



City of Boulder Housing & Human Services

Off-Site Location Review Process for New Construction or Deed Restricting Existing Units

Updated 1/2024

Section 9-13-10(d), "Inclusionary Housing", B.R.C. 1981 includes the options to satisfy the inclusionary housing requirements by development of Permanently Affordable ("PA") units off-site or by deed restricting existing units off-site.

Process to propose an off-site location to satisfy Inclusionary Housing (IH) requirements:

Submit a [Pre-Application Review form](#) to the Planning & Development Services Department. As part of the request include the following:

- A letter detailing specifically how the proposed location meets the requirements listed below.
- A site map showing flood designations, all easements and right of ways, existing trees, topography, and existing structures.
- Vicinity map showing the application site and adjacent areas, streets and building footprints.

The pre-application process may also be used to request verification of the maximum residential unit density and to answer other questions the applicant may have about the proposed site.

The land will be reviewed to determine the degree to which it meets the following requirements:

- a. The location of the land would meet city affordable housing objectives including:
 - i. Consistency with Boulder Valley Comprehensive Plan policies for affordable housing, including Policy 7.13 (Integration of Permanently Affordable Housing) to disperse and integrate affordable housing throughout the community;
 - ii. The land is annexed and zoned for residential use;
 - iii. Consistency with the land use map and the service area map;
 - iv. Consistency with any applicable adopted area plans;
 - v. Able to support multi-modal mobility (walking, biking, and other alternatives to the single-occupant vehicle);
 - vi. For deed restricted existing units, the existing amount of affordable housing in the building or development would meet the affordable housing obligations; and
 - vii. Affordable housing development is compatible with adjacent uses.

If the proposal is to deed restrict existing units off-site include a preliminary proposal that includes:

- a. Determination that the property is habitable and in good condition and can be successfully rehabilitated to meet the final requirements as an affordable home.
- b. Not located in a majority student neighborhood preferred.
- c. Not located on a block with a high percentage of pre-existing affordable housing units preferred.

- d. No portion of the property in the 100-year floodplain or the high hazard zone or conveyance zone of the city's floodplains.
- e. Home must have been constructed within the last ten years from the date of the proposal.

City 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. Once a determination is made, the applicant may request a meeting to discuss the decision.

Staff will notify the applicant in writing within 15 to 20 business days starting on the first Monday after the application is received by the city. This notification will include whether the location and preliminary proposal if applicable is approved, approved with conditions, or not approved, including a response to other questions in the pre-application.

Approval of a potential location and preliminary proposal if applicable for deed restricting existing units is the first step towards approval of an off-site proposal. Approval does not ensure the off-site proposal will be approved. Once a determination is made, the applicant may request a meeting to discuss the decision and/or the staff comments. If the proposal is approved, the applicant should schedule a meeting with the Housing and Human Services staff to discuss further details and approvals required to satisfy the inclusionary requirement with off-site new construction of affordable units or by deed restricting existing units to be permanently affordable.

For questions about this process please contact a housing planner at inclusionaryhousing@bouldercolorado.gov.