



# City of Boulder Planning & Development Services

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## Cooperative Housing Units

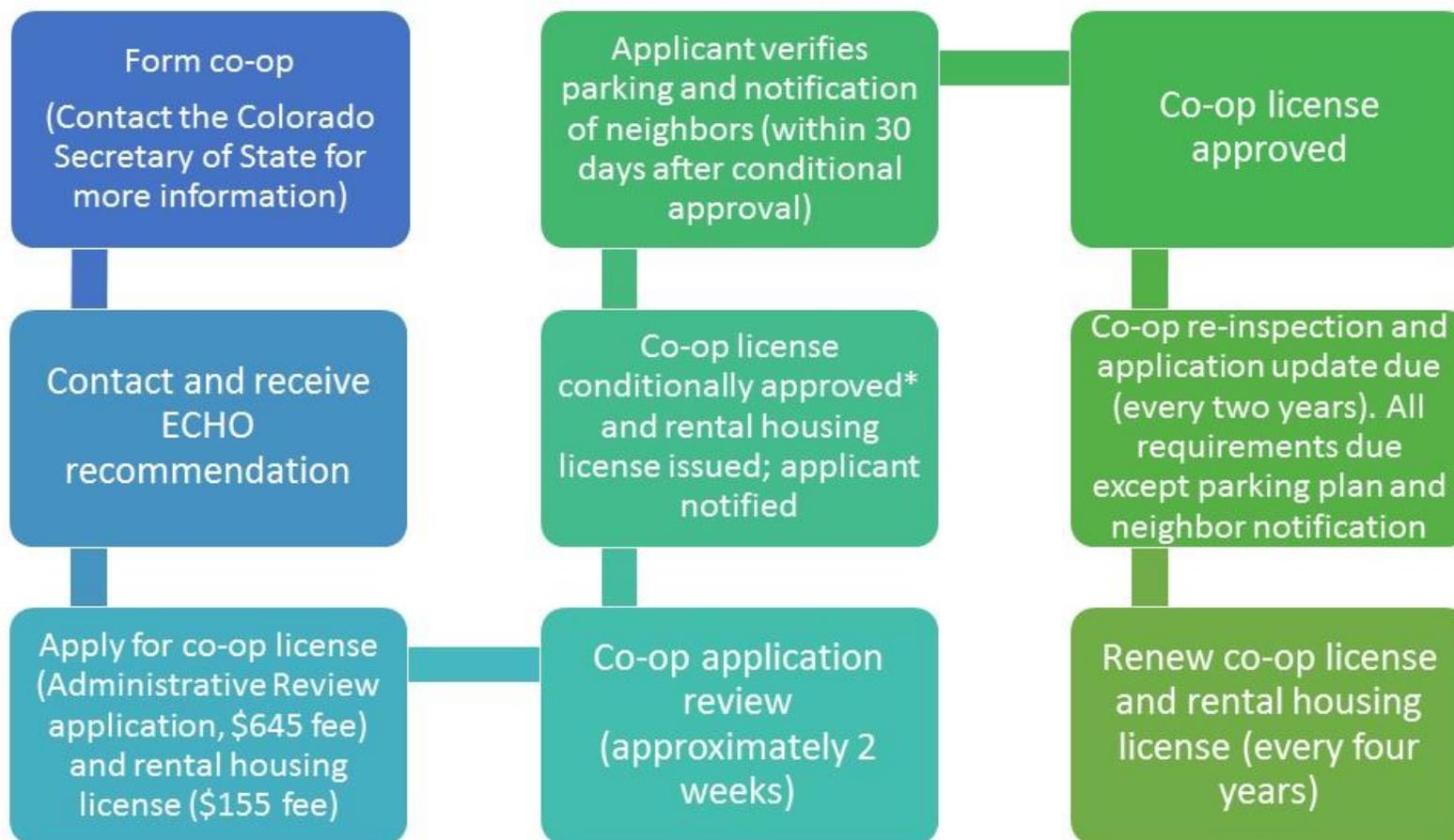
### Attachment to Administrative Review Application Form

A Cooperative Housing Unit is a form of home ownership in which multiple persons, through a structured entity, own and live in a single dwelling unit. In the City of Boulder cooperative housing units are defined as follows: *“Cooperative housing unit means a dwelling unit in a private equity, not-for-profit, permanently affordable cooperative or rental cooperative.”* In order to establish a Cooperative Housing Unit (co-op), the owners must apply for and obtain a Cooperative Housing License (co-op license) and, in some cases, a rental housing license (RHL). Co-op licenses are a conditional approval and are valid for four years with a required safety inspection and application update every two years. The RHL requires renewal every four years.

There are three types of co-ops that will be licensed based on the ownership structure: (1) Private Equity, (2) Not-For-Profit Permanently Affordable, and (3) Rental Cooperative. Co-ops are allowed, with approval, in all zoning districts except for agricultural, industrial, or public zoning districts. Proposals for co-ops are considered through an administrative review process. Applications must be submitted 30 days prior to the proposed occupancy of the property.

To begin the review process, please submit a completed Administrative Review Application, the application fee (listed on the application), and the application requirements listed below. Applications for co-ops must be submitted in person at the Planning and Development Services Center (address above). Incomplete applications will not be accepted.

## Cooperative Housing License Process



\*No more than ten new cooperative housing licenses will be issued in any calendar year. Once the limit is reached, subsequent applications will be placed on a waitlist and given priority for consideration in the next calendar year.

## Application Requirements to Establish a New Cooperative Housing Unit

*\*No more than ten new cooperative housing licenses will be issued in any calendar year. Once the limit is reached, subsequent applications will be placed on a waitlist and given priority for consideration in the next calendar year. \**

1. Written consent of the property owner.
2. Recommendation from an Expert Cooperative Housing Organization (ECHO).
3. Documented governance structure.
4. List of the number of adults and dependents.
5. Documentation of a dedicated bank account.
6. Bylaws that provide for the following:
  - a. Provisions prohibiting unlawful discrimination or harassment;
  - b. Provision requiring regular meetings of all members;
  - c. A decision-making structure;
  - d. Provisions for discipline or discharge of members;
  - e. Provisions for sharing of resources;
  - f. Provisions for selection of new members; and
  - g. Provisions for sharing information about the dedicated bank account.
7. Proof of registration of the co-op organization with the Colorado Secretary of State.
8. Written statement, including the following information:
  - a. Proposed address of the co-op.
  - b. Name of co-op to be licensed.
  - c. Desired number of occupants (cannot exceed the maximum occupants set forth in [9-8-5\(d\), B.R.C. 1981](#)).
  - d. Two contact persons for the co-op.
9. Completed and signed baseline inspection form (attached).
10. Floor plans that include:
  - a. Proposed interior plan, showing rooms, dimensions, ingress, and egress.
  - b. A sufficient number of rooms to accommodate the number of occupants requested.
  - c. Number and location of smoke detectors.
  - d. Number and location of CO2 detectors.
  - e. Habitable space calculations for the entire structure and for each bedroom. Habitable space includes all living space, including bedrooms, kitchens, bathrooms, halls, and closets but not including garages or covered porches.

*Floor plans should be drawn at a scale of no less than 1/8" = 1' (1/4" = 1' preferable) which include the address of the property and a north arrow.*

11. Signed Cooperative Housing License Affidavit (attached).
12. Signed Affidavit of Legal Residency (attached) and copy of identification document.
13. Site plans showing the major details of the site including:
  - a. Location of existing/ proposed building(s).
  - b. Usable open space.
  - c. Off-street parking areas.
  - d. Refuse areas.
  - e. Location of all compliant (9' x 19') parking spaces. No parking areas may be located in any required landscaped setbacks (refer to Table 7-1, B.R.C. 1981). Note, in RR, RE, or RL zoning districts, if all off-street parking requirements of this chapter have been met, persons may park up to two additional vehicles in the driveway leading to the parking area.

*Site plans should be drawn to a standard scale not less than 1" = 20' and should show a north arrow, street name(s), owner name(s), and the property address. Plans should be based on a survey if one is available.*

14. Trash removal plan that meets the requirements of [Section 6-3-3, B.R.C. 1981](#).
15. Parking Plan, including:
  - a. Description of how parking will be managed on site.
  - b. If the property is located in a Neighborhood EcoPass district, the requirement that all residents who are licensed to drive acquire an EcoPass. Refer to <https://bouldercolorado.gov/goboulder/neighborhood-eco-pass>.
  - c. If the co-op is located in a neighborhood that requires parking permits, the requirement that all licensed drivers will obtain the proper parking permits in order to park on the street. Refer to <https://bouldercolorado.gov/parking-services/neighborhood-parking-program>.
  - d. A statement that a maximum of three automobiles will be parked in the public right-of-way for residents of the co-op.
16. For Not-For-Profit Permanently Affordable Co-ops:
  - a. Proof that the proper covenants are in place from the city's Housing Division.
  - b. One (1) copy of an IRS-generated 501(3)(c) tax exempt determination letter.
  - c. One (1) copy of the recorded covenant to limit household (consisting either of an individual or a family) rents to no more than 60% of Area Median Income (AMI). To establish permanent affordability for a co-op please contact Housing Division Staff at (303) 441-3157.
  - d. Completed Sign Posting Acknowledgement Form, if the co-op is requesting increased occupancy pursuant to [section 9-8-5\(d\)](#), B.R.C. 1981, which requires a public hearing before the planning board. A sign providing notice of the request will be provided to the applicant to post on the property.

*“Permanent Affordability” (Cooperative Housing) means rents will be restricted to 60% of the area median income. Unless otherwise required, such as if affordable housing funds are awarded, household income will not be verified or documented. Rents on individual bedrooms will be determined based on the “0 bedroom equal or greater than 475 sq. ft.” rent category of the city of Boulder rent table. If households with more than one person, such as a parent-child household or a couple household, rent one room, monthly rent for that household would be based on the number of rooms rented (i.e., one bedroom) not the number of individuals in the households. If a household rents more than one room, monthly rent cannot exceed 60% of the area median income for 0-bedroom units for each room that household rents.*

17. Rental License Application, if required. co-op types that require a rental license include:  
(i) Not-For-Profit Permanently Affordable Co-ops, (ii) Rental Co-ops, and (iii) Private Equity Co-ops, if any resident of the co-op will be a renter.

Following conditional approval of the co-op application, and within 30 days of initial occupancy of the co-op, the applicant shall provide the following to the city:

1. Documentation that the co-op has notified each dwelling on the block face within 600 feet of the property of the co-op license, the ECHO organization that is responsible for certifying the co-op, and the co-op’s contact information.
2. Documentation that residents who are licensed to drive have acquired EcoPasses, if the co-op is in a Neighborhood EcoPass district.
3. Documentation that parking permits have been obtained, or that the parking permitting process has been started, if the co-op is located in a neighborhood that requires parking permits.

## **Update and Renewal Process for Co-op Licenses**

Every two years, co-ops are required to update their baseline inspection and all application information, except for the Parking Management Plan and the notification to the neighborhood. The applicant must submit an Administrative Review Application for the update and pay the applicable fee.

Every four years, the co-op must complete a full renewal of the co-op license and RHL. This process includes the submission of an Administrative Review Application for the renewal, including all materials listed on Pages 3 and 4 above, and payment of the applicable fee.

If a co-op unit is not renewed or updated on or before the 2- and 4-year deadlines, it will be removed from the list of approved co-ops and a new co-op license must be obtained. If there is a waitlist, the co-op will be placed on that list upon submitting a new application.

# Baseline Inspection Compliance Verification Form

Please return this portion of the Baseline Inspection Checklist

**Note: By signing this form, the licensed inspector certifies that he/she performed the housing inspection for the rental property indicated below and found it complied with the requirements included in the checklist at the time of inspection. The inspector also certifies that he/she has no financial interest in the property and is not related in any way to the owner/agent or tenant.**

Property Address \_\_\_\_\_ Unit # \_\_\_\_\_

Owner/Agent Name \_\_\_\_\_

## PART A – General Requirements

Company Name \_\_\_\_\_ Contractor license # \_\_\_\_\_

Type of license \_\_\_\_\_ Telephone # \_\_\_\_\_

Name of Inspector \_\_\_\_\_  
Signature \_\_\_\_\_ Please print name \_\_\_\_\_

Date of inspection compliance \_\_\_\_\_ (Must be completed within the previous 12 months)

## PART B – Plumbing Facilities and Fixture Requirements

Company Name \_\_\_\_\_ Contractor license # \_\_\_\_\_

Type of license \_\_\_\_\_ Telephone # \_\_\_\_\_

Name of Inspector \_\_\_\_\_  
Signature \_\_\_\_\_ Please print name \_\_\_\_\_

Date of inspection compliance \_\_\_\_\_ (Must be completed within the previous 12 months)

**BASELINE INSPECTION COMPLIANCE VERIFICATION FORM CONTINUED**

**PART C Sec. I-III – Mechanical Requirements**

Company Name \_\_\_\_\_ Contractor license # \_\_\_\_\_

Type of license \_\_\_\_\_ Telephone # \_\_\_\_\_

Name of Inspector \_\_\_\_\_  
Signature Please print name

Date of inspection compliance \_\_\_\_\_ (Must be completed within the previous 12 months)

**PART C Sec. IV – Electrical Requirements**

Company Name \_\_\_\_\_ Contractor license # \_\_\_\_\_

Type of license \_\_\_\_\_ Telephone # \_\_\_\_\_

Name of Inspector \_\_\_\_\_  
Signature Please print name

Date of inspection compliance \_\_\_\_\_ (Must be completed within the previous 12 months)

**PART D – Fire Safety Requirements**

Company Name \_\_\_\_\_ Contractor license # \_\_\_\_\_

Type of license \_\_\_\_\_ Telephone # \_\_\_\_\_

Name of Inspector \_\_\_\_\_  
Signature Please print name

Date of inspection compliance \_\_\_\_\_ (Must be completed within the previous 12 months)

## BASELINE INSPECTION COMPLIANCE VERIFICATION FORM CONTINUED

The owner/agent must perform the following tests and certify compliance by signing below in order to complete the Baseline Inspection (B.R.C. 1981, 10-2, Section 608, "Carbon Monoxide Alarms" and Section 704, "Fire Protection Systems").

**1. Smoke and Carbon Monoxide Alarm Verification:** Every smoke and carbon monoxide alarm functions properly, with the alarm sounding after pushing the test button. Smoke detectors must be installed inside sleeping rooms, outside sleeping areas in the immediate vicinity of bedrooms, and on each story. Carbon monoxide alarms must be within 15 feet of all bedrooms.

Number and location(s) of smoke alarms \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Number and location(s) of carbon monoxide alarms \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Owner/Agent Signature

Print Name

Date

**2. Trash Removal Verification:** The City of Boulder requires all rental property owners to have a current and valid contract with a commercial trash removal contractor for removal of accumulated trash from the rental property. By signing below the owner/agent is certifying compliance to this requirement (B.R.C. 1981, 10-2, Section 308, Rubbish and Garbage" and 6-3, "Trash, Recyclables and Compostables").

Commercial Contractor: \_\_\_\_\_

Owner/Agent Signature

Print Name

Date

**3. Energy Efficiency (SmartRegs) Requirements Verification:** The City of Boulder's SmartRegs Ordinance No. 7726 requires that residential rental units comply with adopted energy efficiency standards by December 31, 2018. Property owners must demonstrate that their units are SmartRegs compliant in order to receive a full four-year rental license for any license effective on or after January 1, 2015. If a unit is not SmartRegs compliant, the city will issue a reduced-term rental license, expiring on December 31, 2018. If compliance is met before this deadline, the license term will extend to the full four-year period expiring four years from the effective date of the license. Failure to gain compliance may result in increased fees, fines, penalties, or other enforcement action.

**By signing below, the owner/agent is certifying acknowledgement of this requirement, its deadline, and that checking "No" below will result in a reduced-term rental license until compliance is met.**

This property has received a passing SmartRegs inspection demonstrating compliance with the requirement (B.R.C. 1981, 10-2, Appendix C, "Energy Efficiency Requirements"):

Yes       No

Owner/Agent Signature

Print Name

Date

**City of Boulder  
Cooperative Housing License Affidavit  
Equity Cooperatives**

No person shall occupy, allow, or offer to allow through advertisement or otherwise, any person to occupy any cooperative housing unit unless the cooperative housing unit has been issued a valid cooperative housing license by the City of Boulder. Cooperative living arrangements are only allowed if the provisions of Chapter 10-11, Boulder Revised Code (B.R.C.) 1981, are met.

According to section 10-11-3(i), B.R.C. 1981, no person under twenty-one years of age may own an interest in a cooperative, in real property on which a cooperative is located, or in an organization owning real property on which a cooperative is located.

By signing below, I, \_\_\_\_\_ (Printed Name), swear under penalty of perjury that I am the owner of the property located at \_\_\_\_\_ (Address), and no person under twenty-one years of age currently owns an interest in the proposed cooperative, in real property on which a cooperative is proposed to be located, or in an organization owning real property on which a cooperative is proposed to be located.

**I acknowledge that this Affidavit is a “public record” and if I make a false entry or representation in this Affidavit, then I will commit a violation of Section 5-5-9(a)(1), B.R.C. 1981. I have carefully considered the contents of this Affidavit before signing. I affirm that the contents are true, to the best of my knowledge.**

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**City of Boulder  
Cooperative Housing License Affidavit  
Rental Cooperatives**

No person shall occupy, allow, or offer to allow through advertisement or otherwise, any person to occupy any cooperative housing unit unless the cooperative housing unit has been issued a valid cooperative housing license by the City of Boulder. Cooperative living arrangements are only allowed if the provisions of Chapter 10-11, Boulder Revised Code (B.R.C.) 1981, are met.

According to section 10-11-3(i), B.R.C. 1981, no person under twenty-one years of age may own an interest in a cooperative, in real property on which a cooperative is located, or in an organization owning real property on which a cooperative is located. **For rental cooperatives, this form only applies to those members of the cooperative who own interest in real property on which the cooperative is located or who own an interest in an organization owning real property on which a cooperative is located.**

By signing below, I, \_\_\_\_\_ (Printed Name), swear under penalty of perjury that I am the owner of the property located at or a member of the cooperative proposed to be located at \_\_\_\_\_ (Address), and no person under twenty-one years of age currently owns an interest in the proposed cooperative, in real property on which a cooperative is proposed to be located, or in an organization owning real property on which a cooperative is proposed to be located.

**I acknowledge that this Affidavit is a “public record” and if I make a false entry or representation in this Affidavit, then I will commit a violation of Section 5-5-9(a)(1), B.R.C. 1981. I have carefully considered the contents of this Affidavit before signing. I affirm that the contents are true, to the best of my knowledge.**

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# City of Boulder Affidavit of Legal Residency

## *For Completion by All Property Owners of Record*

### Section 1: Identification Documents

I, \_\_\_\_\_ [print name], currently lawfully possess, and am providing a copy of, the following identification document as evidence of my lawful presence in the United States (check one):

\_\_\_\_\_ Valid Colorado driver's license or a Colorado identification card issued by the Department of Revenue

\_\_\_\_\_ United States military card or a military dependent's identification card

\_\_\_\_\_ United States Coast Guard Merchant Mariner card

\_\_\_\_\_ Native American tribal document

\_\_\_\_\_ Other documents allowed by the Colorado Department of Revenue Rules for Lawful Presence, which include a valid driver's license from another state. (1 CCR 201-17)

(Rule 5 - Rules for Evidence of Lawful Presence available at <http://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=6599>)

### Section 2: Citizenship Affidavit

I, \_\_\_\_\_ [print name], swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

\_\_\_\_\_ I am a United States citizen, or

\_\_\_\_\_ I am not a United States resident but I am a Permanent Resident of the United States, or

\_\_\_\_\_ I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute §18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date