMOST ALWAYS MUCH LONGER," AND "CAR-BASED EDGE CITIES HAVE MUCH MORE RACIAL INTEGRATION THAN THE OLDER PUBLIC TRANSPORTATION CITIES THAN THEY REPLACED."[2]

2. Ed Glaeser and Matthew Kahn, Sprawl and Urban Growth (National Bureau of Economic Research, 2003): http://www.nber.org/papers/w9733

Perhaps more surprisingly, while driving to work is on the rise, other means of getting there are actually losing ground (Figure 7).

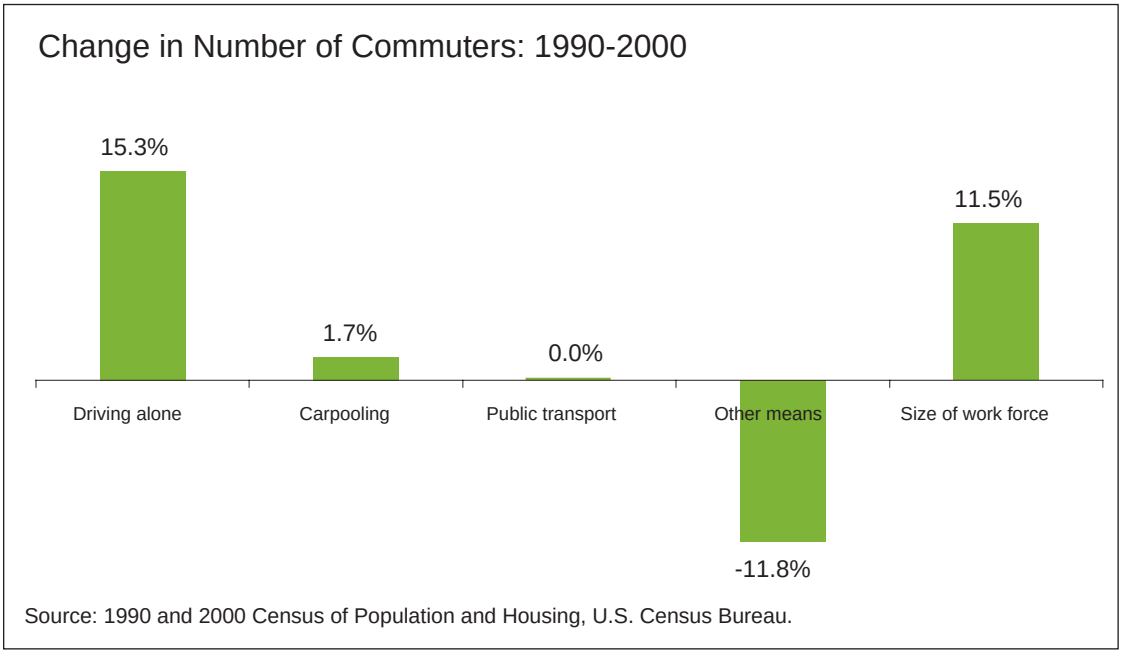


FIGURE 7 CHANGE IN NUMBER OF COMMUTERS: 1990-2000

Driving alone is the only means of getting to work that is increasing more rapidly than the volume of the work force.

The number of people working at home—although they are increasing at a somewhat faster rate than the number driving to work—still accounts for only a small share of the labor force, so it seems unlikely that telecommuting is destined to solve many traffic congestion problems in the short run.

WHILE ROAD INFRASTRUCTURE SHOULD BE ADEQUATE, MAKING IT MORE THAN ADEQUATE ALSO HAS DISADVANTAGES.

Not only do local streets that are wider, paved more deeply, or otherwise made more elaborate than necessary drive up the cost of development, they may in some cases encourage dangerous driving, be environmentally unfriendly, and adversely affect neighborhood aesthetics. Providing the appropriate levels and types of transportation infrastructure therefore requires striking a delicate balance that can be attained only if planners are aware of the differences between seniors housing and other types of residential developments.

FORTUNATELY, THE RELATIVE ADVANTAGES OF SENIORS HOUSING ARE EASY TO DOCUMENT.

The number of persons per household is one of the key variables. After approximately age 45, household size declines as the age of the household head rises (Figure 1), so senior households tend to use roads less frequently simply because they contain fewer people. In a jurisdiction where transportation-related fees or land dedications are based on use-per-person estimates, the requirements for a seniors housing unit will be reduced proportionately, as long as household size is taken appropriately into account.

Household size, of course, doesn't tell the whole story. Because seniors' travel is usually not tied strongly to the

requirements of either a full-time job or a full-day school schedule, seniors can often time their trips to avoid morning and evening rush hours.

The standard reference used by planners, Trip Generation, provides one of the few distinct estimates for seniors housing. This manual, published by the Institute of Transportation Engineers (ITE), specifies that the most important indicators of impact on road congestion are trips generated during "rush" hours, which ITE defines as the hours between 7 a.m. and 9 a.m. and between 4 p.m. and 6 p.m.) when traffic is at its greatest. A trip is defined as a vehicle either entering or leaving the site. The relevant numbers from Trip Generation are summarized in figures 8 and 9. (This manual is published at irregular and somewhat infrequent intervals. The most recent [6th] edition was published in 1997.)

DURING RUSH HOURS, THE DIFFERENCES BETWEEN SENIORS AND OTHER TYPES OF HOUSING ARE ESPECIALLY STRIKING.

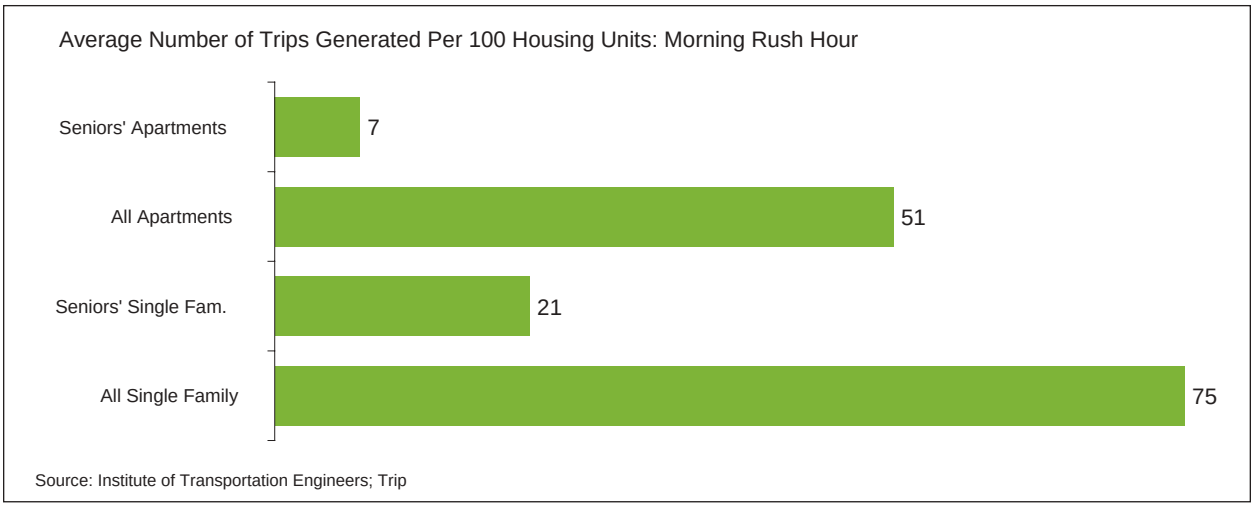


FIGURE 8 AVERAGE NUMBER OF TRIPS GENERATED PER 100 HOUSING UNITS: MORNING RUSH HOUR

During the morning rush hour, 100 seniors housing units generate, on average, only 21 (for single-family) and seven (for multifamily) trips—compared to 75 and 51, respectively, for homes occupied by residents of all ages. During the evening rush hour, the number of trips generated is slightly higher across the board, but the pattern of drastically reduced traffic for homes occupied by seniors is just as evident.

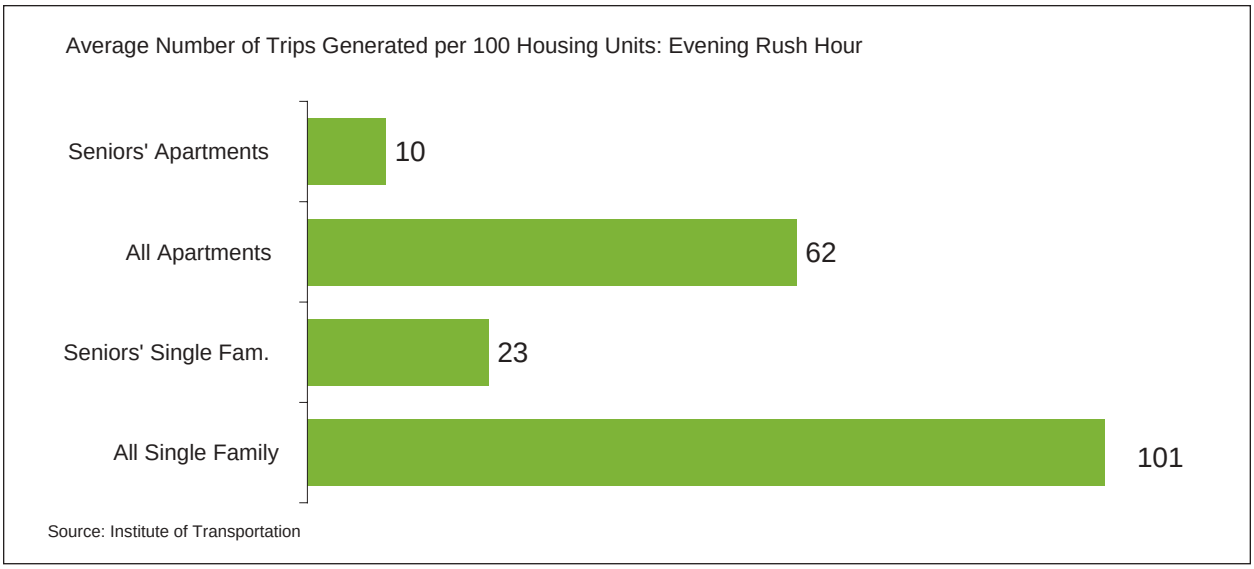


FIGURE 9 AVERAGE NUMBER OF TRIPS GENERATED PER 100 HOUSING UNITS: EVENING RUSH HOUR

The bottom line is that the standard planning reference shows that seniors drive their cars less during the times when road use is closest to capacity. If the homes being built are seniors housing units, local jurisdictions can spend less on road infrastructure and still maintain existing traffic-flow and safety conditions.

CHAPTER 3: Parking Standards

Besides traffic, parking is the other transportation-related item local jurisdictions are likely to consider when reviewing a proposal for a residential development. Here the concern is not fiscal costs so much as simply determining the right number of parking spaces to require in the development. Parking should be sufficient to accommodate residents and visitors, but it should not unnecessarily consume space that could be put to better use.

PARKING STANDARDS ARE TYPICALLY GOVERNED BY LOCAL ORDINANCES. EXCEPTIONS TO ORDINANCES THAT GRANT REDUCTIONS IN THE STANDARDS ARE NOT UNUSUAL. THE QUESTION IS WHAT SORT OF REDUCTIONS ARE REASONABLE AND APPROPRIATE FOR SENIORS HOUSING.

A set of parking standards in common use were developed by the U.S. Department of Housing and Urban Development (HUD) and the NAHB Research Center (see Table 1).[1]

HUD/NAHB Research Center Parking Standards

Type of housing unit	Parking spaces
Single Family Detached	2.0
Multifamily	
3 or more bedrooms	2.0
1 or 2 bedrooms	1.5
Efficiency	1.0

Source: Proposed Model Land Development Standards, 1993.

TABLE 1 HUD/NAHB RESEARCH CENTER PARKING STANDARDS

The standards may be fulfilled by any combination of on-street and off-street parking spaces. They are the result of a consensus reached by a panel of experts, including planners from local governments. The standards should provide at least enough spaces for residents and visitors in the vast majority of cases.

SPACE DEVOTED TO PARKING SHOULD BE CONSERVATIVE. IF IT CAN BE REDUCED, IT FREES UP SPACE THAT CAN BE USED TO ENHANCE THE ECONOMIC OR AESTHETIC VALUE OF THE NEIGHBORHOOD—THROUGH ADDITIONAL LANDSCAPING OR RECREATIONAL FACILITIES.

The text accompanying the HUD/NAHB Research Center standards clearly states that modifications to the standards are appropriate in some cases, and that planners should take factors such as the availability of public transportation into account. No formulas or specific reductions are provided, however.

IF THE NEW DEVELOPMENT WILL BE OCCUPIED BY SENIORS, THAT FACT OBVIOUSLY JUSTIFIES REDUCING THE NUMBER OF PARKING SPACES REQUIRED. ON AVERAGE, SENIORS HAVE FEWER CARS

1. Proposed Model Land Development Standards and Accompanying Model State Legislation, June 1993: http://www.nahbrc.org/tertiaryR.asp?TrackID=&CategoryID=1652&DocumentID=2623

Households headed by seniors contain fewer people (Figure 1) and fewer vehicles in both single family detached and multifamily housing (Figure 10).

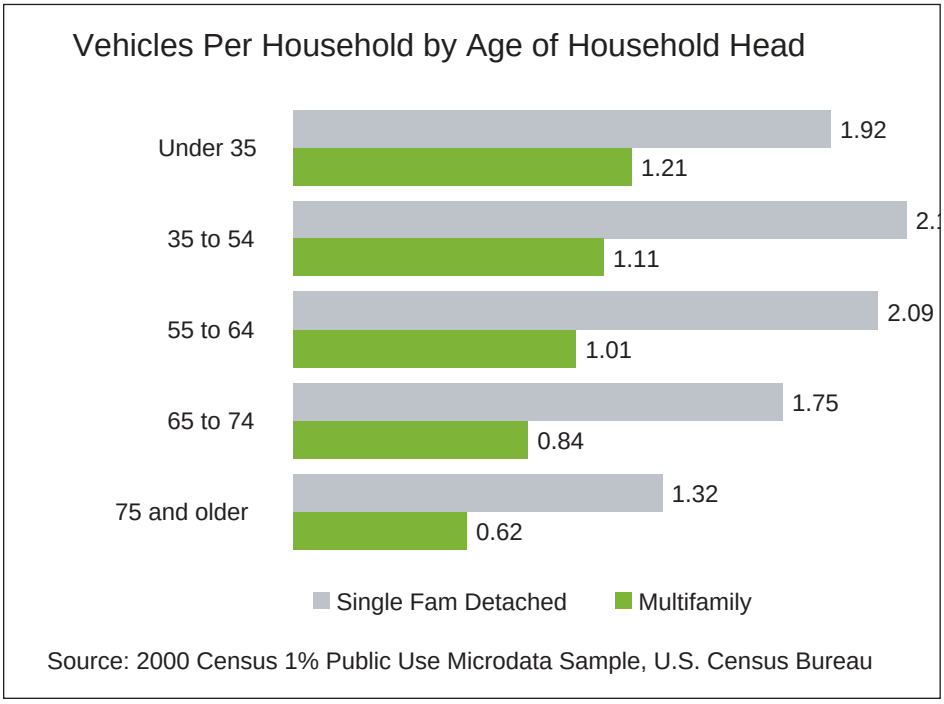


FIGURE 10 VEHICLES PER HOUSEHOLD BY AGE OF HOUSEHOLD HEAD

Similarly, households in less costly housing units (measured by value if the homes are owner-occupied and gross rent if they are renter-occupied) also tend to have fewer vehicles (Figure 11).

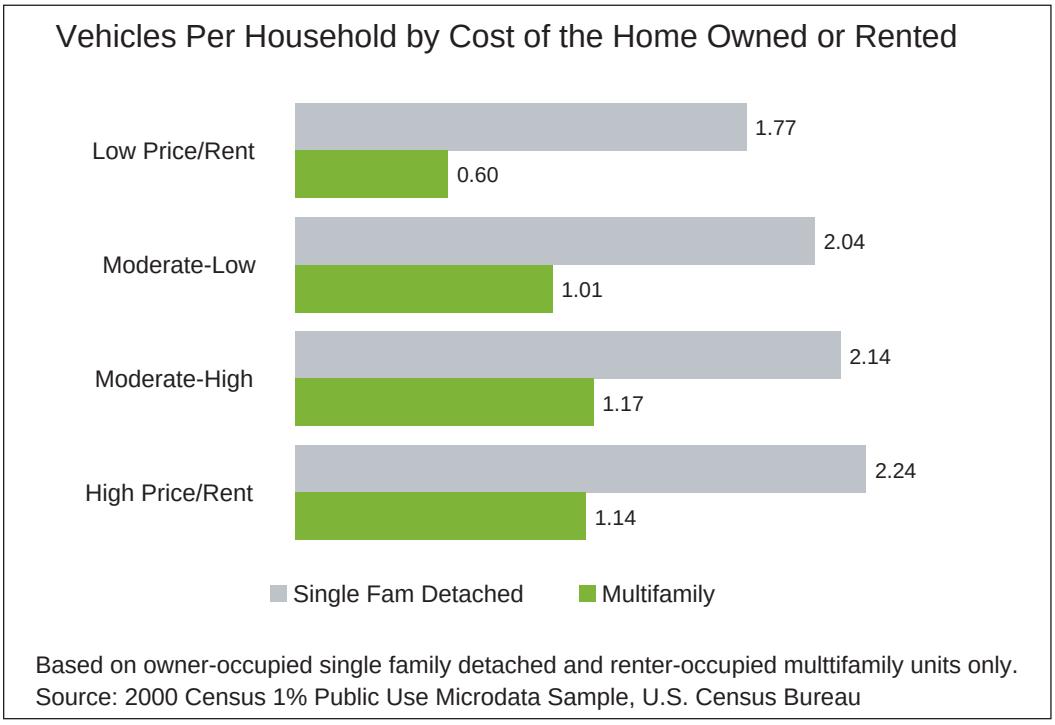


FIGURE 11 VEHICLES PER HOUSEHOLD BY COST OF THE HOME OWNED OR RENTED

DID YOU KNOW THAT HOUSEHOLDS UNDER AGE 35 IN MODERATE-TO-HIGH RENT APARTMENTS HAVE FOUR TIMES AS MANY VEHICLES AS HOUSEHOLDS OVER AGE 75 IN LOW-RENT APARTMENTS?

Housing cost measures (value and gross rent) are defined relative to income levels in the geographic area. Because house prices vary so much across the country, you need a definition of high- and low-cost units relative to a benchmark that varies from place to place. For example a price that seems low in San Francisco may seem quite high to prospective buyers in rural Mississippi. Area Median Family Income (AMI) is used as the local benchmark, primarily because it's available for every county in the United States, is updated every year, and is readily available on one of HUD's websites (http://huduser.org/datasets/il.html).

The evidence suggests that parking standards could be reduced somewhat for particular types of housing units. The question is how to do it in a conservative fashion that will still provide sufficient parking in the vast majority of cases.

Care is required, because averages don't tell the whole story. In other words, seniors may on average have fewer cars and trucks, but a fraction of them still want to hold on to all their vehicles. For this reason, some additional analysis based on properties of the distributions other than averages is used to make sure the parking space reductions recommended are conservative.
Additional statistics and a technical description of the procedure are shown. Additional statistics and a technical description of the procedure are available from Paul Emrath, NAHB Assistant Staff Vice President of Housing Policy Research, 202-266-8499.

The results are used to show how the HUD/NAHB parking standards can be modified for single-family (Table 2) and multifamily (Table 3) housing units.

Parking Space Standards for Single Family Units:
Recommended Modifications Based on Age of the Household and House Price

	Single Family Detached					
		House Price				
	All Single Family Detached	Low Under 2 x AMI	2 to 3 x AMI	3 to 4 x AMI	High 4 x AMI or Higher	Town Houses
A. Initial Parking Space Standard (HUD/NAHB Research Center)						
	2.00	2.00	2.00	2.00	2.00	2.00
B. Modified Parking Space Standard						
Age 55 to 64	2.00	1.95	2.00	2.00	2.00	1.85
Age 65 to 74	1.85	1.65	1.85	1.95	2.00	1.70
Age 75 or older	1.40	1.25	1.40	1.55	1.65	1.40
C. Percentage Reduction from Initial Standard						
Age 55 to 64	0.0%	-2.5%	0.0%	0.0%	0.0%	-7.5%
Age 65 to 74	-7.5%	-17.5%	-7.5%	-2.5%	0.0%	-15.0%
Age 75 or older	-30.0%	-37.5%	-30.0%	-22.5%	-17.5%	-30.0%

House Price categories are expressed as a share of Area Median Family Income (AMI).
Table assumes the initial standard for single family attached units is the same as for detached units.
Based on NAHB tabulations of the 2000 Census of Population and Housing 1% Public Use Microdata Sample, U.S. Census Bureau.

TABLE 2 PARKING SPACE STANDARDS FOR SINGLE FAMILY UNITS: RECOMMENDED MODIFICATIONS BASED ON AGE OF THE HOUSEHOLD AND HOUSE PRICE

Single-Family Versus Multifamily

Single-family. A housing unit with no other unit above or below it, separated from any adjacent unit by an unbroken wall that extends from basement to roof.

Multifamily. Units that share utilities will have pipes or ducts that pierce the wall and be classified as part of a multifamily structure.

Table 2 includes townhouses. Townhouses are not specifically mentioned in the HUD/NAHB standards. The table assumes that the single-family detached standard is used for these (the standard is 2.0 spaces for both a three-bedroom multifamily and single-family detached units). The federal government classifies many townhouses as "single-family attached." To most people, the difference between a single-family attached unit and a multifamily townhouse is subtle to nonexistent.

Parking Space Standards for Multifamily Units: Recommended Modifications Based on Age of the Household, Rent, and Number of Bedrooms

	Gross Rent				Number of Bedrooms		
	Low Under 10% of AMI	10 to 15% of AMI	15 to 20% of AMI	High 20% AMI or Higher	None (Efficiency)	One or Two	Three or More
A. Initial Parking Space Standard (HUD/NAHB Research Center)							
	1.50	1.50	1.50	1.50	1.00	1.50	2.00
B. Modified Parking Space Standard							
Age 55 to 64	1.00	1.35	1.50	1.50	1.00	1.50	2.00
Age 65 to 74	0.90	1.20	1.30	1.40	0.75	1.30	1.85
Age 75 or older	0.80	1.05	1.05	1.00	0.60	1.10	1.70
C. Percentage Reduction from Initial Standard							
Age 55 to 64	-32.5%	-10.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Age 65 to 74	-40.0%	-20.0%	-12.5%	-7.5%	-25.0%	-12.5%	-7.5%
Age 75 or older	-47.5%	-30.0%	-30.0%	-32.5%	-40.0%	-27.5%	-15.0%

Gross Rent categories are expressed as a share of Area Median Family Income (AMI).
Based on NAHB tabulations of the 2000 Census of Population and Housing 1% Public Use Microdata Sample, U.S. Census Bureau.

TABLE 3 PARKING SPACE STANDARDS FOR MULTIFAMILY UNITS: RECOMMENDED MODIFICATIONS BASED ON AGE OF THE HOUSEHOLD, GROSS RENT, AND NUMBER OF BEDROOMS

Table 3 shows results for multifamily units with different numbers of bedrooms and different gross rents. The gross rent cutoffs are based on a percentage of AMI. In an area where AMI is $60,000, gross rents of less than $500 per month ($6,000 per year) fall into the "low" category.
Across the gross-rent categories, the multifamily uses the 1 to 2 bedroom standard, because that covers most new multifamily construction.

In summary, the procedure used to generate the parking standards

- presumes that an initial, adequate set of parking standards is available.
- modifies the standards using data on vehicles owned form the decennial Census
- takes the age of the occupants into account.
- takes into account prices or rents charged for the homes, if that information is available.
- produces a new set of standards for seniors housing, designed to work as well as the initial standards, provided the assumptions about ages of occupants and prices of the units are accurate.

Assisted Living

Some information about parking requirements for assisted living residences has been collected by the American Seniors Housing Association (ASHA). ASHA analysts aggregated parking data from a sample of professionally owned and managed assisted living facilities in nine states. They found that most residents of assisted living facilities do not drive themselves and that the facilities often owned a van or mini-bus to provide transportation for resi-

1. Assisted Living Residences: A Study of Traffic & Parking Implication, 2nd ed. (Washington, D.C.: American Seniors Housing Association, 1998).

dents. Thus, parking is needed primarily for staff, vendors, and visitors. The facilities studied by ASHA generally scheduled staff and vendors to arrive and depart during non-peak driving hours, while visitors tended to arrive and depart at all hours during the day.[1]

These assisted living facilities provided an average of 0.56 parking spaces per unit, and ASHA analysts speculated that fewer than this number might actually be needed, although the data they examined was too fragmentary to support a decisive recommendation.

The lowest number recommended in tables 2 and 3 is 0.60 spaces per unit for efficiency apartments occupied by residents age 75 or older, which approaches the assisted-living average reported by ASHA.

THE TABLES MODIFY THE HUD/NAHB PARKING STANDARDS, AND PROVIDE PERCENTAGE REDUCTIONS THAT CAN BE APPLIED TO STANDARDS SPECIFIED IN LOCAL ORDINANCES

A spreadsheet is available that computes parking requirements for a seniors housing community. In practice, of course, a developer will need to justify assumptions about the expected age of the community's occupants. This justification could be based on past experience with similar communitys.

Figure 12 shows the spreadsheet output for a project X—a hypothetical example with 100 single family detached units and 100 two-bedroom apartments. The example assumes that the HUD/NAHB parking standards would normally apply, but that in this case one-fourth of the residents in each type of unit will be age 55 to 64, one-fourth will be age 75-plus, and the rest will be age 65 to 74. No information about house prices or rents is used.

WORKSHEET FOR COMPUTING PARKING SPACES NEEDED FOR A SENIORS HOUSING COMMUNITY: SUMMARY OF THE RESULTS

Project name	Community X
Location (County and State)	COUNTY Y, STATE Z
Total number of single family detached units in the community	100
Parking spaces needed for single family detached units:	177
Total number of townhouses in the community	0
Parking spaces needed for townhouses:	0
Total number of multifamily apartments in the community	100
Parking spaces needed for multifamily units:	138
TOTAL NUMBER OF HOUSING UNITS:	200
TOTAL PARKING SPACES NEEDED:	315

FIGURE 12 WORKSHEET FOR COMPUTING PARKING SPACES NEEDED FOR A SENIORS HOUSING COMMUNITY: SUMMARY OF THE RESULTS

Because it is a seniors housing community with older residents, communityX requires 315 parking spaces rather than the 350 dictated by the HUD/NAHB Research Center standards.

THE WORKSHEET THAT COMPUTES PARKING REQUIREMENTS FOR SPECIFIC SENIORS HOUSING COMMUNITIES IS AVAILABLE FROM THE NAHB SENIORS HOUSING COUNCIL. TO OBTAIN A COPY BY E-MAIL, CALL 1-800-368-5242, X 8220.

CHAPTER 4: Public Safety Services

Public safety is another broad category of expenses in local government budgets. The Governments Division of the U.S. Census Bureau splits the public safety budget into four components. Police protection is the largest component (Figure 13). Fire protection ranks second, but it is likely to rise to the top of the list when local authorities review proposals to develop seniors housing.

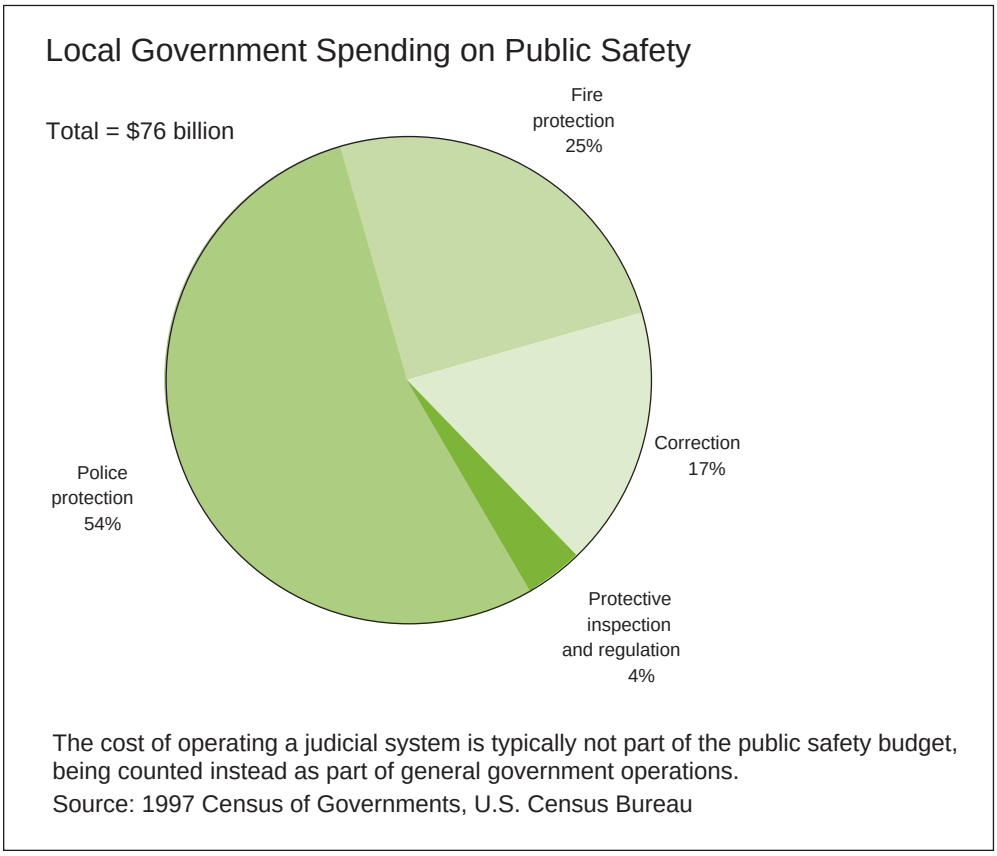


FIGURE 13 LOCAL GOVERNMENT SPENDING ON PUBLIC SAFETY

The reason for this is that, when the public sector provides an ambulance service, it is usually run out of a municipal fire department. The most common concern here is that seniors are more likely than others to use the ambulance service and that the cost of providing the service is therefore greater.

To a certain extent, older citizens do use ambulance services more often. Statistics compiled by the National Center for Health Statistics show that, during a given month, people age 85 or older are about eight-and-half times as likely as people ages 18-34 to be taken to a hospital emergency room by ambulance.[1]

HOWEVER, FROM THE STANDPOINT OF LOCAL FISCAL IMPACTS, YOU NEED TO PLACE SENIORS' AMBULANCE USE IN THE PROPER PERSPECTIVE

1. According to NAHB tabulation of data from the 2000 National Hospital Ambulatory Medical Care Survey: http://www.cdc.gov/nchs/about/major/ahcd/ahcd1.htm

Important facts to know about seniors and ambulance use appear below:

- Seniors households contain fewer people.
- Ambulance use doesn't really increase significantly until people are past the age when they move into active adult communities.
- In a community of 100,000 households, adding 100 or so extra housing units, even if the new residents are of very advanced age, will have minimal impact on total ambulance use.

Figure 1 shows how household size declines with age. That partly compensates for the fact that each person in an older household is somewhat more likely to use local ambulance services.

Table 4 works through a hypothetical example of a city containing 100,000 households with an age distribution and pattern of ambulance use based on U.S. averages.

Monthly Ambulance Use in a Hypothetical City

100,000 Households, Age Distribution, and Ambulance Use Based on U.S. Averages

Age of Household Head	Number of Households	Ambulance Trips		Share of All Trips	Impact of Adding 100 Households	
		Per 1,000 Households	Number of Trips		# Trips	%Increase
18 to 34 years	23,340	9.6	224	18.3%	1.0	0.1%
35 to 44 years	22,470	11.0	248	20.2%	1.1	0.1%
45 to 54 years	20,370	10.3	211	17.2%	1.0	0.1%
55 to 64 years	13,310	10.4	138	11.3%	1.0	0.1%
65 to 74 years	10,100	11.5	117	9.5%	1.2	0.1%
75 to 84 years	8,410	24.3	205	16.7%	2.4	0.2%
85 years and over	2,000	41.1	82	6.7%	4.1	0.3%
All ages	100,000	12.2	1,224	100.0%	1.2	0.1%

Source: NAHB tabulations of data from the 2001 National Hospital Ambulatory Medical Care Survey, U.S. National Center for Health Statistics, and the 2001 American Housing Survey, U.S. Census Bureau and the Department of Housing and Urban Development.

TABLE 4 MONTHLY AMBULANCE USE IN A HYPOTHETICAL CITY

THE NUMBER OF AMBULANCE TRIPS TAKEN BY A HOUSEHOLD DURING A ONE-MONTH PERIOD IS, ON AVERAGE, ROUGHLY THE SAME FOR HOUSEHOLDS WITH RESIDENTS IN ANY AGE BRACKET BELOW AGE 75. SO ADDING A HOUSEHOLD WITH AGES 55-74 TO A COMMUNITY HAS NO GREATER IMPACT ON ITS AMBULANCE SERVICE THAN ADDING A HOUSEHOLD WITH AGES 35-54.

Also, although the ambulance trip rate is highest for households headed by someone over age 85, there are comparatively few of those households in a typical community. Consequently, 85-plus households account for less than 7 percent of the ambulance trips taken per month in the hypothetical city. Adding 100 households with residents older than 85 increases ambulance use by about four ambulance trips per month (a 0.3 percent increase in the hypothetical city of 100,000 households).

LOCAL AUTHORITIES NEED TO JUDGE HOW MUCH FOUR ADDITIONAL TRIPS PER MONTH PER 100 HOUSEHOLDS (AND THAT'S ASSUMING THEY'RE ALL OVER AGE 85) WOULD STRESS THEIR PUBLIC AMBULANCE SERVICES

2. The studies are documented more thoroughly in Elliot Eisenberg, "House Fire Deaths," published in Housing Economics, November 2002, by the NAHB Economics Group.

Ambulance service is only part of local fire protection budgets, and fire protection is on average only one-fourth of local budgets for public safety. Police protection is more than half, and correctional facilities also account for a significant share.

EVEN IF A NEW SENIORS HOUSING COMMUNITY HAS SOME IMPACT ON AMBULANCE USE, IT OFFERS ADVANTAGES THAT ARE LIKELY TO MORE THAN OFFSET THIS IN THE CONTEXT OF THE TOTAL BUDGET FOR PUBLIC SAFETY.

Important points to know about seniors housing and overall public safety—

- Fire deaths tend to be lower in places where the housing stock is newer.
- A strong negative correlation exists between age and virtually any measure of crime. Seniors are less likely to commit crimes or to become the victims of crime.

The costs of fire protection may not be seniors-specific issues, but there is a relationship between fire safety and new construction in general. The belief that newer homes are more fire-safe has become widespread among fire officials and others. Perhaps the strongest reason for this is the way residential building codes have changed since the mid-1970s, requiring the use of more and improved smoke detectors.

Two studies commissioned by homebuilding associations to look into this question provide some supporting evidence.[2]

A study commissioned by the California Building and Industry Association in the 1990s found that the average fatality rate in units that were less than 15-years-old was one-eighth as high as the annual average for California's housing stock and one-tenth as high as the rate for houses more than 15-years-old.

Nearly identical results were obtained in a national study conducted by the NAHB in 1987. That study found that the fatality rate for units that were 5-years-old or less was one-fifth as high as the average fatality rate for all housing units.

Recent research undertaken by NAHB confirms these results. NAHB has performed statistical regression analysis, using data on fire death records combined with data on population and housing characteristics from the 2000 Census, and the results allow us to investigate both the seniors fire safety issue and the new-construction fire safety issues. Results are summarized in Table 5.

3. The Census data provide significant but still somewhat limited information about local areas. A number of Census variables beyond the ones reported in the Table 5 were tried in the regression, but did not help explain reported differences in fire death rates. Nor did the inclusion of these extra variables change the estimated impact of the other explanatory variables in an important way. For more details on the specification of the model contact the NAHB Housing Policy Department (202) 266-8398.

Statistical Results for County Fire Deaths Model

	Regression Coefficient	Absolute t-value*
Constant	29.71	11.64
White percent of population	-10.26	3.87
Median household income (in $10,000)	-2.58	6.47
Percent of the housing stock built after 1994	-17.58	2.45
Adjusted R squared	0.145	

* a commonly used standard is to consider a coefficient statistically significant if the absolute t-value is greater than 2.0.

Source: NAHB analysis of data from the Multiple-Cause-of-Death file, National Center for Health Services, and 2000 Census of Population and Housing SF3 files, U.S. Census Bureau.

TABLE 5 STATISTICAL RESULTS FOR COUNTY FIRE DEATHS MODEL

The regression finds several factors that significantly help explain the incidence of fire deaths in a particular county (although there is a substantial amount of county-to-county variation that the regression model doesn't explain.)[3]

BASICALLY, FIRE DEATHS ARE LESS COMMON WHERE INCOMES ARE HIGHER, WHERE MORE OF THE POPULATION IS WHITE, AND WHERE THE HOUSING STOCK IS OF COMPARATIVELY RECENT VINTAGE.

As an aid to interpretation, the regression results are used to simulate a base case and show what happens to it when the share of new construction increases (Figure 14). In the base case, the regression predicts 10.15 fire-related deaths per million people. If the share of relatively new construction increases from 10 to 20 percent, holding other factors constant, the death rate falls to 9.89 per million. Similar increases in the share of new construction lead to proportional reductions in the fire death rate.

4. See Paul Emrath,, "Crime and Seniors' Housing Preferences," Seniors Housing News, Fall 1998, published by the NAHB Seniors Housing Council.

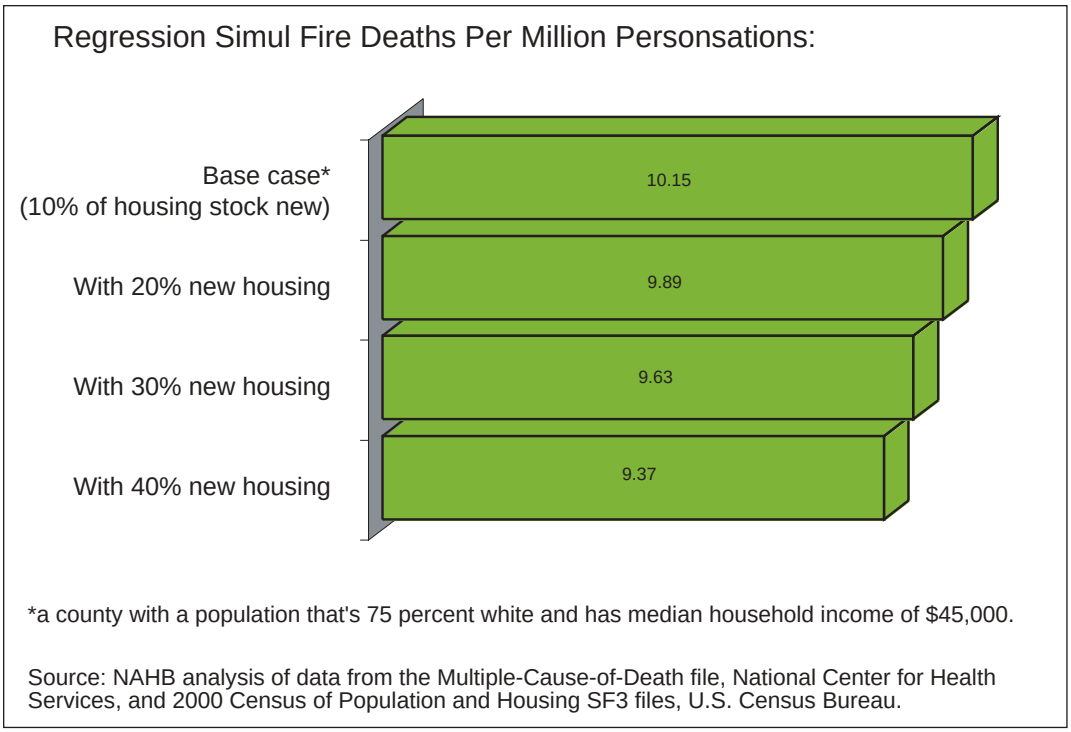


FIGURE 14 REGRESSION SIMULATIONS: FIRE DEATHS PER MILLION PERSONS

The most important statistics to consider in a discussion about seniors housing and the public safety budget are those related to crime.

BY VIRTUALLY ANY MEASURE, OLDER HOUSEHOLDS AND REDUCED CRIME RATES GO HAND IN HAND.

Seniors obviously place less stress on the budget for correctional facilities, because they commit crimes less frequently. Data on arrests compiled by the FBI illustrate that point dramatically (Figure 15).

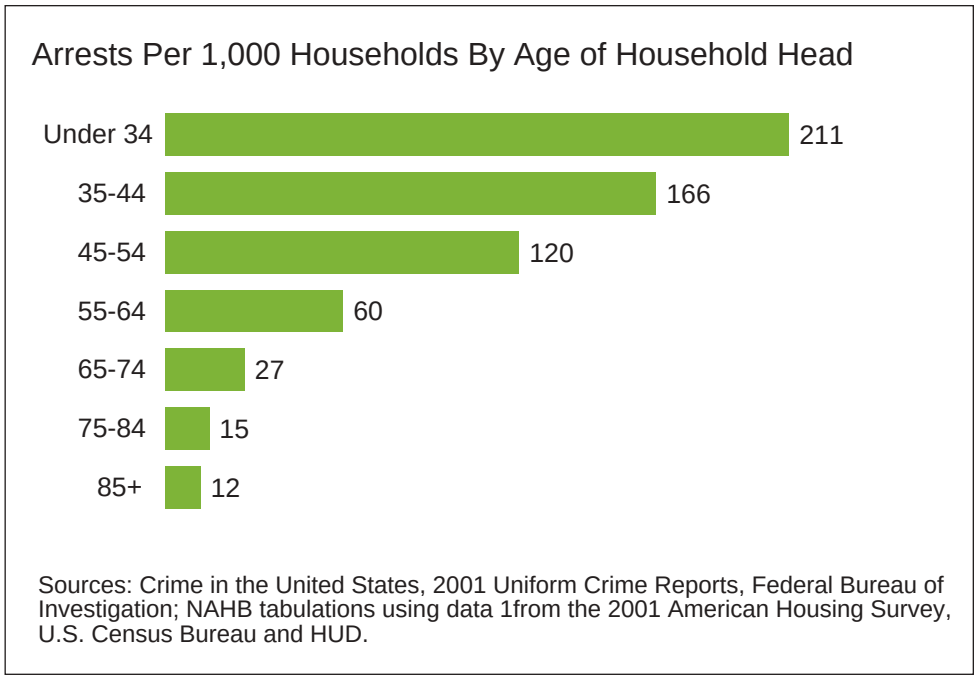


FIGURE 15 ARRESTS PER 1,000 HOUSEHOLDS BY AGE OF HOUSEHOLD HEAD

This probably comes as a surprise to very few people. Knowledge about how seldom older citizens actually become victims of a crime is probably less common, but data from the Bureau of Justice Statistics (BJS) show that a person in a household headed by someone under age 35 is about 16 times more likely than someone in a household where the head is over age 85 to become a victim of a crime (Figure 16).

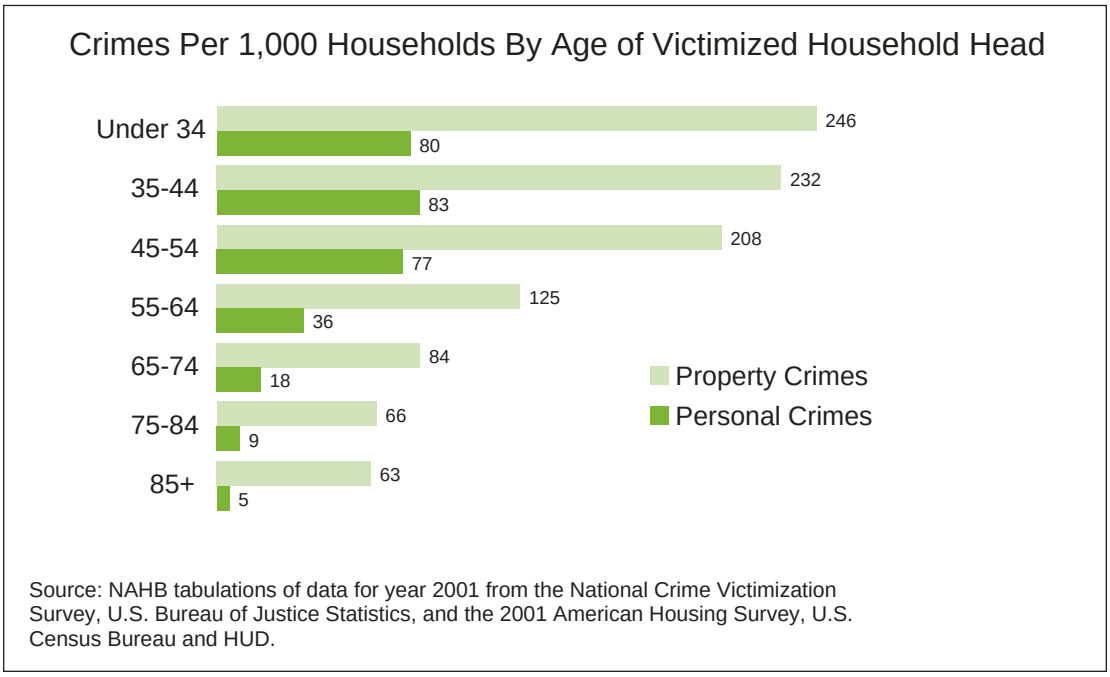


FIGURE 16 CRIMES PER 1,000 HOUSEHOLDS BY AGE OF VICTIMIZED HOUSEHOLD HEAD

The results are almost as strong for property crimes, such as burglary, where the youngest households are victimized about four times as often as the oldest. From the housing industry's perspective, the property crime statistics reported by BJS are particularly significant, because they represent a direct measure of crimes committed against households. Moreover, because the survey collects information from victims and potential victims, it captures information about crimes whether or not they are ever reported to the police.

The reason fewer crimes are committed against property owned or rented by older residents is open to speculation. Seniors have a demonstrable fear of crime and a desire for security.[4] Perhaps they choose places to live largely because of features associated with low crime rates. Or perhaps, after they move in, seniors behave in ways—being home at odd hours or spending time outdoors observing what's going on in the neighborhood—that help deter some types of crime.

Both explanations are likely true to a certain degree. Whether one dominates the other is probably not important to a local jurisdiction evaluating its public safety budget.

A SENIORS HOUSING COMMUNITY WILL TEND TO BE BURGLARIZED LESS OFTEN—EITHER BECAUSE SENIORS ARE THE ONES LIVING IN IT, OR BECAUSE IT'S BUILT WITH THE SECURITY ENHANCING FEATURES IT MUST HAVE TO ATTRACT SENIORS, OR SOME COMBINATION OF THOSE TWO EFFECTS.

In any case, the most important things to keep in mind are simply that seniors do not often commit crimes, and seniors and their homes become the targets of crime less often than other age groups.

In both cases, the differences between seniors and younger households are dramatic. They seem almost certain to outweigh any additional public safety costs associated with above-average use of ambulance services.

CHAPTER 5: Water and Sewer Services

Providing water and, especially, sewer services is most often the responsibility of local governments. In the 2000 survey conducted by Raftelis Financial Consulting, the majority of water utilities were run by city governments (Figure 17).

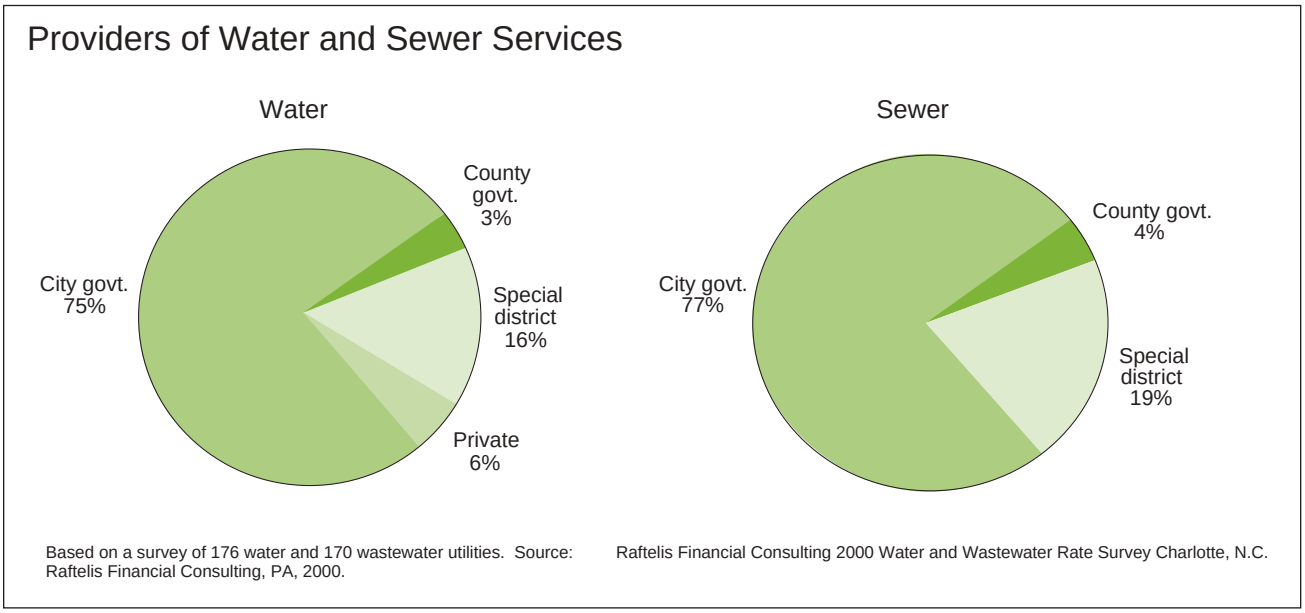


FIGURE 17 PROVIDERS OF WATER AND SEWER SERVICES

ALTOGETHER, HOUSEHOLDS, FARMS, BUSINESSES, AND GOVERNMENTS IN THE UNITED STATES USE 402 BILLION GALLONS OF WATER A DAY. ACCORDING TO THE U.S. DEPARTMENT OF THE INTERIOR'S MOST RECENT ESTIMATES, RESIDENTIAL USE COUNTS FOR ONLY ABOUT 6 PERCENT OF THE TOTAL.

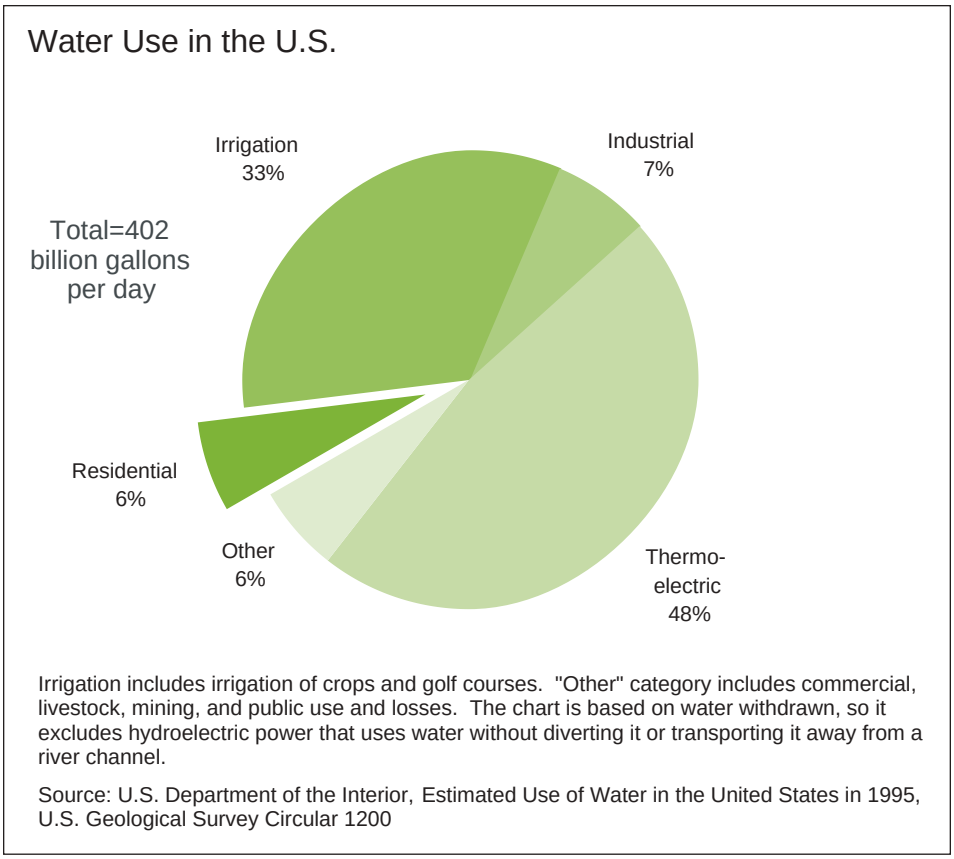


FIGURE 18 WATER USE IN THE U.S.

Most of the water used in the United States is used to irrigate farmland and generate thermoelectric power. Among the 50 states, thermoelectric power and crop irrigation account for at least 48 (and often more than 80) percent of the water withdrawn in every state except Alaska, where mining accounts for an unusually large proportion of the total.

On a per capita basis, residential water use varies considerably across the U.S. It's generally highest in desert states, probably because of climate-related differences in outdoor water use, such as watering lawns and filling swimming pools. Indoors, toilets use more water than any other individual home feature—although other plumbing fixtures, appliances, and even leaks, also account for a substantial share of total indoor consumption. 1

In addition to charging bills based on monthly consumption, local utilities often impose other costs on residential customers, either directly or indirectly, by charging fees for extending the service to new homes, most commonly by collecting a fee from the developer.

WHEN FEES ARE COLLECTED BEFORE CONSTRUCTION BEGINS, INFORMATION ON HOW WATER USE IS LIKELY TO DIFFER AMONG DIFFERENT TYPES OF HOUSING UNITS IS ESPECIALLY IMPORTANT.

Again, household size influences water use.

SENIORS HOUSEHOLDS TEND TO GENERATE LESS DEMAND FOR PUBLIC SERVICES, SUCH AS WATER AND SEWER, SIMPLY BECAUSE THESE HOUSEHOLDS TEND TO CONTAIN FEWER PEOPLE (FIGURE 1).

You can investigate the link between household age and the demand for water and services further. Data on use in physical units (gallons of water per year, for instance) would be ideal for that purpose, but these data do not appear to exist. 2

An alternative is to look at utility payments. Because water and sewer charges are typically based on metered household water use, this amounts to a physical flow multiplied by a price.[3]

Data on utility expenses for individual households are available from the 2001 American Housing Survey (AHS). We looked at both water and sewer bills, over the course of a year, whether they were paid separately or were combined together in a single bill. Wastewater flow is usually not monitored separately, and utilities conventionally assume that it's proportional to water use. In fact, eighty percent of the wastewater utilities in the Raftelis calculate bills for residential customers that way.

AHS data on water and sewer expenses, tabulated for owner-occupied, single-family detached homes, 4 are shown in Figure 19.

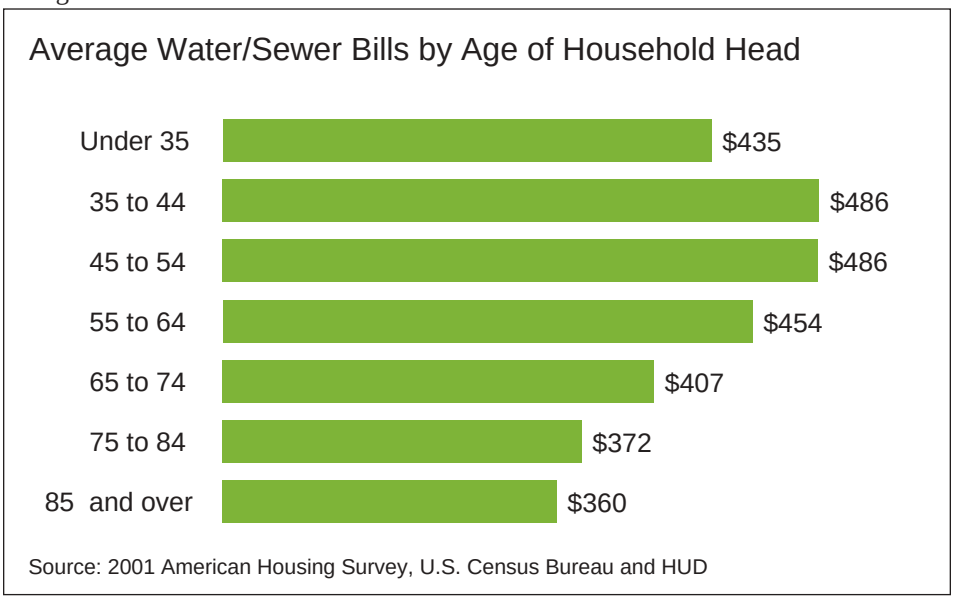


FIGURE 19 AVERAGE WATER/SEWER BILLS BY AGE OF HOUSEHOLD HEAD

As the figure shows, there are clear differences among the age brackets.

HOUSEHOLDS IN THE 35-44 AND 45-54 AGE BRACKETS PAY THE MOST FOR WATER AND SEWER SERVICE. AFTER THAT, THE COST OF THE SERVICE DECLINES CONSISTENTLY AS AGE INCREASES.

So the data are generally consistent with the hypothesis that seniors use fewer water and sewer services than other households, and they mirror the differences in household size. Heads of households age 55 to 64 pay somewhat more than those under age 35 for water and sewer service, but less than households between ages of 35 and 55. After age 65, water and sewer use drops even below the levels for the under-35 households and continues to decline with each successively older age bracket.

THIS FACT SUGGESTS THAT, ON A PER-HOUSING-UNIT BASIS, LOCAL GOVERNMENTS NEED TO SPEND LESS ON WATER AND SEWER INFRASTRUCTURE FOR RESIDENTIAL DEVELOPMENT THAT'S AGE RESTRICTED OR OTHERWISE TARGETED TO SENIORS.

CHAPTER 6: Public Parks and Libraries

Parks and libraries are classified somewhat differently by different levels of government. The federal government groups public libraries with education into a broad "educational services" category.

Individual local governments are less likely to view the world that way. The federal classification scheme would be especially awkward in cases where education is funded by a special school district that is independent enough to qualify as a separate government entity. The 1997 Census of Governments counted nearly 15,000 of these independent school districts across the country. None of them reported having a separate budget for libraries (Figure 20).

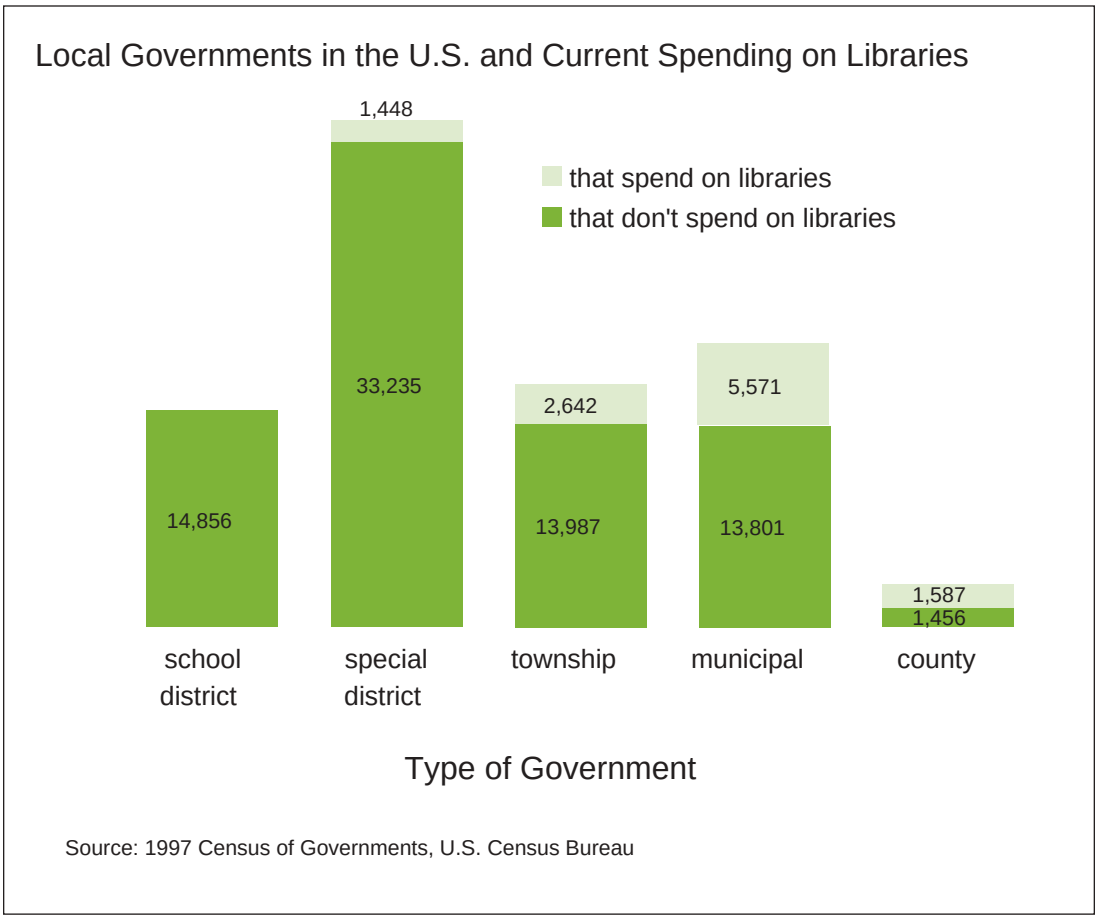


FIGURE 20 LOCAL GOVERNMENTS IN THE U.S. AND CURRENT SPENDING ON LIBRARIES

So the county, municipal, and township governments that have library budgets are more likely to follow a standard local government finance reference[1] that groups libraries with public parks and recreation into a category called "recreation and culture."

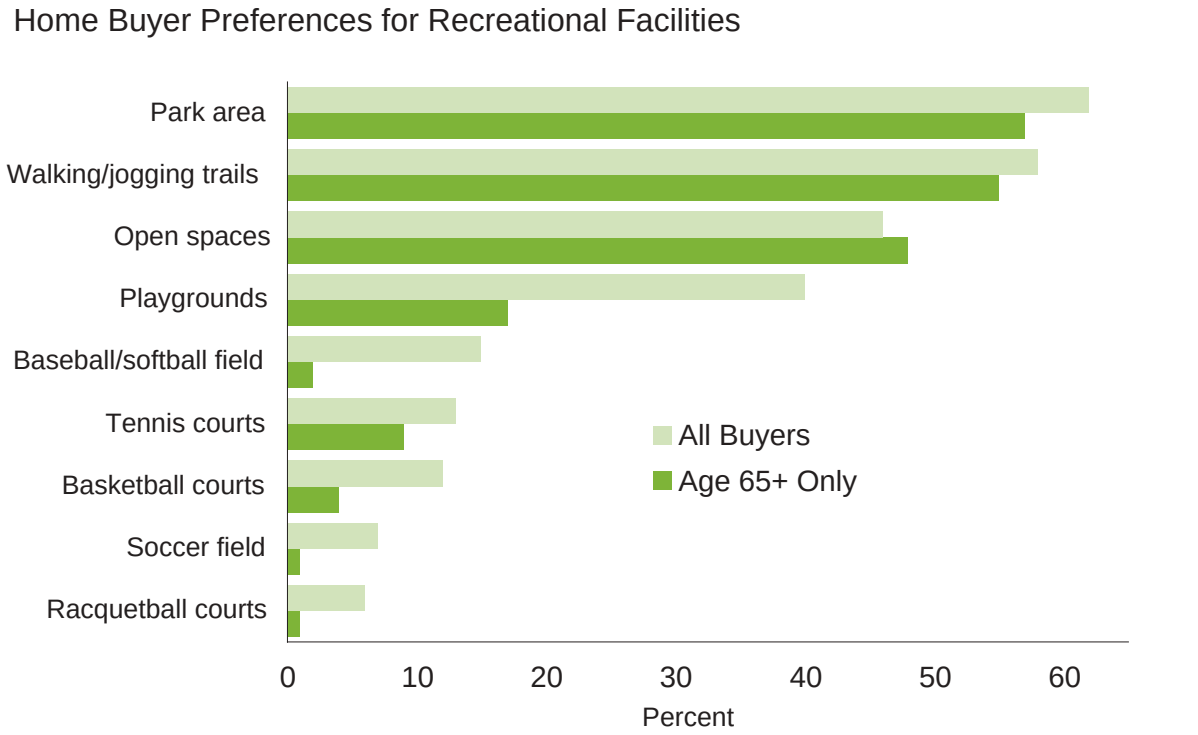
Of the two subcategories, public parks and recreation generally accounts for a larger share of the local government

1. Burchell, Robert, David Listokin, and William Dolphin, The New Practitioner's Guide to Fiscal Impact Analysis, (Add City, N.J.: Rutgers University Center for Urban Policy Research., 1985).

budget. According to the Census of Governments, in the 1996-97 fiscal year, local governments spent $17 billion on parks and recreation, compared to $6 billion on libraries.

Once again, when considering seniors housing and the use of public facilities, household size is an issue. Per housing unit, older households tend to place less stress on public facilities, simply because these households on average contain fewer people (Figure 1).

Beyond the general reduction in demand associated with smaller households, seniors tend to use certain types of recreational facilities less often. NAHB's latest Consumer Preference Survey demonstrated that, although seniors are fairly similar to other home buyers in their preferences for park areas and open spaces, they tend to have reduced preferences for specific facilities such as softball fields. That's hardly surprising, but in some cases quantifying the similarities and differences may prove useful (Figure 20, Table 6).



Percent of survey respondents who say the presence of the facility would signifcantly influence them to move into a community
Source: What 21st Century Home Buyers Want: A Survey of Consumer Preferences , NAHB Economics Group, 2002, published by Home Builder Press.

FIGURE 21 HOME BUYER PREFERENCES FOR RECREATIONAL FACILITIES

1. Results from the survey are published in NAHB Economics Group, What 21st Century Home Buyers Want: A Survey of Customer Preferences (Washington, D.C.: BuilderBooks, 2002). The survey was also augmented with additional responses from seniors to permit more detailed seniors-only tabulations, and these were published in Margaret Wylde's Boomers on the Horizon: Housing Preferences of the 55+ Market, (Washington, D.C.: BuilderBooks, 2002). Both are available at www.BuilderBooks.com.

Percent of Home Buyers Who Would Seriously Be Influenced to Move Into a Community by the Presence of Outdoor Facilities

(By Age of the Household Head)

	TOTAL	LESS THAN 35	35 TO 44	45 TO 54	55 TO 64	65+
Park area	62	63	63	56	56	57
Walking/jogging trails	58	64	58	58	61	55
Open spaces	46	50	44	54	52	48
Playgrounds	40	42	47	30	24	17
Baseball/softball field	15	13	22	11	7	2
Tennis courts	13	16	13	17	7	9
Basketball courts	12	13	17	11	5	4
Soccer field	7	8	12	5	2	1
Racquetball courts	6	6	7	5	1	1

Source: What 21st Century Home Buyers Want: A Survey of Consumer Preferences
NAHB Economics Group, 2002, published by Home Builder Press.

TABLE 6 PERCENT OF HOME BUYERS WHO WOULD SERIOUSLY BE INFLUENCED TO MOVE INTO A COMMUNITY BY THE PRESENCE OF OUTDOOR FACILITIES

ALTHOUGH ACCOUNTING FOR A RELATIVELY SMALL SHARE OF LOCAL GOVERNMENT BUDGETS, PUBLIC LIBRARIES HAVE NEVERTHELESS BECOME A SENIORS-RELATED ISSUE IN SOME PARTS OF THE COUNTRY. THE ISSUE INVOLVES THE SPECULATION THAT SENIORS HOUSING PLACES A DISPROPORTIONATELY HIGH BURDEN ON A COMMUNITY'S LIBRARY FACILITIES.

Given the smaller size of seniors households, and their lack of children, this speculation doesn't seem persuasive at first glance. For evidence one way or the other, you can look at a survey conducted by the Gallup Organization for the American Library Association and compare library use to the total population.

THE GALLUP SURVEY CONTRADICTS THE PROPOSITION THAT SENIORS USE LIBRARIES EXCESSIVELY. ALTHOUGH CENSUS BUREAU ESTIMATES SHOW THAT PERSONS AGE 55 OR OLDER ACCOUNTED FOR 28 PERCENT OF THE ADULT POPULATION IN THE YEAR OF THE SURVEY, THEY ACCOUNTED FOR ONLY 22 PERCENT OF THE ADULT LIBRARY USERS.

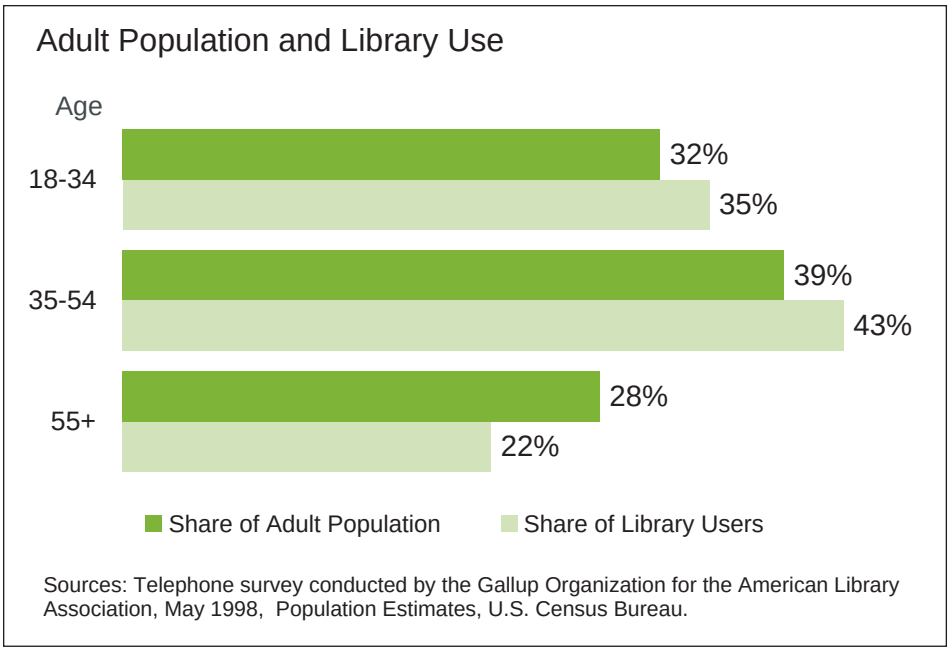


FIGURE 22 ADULT POPULATION AND LIBRARY USE

And this result is based strictly on adults. The Gallup survey didn't include school-aged children, who often have special sections of public libraries set aside for their use, and who are infrequently present in households where the head is over age 54 (Figure 3).

CHAPTER 7: Local Economic Benefits: Income, Taxes, and Jobs Generated by a Typical Active Adult Community

Other sections of this booklet cover seniors housing from the standpoint of fiscal costs borne by local governments. In particular, they show that older households tend to require fewer publicly provided facilities and services, and therefore they result in lower fiscal costs.

BUT THE IMPACTS OF BUILDING SENIORS HOUSING ALSO INCLUDE POSITIVE ECONOMIC BENEFITS FOR THE COMMUNITY IN WHICH IT'S LOCATED--INCLUDING INCOME, JOBS, AND TAX REVENUE FOR LOCAL GOVERNMENTS.

NAHB's Housing Policy Department has developed a model to estimate these local economic benefits for homebuilding in general. The model has been successfully applied to residential construction in more than 250 areas across the country. The sections below describe how the model works and show the results of applying it to a typical active adult housing project.

The NAHB Model

You can divide the economic benefits of residential construction into three phases:

Phase I: Construction. Jobs, wages, and local taxes (including permit, utility connection, and impact fees) generated by the development, construction, and sale of the home. The jobs include on-site and off-site construction work as well as jobs generated in retail and wholesale sales of components, transportation to the site, and the professional services required to build a home and deliver it to the buyer.

Phase II: The Ripple Effect. The wages and profits earned in Phase I are spent on other locally produced goods and services. This spending generates additional income for local residents, which is spent on still more locally produced goods and services, and so on. This continuing recycling of income back into the community is usually called a "multiplier" or "ripple" effect.

Phase III: The Ongoing, Annual Effect. When a home is occupied, the occupants pay taxes, spend money, and otherwise participate in the local economy. This first step in another set of economic ripples causes a permanent increase in the level of economic activity, jobs, wages, and local tax receipts. Phase III doesn't necessarily imply that all new homes are occupied by households moving in from outside the community. A household may move into the new unit from elsewhere in the same local area, while another household moves into the area to occupy the vacated unit, or the local area simply retains older citizens who would otherwise move out of the area because of a lack of suitable housing. In any case, the new housing results in a net gain of a household to the local economy.

PHASES I AND II ARE ONE-TIME IMPACTS THAT OCCUR AS THE RESULT OF CONSTRUCTION ACTIVITY. PHASE III IS AN ONGOING EFFECT THAT CONTINUES TO OCCUR YEAR AFTER YEAR. WHEN ANALYZING THE LOCAL IMPACT OF HOMEBUILDING, YOU NEED TO ACCOUNT FOR ALL THREE.

Estimating all three phases requires a model that captures the essential features of a local economy. You can capture these essential features by selecting certain commodities and industries from the benchmark input-output tables produced by the U.S. Bureau of Economic Analysis. The NAHB model takes a conservative approach -- of the roughly 500 industries and commodities provided in the most detailed versions of the input-output files, the model retains only 56 commodities and 77 industries, on the grounds that only these reflect economic activity that stays within the local area. Visits to the grocery store and barbershop are included in the local model, for example, while most manufacturing activity is not.

Taxes are extracted from the income and other value-added components of the input-output table, using primarily data from the Census of Governments. Wages and salaries are extracted using data on wages per job published by the Bureau of Economic Analysis.

The process of converting construction into income and taxes in Phase I of the model is summarized in Figure 23.

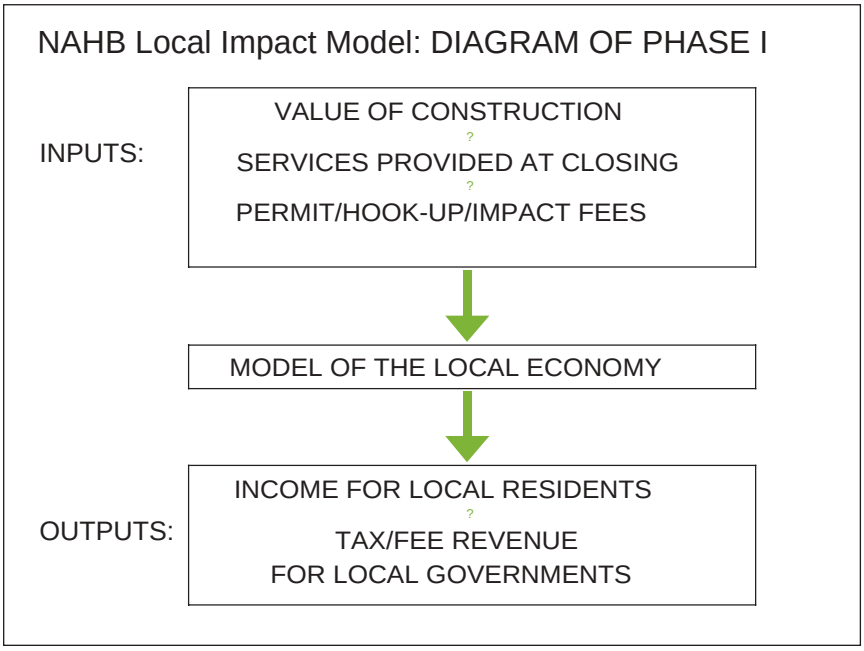


FIGURE 23 NAHB LOCAL IMPACT MODEL: DIAGRAM OF PHASE I

The outputs from Phase I -- local income and tax revenue -- become inputs for Phase II. Phase II begins by estimating how much of the added income households spend on each of the local commodities, using data from the Consumer Expenditure Survey (CES), which is conducted by the U.S. Bureau of Labor Statistics.

In short, the local income generated by construction activity results in more local spending, which then generates additional local income. But a fraction of this income will also be spent locally, which will generate still more local income, lead to yet another round of spending, and so on (Figure 24).

The end result of these successive economic “ripples” can be computed mathematically.

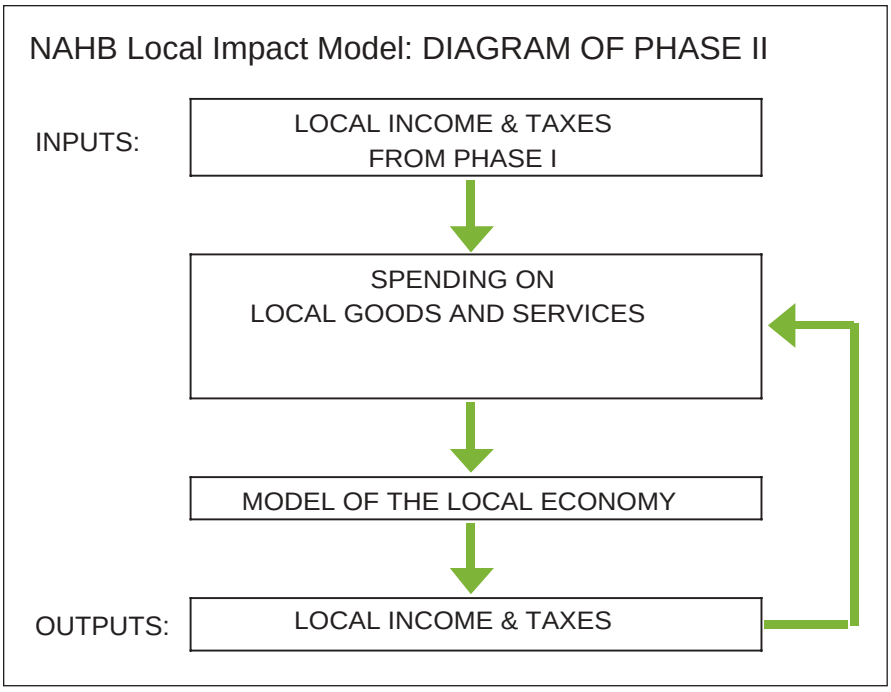


FIGURE 24 NAHB LOCAL IMPACT MODEL: DIAGRAM OF PHASE II

The process of estimating the ongoing impacts that result from the new homes becoming occupied (Phase III of the model) begins with the income of the households moving in. That income can easily be estimated with data from the Census. A fraction of this income is spent on locally produced goods and services. The NAHB model estimates this income and computes a ripple effect. The procedure is similar to the one outlined in Phase II (Figure 25).

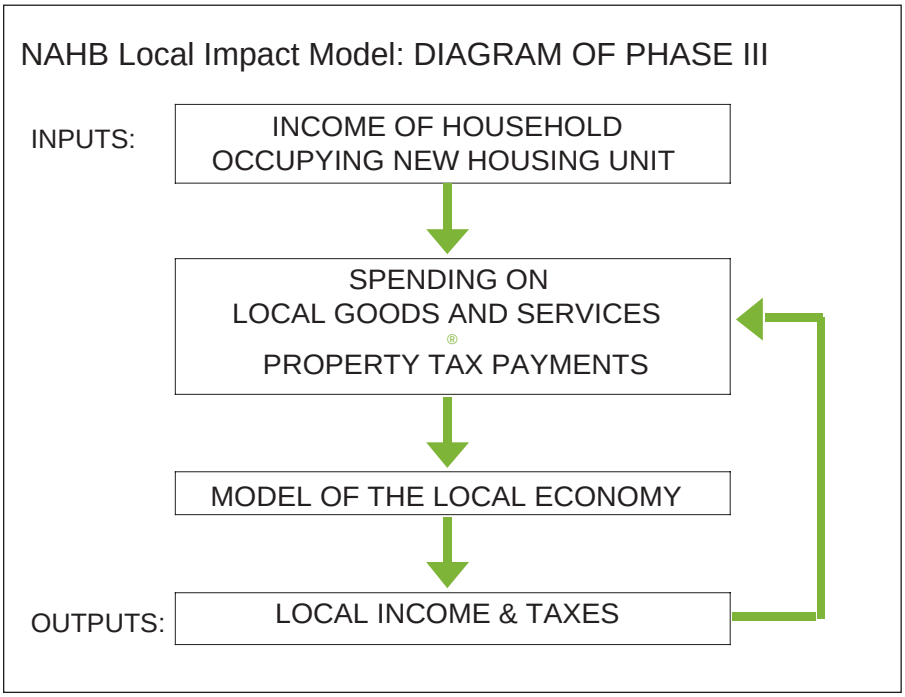


FIGURE 25 NAHB LOCAL IMPACT MODEL: DIAGRAM OF PHASE III

In Phase III the income of the household occupying the new unit is used only as an input.

THE ONGOING BENEFIT OF INCREASED LOCAL INCOME REPORTED BY THE MODEL IS INCOME GENERATED FOR RESIDENTS OF THE COMMUNITY OTHER THAN THE ONES MOVING INTO THE NEW HOMES

Although initially developed and calibrated for a typical metropolitan area using national averages, the NAHB model can be adapted to a specific local area, and a specific project, by replacing the averages with information specific to that project and area:

- Construction value (house price minus raw land value)
- Permit, hook-up, and impact fees
- Property tax payments
- In the case of seniors housing, fees paid for services.

The next section explains how these inputs were generated for a typical active adult project.

A Typical Active Adult Project

Because official construction statistics do not distinguish homes intended for active adults from other types of residential construction, national average statistics (price, size, etc.) for active adult housing do not exist.

In order to obtain information that reflects an active adult project that is typical in some sense, values of the homes and related information were obtained from five different active adult projects. The projects surveyed were of different sizes, built by different developers, and located in different parts of the country (the Southeast, Southwest, and Midwest).

The inputs used include—

- an average active adult house price of $180,000
- an average raw land value of $22,691
- an average of $4,805 in impact, permit, and other fees paid to local governments
- an average property tax payment of $1,980 per year
- Average fee paid by home owners of $108 per month

On average, most of the fee pays for property maintenance and repair, although a substantial share also goes to security and a fitness center. Smaller shares provide social, recreational, and wellness or health-related services. Most of the inputs are average values computed for the five active adult projects. Property tax payments are based on a national average tax rate.

Economic Benefits

Because Phases I and II of the model represent impacts that occur only once, triggered either directly or indirectly by construction activity, they can be added together into a total one-year impact.

Based on the above-mentioned inputs, the estimated local one-year impacts of building 100 single-family homes in a typical active adult project include

- $10 million in local income
- $1 million in taxes and other revenue for local governments
- 216 local jobs

These local impacts represent income and jobs for residents of the local market area, and taxes (and other sources of revenue, including permit fees) for all local jurisdictions within the area. They are also one-year impacts that include both the direct and indirect impact of the construction activity itself, and the impact of local residents who earn money from the construction activity and spend part of it within the local area.

UNLIKE THE ONE-YEAR IMPACTS, THOSE IN PHASE III ARE TRIGGERED BY THE NEW RESIDENTS MOVING IN, SO THEY WILL CONTINUE TO OCCUR, YEAR AFTER YEAR, AS LONG AS THE HOME REMAINS OCCUPIED.

Based on the above-listed inputs, the recurring impacts of building 100 single-family homes in the typical active adult project include

- $3 million in local income
- $504,000 in taxes and other revenue for local governments
- 67 local jobs

To briefly summarize the results, the NAHB model is capable of producing considerable detail, including impacts on income and employment in 16 industries and the local government. These impacts are shown for the typical active adult project in Table 7 (one-year impacts) and Table 8 (ongoing, annual impacts).

Local Impact of Building 100 Homes in a Typical Active Adult Project
One-Year Impact (Sum of Phases I and II)

Industry	Local Income	Local Business Owner's Income	Local Wages and Salaries	Wages & Salaries Per Full-time Job	Number of Local Jobs Supported
Construction	$5,627,000	$1,000,000	$4,628,000	$40,000	116
Manufacturing	$18,000	$1,000	$17,000	#DIV/0!	0
Transportation	$37,000	$3,000	$34,000	$34,000	1
Communications	$118,000	$24,000	$95,000	$95,000	1
Utilities	$60,000	$0	$60,000	$60,000	1
Wholesale and retail trade	$1,272,000	$159,000	$1,113,000	$28,000	40
Finance and insurance	$260,000	$24,000	$236,000	$59,000	4
Real Estate	$241,000	$112,000	$128,000	$32,000	4
Personal & repair services	$122,000	$47,000	$75,000	$25,000	3
Services to dwellings / buildings	$34,000	$12,000	$22,000	$36,000	0
Business & professional services	$674,000	$223,000	$451,000	$45,000	10
Eating and drinking places	$144,000	$25,000	$120,000	$40,000	3
Automobile repair & service	$139,000	$53,000	$87,000	$29,000	3
Entertainment services	$52,000	$13,000	$39,000	$39,000	1
Health, education, & social services	$681,000	$114,000	$567,000	$41,000	14
Local government	$397,000	$0	$397,000	$40,000	10
Other	$135,000	$23,000	$112,000	$37,000	3
Total	$10,012,000	$1,831,000	$8,181,000	$38,000	216

TABLE 7 LOCAL IMPACT OF BUILDING 100 HOMES IN A TYPICAL ACTIVE ADULT COMMUNITY ONE-YEAR IMPACT (SUM OF PHASES I AND II)

Local Impact of Building 100 Homes in a Typical Active Adult Project
Ongoing, Annual Impact (Phases III)

Industry	Local Income	Local Business Owner's Income	Local Wages and Salaries	Wages & Salaries per Full-time Job	Number of Local Jobs Supported
Construction	$224,000	$48,000	$176,000	$40,000	4
Manufacturing	$15,000	$1,000	$14,000	$45,000	0
Transportation	$18,000	$1,000	$17,000	$38,000	0
Communications	$85,000	$17,000	$68,000	$68,000	1
Utilities	$52,000	$0	$52,000	$63,000	1
Wholesale and Retail Trade	$475,000	$63,000	$412,000	$25,000	17
Finance and Insurance	$157,000	$12,000	$145,000	$52,000	3
Real Estate	$115,000	$54,000	$61,000	$38,000	2
Personal & Repair Services	$124,000	$47,000	$77,000	$25,000	3
Services to dwellings / buildings	$23,000	$8,000	$15,000	$36,000	0
Business & Professional Services	$234,000	$74,000	$160,000	$47,000	3
Eating and drinking places	$123,000	$21,000	$102,000	$38,000	3
Automobile Repair & Service	$132,000	$47,000	$85,000	$29,000	3
Entertainment Services	$57,000	$13,000	$43,000	$34,000	1
Health, Education, & Social Services	$872,000	$145,000	$727,000	$40,000	18
Local Government	$200,000	$0	$200,000	$42,000	5
Other	$71,000	$7,000	$64,000	$25,000	3
Total	$2,979,000	$560,000	$2,419,000	$36,000	67

TABLE 8 LOCAL IMPACT OF BUILDING 100 HOMES IN A TYPICAL ACTIVE ADULT COMMUNITY ONGOING, ANNUAL IMPACT (PHASE III)

IN GENERAL, THE LOCAL ECONOMIC BENEFITS OF BUILDING 100 UNITS IN THE TYPICAL ACTIVE ADULT PROJECT ARE SIMILAR TO THE BENEFITS OF BUILDING 100 AVERAGE SINGLE-FAMILY HOMES REGARDLESS OF WHO OCCUPIES THEM. THE MAIN DIFFERENCE IS IN PHASE III, WHERE (COMPARED TO 100 AVERAGE HOMES) 100 ACTIVE ADULT UNITS SUSTAIN TWO FEWER JOBS IN THE LOCAL RETAIL AND WHOLESALE TRADE BUT FIVE MORE IN THE LOCAL HEALTH SERVICES INDUSTRY.

The presentation here is relatively brief and emphasizes only a few key points. More detailed descriptions and results, including separate income and job estimates for Phases I and II of the model, as well as local government revenue in 13 categories of taxes and fees, are available from the NAHB Housing Policy Department (202-266-8398).

IN ADDITION TO RESULTS FOR A TYPICAL PROJECT IN AN AVERAGE CITY, THE LOCAL IMPACT MODEL CAN BE CUSTOMIZED TO AN INDIVIDUAL ACTIVE ADULT PROJECT IN A PARTICULAR CITY. UNDER CERTAIN CONDITIONS, NAHB WILL UNDERTAKE THIS EFFORT AND PRODUCE A CUSTOMIZED REPORT FOR A SPECIFIC ACTIVE ADULT PROJECT.

For more information, contact one of the following:

- David Crowe, Senior Staff Vice President (202-266-8383) dcrowe@nahb.com
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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: September 2, 2014

AGENDA TITLE: Consideration of a motion to approve the Comprehensive Housing Strategy (CHS) goals and provide direction on the next phase of public engagement, short term actions and opportunity sites.

PRESENTERS:
Jane Brautigam, City Manager
David Driskell, Interim Housing Director, Executive Director of Community Planning & Sustainability
Susan Richstone, Deputy Director, Community Planning & Sustainability
Jeffrey Yegian, Manager, Division of Housing
Lesli Ellis, Comprehensive Planning Manager, CP&S
Jay Sugnet, Project Manager, Comprehensive Housing Strategy

EXECUTIVE SUMMARY

This memo outlines the proposed next steps for the Comprehensive Housing Strategy (CHS) as outlined at the May 27 study session. As a result of the input heard both as part of the proposed code changes that were recently brought forward to Planning Board and general public input, staff is suggesting some refinements to the proposed process moving forward and seeking council direction as to whether conditions have changed since May 27 that suggest changes to the short term actions or the overall scope of the CHS.

The purpose of this agenda item is for Council to approve the project goals and provide direction on the following:

1. Phase II public involvement;
2. Short term actions; and
3. Palo Parkway opportunity site.

This meeting is a follow up from the May 27 Council Study Session where Council provided feedback on the following:

1. Foundations work (housing market analysis and research on why people make certain housing choices);

2. Initial draft project vision and goals; and
3. Suggested short term action items (i.e., policies and tools to pursue in the short term while longer term strategies are further developed and evaluated during the coming year) and housing opportunity sites.

Following the May 27 study session, staff moved forward with three of the short term actions discussed with City Council on May 27. Additionally, since May 27, some members of the community have voiced concerns about the CHS direction and process, as well as general concerns related to development trends.

STAFF RECOMMENDATION

Suggested Motion Language:
Staff recommends Council consideration of a motion adopting the Comprehensive Housing Strategy goals and direction on the following as detailed in the staff memorandum:

1. Working group process;
2. Short term actions (1:1 Unit Replacement, Targeted fix to ADUs, Targeted fix to cooperative housing): and
3. Palo Parkway opportunity site.

MEMO ORGANIZATION

I. Background
II. Boulder Valley Comprehensive Plan
III. Goals
IV. Project Phases
V. Approach to Phase II Community Outreach
VI. Short Term Actions
VII. Opportunity Sites
VIII. Next Steps

I. BACKGROUND

In 2013, Council recognized that the city's housing challenges require more than minor adjustments to current programs. City Council held a study session on February 13, facilitated by Charles Buki, and again on May 14 in 2013 to understand the current housing challenges and provide direction on the development of a comprehensive housing strategy. Prior to the May 27, 2014 City Council Study Session, the Planning Board provided input on the planning process, project goals, and short term actions on May 15.

The Comprehensive Housing Strategy (CHS) is a next generation housing policy framework, combined with an implementation toolkit, that will focus on:

1. Strengthening the city's affordable housing programs for low- and moderate-income households;
2. Expanding housing opportunities for middle-income households; and
3. Exploring innovative approaches to providing additional housing and a broader range of housing options, particularly for housing needs not being met by the market.

See Section III for the list of project goals.

The strategy will set forth a creative mix of policies, tools and resources to make progress on multiple fronts, in a manner consistent with the Boulder community's priorities, values and overarching sustainability framework. It will help inform and guide Council decisions on which policies and tools to pursue in the short, medium, and long term within the context of the broader housing strategy. ***The strategy will NOT adopt any specific proposals, but rather identify priorities that will need to be incorporated into the city's workplan.***

The CHS is envisioned as a "living document" that will guide ongoing work related to housing policies and programs. In other words, adoption of the strategy will not signal the end of the city's housing-focused discussions, but rather inform annual work program priorities aimed at continual monitoring, evaluation and action to strengthen and expand housing opportunities through a variety of tools and coordinated strategic initiatives.

In particular, it is anticipated that the Comprehensive Housing Strategy and other 2014 planning initiatives will inform key areas of focus in the 2015 update of the Boulder Valley Comprehensive Plan (BVCP). ***Any of the potential CHS recommendations not consistent with the current BVCP will need to be discussed in this larger effort.***

Staff is seeking council direction on:

1. Adopting the project goals;
2. Moving forward with the proposed working group process;
3. Moving forward with the short term actions; and
4. Moving forward with the approach to the Palo Parkway opportunity site.

II. BOULDER VALLEY COMPREHENSIVE PLAN

The Boulder Valley Comprehensive Plan (BVCP) is the community's overarching policy document that sets forth a vision for Boulder's physical development, guided by a commitment to social, economic and environmental sustainability. The plan is the overarching policy document that guides decisions related to growth and preservation of the Boulder Valley, and it informs decisions about the manner in which services are provided. Importantly, the form and shape of the city's physical development helps create and sustain the city's social fabric, supports livelihoods, and helps reduce and mitigate the environmental impacts of human activity.

Housing is the largest single land use in the city, and arguably the most critical building block of the city's neighborhoods and overall quality of life. It also represents one of the largest costs for Boulder households, and for many, their largest lifetime investment. Housing is personal, financial, and emotional.

Envisioning Boulder's housing future must therefore encompass a holistic view. While analyses of "numbers of units," "household incomes," "product types" and "market demand" (among many other factors), are essential to ensuring a successful strategy, these quantitative approaches must be guided by a values-based vision that's about creating community, sustaining diversity, protecting the environment and supporting human development.

Section 7 of the Boulder Valley Comprehensive Plan sets forth a number of important policies that help define the community's vision and values for housing and residential neighborhoods. Housing policies are also consistent with the plan's core values and sustainability framework set forth in the first section. The following summary highlights the vision that Boulder has for its housing future:

- Meet the housing needs of low- and moderate-income households;
- Increase the proportion of permanently affordable housing units to at least 10 percent of the existing housing stock;
- Encourage development for housing for populations with special needs;
- Strengthen partnerships and regional cooperation;
- Provide and maintain a mixture of housing types;
- Preserve and rehabilitate existing housing stock;
- Encourage housing for current and future households;
- Balance housing supply with employment base;
- Integrate permanently affordable units throughout community; and
- Minimize displacement of low-income populations during redevelopment.

Boulder Valley Comprehensive Plan 2015 Major Update

The CHS will be consistent with the BVCP or may inform aspects of its update in 2015. While many of the core BVCP policies have been in place since 1970, every five years the city and county update the plan to address changing needs and conditions in the community. The next major update process is scheduled to begin in 2015.

To gear up for the update, the Department of Community Planning and Sustainability is starting a plan review with consultants this fall and is preparing for a Joint Study Session with Planning Board and City Council on October 14**.** Following meetings with both city and county leadership, interviews and other outreach, and plan review, the consultant and staff will outline a proposed scope of work and 2015 update process, including prioritized topics. CHS topics related to housing growth and development and neighborhood amenities may be best addressed in the BVCP 2015 update; for instance, the goal to "create 15 minute neighborhoods."

III. GOALS

The following goals are intended to inspire and direct work on the Comprehensive Housing Strategy. The goals, once approved, will be used to guide the strategy development process and evaluate potential policies and tools. The goals should not be viewed individually, but rather as a comprehensive and coordinated approach toward achieving the overarching purpose of the project – to preserve and expand diverse, affordable housing choices in Boulder in a manner consistent with the community's social, economic and environmental sustainability principles.

For each goal, examples of how the goal might be advanced are provided in order to illustrate the types of policies or initiatives that might be considered. These examples are illustrative only, and are not comprehensive. The work of the coming months will involve consideration of specific strategies and tools in each area, engaging the community and stakeholders in determining what the priority areas for action should be in advancing each goal. Minor edits were made since May 27 based on Council and community input.

1. Strengthen Our Current Commitments

Reach or exceed Boulder's goals to serve very-low, low- and moderate-income households, including people with disabilities, special needs and the homeless.

Examples of how the CHS could advance this goal include:

- Establish a target date to achieve the current 10% goal of permanently affordable units
- Establish clear funding priorities to accomplish the goal
- Identify or create new policies or funding resources to accelerate progress

2. Maintain the Middle

Prevent further loss of Boulder's economic middle by preserving existing housing and providing greater variety of housing choices for middle-income families and for Boulder's workforce.

Examples of how the CHS could advance this goal include:

- Explore options to preserve the affordability of existing housing
- Facilitate the creation of relatively affordable attached townhomes and other higher density but family-supportive housing types through land use and zoning changes (to be addressed through the BVCP update)
- Identify opportunities for the city to support greater use of location-efficient mortgages to increase purchasing power
- Create a middle-income downpayment assistance or low interest financing program

3. Create Diverse Housing Choices in Every Neighborhood

Facilitate the creation of a variety of housing options in every part of the city, including existing single-family neighborhoods.

Examples of how the CHS could advance this goal include:

- Make it easier and more financially feasible to develop accessory dwelling units and owner accessory units (e.g., granny flats and carriage houses)
- Make it possible for groups of unrelated individuals (e.g., seniors, co-ops) to share housing (above current occupancy limits)
- Make it possible to create duplex units, small townhome developments and other appropriately scaled and contextually-fitting multi-unit housing in existing single-family neighborhoods
- Establish minimum density standards or alternative approaches to managing density to avoid creating new areas that offer only large, high priced single family homes.

4. Create 15-minute Neighborhoods

Foster mixed-income, mixed-use, highly walkable neighborhoods in amenity rich locations (e.g., close to transit, parks, open space and trails, employment, retail services, etc.).

Based on community input, Council may wish to address "15-minute neighborhoods" goal as part of the 2015 BVCP update.

Examples of how the CHS could advance this goal include:

- Identify areas for housing that is appropriate to the context and offers a variety of types and styles to meet Boulder's future housing needs
- Partner with nonprofit housing developers to create mixed income, mixed use developments on key opportunity sites
- Explore new tools to incentivize or require desired unit mixes, types or sizes, such as "benefit capture" provisions connected to property rezoning
- Establish a pattern book of desired housing outcomes, particularly for family-friendly higher density housing and for housing that meets special needs, linked to streamlined review processes

5. Strengthen Partnerships

Strengthen current partnerships and explore creative new public-private-partnerships to address our community's housing challenges (e.g., University of Colorado, private developers, financing entities, affordable housing providers, etc.)

Examples of how the CHS could advance this goal include:

- Work with CU to facilitate housing development in key locations (e.g. North of Boulder Creek, Williams Village, South Campus)
- Create a project development and facilitation role within the city
- Facilitate expansion of Boulder Housing Partners' role

6. Enable Aging in Place

Provide housing options for seniors of all abilities and incomes to remain in our community, with access to services and established support systems.

Examples of how the CHS could advance this goal include:

- Work with existing and new partners to meet the housing needs of seniors (appropriate housing choices and range of options)
- Strengthen and expand the community's support services for seniors
- Work with partners to meet the needs of people with disabilities and others with special needs

IV. PROJECT PHASES

In 2013, four phases were proposed to develop the strategy:

Phase 1: Foundations for Action. A housing market study was completed in 2013 as a first step to understand the city's housing market, both rental and homeownership, with a particular focus on housing opportunities for workers and low and middle income residents. Comparative data from surrounding communities is also provided where available (see the Boulder Housing Market Analysis). A housing choice survey and analysis was completed in early 2014 and provides data on residents' and in-commuters' housing preferences and needs (see the Boulder Housing Choice Survey and Analysis). Staff also prepared a memo for a May 27, 2014 City Council work session summarizing the results of the foundations work and background materials that led up to the launch of the Comprehensive Housing Strategy (see the May 27 memo). Key findings from the foundations work are below:

- Boulder rental market tight with record low vacancy rates (9.7% in 2003, 1.4% in Q1-Q3 of 2013)
- Shortage of rental units affordable to 50% Area Median Income ($31,500) doubled from 2006 (5,800 units to 10,000 units)
- Housing prices in city outpacing county and region – median sales price exceeded $600,000 in 2013
- City's inventory of permanently affordable rental units will continue to support lower income diversity
- Boulder housing products are consistent with Millennials' housing preferences (variety of housing types, mixed-use, walkable to amenities)
- Missing products for middle income beyond current inventory (evidenced in growth of higher-income families)
- Demand for Boulder living unlikely to drop— **expanded tool kit needed to maintain housing balance in Boulder.**

Phase 2: Strategic Direction. With a better understanding of key issues and informed by further discussion with partners, stakeholders and council, the process will identify key strategic priorities. Starting in spring, staff developed draft project goals based on Council discussion in 2013. Staff also drafted an initial list of potential policies of tools to address Boulder's housing challenges (see Draft List of Policies and Tools). New tools will be identified by stakeholders and research of best practices in other cities. The full list of policies and tools will be evaluated against the project goals. This "bang for your buck" analysis will emphasize what level of effort is necessary or which actions or combinations of actions are needed to achieve the project goals. Through community engagement, staff will identify community priorities for action.

An early draft strategy will be presented to City Council in late 2014 or early 2015. ***See Section V for more details on the Phase 2 proposed approach to community outreach.***

Phase 3: Strategic Action. Based on the council-approved Strategic Direction, the integrated staff team will develop a detailed work program and implementation schedule for short, medium and long-term actions.

Ongoing: Monitoring, Reflection and Action. As strategic priorities are acted upon, an ongoing process of monitoring outcomes and conditions, and engaging key partners and stakeholders, will help inform periodic discussions with council regarding next-step priorities and strategic course corrections.

V. APPROACH TO PHASE II COMMUNITY OUTREACH

As a next step, staff proposes forming five working groups to explore a range of solutions to Boulder's affordable housing challenges. ***Working groups are just one component of a larger public engagement strategy*** as shown in the updated project timeline (**Attachment C)**. These groups will be comprised of stakeholders who will be charged with exploring and evaluating the draft toolkit. In addition, it is expected the working groups will recommend new tools to develop a short list to be considered by the larger community. The topical areas are currently based on the project goals, and can be modified depending on Council's input on September 2.

Five Proposed Working Groups

1. Housing for low- and moderate-income households, including those with special needs and the homeless
2. Housing for middle-income households
3. Housing in single-family neighborhoods
4. Senior housing
5. University housing

Option to address as part of the 2015 Comprehensive Plan Discussion

6. 15-minute neighborhoods

<u>Opening symposium</u>

An opening community symposium with guest speakers to provide an outside perspective and inspiration will be held in October. The symposium will likely include one or more speakers to discuss current housing challenges, innovative tools being used by other cities, and how those tools may be applicable to Boulder. The event will kick off the working group process and provide a basis of understanding of the issues and offer ideas to stimulate creative thinking.

<u>Working groups</u>

Each group will commit to meet 2-3 times in October/November to review and evaluate potential policies and tools specific to their goal. The only exception is the University

working group. That group will be convened in late fall to have the benefit of discussions from the first four working groups. It will bring together traditional and non-traditional partners and stakeholders to discuss implementing specific CHS tools. Prior to the first meeting of each group, staff will provide common background information in the form of a concise data book to provide common grounding. Also, staff will draft background materials for each topic and describe current programs. A sample agenda for each meeting is below:

- Meeting 1 - ground rules, process overview, current policy overview, discussion of potential policies and tools and applicability to Boulder;
- Meeting 2 - continuation of potential policies and tools discussion, begin to evaluate policies and tools (bang for your buck);
- Meeting 3 - if needed, continue discussion of evaluating potential policies and tools.

At the end of the working group process, each group will prepare a summary of the key issues and identifying the most promising tools to address their specific area, ***not the final list of what would be in the strategy,*** but recommendations on the short list of items to be considered through a community prioritization exercise in late fall and early winter.

Closing symposium

A final symposium will be held in early winter to bring working groups together to share insights, findings, and to identify common ground. This will include an interactive panel discussion and small group discussions as way to present the work, identify interrelations, and engage the broader community in the conversation.

Community prioritization

The final step in Phase II is to share the working group and focus group results with the broader community and start to prioritize policies and tools. This “bang for your buck” exercise will analyze potential policies and tools against the project goals. This is intended to highlight what level of effort is necessary or which actions or combinations of actions are needed to achieve the project goals. Depending on the outcomes of the working group process, various engagement activities will be employed, including Inspire Boulder, CHS website, monthly email updates, community forums, meetings with city boards and stakeholders, media releases, and other opportunities for multi-way communications with stakeholders that is innovative, creative, accessible, and fun.

15-Minute Neighborhood Goal

Based on feedback from the community, the “15-minute neighborhoods” goal may be more appropriately addressed as part of the 2015 BVCP update. The update will address the integration of housing, transportation, amenities, and a number of other aspects related to creating neighborhoods that are broader than addressing housing issues, which is the focus of the CHS.

Working Group Structure

- 6-8 members per working group
- Members are appointed by City Manager

- Members can serve on only one working group
- No minutes – meeting notes are taken on a chart pack and a picture is posted online
- Meetings will be publicized and open to the public, but discussion will focus on members

Selection Process

Working group membership will be open to anyone who lives or works in Boulder. Members will be selected to ensure geographic, demographic, and professional diversity. In addition, preference will be given to people with personal or professional experience related to the working group topic and a demonstrated ability to collaborate and seek solutions in a group setting. Interested people not selected are encouraged to attend the working group meetings and participate in the symposiums.

Staff is using the following avenues to solicit potential working group members:

- The project website (www.bouldercolorado.gov/chs).
- Inspire Boulder (mind-mixer) which directs people to the project website.
- Suggestions from staff and partners (CP&S, Housing, Human Services, Economic Vitality Program, BHP, etc.).
- Contacting persons that submitted testimony to Planning Board and City Council.
- Contacting persons that signed up at the May CHS open house to be on the project mailing list. The open house was advertised in the Daily Camera and the city issued a media release.

The CHS project has been well represented in the media over the past six months, building the project mailing list to over 150 people.

Staff will provide an update on the selection process on September 2. Following the September 2 meeting, the City Manager will send out invitations to working group participants.

VI. SHORT TERM ACTIONS

At its January 2014 retreat, City Council requested that staff identify and propose some "early wins" that could help improve conditions even as more significant policy work is undertaken in the coming months and year. At the May 27 City Council Study Session, staff identified five short term actions and included the criteria used to select them.

The first three short term actions include:

1. **Concept Plan City Council review**;

   Would allow City Council to provide input on significant proposals earlier in the development review process. *Planning Board recommended (6-0) to approve this*

proposal and it is scheduled for first reading on September 2 and for second reading and a public hearing on September 16.

2. **Special occupancy standards for seniors**;

   Would allow up to 6 persons aged 62 or older to share a single family house in the RR (Rural Residential), RE (Residential Estate) and RL (Residential Low) zones. Planning Board recommended an additional provision to allow up to 10 persons in the RR and RE zones with an owner occupancy requirement. *Planning Board recommended (6-0) to approve this proposal and it is scheduled for first reading on September 2 and for second reading and a public hearing on September 16.*

3. **Right-of-way (ROW) and density calculation ordinance**

   Would allow calculation of the gross site area prior to dedication in determining the maximum number of units that might be achieved through the Site Review process so that properties would be treated equally (some are required to dedicate ROW and others are not). ***Planning Board recommended (4-2) to deny this proposal on August 7and staff is not planning to forward this item to Council for consideration.***

On May 27, staff proposed to begin working on the next three short term actions after the completion of the first group of actions. In light of the issues that surfaced during the process for the three action items above, staff believes that the efforts involved in proceeding with the next three items will be more than originally planned. This includes both the community engagement that will be needed as well as some of the analysis.

Therefore, staff would like Council to review and confirm whether staff should move forward with these during the next few months.

4. **1-to-1 unit replacement ordinance for 100% permanently affordable**;

   Would enable partner owned housing projects to rebuild to the number of units currently existing on the site. Due to a zone change after the units were built, rehabilitating or redeveloping the site would reduce the total number of permanently affordable units.

5. **Targeted modifications to Accessory Dwelling Units**;

   Would repeal one or more of the current restrictions to encourage this housing type (no more than 10% ADUs in a specified area, removing the parking requirement, and the neighborhood notice requirement).

6. **Targeted modifications to cooperative housing** (added by Council on May 27).

   Would repeal one or more of the current restrictions to encourage this housing type (requirements for homeownership, minimum habitable space, EcoPasses, off-street parking, and the six person occupancy limit).

See **Attachment A** for a more detailed description of the six short term actions.

VII. OPPORTUNITY SITES

At the 2014 retreat, City Council requested staff identify opportunity sites for housing. These are specific parcels where the city could help facilitate the construction of much needed affordable housing in the near term. On May 27, staff presented two sites that are city owned. The first, Palo Parkway is discussed below. The second, 30th & Pearl, will return to Council in the fall or winter with an update on Pollard Motor's lease and a timeline for future discussions related to the site.

4525 Palo Parkway

The city-owned Palo Parkway site has been intended for mixed income housing since its purchase in 2006. Moving ahead with a plan for housing on the 3.2 acre site could facilitate needed middle-income housing in the near term. If Council consents to transferring ownership of the parcel, staff will work closely with Boulder Housing Partners (BHP) to craft a detailed public engagement process that can provide input for a program that meets the goals of the Comprehensive Housing Strategy.

In 2006, the city purchased 4525 Palo Parkway from the Boulder Valley School District with the goal of developing mixed income housing. In 2013, BHP, in partnership with Habitat for Humanity, created a conceptual proposal to develop the site. The concept is to develop 35 one, two and three bedroom affordable rental units and nine affordable homeownership units in a plan similar in scale and design to BHP's Red Oak Park. The site plan and density reflect the established character and development patterns in the area.

The site is in Area II. Because it has contiguity with Area I land, it is eligible for annexation. The annexation process could occur concurrently with the Concept Plan and Site Review process.

Land Use Designation:	Area II, Medium Density Residential
Zoning:	Zoning would be established at annexation
Parcel Size:	3.2 acres
Potential new units:	A maximum of 44, based on BVCP Land Use Designation
Process:	Annexation and Site Review

Staff proposes the following initial steps for Palo Parkway:

1. Continue to work with BHP to draft a set of desired outcomes for the development of the property that advance the CHS goals and provide for collaborative community engagement;
2. Return to City Council with the draft set of desired outcomes for Council and community input as part of a motion to transfer ownership of the land to BHP;
3. BHP and city staff will engage the community in creating a development program for the site prior to annexation; and
4. Council action on annexation.

Staff is requesting that council provide direction on September 2 as to whether it supports moving forward as outlined above.

See **Attachment B** for a more detailed project process and initial draft goals for Palo Parkway.

VIII. NEXT STEPS

September: Recruitment for working groups, Toolkit development

October: Opening Symposium

October – November: Working Group Meetings

November: Closing Symposium

December: City Council Study Session

Winter: City Council update on 30th & Pearl

Spring 2015: Council acceptance of the Comprehensive Housing Strategy

For more information, please contact Jay Sugnet at sugnetj@bouldercolorado.gov, (303) 441-4057, or www.bouldercolorado.gov/chs.

IX. ATTACHMENTS

A. Short Term Actions
B. Draft Process Proposal for Palo Parkway
C. Updated Project Timeline

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Comprehensive Housing Strategy
Short Term Actions

A central tenet of the Comprehensive Housing Strategy (CHS) initiative is to embrace the need for ongoing attention and action related to Boulder's affordable housing challenges. To that end, Council requested that staff identify and propose some "early wins" that could help improve conditions even as more significant policy work is undertaken in the coming months and year.

Evaluation criteria used to identify potential short term actions included:

1) Meets one or more of the three project focus area subjects:
   a) Strengthening the city's affordable housing programs for low- and moderate-income households;
   b) Expanding housing opportunities for middle-income households;
   c) Exploring innovative approaches to providing additional housing and a broader range of housing options;
2) Generally consistent with existing polices or existing conditions (i.e., it helps improve application of existing policies, rather than represent a significant departure);
3) Can be accommodated in the existing work plan with existing resources (i.e., the scope is fairly narrow, and can be kept so, so that the "win" can be achieved in the near-term); and
4) The specifics of the issue are largely known (i.e., does not require extensive research or data analysis).

Following is a summary of the short term actions, including a brief description, required resources to accomplish it and estimates on timing.

On May 27, staff proposed to begin working on the next three short term actions after the completion of the first three actions. In light of the issues that surfaced during the process for the first three action items, staff believes that the efforts involved in proceeding with the next three items will be more than originally planned. This includes both the community engagement that will be needed as well as some of the analysis. Therefore, staff would like council to review and confirm whether staff should move forward with these during the next few months.

1. Right-of-way (ROW) and density calculation ordinance

What is it? In areas of the city subject to adopted area plans or transportation network plans, the city has identified new public streets and connections needed to realize more gridded, interconnected neighborhoods where present conditions are more large lot and suburban. These connections are typically obtained through redevelopment of sites through the Site Review process. Under current land use code restrictions, the number of dwelling units allowed is calculated after ROW dedications are subtracted from the land area of sites, which reduces the number of overall units. This scenario in some cases significantly reduces the number of units to the extent that redevelopment becomes less feasible due to multiple dedications, and creates situations in which two community benefits (desired new housing units, and improved connectivity) are placed in competition with each other. The modification will allow calculation of the gross site area prior to dedication in determining the maximum number of units that might be achieved through the Site Review process. Importantly, the Site Review criteria and other

regulatory controls that ensure context sensitive outcomes would remain in place (e.g., setbacks, height controls, BVCP land use densities, etc.). This code change would, however, remove an impediment to achieving housing in areas of redevelopment.

Where applied? Areas where there are adopted area and transportation network plans.

Required resources? Accomplished within existing city resources.

Estimates on timing: Planning Board approved on May 1; Council first reading on May 20; Planning Board reconsideration on August 7; ***Planning Board recommended (4-2) to deny this proposal on August 7and staff is not planning to forward this item to Council for consideration.***

Issues: Planning Board expressed a desire to also look at how open space requirements are used to control housing density as part of a future code update effort. This issue has also been identified by staff previously, but is seen as a more substantial work effort.

2. Concept Plan City Council review

What is it? At the 2014 retreat, City Council indicated a desire to help shape key projects early in the process. This would allow City Council to weigh in early on Concept Reviews (after Planning Board review and comment) as a method to inform the design and configuration of large scale, complicated proposals and help property owners gain a higher level of confidence in determining whether their proposals are consistent with city goals and policies.

Where applied? In the near term, specific projects could include 2100 30th St., the car dealership between Pearl and Walnut, where a Concept Plan has been submitted proposing re-zoning from BR-1 to MU-4 to provide a greater number of residential units; and the Hogan Pancost property near the East Boulder Community Center, for which the owner is expected to submit a new Concept Plan in the coming months.

Required resources? Accomplished within existing city resources.

Estimates on timing: Planning Board vote to approve on July 31; Council first reading on September 2; Council second reading on September 16.

Issues: Would potentially increase Council and staff work load and number of applications for City Council to consider, with additional memorandums and presentations to City Council for those proposals that are actually called up. The staff proposal is available here.

3. Senior housing in single family neighborhoods

What is it? The number of seniors is expected to double between now and 2028 to approximately 30,000. In partial response to this trend, senior advocates have identified a need for a housing model that allows multiple, unrelated seniors to share a single family home in a single family neighborhood. The idea is for six to eight older adults to share a large house, companionship, and living costs. A concierge service could provide many basic needs, but one model includes a live-in caregiver as one of the six to eight residents.

Where applied? RR, RE and RL zones.

Required resources? May require additional city resources.

Estimates on timing: Planning Board voted to approve on July 31; Council first reading on September 2; Council second reading on September 16.

Issues: Although a process exists currently to raise the occupancy limits for group home facilities, this type of use requires custodial care and treatment in a protective living environment to the handicapped or aged person (60 years or older). Staff proposed a senior shared housing option to allow up to 6 seniors (62 years or older) to share a single-family home in the RR (Rural Residential), RE (Residential Estate) and RL (Residential Low) zones. At the July 31 meeting, Planning Board recommended an additional provision to allow up to 10 persons in the RR and RE zones with an owner occupancy requirement.

4. 1-to-1 unit replacement ordinance for 100% permanently affordable

What is it? Many affordable housing developments in Boulder were built prior to existing zoning districts. As a result, these developments have more residential dwelling units than the current zoning districts allow. There are an estimated 21 affected projects that are unable to rebuild to the number of units currently existing on the site. In order to retain the total number of units in these developments, nonprofit organizations have been incrementally rehabbing these properties, with funding assistance from the city's Division of Housing in the form of CDBG, HOME and Affordable Housing funds. The incremental approach is often more expensive than demolishing the existing buildings and developing new projects. Boulder Housing Partners owns the majority of affected properties, but Thistle and Boulder Housing Coalition also have properties.

Where applied? The ordinance would apply only to existing affordable properties that are nonconforming.

Required resources? Accomplished within existing city resources.

Estimates on timing: Council consideration in Winter 2014-2015.

Issues: None identified.

5. Targeted modifications to ADU/OAU

What is it? The intent of the Accessory Dwelling Unit (ADU)/Owner's Accessory Unit (OAU) ordinance was to enable the cost-effective and efficient use of existing single family homes in Boulder. In particular it was hoped that ADU's would offer supplemental income and possibly services to older residents and to single parent households, allowing them to stay in their homes. The resulting units are small, inherently more affordable due to size, and provide additional housing choice and opportunity within existing single family neighborhoods, though typically only attractive or available to one or two person households.

Where applied? To be determined.

Required resources? Depending on the scale of the project, may require additional city resources. Based on feedback from Planning Board and community members during the first round of early wins, additional community engagement may be necessary.

Estimates on timing: Council consideration in Winter 2014-2015, depending on the appropriate level of community engagement.

Issues: ADUs and OAUs have a long and complicated history in Boulder that will be documented as part of developing the strategy. The existing ordinance has numerous restrictions on the construction of ADUs. Options include repealing one or more of the current restrictions to encourage this housing type. Of the existing barriers, three that could be accomplished within

existing resources are removing the concentration restrictions (no more than 10% ADUs in a specified area), removing the parking requirement, and the neighborhood notice requirement. Currently, there are six people on the waiting list to build and ADU/OAU, but are restricted by the concentration restriction. Parking is a common concern, but providing an off-street parking space is a significant barrier considering that the occupancy limits for unrelated people are the same for a home with or without an ADU/OAU. Finally, the requirement for notice creates expectations with neighbors that it is a discretionary review process when it is not. ADU/OAUs are allowed by right.

6. Targeted modifications to Cooperative Housing

What is it? A housing cooperative (or coop) is a community of unrelated people who share a dwelling and operate as a single housekeeping unit. Coop members usually pool resources to purchase food together and jointly pay for other household expenses. Frequent shared group meals and an explicit system facilitating the division of household responsibilities are also common. Coops usually hold regularly scheduled house meetings where decisions affecting the entire household are made, and members are held accountable for their responsibilities to the community. Coops frequently use consensus or other egalitarian decision making processes. Cooperative households typically need to have 10 or more members to function.

Where applied? To be determined.

Required resources? Depending on the scale of the project, may require additional city resources. Based on feedback from Planning Board and community members during the first round of short term actions, additional community engagement may be necessary.

Estimates on timing: Council consideration in Winter 2014-2015, depending on the appropriate level of community engagement.

Issues: Currently, Cooperative Housing is a conditional land use and the current ordinance has not produced any coops since its creation. Options include removing one or more of the requirements in the ordinance. For example, the current ordinance only applies to homeownership cooperatives, requires a minimum of 300 square feet of habitable space per resident, requires that every coop member have an EcoPass, limits occupancy to 6 unrelated residents, requires off-street parking, and may revoke the permit for a noise or weed violation. Another option is to remove one or more of the above restrictions only for cooperative housing that is wholly owned by its residents and/or a non-profit, such as the Boulder Housing Coalition.

Draft Process Proposal
4525 Palo Parkway

This draft process proposal can be the basis of an agreement between the city's Interim Housing Director and Boulder Housing Partner's Executive Director.

SUMMARY

The city-owned Palo Parkway site has been intended for mixed income housing since its purchase in 2006. Moving ahead with a plan for housing on the 3.2 acre site could facilitate needed middle-income housing in the near term. If Council consents to transferring ownership of the parcel, staff will work closely with Boulder Housing Partners to craft a detailed public engagement process that can provide input for a program that meets the goals of the Comprehensive Housing Strategy.

In 2006, the city purchased 4525 Palo Parkway from the Boulder Valley School District with the goal of developing mixed income housing. In 2013, Boulder Housing Partners (BHP), in partnership with Habitat for Humanity, created a conceptual proposal to develop the site. The concept is to develop 35 one, two and three bedroom affordable rental units and nine affordable homeownership units in a plan similar in scale and design to BHP's Red Oak Park. The site plan and density reflect the established character and development patterns in the area.

Staff proposes the following initial steps for Palo Parkway:

1. ***Continue to work with Boulder Housing Partners to draft a set of desired outcomes for the development of the property that advance the CHS goals and provide for collaborative community engagement;***
2. ***Return to City Council with a draft set of desired outcomes and an approach for community engagement as part of a motion to transfer ownership of the land to BHP;***
3. ***BHP and city staff will engage the community in creating a development program for the site prior to annexation; and***
4. ***Council action on annexation.***

BACKGROUND

The property is located at the eastern end of Palo Parkway and roughly northwest of the Pleasant View Soccer Fields. The property is located in the county, in Area IIA of the Boulder Valley Comprehensive Plan. It is vacant and has a medium density residential land use designation. The northern portion of the property is located within the Four Mile Canyon Creek drainage basin and as a result, approximately 23% of the 3.216 acre site will remain undeveloped. It is anticipated that the property will be developed as a mixed-income, mixed-unit type residential project with an emphasis on family housing. It is also possible that the Parks and Recreation Department might be interested in having the undevelopable portion dedicated as park land in order to expand the existing Palo East Park.

The site is in Area II. Because it has contiguity with Area I land, it is eligible for annexation.

Land Use Designation:	Area II, Medium Density Residential
Zoning:	Not Applicable (zoning would be established at annexation)
Parcel Size:	3.2 acres
Potential new units:	A maximum of 44, based on BVCP Land Use Designation
Process:	Annexation and Site Review

In 2006, city staff initially proposed a mixed-income housing development to be executed through a Request-for-Proposals process. Staff also proposed to take the property through the annexation and initial zoning process. Simultaneous with preparing for the annexation, staff also proposed to conduct a public process to identify and encourage development partners as well as hold neighborhood meetings to discuss development options. City staff no longer recommends this process for the following reasons:

- The 2006 approach is staff intensive and currently there is not capacity to take the property through annexation and lead the necessary public engagement.
- The additional resources required means more time on the part of the city and will result in Palo Parkway not being an early opportunity site for CHS. Boulder Housing Partners has the capacity and the experience to ensure a successful project.

FUNDING SOURCES

Acquisition funding for the Palo Parkway site was approved as part of the 2006 fund round. Other sources of funding included Inclusionary Housing Cash-in-Lieu funds, a Fannie Mae line of credit, and 2007 Affordable Housing Funds. No general fund appropriation was required for this acquisition.

HISTORY OF ACQUISITION

The property has a medium density residential land use designation, and was originally included in the public process for the Northfield Commons and Vojta Farms development. Initially, city staff discussed with BVSD staff the options for creating BVSD faculty and staff housing at the site. Eventually, BVSD decided that this was not something it wished to pursue and began instead to look at selling the site. None of these discussions resulted in a contract to sell the property for reasons unknown to city staff as city staff were not involved in those discussions. No development proposals were submitted to the city during this time by potential purchasers.

Towards the end of 2005, BVSD staff contacted city staff to determine if the city would be interested in purchasing the property for residential development. It was agreed that the price would be based upon a March, 2004 appraised value of $1,250,000, in recognition of the city's intent to produce an affordable housing development.

ANNEXATION REQUIREMENTS

Given the medium density BVCP land use designation, which has a density range of 6 to 14 units per acre, the initial zoning request will be one of the medium density residential zones. Per BVCP policy, additions of residential land with development potential to the service area must provide the community a special opportunity or benefit. Usually, with residential

properties this means between 40% and 60% permanently affordable housing to low, moderate and middle-income households. The Northfield Commons and Vojta Farms developments (approximately 39 acres combined) are providing 45% permanently affordable housing in addition to two one-acre parks to meet the community benefit standard. See below for an estimated timeline for annexation.

CONCLUSION

Developing the Palo Parkway site as mixed-income housing is an opportunity to facilitate the construction of needed affordable housing in the near term. If Council consents to transferring ownership of the parcel, staff will work closely with Boulder Housing Partners to develop a detailed public process and create a development program that meets the goals of the Comprehensive Housing Strategy while engaging the community in a meaningful public process.

DRAFT PROJECT GOALS

The city expects to work closely with Boulder Housing Partners to assist in concept planning, engage the community, and develop options for the site. Through an open and transparent process, the city and BHP will present options that are consistent with the Boulder Valley Comprehensive Plan and the Comprehensive Housing Strategy goals.

- Financially viable and sustainable project;
- At least 50% of the total units as permanently affordable;
- Concept and site planning through a collaborative public process;
- A range of affordability from very low to middle income;
- Housing designs suitable for families;
- Housing design that includes energy efficiency and green building options;
- Community outreach and site design process that involves traditionally underserved members of the community such as seniors, disabled, single parents, immigrants, or youth; and
- Collaborative public process for the annexation and development design and approval.

EXPECTED SERVICES FROM BHP

The city expects Boulder Housing Partners to provide project related services from a design and development team that includes community or public process, architectural, civil engineering, landscaping, estimating and construction services.

A. Work with city staff and members of the community to design a financially viable and socially sustainable mixed-income, permanently affordable housing project including but not limited to the following:

1. Neighborhood open houses and meetings:
   a. Dreams and fears for the site to put together a preliminary site plan that may be similar or quite different than as originally proposed;
   b. Individual and small group meetings as needed;

   c. Options review at an Open House;
   d. Planning Board and City Council hearings;
2. Monthly opportunities to address the BHP Board of Commissioners on the proposed plan;
3. Inclusion of minutes/comments from those meetings in applications and reports to the City, Planning Board and City Council;
4. Website updates including copies of plans, reports, applications, etc;
5. Email updates or notices on a regular basis to interested people who sign up online or at meetings; and
6. Close cooperation with the Housing Division and the Parks Department to be responsive to neighborhood wide concerns such as parking and look for ways to address those in the plan.

B. Develop and manage the design and public process meetings, where the project design and public process serves a specific, underserved segment of the community in need of affordable housing.

C. Estimate pricing, quality and build-time for a range of construction methods in order to determine the most cost-effective and sustainable method for this project.

D. Prepare and submit the required city development review applications, including without limitation, annexation request, Concept Plan, Site Review, Technical Documents and building permits.

E. Prepare and complete all detailed design work, including estimates and construction drawings for the final, approved project.

F. Manage and supervise construction of the project through certificate of occupancy for each of the units or completion of warranty work, whichever is longer.

Draft Timeline for Palo Parkway

September – November 2014

- City Interim Housing Director and Boulder Housing Partners Executive Director agree on project goals and community engagement strategy
- City Manager asks Council for a motion to dispose of city property

December 2014 – March 2015

- Implementation of community engagement process;

April 2015 – October 2015

- Application for annexation and Concept Plan review (a traffic study will be required)

- Planning Board meeting review of Concept Plan and proposed annexation and draft annexation agreement
- City Council first reading
- City Council second reading
- Submit application for Site Review and Subdivision

2016

- Applications for funding
- Site Review approval finalized
- Final review of Technical Documents and Subdivision approval
- Groundbreaking ceremony in summer

2017

- Grand opening in spring

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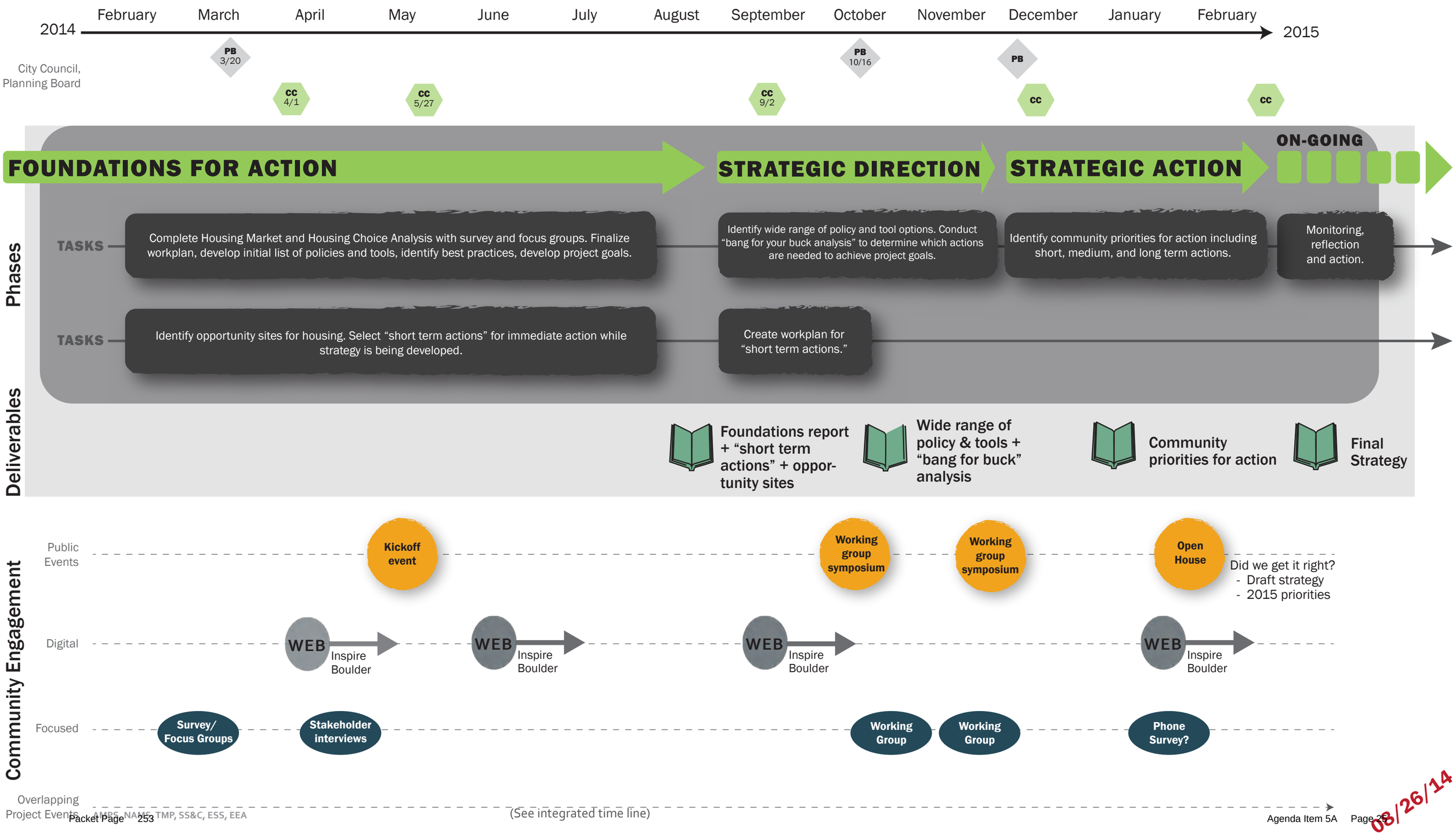
Comprehensive Housing Strategy Timeline



08/26/14

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: Sept. 2, 2014

AGENDA TITLE: Consideration of a motion approving potential projects for submittal to the Denver Regional Council of Governments for the 2016-2021 Transportation Improvements Program

PRESENTER/S
Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works
Tracy Winfree, Director of Public Works for Transportation
Stephany Westhusin, Principal Transportation Projects Engineer
Michael J. Gardner-Sweeney, Planning and Operations Coordinator
Kathleen Bracke, GO Boulder Manager
Randall Rutsch, Senior Transportation Planner
Noreen Walsh, Senior Transportation Planner

EXECUTIVE SUMMARY

By Sept. 19, 2014, the City of Boulder intends to submit transportation project proposals to the Denver Regional Council of Governments (DRCOG) for development of the 2016-2021 Transportation Improvements Program (TIP) for the Denver region. The city can submit ten new projects for the 2016-2021 TIP.

With the assistance of the Transportation Advisory Board (TAB), the city's TIP development process actively solicited project proposals from the public, partner agencies and other city departments. The projects summarized in **Attachment A** of this memorandum are presented for the council's review and consideration of a motion to authorize the city to submit up to ten projects for the 2016-2021 TIP. To maximize the city's flexibility in packaging the most advantageous list of projects, there are more than ten projects listed in **Attachment A**. Also shown in **Attachment A** is a project that may be submitted by Boulder County, with some support from the City of Boulder.

Attachment B contains a detailed description of each of the potential TIP projects.

The local match funds for these projects would come from the transportation Capital Improvements Program (CIP) line item "TIP match/TMP implementation" or from city funds outside of Transportation. Two of the proposed projects would receive their local match from the Public Works Department Utilities Division and Greenways Program. Support may also be possible from project partners such as the University of Colorado (CU) and the Colorado Department of Transportation (CDOT).

At the Aug. 11, 2014 TAB meeting, the board held a public hearing and made a 4-0 recommendation to forward the attached list of projects to City Council for approval for submittal.

STAFF RECOMMENDATION

Suggested Motion Language:
Staff requests council consideration of this matter and action in the form of the following motion: Motion to approve the proposed submittal to the Denver Regional Council of Governments for the 2016-2021 Transportation Improvements Program.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

• Economic: Federal transportation funding provides an ability to complete priority projects in the City of Boulder's Transportation Master Plan (TMP) or other Master Plans by matching city transportation dollars and funding from other partners with federal funding. These projects fulfill economic sustainability goals by maintaining or preserving the existing transportation infrastructure and/or increasing efficiency, access or connections for a number of travel modes in a location or along a corridor, which benefits local businesses through improved transportation for goods, services, customers and employees. Some of the projects provide flood mitigation improvements that could benefit nearby commercial properties and businesses. As evidenced by the past federal stimulus efforts, construction of transportation infrastructure is considered a good mechanism for pumping funding into local economies through direct construction jobs, supporting positions and purchases of goods and services.

• Environmental: The projects will increase the functional efficiency, access or connections for multimodal travel and help to provide travel options for residents, visitors and employees to utilize instead of the single-occupant vehicle. This helps to fulfill the goals and objectives of the Transportation Master Plan and Climate Commitment of reduced single-occupant vehicle travel and congestion mitigation, contributing to lower pollution and greenhouse gas emissions.

• Social: These projects help continue or add to the city's transportation infrastructure and/or multimodal travel, which can be accessed by community members, visitors and employees in their daily travel and lives. Some of the projects provide flood mitigation improvements, which could benefit residential and business properties adjacent to the project. The proposed TIP projects are selected through a criteria process established by TAB that considers their policy, technical and strategic factors. This process produces priority projects that support the TMP and Current Funding investment program to maximize the benefits of the upcoming regional bus rapid transit improvements and

strengthen partnerships with other agencies. The process to select the projects to submit for federal transportation funding is presented to the public to give feedback on preferences and priorities. When the projects are selected, there will be another public involvement process to solicit feedback on the project designs.

OTHER IMPACTS

• Fiscal: The TIP is a competitive process and it is difficult to predict how many of the projects submitted by the city might be funded. In the 2008-2013 TIP, only one of eight projects submitted by the city was funded and in the 2012-2017 TIP, seven of the eight projects submitted were funded. The minimum 20 percent local match for all projects in **Attachment A** would be up to approximately $13,008,000 and would come from funds in the Transportation Division budget or from project partners. Of that total local match, approximately $2,760,000 or more could come from partners outside of Transportation, such as the City of Boulder Utilities Division or the University of Colorado. In past TIPs, additional points have been awarded to proposed projects that provided additional funds beyond the minimum 20 percent local match. The 2016-2021 TIP criteria of funding effectiveness allows for this opportunity of additional points so the local match may be increased to make the city's projects more competitive.

The result of receiving any TIP funding would be to leverage existing city dollars into projects that would not otherwise be built in the foreseeable future.

• Staff Time: Staff time to develop the applications, including preliminary plans and cost estimates, is included in the annual work program budget. Staff time to implement these projects will be included in the project budget.

BOARD FEEDBACK

At the Aug. 11, 2014 TAB meeting, the board held a public hearing and made a 4-0 recommendation to forward the attached list of projects to City Council for approval for submittal. The board noted that this federal grant is one source of external funding that is available to pursue implementation of some transportation project types and tools in the TMP and that other grants and funding sources will be pursued over time to support other projects and tools that implement the TMP.

PUBLIC FEEDBACK

Several outreach efforts notified adjacent property owners and the community about the TIP submittal process and the projects being considered for the TIP. A TIP Web page includes information about the TIP process, projects being considered for TIP submittal and opportunities for public input. A mailing was sent to more than 1,400 property owners adjacent to the potential TIP projects inviting them to the May 28 public open house, which presented the potential projects and information about the submittal process, as well as information on the TMP update. At the May 28 meeting, approximately 12 people provided verbal or written feedback. There was support for all of the proposed projects, with particular interest in projects that provided transportation and flood mitigation benefits and bicycle and pedestrian facility improvements in general. A map depicting the locations and a description of the potential projects was also posted to the Inspire Boulder website. Approximately 18 people responded to the Inspire

Boulder survey question and there was strong support for the Table Mesa Drive underpass at Bear Canyon Creek and the Moorhead Drive and Skunk Creek underpass project, as well as support for the other projects. Seven people provided individual comments and indicated preferences for new projects versus replacement or upgrade projects; projects that provide transportation and flood benefits; and projects in the areas of Boulder Junction and 30th Street and Colorado Avenue. Community Cycles, a bicycling education and advocacy organization in Boulder, also provided feedback on a priority of support for the various project ideas, taking into consideration factors such as urgency/timeliness, unmet need versus an upgrade or replacement, and expected benefit to a broad range of cyclists.

Based on the feedback from the community and TAB, and the TIP criteria recently published by DRCOG, staff would use the attached candidate project list to craft a strategic set of project submittals with a high likelihood of selection by DRCOG that best serve the community interest, such as achieving multiple community goals (flood safety and mobility) and providing valuable and tangible multimodal connectivity.

BACKGROUND

In order to receive federal transportation funds, metropolitan planning organizations such as DRCOG are required to prepare plans and programs, including the Regional Transportation Plan (RTP) and the Transportation Improvements Program (TIP), which will create the intermodal transportation system envisioned in the current federal transportation legislation, known as the Moving Ahead for Progress in the 21st Century Act (MAP-21).

The TIP is essentially the capital improvements program implementing the RTP, the fiscally constrained, long-range transportation plan for the Denver metropolitan region. The TIP is prepared every four years by DRCOG in cooperation with the Colorado Department of Transportation (CDOT) and the Regional Transportation District (RTD). The TIP identifies the projects that will receive federal funding for highway, transit, multimodal improvements and management actions expected to be completed by CDOT, RTD, local governments and other project sponsors. All projects receiving MAP-21 funds must be in the RTP and the TIP, and be consistent with the requirements of the Clean Air Act.

On July 28, 2014, DRCOG announced the solicitation of project recommendations for the 2016-2021 TIP, with proposals due on Sept. 19, 2014. As part of each TIP cycle, a revised TIP policy document is prepared by various DRCOG committees and approved by the DRCOG Board. The TIP Policy document establishes the overall rules and procedures of the TIP process, sets the project categories and defines the criteria used to evaluate projects. Some of the changes in this TIP Policy document include the merging of New Bicycle/Pedestrian projects with Upgrade Bicycle/Pedestrian projects into one category; a pavement condition rating of 40 or less for potential Roadway Reconstruction projects; elimination of air quality benefits criteria for bicycle/pedestrian projects; slight reduction of project and sponsor related Metro Vision related points; and a revised factor of cost effectiveness to funding effectiveness. **Attachment C** contains the TIP scoring

criteria for the Roadway Reconstruction Project category and the Bicycle/Pedestrian Project category and a link to the entire document is included above.

Since the criteria and online application forms were recently released, staff has begun working on the applications and estimated preliminary application scores. However, due to the recent release and turnaround time for DRCOG data requests and final preliminary score estimates, this information will not be available in time for this memorandum.

A local match of at least 20 percent of the project cost is required. Increasing the match amount towards priority city projects may increase their chance of receiving funding. Local match dollars for projects under consideration will be provided by a variety of sources, including the Transportation Fund, city funds from the Greenways or Flood Management programs, or possibly by project partners such as CU, CDOT and RTD.

Since the 2012-2017 TIP, there was a significant change to a much more aggressive expectation that TIP funds are spent in a timely manner. While previous TIPs had a "three strike" policy allowing for multi-year delays in project implementation, the current policy allows for only a single-year delay in each project phase. This change is particularly significant for developed communities like Boulder, where existing utilities, buildings and right-of-way issues make projects more complicated and delays more likely.

In the previous process for the 2012-2017 TIP, the city was successful in securing funding for seven of the eight projects submitted. In the proposed City of Boulder Capital Improvements Program, there is $15.5 million available for the years 2015-2018 combined for TIP match/TMP implementation to provide the local match for the 2016-2021 TIP and/or TMP implementation.

ANALYSIS

The projects that will be considered for submission for the 2016-2021 TIP are listed in **Attachment A** of this memo. The 12 projects identified in **Attachment A** are the most developed and are the projects that will be ready for submittal to DRCOG for the 2016-2021 TIP. More detailed project descriptions are provided in **Attachment B**. Staff believes that the projects suggested for submission meet the TAB's guidelines for advancing the priorities of the Transportation Master Plan (TMP) and, in several cases, accomplish other city goals such as flood mitigation benefits.

With the assistance of TAB, the city's TIP development process actively solicited project proposals from the public, other agencies and other city departments. The following criteria were used by staff and TAB to determine the projects recommended for submittal to DRCOG:

- *Policy* – Projects consistent with the city's TMP update goals to establish a balanced multimodal transportation system and projects that reflect the priorities and principles of the Current Funding investment program;
- *Technical* – Projects consistent with the funding priorities of the TMP; and

- *Strategic* – Projects that hold a high probability of receiving funding under the DRCOG criteria.

Transportation staff has determined that the projects suggested for submission meet the TAB's guidelines for advancing the priorities of the TMP and reflect the priorities and principles of the Current Funding Investment Program. Although Roadway Operational Improvements projects have been considered for submittal and awarded funds in the past, staff did not see any opportunities for submittal in the category for the 2016-2021 TIP. Recently a question was raised about submitting a project to add a third northbound lane on 28th Street at Colorado to Arapahoe Avenue. This project is not included in Boulder's Transportation Master Plan. Additional background information is included in **Attachment D**.

The Transportation Division proposes to submit the ten projects with the best chance of being selected for TIP funding. The other projects will serve as "backups" in case one of the top ten projects become unfeasible due to issues in the local match, from a design or cost perspective, or due to its likely scoring and possibility of being awarded funds. Furthermore, the Boulder Junction project candidate list could be strategically narrowed or tailored to best compete and provide improved multimodal connectivity in the final applications.

The remaining due dates for the TIP timeline are shown below.

- **Sept. 19, 2014** - TIP project submittals due to DRCOG
- **September through December 2014** - DRCOG project evaluation and primary/secondary project selection
- **January 2015** - DRCOG release of draft TIP
- **February 2015** - DRCOG committee reviews and public hearing
- **March 2015** - DRCOG Board action on 2016 - 2021 TIP

While the DRCOG TIP is an excellent opportunity to leverage external funding to implement the TMP and certain types of projects within the TMP, there will be additional, future opportunities to leverage external dollars for other multimodal projects. Regardless of the city's ultimate success in this round of the TIP, the city will continue to explore leveraged funding opportunities to implement TMP projects and programs.

ATTACHMENTS

- **Attachment A** - List of potential projects for submittal to the 2016-2021 TIP
- **Attachment B** - Detailed description of each of the potential TIP projects
- **Attachment C** – TIP Scoring Criteria for the Roadway Reconstruction and Bicycle/Pedestrian project categories
- **Attachment D** – Background information on the 28th Street third northbound through lane project idea

Attachment A
City of Boulder
2016-2021 Transportation Improvement Program (TIP)
Project Recommendations

	Project Name	TIP Project Category	Total Project Funding	Funding Distribution
City of Boulder Submittals:				
1.	**Table Mesa Bicycle/Pedestrian Underpass (at Table Mesa park-n-Ride)**	Bike/Ped	$4.8 million	Federal: $3,840,000 Local Match: $ 960,000
2.	**Skunk Creek Bicycle/Pedestrian Underpass at Moorhead Avenue**	Bike/Ped	$3.3 million	Federal: $2,640,000 Local Match: $ 660,000 (Utilities Fund)
3.	**Table Mesa at Bear Creek Bicycle and Pedestrian Underpass**	Bike/Ped	$5 million	Federal: $4,000,000 Local Match: $1,000,000 (Trans. Fund)
4.	**28th Street/U.S. 36 Multi-use Path (Fourmile Canyon Creek to north of Yarmouth Avenue)**	Bike/Ped	$5.3 million	Federal: $4,240,000 Local Match: $1,060,000 (Trans. Fund)
5.	**Fourmile Canyon Creek (19th – Violet Park) Bicycle and Pedestrian Facilities Project**	Bike/Ped	$6.6 million	Federal: $5,280,000 Local Match: $1,320,000 (Utilities Fund)
6.	**Broadway (Violet Avenue to U.S. 36) Reconstruction Project**	Roadway Reconstruction	$9.31 million	Federal: $7,448,000 Local Match: $ 1,862,000 (Trans. Fund)
7.	**Boulder Junction Access and Connections** Potential projects include: 1) Boulder Slough Multi-use Path from 30th to 3100 Pearl ($510k) 2) Boulder Slough Underpass at Pearl Pkwy ($1.7million) 3) Boulder Slough Underpass at BNSF RR ($5 million)	Bike/Ped	$7.3 million	Federal: $5,840,000 Local Match: $1,460,000 (Trans. Fund)
8.	**Colorado Avenue (28th/US 36 to 35 St) Bicycle and Pedestrian Connectivity Project**	Bike/Ped	$7.8 million	Federal: $ 6,240,000 Local Match: $1,560,000 (Trans. Fund and possibly CU)
9.	**Foothills Parkway/SH157 Bicycle/Pedestrian Underpass at Colorado Avenue Project**	Bike/Ped	$4.2 million	Federal: $3,360,000 Local Match: $ 840,000 (Trans. Fund)
10.	**Foothills Parkway/SH157 Bicycle/Pedestrian Underpass at Sioux Drive Project**	Bike/Ped	$4.4 million	Federal: $3,520,000 Local Match: $ 880,000 (Trans. Fund)

11.	**Broadway/SH93 Bicycle and Pedestrian Underpass (between Regent and Baseline) Replacement**	Bike/Ped	$5.73 million	Federal: $4,584,000 Local Match: $1,146,000 (Trans. Fund)
12.	**Baseline Road (6th – 10th sts) Pedestrian Improvements to Chautauqua Park**	Bike/Ped	$1.3 million	Federal: $1,040,000 Local Match: $ 260,000 (Trans. Fund)
13.	**(Potential Submittal by Boulder County) FLEX Transit Service extension to Boulder**	Transit		

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Table Mesa park-n-Ride Bicycle/Pedestrian Underpass

Location/Project Boundaries:

Table Mesa Drive at the Table Mesa park-n-Ride

Description of Project Elements (What is involved with the project?)
Construction of a bicycle/pedestrian underpass, connections to existing bicycle and pedestrian facilities on Table Mesa Drive, Apache Road and Thunderbird Drive and other mobility hub enhancements

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:
The Table Mesa park-n-Ride is one of the busiest locations in the RTD system accommodating over 375 bus arrivals per day and 824 parking spaces. The station currently serves two local and eight regional transit routes. More than 1,000 passengers board buses at this location every day. The FasTracks Bus Rapid Transit (BRT) improvements are projected to nearly double the amount of boardings at this location over the next 20 years with no increase in the amount of available park-n-Ride spaces. Many of these new transit users will be accessing the park-n-Ride by bicycle or by foot. Improved access, particularly from the multi-family residential areas to the north of the station, will only become more important as BRT improvements are implemented. Additionally this underpass will help to provide better access to the pedestrian bridge over US 36 which changed the bus drop off and pick up points at the Table Mesa park-n-Ride and the upcoming US 36 bikeway.

The proposed project will construct a bicycle/pedestrian underpass under Table Mesa Drive connecting the southeast neighborhoods of Boulder and the RTD park-n-Ride facility on Table Mesa Drive. The improvements will:

- Assure attractive and safe access for transit passengers and area bicyclists and pedestrians needing to cross Table Mesa Drive.
- Improve bus operations and efficiencies while maintaining acceptable and safe traffic flow in the grade separated crossing

Master Plan Goals met by this Proposed Project/:

- This project was identified as a Complete Streets investment program priority.
- This project will support the Transportation Master Plan (TMP) goal of an integrated multimodal transportation system emphasizing the pedestrian as the primary mode of travel by increasing pedestrian and bicycle safety and access with a grade separated crossing of Table Mesa Drive.
- The project improvements will support regional travel to/from local and regional transit services and the bicycle system.

Cost Estimate
$4,800,000
Funding Request:
Federal: $ 3,840,000
Local Match* (Minimum of 20% local match, can be cash or in-kind): $ 960,000
Source of local match funds: (Including partners and their contributions) Trans. Fund

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Skunk Creek Bicycle/Pedestrian Underpass at Moorhead Avenue

Location/Project Boundaries:

Skunk Creek and Moorhead Avenue, east of 27th Way

Description of Project Elements (What is involved with the project?)

This project would provide a grade separated crossing of Moorhead Avenue and provide flood mitigation channel work to Skunk Creek.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

Currently users travel on Moorhead Avenue and cross on-street in this area. Skunk Creek along this section also has significant flood hazards. This project would provide a safer, grade separated crossing, greatly reduce flood hazards along the project reach, and complete a missing path link between Skunk Creek at 27th Way and the multi-use path connection at Baseline Road.

Master Plan Goals met by this Proposed Project:

- A proposed underpass is shown in both the Greenways and Transportation Master Plans.
- Flood improvements along Skunk Creek have been recommended in the City of Boulder Multi-Hazard Mitigation Plan (August 2008).
- This would provide more direct and continuous east-west access in the Baseline Road/Skunk Creek/27th Way area and connection to the Basemar Shopping Center and Martin Acres neighborhood.

Cost Estimate: **$3,300,000**

Funding Request:

Federal: $2,640,000

Local Match* (Minimum of 20% local match, can be cash or in-kind): $ 660,000

Source of local match funds: (Including partners and their contributions) City of Boulder Flood Utilities and Greenways Program CIP funds, Urban Drainage and Flood Control District CIP funds

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Table Mesa at Bear Creek Bicycle and Pedestrian Underpass

Location/Project Boundaries:

Table Mesa Drive, west of Broadway

Description of Project Elements (What is involved with the project?)
This project will provide a grade separated crossing of Table Mesa Drive and connections to the Table Mesa Shopping Center, Bear Creek greenway and area transit stops, sidewalks and bicycle lanes.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

There are three existing on-street crossings that provide connections between the Table Mesa Shopping Center and the neighborhood north of Table Mesa Drive and west of Broadway. The crossings are at Broadway and Table Mesa Drive (full traffic signal), Harvard Drive and Table Mesa Drive (stop sign) and Stanford and Table Mesa Drive (pedestrian activated flashing beacon sign), with signage and markings on the roadway. The existing roadway is composed of 4 vehicle lanes; 2 in the westbound direction and 2 in the eastbound direction with a double left –turn lane at the intersection of Broadway and Table Mesa Drive. On the south side of this crossing is a major retail and commercial center in Boulder and a major transit stop and on the north side is a residential neighborhood including parks, churches, library, and child care centers and preschools. There is an existing bicycle climbing lane in the westbound direction of Table Mesa Drive west of Broadway.

The proposed project will construct a grade separated crossing of Table Mesa Drive providing a safer bicycle pedestrian crossing and improved efficiency and connections for bicyclists, pedestrians and transit users on either side of Table Mesa Drive just west of Broadway and the Bear Creek Multi-use path.

Master Plan Goals met by this Proposed Project/:

- This project will support the Transportation Master Plan (TMP) goal of an integrated multimodal transportation system emphasizing the pedestrian as the primary mode of travel by increasing pedestrian and bicycle safety and access with a grade separated crossing of Table Mesa Drive.
- Additionally, there are 100-year floodplain improvements as part of the Drainageway Master Plans that would result from one of the alternatives under consideration, where improved conveyance of Bear Canyon Creek under Table Mesa would result by the addition of a new ped/bike underpass.

Cost Estimate
$5,000,000
Funding Request:
Federal: $4,000,000
Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,000,000
Source of local match funds: (Including partners and their contributions) Trans. Fund

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

28th Street/U.S. 36 Multi-use Path (Fourmile Canyon Creek to north of Yarmouth Avenue)

Location/Project Boundaries:
West side of 28th Street/U.S. 36 from Iris Avenue to north of Yarmouth Avenue

Description of Project Elements (What is involved with the project?)
Construction of a 10 foot wide multi-use path on the west side of US 36 from Fourmile Canyon Creek to north of Yarmouth Avenue.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:
Currently, there is a predominantly residential population in the areas west of 28th Street. Residential and employment growth is expected to continue in this area of North Boulder for several more years; however, there are no continuous sidewalks or off-street bicycle facilities on either side of 28th Street/U.S. 36 from Fourmile Canyon Creek to north of Yarmouth Avenue.

There is a separate project funded in the 2012-2017 TIP that will undergo construction in 2015 to construct a multi-use path on the west side of 28th Street/US 36 from Fourmile Canyon Creek south to Iris Avenue. This project would extend the multi-use path from Fourmile Canyon Creek north to Yarmouth Avenue and complete this missing link.

During recent local planning efforts to maximize the benefits of the upcoming FasTracks regional transit improvements, the community identified their interest and need to have a continuous pedestrian/bicycle facility and improved connectivity from North Boulder to Boulder Junction. The proposed project would complete a major missing link and connection for local and regional travel.

The proposed project would construct a 10 foot wide multi-use path along the west side of 28th Street/U.S. 36 from Fourmile Canyon Creek to just north of Yarmouth Avenue. The project will complete a major missing link in the bicycle and pedestrian system along this section of the 28th Street/U.S. 36 corridor and provide improved access to other facilities in the bicycle/pedestrian system as well as employment sites, residences, schools, parks and recreational sites.

Master Plan Goals met by this Proposed Project/:

- This project was identified as a Complete Streets investment program priority.
- This project will support the Transportation Master Plan (TMP) goal of an integrated multimodal transportation system.

Cost Estimate
$5,300,000
Funding Request:
Federal: $4,240,000
Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,060,000
Source of local match funds: (Including partners and their contributions) Trans. fund

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Fourmile Canyon Creek (19th-Violet Park) Bicycle and Pedestrian Facilities Project

Location/Project Boundaries:

Fourmile Canyon Creek from 19th Street through Violet Park

Description of Project Elements (What is involved with the project?)

This project includes a grade separated bicycle/pedestrian crossing at Upland and Violet avenues and flood mitigation channel work.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

Crestview Elementary School currently lacks a multi-use trail connection along Fourmile Canyon Creek. In addition, the school would be located on an island during major flood events without any safe vehicular access to the school. This project would provide a trail segment for many school children and other area bicyclists and pedestrians and provide flood mitigation improvements.

Master Plan Goals met by this Proposed Project:

- A proposed multi-use path connection is shown for this area in the Greenways Master Plan, Transportation Master Plan and the North Boulder Subcommunity Plan.
- Flood improvements along Fourmile Canyon Creek have been recommended in the City of Boulder Multi-Hazard Mitigation Plan (August 2008) and the Fourmile Canyon Creek and Wonderland Creek Flood Mitigation Final Plan (2010).

Cost Estimate

$6,600,000

Funding Request:

Federal: $5,280,000

Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,320,000

Source of local match funds: (Including partners and their contributions) City of Boulder Flood Utilities CIP funds, Urban Drainage and Flood Control District CIP funds

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Broadway (Violet Ave to US 36) Reconstruction and Multimodal Improvements Project

Location/Project Boundaries:

Broadway (Violet Avenue to US 36)

Description of Project Elements (What is involved with the project?)

Reconstruction of the street, new curb & gutter and new bicycle, pedestrian and transit stop facilities and amenities for Broadway to US 36.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

This section of Broadway is in deteriorated condition and has high levels of bicycling, walking, vehicular and transit riding. There are three transit routes that operate on this roadway including the SKIP, Y and CLIMB services. This section of roadway is a gateway to north Boulder and the downtown and there has been a major redevelopment of the area with additional residential and commercial space and it's anticipated that there will be more redevelopment in the future. The Low Stress bicycling network evaluation has identified this area for bicycling and pedestrian improvements to accommodate a range of bicyclists and ability levels.

The proposed improvements will reconstruct the deteriorated pavement condition of the roadway, provide underground utility upgrades and provide additional bicycle, pedestrian and transit improvements to address current and future travel needs. Connections to adjacent intersecting transportation facilities will be made.

Master Plan Goals met by this Proposed Project/:

- This project will support the Transportation Master Plan (TMP) goal of maintaining our transportation infrastructure in good condition and supporting all travel options with improvements to the multimodal facilities. The project improvements will support local and regional travel.

Cost Estimate

$9,310,000

Funding Request:

Federal: $7,448,000

Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,862,000

Source of local match funds: (Inc. partners and their contributions) Trans. Fund

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Boulder Junction Access and Connections

Location/Project Boundaries:

Project limits are 30th Street to BNSF Railroad and Goose Creek to Boulder Slough

Description of Project Elements (What is involved with the project?)

Potential projects include:
1) Boulder Slough Multi-use Path from 30th to 3100 Pearl ($510k)
2) Boulder Slough Underpass at Pearl Pkwy ($1.7million)
3) Boulder Slough Underpass at BNSF RR ($5 million)

Note: The package of improvements that will be included in the submittal will be refined during the application scoring to fit within the funding limits for the bicycle/pedestrian project category.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

The RTD bus facility and upcoming Boulder Junction development with apartments, hotel and public transportation facilities is set to open in 2015. There are several missing bicycle and pedestrian network improvements that need to be completed to improve connectivity and travel efficiency to and through the Boulder Junction area. A key aspect of the adopted Transit Village Area Plan (TVAP) Implementation Plan, is for the City to seek opportunities to supplement the Boulder Junction Fund, with opportunities to leverage local funds with federal Transportation grants. This current TIP process provides that opportunity, which only exists on a four-year cycle.

Master Plan Goals met by this Proposed Project/:

- This project was identified as a Complete Streets investment program priority.
- These projects are a part of the TVAP Transportation Connections Plan, integrated into the TMP.
- This project will support the Transportation Master Plan (TMP) and TVAP goals of an integrated multimodal transportation system emphasizing the pedestrian as the primary mode of travel by providing a pedestrian facility where one currently does not exist
- The project improvements will support regional travel to/from local and regional transit services and the bicycle and pedestrian system.
- Additionally, there are 100-year floodplain improvements as part of Drainageway Master Plans from the upsizing of the Boulder Slough drainageway crossing of the BNSF Railroad would result by the addition of a new bicycle/pedestrian underpass.

Cost Estimate

$7,300,000

Funding Request:

Federal: $5,840,000

Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,460,000

Source of local match funds: (Including partners and their contributions) Trans. fund

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Colorado Avenue (28th/US 36 to 35th Street) Bicycle and Pedestrian Connectivity Project

Location/Project Boundaries:

Colorado Avenue (28th/US 36 to 35th Street)

Description of Project Elements (What is involved with the project?)

This project would provide a grade-separated crossing of both Colorado Avenue and 30th Street, multi-use path connections and other facilities and amenities to fit and connect to current and future multi-modal transportation network.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

The University of Colorado's development of their East Campus will significantly increase bicycle, pedestrian and transit travel between the main and east campuses. Classroom space as well as additional research and business park space will be added to the East Campus area requiring better bicycle/pedestrian and transit facilities and connections between the two campuses. A key connection to best join the two campus areas is an underpass crossing Colorado Avenue and 30th Street and this would provide a safe crossing of this intersection.

Additional bicycle, pedestrian and transit related improvements will be made with this project and the option selected will be determined through a parallel corridor planning study for 30th Street and Colorado Avenue.

Master Plan Goals met by this Proposed Project:

- These improvements are included in the Transportation Master Plan and East Campus Master Plan Transportation Connections.

Cost Estimate

$7,800,000

Funding Request:

Federal: $6,240,000

Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,560,000

Source of local match funds: (Including partners and their contributions) Trans. Fund; CU is a potential funding partner as well.

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Foothills Parkway/SH 157 Bicycle/Pedestrian Underpass at Colorado Avenue Project

Location/Project Boundaries:

Foothills Parkway/SH 157, north and south of Colorado Avenue.

Description of Project Elements (What is involved with the project?)
This project would construct a bicycle/pedestrian underpass providing a grade separated crossing of Foothills Parkway/SH157 and would meet ADA design guidelines.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:
There is an existing bicycle/pedestrian overpass bridge on Foothills Parkway/SH157 constructed and owned by CDOT just south of Colorado Avenue that is in deteriorating condition, steep slope (8.33%) and does not meet other AASHTO bicycle design or ADA design guidelines. This crossing facility acts as a barrier, rather than a connection between East Boulder and Central Boulder and the parks, businesses, academic and residential areas on either side of Foothills Parkway. The city of Boulder and the University of Colorado-Boulder have been working together on the East Campus Master Plan Transportation Connections. The East campus will eventually have classroom space in this area in addition to the research and business park space so regular access and travel will continue to increase.

This project would construct a grade separated crossing of Foothills Parkway/SH157, connections to the l pedestrian and transit facilities and provide wayfinding/signage features, bicycle parking and other multi amenities.

Master Plan Goals met by this Proposed Project/:

- This project is included in the City of Boulder Transportation Master Plan and CU East Campus Master Plan Transportation Connections.
- The project will provide improved mobility and access for people with disabilities, bicyclists and pedestrians.

Cost Estimate
$4,200,000
Funding Request:
Federal: $3,360,000
Local Match* (Minimum of 20% local match, can be cash or in-kind): $ 840,000
Source of local match funds: (Including partners and their contributions) Trans. Fund and potentially CDOT

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Foothills Parkway/SH157 Bicycle Pedestrian Underpass at Sioux Drive

Location/Project Boundaries:

Foothills Parkway/SH157 north and south of Sioux Drive.

Description of Project Elements (What is involved with the project?)
This project would construct a bicycle/pedestrian underpass providing a grade separated crossing of Foothills Parkway/SH157 and would meet ADA design guidelines.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:

There is an existing bicycle/pedestrian overpass bridge constructed and owned by CDOT that is in deteriorating condition, has a steep slope (15%) and does not meet other AASHTO bicycle design or ADA design guidelines. This underpass acts as a barrier, rather than a connection between the residential areas and the commercial area, and parks, schools and activity centers on either side of Foothills Parkway .

This project would improve access for east-west travel for bicyclists and pedestrians and particularly elderly and school-age populations which live and attend schools in the area.

This project would construct a grade separated crossing of Foothills Parkway/SH157, connections to the bicycle and pedestrian facilities and provide wayfinding/signage features, bicycle parking and other multimodal amenities.

Master Plan Goals met by this Proposed Project/:

- This project is included in the City of Boulder Transportation Master Plan.
- The project will provide improved mobility and access for people with disabilities, bicyclists and pedestrians.

Cost Estimate
$4,400,000
Funding Request:
Federal: $3,520,000
Local Match* (Minimum of 20% local match, can be cash or in-kind): $880,000
Source of local match funds: (Including partners and their contributions) Trans. Fund and potentially CDOT

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Broadway/SH93 Bicycle and Pedestrian Underpass (between Regent and Baseline) Replacement

Location/Project Boundaries:

Broadway/SH93 (between Regent and Baseline)

Description of Project Elements (What is involved with the project?)
This project would construct a grade separated bicycle/pedestrian underpass crossing of Broadway between Baseline Road and Regent Drive replacing the existing adjacent underpass.

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:
The existing underpass has a narrow width and the entrance points on the west and east sides have inadequate sightlines and visibility for the various users of the underpass and the Broadway multi-use paths. The Broadway multi-use path is a major bicycling and walking facility in the city. This underpass also has a high level of activity due to the adjacent University of Colorado dormitories and other residential areas of the city and nearby commercial center.

Due to the current facility design and high activity levels, there are many potential and actual accidents.

This project would improve sightlines and reduce conflict points at turning locations and underpass entrances. The project will have a wider facility than the existing underpass which will allow bicyclists a safer passing of pedestrians while in the crossing.

Master Plan Goals met by this Proposed Project:

- This project has been identified in the Transportation Master Plan.

Cost Estimate
$5,730,000

Funding Request:
Federal: $4,584,000
Local Match* (Minimum of 20% local match, can be cash or in-kind): $1,146,000 (20%)
Source of local match funds: (Including partners and their contributions): City of Boulder Transportation Fund

Proposed Project for Submission for the 2016-2021 TIP

Project Title:

Baseline Road (6th – 10th streets) Pedestrian Improvements to Chautauqua Park

Location/Project Boundaries:

Baseline Road between 6th and 10th Streets (south side, only)

Description of Existing Conditions and Transportation Benefits of Proposed Improvements:
The 40-acre Colorado Chautauqua National Historic Landmark (designated in 2006), commonly referred to as Chautauqua Park, is owned by the City of Boulder. Since 1901, the nonprofit Colorado Chautauqua Association has leased and managed approximately 26 acres that contains 105 historic buildings. Once a summer-only destination, Chautauqua is now busy year-round with a park and playground (City of Boulder Parks and Recreation Department jurisdiction), a year-round neighborhood of full-time residents, and year-round lodging with year-round programming, group meetings, private events and a restaurant all operated by or through the Colorado Chautauqua Association. Chautauqua is a major tourist destination and is the only National Historic Landmark in Boulder/Denver. In addition, it adjoins one of the most popular local and regional trailheads and open space areas (jurisdiction of the City of Boulder's Open Space and Mountain Parks Department), with a trailhead and small parking lot located within the historic district.

As parking is very limited within the historic district, visitors to Chautauqua for recreation, events and open space usage must park on adjacent streets, particularly on Baseline Road fronting the park. The south side of Baseline has no sidewalk, forcing pedestrians traveling along Baseline to and from parked cars to walk in the street. Pedestrian access into the park is limited due to existing berm and landscaping. The proposed improvements along Baseline would include sidewalks, necessary retaining walls, cleaning out landscaping to open historical view corridors, creating a new entry at Grant Street, and constructing pedestrian crossing improvements at Grant Street and Lincoln Place.

Master Plan Goals met by this Proposed Project:

- This project will increase pedestrian safety by providing sidewalks and improved crossings in a highly used area.
- This project will provide better access to a Chautauqua which is a National Historic Landmark
- This project will support the Transportation Master Plan (TMP) goal of an integrated multimodal transportation system.

Cost Estimate

$1,300,000

Funding Request:

Federal: $1,040,000

Local Match* (Minimum of 20% local match, can be cash or in-kind): $ 260,000 [20%]

Source of local match funds Trans. Fund -

POLICY ON TRANSPORTATION IMPROVEMENT PROGRAM (TIP) PREPARATION

Procedures for preparing the 2016-2021 TIP

Adopted July 16, 2014

DRCOG
DENVER REGIONAL COUNCIL OF GOVERNMENTS

Table 6. Roadway Reconstruction Projects

Eligibility Criteria

- Projects shall be located on the 2040 Metro Vision Regional Roadway System (exception: 16th Street Mall in Denver is eligible).
- The pavement condition index score (calculated with DRCOG's PCI program) must be 40 or lower to be eligible.
- Projects must replace the sub-base, base, and surface material with an equivalent or increased pavement structure; rehabilitation and resurface projects are ineligible (exception: any project proposed on the 16th Street Mall in Denver may include non-traditional reconstruction activities).
- Projects may include bridge deck pavement reconstruction. Additional bridge improvements (new or improved structure) are not eligible.
- Within the urban growth boundary, arterial roadway projects must adhere to urban design standards and must demonstrate that sidewalks are present and will be maintained and replaced or will be added as part of the project. Outside the urban growth boundary, roadway projects must adhere to non-urban design standards and incorporate a high degree of access control.
- Existing bicycle or transit infrastructure shall not be eliminated as a result of the proposed project.

Evaluation Criteria	Max Points	Scoring Instructions
Pavement condition	25	Based on the pavement condition index computed per Appendix G: 25 points will be awarded to projects with a condition index of 5 or lower; 0 points to projects with a condition index of 40; with straight line interpolation between. *Source: Sponsor computations*
Crash reduction (Safety)	5	Based on the project's estimated crash reduction and weighted crash rate, up to 5 points will be awarded. Appendix D explains the point allocation. *Source: DRCOG or sponsor supplied crash data*
Funding-effectiveness	10	Based on the project's federal funds requested per daily person-miles-of-travel (PMT): Projects with a federal funding request per PMT of $100 or less will receive 10 points; projects with a federal funding request per PMT of $400 or more will receive 0 points; with straight line interpolation between. *Source: Sponsor computations*

Table 6. Roadway Reconstruction Projects

Evaluation Criteria	Max Points	Scoring Instructions
Usage	9	Based on current average weekday traffic (AWDT) per lane (average for overall project length): Projects with AWDT/lane of 8,000 or more will receive 9 points; projects with AWDT/lane of 2,000 or less will receive 0 points; with straight line interpolation between. *Source: Sponsor data*
Transportation system management	5	1 point will be awarded for each of the following features to be added to or newly provided as part of the project, up to 5 points (of a possible 7 features): • Provision of raised, depressed, or barrier medians for the entire length of the project • Access consolidation (driveways, side streets) • Provision of left-turn lanes at signalized intersections • Provision of signal interconnection • Provision of ITS infrastructure • Provision of infrastructure that implements an approved incident management plan • Provision of bicycle detection at signalized locations (in-pavement loops, video, microwave)
Multimodal connectivity	18	Up to 18 points (of a possible 45), will be awarded for the following features existing and being retained, or being included in and newly constructed by the project: • 8 points for providing a physically-protected facility (includes, but not limited to the use of bollards, landscaping, curb) for bicycle travel for the entire length of the project • 8 points for adding a new travel lane or redesignating an existing general purpose travel lane for transit/HOV use for a continuous distance longer than a transit/carpool queue jump lane • 5 points for including major transit/HOV operational features – transit/carpool queue jump lanes • 4 points for adding a new bike lane, shoulders, or multi-use path • 2 points for including transit amenities (e.g., bus shelters, benches, multimodal information kiosks) • 2 points for a bicycle and/or pedestrian facility directly touching school property; OR 1 point if facility is within 1/8 mile • 2 points for a bicycle and/or pedestrian facility directly touching passenger rail, BRT station, park-N-Ride lot, transit terminal (all currently open on or before 2025), or existing bus stops serving multiple routes or high frequency service; OR 1 point if facility is within 1/8 mile • 2 points for detaching sidewalks to a minimum buffer of 6 feet from the roadway • 2 points for widening sidewalks to a minimum width of 8 feet • 2 points for incorporating transit priority at project traffic signals • 2 points for providing one or more protected roadway crossings for pedestrians (e.g., center

Table 6. Roadway Reconstruction Projects

Evaluation Criteria	Max Points	Scoring Instructions
		refuge, bump-outs, flashing lights, raised pedestrian crossing on turn lanes, etc.) • 1 point for building pedestrian linkages to other adjacent land uses (other than schools) • 1 point for including minor transit operational features - bus pads • 1 point for providing bike amenities (e.g., bike racks, bike lockers) • 1 point for installing bicycle counters at newly constructed facilities • 1 point for providing pedestrian-oriented street lighting for the entire length of the project • 1 point for providing street trees and/or a landscaped buffer between the roadway and sidewalk within the street zone for the entire length of the project
Environmental justice	3	3 points will be awarded if 75% or more of the project length is located within and provides benefits to a 2040 RTP-defined environmental justice area. The sponsor must identify the benefits and disadvantages the project may have on the environmental justice community.
Project-related Metro Vision implementation	17	Up to 17 points will be awarded as described in Appendix E.
Sponsor-related Metro Vision implementation	8	Up to 8 points will be awarded as described in Appendix F.
Total	**100**	

Table 9. Bicycle/Pedestrian Projects

Eligibility Requirements

- New construction projects will result in a paved facility (hard, all-weather surface comprised of new/recycled asphalt and/or concrete) where pedestrian and/or bicycle infrastructure does not currently exist.
- Upgrade construction projects provide safety/operational improvements to an existing facility that is not currently designed appropriately to accommodate its current use (ADA and AASHTO design standards are still applicable).
- Reconstruction projects must reconstruct the total pavement of a facility due to pavement deterioration. To be eligible, the Pavement Condition Index, computed according to the methods in Appendix G, must have a PCI score of 25 or less for asphalt surfaces and 35 or less for concrete surfaces.
- Projects must be on facilities contained in an adopted local plan.
- Any new pavement must be designed and constructed to withstand occasional vehicle travel (emergency vehicles).
- If project consists of multiple, non-contiguous elements, all elements must either be a) on the same facility (primary corridor) OR b) within .25 miles of the largest element of the project.
- All projects intended for multiple user types (bicycle and pedestrian) are required to be constructed to a minimum width of 8 feet for the entire length of the project.
- All projects must score a minimum of 1 point in the connectivity evaluation criterion to be eligible.

Evaluation Criteria	Max Points	Scoring Instructions
RTP priority corridors	5	If project consists of multiple elements not all on the same corridor, scoring in this category will be based on the largest contiguous element. Score 5 points maximum: **Bicycle or Bicycle/Pedestrian Projects:** • 5 points will be awarded for projects that are on or within .25 miles of a Regional Bicycle Corridor represented in the Metro Vision RTP AND fulfills the function of the Regional Bicycle Corridor facility • 3 points will be awarded for projects on or within .25 miles of a Community Bicycle Corridor represented in the RTP AND fulfills the function of the Community Bicycle Corridor facility • 1 point will be awarded for all other projects **OR** **Pedestrian Only Projects:** • 5 points will be awarded for projects along or within 1/8 mile of a Metro Vision RTP major regional arterial and above or rapid transit AND fulfills the function of that facility • 3 points will be awarded for projects along or within 1/8 mile of a Metro Vision RTP principal arterials AND fulfills the function of pedestrian movement for that facility • 1 point will be awarded for all other projects

Table 9. Bicycle/Pedestrian Projects

Evaluation Criteria	Max Points	Scoring Instructions
Safety	12	Projects will be evaluated on the anticipated *improvement* of existing safety problems related to the following measures: 1. **Relevant crash history** Based on the number of *documented* injury and fatal crashes: o involving non-motorized traffic; o in the area affected by the facility; and o occurring over the last three-year period for which data is available. • 1 point will be awarded for each applicable injury accident, up to a maximum of 5 2. **Speed limit** If the existing facility is a roadway that allows interaction between motorized and non-motorized traffic, and if the project will build a new facility for the non-motorized traffic that eliminates or reduces the conflict factor, the project will earn safety points. Based on the speed limit of the existing facility, up to 4 points will be awarded as follows: • 4 points will be awarded if the existing speed limit is 40 MPH or more • 2 points will be awarded if the existing speed limit is either 30 or 35 MPH; or • 1 point will be awarded if the existing speed limit is less than 30 MPH, or the project is not near and doesn't interact with a roadway. 3. **Facility lighting** • 1 point will be awarded to projects that will provide new or upgraded ADA/AASHTO compliant lighting to facilitate non-motorized travel on the proposed facility. 4. **Protected or grade separated facilities** • 2 points will be awarded for constructing an at-grade physically-protected bicycle facility (includes, but not limited to the use of bollards, landscaping, curb) or a grade-separated facility.
Connectivity	25	Up to 25 points will be awarded for specific project attributes that address existing local or regional connectivity of non-motorized travel. Points will be awarded as follows: **Gap closure (score points for only one of these two)** • 7 points - constructing a new facility that completely closes a gap between two existing similar bicycle facility/sidewalk sections (trail to trail, sidewalk to sidewalk, path to path, bike lane to bike lane) • 5 points – constructing a new facility that completely closes a gap between an existing pedestrian/bicycle facility and an RTP roadway (arterial and above) that currently serves pedestrian/bicyclists

Table 9. Bicycle/Pedestrian Projects

Evaluation Criteria	Max Points	Scoring Instructions
		Access (score points for only one of these three) • 4 points – facility directly touches a school property • 3 points – facility directly touches an employment center with greater than 2,000 jobs • 2 point – facility directly serves such destinations as employment, shopping, dining, or government buildings, or recreational destinations such as parks or recreational facilities. **Barrier elimination (score points for only one of these four)** • 6 points - entirely eliminate a barrier (railway, highway, waterway) for pedestrians or cyclists by constructing a new grade separation (bridge or underpass) or upgrading an existing one which provides a continuity of motion (i.e., no bike dismount or use of elevator) • 4 points - entirely eliminate a barrier (railway, highway, waterway) for pedestrians or cyclists by constructing a new grade separation or upgrading an existing one which DOES NOT provide a continuity of motion (i.e., bike dismount or use of elevator required) • 3 points - eliminate a barrier (railway, highway) for pedestrians or cyclists by providing a new controlled crossing where one does not currently exist (demonstrate achievement of signal warrant if signal proposed) or by upgrading an existing one to meet ADA and/or AASHTO standards • 1 point - construct or upgrade at least one phase of a multi-phase improvement (as identified in an approved plan) towards eliminating a barrier (railway, highway, waterway). **Transit (score points for only one of these two)** • 6 points - provide <u>direct</u> access to "transit". Direct means physically touching the transit site or stop • 3 points - provide <u>indirect</u> access (extends the service of an existing linkage) to "transit" within 1 mile for bike projects and within 0.25 miles for pedestrian projects. Distance measured from closest point of project to the specific transit platform or stop. "Transit" in this circumstance is defined as rail or BRT stations, park-N-Ride lots, transit terminals (all currently open or before 2025), and existing bus stops serving multiple routes or high frequency service. **Location (score points for only one of these two)** • 2 points – project touches more than one local governmental entity • 1 point – project connects 2 or more existing neighborhoods

Table 9. Bicycle/Pedestrian Projects

Evaluation Criteria	Max Points	Scoring Instructions
Multiple enhancements	5	Up to 5 points (of 7 available) will be awarded for multiple enhancements (score all that apply): • 2 points if the project will provide a multi-use bi-directional facility (new or upgraded to) for use by both bicycles and pedestrians to a minimum width of 10 feet for 90% or greater of the length of the project • 2 points if the project site includes signage/wayfinding with destinations and distances. • 1 point if the project provides 20 or more bicycle spaces within ½ mile of the project and fulfills the function of that facility • 1 point if at least 10 of the provided spaces are covered and/or considered long-term parking spaces that are secure • 1 point if the project connects or is adjacent to a bikeshare station
Use and Benefits (VMT Reduction) **(New Construction projects only)**	15	Up to 15 points will be awarded based on the calculated "indicator units" for project benefits: Results greater than 120,000 will receive 15 points; results less than 1,000 receive 1 point, with straight line interpolation between. *Source: DRCOG model data and US Census. The project's indictor units are tabulated within a 1.5 mile radius of the project area. Sponsors can request DRCOG to compute indicator units up to <u>no later than 2 weeks before</u> the application deadline.* *For projects with non-contiguous elements, DRCOG will compute the indictor units for each element. The project's overall indictor units are the weighted average based on the percent of the project length in each element compared to the overall length.*
Existing Users **(Upgrade/Reconstruct projects only)**	15	Based on current recorded users: Facilities with 200 or more users during the 2-hour AM peak will receive 15 points; facilities with 25 or less users during the 2-hour AM peak will receive 0 points; with straight line interpolation between. Users are to be counted at a representative location in the project area. *Source: Actual count from applicant between 7 AM and 9 AM on a Tuesday, Wednesday, or Thursday during the open Call for Projects.*
Funding-effectiveness	10	Projects with a total federal funding request per the calculated indictor unit $1 or less will receive 10 points; projects with a total federal funding request per indictor unit above $60 will receive 0 points; with straight line interpolation between.

Table 9. Bicycle/Pedestrian Projects

Evaluation Criteria	Max Points	Scoring Instructions
Environmental justice	3	3 points will be awarded if 75% or more of the project length is located within and provides benefits to a 2040 RTP-defined environmental justice area. The sponsor must identify the benefits and disadvantages the project may have on the environmental justice community.
Project-related Metro Vision implementation	17	Up to 17 points will be awarded as described in Appendix E.
Sponsor-related Metro Vision implementation	8	Up to 8 points will be awarded as described in Appendix F.
Total	**100**	

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Attachment D
Background Information on Adding a third northbound through lane on 28th Street from South of Colorado to Arapahoe

The 28th Street (Baseline to Arapahoe) South section Community and Environmental Assessment Process (CEAP), cost estimate and conceptual design were completed in the early 2000s. The City Council reviewing the draft CEAP requested that staff propose cost cuts, or value engineering suggestions, for the project prior to approving the CEAP. Several items were identified and one of them was to remove the additional third northbound through lane on 28th Street from Colorado to Arapahoe. Council supported the removal of this project element at that time. This widening would have required widening of the bridge over Boulder Creek by approximately four to six feet and additional pavement width to accommodate the lane. Prior to reconstruction, 28th Street had a paved shoulder and this width was maintained on the Boulder Creek Bridge after the reconstruction. The space to widen the bridge was kept available so that the bridge would only have to be widened the four to six feet to add the third through lane in the future, if needed. However, since this project element was removed through the CEAP by Council action, it has also been removed from the Transportation Master Plan.

In late 2011, transportation staff conducted a level of cost/benefit analysis regarding a proposed widening of 28th Street northbound through Colorado to see if adding the third lane through the Colorado intersection and a short distance to the north and south would be beneficial. This shorter distance was identified to minimize impact and cost required to widen the existing structures. The initial analysis found that this would not be a cost effective solution because it would have been a localized improvement and wouldn't reduce traffic backups significantly. There has not been a traffic analysis to predict the effectiveness of adding the third through lane for the full distance from Colorado to Arapahoe on the back-up of traffic into Boulder but the analysis could be done in the future, if Council desires.

The addition of a third through lane on 28th Street from south of Colorado to where the third lane exists today at Arapahoe has not been designed. Staff has completed a brief analysis and cost estimate for this project. The impacts from adding the third lane would be the removal of approximately one-third to one-half of the landscaped area between northbound 28th Street and the 28th Street Frontage Road, the modification and potentially the loss of the queue jump lane for the northbound bus from the Frontage Road onto the third lane of 28th street just south of Arapahoe Avenue, and the access ramps crossing the south side of Colorado Avenue would be more difficult to reconstruct because of the grade differences between the street and the 28th Street Frontage Road. Major cost elements to add the third northbound through lane include the reconstruction of the retaining walls and box culvert at the College Underpass; widening of the Boulder Creek Bridge; impacts and relocation of signal poles and equipment at Colorado Avenue; curb, gutter and paving the entire length to accommodate the additional lane; and regrading and landscaping modifications between the Frontage Road and the new edge of 28th Street. The initial cost estimate for this work is $2.5 to $3.0 million and the lane is not estimated to extend beyond the merge lane from northbound Baseline or onto the bridge over Baseline. If Council would like a cost-benefit analysis and additional design work performed for this project, staff would need guidance for the extent of the project, such as starting at Colorado and going to Arapahoe or starting farther south.

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: September 2, 2014

AGENDA TITLE - Consideration of a motion regarding 2014 performance evaluations and performance based salary adjustments for the City Manager, City Attorney and Municipal Judge.

PRESENTER/S
Lisa Morzel and Tim Plass, City Council Employee Evaluation Committee

EXECUTIVE SUMMARY
Based on performance ratings and salary preferences expressed by the City Council, the evaluation committee is bringing to the Council a motion regarding 2014 performance evaluations and performance based salary adjustments for the City Manager, City Attorney and Municipal Judge for the evaluation period of July 1, 2013 to July 1, 2014. In addition to performance evaluations, other factors considered in determining these recommendations include the employee's compensation compared to the labor market for similar positions and the city's financial health and future outlook.

The City Council has given the City Manager an exceptionally high performance rating and the Evaluation Committee recommends a 4.0% performance increase that would increase the manager's annual salary by $8,345 from $ 208,631 to $216,976.

The City Council has given the City Attorney an exceptionally high performance rating and the Evaluation Committee recommends a 3.0% performance increase that would increase the attorney's annual salary by $5,600 from $186,666 to $192,266.

The City Council has given the Municipal Judge an exceptionally high performance rating and the Evaluation Committee recommends a 3.5% performance increase that would increase the judge's annual salary by $4,725 from $135,007 to $139,732.

EVALUATION COMMITTEE RECOMMENDATION

Suggested Motion Language:
Based on the performance evaluation process, City Council awards a pay increase of $8,345 (4.0% of base salary) to the City Manager's base salary, a pay increase of $5,600 (3.0% of base salary) to the City Attorney's base salary, and a pay increase of $4,725 (3.5% of base salary) to the Municipal Judge's base salary, these increases are retroactive to June 23, 2014.

OTHER IMPACTS

Fiscal: Should Council choose to provide performance based salary adjustments, the cost for each 1% of salary granted as a performance increase would be $2,086 for the City Manager, $1,867 for the City Attorney, and $1,350 for the Municipal Judge. The increases would be retroactive to June 23, 2014, which is the beginning of the pay period in which the City Council Employees' common review date of July 1, 2014.

Staff time: Approximately 40 hours to support the Council Employee Evaluation Process. In addition, Mountain States Employers Council, the consultant that assisted with the Council Employee Evaluation, charged $5,000.00.

ANALYSIS

Each year the City Council considers granting a performance pay increase to its employees based upon a performance evaluation process.

The council employee evaluation process is supervised and directed by the Council Employee Evaluation Committee. The procedure for the employee evaluation is guided in part by the City Charter. Section 9 provides that the council may appoint a committee of not more than two council members to consider making a recommendation on the performance of its employees. The committee's business may be conducted in private. The committee seeks input from a variety of sources regarding its three employees, synthesizes the information, and makes a recommendation to the entire council with regard to a proposed performance rating and compensation. The council adopts a performance rating as part of the evaluation process. The council as a whole is required to determine compensation at a public meeting. Personnel files are generally not disclosed under the state public records law. See section 24-72-204(3)(a)(II)(A), C.R.S. Performance ratings or compensation are not considered to be a part of the personnel file. See section 24-72-202(4.5), C.R.S.

Each council member rates the performance of each employee on five to ten performance and job specific factors. Based on the ratings, each council member then indicates her/his preference for a performance pay increase for each employee. If a majority of council members support granting a performance pay increase, then that is the motion that the evaluation committee brings to council. This year, the same methodology of gathering input of council members was followed for the consideration of the performance based salary adjustment for the council employees.

Council's decision on whether to grant performance based increases to salary includes consideration of superior performance in the previous year and the city's financial health. In weighing performance and market-based adjustments to base pay, Council assesses their employee's compensation compared to the labor market for similar positions (see Attachment A).

The City Manager received very high marks in all categories. The salary comparisons indicate that her total compensation is in the middle of the range of city managers of comparable cities, when considering the total compensation of other managers and the likelihood that there will be 2014 salary increases for those managers as well. The median value increase from the input received from council members was 4.0% and this is the increase that is therefore recommended by the committee.

The analysis for the City Attorney is much the same as for the City Manager. He too received very high marks in all categories, and his total compensation is in the top of the range of city attorneys of comparable cities. The median value increase from the input received from council members was 3.0% and this is the increase that is therefore recommended by the committee.

The Municipal Judge received very high performance ratings from the council, and her total compensation is in the middle of the range of municipal judges. The median value increase from the input received from council members was 3.5% and this is the increase that is therefore recommended by the committee.

Approved By:
Lisa Morzel
Tim Plass
Council Employee Evaluation Committee

ATTACHMENT A. 2014 Market Survey Council Employees

City Manager Salaries - July, 2014

Organization	Population	Annual Actual Salary	Date of Last Pay Increase	City Paid Deferred Comp.	Annual Car Allowance	Annual Bonus Amount	Total Comp.*	# of Employees Managed	Years in Current Position	Vacation Days per Year
Arvada	107,700	$206,769	6/30/14	$0	$6,600	$0	$213,369	675	3.6	18
Aurora	332,354	$189,652	1/1/14	$22,000	Car*	$0	$211,652	2,610	3	13
Colorado Springs	436,000	No Match**								
Denver	634,265	No Match**								
Fort Collins	143,986	$237,708	1/6/14	$30,902	$9,000	$0	$277,610	1,293	9	35
Greeley	95,000	$182,954	3/1/14	$0	$6,000	$0	$188,954	859	9	23
Lakewood	145,596	$206,440	3/30/14	$23,000	$10,210	$0	$239,650	1,888	4	20
Longmont	90,219	$178,500	4/15/13	$10,000	$5,000	$4,375	$197,875	812	2	15
Loveland	72,846	$174,990	12/14/13	$0	$6,000	$0	$180,990	763	3.8	20
Thornton	122,820	$212,158	12/29/13	$0	$6,600	$10,035	$228,793	829	29	30
Westminster	107,967	$203,352	1/1/14	$23,000	$9,000	$0	$235,352	1,932	13	17.4***
	Average:	**$199,169**					**$219,361**			**22**
Boulder	103,650	**$208,630**	6/24/13	$0	$0	$0	**$208,630**	1,250	5.7	**29**

*Total Compensation - includes salary, deferred compensation, car allowance and bonus. (Aurora - excludes value of car)
**Colorado Springs, Denver - No City Manager; have a strong-mayor form of government.
***Westminster - 10 hour days, 174 total hours

Note: "City Paid Deferred Comp." refers to compensation deferred into the future for certain employees beyond that provided to all employees. For example, the City pays 13.7% of employees' salaries toward a pension and the employee pays 8%. If the City chooses to pay the employee portion for selected employees (8%) that would be considered additional, deferred compensation for the employee. Since the City contributes 13.7% towards all employees, that amount is not considered deferred compensation.

City Attorney Salaries - July, 2014

Organization	Population	Annual Actual Salary	Date of Last Pay Increase	City Paid Deferred Comp.	Annual Car Allowance	Annual Bonus Amount	Total Comp.*	# of Employees Managed	Years in Current Position	Vacation Days per Year
Arvada	107,700	$176,890	6/30/14	$0	$4,200	$0	$181,090	2	19	20
Aurora	332,354		vacant							
Colorado Springs	436,000	$192,276	4/19/14	$0	Car	$0	$192,276	0	>1	
Denver	634,265	$190,000	1/1/14	$0	N/A	$0	$190,000	200	6 mo.	18
Fort Collins	143,986	$179,093	1/6/14	$23,282	$0	$0	$202,375	17	26	35
Greeley	95,000	$158,700	1/1/14	$0	$0	$0	$158,700	7	2	26
Lakewood	145,596		contract position							
Longmont	90,219	$161,988	12/23/13	$9,123	$3,587	$0	$174,698	7	5	18
Loveland	72,846	$158,101	12/14/13	$0	$4,200	$0	$162,301	6	13	28
Thornton	122,820	$166,497	12/29/13	$0	$4,404	$7,875	$178,776	8	19	30
Westminster	107,967	$156,575	1/1/14	$23,000	$6,000	$0	$185,575	13	29	22.2**
	Average:	**$171,124**					**$180,643**			**25**
Boulder	103,650	**$186,660**	6/24/13	$0	$0	$0	**$186,660**	20	4	**29**

*Total Compensation - includes salary, deferred compensation, car allowance and bonus.
**Westminster - 10 hour days, 222 total hours

Note: "City Paid Deferred Comp." refers to compensation deferred into the future for certain employees beyond that provided to all employees. For example, the City pays 13.7% of employees' salaries toward a pension and the employee pays 8%. If the City chooses to pay the employee portion for selected employees (8%) that would be considered additional, deferred compensation for the employee. Since the City contributes 13.7% towards all employees, that amount is not considered deferred compensation.

Presiding Municipal Judge Salaries - July, 2014

Organization	Population	Annual Actual Salary	Date of Last Pay Increase	City Paid Deferred Comp.	Annual Car Allowance	Annual Bonus Amount	Total Comp.*	# of Employees Managed	Total # FTEs Judge(s)	Years in Current Position	Responsible for Court Admin?	Vacation Days per Year
Arvada	107,700	$139,100	6/30/14	$0	$0	$0	$139,100	9	1	1	Yes	15
Aurora	332,354	$137,214	1/1/14	$10,613	$0	$0	$147,827	1	5	9	No	30
Colorado Springs	436,000	**	7/1/08	n/a	$0	$0		1	4.5**	7	No	n/a
Denver	634,265	$165,574	7/1/14	$0	$0	$0	$165,574	0	***	varies	No	varies
Fort Collins	145,596	$131,449	1/6/14	$12,407	$0	$0	****	7	0.8	25	No	30
Greeley	95,000	$120,226	n/a	$0	$0	$0	$120,226	0	1	2	No	20
Lakewood	144,406	$138,216	3/30/14	$4,146	$3,000	$0	$145,362	17	1	5	Yes	18
Longmont	90,219	$123,948	1/1/14	$0	$0	$0	$123,948	7	1	28	Yes	21
Loveland	72,846	$123,968	12/13/13	$0	$0	$0	$123,968	0	1	15.4	No	26
Thornton	122,820	$132,903	12/29/13	$0	$0	$6,286	$139,189	0	1	25	No	21
Westminster	107,967	$115,168	1/1/14	$23,000	$6,000	$0	$144,168	1	1.8	35	No	22.2*****
	Average:	**$132,777**					**$138,818**					**23**
Boulder	103,650	**$135,000**	06/25/12	$0	$0	$0	**$135,000**	1	1.5	13	No	**29**

*Total Compensation - includes salary, deferred compensation, car allowance and bonus.
**Colorado Springs - Part-time Presiding Judge @ $42,363; 11 part time judges at .4167 FTE
***Denver - 17 incumbents; also 4 full-time and 10 part time County Court Magistrates
****Ft. Collins - Judge is 0.8 FTE, salary of $105,159
*****Westminster - 10 hour days, 222 total hours

Note: "City Paid Deferred Comp." refers to compensation deferred into the future for certain employees beyond that provided to all employees. For example, the City pays 13.7% of employees' salaries toward a pension and the employee pays 8%. If the City chooses to pay the employee portion for selected employees (8%) that would be considered additional, deferred compensation for the employee. Since the City contributes 13.7% towards all employees, that amount is not considered deferred compensation.

TO: Members of Council
FROM: Dianne Marshall, City Clerk's Office
DATE: September 2, 2014
SUBJECT: Information Packet

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1. **CALL UPS**
   - **A.** Use Review approval No. LUR2014-00044, for expansion of the Escoffier Culinary School within the Table Mesa Shopping Center at 693 Table Mesa Dr. The area of expansion is located within the Residential Medium-2 (RM-2) zone district. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981

2. **INFORMATION ITEMS**
   - **A.** Flood Commemorative Events & Flood Recovery Status
   - **B.** Left Hand Water District referral for water taps to serve three properties located in Area III-Rural Preservation

3. **BOARDS AND COMMISSIONS**
   - **A.** Human Relations Commission – August 18, 2014
   - **B.** Open Space Board of Trustees – August 20, 2014
   - **C.** Parks and Recreation Advisory Board – July 28, 2014
   - **D.** Water Resources Advisory Board

4. **DECLARATIONS**
   None

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning + Sustainability
Charles Ferro, Development Review Manager

Date: August 21, 2014

Subject: Call-Up Item: Use Review approval No. LUR2014-00044, for expansion of the Escoffier Culinary School within the Table Mesa Shopping Center at 693 Table Mesa Dr. The area of expansion is located within the Residential Medium-2 (RM-2) zone district. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981

EXECUTIVE SUMMARY:

On April 3, 2014, Planning Board unanimously approved (6-0, B. Bowen absent) the subject application with the conditions found in the disposition of approval, provided as **Attachment A**.

This proposal is to reuse an existing two-story, 13,135 square foot space located in the Table Mesa shopping center (see vicinity map below) that is currently being leased by Mountains Edge Fitness to serve as classroom / kitchen space for the Escoffier Culinary School. The school currently leases classroom and kitchen spaces in other areas of the city outside of the Table Mesa shopping center and would like to consolidate their operations. The school will continue to lease two existing tenant spaces within the shopping center; a 5,012 square feet of classroom / kitchen space on the west side of the shopping center and 2,241 square feet of administrative office space on the south side of the shopping center. If approved, the Escoffier Culinary School would occupy a total of 20,388 square feet in three tenant spaces within the shopping center. Refer to **Attachment B** for the applicant's written statement and plans.

The Use Review will be effective 30 days later on **September 8, 2014** unless the approval is called up by City Council.

FISCAL IMPACTS:

None identified.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: No impacts are anticipated through this Use Review application.
- Environmental: No impacts are anticipated through this Use Review application.
- Social: No impacts are anticipated through this Use Review application.

BACKGROUND:

The Table Mesa Shopping Center is a 10 acre site located at the southwest corner of Broadway and Table Mesa Dr. Residential uses are located immediately to the south and east and retail and office uses located to the north and west (refer to the vicinity map below). The Table Mesa Shopping Center was originally constructed in the early 1960's with several additions to the center occurring over time. Currently, there is 187,940 square feet of leasable area within the shopping center. The Escoffier Culinary School has been a tenant in the Table Mesa Shopping Center since 1992 and currently occupies two tenant spaces within the shopping center as noted above.

ANALYSIS:

Staff finds that the proposed Use Review meets the criteria for Use Review found in Section 9-2-15, B.R.C. 1981. Staff's analysis can be found in **Attachment C.**

PUBLIC COMMENT AND PROCESS:

Notice of the vacation was advertised in the Daily Camera within the 30 day call up period as required by the code. Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property twice and a sign posted on the property for at least 10 days. All notice requirements of section 9-4-3, "*Public Notice Requirements*," B.R.C. 1981 have been met. Staff received a few questions from neighboring

property owners however; two adjacent property owner expressed opposition to the proposal based on traffic and a potential loss of neighborhood serving retail uses.

Planning Board Hearing. At their August 7, 2014 public hearing, the Planning Board unanimously approved the subject Use Review request in one motion with a vote of 6-0 (B. Bowen absent). One person from the public addressed the board and expressed concern related to the need for more neighborhood serving retail however, the individual did not oppose the proposed use.

City Council may call up this application within the 30-day call up period which expires on **September 8, 2014**. City Council is scheduled to consider this application for call-up at its **September 2, 2014** public meeting.

ATTACHMENTS:
A: Notice of Disposition of Approval
B: Applicant's Written Statement and Plans
C: Staff's Analysis of the Use Review Criteria

CITY OF BOULDER
Community Planning & Sustainability
1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

CITY OF BOULDER PLANNING BOARD NOTICE OF DISPOSITION

You are hereby advised that on August 7, 2014 the following action was taken by the Planning Board based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION:	**APPROVED WITH CONDITIONS**
PROJECT NAME:	**TABLE MESA SHOPPING CENTER**
DESCRIPTION:	**LUR for an adult education facility in a two-story building currently used as a fitness center. The new use does not invlove any additions or alterations to the existing building.**
LOCATION:	**693 S BROADWAY**
COOR:	**S03W03**
LEGAL DESCRIPTION:	**See Exhibit A Attached**
APPLICANT:	**VINCE PORRECA**
OWNER:	**Table Mesa Shopping Center LLC**
APPLICATION:	**Use Review, LUR2014-00044**
ZONING:	**BC-2 RM-2**
CASE MANAGER:	**Charles Ferro**
VESTED PROPERTY RIGHT:	**NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.**

This decision may be called up before the City Council on or before September 8, 2014. If no call-up occurs, the decision is deemed final thirty days after the Planning Board's decision.

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND SIGNED FINAL PLANS MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS, IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINTY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING BOARD APPROVAL AUTOMATICALLY EXPIRES.

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development within three years from the date of final approval [or in compliance with the phasing plan]. Failure to "substantially complete" (as defined in Section 9-2-12, Boulder Revised Code 1981) the development within three years [or in compliance with the phasing plan] shall cause this development approval to expire.

At its public hearing on August 7, 2013 the Planning Board approved the request with the following motion:

On a motion by **C. Gray**, seconded by **J. Putnam**, the Planning Board voted 6-0 (**B. Bowen** absent) that the Planning Board approve the Use Review application LUR2012-00101, adopting the staff memorandum as findings of fact and subject to the recommended conditions of approval with the addition of hours when the approved use may be open to include Saturday from 8:00 a.m. to 7:00 p.m.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** and the Applicant's written statement dated June 12, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.

2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

3. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following: PUD# P-79-20 and Special Review #SR-79-22.

4. The **operation of the approved use shall be** limited to 7:00 a.m. to 11:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturdays.

By:_____
David Driskell, Secretary of the Planning Board

ATTACHMENT A

Attached Legal Description

Parcel A:

A tract of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southwest corner of said Block "B"; thence North 00° 02'40" East, 251.53 feet along the West line of said Block "B" to the true point of beginning; thence South 89° 54'05" East, 152.02 feet; thence North 34° 32'40" West, 69.28 feet; thence North 89° 54'05" West, 32.13 feet; thence North 00° 05'55" East, 46.50 feet; thence North 34° 32'40" West, 141.98 feet to the West line of said Block "B"; thence North 00° 02'40" East, 462.40 feet along the West line of said Block "B" to the Southerly line of Table Mesa Drive conveyed to the City of Boulder as described in Deed recorded in Book 1263 at Page 168 of the records of Boulder County, Colorado;

Thence North 46° 12'50" East, 72.00 feet along the Southerly line of said Table Mesa Drive; thence North 38° 38'10" East, 158.45 feet along the Southerly line of said Table Mesa Drive; thence North 55° 31'30" East, 45.70 feet along the Southerly line of said Table Mesa Drive to the Northwest corner of that tract of land conveyed to the City of Boulder as described in Warranty Deed recorded on Film 1155 as Reception No. 435157 of the records of Boulder County, Colorado;

Thence South 34° 28'30" East, 264.00 feet along the Westerly line of that tract of land as described on said Film 1155 as Reception No. 435157 to the Southwest corner thereof; thence North 55° 31'30" East, 5.00 feet along the Southerly line of that tract of land as described on said Film 1155 as Reception No. 435157 to the Northwest corner of that tract of land conveyed to the City of Boulder as described in Quit Claim Deed recorded on Film 1141 as Reception No. 421020 of the records of Boulder County, Colorado;

Thence South 34° 28'30" East, 523.37 feet along the Westerly line of that tract of land as described on said Film 1141 as Reception No. 421020 to the Northerly line of that tract of land conveyed to 4211, Inc. as described in Warranty Deed recorded in Book 1195 at Page 179 of the records of Boulder County, Colorado;

Thence South 55° 31'30" West, 275.00 feet along the Northerly line of that tract of land as described in said Book 1195 at Page 179 to the Northwest corner thereof; thence South 34° 28'30" East, 403.81 feet along the Westerly line of that tract of land as described in said Book 1195 at Page 179 to the South line of said Block "B"; thence North 89° 54'05" West, 315.41 feet along the South line of said Block "B"; thence North 34° 32'40" West, 99.67 feet; thence North 89° 54'05" West, 206.76 feet; thence North 00° 05'55" East, 12.50 feet; thence North 89° 54'05" West, 62.26 feet to the West line of said Block "B"; thence North 00° 02'40" East, 157.03 feet along the West line of said Block "B" to the true point of beginning;

Except a tract of land located in Block "B", Third Addition to Martin Acres, County of Boulder, State of Colorado, described as follows:

Commencing at the Southwest corner of said Block "B", Third Addition to Martin Acres; thence North 00° 02'40" East, 934.24 feet along the West line of said Block "B" to a point on the Southerly line of Table Mesa Drive as described in Deed recorded in Book 1263 at Page 168 in the Boulder County records; thence North 46° 12'50" East, 72.00 feet along said Southerly line of Table Mesa Drive; thence North 38° 38'10" East, 12.87 feet along said Southerly line of Table Mesa Drive to the point of beginning;

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Thence North 38° 38'10" East, 145.58 feet along said Southerly line of Table Mesa Drive; thence North 55° 31'30" East, 45.70 feet along said Southerly line of Table Mesa Drive to the Northwest corner of that tract of land described on Film 1155 as Reception No. 435157 in the Boulder County records; thence South 34° 28'30" East, 164.23 feet along the Westerly line of said tract described on Film 1155 as Reception No. 435157;

Thence the following two (2) courses:

1. South 55° 31'30" West, 185.00 feet;
2. North 34° 28'30" West, 121.94 feet to the point of beginning.

Parcel A1:

Together with a non-exclusive right of ingress and egress for vehicular parking, as described in Agreement recorded January 4, 1980 on Film 1098 as Reception No. 377680, upon, over and across a tract of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southeast corner of said Block "B"; thence North 34° 28'30" West, 258.22 feet along the Easterly line of said Block "B" to a point on the Northerly right-of-way line of Toedtli Drive as described in Deed recorded in Book 1098 at Page 6 of the records of Boulder County, Colorado;

Thence continuing North 34° 28'30" West, 207.00 feet along the Easterly line of said Block "B" to the true point of beginning; thence continuing North 34° 28'30" West, 135.00 feet along the Easterly line of said Block "B"; thence South 55° 31'30" West, 280.00 feet; thence South 34° 28'30" East, 70.56 feet; thence South 78° 30' East, 46.17 feet; thence South 7° 50' East, 34.96 feet; thence North 55° 31'30" East, 263.59 feet to the true point of beginning.

Parcel A2:

Together with a non-exclusive right of ingress and egress for vehicular and pedestrian traffic, as described in Agreement recorded January 4, 1980 on Film 1098 as Reception No. 377680, upon, over and across a strip of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southeast corner of said Block "B"; thence North 34° 28'30" West, 258.22 feet along the Easterly line of said Block "B" to a point on the Northerly right-of-way line of Toedtli Drive as described in Deed recorded in Book 1098 at Page 6 of the records of Boulder County, Colorado;

Thence continuing North 34° 28'30" West, 342.00 feet along the Easterly line of said Block "B"; thence South 55° 31'30" West, 280.00 feet to the true point of beginning; thence South 34° 28'30" East, 70.56 feet; thence South 78° 30' East, 46.17 feet; thence South 7° 50' East, 87.54 feet; thence South 34° 28'30" East, 111.81 feet to a point of curve to the left; thence Southeasterly, 83.82 feet along the arc of said curve to a point tangent, said arc having a radius of 100.00 feet, a delta angle of 48° 01'30" and being subtended by a chord that bears South 58° 29'15" East, 81.39 feet; thence South 82° 30' East, 14.77 feet to the Northerly right-of-way line of said Toedtli Drive; thence Southwesterly 14.55 feet along the Northerly right-of-way line of said Toedtli Drive and along the arc of a curve concave to the Northwest to a point tangent, said arc having a radius of 225.00 feet, a delta angle of 3° 42'15" and being subtended by a chord that bears South 20° 45'57" West, 14.54 feet; thence South 18° 54'50" West, 18.19 feet along the Northerly right-of-way line of said Toedtli Drive; thence North 82 °30' West, 66.65 feet; thence North 34° 28'30" West, 173.71 feet; thence North 7° 50' West, 84.20 feet; thence North 78° 30'

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West, 32.50 feet; thence North 34° 28'30" West, 80.26 feet to a point on a line that bears South 55° 31'30" West, from the true point of beginning; thence North 55° 31'30" East. 24.00 feet to the true point of beginning.

Parcel A3:

Together with easement for vehicular and pedestrian traffic for a term of 99 years, as established under that certain Cross Easement Agreement recorded June 19, 1972 on Film 776 as Reception No. 022995, over, upon and across the common areas as therein defined, of the following described property: Outlot F of Table Mesa Addition, except the parcel of land described on Film 602 as Reception No. 846931.

Parcel A4:

Together with an easement for the construction, maintenance, repair, operation and use of a street or driveway over, under and across Outlot F of Table Mesa Addition, recorded May 9, 1980 on Film 1116 as Reception No. 395069, and described as follows:

Commencing at the Southeast corner of said Outlot F; thence North 00° 02'40" East, 137.00 feet along the East line of said Outlot F to a point of curve to the left, and the true point of beginning; thence Northwesterly 25.49 feet along the arc of said curve to a point of compound curve, said arc having a radius of 15.00 feet, a delta angle of 97° 22'28" and being subtended by a chord that bears North 48° 38'34" West, 22.53 feet; thence Southwesterly, 108.77 feet along the arc of said compound curve to a point of compound curve, said arc having a radius of 258.50 feet, a delta angle of 24° 06'28" and being subtended by a chord that bears South 70°36'58" West, 107.97 feet; thence Southwesterly, 16.40 feet along the arc of said compound curve to a point on the Westerly line of said Outlot F, said arc having a radius of 28.50 feet, a delta angle of 32° 57'58" and being subtended by a chord that bears South 42° 04'45" West, 16.17 feet; thence Northwesterly, 40.35 feet along the arc of a curve concave to the Southwest and along the Westerly line of said Outlot F, said arc having a radius of
230.00 feet, a delta angle of 10° 03'10" and being subtended by a chord that bears North 31° 42'32" West, 40.30 feet; thence Southeasterly, 16.63 feet along the arc of a curve concave to the North to a point of reverse curve, said arc having a radius of 28.50 feet, a delta angle of 33° 25'28" and being subtended by a chord that bears North 75° 16'28" East, 16.39 feet; thence Northeasterly, 129.31 feet along the arc of said reverse curve to a point of reverse curve, said arc having a radius of 289.50 feet, a delta angle of 25° 35'31" and being subtended by a chord that bears North 71° 21'30" East, 128.24 feet; thence Northeasterly, 21.61 feet along the arc of said reverse curve to a point on the East line of said Outlot F, said arc having a radius of 15.00 feet, a delta angle of 82° 33'26" and being subtended by a chord that bears North 42° 52'33" East, 19.79 feet; thence South 0° 02'40" West, 61.00 feet along the East line of said Outlot F to the true point of beginning.

Parcel C:

A tract of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southwest corner of said Block "B"; thence North 00° 02'40" East, 251.53 feet along the West line of said Block "B" to the true point of beginning; thence South 89° 54'05" East, 152.02 feet; thence North 34° 32'40" West, 69.28 feet; thence North 89° 54'05" West, 32.13 feet; thence North 00° 05'55" East, 46.50 feet; thence North 34° 32'40" West, 141.98 feet to the West line of said Block "B"; thence South 00° 02'40" West, 220.31 feet along the West line of said Block "B" to the true point of beginning.

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A RAGING THUNDER LIZARD COMPANY

THE W.W. Reynolds COMPANIES

June 12, 2014

City of Boulder
Planning & Development Services
P.O. Box 791
Boulder, Colorado 80306

RE: Table Mesa Shopping Center—Land Use Review

Dear Planning & Development Services Staff:

The subject property, 693 S. Broadway, Building 2, Boulder, Colorado, is owned by Table Mesa Shopping Center, LLC. Since October 2009 the building has been leased to a fitness club. The owners now wish to lease the building to an existing tenant in the shopping center, a culinary school, which will use the building as an Adult Educational Facility. The culinary school has been a tenant in the shopping center for 22 years. Their program currently occupies space in two different locations at Table Mesa Shopping Center: 5,012 square feet of classroom space on the west side of the Center, and 2,578 square feet of administrative offices in another building on the south side of the Center. The school also leases classrooms and kitchens in other areas of Boulder outside of the Shopping Center and is now seeking to consolidate all of its classrooms onto one campus at Table Mesa. It also would like to have the potential of eventually expanding their operation in a larger space.The building in question will be used for classrooms only; administration will remain where it is currently located.

The building was constructed in 1980; it is two stories in height with a total square footage of 13,135. The proposed reuse will involve interior renovations only; no expansion of the footprint is contemplated. The building is part of an established shopping center that is primarily retail space.

The current fitness center use of the building represents a high-traffic, high-density use that will be greatly reduced by the new proposed use. The fitness center is open extended hours 363 days per year. With over 700 persons holding memberships, and offerings of almost 65 fitness classes per month, added to a population that largely accesses the property via private vehicle, this business relies on large numbers of patrons to remain viable. In contrast, the culinary school has a somewhat typical academic schedule comprised of classes that are offered weekdays with regular seasonal breaks. The hours of operation are from 7:00 a.m. to 11:00 p.m., Monday through Friday. There are no classes on holidays, and there are winter and summer breaks. Classes are held in three sessions per day Monday through Friday; the average class size is 12-15 students. The school has a total active student body of 170 adults 18 years and over attending classes in the current location and other locations in the City of Boulder that will all be located at Table Mesa Shopping Center. The average age of the students is 24 to 28 years. There are 16 instructors on the faculty.

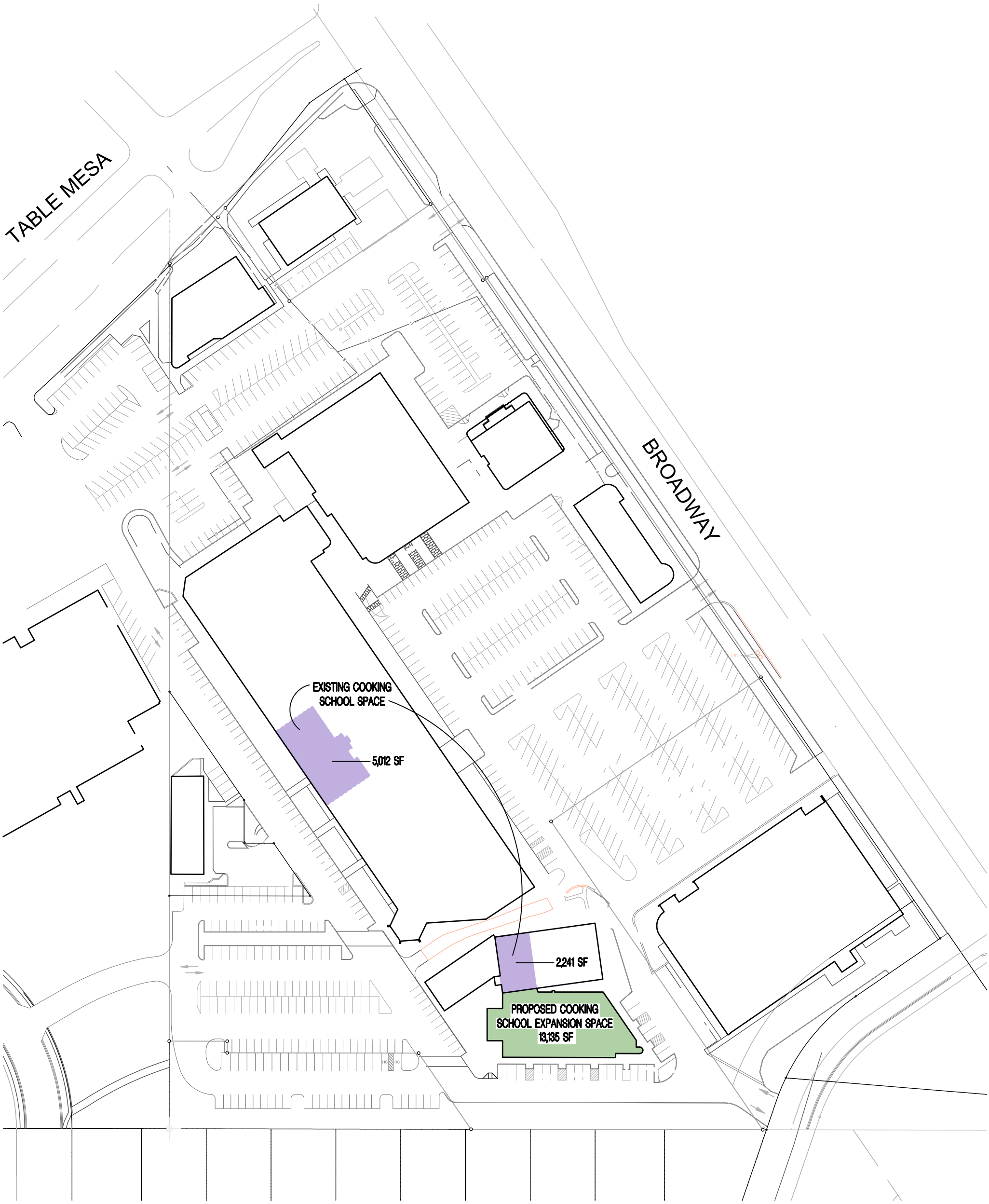
With regard to the infrastructure of the property, this project will have a positive impact. Utility use will decrease; the use of showers will be reduced if not eliminated, electricity will be used only as needed in focused areas rather than the entire building as is now the case. Noise and traffic will be much reduced because of the lower load on parking. The student body averages 25 to 35 monthly active riders on the bus (the school issues a RTD College pass to each student).

This proposed project is highly compatible with the existing use of the shopping center, in fact is more compatible because of the reduced traffic as previously mentioned. The building's appearance will continue to retain the predominant character of the surrounding buildings; the exterior will not change, nor will the floor area increase. Because of the transition from high-density use to low-density use, this project will enhance compatibility with the nearby neighborhood.

During the preparation of the Application for Land Use Review, we have had invaluable feedback from city staff and believe that we have addressed any comments and concerns that there may be. Please do not hesitate to contact me with any question or if you require additional information regarding this review request.

Sincerely,

Jeffrey Wingert
Manager, W.W. Reynolds Companies



5,012 SF	(EXIST)
2,241 SF	(EXIST)
13,135 SF	(PROPOSED EXPANSION)
20,388 SF	(TOTAL PROPOSED)

NORTH

TABLE MESA SHOPPING CENTER
SCHEMATIC SITE PLAN
1" = 100'-0"

ANALYSIS OF USE REVIEW CRITERIA 9-2-15(e), B.R.C. 1981:

(1) Consistency with Zoning and Non-Conformity: The use is consistent with the purpose of the zoning district as set forth in Section 9-5-2(c), "Zoning Districts Purposes," B.R.C. 1981, except in the case of a non-conforming use;

The project site is zoned Residential Medium – 2 (RM-2). These areas are defined in the City's Land Use Code as "Medium density residential areas which have been or are to be primarily used for attached residential development, where each unit generally has direct access to ground level, and where complementary uses may be permitted under certain conditions." Additionally, Section 9-6, B.R.C. 1981 supports "Adult Education Facility" uses through the Use Review process. The proposed relocation of the existing culinary school into a different tenant space is consistent with the intent of complimentary uses contemplated by the RM-2 zone district.

(2) Rationale: The use either:

(A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;

Not applicable.

(B) Provides a compatible transition between higher intensity and lower intensity uses;

The proposed use will not result in additional impacts compared to the existing use. Additionally, a landscape buffer and fencing exists directly to the south to screen adjacent residential properties.

(C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or

Not applicable.

(D) Is an existing legal non-conforming use or a change thereto that is permitted under subsection (e) of this section;

Not applicable.

X (3) Compatibility: The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The proposal is compatible with the surrounding area. The exterior of the existing building will not change and no new impacts will be created.

The current fitness center use of the building represents a high-traffic, high turn-over use that will be reduced by the new proposed use. The fitness center is open 363 days per year, seven days a week from 5:00 A.M. to 10:00 P.M. Monday – Thursday, 5:00 A.M. to 9:00 P.M. on Fridays, 7:00 A.M. – 7:00 P.M. on Saturdays, and 8:00 A.M. to 7:00 P.M. on Sundays, totaling 107 hours of operation per week. With over 700 persons holding memberships, and offerings of almost 65 fitness classes per month, added to a population that largely accesses the property via private vehicle, this business relies on large numbers of patrons to remain viable.

In contrast, the culinary school has a somewhat typical academic schedule comprised of classes that are offered weekdays with regular seasonal breaks. The hours of operation are from 7:00 a.m. to 11:00 p.m., Monday through Friday totaling 80 hours of operation per week. There are no classes on holidays, and there are winter and summer breaks. Classes are held in three sessions per day Monday through Friday and the average class size is 12-15 students. The school has a total active student body of 170 adults 18 years and over attending classes and 16 faculty members in the current location and other locations in the City of Boulder that will all be located at Table Mesa Shopping Center. The average age of the students is 24 to 28 years.

With regard to parking, there is currently a previously approved 6% parking reduction granted for the entire shopping center. Since the parking requirements for an adult education use are the same as a gym (1 space per every 300 square feet), the parking requirements on the site will not be impacted. Overall, proposed use will have reduced impacts on surrounding properties and will maintain more predictable periods of operation than the previous use. Gyms are considered high turn-over uses for parking, similar to a medical or dental office whereas the school will maintain three regular sessions per day and provide eco passes to students. Weekend impacts will also be diminished since the school is not open on Saturdays or Sundays. While there are no dedicated parking spaces for the culinary school, the lease indicates that there is a "preferred" parking area along the edge of the building and to the southwest.

With regard to the use, the zoning in the area supports a variety of non residential uses including office uses and a variety of personal service and convenience retail however; the location of the space is considered low visibility and is not necessarily a desirable retail space.

(4) Infrastructure: As compared to development permitted under Section 9-6-1, "Schedule of Permitted Uses of Land," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a non-conforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets;

The proposed development will not adversely impact the existing infrastructure of the surrounding area. The replacement of a gym use with a culinary school use will not introduce new demands on the exiting systems.

(5) Character of Area: The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area; and

The expansion of the existing culinary school use into an additional tenant space will not alter the character of the area. The shopping center has served a multitude of diverse retail, office, restaurant, automotive and personal services uses over the last 50 years. Further, the culinary school has held a presence in the shopping center for over 20 years. (Note that there are no area plans or design guidelines that have been adopted for the area).

(6) Conversion of Dwelling Units to Non-Residential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in Subsection 9-5-2(c)(1)(a), B.R.C. 1981, to non-residential uses that are allowed pursuant to a use review, or through the change of one non-conforming use to another non-conforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a day care center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.

Not applicable.

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works, Flood Recovery Manager

Date: September 2, 2014

Subject: Information Item: Flood Commemorative Events & Flood Recovery Status

This City Council information item provides a summary of events scheduled for the flood commemorative week, a high-level overview of the September 2013 flood event and recovery efforts, as well as a financial update.

City staff, consultants and community partners continue to work diligently to make progress in achieving the council-adopted objectives for both near-term recovery and long-term resilience. Highlights of the progress were provided at the Flood Recovery briefing immediately before the regular City Council meeting on July 22, 2014 and included in the Flood Recovery Status Information Packet item (available here). The next briefing is tentatively scheduled for Oct. 28, 2014. Additional information on flood impacts to people, private property and infrastructure citywide and the current status of recovery can be found at www.BoulderFloodInfo.net.

Summary of Flood Commemorative Week Events

BoCo Strong Flood Commemoration Week is an opportunity for cities and individuals across Boulder County to remember, learn and unite around the anniversary of the September 2013 flood events. As part of Flood Commemoration Week, the City of Boulder is sponsoring and hosting various community events, including:

- **Boulder Creek Flood Cleanup & Cookout**
  Sept. 6, 9 a.m. – 12 p.m. | Rocky Mountain Anglers, 1904 Arapahoe Ave.
  Rocky Mountain Anglers in partnership with Boulder Parks & Recreation is sponsoring a Boulder Creek clean up. Join the fun to pick up trash and debris along the Boulder Creek Path and celebrate with a cookout afterwards. No registration required. Volunteers should meet at Rocky Mountain Anglers at 9 am. on Saturday morning. To participate as a group leader or for more information, contact Randy Hicks at 303-447-2400 or randy@rockymtanglers.com.

- **Open Space and Mountain Parks Flood Clean-up Project**
  Sept. 9 | Event details and sign up are available at the Foothills United Way website
  Join us for this community volunteer project to remove portions of destroyed fence and flood debris from cattle fence on OSMP property. The volunteer project is open to the public. Interested parties should sign up on the at the Foothills United Way website.

- **The Science of Disaster Planning: Research and Response**
  Sept. 10, 1 - 5 p.m. | Museum of Boulder, 2205 Broadway
  The City of Boulder in partnership with the Geological Society of America is hosting a half-day science sharing event. Researchers and county leaders will engage in a dialogue about climate, geology and social behaviors related to the 2013 flood. To register call the Center for ReSource Conservation at 303-999-3020 x 217.

- **Boulder Flood Tribute: Community Stories in Action.**
  Sept. 10, 6 – 8 p.m. | Museum of Boulder, 2205 Broadway
  Join Mudslingers, first responders, volunteers and mayors for a night of stories, community and discussion. Fueled by Ignite-type presentations, community members will share their stories to commemorate the 2013 flood event. Info: www.BoulderFloodInfo.net.

- **Forests to Faucets and Floods**
  Sept. 12, 2014, 9 a.m. – 1 p.m. | Guided bus tour
  Take a guided bus tour that follows the City of Boulder's water supply from source to stream and discusses the impacts of the September 2013 flood. To save your seat, call the Center for ReSource Conservation at 303-999-3020 x 217.

- **Elks Park Opening Celebration: Marking One Year of Flood Resiliency**
  Sept. 12, 5:30 – 7 p.m. | Elks Park, 3995 N 28th St
  Join us for the ribbon cutting to celebrate the new park amenities including a new mosaic inside of the renovated park shelter. There will be activities for families and children of all ages, light refreshments and a recreation center pass raffle for attendees. Info: www.BoulderParkNews.org

Flood Commemoration events are being held across Boulder County, a complete calendar of BoCo Strong events can be found at www.bocostrong.org/events.html.

Brief Overview of 2013 Flood & Recovery – One Year Later

Flood Overview

- September 2013 brought unprecedented rainfall to the region causing significant flooding and extensive damage to both private property and city infrastructure. Total damage to city infrastructure and public lands is estimated at $27.3 million, and private property damage is estimated at $300 million.

- The National Weather Service has described the storm event as a 1,000-Year precipitation event – an event with a 1 in 1,000 probability of happening in any given year.

- 8,000 individuals and 6,000 households within the City of Boulder registered for Federal Emergency Management Agency (FEMA) assistance (14 percent of the city's total households). Of those, approximately 1,700 had damage that made their unit not habitable until repairs were made. Two commercial properties were destroyed.

Flood Recovery Update Highlights

- Due to the September 2013 flooding, the city was declared a national disaster and created the opportunity for possible reimbursement through FEMA, Federal Highway Administration (FHWA) and the State of Colorado

- As of July 31, 2014, the city has spent approximately $16 million on flood recovery, with remaining work on city infrastructure and public lands estimated at $11.2 million, recovery efforts are 59 percent complete.

- Estimated reimbursements from FEMA, the State of Colorado and the Federal Highway Administration (FHWA) are anticipated to be $14.5 million. To date, the city has received $720,000 in reimbursements from FEMA and the State of Colorado.

- The city is also pursuing additional grant funding sources. The city has been awarded $2.9 million for flood recovery and resilience projects from federal and state agencies, including:
    - Housing rehabilitation and temporary rental assistance;
    - Wastewater interceptor re-route;
    - Water and Sewer infrastructure in adjacent neighborhoods;
    - Stream restoration in Boulder Creek; and
    - Planning study in the west fourmile canyon creek area for Ponderosa Mobile Home Park and Foothills Community.

- The city has been invited to submit full applications for $595,000 of resilience projects by two federal agencies, including:
    - Sediment and debris removal in waterways; and
    - Emergency generators at fleet services and the wildland fire station.

- The city is pursuing additional CDBG-DR funds in Rounds 2 and 3 ($257 million available) along with countywide partners. The objectives of the preferred funding approach are intended to provide more predictability and allow the city to leverage funds more effectively.

Learning Together & Planning for the Future

- The flood tested the city, county, and the community's emergency preparedness and recovery plans, and resulted in many successes, as well as lessons learned and areas for additional work and coordination. The flood disaster also highlighted certain vulnerabilities in the city's infrastructure.

- The city has begun development of a disaster recovery plan, to assist in being more resilient after a future disaster. The plan development includes:
    - Analysis of city policies and procedures; and
    - New or revised detailed planning documents, such as a debris plan, damage assessment plan and shelter plan.

  The objective of this work is to be more prepared, maximize FEMA assistance and eligibility, and enhance communication, collaboration, and community preparedness.

Attachments

- **Attachment A** – Flood Commemorative Event Poster
- **Attachment B** – BoCo Strong Countywide Flood Commemoration Events

THE BOULDER FLOOD: ONE YEAR LATER.

WEDNESDAY, SEPT. 10, 2014

MUSEUM OF BOULDER, 2205 BROADWAY

AFTERNOON EVENT 1 - 5 P.M.

The Science of Disaster Planning: Research and Response

The City of Boulder, in partnership with the Geological Society of America (GSA), is hosting this half-day science sharing event. Researchers and county leaders will engage in a dialogue about climate, geology and social behaviors related to the 2013 flood. Space is limited.

EVENING EVENT 6 - 8 P.M.

Boulder Flood Tribute: Community Stories in Action

Join Mudslingers, first responders, volutneers and mayors for a night of stories, community and discussion. Fueled by Ignite-type presentations, community members will share their stories to commemorate the 2013 flood event.

REGISTER TODAY!

Call the Center for ReSource Conservation at 303-999-3020 X217

or visit www.BoulderFloodinfo.net

A SPICE OF LIFE

CENTER FOR ReSource CONSERVATION

MUSEUM OF BOULDER EVENT CENTER

THE GEOLOGICAL SOCIETY OF AMERICA®

BoCo STRONG

CITY OF BOULDER

September Anniversary Events

6

Boulder Creek Flood Cleanup & Cookout, 9 a.m. – 12 p.m., Rocky Mountain Anglers, 1904 Arapahoe Ave., Boulder - To participate as a group leader or for more information, contact Randy Hicks at 303-447-2400.

7

Lyons Flood History Exhibit, Redstone Museum, 340 High St., Lyons - The Exhibit will include artifacts, photographs and stories related to the flood event and recovery. Week long.

BoCo Strong Flood Commemoration Week Kickoff Event, 12-4pm at Gateway Park Fun Center, 4800 28th St, Boulder -
Sharing stories of resilience from communities throughout the county. Family friendly, activities for kids, food, music, and recovery and resiliency booths.

9

Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder - Temporary "pop-up" display commemorating the 1st Anniversary of the Boulder County Floods.

Boulder 2013 Floods: The What and Why of Forecasting a Record Flood Event, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder - Doors open at 5pm for viewing of the display. Nzette Rydell - National Weather Service will be presenting.

10

The Science of Disaster Planning: Research and Response, 1-5pm - The City of Boulder in partnership with the Geological Society of America are hosting a half-day science sharing event. Researchers and county leaders will engage in a dialogue about climate, geology and social behaviors related to the 2013 Flood. Space is limited. Call the Center for ReSource Conservation at 303-999-3020 x 217 to reserve your seat.

Boulder Flood Tribute: Community Stories in Action, 6 – 8pm, Museum of Boulder, 2205 Broadway - Join Mudslingers, first responders and mayors for a night of stories, community and discussion. Fueled by Ignite-type presentations, community members will share their stories to commemorate the 2013 Flood. Info: www.BoulderFloodInfo.

11

Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

One Year After the Flood: Boulder Open Space and Mountain Parks, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder - Doors open at 5pm to view the display. Dave Sutherland will be presenting.

Rockin' Rollout: An overview and discussion of recovery priorities for the town of Lyons and surrounding areas, 6-8pm, Wildflower Pavilion, Planet Blugrass - Presented by the leads of the various Flood Recovery Working Groups.

12

Day of Caring 2014: A Day to Give Back, A Day to Make a Difference: Foothills United Way's 20th Annual Day of Caring, 8am-12:30pm. - Go to http://volunteer.unitedwayfoothills.org/dayofcaring2014 for more information.

Forests to Faucets and Floods, 9am-1pm - Guided bus tour that follows the City of Boulder's water supply from source to stream and discusses the impacts of the 2013 Flood. The tour costs $10 which includes lunch. Call the Center for ReSource Conservation at 303-999-3020 x 217 to reserve your seat.

One Year Strong 3-D Mural Unveiling, 1:45pm, Fork Restaurant, Lyons - Mural created by Jake and Kaylee Sue Pinello, Rachel Tallent, and Sally Truitt

Lyons - Six Islands Parade, Main Street 2-3pm, recognition and reflection event following the parade at Sandstone Park - Interactive parade where each 'islanded' community of Lyons parades a decorated float, with a unique, community designed pirate flag.

Lyons Islands One Year Strong Parade, Main Street (end at Sandstone park) 2-3 pm -Interactive parade where each 'islanded' community of Lyons parades a decorated float, with a unique, community designed pirate flag (gift to attendees).

Jamestown Flood Commemoration Open House, 3-8pm. Jamestown Town Hall, 118 Main Street - Flood related displays by local artists, recovery slideshow, authors and the labyrinth.

Lyons Community Barbecue 4-7pm and Football Game 7pm kickoff, Lyons Middle/Senior High School - The 18th Annual Lyons Community Barbecue will be held before the first home football game. Lyons Middle/Senior High School is proud to invite the entire extended community of Lyons to the school 'on the Island' to meet, talk and reflect.

Solidarity in Sandstone, Sandstone Park 3-4pm, Lyons - Music and speakers to remember our strengths and acknowledge our struggles. The Watergirls, Emily Flemming, and more!

Sounds of Lyons - Crazy About You, 8 pm Rogers Hall, 4th and High Street, Lyons - A stunning tapestry of Classical, Flamenco, Jazz, Folk, and Original music with guitarist Alfredo Muro, flutist Emma Shubin, singer Shannon Johnson, dancers, and the Sage Ensemble.

Flood Reflections: One Year Later, 3-9pm, Museum of Boulder, 2205 Broadway, Boulder - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

13

Cyclists 4 Lyons, 9 am, Bohn Park, South Second Ave., Lyons - An all-day event with food, live music, beer, silent and live auction, pro cyclist appearances, and great rides – all to benefit the Lyons Community Foundation. Gov. Hickenlooper will be at Bohn Park at 4:30pm.

Flood Reflections: One Year Later, 10am-7pm, Museum of Boulder, 2205 Broadway, Boulder - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

Longmont Neighborhood Commemorative Events, the Valley, the Greens, Champion Greens neighborhoods as well as St. Vrain Mobile Home Park - The City of Longmont is supporting individual neighborhoods, that were impacted by the flood, to have neighborhood based events to commemorate the anniversary of the flood.

Colorado United Day of Service - Sponsored by Serve Colorado, Governor's Commission on Community Service
Visit www.ColoradoUnited.com for more details or to volunteer.

Sounds of Lyons - Life True 8 pm Rogers Hall, 4th and High Street, Lyons - Four short documentary films by Jem Moore, a coffee grower, a Buddhist calligrapher chef, an activist singer-songwriter and an immigrant massage therapist, all interconnected by the sublime Late Beethoven String Quartets opus 130 & 132.

14

Flood Reflections: One Year Later, 12-5pm, Museum of Boulder, 2205 Broadway, Boulder - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

Boland Memorial Dedication, 1-2pm, Lyons Elementary School, Lyons - Boland Lane, a sandstone bench, and a plaque will be dedicated.

Redstone Museum Flood Display and Heroes Poster Dedication, 2-3pm, Lyons Redstone Museum, 340 High Street - Photos, books, displays, and videos about the flood.

Sounds of Lyons - 3-6pm, Sandstone Park, 4th and Broadway - Local musicians with a national presence including Taarka, The Songbirds and Granias come together to commemorate the Great Flood and share a sense of new hope with their friends and neighbors.

Community Picnic and Flood Open Mic, 6-9pm. Wildflower Pavilion, Planet Bluegrass, Lyons

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Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder- Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

The 2013 Flood in Historical Context, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder - Doors open at 5pm for viewing of the display. Kevin Houck - Colorado Water Conservation Board will be presenting.

17

Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

Boulder's Waterworks, Past and Present, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder - Doors open at 5pm for viewing of the display. Silvia Pettem – Boulder Historian will be presenting.

Following the 2013 Flood, a wide variety of Boulder County residents and organizations from all sectors of the county have come together to form the LTFRG. In addition to identifying and addressing individual unmet needs, the LTFRG has learned from other communities hard hit by disaster the importance of engaging all parts of the community about how to rebuild stronger and better. BoCo Strong was formed to champion community engagement and build community resilience.

The BoCo Strong calendar will include all the flood commemoration events that are being planned across the county. Please share your events. The BoCo Strong website will also share any and all photos, videos and stories.

Visit www.BoCoStrong.org to get updates and see the calendar. Submit your events to bocostrong@gmail.com.

BoCo STRONG

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning & Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Lesli Ellis, Comprehensive Planning Manager
Edward Stafford, Development Review Manager, Public Works
Scott Kuhna, Development Review Supervisor
Mary Wallace, Legal Secretary, City Attorney's Office
Jeff Hirt, Planner II

Date: September 2, 2014

Subject: Information Item: Left Hand Water District referral for water taps to serve three properties located in Area III-Rural Preservation

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EXECUTIVE SUMMARY

The purpose of this item is to inform Council of three Left Hand Water District (District) referrals for water taps to serve properties in the Boulder Valley Planning Area. The referrals and this information item are in accordance with an Intergovernmental Agreement with the Left Hand Water District to provide Council with the opportunity to comment. Each of the three referrals is in Area III – Rural Preservation to serve single family homes in accordance with Boulder County zoning requirements.

The city's review of the requests summarized in this memo focuses on whether the request is consistent with the BVCP.

Attachment B includes the three letters of request for District water service for:

1. 5864 Rustic Knolls Drive – single family residential water service for a currently vacant lot
2. 5235 Independence Road – single family residential water service for an existing home, built in 1957
3. 3863 North 57th Street – single family residential water service for an existing home, built in 1977

The District has indicated it can serve all three properties. City staff has concluded that the requests are consistent with the BVCP and the Agreement.

Please provide any comments on this matter through the Council Hotline by Friday, September 5, 2014 or at the September 2, 2014 City Council meeting.

FISCAL IMPACTS

None anticipated. Area III–Rural Preservation is an area where the city intends to preserve existing rural land uses and character with no intent to annex the properties into the city.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None anticipated. Area III–Rural Preservation is an area where the city intends to preserve existing rural land uses and character with no intent to annex the properties into the city. No city improvements are proposed at this time.
- Environmental: Water service from the District will provide the properties with safe potable water. The applicants will be able to cease, avoid or limit use of wells, ditch water or trucking in water for their potable water source.
- Social: The water service will help to ensure that basic health and safety needs of the residents and visitors to the property are met.

BACKGROUND

The District is a special district that provides treated water to approximately 6,500 homes in Boulder and Weld Counties. The City of Boulder and the District entered into the 1995 Amended and Restated Agreement (Agreement) that provides a process for the city to comment on requests that are made for new service or changes in service to District water customers in the Boulder Valley Comprehensive Plan (BVCP) area. According to the terms of the Agreement, the District will seek comments from the city, and give due consideration to these comments, prior to expanding its water supply utility or granting requests for new water taps in the Boulder Valley. If the city has any concerns, it can request a full hearing before the District's Board of Directors as part of this process.

The city and the District have a long history of coordinating utility services within the BVCP area. Special districts like Left Hand are quasi-municipal corporations and political subdivisions under state law. (See C.R.S. § 32-1-101 *et seq.*) While there are a number of special districts that provide various services within the Boulder Valley Planning Area, the city and Boulder County have discouraged the expansion of such districts to discourage urban development outside of the urban municipalities. Since the early 1970's, the city and the District have worked to prevent conflicts and overlaps between city and District water service and to ensure that any utility service within the Boulder Valley is done in a manner that is consistent with the BVCP.

Each of these three properties are in Area III – Rural Preservation that sets forth a Boulder Valley Comprehensive Plan (BVCP) policy where the "city and county intend to preserve existing rural land uses and character" with no intent to annex the properties into the city. Attachment A provides a vicinity map.

CONCLUSION

City staff has concluded that the requests are consistent with the BVCP and the Agreement for the following reasons:

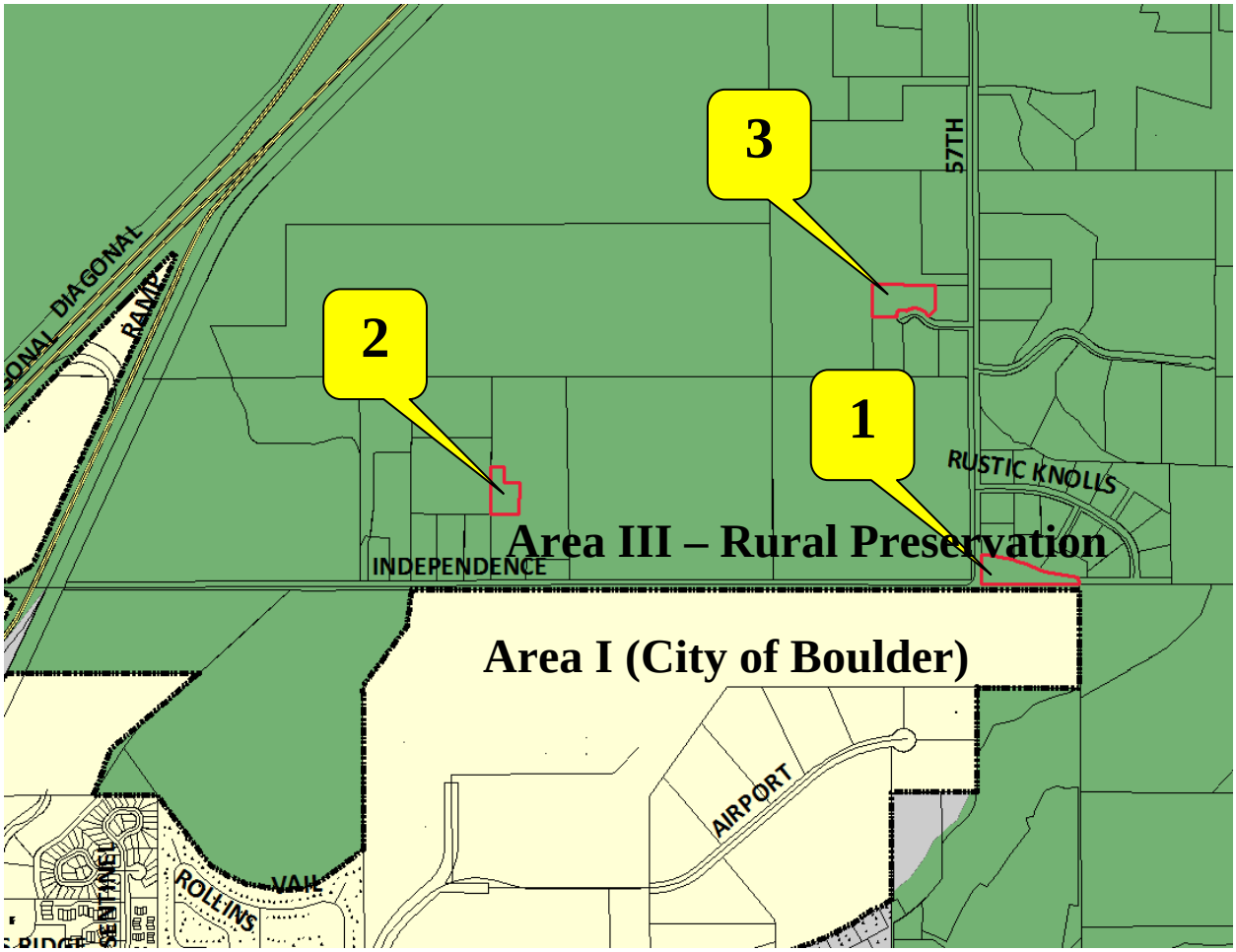
1. The requests are consistent with the BVCP policies for Area III-Rural Preservation properties to preserve existing rural land uses and character, and the city does not intend to annex the subject properties. Therefore, the city anticipates that the District will be the water supplier for this area.
2. The requests will serve existing parcels that are recognized by Boulder County, and the city does not anticipate any expansion of uses or over intensification of land uses because of the District's water service, per BVCP policies.
3. The Agreement contains a covenant that "in the event that the District agrees to provide a water tap to an existing use or parcel, the District agrees to provide such tap solely by means of a service contract with the District, not by an expansion of the District." The District has indicated that each of the three requests would be by contract and would not expand the District's boundaries.

NEXT STEPS

The city manager will be asked to sign a letter to the District, attaching the city review comments, along with any comments that the City Council members may wish to add. Council members may provide comments through the Council Hotline. City staff anticipates the letter will state the city does not have any comments regarding the water tap requests to the subject properties.

ATTACHMENTS

A. Vicinity Map
B. District Referral Letters



#1 - 5864 Rustic Knolls Drive – single family residential water service for a currently vacant lot
#2 - 5235 Independence Road – single family residential water service for an existing home, built in 1957
#3 - 3863 North 57th Street – single family residential water service for an existing home, built in 1977

Left Hand Water District

June 26, 2014

Jane Brautigam, Boulder City Manager
PO BOX 791
BOULDER CO 80302

Re: Referral notice for Left Hand Water tap request

Dear Ms. Brautigam,

The Left Hand Water District has received a request for a single family residential water service to the following property:

Address/Legal Description: 5864 Rustic Knolls Dr/ Tract 720 – A Less ½ MIN 22-IN- 70 BOOK 1258 PG 215 BCR
Parcel ID #: 146322200001
Tap Request #: 2535

The District has the ability to serve this property with a standard 3/4" water tap. The property is vacant land.

Because this property is in the City's planning area, the District is providing the City with this opportunity to comment on service to this tap, as required in our IGA.

All referral responses are due by: August 26, 2014. A hearing before the District's Board on this matter is scheduled for: September 18, 2014. Please note request #2539 when responding to this correspondence and send referral responses to the District Engineer at dwilliams@lefthandwater.org.

Service to this tap, if granted by the District, will be by contract, and not by inclusion into the District boundaries.

Sincerely,
LEFT HAND WATER DISTRICT

Christopher P. Smith, P.E.
General Manager

Cc: David Driskell, Planning Director
Maureen Rait, Public Works Director
Mary Wallace, City Attorney's Office
Jeff Arthur, Utilities

Left Hand Water District
P.O. Box 210 ~ Niwot, CO 80544-0210 ~ Phone 303-530-4200 ~ Fax 303-530-5252 ~ www.lefthandwater.org

Left Hand Water District

June 26, 2014

Jane Brautigam, Boulder City Manager
PO BOX 791
BOULDER CO 80302

Re: Referral notice for Left Hand Water tap request

Dear Ms. Brautigam,

The Left Hand Water District has received a request for a single family residential water service to the following property:

Address/Legal Description: 5235 Independence Rd/Tract 2387 21-IN – 70 Book 1231 Page 402
Parcel ID #: 146321000004
Tap Request #: 2539

The District has the ability to serve this property with a standard 5/8" water tap. The property includes an existing home, built in 1957. Their source of water is a well.

Because this property is in the City's planning area, the District is providing the City with this opportunity to comment on service to this tap, as required in our IGA.

All referral responses are due by: August 26, 2014. A hearing before the District's Board on this matter is scheduled for: September 18, 2014. Please note request #2539 when responding to this correspondence and send referral responses to the District Engineer at dwilliams@lefthandwater.org.

Service to this tap, if granted by the District, will be by contract, and not by inclusion into the District boundaries.

Sincerely,
LEFT HAND WATER DISTRICT

Christopher P. Smith, P.E.
General Manager

Cc: David Driskell, Planning Director
Maureen Rait, Public Works Director
Mary Wallace, City Attorney's Office
Jeff Arthur, Utilities

Left Hand Water District
P.O. Box 210 ~ Niwot, CO 80544-0210 ~ Phone 303-530-4200 ~ Fax 303-530-5252 ~ www.lefthandwater.org

Left Hand Water District

July 11, 2014

COPY

Jane Brautigam, Boulder City Manager
PO BOX 791
BOULDER CO 80302

Re: Referral notice for Left Hand Water tap request

Dear Ms. Brautigam,

The Left Hand Water District has received a request for a single family residential water service to the following property:

Address/Legal Description: 3863 N 57TH ST/TR 4661-d 15-1N-70 TOTAL 1.8 AC
Parcel ID #: 146315000026
Tap Request #: 2540

The District has the ability to serve this property with a standard 5/8" water tap. The property includes an existing home, built in 1977. Their source of water is a well.

Because this property is in the City's planning area, the District is providing the City with this opportunity to comment on service to this tap, as required in our IGA.

All referral responses are due by: August 26, 2014. A hearing before the District's Board on this matter is scheduled for: September 18, 2014. Please note request #2539 when responding to this correspondence and send referral responses to the District Engineer at dwilliams@lefthandwater.org.

Service to this tap, if granted by the District, will be by contract, and not by inclusion into the District boundaries.

Sincerely,
LEFT HAND WATER DISTRICT

Christopher P. Smith, P.E.
General Manager

Cc: David Driskell, Planning Director
Maureen Rait, Public Works Director
Mary Wallace, City Attorney's Office
Jeff Arthur, Utilities

Left Hand Water District
P.O. Box 210 ~ Niwot, CO 80544-0210 ~ Phone 303-530-4200 ~ Fax 303-530-5252 ~ www.lefthandwater.org

City of Boulder
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Human Relations Commission

DATE OF MEETING: Aug. 18, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Robin Pennington 303-441-1912

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:
Commissioners – Amy Zuckerman, Shirly White, Emilia Pollauf
Staff – Karen Rahn, Carmen Atilano, Kim Pearson, Robin Pennington
Commissioners absent - José Beteta

WHAT TYPE OF MEETING (CIRCLE ONE) **[REGULAR]** [SPECIAL] [QUASI-JUDICIAL]

AGENDA ITEM 1 - CALL TO ORDER – The Aug. 18, 2014 HRC meeting was called to order at 5:59 p.m. by **A. Zuckerman.**

AGENDA ITEM 2 – AGENDA ADJUSTMENTS – The Aug. 26 Study Session on **Update Regarding Ten Year Plan for Services Related to the Homeless** was added as a Discussion/Informational item.

AGENDA ITEM 3 – APPROVAL OF MINUTES – E. Pollauf moved to accept the July 21, 2014 minutes**. S. White seconded** the motion. **Motion carries 3-0.**

AGENDA ITEM 4 – COMMUNITY PARTICIPATION (non-agenda action items) – None.

AGENDA ITEM 5 – ACTION ITEMS

A. Declaration on Unaccompanied Immigrant Children – **C. Atilano** reviewed the draft declaration. **S. White moved** to approve. **E. Pollauf seconded. Motion carries 3-0.**

AGENDA ITEM 6 – DISCUSSION/INFORMATIONAL ITEMS

A. Work Plan Update

1. **Living Wage Public Forum – S. White** provided an update on the Sept. 3 Living Wage Public Forum. Staff provided commissioners with a copy of the flyer and noted that the event may be video-recorded.
2. **2014 MEI Scorecard – C. Atilano** provided an update on next steps for the HRC in response to the scorecard.
3. **Marriage Equality –** No updates were provided.
4. **Proclamations**
   a. **PrideFest – C. Atilano** noted that the proclamation would be read at the Sept. 2 City Council meeting.
   b. **Celebration of Immigrant Heritage – C. Atilano** noted that the proclamation is scheduled to be read at the Sept. 16 council meeting.
5. **September HRC Meeting Location –** Commissioners and staff discussed the logistical needs of off-site meetings and potential locations for the September meeting.

B. Bolder Boulder – A. Zuckerman reported on the progress of the community group working with Bolder Boulder on their publicity campaign.

C. Study Session on Update Regarding Ten Year Plan for Services Related to the Homeless – K. Rahn provided the commissioners with information on the Aug. 26 Study Session, an update and presentation on homelessness issues that will focus on the chronically homeless. The session will be televised.

D. Event Reports – S. White attended the Boulder Asian Festival which took place Aug. 9 and 10.

E. Follow Up Tasks – Submit the approved July minutes, submit the declaration to the Council Agenda Committee (CAC), translate the Living Wage flyer into Spanish and promote the event,

continue to look for an off-site location for the September HRC meeting, forward the Study Session packet to commissioners.
AGENDA ITEM 7 – IMMEDIATE ACTION ITEMS – None. It was noted that council will appoint a new HRC commissioner on Aug. 19.
AGENDA ITEM 8 – Adjournment – **E. Pollauf moved** to adjourn the Aug. 18, 2014 meeting. **S. White seconded** the motion. **Motion carries 3-0.** The meeting was adjourned at 6:43 p.m.
TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next regular meeting of the HRC will be Sept. 15, 2014 at 6:00 p.m. at a location to be determined.

CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: August 20, 2014
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: MEMBERS: Tom Isaacson, Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight STAFF: Jim Reeder, Dave Kuntz, Mark Gershman, Greg Seabloom, Don D'Amico, John D'Amico, Leah Case, Brad Skowronski, Lynn Riedel, Megan Bowes, Alyssa Frideres, Annie McFarland, Cecil Fenio GUESTS: Kurt Bauer, Environmental Project Manager, Utilities; Craig Eicher, Xcel (Boulder)Area Manager
TYPE OF MEETING: **REGULAR** CONTINUATION SPECIAL
SUMMATION: AGENDA ITEM 1- **Approval of the Minutes** Frances Hartogh moved to approve the minutes from July 9, 2014. Kevin Bracy Knight seconded. This motion passed unanimously. AGENDA ITEM 2- **Public Participation** Several members from the public asked that their neighborhood access to Open Space not be restricted as a result of the Open Space trail management in combination with NIST. Several members from the public commented on the South Boulder Creek flood mitigation project. AGENDA ITEM 3- **Director's Updates** **NIST Trail Management** Annie McFarland, Visitor Master Plan Implementation Coordinator, gave an update on the management plan for trails bordering Open Space and Mountain Parks (OSMP) and National Institute of Science and Technology (NIST). **South Boulder Creek Flood Mitigation Proposed Alternative** Don D'Amico, and Kurt Bauer, Environmental Project Manager, Utilities, gave a presentation on the South Boulder Creek flood mitigation.

Chautauqua Meadow Trail Repair/Rehabilitation Project
Greg Seabloom, Trails Supervisor, gave an update on the upcoming trail project at Chautauqua Meadow.

Monitoring Protocol: Undesignated Trail Closure and Restoration - Sanitas (Wittemyer) and Anemone Subareas
Megan Bowes, Ecological Technician, gave an update on the monitoring protocol for Sanitas (Wittemyer) and Anemone.

AGENDA ITEM 4- **Matters from the Board**
Kevin thanked staff for getting the cattle guards put in. He also noted that the work done on Hogback Trail was really great.

AGENDA ITEM 5 **– Consideration of a motion to approve the purchase of approximately 80 acres of land, the mineral estate, nine shares of Left Hand Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95th St. from the Martinson family for $3,000,000 for Open Space and Mountain Parks purposes.***
John D'Amico, Property Agent, gave a presentation to the Board on a possible acquisition.

This item spurred one motion:
Frances Hartogh moved the Open Space Board of Trustees approve a motion recommending that the Boulder City Council approve the purchase of approximately 80 acres of land, mineral estate, nine shares of Left Hand Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95th Street from the Martinson family for $3,000,000 for Open Space and Mountain Parks purposes. An additional $40,000 for immediate property improvements such as home repairs, boundary fencing and irrigation improvement is also being requested for expenditure from the acquisition budget. Kevin Bracy Knight seconded. This motion did not pass; Tom Isaacson, Shelley Dunbar, and Molly Davis dissented.

AGENDA ITEM 6 **– Recommendation to enter into a nonexclusive license pursuant to Boulder City Charter Section 175(h) between Open Space and Mountain Parks and Public Service Company of Colorado for three power pole support beams on the East Rudd property for the purpose of facilitating the construction of the Boulder County/Colorado Department of Transportation road improvement project on State Highway 93. This is the same highway improvement project which encompasses the Open Space and Mountain Parks new Community Ditch underpass.***
Jim Reeder, Land and Visitor Services Division Manager, gave a presentation to the Board.

This item spurred one motion:
Shelley Dunbar moved the Open Space Board of Trustees recommend that the Open Space and Mountain Parks Director grant a nonexclusive license to Public Service Company of Colorado to allow it to place three support beams for utility poles on the East Rudd Open Space property for the purpose of facilitating the construction of the Boulder County/CDOT road improvements on SH 93. Molly Davis seconded. This motion passed unanimously.

AGENDA ITEM 7 **– Consideration of the Anemone Hill area on-trail requirement during trail construction and undesignated trail restoration.***
Annie McFarland, Visitor Master Plan Implementation Coordinator, gave a presentation on Anemone Hill.

This item spurred one motion:
Kevin Bracy Knight moved The Open Space Board of Trustees approve Open Space and Mountain Parks implementation of Alternative A Revised-- "Rolling Trail Opening" -- that implements opening the Anemone Hill Trail sequentially as sections are completed for visitor access. Molly Davis seconded. This motion passed four to one. Frances Hartogh dissented.

ADJOURNMENT: The meeting adjourned at 11:30 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:
One member from the public commented on the plan for Anemone Hill and asked for staff to consider keeping the alignment with a higher grade. He also suggested including the public in the planning process.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:
The next OSBT meeting will be September 10, 2014 at 6:00 p.m.

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Parks and Recreation Advisory Board
DATE OF MEETING: July 28, 2014
NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sally Dieterich 303-413-7242
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:
Board Present: Mike Conroy, Michelle Estrella, Mike Guzek, Marty Gorce, Tom Klenow
Board Absent: Myriah Conroy, Kelly Wyatt
Staff Present: Jeff Dillon, Yvette Bowden, Sally Dieterich, Jeff Haley
TYPE OF MEETING: REGULAR

The meeting was called to order at 6:01 p.m.

OUTLINE OF AGENDA:

I. APPROVAL OF AGENDA: The agenda was approved.

II. FUTURE BOARD ITEMS AND TOURS

Dillon provided a timeline update:

- Future meeting – Boulder City Council – Pay As You Go short term sales tax discussion
- 9/23/14 Boulder City Council meeting – Proposed smoking ban

III. PUBLIC PARTICIPATION

Public participation was opened.
No one spoke.
Public participation was closed.

IV. CONSENT AGENDA

A. Approval of minutes from June 23, 2014
The minutes were approved as written.

B. Informational Items
Written updates were provided to PRAB as part of packet materials and required no board action or discussion.

V. ITEMS FOR ACTION

There were no Items for Action

VI. ITEMS FOR DISCUSSION/INFORMATION

There were no Items for Discussion/Information

VII. MATTERS FROM THE DEPARTMENT

There were no Matters from the Department

VIII. MATTERS FROM BOARD MEMBERS

There were no Matters from Board Members

IX. NEXT BOARD MEETING: August 25, 2014

X. ADJOURN: The meeting adjourned at 6:07 p.m.

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES

Name of Board / Commission: Water Resources Advisory Board

Date of Meeting: 21 July 2014

Contact Information of Person Preparing Minutes: Kaaren Davis 303.441.3203

Board Members Present: Vicki Scharnhorst, Dan Johnson, Mark Squillace, Lesley Smith, Ed Clancy
Board Members Absent: None

Staff Present: Jeff Arthur, Director of Public Works for Utilities
Bob Harberg, Principal Engineer - Utilities
Katie Knapp, Engineering Project Manager
Kurt Bauer, Engineering Project Manager
Annie Noble, Flood and Greenways Engineering Coordinator
Bret Linenfelser, Water Quality and Environmental Services Manager
Kaaren Davis, Board Secretary

Meeting Type: Regular

Agenda Item 1 – Call to Order **[7:00 p.m.]**

Agenda Item 2 – Approval of the 16 June 2014 Meeting Minutes:
[7:01 pm]

16 June minutes: Motion to approve minutes from June 16th as presented. Moved by: Squillace
Seconded by: Johnson
Vote: 4:0

Agenda Item 3 – Public Participation and Comment **[7:06 p.m.]**

Public Comment:

- **Yael Cohen:** Condo owners. FEMA insurance was inadequate to deal with flood damage. Want to make sure preventative measures are taken at this time. Show of hands shows approximately 10 residents of the condominium development were wiped out by the flood.
- **Kathie Joyner:** Significant property damage from the floods. Hopes the city can find a way to accomplish one of its goals to remove hundreds of dwellings from the floodplain. There are far reaching financial effects from the flood. Action is critical. Some did not have flood insurance, but those who did know that flood insurance is inadequate. Hopes that productive ways to mitigate future events can be found through cooperation between all of the involved agencies.
- **Steve Karakitsios:** Significant flood damage. Knows that the city has much on its plate. How do the residents track progress and budget expenditures related to the flood mitigation project proposals? How do we hold accountability? How can we see it and track it ourselves?
- **Jeff McWhirter:** President of SE Boulder neighborhood association. We are victims of geography and ourselves. We dodged a bullet last fall, the event was not as bad as it could have been. We have hundreds of homes in the floodplain and that will be expensive to mitigate. Staff has done a good job in the past. Problems are expensive to fix but we really do need to fix them.
- **Don Prince:** Had some flooding but was not too bad. Three things could have reduced flooding. Water going north on 9th had no route to the creek and ended up on Canyon. No ingress to Farmers Ditch. At 17th Farmers Ditch goes under the road and there was a bottle neck there. Believes that Farmer's Ditch needs to be deeper to accommodate flood waters.
- **Diane Fritz:** Goss Grove neighborhood association representative. Here to observe the conversation about mapping the Boulder Slough. Even though most of the discussion is farther downstream, believes Farmer's Ditch was a key factor in their neighborhood flooding. Want to keep abreast of the neighborhood's interest and offer help.

Board follow up:

- Board requested details from staff on Osage and Quala and Quayden (South Boulder Creek).
- Board and staff provided information on how the public can follow up on projects and budget expenditures and keep themselves informed throughout the flood recovery, reconstruction and

mitigation process moving into the future.

Agenda Item 4 – **[7:26 p.m.]**

Information Item – Overview of Floodplain Management Program and Floodplain Mapping Studies.

Jeff Arthur and Annie Noble presented the item.

Executive Summary from the Packet Materials:

The purpose of this memorandum is to provide a general summary of the history and progress made to date on the South Boulder Creek flood mitigation planning study. This mitigation plan was initiated in 2010 after the floodplain mapping was updated in 2007. Since the study was initiated, multiple flood mitigation alternatives have been evaluated to address flooding associated with South Boulder Creek. A consultant recommendation has been developed and is described in this memorandum. A more detailed description of the recommended alternative will be presented and a request for a motion from the WRAB will be made at a meeting scheduled on August 18. Attachment A shows the location of the study area.

Hydraulic modeling indicates that a major storm event will cause water from South Boulder Creek to overtop US36 near Table Mesa Drive and result in flooding through the West Valley (area generally located west of South Boulder Creek, north of US36, east of Foothills Parkway and south of Arapahoe Avenue). The September 2013 flood event did overtop US36, causing an estimated $45 million in flood damage. A flood mitigation planning study began in early 2010 with a focus on developing and evaluating alternatives designed to mitigate flood hazards affecting structures and areas along South Boulder Creek and the West Valley within the current incorporated city limits.

Conceptual alternatives were initially developed by problem area in a matrix format that included a wide range of mitigation measures. These concepts were then presented at a public meeting and subsequently combined into 15 Alternative Plans. These alternatives were evaluated and nine Best Alternative Plans were developed and presented at a second public meeting and to WRAB in late 2010.

Four of the nine Best Alternative Plans were further refined and analyzed and the consultant team selected an engineering recommendation. Major components of the consultant recommended alternative include construction of a regional stormwater detention facility south of US36, a smaller detention facility at Manhattan Middle School and one at Flatirons Golf Course.

The recommended alternative would provide significant flood protection within the West Valley area, including eliminating the 100-year floodplain designation that currently affects approximately 700 structures. The estimated cost of the alternative is approximately $46 million, but the project could be constructed in three phases. Construction of the project would require numerous permits, agreements with the University of Colorado and Boulder Valley School District, disposal of Open Space and Mountain Park land and would be regulated by the State as a high hazard dam. Construction of the regional detention facility at US36 would result in significant impacts to wetlands, habitat for threatened and endangered species and other environmental and aesthetic resources.

WRAB Discussion Included:

- Clarifying questions on FEMA reimbursement rules and how this affects immediate flood recovery projects.
- Clarification on the scope and duration of FEMA audits on the drainage way recovery projects.
- Questions regarding resources available to residents to report issues and find information.
- Discussion on what would be required for Boulder to elevate itself from Class 5 to Class 4 in the community flood insurance program.
- Discussion of potential changes in how FEMA conducts flood reimbursements and flood insurance programs.
- Questions about how the drainage way system is handling the thunderstorms that Boulder has been having this season.
- Discussion of the role that Greenways paths and underpasses play in flood control.

No Board action was requested at this time.

Agenda Item 5 – **[7:51 p.m.]**

Public Hearing and Consideration of Motions to Recommend Adoption of Floodplain Mapping Revisions for Lower Bear Canyon Creek and Upper Boulder Slough.

Jeff Arthur, Bob Harberg and Katie Knapp presented the item.

Executive Summary from the Packet Materials:

The city has a comprehensive floodplain management program designed to identify flood risks, mitigate the risks of flooding, minimize loss of life and property damage and support recovery following a major flood event. Floodplain mapping provides the basis for the city's floodplain management program by identifying the areas at the highest risk for flooding. Changes in land use, updated topographic mapping and upgrades to hydrologic and hydraulic models warrant periodic mapping updates. This memorandum presents two proposed floodplain mapping revisions:

Public Comment:

- **Rick Mahan:** Severe damage from the September event. Water from his property traveled down and contributed to issues further downstream. The structures remaining in the flood zone really need to be removed, and soon.
- **Don Prince**: Potential loss of life resulting from bottle necks under bridges. Is there any chance to increase the size of the wall where the Boulder Slough starts?

WRAB Discussion Included:

- Clarifications regarding the new High Hazard designations in the studied revisions.
- Questions about how the flood event of September 2013 may have changed the topography and hence the mapping.
- Discussion of how the assumptions that the studies are based on can be provided to the public and how the City's confidence in the data provided is established.
- Discussion of reasons behind the significant changes to the mapping for the Boulder Slough.
- Discussion regarding how the ditches relate to floodplains, regulations etc.

Motion: Motion to recommend that City Council adopt the Lower Bear Canyon Creek floodplain mapping revision.
Motion by: Squillace; Seconded: Johnson
Vote: 5-0

Motion: Motion to recommend that the City Council adopt the Upper Boulder Slough floodplain mapping revision.
Motion by: Johnson; Seconded: Squillace
Vote: 5-0

Agenda Item 6 – **[8:30 p.m.]**

Information Item – Update on South Boulder Creek Floodplain Mitigation Study.

Jeff Arthur and Kurt Bauer presented the item.

Executive Summary from the Packet Materials:

The purpose of this memorandum is to provide a general summary of the history and progress made to date on the South Boulder Creek flood mitigation planning study. This mitigation plan was initiated in 2010 after the floodplain mapping was updated in 2007. Since the study was initiated, multiple flood mitigation alternatives have been evaluated to address flooding associated with South Boulder Creek. A consultant recommendation has been developed and is described in this memorandum. A more detailed description of the recommended alternative will be presented and a request for a motion from the WRAB will be made

at a meeting scheduled on August 18. Attachment A shows the location of the study area.

Hydraulic modeling indicates that a major storm event will cause water from South Boulder Creek to overtop US36 near Table Mesa Drive and result in flooding through the West Valley (area generally located west of South Boulder Creek, north of US36, east of Foothills Parkway and south of Arapahoe Avenue). The September 2013 flood event did overtop US36, causing an estimated $45 million in flood damage. A flood mitigation planning study began in early 2010 with a focus on developing and evaluating alternatives designed to mitigate flood hazards affecting structures and areas along South Boulder Creek and the West Valley within the current incorporated city limits.

Conceptual alternatives were initially developed by problem area in a matrix format that included a wide range of mitigation measures. These concepts were then presented at a public meeting and subsequently combined into 15 Alternative Plans. These alternatives were evaluated and nine Best Alternative Plans were developed and presented at a second public meeting and to WRAB in late 2010.

Four of the nine Best Alternative Plans were further refined and analyzed and the consultant team selected an engineering recommendation. Major components of the consultant recommended alternative include construction of a regional stormwater detention facility south of US36, a smaller detention facility at Manhattan Middle School and one at Flatirons Golf Course.

The recommended alternative would provide significant flood protection within the West Valley area, including eliminating the 100-year floodplain designation that currently affects approximately 700 structures. The estimated cost of the alternative is approximately $46 million, but the project could be constructed in three phases. Construction of the project would require numerous permits, agreements with the University of Colorado and Boulder Valley School District, disposal of Open Space and Mountain Park land and would be regulated by the State as a high hazard dam. Construction of the regional detention facility at US36 would result in significant impacts to wetlands, habitat for threatened and endangered species and other environmental and aesthetic resources.

WRAB Discussion Included:

- Discussion on how the current alternatives were developed and selected, as well as why other alternatives were not selected.
- Clarification regarding cost/benefit analysis to proposed options (including environmental impacts)
- Discussion on whether it makes sense to have a "preferred" alternative at this time in light of NEPA requirements for multiple alternatives and the widely divergent costs of the various options.
- Clarification regarding the reason for a HWY 93 Detention option. Out of City limits and City unwilling to pursue an eminent domain option.
- What it means to have a structure regulated as a High Hazard Dam.
- How the detention basins would function in an event such as the September 2013 flood, which differed from the "design storm".
- Discussion of the benefit/cost ratios for each of the alternatives.
- Discussion of how likely it is that the alternatives that affect endangered species would be approved.
- Questions as to whether there is a more modest alternative than the large detention ponds which would be less costly and have less impact on habitat.
- Request for a summarization of the 15 options which were originally presented to WRAB so that current board members can understand the background and development of the current options.

No Board action was requested at this time.

Agenda Item 7 – Matters **[9:04 p.m.]**

From the Board:

Board member Clancy brought up the below matter(s):

- Concerned about the size of the Wastewater Treatment Plant. Has gone to the EPA to check on wet weather capacity. Interested in knowing what system infiltration rates are and whether they are reasonable.

From Staff: **[9:07 p.m.]**

- Flood Briefing: to Council tomorrow night.
- Follow-up on public outreach regarding proposed rate increases
- Barker Pipeline US Forest Service permitting agreement going to Council as a consent item tomorrow night.
- Water Treatment: Equipment issues at both plants have resulted in some difficulties treating water at 63rd, and reduction to a single point of failure system at Betasso water treatment facility.

Agenda Item 8 – Future Schedule **[8:55 p.m.]**

South Boulder Creek in August. Flood studies in coming months.

Adjournment **[9:14 p.m.]**

There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at 9:14 p.m.

Motion to adjourn by: Squillace; Seconded by: Johnson

Motion Passes 5:0

Date, Time, and Location of Next Meeting:

The next WRAB meeting will be Monday, 18 August 2014 at 7:00 p.m., in the Council Chambers, 1777 Broadway, 80302.

APPROVED BY:

Board Chair

08/18/14

Date

ATTESTED BY:

Karen Davis

Board Secretary

8/13/2014

Date

An audio recording of the full meeting for which these minutes are a summary, is available on the Water Resources Advisory Board web page.

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Council Working Agreements

Council Process:

- The council will work on general discipline in being prepared to ask questions and make comments.
- The council asks the mayor to intervene if discussion on agenda items extends beyond a reasonable time frame.
- The council will engage in the practice of colloquy to fully explore the different sides of a specific point.
- The mayor will ask the city clerk to set the timer lights for council members if discussions begin to exceed efficient debate. Members should respect the lights as a time reminder, but will not be bound by them as absolute limits.
- Rather than restating a point, council members should simply say "I agree."
- The council agenda committee may, with advance notice, adjust each public speaker's time to two rather than three minutes during public hearings for items on which many speakers want to address the council.
- Council members will grant each other permission to mentor and support each other on how each person contributes to the goal of being accountable for demonstrating community leadership.
- In order to hear each other respectfully and honor the public, council will avoid body language that could convey disrespect, side conversations, talking to staff, whispering to neighboring council members, passing notes, and leaving the council chambers.
- Regarding not revisiting past discussions, the council should check-in with fellow members periodically to ensure that this is not an issue.
- During a council meeting, any form of electronic messages, including emails and texts, that relate to matters being considered and which arrived at any time during that meeting shall not be read by council members, nor shall any messages on matters under consideration be sent by council members.

Council Communication:

- Council members agree to keep quasi-judicial roles scrupulously separate between members of boards and members of council, avoid expressing ideas to board members on things coming before the board, and carefully disclose or recuse themselves when there is involvement with board members on a topic.
- Council agrees to e-mail the city manager about issues that they run into that staff or boards may be working on so that the manager can be actively involved in managing issues and keeping the full council informed well in advance of items coming before council for action.
- Members will keep the full council informed on issues from committees, public groups or other agencies that they are following, through hot line e-mails, brief verbal reports at the end of council meetings or other means.
- The council will find ways to support majority council decisions and adequately inform the public, through responsive letters that explain how divergent points of view were heard and honored in decisions, via standard e-mail responses for hot issues, by occasional council Letters to the Editor to clarify the facts, or by seeking out reporters after meetings to explain controversial decisions.

Council Committees:

- Council committee meetings will be scheduled to accommodate the council members on the committee.
- Notice of the times and places for each committee meeting will be noticed once per month in the Daily Camera.
- The council agenda will include time for reports from committees under Matters from Members of Council, noting that written communications from the committees are appropriate as well.

Selection of Mayor and Mayor Pro Tem:

- Council members will make a good faith effort to the select the mayor and mayor pro tem in an open and transparent process.
- After the council election, members seeking election as mayor or mayor pro tem should:
    - make their interest in the positions known to their fellow members as soon as possible;
    - focus their communication with other council members on the positive attributes the member brings to the positions; and
    - refrain from any negative remarks about any person seeking election as mayor or mayor pro tem.
- Nominated individuals' presentations may include, but need not be limited to the following:
    - the skills and attributes the member would bring to the mayoral position;
    - the member's ability to efficiently run council meetings, respect the views of the minority while allowing the majority to rule, and perform other mayoral duties;
    - how the member would represent the city and city council and mayor position at gatherings outside of city council meetings
    - how the member would serve on and appoint other council members to regional and national boards and commissions; and
    - how the member would promote trust of the community and other council members.
- Council members should work to avoid divisiveness by being inclusive during the mayoral selection process.

Agreed: Members of the Boulder City Council

Approved by Council: January 21, 2014

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
HOUSING/LAND USE/PLANNING	Comprehensive Housing Strategy	Council	Briefing - with other related efforts, workplan	SS - objectives, recommended early action items	Briefing	Direction on policy options	Adopt strategy and action plan			
		Staff Activities	Housing choice analysis; needs assessment; best practices; trends data; workplan	Opportunity site inventory; potential tools with "bang for buck" analysis	Develop policy options and recommendations; stakeholder engagement					
	North Boulder	Council	IP - update and preliminary policy choices	Briefing - options and feedback	Update and direction					
		Staff Activities	Public meeting with options	Preferred options and refined action plan	Action plan					
	East Arapahoe/Sustainable Streets and Centers	Council		Briefing - issues, scope, and feedback	SS - preferred scenarios, draft plan, and action plan	Plan "Lite" - council action	Next Corridor - 30th St or Colorado			
		Staff Activities	Joint East Arapahoe workshop to "test" planning workshop	East Arapahoe scope of work, public workshop, scenario modeling, character definition	Scenario refinement ad recommendations	Develop East Arapahoe action plan				
	Resilience	Council		Briefing - scope agenda		SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
		Staff Activities	Agenda setting workshop 4/28	Hire Asst. City Manager, begin strategy development	Scope strategy components	Scoping	Resilience work	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
	Boulder Valley Comprehensive Plan	Council				SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
		Staff Activities				Scoping analysis and partner outreach	Issues identification	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
	Other	Council	Annexation Strategy - Direction (options and feedback)	Usable open space - Code Change	Economic Sustainability Strategy implementation - Code Change					
			Density/ROW Dedication Calculations - Code Change	Parking generation and reduction - Code Change						
			County Assessor valuations for landscape and lighting upgrades - Code Change	Renewable energy sources - Code Change						
		Staff Activities	Annexation Strategy - analyze costs and options	Planning Board for above code changes	Planning Board for above code changes					
			Planning Board for above code changes							

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
TRANSPORTATION	Transportation Master Plan	Council	IP (includes scope for AMPs)	SS (includes AMPS)	Acceptance - establish work program and coordination	Continue implementing pilots	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP
		Staff Activities	Scenario and sensitivity analysis	Joint board workshop, TAB	Develop final update for board recommendation and council acceptance	Implement and coordination with BVCP and Resilience				
	Community EcoPass	Council	Feasibility Study - joint release with County	Rolls into TMP update						
		Staff Activities								
	Regional Transportation	Council	Briefing	Briefing		Briefing		Briefing		Briefing
		Staff Activities								
	Electric Vehicle Parking Ordinance/Energy Services	Council	Council agenda	SS			IP	IP	IP	IP
		Staff Activities								
	Access Management and Parking Strategies	Council	Scope	SS - Guiding principles, work program and process (includes TMP update)	Round 1 Code Changes - Auto and parking planning, zoning regs, EV charging stations	Update - Work plan and policy issues	Long Term Round 2 - Parking code changes and other policy issues	Council endorsement of ongoing work plan		
		Staff Activities	Finalize work program	Short term parking code regulation changes	Long term parking code changes	Long term parking code changes	Additional workplan items and public process tbd	Finalize document		
			TDM tool kit development for TMP integration	Long term parking code regulation changes	Additional workplan items tbd	Additional workplan items and public process tbd				
			Short term parking code ordinance changes	Public outreach and joint board meeting						
			Research/best practices	Additional workplan items tbd						
			Develop communications strategy							
ADD'L HOUS/PLAN/TRANS	Comp. Financial Strategy/Capital Bond	Council	Direction	SS	SS - finalize ballot?	Ballot?				
		Staff								
	Cap. Bond 1 Implement.	Staff		Construction			85% complete		100% Complete	
	Flood Recovery	Staff		Repairs and FEMA Reimbursement	FHWA/FEMA work	FHWA/FEMA work	Building Better Boulder		Building Better Boulder	
	Boulder Junction Phase 1 Implementation	Staff			South side of Pearl opens	Ongoing redevelopment coordination		Goose Creek Bridge opens		Depot Square opens
	Boulder Junction Phase 2 - City owned site	Staff		Coordination	Coordination		Coordination			
	Yards mobilized to move for Pollard option	Staff		Grading, prairie dogs, moving	Final prep			Yards moves continue		
	Safe Routes to School	Staff			Public process to prioritize projects		Application			
	Implement Transpo.Tax	Staff		Expand maintenance, hire						

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
LIVABILITY	Homelessness/Human Services	Council Items	Shelter/ Funding: Update on position and relationship with Boulder Shelter; Shelter funding and issues update and other funders.	SS - Human Services Strategy Update and Homeless Action Plan (including funding priorities and partnerships)	IP - Homelessness Issues	SS - Human Services Strategy Update and Homeless Action Plan (including funding and service priorities)				
					Regional Planning update/services and housing					
					2014 Point in Time Report					
					SS - Services and Regional coordination update	IP - Services and Regional coordination	IP - Services and Regional	SS - Services and Regional coordination	SS - Services and Regional	IP - Services and Regional
		Staff Activities	Facilitate monthly Boulder Homeless Planning Group re:	HS Strategy Update and Homeless Action Plan Update	HS Strategy Update and Homeless Action Plan -					
			Convene regional meeting with Denver/Boulder/MDHI							
			County Ten Year Plan meeting with focus on meeting housing	County Ten Year Plan meeting with focus on meeting housing						
	Neighborhood/Park Events and Other Events	Council Items	GOCO grant application		GOCO grant acceptance					
						SS - Special Events with Street Closures and Block Party Permitting				
		Staff Activities	Review current PR permits and developm pilot program	Conduct pilot neighborhood event (link with Hill and GOCO school yard grant)	Conduct pilot neighborhood event	Review neighborhood park planning and event pilot success and plan schedule for 2015	Finalize njeighborhood event schedule for 2015	Conduct neighborhood events	Conduct neighborhood events	Review pilot program and propose permit changes required to make improvements
			Link with park planning outreach	Summer recreation programs - arts, music, health, wellness	Continue summer art series and volunteer events					
			GOCO school yard grant	Submit GOCO grant	GOCO grant award - start civic area community park					
				Review and analysis of existing special event permitting	Develop recommendations					
	Arts	Council Items		SS - Library & Arts, including Community Cultural Plan				Adoption of Community Cultural Plan		
		Staff Activities		Work with new director						

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
LIVABILITY	Code Enforcement	Council Items	SS	SS (includes Social Issues Strategy information)						
		Staff Activities								
	University Hill	Council Items	IP - 14th St Public/Private Partnership	Update - 14th St Public/Private Partnership	Update - 14th St Public/Private Partnership					
			Bears/Trash							
				SS - Hill Reinvestment Strategy	Update - Hill Reinvestment Strategy					
		Staff Activities	14th St - Hill Alt. Mode survey	14th St - Finalize analysis and develop recommendation to proceed with the Global Agreement						
			14th St - Finalize LOI							
			14th St - Financial Analysis							
			14th St - Additional access analysis							
			14th St - Board outreach							
			Pilot Parklet Competition	Parklet Implementation						
			Outreach to CU and stakeholders for support of Reinvestment Strategy	Fox Theatre mural by CU students	start pilot RSD program (to run through 2016)					
			Recommendation for staffing Strategy implementation and prelim. analysis of future org structure options	Hire a fixed term Hill Coordinator						
	Civic Area	Council Items					SS - Park Program and Improvements			
		Staff Activities	Civic Activity Team established	Coordinate music in park series		Review summer series success and revise for 2015	Prepare first phase of park improvements for 2015	Conduct adult fitness and health classes	Conduct visitor event at civic area around art installations	
			Hire Civic Area staff for P&R	Add seasonal park staff for outdoor education and orientation		Expand Ready to Work crew	Revise summer programs and plan for 2015	Install temporary adult fitness playground	Coordinate horticulture gardens with Farmers' Market event	
			Prepare GOCO grant for nature play and park planning	Conduct volunteer event around upgrades to Peace Garden and edible plant exhibit		Complete park planning outreach	Conduct art competition for summer installation	Install south side nature play area		
			Work with Park Foundation to develop plan for art and entertainment	Coodinate with CU for partnership with GUB and Civic Area park plan		Develop 1% for Arts demonstration project in partnership with foundations and non-profits		Expand seasonal staffing and horticulture/edible garden displays		

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
LOCAL FOOD	Civic Area	Council Items	IP - update on implementation		SS - catalyst projects					
		Staff Activities								
	Ag Plan	Council Items	IP				Acceptance			
		Staff Activities								
	Other or not categorized	Council Items								
		Staff Activities	CU/BVSD partnerhip for neighborhood garden	Form cross-dept team	Develop work plan to achieve council vision					
			Burk Park/Horizon School playground	Housing links with YSI programs and local gardening pilot						
			Design guidelines for edible landscape in local parks							
CLIMATE AND ENERGY	Zero Waste Master Plan	Council Items	IP	SS - options and feedback		Acceptance and action plan		Implementation - commercial focus		
		Staff Activities	Stakeholder input on options and rulemaking on curbside compost		Public feedback on strategies	Draft plan and action plan for public review		Implementation - program enhancements and ordinance development		
	Municipalization	Council Items		SS - workplan	Briefing - energy services	Briefing - energy services	Update - energy services	Update - energy services	Update - energy services	Update - energy services
				SS - energy services						
		Staff Activities		Xcel/city task force; refine recommendations						
	Climate Commitment	Council Items		Briefing - framework, preliminary goals/targets, strategy development	SS - goals/targets, feedback on strategy scenarios, draft document	Approval				
		Staff Activities	Working groups meet	Scenario development; GHG inventory complete	Strategy formulation; city organization initiative launched		Launch action plan			
	Valmont Butte	Council Items			SS					
		Staff Activities								

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
OPEN SPACE	Charter Issues	Council Items			Address disposition process and use of Realization Point for pro bike race					
		Staff Activities								
	Highway 93 Underpass	Council Items								
		Staff Activities			In process					
	Eldo to Walker Ranch	Council Items								
		Staff Activities	City/County review of contractor proposals for potential mountain bike connection	Routes - weather dependent						
	IBM Connector	Council Items								
		Staff Activities		City/County requirement complete and await railroad to replace bridge						
	Trailhead as part of transportation system	Council Items								
		Staff Activities			status update					
	Other or not categorized	Council Items								
		Staff Activities			additional signage					

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
OTHER	Emerald Ash Borer (EAB)	Council	IP							
			Develop preliminary management plan	Implement pilot plan	Monitoring	Evaluate long term forest management plan and EAB strategy	Management plan and response	Response	EAB	EAB
	Civic Use Pad	Council	SS - Public/private partnership	Approval of MOU with St. Julien Partners	Update on negotiations with St. Julien Partners					
	Human Services Strategy	Council		SS		SS		Public hearing		
	Various	Council	IGA with CDOT/County for US 36 bikeway maintenance	Pilot dog waste composting project - Valmont and OSMP possible site	Transportation code changes for AMPS	Smoking ban - public hearing				
			IGA for bikeway maintenance/ US 36 enhancements	CEAP call up for Baseline Underpass east of Broadway	Comprehensive Annual Finanical Report					
			Old Pearl Street ROW vacation	DRCOG TIP Priorities for city applications	Appointment of independent auditor					
			Transportation code changes - bike parking, TDM, etc.	Mobile food vehicles - ordinance change to expand podding in downtown	Update on investment policies - action					
			NPP - zone expansions and removal		Modification of construction use tax filing - IP then action					
					Pearl Street Mall regulations - code changes					

COUNCIL MEMBERS

Matthew Appelbaum	Mayor
George Karakehian	Mayor Pro Tem
Macon Cowles	Council Member
Suzanne Jones	Council Member
Lisa Morzel	Council Member
Tim Plass	Council Member
Andrew Shoemaker	Council Member
Sam Weaver	Council Member
Mary Young	Council Member

COUNCIL EMPLOYEES

Thomas A. Carr	City Attorney
Jane S. Brautigam	City Manager
Linda P. Cooke	Municipal Judge

KEY STAFF

Mary Ann Weideman	Assistant City Manager
Bob Eichem	Chief Financial Officer
Alisa D. Lewis	City Clerk
Patrick von Keyserling	Communications Director
David Driskell	Executive Director of Community Planning and Sustainability and Acting Director of Housing
Molly Winter	Downtown, University Hill Management & Parking Services Director
Heather Bailey	Energy Strategy and Electric Utility Development Executive Director
Larry Donner	Fire Chief
Joyce Lira	Human Resources Director
Karen Rahn	Human Services Director
Don Ingle	Information Technology Director
Eileen Gomez	Labor Relations Director
David Farnan	Library and Arts Director
Lynne C. Reynolds	Municipal Court Administrator
Michael Patton	Open Space and Mountain Parks Director
Jeff Dillon	Acting Parks and Recreation Director
Greg Testa	Police Chief
Maureen Rait	Public Works - Executive Director
Cheryl Pattelli	Director of Fiscal Services
Tracy Winfree	Transportation Director
Jeff Arthur	Utilities Director

2013 City Council Committee Assignments

INTERGOVERNMENTAL ORGANIZATIONS

Beyond the Fences Coalition	Morzel, Plass (Castillo – staff alternate)
Boulder County Consortium of Cities	Morzel, Young
Colorado Municipal League (CML) – Policy Committee	Jones, Appelbaum (Castillo – staff alternate)
Denver Regional Council of Governments (DRCOG)	Jones, Plass
Housing Authority (Boulder Housing Partners)	Shoemaker
Metro Mayors Caucus	Appelbaum
National League of Cities (NLC)	Appelbaum, Cowles
Resource Conservation Advisory Board	Morzel (at large seat), Plass
Rocky Flats Stewardship	Morzel, Plass (1st alternate), Castillo (2nd alternate)
University of Colorado (CU) / City Oversight	Cowles, Shoemaker, Weaver
US36 Mayors and Commission Coalition	Appelbaum
US36 Commuting Solutions	Karakehian, Morzel (alternate)
Urban Drainage and Flood Control District	Karakehian

LOCAL ORGANIZATIONS

Boulder Museum of Contemporary Art (BMoCA)	Young
Boulder Convention and Visitors Bureau	Plass, Cowles (alternate)
Dairy Center for the Arts	Jones
Downtown Business Improvement District Board	Shoemaker, Weaver, Young

INTERNAL CITY COMMITTEES

Audit Committee	Cowles, Morzel, Shoemaker
Boards and Commissions Committee	Plass, Shoemaker
Boulder Urban Renewal Authority (BURA) Mayoral Appointment	Karakehian
Charter Committee	Karakehian, Morzel, Weaver
Civic Use Pad/ 9th and Canyon	Karakehian, Morzel, Young
Council Retreat Committee	Jones, Morzel
Evaluation Committee	Morzel, Plass
Legislative Committee	Jones, Karakehian, Weaver
School Issues Committee	Morzel, Plass, Shoemaker

SISTER CITY REPRESENTATIVES

Jalapa, Nicaragua	Jones
Kisumu, Kenya	Morzel
Llasa, Tibet	Shoemaker
Dushanbe, Tajikistan	Weaver
Yamagata, Japan	Plass
Mante, Mexico	Young
Yateras, Cuba	Karakehian
Sister City Sub-Committee	Morzel, Cowles, Karakehian