

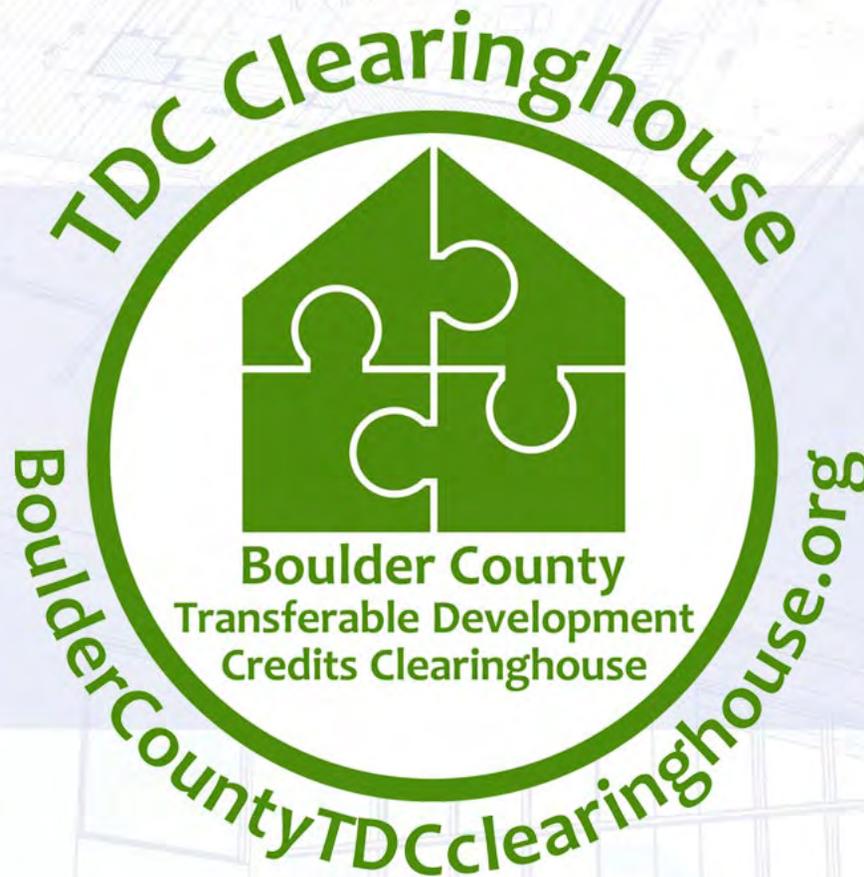
Boulder County Land Use Department



Boulder County TDCs & SPR regulation changes

Planning with Boulder County's Future in Mind

Boulder County TDCs & SPR



Presenters: Ruth Becker & Kim Sanchez

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Boulder County TDC Program

What are TDCs?

Transferable Development Credits

- Rights to develop additional residential floor area

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Boulder County TDC Program

What is the TDC Program?

- Boulder County Land Use Code Article 4-1300
- New Program, Effective 8/8/08
- Size Threshold 6000 square feet

Residential Floor Area: Attached and Detached area

Principal Residence and Residential Accessory Structures

Excludes covered porches, decks and patios

- TDC Program provides mechanism to transfer rights to develop above Size Threshold
- TDCs obtained through restrictions on development
Smaller homes and Vacant Land

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Boulder County TDC Program

What is the purpose of the TDC Program?

- Implement Sustainability Element of Comprehensive Plan
 - Offset Impacts of Large Home Construction
 - Preserve Rural Neighborhood Character
 - Preserve Vacant Land
- Preserve Diversity of Housing Stock

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Boulder County TDC Program

Who are the Interested Parties?

- TDC Buyers:
 - Want more than 6000 sq. ft residential floor area
 - Required (some exemptions)
- TDC Sellers:
 - Restrict development to 2000 sq. ft. rfa or less
 - Voluntary
- Uninvolved:
 - 2000-6000 square feet development
 - City dwellers, Outside Boulder County

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Boulder County TDC Program

How Many TDCs Do I Need to Purchase?

Number of square feet	Number of TDCs	Total Additional Square Feet	Total Credits for Additional Square Feet
1 st 500	1	500	1
2 nd 500	1	1,000	2
3 rd 500	2	1,500	4
4 th 500	2	2,000	6
5 th 500	3	2,500	9
Each additional 500 sf	3		

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What development is Exempt from the 6000 square foot Size Threshold?

- SPR application submitted by 9/7/07
- Building permit application submitted by 8/8/08
- Development is within statutory vesting period
 - Receive additional 3 year vesting period
- Part of a TDR/PUD
 - 9000 square foot threshold
- Firm numerical house size recognized by BOCC
- Restoration of damaged/destroyed structure
 - Causes outside control of owner

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Who Can Sell TDCs?

- Owners of legal building lots
- Parcels must have legal access
- Restrict development through Restrictive Covenant or Conservation Easement
- Mortgage Subordination

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How Many TDCs For Restricting Residential Floor Area?

Developed Parcel Residential Floor Area	Number of TDCs Available
2,000 square feet	2 TDCs
1,500 square feet	3 TDCs
1,000 square feet	4 TDCs



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How Many TDCs For Restricting to Vacant Land?

Vacant Properties	Mountains	Plains
Conservation Easement	5 TDCs	10 TDCs
Sale in Fee	7 TDCs	12 TDCs



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- **Are Bonus TDCs Available?**
- For Significant Conservation Values
 - Preservation of natural, cultural, ecological resources
 - Agricultural water rights
 - Urban shaping
 - Trail linkages, access to lakes, elimination of private property enclaves
- Maximum of 5 bonus TDCs
- Separate Review by Parks and Open Space Department



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What is the Process to Obtain TDCs?

- TDC Determination Application
- Title Review
- Restrictive Covenant or Conservation Easement
- Subordination of Mortgages/Deeds of trust

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What are the Benefits of Selling TDCs?

- Obtain funds for another purpose
- If intend to maintain house size or vacant land, provides opportunity to benefit from that decision
- Conserving land and diversity of housing stock

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What are the Limitations of Selling TDCs?

- Permanent restrictions
- Vacant land can never be developed
- Development size restriction can only be increased to 2000 square feet
 - With Covenant Amendment

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How to Buy and Sell TDCs?

- Through the TDC Clearinghouse
- Privately
- Registration Process
- Sales Reporting Requirements
 - Issuance of New TDC Certificate to Buyer

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What is a TDC Worth?

- Market Value
- TBD
- No Fractional TDCs Recognized

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Boulder County TDC Program

How to Use TDCs?

- Need Approved Site Plan Review
 - Purchase of TDCs does not guarantee approval
- Risks of Purchasing TDCs Before SPR Approved
- Submit to Land Use with Building Permit App

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Boulder County TDC Program

Where Can I Find Additional Information?

- www.BoulderCountyTDCclearinghouse.org
- Clearinghouse Administrator
- Boulder County Land Use

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Boulder County SPR reg.changes

Site Plan Review (SPR)

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Boulder County SPR reg.changes

Unincorporated lands: Old Townsites



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Unincorporated: Mountain settlements



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Unincorporated lands: Foothills



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Unincorporated lands: Rural Plains



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Unincorporated lands: Mining Claims



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For Sale By Owner



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Unusual Building Sites



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Unusual Building Sites



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Difficult Access



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Steep Slopes



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Dense Forests



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Wildfire Danger



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Wildlife



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Boulder County SPR reg.changes

Site Plan Review

- 1993** Site Plan Review regulations adopted
(for an 8 month interim)
- 1994** Site Plan Review regulations approved
& extended to the plains

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Purpose

- To mitigate the impact of development
 - Single-family residences
 - Larger sized additions

Site Plan Review Approves:

- Bulk / Massing of a structure
 - How Big
 - How Tall
 - Where Located on a property

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Boulder County SPR reg.changes

Site Plan Review Evaluation Standards

▪ 16 STANDARDS

- ✓ Environmental
- ✓ Safety
- ✓ Visual
- ✓ Compatibility *new 8/8/08*

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Boulder County SPR reg.changes

Recent Trends

- Trends show BIGGER houses
- Changing character of neighborhoods
- Housing stock
- Comprehensive Plan/Land Use Code Update
 - BOCC / PC made building size a priority
 - Need to address the issues of size (neighborhood character/compatibility) and energy consumption



Boulder County SPR reg.changes

Trends / Sizes

SPR applications (last few years leading up to reg changes):

- Approx. 50% houses < 5,000 sq.ft.
- Approx. 40% houses are between 5,000 - 10,000 sq.ft.
- Approx. 10% houses > 10,000 sq.ft.

Building Permit applications:

- 2006 median house size = 6,290 sq.ft.
>Median grew incrementally from 3,627 sq.ft (2002)

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Trends: Demo/Rebuilds

- ~¼ of SPR applications are for teardowns
- Median demolished house size = ~2,000 square feet
Average demolished house size = ~2,700 square feet
- The average difference in size between a demo-ed house and the new house that replaces it = ~3,000 sq.ft.
- On average, the new houses are 2-3 times larger than the demo-ed house they're replacing



Sustainability Element

****GOALS****
ELEMENT
-Maps-
-Text-

TDRs

Structure Size

Green Building

Other Topics

INDICATORS



Boulder County SPR reg.changes

Defined Neighborhood

Neighborhood is defined as:

- = Area w/in 1500' of the subject parcel, excluding subdivisions w/ more than 7 developed lots, townsites, or areas w/in municipal boundaries
- = Platted Subdivisions with more than 7 developed lots
- = Mapped Townsites (Allenspark, Eldora, Eldorado Springs, Gold Hill, Raymond, & Riverside)



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Presumptive Compatible Size

LARGER # of either:

- 125% of the median residential floor area for the defined neighborhood

OR

- 1,500 sf → townsite areas
- 2,500 sf → everywhere else

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Residential Floor Area

Residential floor area

= includes all attached and detached floor area on a parcel including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices, and workshops



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Factors to Rebut Presumption

- ✓ Visibility: structure must be minimally visible from other private parcels w/in the defined neighborhood/public roads/open space
 - ✓ Use of topography / underground construction
 - ✓ Distance of proposed development from private parcels, public roads, and open spaces
- ✓ Distribution of home sizes w/in the neighborhood; take into consideration esp. those houses most closely adjacent to the property
- ✓ Conservation Easements: House size limitation defined in a conservation easement

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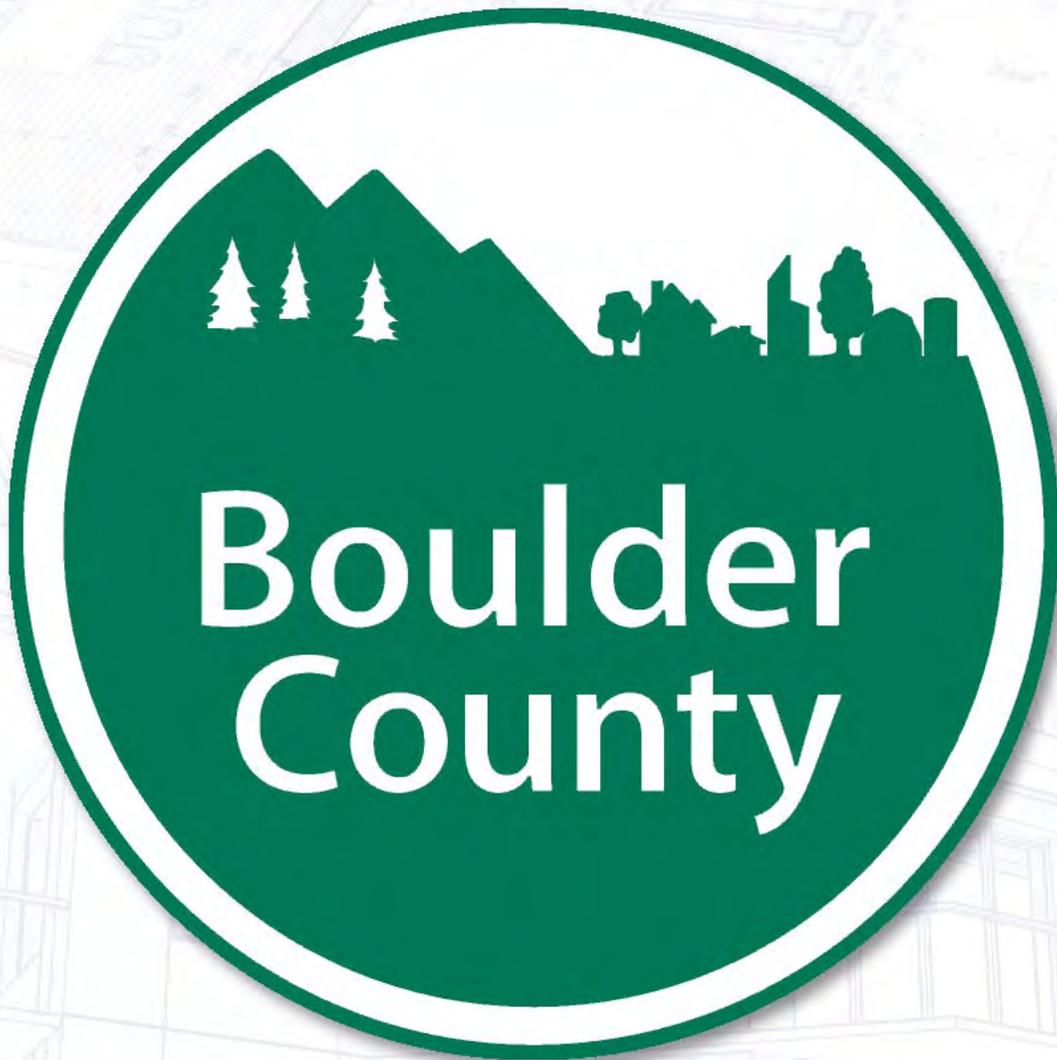
Boulder County SPR reg.changes

Scenic Corridor Area

- Defined the Scenic Corridor & added additional SPR criteria for development w/in the Peak-to-Peak Scenic Corridor Area
- These criteria will deal with the visibility impacts along the Peak-to-Peak Scenic Highway
- Identify specific mitigation factors & give more clarity to property owners in this area
- Mitigating factors include:
 - Changing location or structure orientation
 - Height of structures
 - Reduction or location of windows and glazing
 - Exterior color and materials
 - Lighting

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**Thank You
for Your Time!**

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