



City of Boulder Housing & Human Services

Timeline of City Affordable Housing Efforts

Updated 2/2024

1966

Boulder establishes the Housing Authority of the City of Boulder (AKA Boulder Housing Partners), which becomes the primary provider of subsidized housing for low- and very-low-income households, as well as special populations.

1973

Adoption of a moderate-income housing annexation strategy (Resolution No. 115). The policy requires all new residential developments seeking annexation or requesting an out-of-city utility permit to commit at least 15% of such units to be low- and moderately priced housing units.

1975

City begins receiving Community Development Block Grant (CDBG) funds, which have been used to finance housing and community services projects for low-income persons, including the homeless, seniors, and persons with disabilities.

1976

City adopts a formal growth management plan with a limit on the number of housing permits issued each year. A merit system based on points determined which developments would receive the limited allocations. The provision of low- and moderate-income housing earned the applicant extra points.

1980

Citizen initiative is passed in the city to impose rent control in existing buildings. In response, the Colorado State Legislature instituted a statewide rent control ban to ensure that no city or county in Colorado would, as a matter of law, be able to institute a rent control measure.

1982

- First Accessory Dwelling Unit (ADU) Ordinance is adopted that allows a second unit to be constructed in single family homes within low density residential zone districts. The intent of the ordinance was to provide a broader mix of housing choices for various ages and incomes, while preserving single-family neighborhood character; reduce the number of illegal and unsafe rental units constructed; and offer homeowners a way to offset the increasing cost of living in the area.
- The growth management plan is reworked, now referred to as the Residential Growth Management System (RGMS). A two percent growth rate is set on residential building permits. Allocations for residential building permits are given out on a first-come, first-served basis until the number of permits reach a trigger point. Specific exemptions to the allocation system are intended to incentive low- and middle-income housing, including low-income housing projects approved by the Housing Authority as well as the first 100 qualified moderate income rental units per year.

1985

- Moderate Income Housing Program (MIHP) is established, which is an inclusionary zoning program that generally required that 15% of the total units in a project be sold to moderate income households. Prices were not limited, only the incomes of eligible buyers. Resale restrictions remained in place for a period of 10 to 20 years, at which point the homes could be sold as market rate homes. Developers could earn "credits" by building more than the required number of MIHP, and these credits could then be sold to other developers to help meet MIHP requirements.
- City adopts a Mobile Home (MH) zoning district. The new zoning district serves the dual purpose of guiding development of new mobile home parks and reducing the risk of redevelopment and displacement of residents.

1990

Housing excise tax is adopted and levied on all new development on a per square foot basis. The excise tax establishes a source of funding to contribute to the provision of affordable housing. The funds are used to acquire, construct, or rehabilitate permanently affordable housing for households within 15% - 60% of the Area Median Income (AMI) defined as the "working poor" within the adopted ordinance.

1991

City convenes a working group to develop a new, affordable housing program. As a result, the mandatory MIHP is discontinued and replaced with the Community Housing Assistance Program (CHAP). CHAP served as a local housing trust fund to provide subsidy funds for developers to acquire and build permanently affordable housing in the community. Property taxes and a housing excise tax on new development produces approximately \$1M per year that is used to fund housing for low income and special populations. The fund is still in place today and provides a simple, flexible, and locally administered funding source to increase the supply of affordable housing for working households.

1992

- City begins to receive federal HOME Investment Partnerships Program (HOME) funds, a block grant for affordable housing. Boulder receives approximately \$650,000 per year in HOME funds which may be used for a variety of housing projects for low- and very-low-income households.
- The Boulder Valley Comprehensive Plan (BVCP) is updated to include a housing goal to have 5% of the total housing stock as permanently affordable to low-income households.

1993

City's First Home program is established. Initially, First Home was a shared equity loan program. The rapid increase in Boulder's housing prices led to a concern that insufficient funds would be recaptured from the shared equity proceeds to enable the city to replace units on a 1:1 basis. This led to the program being changed to a down payment grant in exchange for permanent affordability.

1995

- The Residential Growth Management System (RGMS) revised to cut the growth rate to one percent and reduce the number of available allocations on an annual basis. The update divided the annual allocations into three categories: market rate, permanently affordable, and restricted. The exemptions to the allocation system are intended to incentivize the types of housing identified as the most needed in the community. The permanently affordable allocations were deed restricted units for low-income households and the restricted units were size restricted, owner-occupied units with initial prices set to

be affordable to middle income households but with no ongoing resale or income restrictions. Projects which included at least 20% permanently affordable and 35% restricted units were able to receive the required RGMS allocations faster than those projects that contained market rate units exclusively. The policy objective was to ensure that new residential growth helped to meet the city's affordable housing goals. This was still a voluntary system. Given Boulder's rapidly escalating land values, it made more sense for someone to wait for an allocation for a market rate unit rather than produce an affordable unit.

- The Major Site Review process was established as part of the discretionary land use review process, which gave priority consideration to residential projects that contained at least 20% permanently affordable and 35% restricted units.

1996

- The city's first cooperative housing ordinance is adopted. Cooperative housing is a form of housing where unrelated individuals choose to share a dwelling unit and where each family or individual has rights commensurate with ownership. No co-ops were created under these strict code provisions.
- City began administering a down payment assistance program. The purpose of the down payment program was to provide gap financing to make up the difference between what the purchaser can afford as a down payment and the amount needed to make the financing work for the purchaser.
- City requires that all units assisted through the Housing Fund Program remain permanently affordable in perpetuity.

1997

- City establishes its first cash-in-lieu option for developers of projects that were in progress at the time the new RGMS was adopted. Approximately \$1.3M was generated from this option. These funds were used for low and moderate-income housing projects.
- The housing policies of the Boulder Valley Comprehensive Plan were amended to reflect the city's goals for maintaining existing and integrating new affordable housing throughout the community and establishing the goal to have at least 10% of the total housing stock be permanently affordable to low and moderate-income households.

1998

- The city begins work on the Comprehensive Housing Strategy. The Strategy, accepted by Council in 2000, is organized around five themes: managing density and growth; strengthening partnerships; holding and gaining ground on support for low and very low-income households; keeping moderate income workers in Boulder; and helping special populations and seniors. The Housing Strategy included the objective of reaching the goal to have 10% of the total housing stock as permanently affordable within 10 years.
- City voters voted to increase the housing excise tax and to waive the development excise tax on permanently affordable housing projects.

2000

- The city's Housing Division establishes an Asset Management Program to ensure that the affordability requirements of all the city's affordable rental and homeownership units are met. This includes annual monitoring of permanently affordable rental units and an annual letter sent to permanently affordable

homeowners to remind them of the program's requirements. The city also begins to expand its homeownership assistance program for moderate income households.

- City adopts the Inclusionary Zoning program. The Inclusionary Zoning program requires that 20% of all new residential development is permanently affordable for low and moderate-income households. The program provides options for meeting the Inclusionary Zoning requirement, including the option of paying a cash-in-lieu amount for the required permanently affordable units. Cash-in-lieu funds are combined with other city housing subsidy funds and used to rehabilitate existing affordable units, acquire market rate units, and convert them to permanently affordable units as well as construct new permanently affordable units and help make units permanently affordable to very low-income households.
- The Residential Growth Management System (RGMS) is amended to remove the affordable housing components added in 1995. At the time the growth management system, as well as annexation policy, were the only methods of securing some affordable housing through development projects. However, the adoption of the Inclusionary Zoning program described above allowed the city to achieve the goal of affordable housing in a less cumbersome, more direct way than through growth management limitations. Additional exemptions were added to growth management allocations, including mixed-use developments, developments with a significant portion of affordable housing. These were housing types that the city, as a matter of policy, desired to encourage. The memo sent to City Council stated that this change "would have the effect of permitting more residential construction, more quickly" than the previous growth management system.
- Manufactured Housing Land Use and Policy adopted as part of the Boulder Valley Comprehensive Plan update. A policy titled *Preservation and Development of Manufactured Housing* is adopted and the Manufactured Housing (MH) land use category is established. The new policy recognizes the importance of manufactured housing as an option for many households and commits to preserving mobile home parks, developing new ones, increasing opportunities for resident ownership, addressing health and safety concerns in these communities, and helping to mitigate for the loss of housing through support for rehousing.

2004

The Residential Growth Management System (RGMS) is amended to add an exemption for land that has been rezoned from non-residential zoning district to a residential zoning district. The update was made in response to blanket rezonings done by the city to implement updates made to the comprehensive plan, including the rezoning of the 28th Street frontage road to high density residential zoning.

2007

- The city forms a Regional HOME Consortium with Boulder County, the City of Longmont and the City and County of Broomfield. The Consortium has increased locally controlled funding for affordable housing and formed collaborative partnerships to address affordable housing concerns in the region.
- The Boulder County Homeownership Consortium and its sponsors support the Boulder County Housing Authority's HUD-approved Housing Counseling Program. Both the City of Boulder and the City of Longmont provide the program with financial support. Thistle Community Housing provides valuable in-kind training support through the NeighborWorks Training Institute.

2008

- The city initiated a multi-year Affordable Housing Program Review to review the goals and strategies of housing programs, regulatory environment, and explore new initiatives.
- Council reaffirmed the existing goal to have 10% of the city's housing be permanently affordable including the income targets and homeownership rental mix. They removed the goal for some percentage to be acquired through acquisition and some through new development and adopted an additional goal of 450 units affordable to middle income households.

2010

A new Inclusionary Housing (IH) Ordinance was adopted that substantially reorganized the inclusionary housing program. The updated modified the annual adjustment for cash-in-lieu and mitigated the adjustment for smaller developments, applied IH requirements to redevelopment projects when the total number of redeveloped or newly constructed dwelling units equals five or more, and modified the land dedication option to clarify specific requirements for the dedicated land.

2013

- A community conversation commenced to inform city housing goals and city efforts, refer to as Comprehensive Housing Strategy (CHS). The CHS provided the city with an action plan organized around five themes: 1) address housing as part of the Comprehensive Plan Update, 2) create a middle-income housing strategy, 3) preserve existing affordable housing, 4) achieve our 10% goal, and 5) projects, partnerships, governance, and other.
- Affordable housing linkage fees are adopted, which apply to non-residential development in the city. The funds are used offset the impacts of new developments in the city and are an important funding source for affordable housing.

2015

- City establishes stiff penalties for interference with the sale of pre-1976 mobile homes, disallowing excessive home upgrade requirements by a mobile home park owner and clarifying that tree maintenance is exclusive responsibility of the park owners. Council also commits funding for legal services for mobile homeowners.
- Short-term home rentals (rented for 29 days or less at a time) are expressly permitted in the rental licensing code with specific regulations. The rental property must be the owner's principal residence; principal residence is defined as the dwelling unit in which a person resides for more than one-half of the year.
- A Housing Boulder Toolkit was developed as a compilation of ideas to begin a community discussion on housing. The Housing Boulder community conversation was brought to a close and rather than adopt a full housing strategy, Council chose to identify approximately 20 work plan items known as the Housing Boulder Action Plan.

2016

- Middle Income Housing Strategy (MIHS) adopted as a new component within Boulder's Comprehensive Housing Strategy. The strategy provides a housing policy framework, including community priorities for action and specific tools to help meet the adopted Housing Boulder goal to "Maintain the Middle."

- Affordable Housing Preservation Ordinance adopted, which was aimed at long-term preservation of affordable housing that would otherwise be lost over time. The ordinance enables permanently affordable properties to rebuild to the number of existing units in situations where zoning was changed after the property was built (legal nonconforming uses).

2017

- The 2015 Major Update to the Boulder Valley Comprehensive Plan (BVCP) strengthened housing policies and goals for middle income units were included. Council also adopted specific policies related to achieving additional affordable housing when the city grants additional intensity, height, or any other benefit to a developer.
- City's regulations on cooperative housing are substantially revised to facilitate the creation of new cooperative housing units and to legitimize existing illegal units.
- Code changes are made to support mobile home park residents, including the establishment of a homeowner's right to privacy, prohibiting retaliation by the park owner, and mandating mediation. The regulations are intended to "level the playing field" between homeowners and park owners.
- Updates made to the Inclusionary Housing Program to achieve three goals; create a middle-income requirement, incentivize on-site units, and create a new design review process. To implement the middle-income strategy, IH was updated to add a 5% middle income component consisting of three tiers of pricing: 80%, 100%, and 120% of area median income (AMI). The resulting standard IH requirement is 25% of all units as permanently affordable, with a pricing mix of 80% low/moderate income and 20% middle income. Incentives and a couple of disincentives were built into the program to encourage for-sale developments to provide the affordable units on-site.
- Housing excise tax is repealed and replaced with capital facility impact fee.

2018

- ADU regulations updated, which increased the maximum allowable saturation in a neighborhood area, increased the allowable area, loosened parking requirements, created exemptions for historic properties, and established an affordable ADU option. Newly created accessory units are unable to be used as short-term rentals.
- Affordable housing linkage fees increased on non-residential development in the city, increases the funds available for affordable housing development.

2019

Manufactured Housing Strategy and Action Plan adopted, which frames the city's approach to and understanding of Mobile Home Communities in Boulder into the future. The strategy and action plan encourages the preservation of existing mobile home parks and the development of resident-owned parks.

2020

Ordinance 8412 approved to support eviction prevention services. Excise tax was approved on dwelling units with rental licenses to be used to fund legal representation for persons facing eviction proceedings and for rental assistance for persons that may be facing an eviction or need emergency rental assistance.

2023

- City launches two down payment assistance programs to support buyers in becoming homeowners, which builds equity and wealth. The Middle Income Down Payment Assistance Program (DPA) offers middle-income households a zero-interest second mortgage up to \$200,000 or 30% of the home's sale price, whichever is less. In exchange for this assistance, the home becomes permanently affordable. The House to Homeownership (H2O) Program is a shared appreciation loan program that provides first-time homebuyers with a loan on a market rate home. There are no resale restrictions on homes purchased with H2O loans.
- ADU regulations updated to increase the allowance of ADUs in the community. The update included eliminating the saturation limit in the RL-1 and RL-2 zoning districts, increasing the allowable size of ADUs, clarifying and simplifying the code, and improving the approval process.
- Land Use Code revised to provide flexibility for a wider range of affordable and attainable housing types. The ordinance removes barriers, allows more housing units in some areas, enables smaller homes, and encourages a greater diversity of housing types.
- New Inclusionary Housing (IH) Ordinance was adopted that modified the following parts of the program: Cash-in-lieu (CIL) methodology was adjusted so that required contributions in lieu of providing affordable units scale with unit size, resulting in a fair burden across different sized units; Affordable rents were modified to retain a diversity of affordable rents but with deeper affordability; Penalties for not providing on-site affordable ownership units were removed and the pricing for ownership units was modified to be priced for middle income households.

2024

The city's Residential Growth Management System is repealed to be compliant with state law. The state law was intended to remove zoning and land use barriers to new housing units. Enabling more housing in the city helps reduce the cost of housing.