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HOME BUILDERS
ASSOCIATION
of
METRO DENVER®

March 29, 2022

City of Aurora
Mayor Mike Coffman
Members of City Council
15151 E. Alameda Parkway
Aurora, CO 80012

Dear Mayor and City Council:

I am writing to share our concerns regarding the City of Aurora's proposed water conservation ordinance that went before the Water Policy Committee on March 10, 2022.

These comments are being provided on behalf of the Home Builders Association of Metro Denver.

As the largest HBA in Colorado, the HBA of Metro Denver represents over 500 homebuilders, developers, remodelers, architects, mortgage lenders, title companies, subcontractors, suppliers, and service providers in the eight metro-area counties we serve.

In Aurora, HBA Metro Denver represents 19 different developers and builders with over 155 registered permits so far this year and over 2200 permits in the past 12 months.

Based on the information presented at the Water Policy Committee and the draft ordinance included in the agenda packet, it is our understanding that the City is interested in improving water conservation within the municipality by prohibiting the use of turf on front yards and limiting the use of turf on backyards to 45% or to 500 sf of the total surface area in residential developments.

First, our association would like to commend the City of Aurora on all the exemplary work the municipality has already accomplished on water conservation thus far. Over the past 20 years, the City has set a sustainability standard that other cities and towns across Colorado and the country have worked to emulate – creating a multiplier effect with impacts felt far beyond the City's limits.

The City has also always maintained a long history of working collaboratively with the civic, business and development community within its' borders - to make sure decisions are made and implemented thoughtfully, and in a manner that considers all of Aurora's shared goals and values.

It is because of this well-established precedent and commitment to cooperation, that the HBA was disappointed to learn of the City's proposed conservation ordinance the day before it was introduced in committee. While we believe the City's core objectives and commitment to conservation are indeed admirable, we were disappointed with the fundamental lack of communication and opportunity for stakeholder participation.

Accordingly, we feel that it is because of this fundamental lack of engagement, that the proposed ordinance has not been adequately evaluated and renders numerous unanswered questions that demand further examination.

Here are just some of the outstanding questions and concerns our builders have recently brought to our attention:

- Has a minimum "Colorado Scape" standard for residential landscape requirements been established to ensure the continued aesthetic integrity of Aurora neighborhoods? The proposed ordinance does not contemplate any.
- How will the new ordinance be phased into existing developments to ensure visual appeal and consistency? There is broad concern that the new ordinance will mandate a miscellany of design requirements that will undermine existing and future development.
- How will the new ordinance ensure that existing and future homeowners who will inevitably be living in the same neighborhoods together are being treated fairly?
- How will the new ordinance be adequately enforced given that many neighborhoods will be governed by a patchwork of conflicting landscaping and conservation standards?

The proposed draft ordinance also does not contemplate the considerable up-front costs associated with the proposed xeriscaping requirements that will substantially increase the purchase price of a home for aspiring residents. Based on analysis we requested from our membership, we have concluded that the price for a completed xeriscape yard will cost significantly more than a traditional turf lot.

Without offsets, this additional cost will undoubtedly make the cost of homeownership more unattainable for many aspiring homeowners with moderate incomes. The National Association of Home Builders' latest "Priced-out Estimates" from January 2022 indicate a \$1,000 increase in the cost of a median-priced new home will further price 2,310 Colorado households out of the market.

If the intention of the proposed ordinance is truly to promote water conservation in Aurora, then it seems reasonable to offer a corresponding tap fee reduction for outside irrigation to help offset some of these costs as a meaningful incentive.

Unfortunately, because our active developers, builders and landscape architects in Aurora were never consulted about this proposal prior to its introduction, none of these ideas have had an opportunity to be properly reviewed or even discussed.

We would like to reiterate that the Home Builders Association supports water conservation policy both in Aurora and across the metro area when implemented properly. When proposed conservation policies have

been thoughtfully evaluated, they can be employed in a manner that conserves water, lowers utility bills and ensures Colorado's most precious resource remains viable for future generations.

We hope that the City of Aurora will consider including the residential development community in a meaningful dialogue regarding this proposal before any final decisions are made.

Thank you for your time and consideration of this matter.

Sincerely,



Ted Leighty
Chief Executive Officer
Home Builders Association of Metro Denver

Cc: Jim Twombly, City Manager
Cindy Colip, Director of Public Works
Victor Rachael, Deputy Director of Public Works
Jacob Cox, Manager of Development Assistance