

Livability Guidelines and Standards For Permanently Affordable Housing

A. Rationale

The Inclusionary Zoning ordinance (Boulder Revised Code 9-6.5) requires that new residential development contribute toward permanently affordable housing in the City. City Council passed this ordinance early in 2000 as one measure to respond to growing community concerns about the lack of affordable housing in the City of Boulder. Additionally, the City provides subsidy funds to assist in the development of permanently affordable housing.

Permanently affordable housing represents a substantial and long-term public investment in the City's housing stock. As such, it is imperative that the housing produced is of good quality and is livable.

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

There are specific requirements governing the number and size of permanently affordable units produced under Inclusionary Zoning. Additionally, the ordinance 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.”** (section 9-6.5-3)

Permanently affordable housing is also subject to the Development Review Process, City of Boulder building code requirements, and the Uniform Building Code. These processes monitor for livability and other issues from the perspective of considerations such as transportation (parking, roads, sidewalks, and traffic), public works (utilities), landscaping, fire safety, building standards, etc.

B. General Expectation

Generally, the expectation is that the permanently affordable units be “functionally equivalent” to market rate units. This means that when features are included in market rate units, such as kitchen cabinets, countertops, dishwasher, etc., then equivalent features are included in the permanently affordable units. This does not mean that the type of features need to be identical. For example, market rate units could include Corian or granite countertops, while laminate countertops of reasonable quality would be acceptable for the permanently affordable units.

The City will consider variations that result in an equivalent livability outcome. Generally, if affordable units share design features with market rate units, then such features would be acceptable for the permanently affordable units. For example, if all units, both permanently affordable and market rate units provide pantry space for kitchen storage instead of cabinets, then that would constitute an acceptable “functional equivalent.” The desire is to achieve a balance between not being overly proscriptive and allowing flexibility, but ensuring a basic level of livability.

C. Process

Developers are advised early in the development process of the affordable housing requirement through Inclusionary Zoning. At that time, they will also be advised of the standards and requirements regarding livability.

Developers are encouraged to submit plans to the Housing Division as they are developed to ensure that successful plans can be submitted with application for a building permit.

Plans will be evaluated based on the standards in Section E of this document. A final review and approval is required by the Housing Division prior to application for a building permit.

D. Guidelines

In general, the following items will be reviewed. Specific requirements that provide objective, enforceable standards for these guidelines and that define “adequate” and “appropriate” are provided in Section E of this document.

- Materials and appliances must have appropriate warranties and life cycles.
- Kitchen appliances must include a stove and oven or a range. A refrigerator and dishwasher must be included if they are included in the market rate units of a project.
- Adequate cabinets or storage space in the kitchen must be provided.
- Adequate storage space, including some type of enclosed storage area or garage space.
- Adequate number of bedrooms and bathrooms for number of occupants given size and pricing of units.
- Sound insulation between units must be adequate. Sound insulation in permanently affordable units must be equivalent to that provided in market rate units.
- Access to laundry must be equivalent to market rate units, either private (washer/dryer hook ups) or shared common laundry if provided for market rate units.
- Appropriate and adequate room sizes and shapes (generally, rectilinear)
- Adequate closet space with door opening outward.
- Adequate dining area must be provided.
- Adequate floor coverings, such as carpet, tile, wood, or linoleum, with a minimum 10 year warranty.
- Air conditioning or some type of cooling method (ceiling fans, attic fans, shading devices, evaporative cooler) for upper floor units without cross ventilation (windows on more than one side) must be provided. If air conditioning is provided in market rate units, then it must be provided in permanently affordable units.
- Energy conservation affects the affordability and sustainability of residential units. Affordable homes as well as market rate homes should address energy efficiency.

E. Standards

As previously described, the general requirement is that the permanently affordable units be “functionally equivalent” to the market rate units. As described in more detail in Section B of this document, **the City of Boulder Housing Division will consider variations that result in an equivalent livability outcome.** These standards are the specific requirements and constitute the enforceable standards for the more general guidelines included in Section D above of this document.

1. Kitchen

Cabinets

a. 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 area beyond the minimum is desirable.

| <u>Units Size</u> | <u>Minimum Cubic Feet of Cabinets/Pantry/Storage</u> |
|-------------------|--|
|-------------------|--|

| | |
|-----------|----|
| Studio | 25 |
| 1 Bedroom | 32 |
| 2 Bedroom | 38 |
| 3 Bedroom | 45 |

This is generally equivalent to the following lineal feet of cabinets.

| Unit Size | Lineal Ft of Base Cabinets | Cubic Ft of Base Cabinets | Lineal Ft of Upper Cabinets | Cubic Ft of Upper Cabinets | Total Cubic Ft |
|-----------|----------------------------|---------------------------|-----------------------------|----------------------------|----------------|
| Studio | 4 | 17 | 3 | 8 | 25 |
| 1 Bedroom | 5 | 22 | 4 | 10 | 32 |
| 2 Bedroom | 6 | 26 | 5 | 12 | 38 |
| 3 Bedroom | 7 | 30 | 6 | 15 | 45 |
| 4 Bedroom | 7 | 30 | 6 | 15 | 45 |

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

Countertops

b. The surface of countertops shall be made of new, durable, easily cleaned materials.

Appliances

c. All appliances shall be 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:

Furnace: 5 year minimum warranty
Air Conditioner: 5 year minimum warranty
Range: 1 year minimum warranty
Refrigerator: 1 year minimum warranty
Dishwasher: 1 year minimum warranty

d. Range or Stove and Oven: All units shall be provided with a new range or stove and oven. 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).

- e. Refrigerator: If provided in the market rate units, all permanently affordable units shall include a refrigerator.
- f. Dishwasher and Garbage Disposal: If provided in the market rate units, all permanently affordable units shall include a dishwasher and garbage disposal.
- g. Microwaves and other appliances are optional.

2. Closets and Storage Area

Bedroom Closets

h. Each bedroom must have a closet with a minimum of 4 feet of clothes hanging space, and a minimum depth of 22”.

Linen Closet

i. Linen storage closet storage area (a minimum size of 24” in width and 12” depth) with fixed or adjustable shelves shall be provided. Linen storage may be provided as part of a large bedroom or walk-in closet but must provide both the required closet space and linen space sizes.

Entry-way Closet or Storage

j. A closet or space (a minimum of 30” in width and 24” in depth) shall be provided near at least one of the outside entry ways into the unit for coat and shoe storage.

Additional Storage

k. In addition to pantry, bedroom closets, linen and entry hall closet, additional enclosed storage space must be provided (garage, extra closet, basement, or outdoor enclosed storage) and square footage of storage area must at minimum meet the standards listed in the table below. For safety reasons, mechanical rooms should be separate from this storage space.

| <u>Unit Type</u> | <u>Minimum Storage Area</u> |
|------------------|-----------------------------|
| Studio | 30 SF |
| 1 Bedroom | 40 SF |
| 2 Bedroom | 50 SF |
| 3 Bedroom | 60 SF |
| 4 Bedroom | 70 SF |

Door Openings

l. Closet and storage doors must be sliding doors, folding doors, or doors that open outwards to allow for access to space. Exceptions are possible for walk-in closets or other large closets. At minimum, doors cannot open inward into the 3 feet minimum required bedroom closet size.

3. Floor Coverings

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

4. Electrical Outlets

o. There should be a sufficient number of outlets to minimize need for extension cords. The number of outlets needed for each room depends on the room's usage and size. Generally, outlets shall be spaced so that no point in the wall is more than 12 feet (measured horizontally) from an outlet without crossing a doorway. Kitchens should have 20-amp appliance outlets that are conveniently located (about every 24 inches) above a working counter. Bathrooms should have at least one, and preferably two, outlets that are readily accessible, avoiding single outlets in wall-mounted light fixtures located above the medicine chest that can usually not be conveniently reached by persons under 6 feet tall. As a safety feature, the outlets and switches in the bathroom must not be reachable from the tub or shower.

5. Room Sizes

Bedrooms

p. Bedrooms shall be a minimum of 90 square feet, with no dimension less than 9'0".

Living Room

q. Living rooms are generally the common social space in homes and often the center of household life. Living rooms shall provide at least 120 square feet (12' x 10', minimum lineal dimension) of space.

r. Connections and openings to other activities, circulation to and through living rooms and exterior doors and windows should not compromise the ability to furnish the living 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, using at least one seven foot sofa, space for side tables for lamps, entertainment center, and ample stretch out leg room when laying out furniture. There should be enough wall space to accommodate a television or entertainment unit in a location which is easily visible from most seating. If part of the living area is needed as a pathway to other rooms, a 30" path of travel should be possible while still accommodating the ability to furnish the living space.

s. Mechanical features, such as fuse boxes, should not be a visible or central feature in the living area.

Eating/Dining Area

t. An eating or dining area shall be provided that is at least 72 square feet of space (9' x 8', minimum lineal dimension). This may be in a separate room, part of a combined living/dining area, or in the kitchen. Large countertop eating area, if sufficient in size (a minimum of 12" deep with 24" in length for each person based on intended number of occupants of the unit), may be an acceptable alternative.

6. Lighting and Ventilation

u. All habitable rooms (excluding bathrooms, laundry rooms, storage rooms and similar rooms) shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms. Exterior openings for natural light or ventilation shall open directly onto a yard, public way or court not less than three feet in width. For the purpose of determining the light or ventilation, any room may be considered as a portion of an adjoining room

when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior room.

5. Laundry Access

v. All units shall have provisions for laundry, either private (washer/dryer hook-ups or washer/dryers) or shared common laundry. If no provisions are made for laundry services for the market rate units, then no such provisions are required for permanently affordable units. If washer is on an upper level, some precautions should be included to prevent damages from potential water leaks, i.e., tray, etc.

6. Sound Insulation/Attenuation

w. **External:** The arrangement of buildings on a site can be used to minimize noise impacts. If incompatible land uses already exist, or if a noise, sensitive activity is planned, acoustical site planning often provides a successful technique for noise impact reduction. Many site planning techniques can be employed to shield a residential development from noise. These can include:

- Increasing the distance between the noise source and the receiver;
- Placing noise compatible land uses, such as parking lots, maintenance facilities and utility areas between the source and the receivers;
- Locating barrier-type buildings parallel to the noise source or the highway; and
- Orienting residences away from noise.

Plans will be checked to determine if external noise impacts are an issue, and if so, an analysis will be made to determine if the above techniques have been adequately employed.

x. **Internal:** Noise can be intercepted as it passes through the walls, floors, windows, ceilings and doors of a building. To compare the insulation performance of alternative constructions, the Sound Transmission Class (STC) is used as a measure of a material's ability to reduce sound. Sound insulation/attenuation between units must be adequate. Sound insulation in permanently affordable units must be equivalent to that provided in market rate units and must at minimum meet code (current code requirement is STC 50) Construction producing higher STC ratings are desirable and encouraged. For floors, typically the STC is based on carpet and pad as well as the floor assembly/construction. If hard surface flooring is proposed, such as wood or linoleum, 1" gypsum must be installed prior to hard surfacing, or some alternative method that ensures an acceptable STC rating.

7. Air Conditioning/Air Cooling

y. Air conditioning or some type of cooling method (ceiling fans, attic fans, shading devices, evaporative cooler) for units without cross ventilation (windows on opposite walls) must be provided. If air conditioning is provided in market rate units, then it must be provided in permanently affordable units.

8. Energy Conservation

z. Environmental sustainability is a key City priority. Energy conservation is one of the many areas where good planning for the environment and good planning for affordable housing overlap. What makes housing affordable is the amount of money expended monthly on energy.

The City of Boulder has adopted the 2000 International Energy Conservation Code (IECC) to promote energy conservation. You may design your own compliance package using a simple software packaged called ResCheck. This software can be downloaded free of charge from the U.S.

Department of Energy's website at: www.energy.codes.gov. The software contains detailed information with step-by-step instructions. Be sure to select the 2000 IECC as the applicable code. Additional information may also be found at: www.bouldercolorado.gov/files/PDS/apps/guides/1003/pdf. In keeping with the general expectation that permanently affordable units be functionally equivalent with market rate units, permanently affordable single family detached and attached units must receive a "better than code" score within two percentage points of the market rate units.

F. Compliance

Developers will be required to sign an affidavit certifying that the information they provide is accurate and true, and that the Housing Division will be notified of any changes.

If changes to approved plans result in standards not being met, the unit(s) may not be considered an acceptable permanently affordable unit and issuance of building permits may be withheld pending resolution of the matter.

G. Re-Evaluation

These guidelines were implemented in 2003. This is the first revision. It is expected that these will be re-evaluated and may be revised or adjusted in the future based on experience with implementation.

APPROVED GUIDELINES GOVERNING THE LIVABILITY FOR PERMANENTLY AFFORDABLE HOUSING UNITS.

In witness whereof:

John Pollak, Co-Director
Department of Housing and Human Services (HHS)
City of Boulder

Date

Attest:

Janet Fulton
Asset Manager
Housing Division (HHS)
City of Boulder

Date