



## **FAQs from January 19, 2022 Boulder County Rebuilding Community Meeting**

### **Will repairs and rebuilds after the Marshall fire be prioritized?**

The county will prioritize all Marshall Fire rebuilding and repairs and expedite their review. [Community Planning & Permitting](#) (CPP) will be hiring additional staff to accommodate the additional needs. Marshall Fire rebuilds will be handled separately, outside of CPP's regular process. Property owners impacted by the fire do not need to schedule a pre-application conference or be added to the planning application submittal schedule. Impacted property owners will be able to work directly with a Rebuilding Coordinator, either immediately if they are building the same structure that was lost, or after the Article 19 regulations are adopted if they are building a modified structure or in a different configuration, footprint or location.

### **Will building inspections be expedited as well?**

Under the county's current process, inspection requests received by 3:30 p.m. can usually be performed the next business day. Given the central location of the fire-affected area, we anticipate that next day inspections will be something that builders can rely on.

### **Will fees be waived?**

There will not be a fee for the planning / zoning review. Building permit fees are likely covered by your insurance and therefore will not be waived.

### **What is the process to rebuild?**

See the Rebuilding handout at [www.boco.org/MarshallFireRebuildingGuide](http://www.boco.org/MarshallFireRebuildingGuide). Rebuilding Coordinators (aka, case managers) will be available to help you navigate the rebuilding and permitting process and answer your questions.

Property owners who are rebuilding the same structure that was lost in the fire (i.e., original location and same footprint, same floor area or smaller, same or lower height), may move forward immediately and apply for a building permit, so long as they commit to rebuild with additional wildfire resiliency measures. The required wildfire mitigation measures include ignition resistant construction for roofing, siding, eaves, windows, doors, vents, gutters, fencing, decks, and accessory structures, as well as defensible space requirements to address the area immediately surrounding the home and landscaping.

Property owners who wish to make changes to the pre-existing structure will need to pause and proceed under an Article 19 (Procedures Following a Disaster) streamlined review. The Article 19 provisions will replace the Site Plan Review (SPR) process that is typically required and will allow for an expedited review of the pertinent issues. The Article 19 process is similar to what followed the Fourmile and Calwood Fires. Article 19 provisions will focus on limited issues (visibility impacts, wildfire resiliency, etc.) and will provide parameters and some allowances for acceptable changes.

Adoption of Article 19 provisions requires review by the Planning Commission review and approval by the Board of County Commissioners, but Community Planning & Permitting will

schedule public hearings that expedite the adoption process for these regulations. We estimate these Article 19 provisions for rebuilding can be approved in mid to late March.

See Article 19 (Procedures Following a Disaster) of the [Boulder County Land Use Code](http://www.boco.org/LUCodeArticle19) at [www.boco.org/LUCodeArticle19](http://www.boco.org/LUCodeArticle19).

### **What are allowable changes I can make to my original house?**

The Article 19 provisions will define the parameters for acceptable changes. If you are seeking to proceed prior to the adoption of Article 19 provisions, you will need to build the same structure (the original location / footprint, same floor area or smaller, and same or lower height) as existed before.

### **What is the timing for the new Article 19 provisions that will replace Site Plan Review for rebuilding?**

Adoption of Article 19 provisions requires Planning Commission review and Board of County Commissioners approval, but Community Planning & Permitting will schedule these public hearings on a timeline that adopts these regulations as expeditiously as possible. We estimate the Article 19 provisions for rebuilding can be approved in mid- to late-March.

### **What are the requirements for contractors, and will there be expedited licensing of contractors?**

To help protect consumers, [contractors must be licensed in the county](#). Licensing requires they meet minimum qualifications and carry necessary insurance. Contracting licensing generally occurs very quickly. When complete applications are received, we are committed to getting the licenses issued within one business day. View [information from the District Attorney regarding fraud](#).

### **Can a homeowner act as their general contractor?**

Yes, a homeowner may work as their general contractor. Homeowners building their own home do not need to be licensed. However, any hired subcontractors performing work are required to be licensed.

### **How can we ensure architects and builders are getting the same info as residents, especially with three different jurisdictions involved?**

We are working to coordinate the recovery and rebuilding efforts across all three jurisdictions. We will work whenever we can to provide similar information, however, there will be some differences in information relayed because each jurisdiction has its own building and zoning codes, as well as different administrative policies and procedures.

We encourage property owners to make sure that they are aware of which jurisdiction they are working in and make sure that they are looking at that jurisdiction's information. The three possibilities are the City of Louisville, the Town of Superior, and Unincorporated Boulder County. If you are not sure, the Boulder County property viewer can be used to look up your address and jurisdiction <https://maps.boco.solutions/propertysearch/>.

### **What if the county doesn't have the original building permit plans?**

If your house was constructed recently, you should consider contacting the original designer or contractor to see if they have copies of the plans. Any plans would need to be updated to meet the codes in existence at the time of current permitting.

**What are fire sprinkling requirements?**

All new homes, as well as larger remodel projects and additions, are required to have automatic fire suppression systems. Since 1994 the County has required larger new homes to have automatic fire suppression systems. Starting in 2009, the requirement became applicable to all new homes as well as larger remodel projects and additions. Modern home construction materials require these systems to provide essential time for occupants to escape a home fire.

**Can fire hydrants be added in neighborhoods?**

This will be dependent on the neighborhood and the availability of water and infrastructure. The County is not a water service provider nor does it have the capacity to install and maintain hydrants, cisterns, or other infrastructure. However, the County will look to assist in discussions if neighborhoods are interested.

**Will homes be required to be fully electric?**

There will not be a requirement that homes be all-electric in unincorporated Boulder County. We will be working with our partner agencies and nonprofits to explore sustainable construction ideas and incentives to help homeowners meet and move beyond the code's minimum requirements.

**What are the Building and Energy code requirements – net zero, solar, etc.?**

Unincorporated Boulder County is currently on the 2015 International Codes with local amendments. This includes the county's BuildSmart green building program. Please see the following webpage for information: [www.boco.org/BuildSmart](http://www.boco.org/BuildSmart).

**What additional wildfire mitigation requirements and techniques might be required?**

Currently, wildfire requirements for the Marshall Fire area are not as stringent as the mountainous area. However, the county and other experts are studying the fire impacts and additional mitigation measures such as ignition resistant construction for roofing, siding, eaves, windows, doors, vents, gutters, fencing, decks, and accessory structures, as well as defensible space requirements to address the area immediately surrounding the home and landscaping. These measures, including their costs, will be further discussed during the Article 19 process.

Property owners who are seeking to proceed prior to the adoption of Article 19 provisions will need to build the same structure (the original location / footprint, same floor area or smaller, and same or lower height) as existed before and commit to these protections in order to proceed before Article 19 is adopted. The goal is to do what we can to reduce the chances that a similar disaster will occur in the same way.

**Is any temporary housing allowed on my property?**

Temporary housing may be located on an affected property with approval by the Chief Building Official and any necessary building permits. Parameters around temporary housing will be outlined in more detail through the Article 19 process.

**If I build a temporary unit while rebuilding my home, will I be allowed to keep it as an accessory dwelling unit after my house is complete?**

Under our current Land Use Code, accessory dwelling units (ADUs) are only allowed in limited circumstances (agricultural worker units, family care units, historic units). Allowance of ADUs will be considered and discussed during development of the Article 19 regulations as this will require a Land Use Code change.

**Is there money available to help rebuild in an energy efficient manner?**

Boulder County, Louisville, Superior, the State of Colorado, Xcel Energy, and others want to make it easy for homeowners to build back in a way that is safer, healthier, more comfortable, less costly to operate, and cleaner for your family and for the planet. We are exploring incentives and programs for high-performance home and commercial rebuilds, solar energy, and sustainable transportation solutions. We are reaching out to clean energy and high efficiency equipment manufacturers, distributors, installers and trade groups to attempt to negotiate special discounts for those having to rebuild. We are also working to identify residents who need more assistance and resources due to income constraints and other barriers to recovery and rebuilding. We are still in the early stages of pulling this all together. Stay tuned for more information on [Boulder County's Marshall Fire webpage](#).

**For homes with smoke damage, is there any money available to help replace insulation?**

Yes! Xcel Energy doubled their insulation incentives for homes with smoke damage in the vicinity of the fire. View [Xcel information regarding the incentives and eligibility requirements](#).

**Where can we go for third party advice on how to build a low carbon footprint home?**

Boulder County is collaborating with the Colorado Green Building Guild on a series of interactive community presentations that will start soon and cover various aspects and considerations of building a high-performance home that is healthy, comfortable and has a low carbon footprint. The [Colorado Green Building Guild](#) is a non-profit trade organization representing a wide range of green building leaders who serves the community at large by making green building common practice and accessible to all. Notice of the workshops will be posted on [Boulder County's Marshall Fire webpage](#) and other channels. They will also be recorded and posted for viewing later.

**Will you hold workshops on building code requirements and green building sessions for both property owners and architects so owners can have a basic understanding of the requirements, as well as opportunities for going beyond code for energy and material use, and the incremental costs to build greener?**

Yes. In collaboration with the municipalities, the county, the design community, contractors, the [Office of Sustainability, Climate Action & Resilience](#), and our nonprofit partners will be scheduling a series of workshops and providing materials to help property owners understand the opportunities for going beyond code requirements, the incremental costs to build greener, and ways to take advantage of programs to build resiliently.

**I lost a vehicle in the fire, is there any support for getting around?**

Visit the [Marshall Fire-related Transportation and Transit Resources](#) page which includes RTD bus passes, Colorado Carshare services, ride hail services, and bicycle resources. Low emission or zero emission vehicle options are being explored so please check the website for updates.