

Unknowns about Boulder house-size rules linger

Contractors bracing for potential hit to business

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Dan and Judy Hersh place house signs that represent their two homes in the lawn of the Boulder Municipal Building during a rally last month. The group "Leave My Home Alone" gathered many of its members to protest an ordinance being discussed by the City Council that would limit home sizes. (MARTY CAIVANO)

With just days left before the Boulder City Council likely approves new rules regulating just how big houses could be built, officials say they're fielding calls from developers, architects and homeowners who want to know how their future plans will be impacted.

Julie Johnston -- the Boulder planner in charge of the "compatible development" project, which seeks to regulate house sizes by limiting building footprints, the ratio

of square footage to lot size and other methods -- said there is a general concern, but not a run on building permits.

"I think most of the applications between now and the first of the year will be people who have been working for some time" on projects, she said, and are concerned about having to redo expensive designs.

If the council approves the ordinance Tuesday, it would become effective Jan. 4, giving people 90 days to apply for a permit under the current, less-restrictive rules.

Johnston said she's "not really worried" about a potential rush to get large projects approved within the next three months. That can probably be attributed to the still-slumping national economy, she said.

"We haven't experienced a run on permits, really, since this started," she said. "It's more about the economy right now than anything."

She said permits to build or remodel single-family homes have dropped off "significantly" from any time during the past five years.

Mixed feelings

According to city records, 38 permits for new home construction have been approved so far this year. That's far below the average of 96 new homes each year since 2005.

The total number of permits for remodels of existing homes -- 112 so far this year -- is less than half the average of 276 projects annually.

Among those who are still building, some homeowners say they're doing it now because of the pending ordinance, while others support stricter rules and are taking advantage of lower construction costs.

Chautauqua Heights homeowner Tim March said he pulled his building permit for a third-story addition last year after hearing city leaders begin to talk about adding new restrictions.

"I felt I wouldn't be able to do anything a year ago if I didn't move forward," he said. "Once they (the City Council members) get their teeth into something, they don't let go."

March said he opposes speculative development and extremely large houses that loom over neighbors, but he worries that the new restrictions will make it more complicated and expensive for modest expansions like his own.

"I believe a homeowner should be allowed to do things to their house within reason, and I think the existing regulations do a good job," he said. "I think that for some of the folks on City Council, it's like, 'Oh, I have my house, and here's the regulations.'"

Ben Collett, however, is among those homeowners who don't see a problem with

new restrictions.

Collett's project to add more than 600 square feet to his second floor wouldn't be affected by the new ordinance, he said, and he wants stricter rules.

"I support some sort of increased regulation of floor-area ratio," he said. "I think that there are a number of monstrosities that have been built in the last 10 years. I think whatever we can do to prevent those from becoming the norm in Boulder, we should do."

'It's going to be a financial disaster'

Some area builders are spooked that the new regulations will put an even bigger dent in their business than the downtrodden economy already has.

"It's going to be a financial disaster for us," said John Shively, president of Rosewood Construction. "When you start limiting the size (of houses) -- we work off of how big the project it is."

Shively, who co-founded the company in 1980, said the chatter among the industry insiders is that the few remaining customers with big-dollar projects are already considering moving outside Boulder.

"The ones that have a lot of money that want to build something will go to Jeffco or Weld or Larimer (counties) and build them, so the city and the county are going to lose revenue," Shively said.

Those who stick with developing in Boulder, he said, will end up spending more on the process to build than the building itself because of the increased complexity to design and approve projects.

"It's causing a lot of money to pass through hands that don't go toward the building project," he said. "It does go to experts, architects, engineers; but it definitely affects my business."

Larry Parrish, a second-generation builder and president of **Parrish Construction**, said most clients don't yet understand how the new regulations will affect them.

"I suspect the average homeowner doesn't have time to dig into issues that they think don't affect them now," **Parrish** said. "I would love it if the general population really understood how this will impact them."

'I think we're on the right track'

City officials have said they're committed to reviewing how the ordinance is working at six months and one year after it goes into effect -- although they admit there probably won't be a lot to look at then.

Mayor Matt Appelbaum said there will still be opportunities to correct problems,

inconsistencies or questions of fairness as they arise.

"There's plenty of remodels and additions going on in town," he said. "I think we'll get a decent sense of where some of the problems will be."

Appelbaum said that he'd also be willing to have residents present an alternative plan later on because the current proposal "isn't cast in concrete."

"No one would say it is perfect in every way," he said, but "I think we're on the right track."

Tracking house sizes

Last we knew: The Boulder City Council approved on second reading a new ordinance to limit house sizes.

Latest: The City Council will take up the ordinance on a final vote Tuesday night.

What's next: If the council votes to approve the measure, it would go into effect Jan. 4.

Compatible development ordinance

The Boulder City Council is nearing a final decision on a proposed compatible development ordinance that would create tools for defining whether a house is too big. The final draft includes:

All residential zoning districts in the city, affecting about 13,000 houses.

A floor-area ratio of .50 based on a 7,000-square-foot lot located in the RR-1, RR-1 and RL-1 zoning districts. Floor area ratio would be set at .55 for lots located in the RMX-1 zoning district.

Basements in floor-area calculations based on the percentage of a exposed perimeter walls that are more than 36 inches above grade.

Exemption for historic accessory structures, such as barns or sheds, through the Landmark Alteration Certificate.

Building coverage limited to 35 percent of a lot. Coverage would increase for smaller lots and decrease for larger ones.

Exemptions for porches up to 300 square feet on the front of a house, and up to 150 square feet for porches on the side or rear of a house.

Limits on the bulk plane, or invisible three-dimensional envelop that a house could fill.

Rules limiting side walls that are larger than 14 feet to a maximum length of 40 feet

before the design must be altered.

Increasing "plan check fees" from 25 percent to 50 percent of a building permit fee.

Virtual floors, with spaces 16 feet or taller counted twice the lowest level's square footage, and the floor area of spaces 26 feet or taller counted three times the lowest level's square footage. Up to 150 square feet of a stairwell is exempt.

If you go

What: Boulder City Council meeting

When: 6 p.m. Tuesday

Where: Boulder Municipal Building, 1777 Broadway

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