

February 23, 2022 Boulder County Community Meeting on Rebuilding After the Marshall Fire (Article 19) in Unincorporated Boulder County

TONIGHT'S AGENDA:

- I. **Introductions** – Garry Sanfaçon, Recovery Manager
- II. **Marshall Fire Rebuilding Approach (Article 19)** – Hannah Hippely, Long Range Planning Manager – Community Planning & Permitting Dept.
- III. **Building Code / Boulder County BuildSmart** – Ron Flax, CP&P Chief Building Official – Community Planning & Permitting Dept.
- IV. **Resources to Build High-Performance Homes** – Zac Swank, Office of Sustainability, Climate Action & Resilience (OSCAR)
- V. **Transportation Resources** – Cammie Edson, Transportation Planner - Community Planning & Permitting Dept.
- VI. **Next Steps and Article 19 Adoption Timeline** – Garry Sanfaçon, Recovery Manager / Kim Sanchez, Deputy Director - Community Planning & Permitting Dept.
- VII. **Q&A**

Please note: NO ADVERTISING OF SERVICES WILL BE ALLOWED IN THIS MEETING.

Meeting Objectives:

- Discuss changes to Article 19 (Approach to Rebuilding Following the Marshall Fire)
- Staff share concepts
- Poll Questions for the community
- Pauses for questions, ideas/suggestions, concerns

Intent:

- For this to be an exchange
- For staff to gather input that will assist in drafting Article 19 (Marshall Fire Rebuilding Approach)

Poll Question - Who is in attendance tonight?

Poll Question – If you are a resident of the fire impacted area where do or did you live?

What is Land Use Code Article 19?

The Boulder County Land Use Code is the document which regulates the use and development of land in unincorporated Boulder County: www.boco.org/LandUseCode

It is one of the ways the community vision outlined in the County Comprehensive Plan is implemented.

Article 19 (Procedures Following Disasters) is a chapter of the Land Use Code used to respond to disasters outside of our typical processes: www.boco.org/LUCodeArticle19

It will outline the approach for rebuilding after the Marshall Fire.



Article 19 (specific Marshall Fire Rebuilding) vs. Site Plan Review

Article 19 allows us to adjust timeframes, create a streamlined process in order to be fast and more flexible in rebuilding, and to address disaster specific issues related to rebuilding after the fire.

- Site Plan Review (SPR) **is not required** when rebuilding on same footprint and same building height and size
- Article 19 (Marshall Fire Rebuilding) changes- projects that are proposing minor changes (location, height, size) can proceed **without SPR**
 - **Your input tonight and through the Art. 19 public process** helps us determine what is okay with you and your neighbors –
 - How much variation in location?
 - Size?
 - Height?
- Rebuilding can take an extended amount of time in events of this magnitude. We know those timeframes put unnecessary and unrealistic pressure on people. Article 19 will extend these timeframes to rebuild under a streamlined process instead of SPR. Extension time will be based on input we receive from the community.

Existing Rebuilding Path 1

- Rebuild the same structure
 - Must commence within one year
 - For nonconforming structures and uses restoration must commence within 6 months
- Pro – Fast, only a building permit is required.
- Con – Lack of flexibility in what can be rebuilt
- Con – Timeframes are short

Article 19 Path

Existing Rebuilding Path 2

- Site Plan Review
 - Variance approval for setback encroachments
- Pro – Maximum flexibility
- Pro – No time constraint
- Con – Land Use Review processes take time

Article 19 (Marshall Fire Rebuilding regulations) allows us to adjust timeframes, create a streamlined process in order to be fast and more flexible in rebuilding, and to address disaster specific issues such as site clean-up, temporary housing, and resiliency issues.

Site Clean-Up

Article 19 (Marshall Fire Rebuilding) will clarify the site clean-up requirements for this disaster.

- Materials remaining are hazardous and without requirements and timeframes for clean-up lots could potentially sit as they are now for years.
- Rebuilding on lots can take years in the meantime dirt and slopes need to be stabilized.
- A clean and safe place

Article 19 Deconstruction and Site Clean-Up Element Would Address:

- What 'clean-up' means & the post clean-up condition of a property
- Timeframes for clean-up to occur
- Permits & inspection

Questions/Feedback/Suggestions on the Site Clean Up Topic?

Rebuilding Timelines

Article 19 (Marshall Fire Rebuilding) can alleviate the stress and pressure to rebuild in a certain timeline by providing people who lost structures more time to rebuild than the Code currently does.

- The timeframe to rebuild under the Article 19 path used in the past was three years
 - extends the timeframe by 2 years for most people (SPR only allows 1 year exemption)
 - extends the timeframe by 2.5 years for those with nonconforming structures or uses (6 months is currently given)
- A sunset date is typically included because these are temporary measures intended to assist those who lost their homes to rebuild through an expedited process.

Poll Question: How much time do you think you will need to rebuild?

Questions/Feedback/Suggestions on the Timing Topic?

Temporary Housing While Rebuilding

Temporary Emergency Housing can be permitted by the Chief Building Official.

Article 19 (Marshall Fire Rebuilding) Temporary Housing provisions would clarify:

- What can be used as Temporary Housing?
- Safety - ensuring housing has appropriate utility connections, such as to septic system
- When Temporary Emergency Housing must convert to a permanent situation

Poll Question: If you are you interested in living in temporary emergency housing on your property while your home is being rebuilt, why?

Poll Question: What types of things should be allowed to be used as temporary housing?

Poll Question: If you do think RVs should be allowed what is the appropriate length of time to allow this?

Questions/Feedback/Suggestions on Temporary Housing?

Wildfire Risk and Resiliency

Resiliency allows for building back in a way that addresses the wildfire risk that continues to exist and incorporates wildfire mitigation measures into the structures being rebuilt.

Global Code Changes Will Address Wildfire Hazards by:

- Using ignition resistant construction techniques on new structures
- Installation of a non-combustible perimeter around buildings
- Creating defensible space
- Requirements will not just be for the burn area but instituted countywide

Questions/Feedback/Suggestions on wildfire mitigation measures?

Streamlined and Focused Review That Allows for Minor Changes

A review under Article 19 (Marshall Fire Rebuilding) can be fast if we focus on a narrow set of issues and establish clear parameters for modifications. Intent is for this to be a brief administrative staff review that can accompany the building permit application.

Article 19 (Marshall Fire Rebuilding) review could allow:

- **Minor/moderate changes** between the new and old development.
 - Provide predictability in the outcomes for the community

Interactive design process
– you, your design team
and rebuilding
coordinator



The 1 Review Process
Building permit review
includes all building code
and zoning review



Poll Question - What did you appreciate about your neighborhood or home that you hope redevelopment will not change? What concerns you the most about how redevelopment could change things?

Modifications to Pre-Existing Structures

Article 19 creates a streamlined review that can allow for some flexibility to make changes to pre-existing structures, within some defined parameters.

Article 19 Review could allow:

- Changes in size
- Adjustment of the location
- A new design / height

Poll Question - I would like my new home to be different than my previous home in the following way(s) _____.

Poll Question – If pre-approved master home plans were available to you, how interested would you be in using one of these plans for your new home? (Scale 1-5)

Size

- Property owners will be allowed to rebuild the same floor area (residential or non-residential) that was legally existing on the property pre-fire.
- Site Plan Review is triggered prior to a building permit when the proposed Residential Floor Area exceeds the size that is presumed to be compatible with the defined neighborhood* (125% median residential floor area for the defined neighborhood) or when more than 1000 sq. ft. has been added to a property since 9/8/1998

Article 19 (Marshall Fire Rebuilding approach) could allow:

- Increases in size up to the compatible size for the defined neighborhood

**The defined neighborhood is your platted subdivision or the area within 1500 feet of your parcel if you are not in a subdivision*

Questions/Feedback/Suggestions?

Article 19 (Marshall Fire Rebuilding) could allow certain defined modifications to the location.

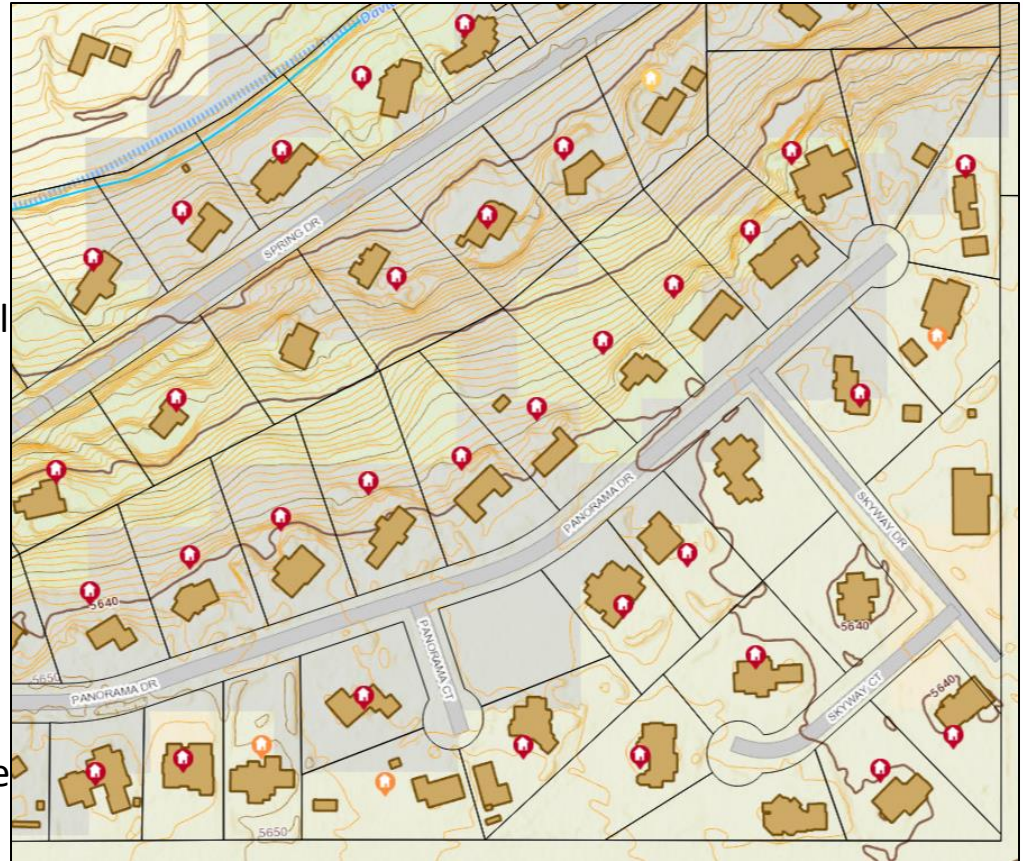
- Reuse of the previously existing footprint
 - Provides predictability
 - Minimizes new impacts
- Allowed location modification must be well defined

Poll Question - What modifications to the footprint would you consider to be minor/moderate changes?

Poll Question - In what instances should modifications to the location not be allowed?

Poll Question - How do you suggest we define the parameters for location modifications?

Feet, percentage change, ...



Ability for a new design with Marshall Fire Rebuilding path



Could allow minor/moderate changes in the bulk of a structure

- Height
- Floor plan
- Roof line

Poll Question - What do you think are acceptable changes to height, floor plan, and rooflines?

Poll Question - In what instances should these types of changes not be allowed?

Poll Question - How do you suggest we define these parameters?

Questions/Feedback/Suggestions?

Define Parameters

- Regarding the degree to which the bulk of structure can change

Next Steps

- Draft Article 19 (Marshall Fire Rebuilding) regulations – available March 9th
- Planning Commission Public Hearing – March 16th
- Board of County Commissioners Public Hearing – March 17th or April 5th

Boulder County Building Code: The 2015 IRC with local amendments

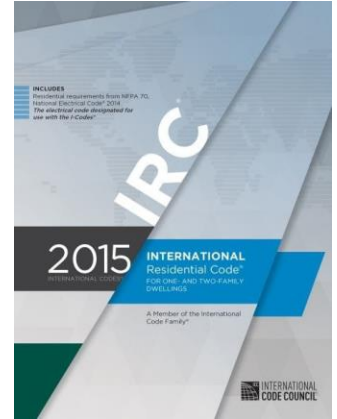
- All construction in Unincorporated Boulder County is regulated by the Boulder County Building Code. Details can be found at:

[Boulder County Building Code Amendments - Boulder County](#)

- Information on Boulder County's Energy Code (BuildSmart) can be found at www.boco.org/BuildSmart

- We are currently planning a workshop to help your design team understand Boulder County's Energy Code – BuildSmart. The focus will be on educating design teams who are unfamiliar with this program and providing detailed assistance to project teams.

Questions? Email us at building@bouldercounty.org



Additional Support for Building a High-Performance Home

Financial Support for High-Performance Homes*

In the works:

- Xcel Energy incentives
- State legislation
- Low-cost financing from Colorado Clean Energy Fund
- Manufacturer, distributor, and installer discounts

* Not intended or able to solve large underinsurance issues



- Friday, February 25 and Saturday, February 26
- 40 booths of builders and more
- County and municipal staff present
- Come visit the EnergySmart table!
- <https://bit.ly/bvbuildexpo>



High-Performance Homes Info Session Series

- Session 1: What To Ask Before You Build - Advice From Green Building Pro's
- Q&A
- English and Spanish
- Recording: <https://cgbg.org/videos>



Questions about building a high-performance home?

- Rachael Bramblett
- info@EnergySmartYes.com
- 303-544-1000

Marshall Fire-Related Transportation and Transit Resources

www.boco.org/MarshallFireTransportation

Property Search Jobs Volunteer Elections County Government Departments Con

Boulder County

FAMILIES & ADULTS OPEN SPACE & RECREATION PROPERTY & LAND ROADS & TRANSPORTATION ENVIRONMENT & SUSTAINABILITY SAFETY & LAWY

Marshall Fire Information | Información sobre el Incendio Marshall

COVID Information | Información sobre COVID – COVID Vaccine Providers | Proveedores de Vacunas Contra COVID

MARSHALL FIRE-RELATED TRANSPORTATION AND TRANSIT RESOURCES

EN ESPAÑOL

Marshall Fire-Related Transportation and Transit Resources

Boulder County Community Planning & Permitting Transportation Planning staff has compiled a list of Marshall Fire-Related Transportation and Transit resources will be updated as new information is available. View additional Marshall Fire assistance resources and information.

- Bicycle Resources
- Car Share
- Free Door-to-Door Services (Via Mobility Services & Ride Free Lafayette)
- Regional Trails
- Ride Hall Services (Uber)
- Road Closures
- RTD Bus Service & Passes
- Transit App
- Other Transportation Assistance

Transportation Needs Survey

www.surveymonkey.com/r/MarshallFireTransportationNeeds

Current Status, Needs & Wants

- Vehicles, including Electric
- Bikes, including Electric
- Busing
- Carshare membership
- Carpools
- E-Scooters
- And More

Recap / Contacts:

Upcoming Events

- Boulder Valley Build Expo – Feb. 25-26 in Louisville
- Draft Article 19 (Marshall Fire Rebuilding) Regulations available for public review – March 9
- Article 19 Public Review
 - Planning Commission (PC) Public Hearing – March 16
 - Board of County Commissioners (BOCC) Public Hearing – March 17 or April 5

Contact information

Marshall Fire Rebuilding webpage: www.boco.org/MarshallFireRebuilding

General Marshall Fire Rebuilding questions: MarshallRebuilding@bouldercounty.org

Building Code questions: building@bouldercounty.org

Contractor Licensing Questions: ezbp@bouldercounty.org

High-performance rebuilding: info@EnergySmartYes.com

Boulder County Public Health: healthows@bouldercounty.org

Transportation: www.boco.org/MarshallFireTransportation

***NEW* "Office Hours" with Recovery Managers**

Garry Sanfaçon, Recovery Manager

- Monday afternoons virtually
- Friday afternoons in-person at St. Ambrose Episcopal Church, 7520 S. Boulder Rd., Boulder

Katie Arrington, Assistant Recovery Manager

- Monday afternoons in-person at St. Ambrose Episcopal Church, 7520 S. Boulder Rd., Boulder
- Wednesdays all day virtually

Schedule appointments through Booking Link:

www.boco.org/MarshallFireOfficeHours

Q&A

