



City of Broomfield

City Council Study Session

Tuesday, June 18, 2024, 6:00
PM

Council Chambers
One Descombes Dr
Broomfield, CO 80020

**** Revised ****

1: Concept Review

2: Study Session

2A. Family Justice Center for the 17th Judicial District Discussion

DA Mason and Chief DA Stephanie Fritts to speak with City Council regarding a future Family Justice Center for the 17th Judicial District

2B. Parking Code Study Session

Revisit Parking Requirements - Reduction Zones/Remove Minimums

2C. Housing Program and Approach Update

Housing updated contains an overview of programs, approaches, and outcomes.

2D. Required Bi-Annual Review of Council's Compensation per Ordinance 2165

Ordinance 2195, passed in 2021, requires Council to review their compensation every two years. This study session is the mandated review of compensation for 2024.

2E. Discussion of Any Additional Charter Ballot Questions for 2024

Council's continued discussion from the June 11, 2024 Council Meeting and prior study sessions to consider any other potential Charter change ballot questions for the November 2024 election.

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During the meeting, individuals can click the "CC" button on Live Council meeting video feeds to view closed captioning. Auxiliary hearing aid equipment can be requested on the night of the meeting with our AV team located at the back of the Council Chambers.



Date Posted: June 13, 2024



City of Broomfield

City Council Study Session

Parking Code Study Session

Revisit Parking Requirements - Reduction Zones/Remove Minimums

Meeting	Agenda Group	
Tuesday, June 18, 2024, 6:00 PM	Study Session	Item: 2B
Presented By		
Anna Bertanzetti		
Community Goals		
<input checked="" type="checkbox"/> Thriving, Diverse, Safe and Welcoming Community		

Overview

[View Correspondence](#)

This memorandum serves to review the success of Ordinance 2217 since its implementation on January 1, 2024, and to provide additional information and context regarding the proposed amendments from the December 5, 2023 second reading. This update will provide an opportunity for Council to provide direction to staff regarding amendments to the code for staff to pursue. Based on the recommendations by City Council, staff will explore which engagement methods will best inform and solicit feedback from the community for any proposed future amendments to the code.

Attachments

[Memo for Parking Code Study Session.pdf](#)

Summary

[View Correspondence](#)

At the [December 5, 2023](#) City Council meeting, the adoption of Ordinance 2217 revised the off-street parking requirements and added bicycle parking requirements to the Broomfield Municipal Code. At this meeting, City Council members requested a study session be convened in 2024 to review how the revised ordinance functioned in practice, and to receive additional information about the amendments proposed by Councilmember Ward at the second reading.

This memorandum serves to review the success of Ordinance 2217 since its implementation on January 1, 2024, and to provide additional information and context regarding the previously proposed amendments from the December 5, 2023 second reading.

Staff is seeking direction from Council regarding whether to bring forward amendments to the code. Based on the recommendations by City Council, staff will explore which engagement methods will best inform and solicit feedback from the community for any proposed future amendments to the code.

Financial Considerations

The off-street parking and bicycle code does not impact fees or other mechanisms for collecting revenue for the City and County of Broomfield. The amendments discussed in this Study Session will also not impact fees or other mechanisms for collecting revenue for the City and County of Broomfield.

Prior Council or Other Entity Actions

- [October 23, 2007](#) - City Council held a second reading of proposed off-street parking code modifications to amend requirements for ADA parking in multifamily developments.
- [August 9, 2022](#) - City Council held a second reading of proposed off-street parking code modifications to add an ordinance regarding electric vehicle charging station requirements for new developments.
- [September 27, 2022](#) - City Council held a second reading of proposed off-street parking code modifications to amend the code related to gas station requirements.
- [June 20, 2023](#) - City Council held a study session for the proposed off-street and bicycle parking code modifications to revise off-street parking requirements and add bicycle parking requirements to the Code.
- [October 10, 2023](#) - City Council considered Ordinance 2217 at first reading. The ordinance was approved unanimously on first reading.
- [December 5, 2023](#) - City Council considered Ordinance 2217 at second reading. The ordinance was approved unanimously on second reading.

Boards and Commissions Prior Actions and Recommendations

None at this time.

Proposed Actions / Recommendations

Make no changes to the B.M.C. at this time.

Alternatives

Make changes to B.M.C. Title 17 as directed by Council.

Overview

During the [January 17, 2023 study session](#), a systematic approach to the continued update of the development review process tools was presented to Council. These updates included items such as zoning regulations, community-wide design guidelines, and area plans updates to reflect changes in priorities such as increased emphasis on sustainability and income-aligned housing which first began in 2020. The presentation included a tentative timeline outlining project targets. One of the projects identified for completion in 2023 was updating the Broomfield off-street parking code requirements to add requirements for bicycle parking, and address changes in best practices that have occurred since the last major update of this section of code.

On [June 20, 2023](#), Council held a study session related to the proposed amendments to the Broomfield Municipal Code related to the off-street and bicycle parking code. At the study session a draft ordinance was presented. The ordinance being brought forth at that time was consistent with the draft presented at the June 2023 study session, with changes made as directed by Council and additional amendments necessary to avoid contradictions, conflicts, and to make various revisions as needed to ensure successful implementation of the proposed new off-street parking and bicycle code.

Broomfield's off-street parking code was originally adopted in 1973 as part of Ordinance No. 149 which approved the City of Broomfield's Zoning Ordinance. The off-street parking code was first amended in 1974, and has had a series of additional amendments made to various subsections within the off-street parking code between 1975 and 2022.

On [October 10, 2023](#) City Council considered Ordinance 2217 at first reading. At the [December 5, 2023](#) second reading, Ordinance No. 2217 was adopted unanimously by the City Council. At the meeting, the City Council adopted one amendment asking staff to study the feasibility of adding an additional Parking Reduction Area along US 287 through Broomfield. This amendment did not alter or modify the text of the ordinance in any way. In addition, the City Council requested that staff provide an update regarding the implementation of the ordinance, as well as, further information regarding the [amendments](#) proposed by City Councilmember Ward at the second reading.

The intent of [Ordinance No. 2217](#) was to modernize off-street parking requirements. This included updating land use types to reflect commonly understood land use categories, updating instances of language that are outdated, revising technical specifications to provide better guidance for the public and developers, and implementing new bicycle parking requirements. In addition, the requirements in Ordinance 2217 sought to support local and statewide sustainability goals and make development more cost effective. Parking spaces are expensive to build and maintain, with annualized costs for surface parking spaces approaching an average of \$1,000 per parking space and garage or structured parking averaging nearly \$2,000 per space. Parking spaces take up land and contribute to urban heat island effects. For these reasons, ensuring that off-street parking requirements meet, but do not exceed, the needs of the community is important and can benefit everyone.

Ordinance No. 2217 included revising elements of the current regulations in the off-street parking code, and adding new code requirements for bicycle parking. As part of this effort, staff reviewed existing off-street parking and bicycle codes from numerous municipalities within Colorado and across the country. Some of the local communities reviewed included:

- Arvada
- City of Boulder
- Lafayette
- Louisville
- Aurora
- Castle Rock
- Superior
- Thornton
- Westminster
- Fort Collins

In addition to the above municipal codes, staff relied heavily on parking rates and technical guidance from the Institute of Transportation Engineers (ITE) Parking Guidelines. ITE is an authority for transportation and traffic planning, relied on by municipalities across the nation for technical guidance. Additionally, ITE is used almost exclusively as a data source to inform traffic impact studies required by Broomfield for new developments, and when required, for supplemental parking studies.

For parking guidance ITE conducts parking usage studies across the US and Canada for a wide variety of land use types, times of day, contexts (urban, suburban, etc.), among other factors to determine average parking requirements for municipalities by land use, as well as to determine actual parking usage rates based on land use type.

Staff also reviewed research for best practices in off-street and bicycle parking code requirements. Broomfield reviewed a wide variety of studies, articles, expert groups, and regional and state recommendations for parking code requirements. This included the review of the Colorado Greenhouse Gas (GHG) Reduction Roadmap: Mitigation Action Plan strategies for parking codes to support State GHG goals.

The research sources outlined above, along with staff's local technical expertise of the specific travel characteristics and land use development patterns in Broomfield contributed to the recommendations in the adopted ordinance.

Status of Ordinance 2217

Ordinance 2217 was effective on January 1, 2024, and is codified in Chapter 17-32 of the Broomfield Municipal Code. In the time since its implementation 13 unique development review projects located in Broomfield have been reviewed by transportation staff as of May 9, 2024. The development review projects range in their status from early concept review, to nearly complete, as well as a number of projects that have been largely idle in the review process for a number of years.

Of the 13 development review projects, 12 have been subject to the new requirements set forth in Ordinance No. 2217 and one was subject to legacy Jefferson County requirements. In addition, one project is likely to require approval of a PUD amendment which will cover parking requirements for a unique use not addressed in the municipal code (restaurant/bar with pickleball courts). Of the 11 remaining projects, five projects have proposed parking in excess of the newly established parking maximums. Additionally, zero projects eligible for the 20% reduction in parking due to being located in a designated parking reduction area, have taken advantage of the opportunity.

A number of requests to allow parking spaces in excess of the maximums permitted by the new ordinance were discussed with developers since Ordinance No. 2217 went into effect on January 1, 2024. Various reasons have been provided by developers making this request. In the I-25 Parking Reduction Area, developers have cited the fact that, while transit is planned in the future, the lack of existing transit requires them to seek additional parking to ensure their resident and employee needs are met in the time before transit is available. One developer cited that the financial institution financing their development project required parking spaces in excess of Broomfield's maximum in order to provide the loan needed to

develop the project. The bank's concern was that the future tenants would need a guarantee of adequate parking availability and that perceived lack of parking would represent an unacceptable level of risk. This anecdote suggests that financial institutions' policies may not be as progressive as governmental policy and may take additional time to catch up to the recent governmental policy shifts. Broomfield has been able to secure an agreement with one of the developers to dedicate some of their parking adjacent to a future planned Bus Rapid Transit station area for public use. Ongoing negotiations and collaboration with the other developers continues to align their proposed parking with the BMC parking requirements.

Regarding the newly established short- and long-term bicycle parking requirements, 100% of the development proposals subject to the requirements have met them. There has been very little pushback or negative feedback about the new bicycle parking requirements.

Supplemental Information Regarding Proposed Amendments

A number of [amendments](#) were suggested shortly before the December 5, 2023 second reading of Ordinance No. 2217. This study session memorandum will group concepts from the [amendments](#) and provide supplemental information regarding the major themes. In addition, the friendly amendment passed during the second reading asking staff to review the addition of US 287 as its own Parking Reduction Area, is addressed as a standalone response below.

Elimination Of Parking Minimums And The Use Of Parking Maximums

A major theme of the amendments presented during the December 5, 2023 second reading, was the desire to eliminate vehicle parking minimums entirely. Amendments 1 and 5 supported the elimination of parking minimums and were paired with the establishment of vehicle parking maximums to be used as a threshold for surface parking permitted with new development.

Broomfield staff considered the use of this approach during the development of Ordinance No. 2217, but ultimately decided against making the recommendation to eliminate parking minimums and utilize only parking maximums. Staff continue to believe retaining parking minimums is appropriate for Broomfield at this time.

Based on a rigorous review of best practices for surface parking from scholarly articles, reports, studies, and a review of parking requirements in various municipal codes, staff determined that the elimination of parking minimums is best suited to areas with dense urbanized development and good access to transit. Very few locations in Broomfield meet the land use density, mix of land uses, transit coverage, or active modes environments necessary to support the elimination of parking minimums. Examples of communities that have some defined areas where the land use can support this approach may work for include: Denver, City of Boulder, and Longmont. These communities have more well defined urban cores, they generally have higher density land use and mix of land uses in their urban core areas, and they are communities with much better transit frequency and geographic coverage than Broomfield. These factors ensure better access to employment, services, and alternative modes of transportation.

Generally, Broomfield's dispersed, low density land use patterns, and poor transit frequency and coverage create an environment where driving is necessary. The majority of employees that work in Broomfield commute from outside municipal boundaries (over 80% in 2016), while the majority of Broomfield residents (over 80% in 2016) work outside of Broomfield. Due to limited modal options, the elimination of parking minimums may result in new development not being constructed with adequate parking to meet demand. In addition, the historic development patterns in Broomfield have resulted in an abundance of regional retail/commercial scattered along major arterials. This type of development is auto oriented by nature and

requires Broomfield residents to travel longer distances to access goods and services. As such, there is a need for a minimum level of parking to be available to meet the daily needs of Broomfield residents.

Additionally, Broomfield does not currently have parking enforcement or paid public parking. One consequence of the elimination of parking minimums is that the burden of providing parking may be shifted to public streets, rather than on private land. Arista is one location in Broomfield where the impacts of limiting private parking can be observed. This has resulted in complaints about the availability of on-street parking for business access and visitors to the area. Further compounding this issue is that Broomfield does not have paid public parking and limits enforcement on public parking durations to addressing abandoned vehicles. If parking minimums are eliminated and Broomfield municipal parking policies do not change, Broomfield may run into issues meeting public expectations for parking availability.

If the City Council desires the elimination of parking minimums and the adoption of only parking maximums, Staff suggests this policy could be utilized in limited locations where transit service is readily available. This would be consistent with the requirements of recent legislative actions as summarized below in this memorandum.

Further Reduce Parking Maximums, as Determined By The City Council

While not a standalone amendment, this language was included as part of the amendments submitted at the second reading on December 5, 2023. This approach is also highlighted in the proposed revisions to the parking tables that were submitted as Amendments 2 and 6.

When drafting the parking maximums included in Ordinance No. 2217, staff thoroughly reviewed a wide cross section of information and filtered this information through our experience and local expertise. In staff's professional opinion, the figures adopted in Ordinance No. 2217 are grounded in the best available data, best practices, and information, and result in progressive and appropriate off-street parking requirements for Broomfield.

Staff welcomes critique of the parking maximums adopted and will modify these figures based on Council guidance. However, staff cautions against arbitrarily assigning parking maximums that aren't based on data and research due to the potential community impacts of these decisions. Lowering parking maximums for reasons such as encouraging the public to use preferred modes of transportation, may have unintended impacts including, economic impacts, impediment of development, and the need to consider frequent variance requests, among other issues.

With this in mind, staff cautions against the modifications of the parking maximums presented in Amendments 2 and 6 for the Parking table and Parking Reduction Areas table. If the City Council would like staff to review and make recommendations for parking minimums or maximums for specific land uses in the table, staff can be directed to do so.

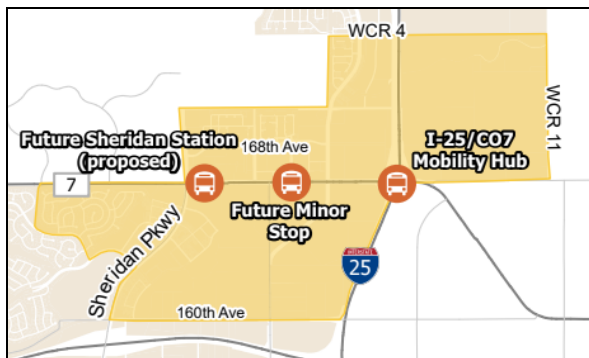
Modifications And Additions To The Parking Reduction Areas

Parking Reduction Areas (PRAs) were introduced in Ordinance No. 2217 to complement the standard parking requirements applicable throughout Broomfield. These PRAs were established to recognize areas in Broomfield with higher density, existing or planned major transit stations, and quality transit availability or future high quality transit. The parking reduction areas were aimed at lowering off-street parking requirements in these areas, acknowledging the greater availability of non-automobile modes of travel and the higher likelihood that residents and employees in these areas have access to essential services and goods due to the higher densities and mix of land uses.

Based on feedback from the 2023 Study Session ([June 20, 2023](#)), staff established a three criteria process to determine Parking Reduction Areas. These criteria were treated as general guidelines, and not absolute requirements, allowing room for modifications to the areas to be made based on staff's local knowledge of Broomfield. The three guiding criteria are:

- A one mile radius around an existing or planned major transit station. The one mile radius is not precise and uses logical boundaries, like streets that are approximately one mile from the station area.
- The area has adequate or better pedestrian and bicycle facilities.
- The area's perimeter shall take into account major transportation barriers or other features like open space.

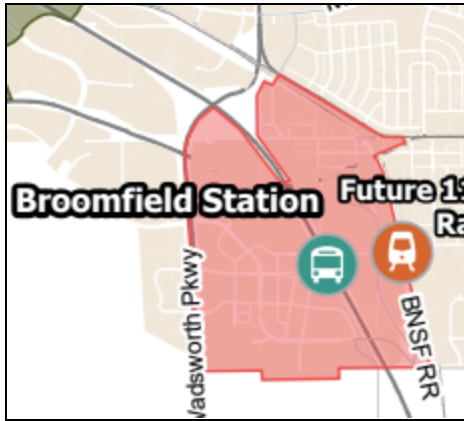
The exercise to establish PRAs resulted in the recommendation for three areas in Broomfield.



- The I-25/CO 7 PRA covers the emerging Baseline Development on CO 7 along with development north of CO 7 and northeast of I-25/CO 7.



- The Interlocken PRA covers the existing US 36 & Flatiron station and surrounding areas.



- The Broomfield Station PRA covers US 36 & Broomfield Station, Arista and the Original Broomfield area.

Proposed Amendment 3 requested the expansion of the Interlocken PRA to include Ridge Parkway Neighborhood, the Rocky Mountain Airport area, the Interlocken Golf Club area, and an undevelopable parcel of open space north of the US 36 and Flatiron Station.

Staff considered the request to expand the Interlocken PRA, but continues to recommend maintaining the boundaries approved with Ordinance No. 2217.

The Ridge Parkway area is not recommended for inclusion into the Interlocken PRA because it is an auto oriented neighborhood with limited transit service and no commercial amenities for residents. This neighborhood is isolated from the Interlocken PRA and is located roughly 2 miles from the US 36 & Flatiron Station. The neighborhood is served by one RTD FlexRide bus by reservation only, that serves the Interlocken/Westmoor service area. The neighborhood currently lacks continuous access to pedestrian or bicycle facilities on CO 128 that would provide low stress pedestrian and bicycle connections to the Interlocken PRA. The terrain itself, to get to and from station areas, may also be a barrier for some walking and bicycling. This area may be suitable to add to the PRA in the future, but at this time staff would recommend against it, due to lack of connected sidepaths and limited travel options other than the automobile.

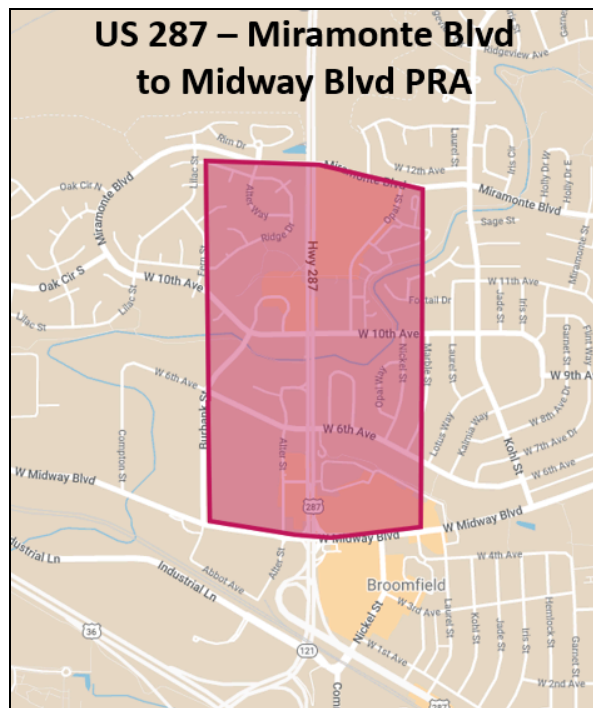
The Rocky Mountain Airport area (Simms, Metro Airport Ave, and W 120th Ave) lacks bicycle or pedestrian facilities necessary to support the use of non-automobile modes of travel. Access to/from the US 36 & Flatiron Station area to the Rocky Mountain Airport Campus would require pedestrians or bicyclists to cross state highways CO 128 and CO 121 without robust facilities designed for these modes of transportation. The roadways in and around the Rocky Mountain Airport area also have steeper grades that make walking and bicycling more challenging, particularly without consistent sidewalks or bicycle facilities. Finally, transit access to this area is limited, only served by the one bus that serves the entire RTD Interlocken/Westmoor service area, and this area is over 1 mile from the US 36 & Flatiron Station and US 36 & Broomfield Station.

The other areas in Interlocken proposed to be added are unlikely to be redeveloped. A large area south of the Flatirons Mall is a golf course and the current Lumen Telecom offices with limited options for development or redevelopment in the near future. The area north of the US 36 & Flatiron Station is owned by the developer of the proposed Red Tail Ridge development in Louisville. This parcel is identified in the Intergovernmental Agreement for Southeast Boulder County, South 96th Street, Dillon Road, and US 287 Area Comprehensive Development Plan for future preservation through a conservation easement. The owner of the property has been working with Broomfield to plat the property and finalize a conservation easement as required by the IGA. As such, these areas are not recommended for addition into the Interlocken PRA.

Amendment 4 requested the creation of a new Parking Reduction Area in the area around US 287 between Miramonte Boulevard to Lowell Blvd. In the December 5, 2023 second reading of Ordinance No. 2217, a friendly amendment was included that requested staff study the feasibility of adding this area as a new PRA.

Staff has taken time to review the feasibility of adding this area as a new PRA. In the review staff determined that some, but not all, of this area may be suitable to add as a PRA. This review splits the corridor and potential future PRA into three distinct segments and discusses them each below.

- **Miramonte Boulevard to Midway Boulevard**



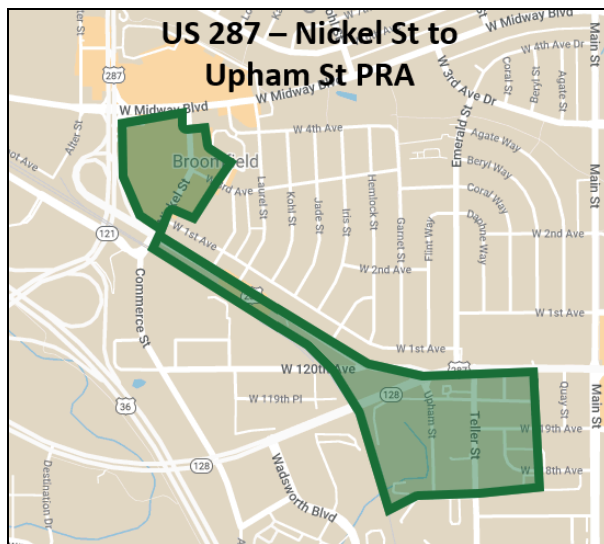
The land surrounding this segment of the US 287 Corridor is largely built out. There are some opportunities for infill development and redevelopment along the corridor, but this is not an area anticipated to see major land use changes in the coming years.

While consistent pedestrian and bicycle facilities exist on this segment of US 287, throughout the proposed ¼ mile buffer area there are areas that lack sidewalks or paths, any on-street bicycle facilities, or have sidewalks with substandard widths. Generally, the area along this segment of US 287 remains auto-oriented. Among the best active modes facilities are the US 287 underpass at Zang Park and the trail segments it connects to. There are some future plans to make additional pedestrian and bicycle improvements in this area including improvements to the off-street bicycle and pedestrian facilities on Midway Boulevard, striping improvements along Miramonte, 10th Ave and 6th Ave as well as the addition of wayfinding signage along some routes.

Transit on US 287 in this area exists, but is extremely limited. Since 2018, transit service along US 287 and at US 287/Midway Blvd/Nickel Street vicinity has dramatically decreased. Currently, RTD's LD Route is the only fixed route transit service and has a frequency of one run every two hours on Monday through Saturday, and no service on Sundays. A joint Broomfield and Boulder County effort to study Bus Rapid Transit (BRT) feasibility, safety, and operational improvements on the corridor was completed in 2023, but there is no timeline for implementation of BRT service at this time. The area is also served by RTD's Flexride service by reservation.

Considering these factors, staff finds limited benefit at this time with adding this segment of US 287 as a Parking Reduction Area. When a more concrete timeline for BRT service, or increased fixed route transit frequency becomes available, this segment of US 287 may be reconsidered for addition to the PRAs.

- **Nickel Street to Upham Street**



The segment of the corridor between Midway Blvd and Upham St is largely bound on the south by retail services and the BNSF railroad and on the north by a soundwall and the first filing residential neighborhood. There is limited opportunity for redevelopment on this segment of US 287. Redevelopment may be more likely after significant roadway improvements are constructed addressing access to the businesses on the southern side of the roadway. The residential neighborhoods on the north side of the road are unlikely to see significant changes in the foreseeable future.

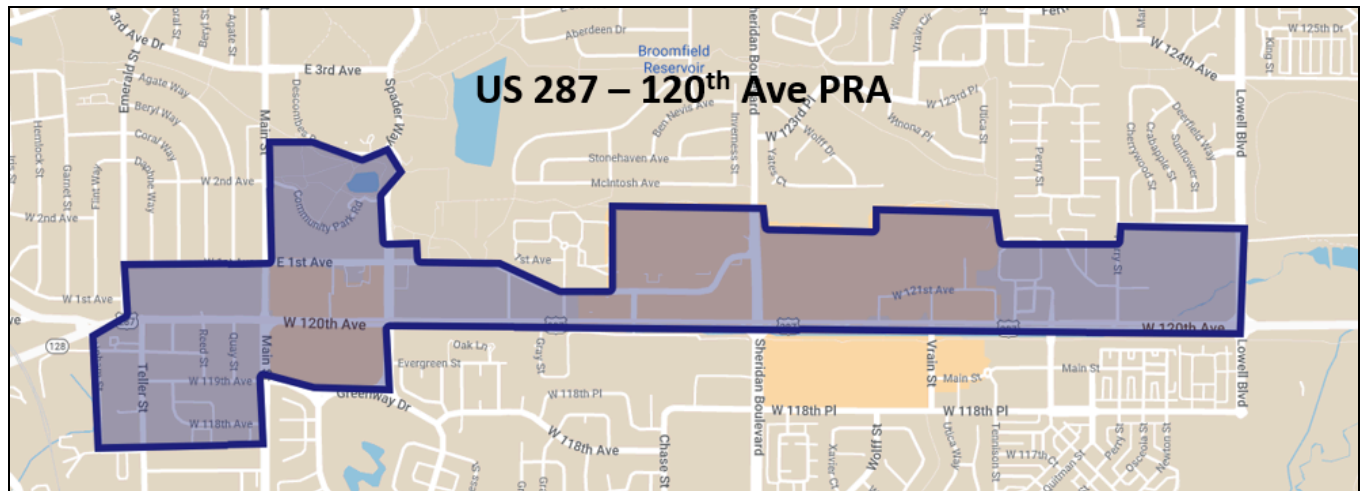
The current roadway configuration consists of 4 travel lanes, a wide raised median, and a number of non-contiguous, short segments of sidewalk. There are long stretches along this segment of US 287 with no sidewalks and wide, undefined business access points. The area has one pedestrian crossing location at the Nickel Street signalized intersection, but otherwise has no locations for pedestrians to cross the roadway.

Broomfield and CDOT recently completed a study of US 287 and developed concept plans that reimagine this segment of US 287 into a roadway with 2 lanes, a wide median, improved definition of business access points on the southern side of the roadway, a 6' wide continuous sidewalk on the southern side of the roadway, and a 10' path on the northern side of the roadway. This roadway rightsizing project would also create one or more enhanced midblock pedestrian crossing locations to allow active modes movements across US 287. Broomfield is currently seeking funding to design these improvements, but has not identified funding or a timeline for construction in coordination with CDOT.

Due to the funding and therefore timing for the road enhancement not yet being identified, the likelihood of redevelopment in the near future is limited. Given the limited redevelopment opportunities that exist in the near term, the lack of any functional active modes facilities through

this segment of US 287, and the lack of any fixed route transit, staff suggests that this segment of US 287 is unsuitable to be included as a PRA at this time. It would be appropriate to revisit inclusion as a PRA when the road improvements move forward as this would be anticipated to provide significant improvements to the multi-modal transportation infrastructure in this area.

- **Upham Street to Lowell Boulevard**



This segment of US 287 runs east/west between Upham St and Lowell Blvd. Broomfield recently completed sidewalks on the south side of US 287 between Upham St and Quay St. Broomfield is actively making pedestrian and bicycle improvements to the southern side of US 287 between Main St and Vrain St, making some access improvements at intersections, and some driveway crossings. This area of US 287 has very high traffic volumes and speeds, but either has, or will have active modes facilities in the coming years.

The land use along this stretch of corridor is largely defined by regional commercial/retail and is auto-oriented. However, Broomfield has approved a major redevelopment plan for Broomfield Town Square and anticipates development and redevelopment along this segment of US 287 in the coming years.

This area is served by RTD local route 120, fixed route transit service on this segment of US 287 that makes connections to the major transit hubs at the US 36 & Broomfield Station and the I-25 Wagon Road Park-n-Ride.

Due to the factors mentioned above, this segment may be suitable for addition as a PRA. If Council desires to include this section staff would suggest the use of a ¼ mile buffer along the roadway and a slightly larger buffer in the vicinity of the Broomfield Town Square area.

Revisions To Bicycle Parking Requirements

A number of amendments were submitted that would modify the language around the bicycle parking requirements in Ordinance No. 2217. Staff have reviewed the language in the previously proposed Amendment 7 and offer feedback about the language under consideration.

- Add “Bicycle parking facilities are required to have security cameras placed so that all racks can be recorded.”

The language adopted in Ordinance No.2217 requires security measures to be taken for long-term bicycle parking areas and includes specific guidance about the types of racks and methods for installing all bicycle racks such that they maximize the security of bicycles and minimize the chances for bicycle theft. These provisions provide a level of security for both short and long-term bicycle parking. The adopted code language includes information about security measures that can be taken for long-term bicycle storage, but does not explicitly require the use of security cameras.

Staff believes it may be feasible to add a requirement for **long-term bicycle parking** to have security cameras because the multifamily residential and office buildings will likely have a general plan for security cameras around building entrances and exits and adding specific requirements for bicycle rooms would not be overly burdensome. However, staff did not explicitly require it due to the uncertainty of how the video would be monitored or stored, and the inherent difficulty of identifying an individual stealing a bicycle from a bicycle room. In addition, staff does not believe it is feasible for all short-term bicycle parking to be recorded by security cameras and does not recommend including this requirement due to the inherent burden it would create.

- Require that rack types permitted by Ordinance No. 2217 are limited to u-racks.

Staff believes this additional requirement is unnecessary, limits rack types possible for use, and could hamper innovation of rack types that may be better or more secure. Inverted u-racks are already a permitted rack type. There are a variety of other permitted rack types currently on the market that offer equivalent levels of security, but have different benefits that can make bicycle storage easier or more convenient. The approved rack types and/or rack characteristics that result in a permitted rack are outlined in the guidance referenced in this code.

- Limit the installation of bicycle racks to paved surfaces.

The intent of the language in the adopted Ordinance No. 2217 is to provide flexibility about the surface material racks can be mounted in to allow for context sensitive solutions. The American Pedestrian and Bicycle Professionals (APBP) Guidelines that are referenced in the Ordinance provides specific requirements for installing bicycle racks in various types of surfaces in order to ensure the durability and security of the bicycle racks. Staff supports limiting prescriptive language in the ordinance that would require paving surfaces bicycle racks are mounted on.

- Add the requirement for all short-term bicycle parking areas to be adequately sheltered to protect bicycles from sun and inclement weather.

While ideally all bicycle parking would be weather protected, requiring all bicycle parking to be weather protected could create a significant financial burden on developers. Developers are willing to provide short-term bicycle parking because it is a relatively inexpensive improvement that requires limited physical space. Short-term bicycle parking areas are not intended to protect bicycles from the long-term impacts of weather and cyclists assume some level of risk of inclement weather when selecting bicycling as a mode of transportation. Provisions for long-term bicycle storage included in this Ordinance require weather protection for bicycles and are intended for longer term bicycle storage.

- Add a requirement that at least 25% of bicycling spaces, rounded up, shall have racks and spacing for cargo bikes.

This requirement is unnecessary. If racks are installed the way they are required by the APBP design guidelines referenced in this Ordinance there will be adequate room for a wide variety of bicycles, including cargo bicycles. In addition, long-term bicycle storage is reviewed by Broomfield staff in each development proposal. Staff makes specific recommendations regarding bicycle parking that would capture this concern.

Revisions to The Bicycle Parking Table

Proposed Amendment 9 would revise bicycle parking minimums for both short- and long-term bicycle parking in the bicycle parking table adopted in Ordinance No. 2217. Generally, staff would support some targeted increases to short-term bicycle parking requirements for specific land use types. Staff would also consider creating some new long-term bicycle parking requirements for targeted land use types. Staff took a conservative approach in the development of the adopted Ordinance regarding the land uses that would be subject to long-term bicycle parking requirements and limited short-term bicycle parking requirements for most land uses.

Some of the proposed changes made in Amendment 9 to the short- and long-term bicycle parking do not fully consider the various sizes of development and would result in unreasonable requirements for certain types of developments. For instance, Amendment 9 suggests an increase for short-term bicycle parking requirements for the “General Office” land use type, proposing it increase from 2 spaces to 40 spaces regardless of the number of employees or offices. This requirement would clearly be out of scale for a 2,000 square foot office building with 10 employees.

Regarding the long-term bicycle parking requirements proposed in Amendment 9, staff have concerns about the scale of the proposed changes from what adopted Ordinance No. 2217 requires. The proposed changes broaden long-term bicycle parking requirements from a limited set of land uses to nearly all land uses. In addition they increase the number of required bicycle parking spaces quite significantly, which would result in a meaningful financial impact for developers.

Staff suggests that if Councilmembers desire changes to the bicycle parking requirements from the adopted bicycle parking table, staff be allowed to consider a reasonable approach to establishing the requirements that takes into account variables such as gross floor area (GFA), number of employees, and other factors that will allow for a context sensitive application of requirements.

Increase Accessible Parking Exceeding Americans with Disabilities Act Requirements

A potential amendment was prepared for second reading but it was not introduced. The amendment would have doubled the number of accessible parking spaces required by the Americans with Disabilities Act (ADA).

Staff is not aware of current issues with the numbers of available accessible parking spaces, and has not received any complaints about the lack of spaces. If there are issues with abuse of the available spaces, patrons or property owners are encouraged to report those complaints to the police so that proper enforcement can occur.

It should also be noted that from 1998 until 2007 Broomfield required accessible parking exceeding ADA requirements for multi-family residential projects. During this time, many developers requested and were granted variances to reduce the amount of ADA compliant parking to the levels at or closer to the minimums required per the ADA.

When Council considered amending the code in 2007, Council considered that even after a project is completed, the Federal Fair Housing Act protects future residents of a development. Reasonable accommodation for the disabled, including additional accessible spaces, can be requested of existing developments by future residents if needs increase in the future.

2024 Legislative Session Impact on Parking Requirements

Multiple bills were passed in the 2024 Colorado legislative session that have an impact on local parking requirements; these bills were signed by the Governor on May 13, 2024. New requirements per these bills are outlined below.

HB24-1304: Minimum Parking Requirements

[HB24-1304](#) requires that “on or after June 30, 2025, a municipality shall neither enact nor enforce local laws that establish a minimum parking requirement” for multifamily residential development, adaptive re-use for residential purposes, or adaptive re-use mixed use purposed, which include at least 50% of the use for residential purposes. This new law is applicable to parcels, at least partially within a “Transit Service Area” as this term is defined in the bill.

Transit Service Areas include areas within ¼ mile of an existing transit station or stop served by commuter BRT, or planned or scheduled public bus route. The public bus routes must have a minimum service frequency of every 30 minutes for four or more hours on weekdays. It should be noted, this is different from [HB24-1313](#), Housing in Transit Oriented Communities, which utilizes different requirements for determining Transit Centers and Transit Corridor Areas.

In Broomfield, there are a number of station areas and bus stops that meet, or will meet, the definition of a Transit Service Area. A map of all Transit Service Areas is required to be produced by the Department of Local Affairs, in consultation with the Department of Transportation, Colorado Energy Office, MPOs, and Transit Agencies by September 30, 2024. The likely [Transit Service Areas in Broomfield](#) include:

- US 36 & Broomfield Station
- US 36 & Flatiron Station
- The future CO 7 & I 25 Station
- The future CO 7 and Sheridan (CR 7) Station
- Main St & 116th Ave (Route 120E/120W)
- 120th Ave & Main St (Route 120E/120W)
- 120th Ave & Sheridan (Route 120E/120W)
- 120th Ave & Lowell Blvd (Route 120E/120W)

The implementation of this law in Broomfield will require new 1/4 mile buffers surrounding the above-mentioned transit stops and stations. Within these areas, only parking maximum requirements will apply and parking minimums for multifamily residential development or mixed-use containing at least 50% of the project as multifamily residential use must be eliminated. Staff proposes that this change be made through an amendment to the Parking Reduction Areas map. This amendment will need to be approved through an ordinance and will need to be completed prior to June 2025 to ensure necessary compliance.

If Broomfield desires to enforce parking minimums within Transit Service Areas, the ordinance may include language allowing for a minimum parking requirement for “a housing development project that is intended to contain twenty units or more or contain regulated affordable housing.” This exemption allows a minimum parking requirement, up to 1 parking space per unit, in the Transit Service Areas. This exemption requires that “a local government must, no later than ninety days after receiving a completed application for the housing development project, publicly publish written findings that find that not imposing or enforcing a

minimum parking requirement in connection with the housing development project would have a substantial negative impact.” The findings of a negative impact must be “supported by substantial evidence” showing a “substantial negative impact” on:

- safe pedestrian, bicycle, or emergency access to the housing development,
- or existing on- or off-street parking spaces within 1/8 mile of the housing project.

The findings must be reviewed and approved by a professional engineer, include parking utilization data collected from the subject area, and demonstrate that the implementation of parking management strategies by the local government would not be effective to mitigate the impact.

Staff will need direction from Council regarding whether there is a desire to provide for the above procedure to require one space per unit as a minimum if the above findings are noted for a project. Staff believes it would be appropriate to include such language in the ordinance to allow for the process of requiring a minimum if in the future it is determined a proposed project has proposed inadequate parking that could result in substantial negative impact.

HB24-1313 Housing in Transit-Oriented Communities

Generally, [HB24-1313](#) aims to increase the affordability of housing in “Transit Oriented Communities,” by incentivizing local governments to designate areas around qualifying transit stations and transit corridors as “Transit Areas” and increasing zoning capacity within these areas to meet an average density of 40 dwelling units per acre. By complying with the requirements of the bill, a local government gains access to certain pools of funding aimed at improving infrastructure within their boundaries. The bill also includes requirements related to affordability strategies and displacement mitigation strategies that transit oriented communities must adopt.

For Broomfield, only the two Commuter Bus Rapid Transit stations on US36 will meet the definition of Transit Station Areas of this bill. Broomfield will not have any areas that meet the definition of a transit corridor area as defined in this bill. The area within 1/2 a mile of each of the commuter bus rapid transit stations will be considered Broomfield’s Transit Areas.

If Broomfield proceeds to comply with the requirements of HB24-1313, Broomfield will need to revisit development standards within the designated Transit Areas. Staff anticipates that Broomfield would need to revise building heights, densities, parking standards, setbacks, and open area requirements for multiple properties within the Transit Areas through rezonings, zoning overlays, or planned unit development district amendments.

A separate study session will be planned for spring of 2025 to brief Council on Broomfield’s initial Assessment Report required by HB24-1313 and potential strategies for ensuring consistency with the requirements of HB24-1313. Any changes to parking requirements related to HB24-1313 would be discussed as part of that study session and considered by separate action apart from the considerations being considered as part of this study session.

HB24-1152 Accessory Dwelling Units

[HB24-1152](#) seeks to increase the number of Accessory Dwelling Units (ADU) in Colorado. As part of this bill, Colorado has used regulatory examples from other states that have shown success in cultivating ADU construction. These regulatory examples limit burdensome requirements that local governments may impose on the construction of ADUs that have the impact of limiting their construction. Included in the regulatory limits are some provisions related to parking.

Specifically, on or after June 30, 2025, jurisdictions must not require the construction of a new off-street parking space in connection with the construction or conversion of an ADU. There are some exceptions to this rule:

- Local governments can require the designation of an off-street parking space in connection with an ADU so long as the subject property has one or more of the following: an existing driveway, garage, tandem parking space, or other off-street parking space available for such a designation at the time of a construction or conversion of the ADU.
- Local governments can require one new parking space on a parcel that:
 - Does not have an existing off-street parking space, including a driveway, garage, or tandem parking space that could be used for an ADU;
 - Is in a zoning district that, as of January 1, 2024, requires one or more parking spaces for the primary dwelling unit; and
 - Is located on a block where on-street parking is prohibited for any reason.

Broomfield currently requires the provision of one additional off-street parking space designated for an ADU, in addition to the two off-street parking spaces required for single family homes and duplexes. To ensure Broomfield's municipal code is in compliance with HB24-1152, the off-street parking code will need to be amended to remove the requirement for an additional parking space for each ADU.

Broomfield will need to make additional changes to the ADU requirements to meet requirements of HB24-1152 and therefore the removal of the parking space requirement for ADUs may be incorporated in either an ordinance related to off-street parking or in the ordinance related to amending the ADU requirements, whichever occurs first.

Next Steps

Staff is requesting Council's feedback and direction regarding the proposed off-street and bicycle parking code regulations. Staff will be bringing forward an ordinance to address parking requirements related to HB24-1304 and HB24-1152. Additionally, if directed by Council staff will proceed with drafting revisions to other portions of the parking requirements. Staff will proceed with public engagement regarding the potential amendments and then bring forth a revised Ordinance relating to the off-street parking code, tentatively targeting a first reading date at the end of 2024 or early 2025, with a second reading to be held as soon as practicable thereafter.

Separately, staff will also be working on assembling information for a potential study session around transportation demand management (TDM) requirements. Amending the parking code to further increase and refine bicycle parking requirements supports elements of TDM. Due to ongoing efforts to establish regional TDM best practices, staff thought it appropriate to wait for guidance to be released to ensure a consistent approach to implementing these strategies throughout the Denver Metro Region. Regional TDM guidance is anticipated to be released by both the Denver Regional Council of Governments (DRCOG) and Commuting Solutions by late 2024. Broomfield staff anticipate bringing TDM related information and considerations for a supplemental TDM ordinance applicable to new development to a Study Session in 2025.

Request for Direction

Question for City Council to consider when providing feedback:

1. Should staff move forward with the following changes from the [amendments](#) presented at the December 5th, 2023 meeting? The options listed below reflect those elements from the amendments

as discussed in this memo that staff believes are supported due to considerations summarized previously in this memo.

- a. Revise the Parking Reduction Area to include a new portion of US287 between Upham Avenue and Lowell Boulevard.
 - b. Revise short-term bicycle parking minimum requirements to increase some of the short-term bicycle parking requirements in the bicycle parking table. Staff will review all land use types covered by the table and will bring back an ordinance with increases based on recommended best practices and utilizing gross floor area, number of employees, or other measures to ensure requirements can be scaled to fit the land use needs.
 - c. Consider the elimination of parking minimums and using only parking maximums within Parking Reduction Areas.
2. Should staff move forward with any other amendments previously submitted as part of the [amendments](#) introduced in December 2023:
- a. Should the elimination of parking minimums be applied throughout Broomfield?
 - b. Should the parking reduction areas be expanded to include any other areas beyond the segment referenced in 1.a above?
 - c. Should changes be made to the design requirements for bicycle parking, such as:
 - Security cameras for long-term bike parking
 - Only allow u-racks for short-term parking
 - Only allow u-racks or the two-tier racks for long-term bike parking
 - Require paving for short-term bike parking
 - Specify that the spacing of racks, rack materials, coatings to use and fasteners meet the Association of Pedestrian and Bicycle Professionals guidance (would add specifics rather than stating the racks have to meet APBP requirements)
 - Require shelter for all short-term bike parking
 - Require 25% of bike parking spaces be spaced to have racks and spacing for cargo bikes
 - d. Should changes be made to the required number of long-term bicycle parking spaces required in the table, either consistent with the amendment introduced in December or otherwise?



Housing Program and Approach Update

Housing updated contains an overview of programs, approaches, and outcomes.

Meeting	Agenda Group
Tuesday, June 18, 2024, 6:00 PM	Study Session Item: 2C
Presented By	
Sharon Tessier, Housing Policy and Development Manager	
Community Goals	
<input checked="" type="checkbox"/> Thriving, Diverse, Safe and Welcoming Community	

Overview

[View Correspondence](#)

An updated on activities, program and outcomes for meeting current and future housing needs and opportunities in Broomfield. This presentation will include a funding snapshot.

Attachments

[Memo - Housing Division Update.pdf](#)

Summary

[View Correspondence](#)

The purpose of this memorandum is to provide an update regarding Broomfield Housing Division, including a report that includes roles and responsibilities of Housing Division regarding Area Median Incomes (AMIs), programmatic highlights and accomplishments, financial update on the Housing Development Fund, challenges and opportunities.

The Housing Division follows a person-centered, strengths-based, and inclusive approach. The focus is primarily on prevention (upstream) where we address the housing issues at the origin. This proactive approach assists with preventing displacement, increases opportunities for aging in place, and creates housing security.

The Housing Division takes a holistic and systems approach to addressing people in our community as we work together to reduce housing insecurity while also recognizing the many reasons for such experiences.

Roles and responsibilities within Broomfield Housing:

The collective housing data gathered from multiple sources, including Housing Needs Assessment, estimates that approximately 30% of the Broomfield population (76,200 persons in 2022) is experiencing some level of being cost burdened and housing insecure. The breakdown includes:

- 50% of all renters (~10,000 individuals)
- 20-25% of all homeowners (~6,500 individuals)
- .03-.5% people experiencing homelessness (~300)

In 2023, three buckets of Area Median Income (AMI) funding were established: 1. 0-30% AMI, 30-60%AMI and 60-120% AMI. CCOB Housing Division provides programs, services, and development gap financing for two of the three buckets of funds (buckets 2 and 3). Department of Human Services focuses on services for low and moderate income earners (0-60%AMI)-(buckets 1 and 2), and Broomfield Housing Alliance (BHA), considered a special limited partner in multifamily development, also focuses on buckets 1 and 2 for low-moderate income earners in two areas: development of units at 30-60%AMI and housing vouchers for those 0-60% AMI.

Department/Organization	Housing Services/Development/ Programs	Housing Affordability Target (by Area Median Household Income (AMI))
CCOB Human Services	Services -Benefits enrollment Program enrollment Rental Assistance/TBRA	0-60% AMI
CCOB Housing Division-Income-Aligned Rental Development	Development gap financing	30-60% AMI
CCOB Inclusionary Housing Ordinance (IHO)-Rental	Development	61-80%AMI
CCOB IHO Housing Division-Home Ownership	Development	80-120% AMI
CCOB Housing Division	Programmatic - various programs	60-120% AMI
CCOB Housing Division	Eviction Prevention	Up to 200% FPL or up to 35% AMI
Broomfield Housing Alliance (BHA)	CCOB Special Limited Partner participation in Development	30-60-% AMI
	Land and property Acquisition	30-60% AMI
BHA	Housing Choice Vouchers (54 Total Vouchers in 2024)	0-60% AMI

Other Community Partners (Family Resource Center, Refugee Resettlement, Faith Based Communities, etc.)	Rental Assistance	0-60% AMI
Community and Internal Partners , (including CCOB DHS, and Faith Based communities)	People Experiencing Homelessness	0-30% AMI

Programmatic highlights and accomplishments (current and in progress):

Home Rehabilitation Program

Serving homeowners whose income is at or below 80% AMI for health and safety repairs that they would not otherwise afford on their own. Urgent repairs such as furnace or water heater replacement, as well as other issues like plumbing and home modifications to comply with ADA.

- Funded with CDBG
- 2023: 15 homes rehabilitated
- 2024: 6 projects in progress and several applications being reviewed

Paint-a-Thon - New Program for 2024

Program serves single family homeowners, who are seniors at 60+ years old, must live in their home full time and the home must be in need of repainting.

- Funded with CDBG
- Total funding would cover repainting for 4 Broomfield households. 2 projects are currently underway, available to provide services to 2 more homes.

Down Payment Assistance Program - New Program 2024

Serving first time home buyers with a priority of first generation home buyers who are income eligible (80-120% AMI) and have been historically marginalized with a down payment assistance of 10% of the purchase price.

- Funded with Division of Housing Proposition 123 dollars.
 - a. July 1 start date-goal is to provide 17-20 homebuyers with a home purchase in Broomfield.
 - b. Homes may be purchased anywhere within Broomfield, but can align first-time homebuyers to specific developed income-aligned for-sale housing
 - i. Example: Grand Vue Century Communities, which includes 16 income-aligned for-sale homes.

Partial Property Tax Refund Program

Serving seniors 65+, veterans with 80% + disability, and homeowners with a 100% documented disability

- Funded by two sources. In 2023 the program was funded with HDF funds for homeowners at or up to 60% AMI.
- In 2024-City Council expanded the program to include 61-80% AMI for the same populations and provided general fund dollars generated from property taxes.
 - a. 2023: serving up to 60% AMI - 189 applicants - with 103 approved applications
 - b. 2024: ~1,200 applicants
 - i. 618 approved applications, including 98 recertifications from last year and expansion of program up to 80% AMI
 - ii. 518 applications under review

Sunshine Home Share Program - New Program for 2024

Serves seniors 55+ homeowners. Senior Home Share provides a social worker who helps pair a senior homeowner with a roommate/homeseeker. The home seeker can be any adult age. Homeowners and home seekers find companionship, cheaper rent for the homeseeker, and the senior homeowner is able to age in place while possibly getting assistance with light yard work by the homeseeker in exchange for cheaper than market rate rent.

- a. Homeseeker Intakes completed = 8
- c. Regional/neighborhood (Adams County) homeseeker intakes= 13
- d. Successful home pairing of Broomfield resident = 2
- e. New Home Providers in Broomfield open to share =1

Colorado Legal Services-

Assists residents at 200% of Federal Poverty level (approx 35% AMI) with eviction prevention and tenant/property owner disputes.

- a. 2023: Resident cases 8, Resident contacts/referrals 10
- b. 2024: Evictions are processed on Thursdays in Broomfield/Adams combined Courts. In 2024, Colorado Legal Services set up
- c. 31 eviction cases had legal representation, Residents contacts/referrals 36

Inclusionary Housing Ordinance (IHO) Commitments

- a. Units: 76 for-sale units and 216 for-rent
- b. IHO Cash In Lieu Payments
 - i. 2023: \$808,287
 - ii. 2024: \$1,492,965

Asset Management:

- Utilizing Neighborly Software to keep track of major housing programs (e.g. Home Rehabilitation and Partial Property Tax Refund), and all of the income aligned housing through the IHO as well as any development being awarded Housing Development Funds.

Transparent and Equitable Policies and Procedures:

- Specific to applying for Housing Development Funds as well as other federal funds awarded to Broomfield for being an entitlement community (CDBG) and a participating jurisdiction with HOME dollars through the Boulder-Broomfield HOME Consortium

Housing development fund updates:

- Revenue \$10,019,462
- Expenditures \$8,689,960

In March of 2020, the city council adopted Ordinance 2100, the first Inclusionary Housing Ordinance (IHO) specifically to help with the development of affordable housing units and provide alternative satisfaction to developing units in the form of cash-in-lieu. The cash in lieu collected from the developers would be kept in a housing development fund to be used for future housing development gap financing and programs for home preservation. Since 2020, the Housing Development Fund (HDF) has generated \$10,019,462 in revenue. The table below shows expenditures and remaining balance

	Amount	Subtotals and Totals
Revenue - HDF Total (cash in lieu + one time \$1 million contribution from general fund in 2020 from council)		\$10,019,462
Expenditures		
Broomfield Housing Authority		
BHA Seed Money/Starter Funds	\$3,000,000	
BHA - project/land acquisition	\$250,000	
BHA - IGA - operations (2025)	TBD fall of 2024	
BHA - Subtotal		\$3,250,000
CCOB Housing Development		
Northwest Apartments	\$1,291,285	
Crosswinds	\$1,000,000	
Development Subtotal		\$2,291,285
CCOB Programmatic/Preservation		

Partial Property Tax Refund (60%AMI) - 2023 & 2024	\$1,100,000	
Expanded Partial Property Tax Refund (61-80% AMI) (Added here for program context - not coming from or included in the Housing Development Fund)	\$1,200,000	CCOB General Fund
Down Payment Assistance Program - Admin - 2024 and 2025	\$150,000	
Sunshine Home Share - 2023-2024	\$40,000	
Colorado Legal Services	\$14,000	
Program Subtotal (not including general fund dollars)		\$1,304,000
CCOB Professional Services and Expenses		
Fee analyses, assessments, needs updates etc.	\$45,460	
CCOB Professional Services, Project and Program Subtotals		\$45,460
Total Expenditures		\$6,890,745
Unallocated		
Unallocated Total		\$3,128,717
TOTAL		\$10,019,462

Important Highlights of the table above and the pie chart below

The Housing Division has not included specific costs of 2025 programs (unless required by a grant agreement (Colorado Division Of Housing) nor operating costs for BHA, which is expected to be requested and discussed with Council later in 2024.

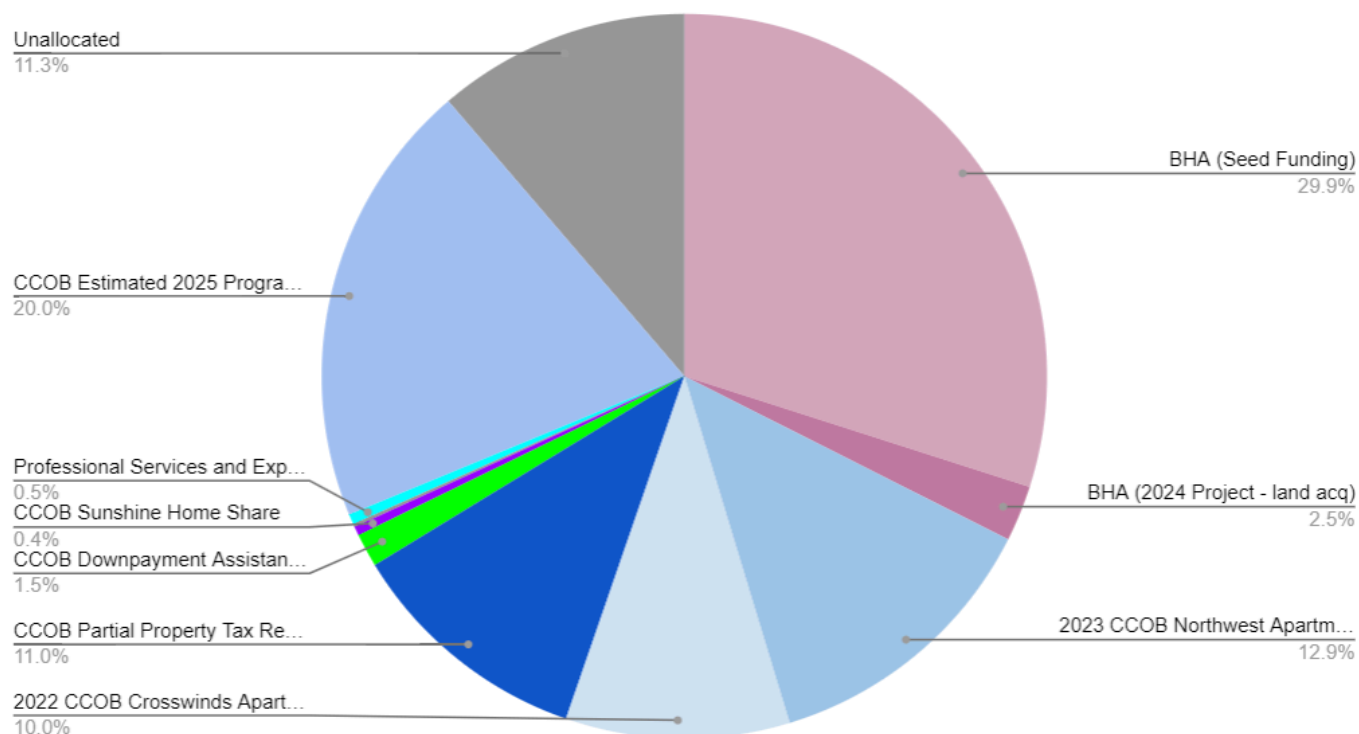
Our calculations would suggest that the amount to support both the programs and any possible BHA operational costs would reach approximately \$1.5-2.0 Million.

The 2025 programmatic and gap financing amount was determined including a single request for gap funding of \$1M (typical request as of a year ago); however for traditional developers building traditional housing (materials, etc), the gap has doubled.

Additionally, if gap funding for a developer were to be requested for more than or equal to the Housing Development Fund balance, the Housing Division would:

- have a funding deficit that may need to be supplemented by other sources, including the general fund for future obligations, and
- not be able to carry forward any existing or new programming, or
- have the ability to provide gap funding to other developers (including BHA)

HDF EXPENDITURES



Opportunities and concerns regarding special populations:

Housing Development Fund (HDF)-As explained earlier in this memo, The HDF funds are unpredictable and an unsustainable source of funding due to units being built (positive) and no cash-in-lieu proposed.

The funding gap for individual income-aligned housing projects has grown in the past several years, due to the unpredictability of funding and the cost changes (construction materials, labor, and interest rates). Developers are requesting more from the municipalities in which they hope to build. For example, just 2 years ago, the typical gap request from a developer building affordable/income-aligned units was \$1-1.5 million dollars. Today, the last three developers that we have spoken with are requesting gap funding of \$2-2.5 million.

Tenant Based Rental Assistance (TBRA) for Seniors and All Seniors on fixed income -

- We are seeing a spike in housing insecurity for seniors in Broomfield. Even in the Low Income Housing Tax Credit homes, the Colorado Housing Finance Authority's (CHFA) calculations result in rent levels which exceed affordable rents for many seniors and people with disabilities who are on fixed incomes.
- 15 different senior renters are currently in the TBRA program ranging from 65-98 years old
 - All spending more than 50% of their income on rent with an average of 69% of their income going to rent.
 - Many of them spend 80% of their income or more on rent
 - Serving most vulnerable (at 40% AMI spending 50% or more of their income on rent).
 - Average assistance of \$675.00 per senior per month
- The TBRA program received permission from the HOME Consortium to expand their program to include seniors. This [senior expansion](#) is a 2-year program and while it is successful for these two years, any senior who is currently on the program would have to exit the program after 2 years (per requirement), resulting in being cost burdened after exiting the program.
- Broomfield receives approximately \$113,000 in HOME funds per year, which currently supports the TBRA Program in Self Sufficiency.

- Due to the IHO's unpredictable nature and limited ability to sustain funding, the Housing Division has researched the possibility of repurposing the federally awarded HOME funds we receive as part of the Broomfield, Boulder and Longmont Consortium to assist with development gap financing
- The current TBRA program in self-sufficiency would need to secure a new funding source for this program or a new program would need to be created to permanently support seniors who are severely cost burdened (spending 50% or more of their income on housing).

Mobile Home Park initiatives-due to the complexity and nuances of mobile home enforcement and regulations, Broomfield Housing Division reached out to [Colorado Poverty Law Project](#) specifically regarding legal assistance and understanding tenants rights within mobile home parks. In 2020, [Adams County](#) partnered with Colorado Poverty Law Project to help protect the rights of residents.

- Broomfield has received approximately 10 phone calls per month from residents living in the different parks who are confused about their rights, experience eviction notices for minor offenses, and believe they experience retaliation from the management at the mobile park.
- The Housing Division believes we can provide a similar service to our community as Adams County.
- Colorado Legal Services assists with eviction prevention; however, their cap on maximum income a resident can have is at 200% of the Federal Poverty Level (explained in the chart below), which equates to approximately 35% of the Area Median Income (AMI)

Financial Considerations

As this is a study session there are no current and/or specific financial considerations.

Prior Council or Other Entity Actions

2023 Holistic Housing Update

Boards and Commissions Prior Actions and Recommendations

N/A



City of Broomfield

City Council Study Session

Required Bi-Annual Review of Council's Compensation per Ordinance 2165

Ordinance 2195, passed in 2021, requires Council to review their compensation every two years. This study session is the mandated review of compensation for 2024.

Meeting	Agenda Group	
Tuesday, June 18, 2024, 6:00 PM	Study Session	Item: 2D
Presented By		
Nancy Rodgers, City and County Attorney		
Community Goals		

Overview

[View Correspondence](#)

Ordinance 2195, passed in 2021, requires Council to review their compensation every two years. This study session is the mandated review of compensation for 2024.

Attachments

[Memo - Study Session for Bi-Annual Review of Council Compensation.pdf](#)

Summary

[View Correspondence](#)

[Section 4.8 of the City Charter](#) provides that the members of the Council shall receive such compensation, and the Mayor such additional compensation, as the Council shall prescribe by ordinance; provided, however, that the compensation of any member during their term of office shall not be increased or decreased.

[Ordinance 2165](#) was passed October 26, 2021 and is codified in [Chapter 2-02 of the Broomfield Municipal Code](#). The ordinance requires the compensation for the Council and Mayor be reviewed by Council at least once in 2022, and then at least once every two years thereafter during even number years and this is the 2024 review.

Ordinance 2165 set the current compensation for Council as \$1,200 per month for councilmembers, an additional \$300 per month for mayor pro tem, and \$1,750 per month for mayor, applicable for members elected on November 2, 2021 and for any member thereafter duly elected or chosen. Additionally, Ordinance 2165 mandated automatic increases every two years on July 1 of odd years. This automatic increase is an amount equal to the average percentage increase in wages provided in the previous year to those City employees covered by the personnel merit system. It only takes effect at the beginning of a member's new term of office and would not take effect during a member's term of office.

Given those parameters, the current compensation is as follows:

COUNCIL COMPENSATION				
OFFICE HOLDER	TITLE	MOST RECENT ELECTION	Current Comp/Mo.	Current Comp/Yr.
Guyleen Castriotta	Mayor	November 2023	\$1,890.00	\$22,680
James Marsh-Holschen	Ward 1	November 2021	\$1,200.00	\$14,400
Kenny Van Nguyen	Ward 1	November 2023	\$1,296.00	\$15,552
Paloma Delgadillo	Ward 2	November 2023	\$1,296.00	\$15,552
Austin Ward	Ward 2	November 2021	\$1,200.00	\$14,400
Jean Lim	Ward 3	November 2023	\$1,296.00	\$15,552
Deven Shaff	Ward 3	November 2021	\$1,500.00	\$18,000
Bruce Leslie	Ward 4	November 2021	\$1,200.00	\$14,400
Laurie Anderson	Ward 4	November 2023	\$1,296.00	\$15,552
Todd Cohen	Ward 5	November 2021	\$1,200.00	\$14,400
Heidi Henkel	Ward 5	November 2023	\$1,296.00	\$15,552

Financial Considerations

Sources and Uses of Funds	Amount
City Council Salaries (01-11100-51210)	\$196,800
City Council Salaries	-\$176,040
Projected Balance	\$20,760

Prior Council or Other Entity Actions

[Ordinance No. 2024](#), approved April 12, 2016 increased the salary to \$800 per month for Councilmembers, \$900 per month for the Mayor Pro Tem, and \$1,100 per month for the Mayor, beginning with Councilmembers elected in the November 2017 election.

[Ordinance No. 2165](#), approved October 26, 2021 increase the salary to \$1,200 per month for Councilmembers, an additional \$300 per month for mayor pro tem, and \$1,750 per month for mayor, beginning with those members elected in November 2021 election. Mandates automatic increases every two years, starting in 2023, which takes effect at the beginning of a member's new term of office.

Boards and Commissions Prior Actions and Recommendations

N/A

Proposed Actions / Recommendations

As Council directs.



Discussion of Any Additional Charter Ballot Questions for 2024

Council's continued discussion from the June 11, 2024 Council Meeting and prior study sessions to consider any other potential Charter change ballot questions for the November 2024 election.

Meeting	Agenda Group
Tuesday, June 18, 2024, 6:00 PM	Study Session Item: 2E
Presented By	
Nancy Rodgers, City and County Attorney	
Community Goals	

Overview

[View Correspondence](#)

On June 11, 2024, Council considered a repeal and replace ballot question ordinance (proposed Ord. No. 2238) and a Chapter III/elections ballot question ordinance (proposed Ord. No. 2239) on first reading. The repeal and replacement ballot question ordinance failed on first reading. The Chapter III passed on first reading and will be considered on second reading on July 9, 2024.

With the rejection of the repeal and replace ordinance on June 11, 2024, and after hearing public comment from residents that bundling Charter changes was not preferred, Council agreed to have a continued discussion during the study session on June 18, 2024, to consider any other potential distinct ballot questions for the November 2024 election.

Attachments

[Memo for 6-18-24 Study Session - Discussion of Any Additional Charter Ballot Questions for 2024.pdf](#)

Summary

[View Correspondence](#)

On June 11, 2024, Council considered two ordinances with Charter change ballot questions. After hearing public comment from residents that bundling Charter changes was not preferred and considering (and ultimately rejecting a repeal and replace ballot question), Council directed staff to schedule a discussion during the study session on June 18, 2024, to consider any other potential distinct ballot questions for the November 2024 election.

History: Broomfield became a City and County in November 2001, but the [Home Rule Charter](#) has been in effect since 1974. Home rule charters detail the structure and powers of a local government. The Charter has been [amended ten \(10\) times](#) in its history. Each time, the Charter amendment was specific to a certain issue or topic. Broomfield had not undertaken a full review of the Charter since it went into effect in 1974.

Charter Review Committee: On September 27, 2022, City Council established the Charter Review Committee (CRC) to review the Broomfield Charter and make recommendations to Council regarding any needed changes. The CRC presented its recommendations and final report to Council on November 14, 2023. The background on Broomfield's Charter, the Charter Review Committee, the CRC's recommendations, and Councilmembers' proposed changes to the Charter can be found in the staff memo for the [April 16, 2024 Study Session](#).

Council Study Sessions: During April and May 2024, Council held three Study Sessions for the purpose of reviewing and discussing the CRC's recommendations for changes to Broomfield's Charter, as well as other possible changes suggested by Council members. At these meetings, there was consensus from Council on moving forward with almost all of the Charter Review Committee's recommendations, and some of the Council's proposed changes to the Charter.

Council Direction: At the May 21, 2024 study session, Council gave direction to staff to prepare an ordinance with one ballot question for a full Charter replacement, which would essentially repeal the current Charter and reenact a new Charter that encompasses all the proposed changes Council determined should move forward to the voters.

Additionally, at the May 21, 2024 study session, staff stated that its top priority in the proposed Charter changes was the changes to Chapter III: Electios. Based on that request, Council gave direction to staff to also prepare a ballot question specific to the changes in Chapter III, Elections that would change the applicable state law governing elections from the Colorado Municipal Election Code (Article 10, Title 31) to the Uniform Election Code (Title 1), except as set forth in Charter and as established by Council via ordinance.

Proposed Ordinances - Repeal and Replace the Charter, and Chapter III: Elections - June 11, 2024 meeting

On June 11, 2024, Council considered a repeal and replace ballot question ordinance (Proposed Ord. No. 2238) and a Chapter III/elections ballot question ordinance (Proposed Ord. No. 2239) on first reading. The repeal and replacement ballot question ordinance failed on first reading. The Chapter III election ballot question ordinance was approved on first reading and will return to Council for second reading on July 9, 2024.

Further Discussion by Council of Additional Ballot Questions

With the rejection of the repeal and replace ordinance on June 11, 2024, and after hearing public comment from residents that bundling Charter changes was not preferred, Council wished to discuss other possible, but distinct, ballot questions that could be sent to the voters in November 2024.

For the May 21, 2024 study session, staff had prepared a [chart with each potential Charter change](#) for Council to use to rank the priority of each. There are also notes about staff priorities.

Additionally, to assist with this discussion, staff created the below chart to categorize different groupings of potential ballot questions based on prior discussions during Council study sessions and meetings (excluding the Chapter III: Election ballot question that is already being considered). Also noted is whether the proposed change was a CRC recommendation or a change proposed by a council member.

	Mentioned by Council member(s) as a priority at 5/21/24 study session	Staff High Priorities*
Language update - "City to City and County"; "municipal" to "Broomfield" (CRC recommendation); City Council to "Council" (Council recommendation)	X	
Chapter IV: 4.7 - Mayor/Council Vacancies (CRC recommendations with Council modifications)	X	
Chapter VI: 6.4 Rezone for a specific property by resolution (CRC recommendation)		X
Chapter VI: 6.9 Publication of Ordinances (CRC recommendation)	X	X
Chap IX - Personnel (CRC recommendation)	X	X
Chap X - Legal and Judiciary: muni courts change (CRC recommendation)	X	X
Chap XI - Boards and Commissions (CRC recommendation)	X	(this is marked as a medium priority for staff)
Chap XV - IGAs approved by majority (CRC recommendation)		(this is marked as a medium priority for staff)

*Two council members also expressed support for staff priorities

Process for Approving a Ballot Question

Charter amendments are permitted by Broomfield’s Constitutional Amendment and Section 18.6 of the Charter, which references state statute. Specifically, Broomfield is permitted to “make, amend, add to, or replace its charter...” Colo. Const. Art. XX, Section 10. This permits the City Council to adopt ordinances with the proposed amendments and ballot titles to be submitted to the voters. Ballot questions can be referred to the voters via an ordinance adopted by the governing body. C.R.S. 31-2-210. All ordinances must be confined to a single subject. See Charter, Section 6.2. “Single subject” means the subject matter has to be “necessarily and properly connected rather than disconnected or incongruous” and not create a situation where there are two distinct purposes. *Hayes v. Spalding*, 2016 CO 24, 1 (Colo. 2016). There can be more than one ballot question put on the ballot. If provisions of two or more proposed amendments adopted or approved at the same election conflict, the amendment receiving the highest affirmative vote shall become effective.

An ordinance approving the single ballot question requires majority approval by Council. All ballot question ordinances must be approved no later than the August 13, 2024 council meeting.

Restriction on Government Support for Ballot Questions

After the ballot question is approved, government funds and resources may not be used in either supporting or opposing the ballot question. Elected officials may use personal time and funds to take positions on ballot issues. Complete copies of the proposed Charter showing all changes will be made available at the City and County Clerk’s office and on the Broomfield website along with other informational materials.

Financial Considerations

Some of the proposed changes to the Charter, if approved by the voters, will have a specific financial impact. Those impacts are listed below.

Section 4.7 Mayoral vacancy being filled by the Mayor Pro Tem will remove the requirement for a special election and those related costs.

Section 6.9 Permitting the publication of approved ordinances on Broomfield’s website instead of in a local newspaper is expected to save approximately \$20,000 annually.

For the other proposed changes, staff does not believe the change will have a financial impact on Broomfield operations or the financial impact is more in the terms of staff and Council time and cannot be easily quantified (e.g. adoption of job duties and job descriptions for the Mayor and Council).

Prior Council or Other Entity Actions

[September 27, 2022 Resolution No. 2022-106](#): Council establishes the Charter Review Committee.

[March 7, 2023](#): Council appointed the CRC members.

[April 16, 2024](#), [May 7, 2024](#), and [May 21, 2024](#): Council study sessions to discuss the recommended changes and timing of such changes.

[June 11, 2024](#): Council approved Ordinance 2239 on first reading (Chapter III, Elections) and rejected Ordinance 2238 (repeal and replace)

Boards and Commissions Prior Actions and Recommendations

[November 14, 2023](#): The CRC presented its final report and recommendation to Council.

Proposed Actions / Recommendations

As directed by Council, staff can prepare additional ballot question ordinances for formal consideration on first and second reading by Council. All ballot question ordinances must be approved no later than the August 13, 2024 council meeting.

Alternatives

Continue to consider Ordinance 2239 (Chapter III, Elections) on second reading July 9, 2024, but don't consider any additional questions.

Overall changes

Remove outdated language or transitional language from 1974

Change "City" to "City and County" throughout; municipal to "City and County" or "Broomfield" when appropriate

Change "City Council" to "Council" throughout

Change "municipal" elections to "coordinated elections throughout (*part of pending Ordinance 2239*)

Prefatory Synopsis

Clean up.

Added a paragraph about Charter being the definitive governing document, but other key documents such as the strategic plan and comprehensive plan are critical to operational success and should be reviewed and updated (similar provision in 4.9(c))

Preamble - Clean up

Chapter I - Name Boundaries - no changes

Chapter II - City and County Powers (formally "Municipal Powers")

Incorporated language from and added a reference to the Broomfield Constitutional Amendment, Article XX, section 10, which made Broomfield a city and county

No change in the form of government, which remains a Council-Manager form of government

No changes on the Issue 301 language in Section 2.1 re oil and gas regulatory authority and required focus on health, safety, and welfare

Added a section about all local laws and regulations being consistent with the Charter and that, in the event of a conflict, the Charter controls

Chapter III - Elections (*part of pending Ordinance 2239*)

Change from the applicable state law being the Colorado Municipal Election Code (Title 31) to the Uniform Election Code (Title 1), except as otherwise provided in Charter or as Council may prescribe by ordinance.

Change “municipal” election to “coordinated” election throughout

Chapter IV: Mayor and Council

4.1 - City Council and Mayor

No change to the number of councilmembers

No change to mayor being elected “at large”

4.2 - Wards

No change in the number of wards

Changes to the ward boundary map only occur following the census or when there is a significant disparity in population between the most populous and least populous ward.

Manager prepares the ward map and City Council is limited to approval or rejection; they cannot modify the staff’s recommended map

4.3 - Terms of Office

Change the term for the mayor from two-year to a four-year term

No change to the four-year term for councilmembers

Added term limits for elected officials to be 3 consecutive terms (Note: term limits are not currently in Charter; Broomfield follows state law: 2 terms for 4-year elected terms and 3 terms for 2-year elected terms)

4.4 - Mayor Power and Duties

Added that the mayor, with the assistance of the manager, sets the agenda

4.6 - Qualifications [of Elected Officials]

Added a provision that changes in ward boundaries won’t operate to exclude a sitting councilmember

Added that an elected official’s absence from 50% or more Council meetings will be deemed to be a “vacant” seat

Added a specific prohibition that an elected official cannot hold another public elected office

4.7 - Vacancies

Clarified that a councilmember vacancy will be filled by appointment, but only until the next available coordinated election when a person will be elected to serve the remainder of the original term (if any)

Changed that a mayoral vacancy is filled by the mayor pro tem until the next available coordinated election when a person will be elected to serve the remainder of the original term (if any)

4.8 - Compensation

No change to the Charter (Generally, there was agreement among the Charter Review Committee that the compensation for the hours worked is too low. However, there are multiple ideas of how to address that, particularly the mechanisms and the amount).

4.9 - Powers and Duties of Council

Added that Council shall adopt job descriptions, job duties, and general assignments for the mayor and councilmembers

Added that Charter is the definitive governing document, but other key documents such as the strategic plan and comprehensive plan were critical to operational success and City Council should review and update these documents as needed (similar provision in prefatory synopsis)

4.11 - Ethics Code

Added that Council must adopt an ethics code (there is a current ethics code in the Broomfield Municipal Code but no requirement to do so in Charter)

Chapter V - Council procedures

Permits a study session to be one of the required two meetings a month

Removed requirement to take a roll call vote but retained requirement that a yes or no vote be entered into the records unless the vote was unanimous. (New AgendaLink system displays each councilmember's vote on a screen)

Chapter VI - Legislation

Added that land use rezones for a specific property (not a multiple property development) to be approved by resolution, not ordinance

Added a required "third reading" to ordinances that have substantive amendments on second reading

No change to the veto by mayor

Changed the effective date for emergency ordinances - they will go into effect immediately (not eight days from passage)

Modified the publication requirement of ordinances so that ordinances are required to be published on the City and County website rather than a newspaper; ordinances can be published in a newspaper upon Council's direction

Chapter VII - Initiative and Referendum

Modified the deadlines on initiative and referendum to match state statute

Chapter VIII - City and County (formally "Municipal") Administration

Retained Council-manager form of government

Updated language and removed repetitive language in Sections 8.3 and 8.8

Removed language that allowed City Council to consolidate or merge departments, and language that required the manager to seek Council approval before dividing departments. This change is consistent with the manager's authority over the various departments

Removed Section 8.8 on Administrative Departments because the tasks and responsibilities are covered in the managers' duties in Section 8.3

Added a new requirement that the manager, with Council approval, shall appoint and could remove an Internal Auditor (the Internal Audit department is in Code, but not Charter)

Chapter IX - Personnel

A Personnel Merit System (PMS) remains required by the Charter

Clarified who is included/excluded in the PMS: includes all Broomfield employees except department heads, (new) the deputy/assistant city and county managers, elected officers, Council appointees, (new) temporary employees, boards and commission members, and special inquiry contractors

The inclusion of the police chief in the PMS was removed. The Chief is excluded from the PMS, consistent with other department heads.

Clarified that language to require the Personnel Merit System provide non-probationary employees a right to administratively appeal any disciplinary action

The Personnel Merit Commission was removed from Charter (note: The Commission still remains in Code and is an active Commission.)

Chapter X - Legal and Judiciary

City and County Attorney

Broadened the language to recognize that the City and County Attorney employs staff in addition to attorneys

Specified that special counsel works under the direction of the City and County Attorney, who serves at the pleasure of Council

Municipal Court

The Presiding Judge shall be the “department head” for the Court and will hire and supervise associate judges and such staff as needed by the Court

Modified the requirements for removal of a judge to reference the Colorado Code of Judicial Conduct

Chapter XI - Boards and Commissions

Removed language that a board member could be removed “for just cause” and retained language that the member could be removed at the pleasure of Council

Current council members and employees cannot serve on any Broomfield temporary boards or commissions, in addition to the existing prohibition for permanent Broomfield boards or commissions

Council may permit an individual to serve on more than one board or commission

Chapter XII - Finance and Budget

Added a requirement that the manager collaborate with Council on the recommendation budget for the next fiscal year

Added a requirement that the proposed operational capital expenditures in the budget be both detailed and summarized for each Broomfield office

Removed requirements that publicly available documents be located at the “municipal building”; documents will be available publicly at the City and County main building, on the website, and per a public records request

Chapter XIII - Taxation - Language updates; No substantive changes

Chapter XIV - Municipal and County Funding - Language updates; No substantive changes

Chapter XV - Improvement Districts - Language updates; No substantive changes

Chapter XVI - Intergovernmental Relations

Allows intergovernmental contracts to be approved by a majority vote, not 2/3rd vote

Permits Council to delegate authority to enter into certain intergovernmental contracts

Require intergovernmental contracts be published on the City and County website

Chapter XVII - Utilities and Franchise - Language updates; No substantive changes

Chapter XVIII - General Provisions (Eminent Domain, Open Space, Charter Amendments, etc.)

Language updates; No substantive changes

Addition of a provision that Council establish a Charter Review Committee at least every 10 years

Chapter XIX - Transitional Provisions

Deletion of this entire provision, which contain sections needed for the transition from statutory town to home rule municipality

Chapter XX - Prohibition on Hydraulic Fracturing

No change