

Introduction:

On Nov. 21, 2017, Boulder City Council adopted a strategic framework designed to enhance community engagement. A core element of this framework was a new decision-making process with clearly defined steps, so those who wish to participate know what to expect.

Recently, questions have arisen about whether the current effort to consider changes to the city's accessory dwelling unit (ADU) regulations is following this approach. The city's perspective is that it is following this approach, and this letter seeks to offer information about all steps taken to date. We hope it provides useful information and context – and demonstrates the city's desire to respond to community concerns in a transparent way.

ADUs and the Decision-Making Process:

Let's look first at the decision-making process council approved. The process was one of a series of recommendations made by the Public Participation Working Group.



While the ADU project began before the decision-making process was formally adopted, it has followed each of the steps and will continue to do so. Here is a step-by-step breakdown of the work completed to date.

Step 1: Define the issue before embarking

The accessory-dwelling unit issue is not a new question for the Boulder community. ADUs have been allowed in different parts of the city since 1983. There are currently about 230 legally approved units. There are also units that are neither legally permitted nor regulated through building code enforcement or rental licensing. The increased prevalence of short-term rentals and enforcement of the short-term rental regulations have heightened some of the concerns around these unregulated units.

There has been considerable community discussion, particularly over the past few years, about the value of housing diversity. There was specific community feedback about ADUs during the Housing Boulder project in 2015 and as part of the update the Boulder Valley Comprehensive Plan last year.

There appears to be general agreement that Boulder is experiencing significant housing affordability issues, and that these, in turn, are creating a less diverse community. Significant support exists for at least examining ADUs as one tool among many to address this challenge.

Those who support fewer restrictions say more ADUs would provide affordable living space and help current homeowners address a range of issues like keeping up with rising costs, aging in place or housing extended family members.

While those who are wary of ADUs understand these needs, they have raised concerns about impacts to the neighborhoods where new units might be permitted. Identified impacts include parking, noise, aesthetics related to existing homes being converted to create ADUs, absentee landlords, increased trash and waste, among others.

The city believes there are valid points to all perspectives on this issue.

City Council responded to community requests to encourage the creation of new units earlier this year and provided direction to staff to explore approaches to increase housing affordability and diversity in ways that respect existing neighborhood character. The recently updated Boulder Valley Comprehensive Plan, states that ADUs "...will be encouraged by the city to increase workforce and long-term rental housing options..." and regulations will "...address potential cumulative negative impacts on the neighborhood."

The scope of the current exploration is limited. The city is not proposing wholesale changes to the ADU regulations. The creation of new ADUs will still be limited in the city. No changes are anticipated to existing rules related to owner-occupancy requirements and occupancy limits (no more than 3 to 4 unrelated people). Occupancy limits are the same for a home with an ADU and a home without one. The potential changes identified to date will remove some barriers, but not at the expense of existing neighborhood character. In addition, it will be important to ensure that policy changes, if any, continue to support housing affordability.

This is the issue statement that is driving phase one of engagement and decision-making:

Are there *incremental* changes to ADU regulations that could be made while still respecting neighborhood character?

As anticipated with the adoption of the clear decision-making process, this question forms a foundational basis for the next steps.

Step 2: Determine who is affected

It is essential the city hear from a wide range of individuals on issues associated with affordable housing. This, however, can be challenging – especially since an essence of the issue relates to individuals who are not (because of income limitations) already part of the fabric of the Boulder community. Recognizing this, and based on feedback received to date, the city has identified the following core sets of stakeholders:

- Current ADU owners and tenants
- Residents in neighborhoods where ADUs are or could be allowed
- Potential residents of ADUs
- The Boulder community, more broadly, especially as this relates to underlying values and shared goals

The city mailed a notification to approximately 11,000 households within a 300-foot radius of all existing ADUS to make these potentially impacted individuals aware of this process.

The city is always open to any feedback about additional stakeholders. If you have a suggestion about individuals or groups not represented in the above categories, we would love to hear from you.

Step 3: Create engagement plan

The [city's ADU Update engagement plan](#) is available online.



Step 4: Share a foundation of information and inquiry and Step 5: Identify Options

As part of the engagement plan, the city is hosting two open houses that seek to combine the education associated with the sharing of information step and the beginning of the option identification step. The city has also begun collecting valuable feedback online and plans to share the main themes of the information gathered soon. An update to a 2012 survey of current ADU owners is also in the works. These results will be available in January.

This input will help to inform next steps. So, too, will staff research. The city spent the first part of 2017 updating an assessment of the regulations, as well as regulatory changes being considered by other communities facing similar challenges. This work continues research completed as part of previous housing conversations in 1999, 2012 and 2015 that revealed some options that could address many of the barriers identified to date by community members.

This is
where
we are
now

We invite your input on the ideas that has emerged from this body of research. We're also taking suggestions about additional analysis that might be helpful to understand potential impacts before any specific changes are recommended.

If you are concerned about changes to these policies, please know the status quo is an option in this decision-making process, and we want to hear from you, too.

Conclusion:

We hope this is helpful in clearing up any confusion. For more information, please visit <https://bouldercolorado.gov/housing/adu>.

As the city moves through this process, other forms of community engagement (both online and in-person) will be made available, consistent with the engagement plan. We invite you to participate during the steps, and using the methods, that resonate most with you.

Sincerely,

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