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Livability Standards For Permanently Affordable Housing

A. Background

The City of Boulder's Comprehensive Plan deems affordable housing a "significant community benefit" and seeks to increase the proportion of permanently affordable housing units to 10% of the total housing stock. The City has a number of programs designed to increase the amount of permanently affordable housing. One of the City's strategies is the Inclusionary Housing ordinance (Boulder Revised Code 9-13) which requires that new residential development contribute toward permanently affordable housing in the City. City Council passed this ordinance in 2000 to respond to community concerns about the lack of affordable housing. Additionally, the City provides subsidy funds from a variety of sources to assist in the development of permanently affordable housing and requires permanently affordable housing as a community benefit from annexations.

Permanently affordable housing represents a substantial and long-term public investment. As such, it is imperative the affordable housing produced be livable and of good quality.

The majority of the affordable housing being produced has been of acceptable quality. However, there have been instances when affordable homebuyers and renters have had legitimate concerns about the quality of units, i.e. lack of upper kitchen cabinets, closet doors opening inward, and odd shaped bedrooms that cannot easily accommodate a bed. These standards were developed as a result of those concerns. They are intended to clarify standards for developers as they plan and design permanently affordable housing.

B. Process

Affordable units and/or projects may be subject to Land Use review including but not limited to; Concept Plan, Site Review, Use Review, Annexation, and Technical Document Review. Affordable units provided through inclusionary housing as off-site units are also subject to Location Approval and either Site Review or the Off-site Affordable Housing Design Review. Details may be found at www.boulderaffordablehomes.com.

When possible, affordable unit floor plans and finish specifications will be reviewed by the city for conformance with the standards herein concurrent with a Land Use review. In cases where this is not possible, proposed affordable units will be reviewed prior to building permit issuance. Any such reviews must be completed prior to issuance of a residential building permit and execution of the Permanently Affordable Housing Covenant. Developers will be required to sign two livability checklists certifying that the information they provide regarding conformance with these standards is accurate and true, and that the City will be notified of any changes. The livability checklists are provided as attachments A & B to this document. Please check with a housing planner for specific timing requirements for your development.

C. Remedies

Once the affordable units and/or projects are constructed, any deviations from these standards ("deficiencies") not approved ahead of time by the City could result in the City Manager not accepting

the unit as affordable. Ideally, deficiencies would be rectified by bringing the unit into compliance. If this is not possible, other remedies for deficiencies may include a reduction of the maximum allowable affordable sales price or rent or a monetary assessment per square foot to be paid prior to receiving a certificate of occupancy for the unit or building.

One of the most frequently identified deficiencies has been finished room sizes that do not meet the minimum size standards. It is highly recommended that unit, closet and room dimensions include an additional 1-2" as a margin of error to accommodate discrepancies in the framing and finish.

D. Acceptance of proposed Affordable Units

Affordable units created through Inclusionary Housing will be held to the quality standard of the market units that generated the affordable requirement. B.R.C.9-16 Definition, "Permanently Affordable" specifies that *"no unit shall be considered a permanently affordable unit until the location, construction methods, floor plan, fixtures, finish, and cabinetry of the dwelling units have been approved by the city manager."* Affordable units acquired through other programs such as funding or annexation will be held to the quality standard outlined in the Agreement or Covenant that secured the unit and/or project and reflected in any land use review approval.

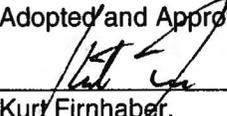
Permanently affordable units are expected to be designed with logical and functional room layout. This includes adequate space for normal living based on 1.5 persons per bedroom and adequate circulation pathways through the unit based on a reasonable furniture configuration. The standards contained in this document provide minimum requirements for specific items and are not intended to be "build to" specifications.

Affordable units created through Inclusionary Housing may be "functionally equivalent" to the market rate units generating the requirement meaning that when fixtures and finishes are included in market rate units, such as kitchen cabinets, countertops, dishwasher, garbage disposal etc., equivalent features are included in the permanently affordable units. This does not mean that the types of features need to be identical. For example, market rate units could include granite countertops, while laminate countertops of reasonable quality would be acceptable for the permanently affordable units. The city will consider proposals by the applicant or may request variations to proposed functionally equivalent features that result in an equivalent livability outcome. The desire is to achieve a balance between flexibility in design, and livability that is equivalent to the market units generating the affordable housing requirement.

When inclusionary housing affordable units are provided off-site or on-site in a separate 100 percent affordable building they must meet all of the livability standards regardless of what is provided in the market units unless otherwise agreed in writing by the Deputy Director of Housing. Affordable units created through funding or annexation agreements must meet all of the livability standards unless otherwise agreed in writing by the Deputy Director of Housing.

These standards may be revised or adjusted in the future based on experience with implementation.

Adopted and Approved by:



Kurt Firnhaber,
Deputy Director of Housing
City of Boulder

SEPTEMBER 6, 2016
Date

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Attachment A – Livability Standards for Permanently Affordable Housing Checklist Part 1

Attachment B – Livability Standards for Permanently Affordable Housing Checklist Part 2

1. Affordable Unit Size

Each affordable unit must meet the minimum floor area required by Inclusionary Housing or any applicable funding or annexation covenant or other agreement. Floor area requirements may be found in the Determination of Inclusionary Housing Compliance form, Covenant or Agreement executed for the specific development. Floor area for affordable units should be measured based on the requirements of B.R.C.9-16; Floor area for attached dwelling units or Floor area for detached dwelling units.

2. Kitchen

Cabinets

All units shall have kitchen cabinet or other storage area (such as a pantry) proportionate to unit size that at minimum meet the required space listing in the table below. Note that additional kitchen storage beyond the minimum is desirable. In some cases, additional cabinetry is provided as either base or upper cabinets and credit is requested to reduce cabinetry elsewhere. In this case any additional cabinetry may be substituted for no more than 10% of the cabinetry elsewhere.

For example; if five lineal feet of base and uppers each are required and ten lineal feet of base cabinets are provided; a one foot credit may be applied to the uppers leaving four lineal feet of uppers required.

Sink bases, Stove/oven and cabinet spaces less than one foot in width may not be used to meet cabinet requirements.

Unit Size	Lineal Ft of Base Cabinets*	Lineal Ft of Upper Cabinets*
Micro unit <300 sq. ft.	3	3
Efficiency/studio/one bedroom 301 – 475 sq. ft.	4	4
One bedroom > 476 sq. ft.	5	5
Two bedrooms	6	6
Three bedrooms or more	7	7

* Assumes standard 24" depth and 26" height for base cabinets and 12" depth and 30" height for upper cabinets.

Countertops

The surface of countertops shall be made of new, durable, easily cleaned materials. One, two and three bedroom units must provide a minimum 3' of continuous countertop work space not including interior corner space.

Appliances

The table below specifies minimum appliance requirements. When affordable units created through Inclusionary Housing are provided on-site, the affordable units must include the same or functionally equivalent appliances as in the market units. For example, if the market units include a refrigerator and dishwasher, similarly sized appliances must be provided in the affordable units.

Unit Size	Sink width*	Range/oven width*	Refrigerator cubic feet*	Dishwasher*
Micro unit <300 sf without additional kitchen facilities	24"	24"	5	none
Efficiency/studio/one bedroom 301 – 475 sq. ft.	24"	24"	18	18"
One bedroom > 476 Sq. Ft.	30"	30"	25	24"
Two bedrooms	32"	30"	30	24"
Three bedrooms or more	32"	30"	30	24"

* Minimum size.

All appliances shall be new, UL (Underwriters Laboratories Standards for Safety) listed, and approved appliances. Energy Star rated appliances are encouraged. Documentation of the estimated reliability of proposed appliances, such as Consumer Report ratings, should be provided. Appliances must be of sound quality with the following minimum warranties.

Range or Stove and Oven: One-year minimum warranty. All major appliances used for surface cooking should have a ventilation system that meets code (typically, a fan rated at a minimum of 150 CFM).

Refrigerator: One-year minimum warranty on the entire appliance.

Dishwasher: One-year minimum warranty on the entire appliance.

Garbage Disposal: If provided in the market rate units, all permanently affordable for-sale units shall include a garbage disposal each with a one-year minimum warranty on the entire appliance.

Microwaves and other small appliances are optional.

3. Closets and Storage Areas

Adequate storage is essential to providing livable housing. For safety reasons, mechanical rooms should be separate from any storage space and to ensure usable storage space should not open onto storage space. All closets and storage areas should have a minimum 8' height except those under stairs which can include sloping ceilings down to 6' in height or in micro units and efficiency/studios which should have a minimum 6' height.

All dimensions shall be calculated from the finish trim dimension. It is highly recommended that closet dimensions include an additional 1-2" as a margin of error to accommodate discrepancies in the framing and finish.

Closet and Storage Area Minimum Requirements

Unit Size	Bedroom closet width	Linen closet width	Entryway closet width	Additional Storage square feet	Built-in Floor to Ceiling Shelving
Micro unit <300 sf without additional kitchen facilities	4'	0	0	16	4" wide X 16 " deep
Efficiency/studio/one bedroom 301 – 475 sq. ft.	6'	0	18"	25	0

One bedroom > 476 Sq. Ft.	6'	30"	24"	30	0
Two bedrooms	6'	30"	30"	40	0
Three bedrooms or more	6'	36"	36"	50	0

Closet depth – All required closets must have a minimum depth of 22".

Bedroom - Each bedroom must contain a closet that includes one shelf over a rod.

Linen – Each linen closet must include no less than four fixed or adjustable shelves.

Entryway – The entryway closet shall be provided near at least one of the outside entry ways into the unit for coat and shoe storage. One shelf over a rod shall be provided.

Additional Storage – In addition to bedroom, linen and entryway closets, additional storage must be provided. Locations may include the basement, garage, exterior to the unit or interior to the unit. If provided interior to the unit, this space may not be counted towards the minimum dwelling unit floor area required. The intent of this storage is to provide space for large or outdoor items such as bicycles, strollers, skis and luggage. No appliances may be included in this space. City requirements for long term bicycle storage may be counted towards this requirement.

Door Openings - Closet and storage doors must be sliding doors, folding doors, or doors that open outwards to allow for access to space. Closets and storage space may not have any other doors opening into the space.

4. Floor Coverings

New carpet, wood, tile, vinyl or linoleum floor covering shall be provided, with a minimum 10-year warranty. New water resistant floor covering other than carpet is required for kitchens and bathrooms.

5. Room Sizes & Shapes

The following standards apply to all units except Micro-units and Efficiency/Studios.

All units must include appropriate and adequate room sizes and room shapes (generally rectilinear) that allow for functional furniture placement. Minimum sizes should be measured at the narrowest point in the room. Where any room such as the dining room is adjacent to the kitchen area, a 3' wide buffer between all kitchen cabinets, appliances and work spaces may not be included in the minimum room calculation. All dimensions shall be calculated from the finish trim dimension.

It is highly recommended that room dimensions include an additional 1-2" as a margin of error to accommodate discrepancies in the framing and finish.

Bedrooms – The first bedroom shall be a minimum of 120 square feet. Additional bedrooms shall be a minimum of 90 square feet. No bedroom shall have a finish dimension less than nine feet (9'0").

Living/dining Rooms - shall provide the following minimum dimensions with no dimension less than ten feet (10'0").

1. Micro unit <300 sq. ft. – N/A
2. Efficiency/studio/one bedroom 301 – 475 sq. ft.- 100 square feet
3. One Bedroom – 120 square feet
4. Two bedroom – 180 square feet

5. Three bedrooms or more – 200 square feet

Connections and openings, circulation to and through, and exterior doors and windows should not compromise the ability to furnish the living/dining area. Furniture layouts should be used to set critical room dimensions. There should be a minimum of one layout that is possible which will seat every household member assuming 1.5 persons per bedroom and at least one seven-foot sofa, space for side tables, entertainment center, and ample leg room. There should be enough wall space to accommodate a television or entertainment unit in a location which is easily visible from most seating. Mechanical features, such as fuse boxes, should not be a visible or central feature in the living area.

the eating dining area may be in a separate room, part of a combined living/dining area, or in the kitchen provided a 3' wide buffer between all kitchen cabinets, appliances and work spaces is not included in the minimum room calculation and a table and chairs (2 chairs for an efficiency/studio/one bedroom 301 – 475 sq. ft. and a one bedroom and 4 chairs for 2 bedrooms or larger) may be shown to fit into the space without blocking circulation or doorways. A countertop eating area a minimum of 12" deep and 36" in length may be an acceptable alternative for micro and efficiency/studio/one bedroom 301 – 475 sq. ft. units only.

Micro –units and Efficiency/Studios/One Bedroom 301-475 sq. ft. - All units must include appropriate room shapes (generally, rectilinear) that allow for functional furniture placement including a sleeping area that will accommodate a twin bed, a living area that can accommodate a 6' sofa, and a cooking eating area (table or island) that will accommodate two persons/chairs or stools. Furniture layouts should be used to set critical room dimensions that include room for circulation.

6. Windows / Noise Mitigation

All windows in conditions where pedestrians or passersby can see directly into the window must provide window shades or coverings that open from the top down to allow partial closing that provides privacy but also allows for the maximum amount of natural light to enter the unit.

For developments that propose affordable units facing on and within 100 yards of either road-ways with allowable speeds in excess of 35 miles per hour or train tracks must have windows facing these conditions that meet a 32 Sound Transmission Class (STC) rating standard for noise mitigation or greater. The city manager may also require that the affordable units have central air or unit air conditioners such that the windows can be kept closed at all times to mitigate noise.

7. Laundry

Affordable units provided through inclusionary housing shall have provisions for laundry within the unit that are equivalent to what is provided in the market units (shared common laundry, washer/dryer hook-ups or new washer/dryers). Affordable units provided through funding and annexations shall provide washer/dryers within the unit unless otherwise noted in the annexation or funding agreement. Micro –units and efficiency/studios only may provide a shared common laundry on-site. If washer is on an upper level, precautions should be included to prevent damages from potential water leaks.

Washing Machines must have a 1-year minimum warranty for the entire appliance. Dryers must have a 1-year minimum warranty for the entire appliance

8. Air Conditioning/Air Cooling

Air conditioning or other cooling method such as ceiling or door fans, attic fans, or evaporative cooler must be provided as new appliances in rooms without cross ventilation (windows on opposite walls). For affordable units provided through inclusionary housing, if air conditioning is provided in market rate units, then it must be provided in permanently affordable units

Air conditioners must have a minimum 5-year minimum warranty on the compressor condenser and evaporator coils.

Cooling mechanical units may not be located on any patio or deck used to meet open space requirements or interior to the unit in a way that reduces usable floor area.

See section #6 above for air conditioning requirements for noise mitigation.

9. Heating and Hot Water

Furnaces or boilers provided must have a 5-year minimum warranty.

Hot water heaters must be appropriately sized to adequately serve the number of anticipated occupants based on 1.5 persons per bedroom and must have a 5-year minimum warranty.

Heating mechanical units may not be located on any patio or deck used to meet open space requirements or interior to the unit in a way that reduces usable floor area.

10. Finish and Fixture Specifications

All finish and fixture specifications must be approved by the city. See Attachment B, Livability Standards for Permanently Affordable Housing Checklist Part 2, for the list of specifications required.

**City of Boulder
LIVABILITY STANDARDS FOR
PERMANANTLY AFFORDABLE HOUSING
CHECKLIST PART 1**

The Livability Standard checklist is composed of two parts with part 1 generally submitted during Site Review or when the floor plans are reviewed. *Please refer to the Livability Standards for additional information on rationale and requirements.*

Development Address: _____

Unit Type or Unit Number: _____

Name of Owner or Contact: _____

Owner or Contact Phone: _____

Date Submitted: _____

UNIT FLOOR AREA – CABINETS – STORAGE – CLOSETS – ROOM SIZES		
INITIAL to verify the floor area of each unit meets the minimum required _____		
	INDICATE DIMENSION BEING PROVIDED	
	1 or more Bedrooms	Efficiency/Studio and Micro-units
Number of Bedrooms		
Linear sq. ft. of built-in floor - ceiling shelving	N/A	
Linear sq. ft. of Kitchen Cabinets	Uppers – Lowers -	N/A
Linen Closet		N/A
Entryway Closet		
Additional Storage Closet		
0 Bedroom Closet		
1 Bedroom Closet		N/A
2 Bedroom Closet		N/A
3 Bedroom Closet		N/A
4 Bedroom Closet		N/A
Living room		N/A
Eating /dining area		N/A

All affordable units will be held to the quality standard of the market units that generated the affordable requirement or any standards included in any annexation or funding agreement. Affordable units provided off-site to meet an inclusionary requirement must meet the requirements of B.R.C. 9-13-

8 (b)(1) Quality of Off-Site Affordable Units: *The restricted off-site affordable units and developments must be of equivalent or better quality, as determined by the city manager, to the affordable units that would have been constructed on-site if this alternative had not been utilized. Such units and developments are subject to city review of site, architectural, floor and similar plans as determined by the manager to ensure equivalent quality. All such units or developments must be accepted by the City Manager.*

Applicant Attests:

I understand that any deficiencies from the above standards could result in the City Manager not accepting the unit as affordable. Other remedies for deficiencies may include a reduction of the maximum allowable sales price or rent allowed for an affordable unit or a monetary assessment per square foot to be paid prior to receiving a certificate of occupancy for this building.

I certify that all the information contained in this application is true and complete. I agree to report any changes to this information, and understand that changes must be approved by the City of Boulder.

Owner or Owners Representative Signature

Date

**City of Boulder
LIVABILITY STANDARDS FOR
PERMANANTLY AFFORDABLE HOUSING
CHECKLIST PART 2**

The Livability Standard checklist is composed of two parts with Part 2 generally submitted prior to residential building permit submittal.. *Please refer to the Livability Standards for additional information on rationale and requirements.*

Development Address: _____

Unit number: _____

Name of Owner or Contact: _____

Owner or Contact Phone: _____

Date Submitted: _____

Please fill in all empty blocks or indicate N/A as appropriate:

FINISHES – APPLIANCES – HEATING - AIR				
ATTACH MANUFACTURERS SPECIFICATIONS	Manufacturer/brand Or Make/Model	Warranty Period Required 1 BR & >	Warranty Period Required Efficiency/Studio & Micro-units	INITIAL to indicate warranty period and /or requirement met
Countertops		N/A	N/A	
Range or Stove		1 year	N/A	
Oven		1 year	N/A	
Refrigerator		1 year	1 year	
Dishwasher		1 year	N/A	
Garbage Disposal		1 year	N/A	
Flooring – Carpet		10 year	10 year	
Flooring – Other		10 year	10 year	
Air conditioning		5 year	5 year	
Furnace/boiler		5 year	5 year	
Overhead Fan		N/A	N/A	
Plumbing Fixtures		N/A	N/A	
Bathroom Fan		N/A	N/A	
Washing Machine		N/A	N/A	
Dryer		N/A	N/A	
Units directly adjacent to high volume roadways, train tracks or other potential high noise conditions:				
Windows		STC rating 32 or >		
Shades		Open from top down		
Central Air or Air Conditioning		Required		

All affordable units will be held to the quality standard of the market units that generated the affordable requirement or any standards included in any annexation or funding agreement. Affordable units provided off-site to meet an inclusionary requirement must be of equivalent or better quality, as determined by the city manager, to the affordable units that would have been constructed on-site if this alternative had not been utilized. Such units and developments are subject to city review of site, architectural, floor and similar plans as determined by the manager to ensure equivalent quality. All such units or developments must be accepted by the City Manager.

Applicant Attests:

I understand that any deficiencies from the above standards could result in the City Manager not accepting the unit as affordable. Other remedies for deficiencies may include a reduction of the maximum allowable sales price or rent allowed for an affordable unit or a monetary assessment per square foot to be paid prior to receiving a certificate of occupancy for this building.

I certify that all the information contained in this application is true and complete. I agree to report any changes to this information, and understand that changes must be approved by the City of Boulder.

Owner or Owners Representative Signature

Date