

City of Boulder
Inclusionary Housing Land Review and Approval Process
Updated 3/14

The Inclusionary Housing (IH) program includes an option to provide land to either the city or an entity identified and approved by the city. Review of the land is intended to evaluate the site's appropriateness for affordable housing, promote appropriate and compatible land uses, and assure consistency with the goals and policies of the Boulder Valley Comprehensive Plan and adopted area plans. The land will be reviewed to determine the degree to which it meets the following requirements:

1. The land dedication and location of site have been approved by the city manager;
2. The dedicated land is located in the City of Boulder and has a residential zoning classification;
3. The land allows for the provision of affordable units of equivalent type (single-family, multifamily, town home, etc), floor area, and number of bedrooms to that which would have been provided on-site;
4. The land is certified free of toxic substances and contaminated soils;
5. Any portion of the land that is within the one-hundred-year floodplain shall not be included toward the satisfaction of this provision unless, prior to dedication, it is demonstrated that the land in the floodplain is capable for use for residential development;
6. The land is free of all liens and encumbrances and all property taxes and special taxes shall be current before the title for the dedicated land is conveyed. The land shall be conveyed by general warranty deed before issuance of a building permit for the originating residential development; and
7. The total units possible on the land dedicated shall be two and one-half times the number of units required by the inclusionary housing requirement for the originating residential development and shall be determined based on the following:
 - a. The mix of inclusionary housing dwelling unit sizes, types, and number of bedrooms that would have been provided on-site for the originating residential development.
 - b. Densities permitted by applicable planning and zoning designations, area plans, connections plans, required open space, automobile parking, rights of way, site, infrastructure, and other planning constraints.
 - c. Environmental, floodplain, steepness of the site, and other physical constraints.

Process:

Submit a Pre-Application Review form to the department of Community Planning and Sustainability (http://www.bouldercolorado.gov/www/publications/forms/201_pre-app.pdf). Include:

1. A letter detailing specifically how the proposed land meets the above requirements.
2. A title good to within 30 days showing the land is free of all liens and encumbrances.
3. A preliminary site plan and massing study for the proposed site showing how it will accommodate the required number and type of units. Please include flood designations showing the 100 year floodplain, all easements and right of ways, existing trees, topography, and existing buildings.
4. A vicinity map (8 1/2 x 11) showing the application site and adjacent areas, streets and building foot prints.
5. A completed phase I environmental assessment showing the land is free of toxic substances and contaminated soils may be provided at this time. If one is not provided any approval through this process will be preliminary pending submittal of the phase I EA.

Staff will review the application and letter to determine if there is sufficient detail to evaluate if the proposed land adequately meets the requirements. Staff may request additional information required to make this determination.

Staff will notify the applicant in writing within **15 business** days starting on the first Monday after the application is received by the city if the land meets the IH requirements and is acceptable to the city. Once a determination is made the applicant may request a meeting to discuss decision. Upon approval and receipt of a clean phase I Environmental Assessment the land may be conveyed by warranty deed to the City of Boulder or an entity designated by the City of Boulder.

For questions about this process please contact a housing planner at: 303-441-4076