



HOME BUILDERS
ASSOCIATION
of
METRO DENVER®

July 27, 2023

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 some unintended consequences related to the City of Aurora's water conservation ordinance that went into effect last fall.

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.

First it is important to note that the residential construction industry in Aurora and across the front range supports and is committed to water conservation and understands the need to conserve this precious resource – in fact, future development in Colorado is dependent upon it for its long-term viability.

While the HBA of Metro Denver supports the main components of the Aurora's conservation ordinance, some unintended consequences have created challenges for the development community that has created a ripple effect to stormwater runoff.

Due to the lack of dense vegetation and ground cover requirements, Aurora has assumed higher runoff coefficient projections as an outcome of the new ordinance, but our builders and developers in Aurora don't believe this is accurate. Other locations with similar climates like Arizona and Las Vegas, have passed xeriscaping requirements with runoff rates almost identical to turf. The most significant variable between these design criteria are the required installation of an underlying fabric weed barrier in Aurora, which is not required in the other locales. Therefore, one potential long-term solution would be to remove the present weed barrier requirements in the ordinance to ensure runoff coefficients remain manageable for future development.

Aurora's proposed hydrology criteria increases the imperviousness for single family residential units from 45% to 75% for gross densities between 3 and 5 dwelling units per acre primarily due to the turf ordinance.

This increase will significantly amplify the need for larger detention pond sizes and add additional drainage infrastructure requirements for future development.

- For example, A preliminary analysis of a prototypical 235 lot subdivision on 87 acres shows the following:
 - A 43% increase in in impervious over criteria. (44% to 63%).
 - A need for 12 additional inlets (38% increase).
 - About 15% additional length of storm pipe and anticipated increase in pipe size by 1 to 2 standard sizes.
 - Additional area for emergency overflow paths.
 - Additional width for swales.
 - Required detention volume increased from 6.88 ac-ft to 8.81 ac-ft an 19% increase.
 - Required detention pond footprint increased from approximately 2.1 acres to 2.6 acres using max allowable depth, a 23% increase, ultimately reducing density by as much as 2-3 homes.

It should be noted that any additional stormwater infrastructure or a reduction in density associated with the requirements of the new ordinance will further drive-up costs on new housing in Aurora - especially troubling for residents with moderate incomes. The National Association of Home Builders' latest "Priced-out Estimates" from January 2023 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.

It is important to note that the potential costs associated with the City's stormwater infrastructure requirements will be added to a number of other related financial burdens already impacting aspiring homeowners. From lumber and concrete, to paint, copper, and gypsum – the primary materials used in homes – building costs are already prohibitively expensive and are projected to remain high for the foreseeable future.

Furthermore, housing attainability across the front range has only become more elusive given our recent environment of rising interest rates coupled with rampant inflation. Mortgage rates have increased from 3.1% at the start of the year to 6.69% today – making it the largest magnitude increase for mortgage costs in decades.

Unfortunately, minimal research for stormwater runoff associated with xeriscaping requirements in the front range area has been conducted to date, creating considerable uncertainty for necessary design standards and criteria. Additional research and discussion by the City of Aurora, Mile High Flood District, civil engineering, the development community and other stakeholders is necessary to better understand the impacts and create consensus on revised criteria. Presently, Aurora has provided minimal information supporting the revised higher runoff coefficients.

In the meantime, it is critical that projects with developed design standards in place and currently under review, be given ample flexibility to move forward in a manner that is consistent with the long-term goals of the conservation ordinance without unworkable requirements being unreasonably imposed upon them.

Proposed developments that have approved site plans (or site plans grandfathered in due to the timing of the ordinance) should be allowed to proceed without additional revisions. Future site plans that rely on previously designed or constructed infrastructure in accordance with design criteria prior to the effective date of this ordinance, should be allowed to proceed as "transition" site plans. Transition site plans would be within drainage basins of designs/construction under previous design standards.

We hope that the City of Aurora will consider these amendments and include the residential development community in a meaningful dialogue regarding these unforeseen circumstances 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: Jason Batchelor, Interim City Manager
Laura Perry, Deputy City Manager
Cindy Colip, Director of Public Works
Victor Rachael, Deputy Director of Public Works
Jacob Cox, Manager of Development Assistance