Will "Success" Spoil Boulder County?

Growth Management and Regional Planning in Boulder County

The League of Women Voters of Boulder County

1998

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Choices and Challenges

We want to drive easily and quickly to work or on errands, but want most other people to stay off the roads so they're not congested. We want the convenience and friendliness of neighborhood shops, but the variety of a superstore and the prices of a discount center. We want a house with a nice yard, but don't want to have to drive through miles of urban sprawl to get to it. We want comfortable and convenient public transit, but not the density of development sufficient to support it. We want to live close to schools and work, but housing we can afford is a long commute away. We want the "feel" of a small town but the shopping, employment, educational, cultural and recreational opportunities of a city.

We often want contradictory things. In daily life, we constantly choose between them. Our cumulative personal choices define and shape the life and identity of the community and larger region. Today's choices define who will live here and how Boulder County will look and feel in five, twenty, or fifty years.

People disagree on how to deal with growth. One perspective is that the major problem and threat to quality of life is population growth and with it, resource consumption. Efforts to manage growth or to plan regionally are at best palliatives, for "successful" management attracts still more growth. Regional planning will only delay solutions as local governments use it as an excuse to defer hard decisions. Moreover, as planning and management become regional, individual cities and towns lose their autonomy.

Another perspective is that growth is inevitable, especially in a period of economic prosperity, and that regional planning is essential to limit its undesirable impacts. Otherwise, one jurisdiction's efforts to slow growth tend to push it and its impacts elsewhere. Burgeoning subdivisions and commercial and office developments along U.S. Route 36 are seen as a typical consequence of municipal "go it alone" policies. Comprehensive anti-sprawl strategies are needed, it is argued, to accommodate growth within defined boundaries in order to preserve agricultural land and other environmental values.

If sprawl is limited and growth continues, however, the density of development within municipal borders must increase. This is a trade-off that many are reluctant to make. Many people could embrace growth management and regional planning to limit growth but not to accommodate it.

Boulder County is attractive, and nobody wants "success" to spoil it. The challenge is to construct a vision of what we as residents want our county to be, and then work together to achieve it.

A Brief History of Boulder County

Boulder County has attracted people for millennia. For the first wave of "modern" settlers in 1858, it was the mountains, that "looked right for gold." The mountain communities of **Nederland, Jamestown, and Ward** soon grew up as rugged hardrock mining towns whose residents continue to value their individualism today. **Louisville, Lafayette, Erie and Superior** began in the second half of the nineteenth century as coal mining and farming communities.

Louisville and Lafayette each had fewer than 4,000 residents until the 1970s, when they increasingly became bedroom communities for people working in Denver, Boulder and Longmont. As they grew, Louisville attracted industrial development and both gained commercial centers.

Superior began rapid modern growth only in the 1990s. Its growth illustrates the impact of improved water supply on population and development. In 1990, Superior had little good water and a population of 255. An agreement with Richmond Homes brought Windy Gap water to the town in exchange for annexation and subdivision approval. By 1998 Superior's population had grown more than twenty times, to 5400.

Erie's proximity to the industrial and commercial growth along the I-25 corridor has brought rapid residential growth since 1992.

Broomfield began in the 1880s as a small farming center after the railroad came through. With the completion of U.S. Highway 36 in the early 1950s, the little town of 100 found itself in a strategic location between Denver and Boulder. In the 1970s Broomfield's population nearly tripled. By 1998, with the city extending into four counties, it sought to form a new, independent city-county.

The **Lyons** area was settled in the 1860s by discouraged miners who turned to farming. In the 1880s, E.S. Lyon opened the Lyon Rock and Lime Quarry Company, and in 1891 Lyons officially became a town. Its greatest modern growth has been residential.

Among farmers drawn to the county were members of the Chicago Colorado Colony, who established **Longmont** in 1871 as the county's first planned town. Their plan for one square mile included a commercial main street, residential areas on each side, and blocks reserved for three parks, a library, a hospital, and city hall. The town was agriculturally based, as were its industries: the Kuner-Empson Cannery that processed peas and other locally grown vegetables, and the Great Western sugar beet refinery.

Development outside the original square mile began in the 1940s. In 1961 the Federal Aviation Agency Air Route Traffic Control Center moved from Denver to Longmont, initiating a shift away from an agricultural employment base. Homebuilding increased with the arrival of IBM in the county in 1965. When the local economy slowed in the 1980s, the city successfully courted industry. With a 1998 population of more than 58,000, Longmont is now the county's second largest city.

Initially a mining supply center, **Boulder** quickly became the county's economic, governmental and educational/cultural center. It wooed and won the University of Colorado (1874), the National Bureau of Standards, now NIST (1950), NCAR (1960) and IBM (1965). Already in 1898 it had persuaded a group of Texans to locate their planned Chautauqua in Boulder when, among other enticements, the city purchased some eighty acres at the base of the Flatirons for a park. In 1907 it also successfully petitioned the U.S. Congress for funds to purchase and preserve an additional 1,600 acres bordering the city on the west.

Faced with the post-World War II growth boom, the success of the city's efforts to attract economic growth, and citizen pressure to preserve an undeveloped mountain backdrop, Boulder became the county's first municipality to attempt to limit growth. Resulting from efforts initiated by a group of concerned citizens, the 1959 Blue Line prohibited the provision of city water service above 5,750 feet elevation.

In 1967 Boulder residents became the first in the nation to tax themselves to acquire and preserve a municipal open space buffer around the city. In 1971 the city imposed a building height limitation to preserve mountain views. The Danish Plan to limit residential growth to two percent per year took effect in 1977. Breaking new ground in intergovernmental cooperation, Boulder and the county jointly adopted the Boulder Valley Comprehensive Plan and Map in the 1970s, mutually committing to long-term limits to the city's growth.

Ironically, the more Boulder attempted to limit new residential growth and wrapped itself within a blanket of open space, the more businesses and residents it attracted. Employment in Boulder soared. Between 1980 and 1995 the city gained more than 27,000 jobs, while population grew by 19,000. Housing prices jumped. Residential growth spilled over into more affordable municipalities nearby. They generally welcomed it and then sought commercial growth to support their growing populations. [See *Did You Know? The Story of Boulder, Colorado: Its Struggles to Reconcile Growth With Environmental Preservation,* League of Women Voters of Boulder Valley, 1998]

By the early 1970s, **Boulder County's** approach to planning had begun a dramatic shift of emphasis from development to preservation. In 1973 the county acquired its first formal open space. Although voters twice defeated a proposed countywide sales tax to fund open space acquisition, the county continued to acquire it, mainly with general funds. County voters finally approved an open space sales tax proposal in 1993, providing a reliable funding source for the first time. The county has also purchased conservation easements from rural property owners to preclude future development.

Through a comprehensive rezoning in 1985, the county shifted thousands of acres of vacant land with high speculative value to agricultural zoning and eliminated commercial zones at highway intersections, such as along State Highway 287. In 1992, it rezoned to agricultural use the few remaining undeveloped parcels that retained pre-1985 building permits.

However, policies aimed at preserving agricultural land could not control market forces. Out of some 290,000 acres used for agriculture in 1959, about 160,000 remained in 1991. As agricultural uses declined, so did the availability of agricultural support services. Also, as more people who were not agricultural producers moved onto the 35-acre parcels allowed by state law, conflicts arose. The new residents were sometimes not comfortable with the agricultural practices around them, and also not knowledgeable about their own responsibilities in managing the land.

Current Issues

By the mid-1990s growth and its cumulative impacts were becoming **regional** concerns.

Growth Countywide from 1990 through 1997

- Population grew from 225,000 to more than 272,000, nearly 21 percent. (Appendix A)
- Vehicle registrations grew from 173,000 to 214,000, nearly 24 percent. (Boulder County Clerk's Office)
- Employment grew from an estimated 128,000 to 164,000 workers, almost 29 percent. (Colorado Department of Labor and Employment)
- The average selling price of a single-family house rose from $124,000 to $236,000, nearly 90 percent. (Boulder Area Board of Realtors MLS)

Growth and its impacts clearly do not respect jurisdictional boundaries. Resulting tensions reflect many of the broader conflicts between economic expansion and environmental preservation.

Homeownership opportunities have been vanishing for low and moderate-income households. In 1997 only 3.3 percent of newly built houses within Boulder county sold for under $125,000, down from eleven percent four years earlier.

Forty percent of the housing units throughout the county are rental units. In 1997 the median monthly rent for a two-bedroom apartment was $917, out of reach for those with annual incomes below $33,000. [Appendix H-5]

While few desire more pavement, longer commutes and greater air pollution, as housing prices rise more people are living further from their work. Park-and-ride facilities are often inadequate. Cars from Boulder are parked in the Park-and-Ride in Superior when the one at Table Mesa is full, pushing cars and drivers from Superior and Louisville to the Broomfield Park-and-Ride. Broomfield wishes to divert through-traffic to its outskirts with a toll road. What will happen when more than 10,000 people commute to jobs in the Interlocken Business Park?

As economic growth and the people it attracts bring pressures to build and widen more streets and highways, opposing pressures arise to protect neighborhoods, downtowns and open spaces from traffic. East county communities find themselves adopting some of the growth management strategies used earlier by the City of Boulder.

Faced with continuing new construction, Broomfield voters in 1995 agreed to a tax to buy open space. In the same year, concerned residents in fast-growing Lafayette approved a ballot measure to limit the number of building permits issued annually. Also in 1995, the Louisville city council adopted a resolution to reduce the annual number of residential building permits to no more than 150.

In 1995 the Boulder city council reduced the annual number of residential permits allowed from two to one percent of the existing base. In 1997, concerned about commuter traffic and quality of life issues, they adopted a comprehensive rezoning designed to reduce employment growth.

The Boulder Economic Base Study, conducted for the City of Boulder by Economics Research Associates in 1995, found that as prices for housing, industrial and commercial space rise, manufacturing moves elsewhere, often out of the "economic region." Although this report focused on the City of Boulder, many of its findings, such as an increase in low-wage service sector employment, may apply countywide.

Throughout the county, as jobs, roads and housing costs grow, rural land uses and open spaces shrink, and with them the environmental qualities they provide. Can residents, businesses and the political leaders of the county and its cities and towns cope with the impacts of continuing growth and development as they are now occurring? Do they have the power and the will to manage growth effectively.

Growth Management

The State of Colorado has placed primary authority for land use and growth management with county and municipal governments. They operate, however, within the constraints of state and federal laws and neighboring jurisdictions' actions.

State statutes enumerate the powers of statutory cities, towns and counties. Boulder County is a statutory county, not a home rule county, and its powers are limited to those granted in the state statutes. For instance, in 1996 the Colorado Supreme Court decided that statutory counties may not levy a school impact fee because such fees are not expressly allowed in state statutes.

Nevertheless, Colorado statutes give municipal and county governments wide land use and planning powers, and they control most land use within their jurisdictions. If the County Commissioners choose to appoint a County Planning Commission, then the Planning Commission must write a county comprehensive plan. Counties may also establish inter-county regional planning commissions.

Counties, however, control only unincorporated areas. Municipalities have control within their borders. They have the same powers as do counties to create planning commissions, draw up master plans and regulate building and zoning.

Counties, cities and towns have the power to regulate hazardous areas, protect wildlife habitat, preserve areas of historical importance, regulate land uses which may result in significant changes in population density, provide for phased development and regulate land use "so as to provide planned and orderly use of land and protection of the environment…" (Colorado Revised Statutes 29-20-104)

In two critical areas, air and water quality, municipal and county governments do not have primary regulatory responsibility. Air quality is monitored and regulated by the state and federal governments. However, while federal and state regulations apply to stationary sources, vehicles are the major source of air pollution in Boulder County. Except for emissions inspections in metro Denver, vehicular pollution is not regulated in Colorado.

State and federal agencies also regulate water quality. In addition, surface water supply and management depend heavily upon state and federal projects, which can have a powerful effect on growth. Local governments may attempt to control growth by controlling water supply as did Boulder when it established the Blue Line in 1959.

Efforts such as the Blue Line have not always been effective, however. The 1974 court decision in the Robinson case held that the City of Boulder could not supply water to some users in the Gunbarrel area and withhold it from others similarly situated. In the

1980s, when the City of Boulder decided not to provide water to the town of Superior, the town contracted with a private developer for water. In return for a treated water supply, Superior annexed land and allowed the developer to construct a large housing development. If water supply is to be used as a growth management tool, new ways to do so need to be found.

Planning Tools

A variety of options are available to the county and its municipalities to plan and manage their growth. Some are multi-edged swords producing results which make achieving other community goals more difficult. For example, while designed to limit the rate of population growth, housing permit limits in one jurisdiction may push growth to another, thus increasing regional commuting distances, congestion and air pollution. To select an appropriate mix of planning and management tools and to apply them in appropriate times and places is a challenge.

Comprehensive Plans

The basic long-range planning tool available to the county and its municipalities is a master or comprehensive plan that they may adopt to guide growth and development. A comprehensive plan provides a community the opportunity to define itself, to express its values and its vision for the future. Plans typically state long-term goals and policies ranging from land use, housing, transportation and environmental protection to the provision of public services such as water and sewer. Comprehensive plan maps delineate jurisdictional boundaries and planning areas for the future. Periodic updates are intended to reflect changing goals and conditions. With the exception of the small mountain community of Ward, the county and every municipality in it have adopted comprehensive plans.

Comprehensive plans throughout the county express a desire for a rich "quality of life," but since this goal is seldom defined, it is difficult to measure how well it is being achieved. One can, however, identify goals common to a number of plans. One such goal is to be a "full service community" providing residents with opportunities to shop, work and play. Another is to provide a diversity of housing types to meet the needs of a variety of income groups. A third is to promote a transportation system that provides mobility and transportation options while preserving environmental quality. A fourth is to strive for a well-balanced and stable economic base. Most plans in Boulder County also express the desire to protect open space and the community's unique qualities.

Comprehensive plans have limitations, however. Importantly, most are advisory only. They are no stronger than a community's will to implement them through ordinances and regulations that are legally enforceable, such as for zoning. As a result, communities often do not follow their comprehensive plans consistently. Further, at the core of most communities' comprehensive plans is a paradox. Plans typically express a desire to preserve small town character while also seeking the benefits of growth. Finally, municipal plans usually do not address the **regional** impacts of development within their boundaries.

Nevertheless, the eleven comprehensive plans in Boulder County remain important guides and reveal the kind of future the various jurisdictions envision.

Boulder County Comprehensive Plan

The Boulder County Comprehensive Plan encompasses 750 square miles, ranging from alpine tundra, through wooded mountain terrain, to sweeping plains. The county has authority in all unincorporated areas, including residential subdivisions such as Niwot, parts of Gunbarrel, and Allenspark.

First adopted in 1978, the county's plan incorporates the concept of the Community Service Area. This concept commits the county to channeling future urban growth into designated Service Areas adjacent to existing urban areas. The aims are to eliminate strip development and sprawl, to preserve the rural character and resources of the unincorporated county, and to assure that future urban development is located where adequate urban services and facilities are available.

State law, however, gives the county no authority to enforce its recommendations to municipalities, or to control municipal annexations of county lands. The county may only review annexation proposals and make recommendations. Nonetheless, the county has taken the lead in working with municipalities to forge intergovernmental agreements [See p.14] that identify and preserve open space buffers between them.

Boulder Valley Comprehensive Plan

The Boulder Valley Comprehensive Plan (BVCP) is unique in the county in that both the county and the city have adopted it jointly and given it legal authority over land use decisions. The two jurisdictions agreed to share land use decision-making for the Boulder Valley when Boulder adopted its first comprehensive plan in 1970. They cemented their commitment to cooperation in 1978 through a formal intergovernmental agreement mutually adopting a mapped land use plan for both incorporated and unincorporated areas of the Boulder Valley. This agreement specified amendment and enforcement procedures that require joint approval of both jurisdictions.

As defined on the plan map, the Boulder Valley includes those areas from the mountain backdrop on the west, the county line with Jefferson County on the south, and Davidson Mesa and the Dry Creek and Coal Creek drainage on the east and southeast. The northern boundary describes an arc from Gunbarrel Hill on the northeast, to lands north of Boulder Reservoir and west of Left Hand Valley Reservoir.

Boulder's first comprehensive plan was a response to the city's rapid growth of the 1960s, when its population doubled from 33,000 to 66,000. Primarily a land use map which defined greenbelt areas around the city and greenways within it, it also committed to providing low-income housing, adding "very few" new transportation routes, and studying the possibility of alternatives to the automobile.

The revised Boulder Valley Comprehensive Plan and map of 1978 formalized city and county efforts to contain urban expansion by defining urban growth boundaries around Area I within the city limits and Area II adjacent to city limits, where future annexation and development were anticipated. Area III was and remains a still larger surrounding area which the city and county agreed would remain undeveloped during the fifteen year planning period. The 1978 plan committed to an eventual population target of 100,000 to 125,000, and to retaining sales tax revenues from the "largest possible" trading area in order to pay for open space and community services.

Through a series of plan updates, much of Area II has been annexed to the city, and Boulder's comprehensive plan has shifted its focus from growth to redevelopment and preservation. The boundaries of Area III have remained largely unchanged from their original designation. In the early 1990s, the city and county renewed their commitment to preserving rural land uses and character in Area III.

Longmont Area Comprehensive Plan

Longmont adopted its first comprehensive plan in 1974. Its key concept was the neighborhood as the building block of urban growth. The plan identified a Prime Urbanized Area (PUA) of existing neighborhoods and potential future neighborhoods that could be provided with urban services upon annexation. Residential areas were to contain enough residents to support a neighborhood park, elementary school and commercial center. Lands outside the PUA were not eligible for annexation.

However, the late 1970s brought rapid growth to Longmont. In 1977 and 1978 over 2,000 new residential units were added. Two regional shopping center companies and major industries were looking for large sites, and the size of the PUA and the absolute nature of its boundary presented a problem. The city decided to accept annexation requests outside the PUA boundary. Hewlett Packard, Storage Tek and the Twin Peaks Mall soon occupied the newly annexed building sites.

Most recently updated in 1995, the LACP continues to establish neighborhoods as building blocks for a three tiered planning system. Tier 1, the Municipal Service Area, which includes a small piece of Weld County, is generally within the city limits. Tier 2, the larger Longmont Planning Area, may be annexed for future neighborhoods of between 4,000 to 8,000 people. Tier 3, the St. Vrain Valley Planning Area, where neither annexation nor development is planned, covers a large portion of the St. Vrain River Valley.

The LACP emphasizes flexibility. Rather than setting absolute growth boundaries or caps on building permits, the plan remains flexible and may be amended if the proposed amendment carries out the plan's goals.

Other Communities' Comprehensive Plans

Except for Louisville and Boulder, all of the county's communities on the plains anticipate population growth of at least thirty percent between 1995 and 2020. The small towns of Erie and Superior project a multi-fold population increase. All towns and cities in the plains plan for varying degrees of commercial growth to provide a tax base, employment and shopping convenience for residents.

Since the 1950s, **Broomfield** has grown aggressively and made new annexations in Boulder, Jefferson, Adams and Weld Counties. The 1995 update of its master plan indicates that 65 percent of the land within city limits is undeveloped, some of it in agricultural use. The plan supports retail development, including the FlatIron Crossing regional shopping mall at 96th Street and U.S.36.

Erie updated its comprehensive plan in 1997 to include an annexation that exceeded the 1991 plan. The update includes an emphasis upon developing Old Town Erie as a pedestrian-friendly community center. Erie's population is expected to increase significantly upon completion of a new wastewater facility to be constructed in cooperation with Lafayette.

Lafayette's 1997 comprehensive plan update states goals of controlling the rate of residential growth to allow for adequate provision of services and employment opportunities, encouraging new development to locate near existing services, and preserving Old Town Lafayette's character.

Louisville's 1989 comprehensive plan update encourages development within the existing urban service area.

Lyons currently allows only twenty new water taps per year because of finite water treatment capacity. Although its 1986 comprehensive plan expressed the goal of retaining Lyons' small town character with only limited growth, the current population of 1,500 could easily double. An updated plan is expected to be ready for adoption in fall 1998.

Nederland's comprehensive plan, updated in 1994, aims to retain the town's small town character and foresees two areas for possible future annexations: the Eldora ski area and lands north of town along State Highway 72. It also discusses the purchase of open space, emphasizes development within town boundaries, and expresses a desire to capture more tourist dollars without attracting large numbers of permanent residents.

Superior's plan, updated in 1997, does not anticipate full development of its planning area within the twenty-year time frame of the plan. It encourages commercial development at McCaslin Boulevard and U.S.36 to provide sales tax revenues.

Zoning

In Colorado zoning is the principal enforcement tool that local jurisdictions may adopt to manage land use. It permits the division of municipalities and counties into small districts or "zones," and prescribes allowed uses and structural requirements appropriate for each zone.

There are many types of zoning, such as single-use, mixed-use, performance, and cluster zoning. Jurisdictions may apply different types of zoning to different areas. In general, objectives of zoning are to provide a predictable and enforceable framework for making land use decisions and to protect public health and safety by separating incompatible uses.

Zoning became popular in the United States in the 1920s when the automobile began to free people from the need to live near their work. Single-use zoning, in particular, became common. Often referred to as "traditional" zoning, it typically results in geographically separate residential, commercial and manufacturing areas. Single-use zoning ordinances also often separate areas with lower and higher residential densities.

According to Colorado statutes, if a comprehensive plan is at odds with a jurisdiction's zoning, the zoning prevails. However, local jurisdictions may adopt regulations which give their comprehensive plan legal authority and require that zoning conform to the plan.

Open Space Preservation

One of the strongest tools to define and separate municipalities, confine urban sprawl, protect agricultural uses, and provide passive recreational opportunities while preserving wildlife habitat is the acquisition and preservation of land as open space. Most jurisdictions in the county agree that preservation of open space is vital. However, the concept of public open space is ambiguous and lends itself to varying interpretations. These range from relatively pristine wildlife habitats to narrow green corridors within a municipality, or from productive farms to developed athletic fields.

Open space acquisition, preservation and maintenance require the commitment of substantial financial resources. The City of Boulder and Boulder County have between them acquired over 76,000 acres of open space lands and are finding that managing access and funding maintenance are challenges.

Louisville, Lafayette, Broomfield, the City of Boulder and Boulder County have earmarked sources of revenue for open space. Longmont's comprehensive plan commits to a buffer of private and public open space, but voters have not approved an earmarked tax to fund an open space program.

Even in communities with an earmarked revenue source for open space, problems remain. In 1994 Broomfield voters approved a sales tax for parks and open space acquisition, but citizens disagree about how much open space should become developed parks.

Obtaining open space through direct purchase is extremely costly. A less costly alternative is acquisition of development rights or agreements for conservation easements. When a jurisdiction buys a development right it gets a conservation easement on the land which removes the land's development potential. The land remains in private ownership and management. Boulder County has protected 5,500 acres of agricultural land through such means.

Private land trusts provide another means to preserve open space. Landowners may transfer land or conservation easements to a non-profit organization such as the Nature Conservancy or Colorado Open Lands. The trusts usually hold the land for future public acquisition.

Despite growing interest in preserving rural lands and open spaces, pressures to develop them are likely to grow as the price of land increases and its availability shrinks.

Housing Permit Limits

Municipalities may attempt to slow growth by capping permits for new housing construction at a set percentage per year, enabling the timely provision of urban services. These caps may slow growth in the municipality involved, but they also may accelerate a rise in the cost of housing, encourage the construction of luxury housing and remodels, and push residential growth elsewhere. Studies of the effects of residential growth caps indicate that their impacts vary.

Community Design

One of the most tangible impacts of growth is increased traffic. While it is easy to support the goal of reducing growth in traffic and air pollution, how to do so is controversial. One possibility is to use community design to reduce dependence on the automobile.

Many planners contend that standard zoning is not always appropriate for today's life styles and non-traditional households, or for alleviating traffic congestion. They recommend compact mixed-use development that provides residents with opportunities to shop, work, school their children and obtain day care within the same neighborhood. With neighborhoods designed for pedestrians and transit, much of the space currently devoted to multi-lane streets, parking lots and large private yards could become attractive public areas and neighborhood gathering places. "New urbanism," an emerging community design concept, typically includes such ideas.

Some "New Urbanism" Community Design Concepts

- Promote compact, mixed-use neighborhoods designed for pedestrians and transit as well as for cars.
- Concentrate greater residential and employment densities along urban transit corridors, and near major transit centers.
- Link neighborhoods to commercial centers with greenways and transit connections.

- Design parking to minimize its visual impact, and to facilitate alternate mode travel.
- Create a connected network of streets designed to balance auto, pedestrian and bicycle use.
- Plan a center, such as a school, park or library, for each neighborhood.

Some charge, however, that such proposals ignore the needs of many people to have privacy, or to drive and park easily. Developers and lenders are often reluctant to promote them, particularly since conventional single-use projects tend to be profitable. Also, although mixed-use development is often promoted as a way to invigorate older commercial or residential areas, nearby residents frequently oppose its greater residential density. Finally, if such design concepts are applied in only one neighborhood, they could push the traffic and other pressures they are meant to reduce to another.

Transfer of Development Rights

The purpose of programs for Transfer of Development Rights (TDRs) in Boulder County is to preserve significant environmental attributes, agricultural lands, and open space on the plains, directing new development to existing municipalities and other areas more suitable for building. In many formerly agricultural areas, rising land values have encouraged rural landowners to divide their holdings into 35-acre residential parcels, as allowed by state law, in order to sell them to individual purchasers. The proliferation of new houses on such parcels has provided impetus for these agreements.

In simple terms, a landowner obtains a determination from the county about how many development rights are associated with a property. These rights can then be sold to another party on the open market. The buyer of the development rights gains permission to build on an approved receiving site at higher densities or in other ways not normally permitted by the zoning on the site. The seller retains the property for agricultural or other rural uses, while the county obtains a controlling conservation easement on the land.

The sale of development rights is a one-time proposition. Once they have been sold, no new development rights are put back on the property. Ideally, both seller and buyer gain financially, and more county land is preserved from development.

In the mid-1990s, the cities of Boulder, Longmont and Lafayette signed separate intergovernmental agreements with the county to establish TDR programs and geographic boundaries for voluntary transfers between private sellers and buyers.

Objections to the program may come from nearby residents of a receiving site. They may oppose increased density on the site, or other exemptions from normal requirements for development. Furthermore, the cost to the buyer of purchasing the development rights raises the cost of a project.

As of spring 1998, no transfers to a municipality had been approved. Within the unincorporated county, however, five TDRs had been approved, permanently preserving over 2,000 acres from development.

Urban Growth Boundaries

Landowners and developers often pressure municipalities to annex lands at their outskirts for development. However, the further development spreads, the more it costs to provide facilities and service to it. Also, as open lands between towns and cities shrink, municipalities lose their rural buffers.

In an effort to avoid this scenario, municipalities may confine future development within urban growth boundaries. These are defined by a line officially dividing land planned for development from land to be protected for natural or rural uses. The objective of defining urban growth boundaries is to locate and concentrate development in those places best able to accommodate it, and to maintain open space and separation between communities to ensure their distinctive identities.

With enforceable boundaries in place, new development will occur within the boundaries rather than outside them. If applied over a large region, they require inter-jurisdictional agreements concerning annexations and provision of urban services. Such agreements may also include provisions for changing the service area boundary over time.

Ideally, this effort to limit urban sprawl gives both the county and municipalities additional control, and allows them to provide facilities and services at lower cost. It provides flexibility and certainty to the planning process and helps to preserve rural lands. It also addresses the concern of many transportation planners that we cannot build our way out of congestion by laying new pavement to outlying areas. The Denver Regional Council of Governments' plan, *Metro Vision 2020,* is just such an effort to define growth boundaries. (See page 17)

The use of urban growth boundaries to manage growth is highly controversial. Few municipalities willingly limit their options for future expansion and potential tax revenues. Unless all municipalities in an urbanizing region adopt growth boundaries, growth and its impacts may simply jump across one jurisdiction's boundaries to the next unbounded jurisdiction. Also, if urban growth boundaries are to be effective, they must be enforced by zoning, restrictions on the provision of public services, or by other means. Existing residents may oppose the increased density of development necessary to enforce urban growth boundaries.

Sales Tax Revenue Sharing

In Colorado, municipalities rely heavily on sales taxes for revenue. As a result, they often find themselves competing with one another for new commercial development and land to annex and build it on. The purpose of sharing sales tax revenues is to alleviate conflicts and annexation wars. Typically only the increment, or increase in tax revenues collected after a set base year, or resulting from a particular project, is shared.

Private development interests sometimes play off competing municipalities against one another in an effort to obtain the most favorable terms for development. In theory, revenue sharing can reduce developers' influence over municipal land use decisions. It may also facilitate coordinated planning for transportation, housing, environmental and neighborhood concerns, all of which may otherwise take a back seat in the race for new commercial development. Revenues may be paid into a separate regional account to fund regional needs, such as open space, transportation, or affordable housing

A major deterrent to sharing sales tax revenue has been the enormous difficulty of reaching agreement on how to share and distribute tax revenues. Typically, a municipality will agree to a distribution formula only if it foresees benefits for itself. Distribution options are many: by population, residence of shoppers, "need" (such as percent of residents below the poverty level), wealth of the respective jurisdictions, or according to their ability to provide public services.

Municipalities do not enter sales tax revenue sharing agreements lightly. Usually they adopt them only as a last resort. In 1997 Louisville and Superior made the first such agreement in Boulder County. Voters in both municipalities ended a bitter ten-year annexation dispute by approving an agreement to share future sales taxes to be generated by development on an eighty-acre parcel "between" them.

After Louisville reached across the turnpike and annexed the land in 1986, Superior refused to allow the owners access to it from McCaslin Boulevard. Anxious to develop, the owners sought to de-annex from Louisville in favor of Superior. All three actors were ready to go to court until Louisville agreed to relinquish the property to Superior in return for the right to share future sales tax revenues from its development. An intergovernmental agreement approved by the voters in both Louisville and Superior sealed the deal.

Intergovernmental Agreements

An intergovernmental agreement (IGA) may be a non-binding, voluntary agreement between or among jurisdictions or it may include enforcement provisions that make it legally binding**. A leader in negotiating IGAs, Boulder County has agreements with nine of its eleven cities and towns for a wide variety of purposes.**

The East Central Boulder County Comprehensive Development Plan IGA is one example. In 1994 the Town of Erie, the City of Lafayette and the county signed a three way IGA to preserve an open space buffer of undeveloped county land between the two municipalities. In return for each relinquishing the possibility of annexing and developing the land, thus erasing any visible border between them, each dropped its potentially costly and damaging annexation lawsuit against the other.

Revenue sharing between Louisville and Superior, transfer of development rights agreements and the Boulder Valley Comprehensive Plan, all discussed earlier, are further examples of the many ways IGAs can be used to resolve mutual problems. The Boulder County Recycling and Composting Authority, discussed later, was also created through an IGA.

PAYING FOR GROWTH

Growth brings both costs and benefits, and people are unlikely to agree on them. While growth may increase tax bases, it also increases demands for public facilities to serve a larger population.

Some argue that in Boulder County businesses and residents have been paying the costs of growth for decades. It is this ability and willingness to pay which has funded a variety of open space programs, bicycle paths, good schools, parks and recreation centers, police and fire protection.

Others argue that the costs of growth, such as measures to relieve crowded schools and traffic congestion or to provide more fire and police protection, nearly always exceed the additional revenues that growth brings. Further, the burden has fallen disproportionately on the residents and businesses already here. They believe that financing mechanisms to meet the costs incurred by new growth should place a greater burden on those businesses and residents responsible for the growth.

Growth Costs

- Maintaining current levels of service on the Denver metro region's road system to the year 2020 is likely to cost over $11 billion. Approximately three-quarters of the costs will result from new development, amounting to some $12,000 per new resident. [Derived from Denver Regional Council of Governments, *Metro Vision 2020*, 1997]
- Twenty-six new schools costing $245 million to construct will be needed by 2010 to serve the 31,400 new dwelling units expected in Boulder County jurisdictions. This will amount to nearly eight thousand dollars for each new home. [Boulder County, "Growth Watch," 1997]

Local governments may employ a variety of tools to pay for growth. Businesses and residents, new and existing alike, help pay for it through **property and sales taxes,** for example.

This section focuses on financial tools that specifically target new development and redevelopment. Examples are one-time **impact fees** and **excise taxes**. These are typically designed to help recover direct public capital construction costs, such as the cost of extending water and sewer lines or of building new streets to serve the development. They may also be used to help defray the costs of building additional parks or other public facilities. The use of such fees or taxes is based on the observation that the demand for additional public facilities is related to growth, and on the principle that new development should pay a proportional share of the costs it imposes.

Linkage fees, a newer and less clearly defined concept, are a type of impact fee designed to link new development with its more indirect social impacts. A municipality might, for example, impose a linkage fee on new commercial or industrial development in order to raise revenue for affordable housing, childcare facilities or public transit. The linkage is that additional development creates new demands for services.

Jurisdictions, however, often have difficulty imposing taxes and fees on new development and redevelopment. Disagreements arise over how high excise taxes and impact fees need to be to "adequately" cover costs to the community, over what the "fair share" may be, and whether payments from certain types of development, such as affordable housing, should be waived.

Since the 1992 "TABOR" amendment to the state constitution, new development excise taxes require voter approval. New fees on development do not, but they are subject to more rigorous legal standards. U.S. Supreme Court decisions indicate that in order to levy a development fee, a jurisdiction must legally justify the proportional share of additional capital construction costs, services or programs attributable to new development. The jurisdiction must demonstrate a "rational nexus," or legally defensible relationship, between the activity to which the fee is applied and the action that the jurisdiction will take with the revenue raised. To justify this nexus can be difficult and expensive.

Another approach to paying for growth is through a **requirement to allow development only where adequate facilities and urban services exist** or where a financial commitment to provide them is in place. One result can be that developers pay for new facilities. Ordinances usually specify required standards or levels of service. However, to equitably implement an ordinance for developments that may be built over a period of years and by different developers is difficult and complex.

User fees can also help pay for new development. Road tolls and parking fees, for example, can offset the cost of new highways and public transportation.

As with many other growth management tools, financial tools are most effective when applied over a large region. Although most growth and new development occur within municipal boundaries, the impacts often extend into surrounding areas. Without a broad regional approach, one jurisdiction's efforts to retrieve the public costs of growth from new development may push growth to "cheaper" locations with fewer regulations.

Regional Planning

Public and private groups are addressing growth regionally. Such interest has precedent. Historically, periods of rapid growth have spurred regional planning and management efforts. The post-World War II growth surge in the Denver metro area gave birth to the Denver Regional Council of Governments in 1955 and to the Regional Transportation District in 1969. However, neither comprehensive growth management nor regional planning progressed far in metropolitan Denver and the economic recession of the 1980s snuffed out significant interest in them. Today's renewed growth has again spurred a search for tools to deal with it regionally.

INTER-GOVERNMENTAL ORGANIZATIONS

Several multi-jurisdictional governmental organizations address regional issues and concerns.

Denver Regional Council of Governments

Formed in 1955, the Denver Regional Council of Governments (DRCOG) is a voluntary association of eight counties (Boulder, Adams, Arapahoe, Clear Creek, Douglas, Gilpin, Jefferson, and the City and County of Denver) and 41 municipalities in the Denver metropolitan region. DRCOG provides a forum for its 49 members to address regional concerns such as transportation and land use, with a goal of resolving shared problems through cooperation and coordination. The members pay dues based on population and property valuation, and these funds are used to match a variety of state and federal grants. In addition, DRCOG is responsible for distributing federal funds for highway and transit construction.

Under state law, it serves as a regional planning commission and is charged with preparing a plan for regional development. Accordingly, DRCOG began in the early 1990s to prepare a new plan for growth called *Metro Vision 2020*. One major factor underlying this plan was the requirement in the new federal Intermodal Surface Transportation Efficiency Act (ISTEA) that transportation planning be coordinated with demographic, land use and environmental trends.

The *Metro Vision 2020* plan assumes that the region's projected 2020 population of 2.8 million can be accommodated within a total developed area of 700 square miles, 165 square miles larger than the existing urban area. It also assumes that communities such as Boulder and Longmont will remain free standing with a physical buffer from the rest of the region.

By the end of 1997, DRCOG's member cities and counties had been able to agree to a voluntary urban growth boundary of 731 square miles. They also committed to work toward the 700 square mile goal to "prevent the unnecessary extension of infrastructure, reduce regional vehicle travel, maintain air quality standards and help preserve open space." [*Metro Vision 2020*] This goal is 450 square miles less than envisioned in the region's municipal comprehensive plans.

Regional Transportation District

The Regional Transportation District (RTD) provides bus and light rail transit services in the Denver metropolitan area. Created in 1969 by the Colorado General Assembly, RTD serves a six-county area including all of Boulder, Denver and Jefferson counties and parts of Adams, Arapahoe and Douglas counties. The southwest corner of Weld County may soon be added.

A fifteen-member board of directors governs RTD. Each board member represents a geographic district of approximately 150,000 people and is elected by the voters for a four-year term. Funding comes from a district-wide sales tax, fare box revenues, advertising and leasing. These primary sources are augmented by federal subsidies, and by route operating agreements, such as with the City of Boulder for its SKIP route.

In 1997, voters defeated an ambitious, multi-billion dollar RTD proposal for a light-rail and bus system in the metro area. Portions of the proposal are being reconsidered.

Consortium of Cities

Founded in the middle 1970s to promote communication and interaction among county, city and town governments in Boulder County, the Consortium includes an elected official from each of the eleven municipalities and one county commissioner who acts as the chairperson. Its objectives are to share ideas, to find common ground, to provide a mediation tool when requested, and to act regionally. Members share information on mutual concerns such as Rocky Flats, public safety, oil and gas drilling, and implementation of taxing and spending limitations resulting from the 1992 TABOR amendment.

Although the Consortium has no power of its own, it has generated a number of regional initiatives. The Consortium:

- Recognized that improper disposal of household hazardous waste was a countywide problem. Through the Consortium, a number of IGAs were written to implement the countywide collection system now operating.
- Has sponsored several traffic and alternate mode studies. In 1996 it helped establish the Regional Transportation Task Force to define a consensus on transportation solutions in key regional corridors in Boulder County.
- Is exploring the idea of building a linked system of trails throughout the county.

Recycling and Composting Authority

The Boulder County Recycling and Composting Authority, formed in 1995, is a countywide entity formed to significantly increase diversion of waste from landfills. The authority board consists of one elected official from each municipality and one county commissioner.

In 1992 Boulder County's only landfill closed. Since then the county's solid waste has been sent to Weld and Jefferson Counties. Federal regulations and public sentiment make the opening of any new landfills difficult and very expensive. With this closure Boulder County lost a significant source of funding for waste diversion. Many felt that a major public investment was needed to provide programs and facilities to divert waste from landfills.

To address this need, the Consortium of Cities formed a Solid Waste Task Force in 1992. Resulting recommendations led to a 1994 ballot proposal. County voters approved a seven-year sales tax to provide funds to build recycling and composting facilities. Approval allowed the county to form an intergovernmental agreement (IGA) with its cities and towns to create the Boulder County Recycling and Composting Authority. The authority may also establish a solid waste management strategy for the county.

The creation of a countywide solid waste management authority was a long and trying process. Its history and evolution illustrate some of the obstacles regional planning efforts face. At its inception in 1992, the Boulder County Solid Waste Task Force included elected officials and staff, trash haulers, recyclers, and citizens from throughout the county. Civic and environmental group representatives and the business community were not included. Task force members initially failed to agree on the need to divert waste from landfills or on how to fund such diversion. Politically sensitive issues such as waste disposal options and identification of sites for composting and recycling processing were not discussed in depth. Years later, some of these unresolved issues continued to reappear.

With few ground rules for meetings or for avoiding power struggles, the task force used a facilitator to help the members reach consensus in time to get a funding proposal on the 1994 ballot. After the ballot issue passed, the task force was disbanded. It ended its work with a draft report and separate recommendations from the consultant and from a task force retreat. Each document was quite different and they were not integrated. There was no final summary of the task force's work.

After the election, in order to develop an IGA to create the Recycling and Composting Authority, a facilitator again worked with the county and its municipalities to identify issues on which all could agree. Since each jurisdiction expected a voice in siting, constructing and operating waste diversion facilities, the resulting IGA allowed for double majority voting and gave each jurisdiction veto power over proposed sites.

Once formed in 1995, the authority board was slow to decide its mission and to hire an executive director. Some board members were unfamiliar with the work of the earlier task force. However, early in 1998 a site for a recycling facility was chosen, and proposals to build and operate the facility were under consideration. Whether this regional effort will succeed is an open question.

PRIVATE ORGANIZATIONS

Business leaders and concerned citizens are beginning to consider a number of regional issues that have been traditionally viewed as government concerns, such as affordable housing and transportation. Private organizations working on these and other issues include the Chambers of Commerce and the Boulder County Healthy Communities Initiative.

Chambers of Commerce

The eight Chambers of Commerce in Boulder County share an interest in regional economic vitality and quality of life. There are chambers in Boulder, Broomfield, Erie, Lafayette, Longmont, Louisville, Lyons and Nederland.

The Boulder Chamber of Commerce formed the Boulder Economic Council (BEC) in 1997. Composed of and funded by some of the county's largest employers, the BEC's first major undertaking was to commission the 1998 "Boulder County Workforce Characteristics and Opportunities" study. It was designed to provide information about current and anticipated employees, their transportation patterns and housing costs and needs.

According to one chamber official, since communities are growing more alike than different, regional efforts make sense and eliminate costly duplications. Local chambers foresee working to identify issues in which regional interests outweigh local interests, and to ensure a business voice in public policy.

Boulder County Healthy Communities Initiative

The Boulder County Healthy Communities Initiative (BCHCI) seeks to "promote healthy decision-making in order to sustain environmental quality, livability and economic vibrancy of the Boulder County region." It was established in 1995 to create a countywide forum to discuss regional issues.

More than four hundred volunteers, meeting over a two-year period, identified problems and proposals to address them. Several projects resulted. One is a biennial report, *Quality of Life in Boulder County,* which monitors trends in 34 indicators such as school dropout rates, housing costs, and voter turnout.

A program of the Walter Orr Roberts Institute in the University Corporation for Atmospheric Research in Boulder, the BCHCI is one of 28 Colorado Healthy Communities Initiatives launched since 1992 by the Colorado Trust.

Comprehensive Plans Meet Reality: Affordable Housing

Throughout the county, comprehensive plans state a desire for housing cost diversity. Most list specific actions to support affordable housing for low-income households. Yet the 1994 Boulder County Housing Needs Study identified more than 25,000 low-income households experiencing housing problems, almost all related to cost. From 1992 to 1995, housing costs in Boulder County grew four times faster than incomes, according to the Colorado Housing and Finance Authority.

This section explores contradictions between comprehensive plan goals and housing realities. It reviews several possible methods to implement plan objectives.

Housing is generally considered affordable if it costs no more than one-third of household income. The federal government, states and some municipalities offer programs to assist in the housing needs of households with incomes at or below eighty percent of the Area Median Income (AMI). Such households are defined as low-income households.

Housing Objectives in Comprehensive Plans

Comprehensive plans in Boulder County are nearly unanimous in supporting affordable housing for low-income households. Two-thirds recommend a housing-needs assessment; most list specific actions to achieve affordable housing. Half call for reviewing the impact of building regulations on housing costs and support using federal and state funds for affordable housing.

A few also call for assessing the jobs/housing relationship, especially when considering commercial or industrial proposals. Longmont officials rely on the land use provisions in their comprehensive plan regarding residential and commercial/industrial projects to achieve a balance between housing and jobs. The City of Boulder establishes a goal for affordable housing as a percentage of housing stock. [Appendix H-1]

Examples of housing objectives that jurisdictions have implemented:

1. **Housing needs assessments**: Completed by Boulder County (1994), Louisville (1995) and Longmont (1994)
2. **Public encouragement of affordable housing**: The Longmont City Council appointed a Community Housing Committee and issued a White Paper on Affordable Housing in 1994. In 1995, the Boulder County Board of Commissioners contributed to the cost of an affordable housing finance survey and placed an affordable housing sales tax on the ballot.

3. **Public actions to support affordable housing:** The Lafayette City Council approved construction of an apartment complex with a percentage of affordable units in 1995. The Longmont City Council has adopted a menu of incentives for the development of affordable housing and requires that ten percent of units be affordable in developments of five or more acres. Also in 1995 the Broomfield City Council agreed to permit the Boulder County Housing Authority to purchase and operate eight units of affordable housing within its city limits.
4. **Public funds for affordable housing**: Boulder County, Boulder, Longmont and Louisville promote the use of state and federal funds to support affordable housing. They have housing authorities to administer federal, state and local housing programs. (Appendix H-4)
5. **Local public funds for affordable housing**: Boulder County and the City of Boulder allocate funds on an ongoing basis to administer or plan affordable housing. Boulder has created a fund, the Community Housing Assistance Program (CHAP), to develop permanently affordable housing. With annual funding of $1,000,000, it provides thirty to forty permanently affordable units a year. In 1997 and 1998 Boulder County allocated general funds for the purchase of affordable housing by the Boulder County Housing Authority. In 1995, the Louisville City Council made a one-time contribution toward the construction cost of a thirty-unit development for low-income senior housing to be owned by the Louisville Housing Authority.

Examples of comprehensive plan housing objectives that jurisdictions have not yet implemented:

- Lyons, Lafayette and Nederland plans call for **housing needs assessments**, but no recent assessments have been completed.
- Boulder County, Boulder, Lafayette, Longmont and Nederland plans call for reviews of the **impact of local policies or processes on housing costs**; no formal reviews have been completed to date. However, the State Division of Housing has included Longmont in its study of the impact of land use regulations on housing costs. The report is due in summer 1998.
- Boulder's plan calls for **special land use regulations** such as fee waivers, density bonuses and zoning changes to encourage developers to produce affordable housing; these are often offset by conflicting policies.
- The comprehensive plans of Boulder and Longmont call for **assessing jobs/housing** needs, but formal assessments are not regularly made.

Impediments to Affordable Housing

If comprehensive plans support housing cost diversity, and if these plans are an expression of community values, why is there such a gap between plan objectives and housing market realities? Explanations are many and complex. They include concerns that affordable housing programs will attract more people and increase housing densities.

In public hearings, those who testify in opposition to low-income housing developments often cite the fear that their property values will be lowered.

Another argument is that the government should not subsidize housing for the poor, much less for those with moderate incomes. This attitude was expressed in letters to the editor during the 1995 election when the county commissioners placed a sales tax for affordable housing on the ballot. The proposal was voted down by a sixty to forty percent margin, despite the fact that pre-election polling had indicated widespread support and there was no organized opposition.

Citizen-based advocacy is rare. Although social agencies sometimes advocate specific proposals, these actions are sporadic. Low- income persons, who are most heavily impacted by the high cost of housing, are usually not organized or vocal regarding their housing needs. Housing professionals agree that without significant lobbying, elected officials are unlikely to actively promote or provide funds for housing affordable to low and moderate-income households.

Elected officials and the public sometimes see providing affordable housing as running counter to the public's desire to protect the "quality of life" and the environment. Some professionals in housing and planning departments see as an obstacle a general anti-growth climate in which affordable housing is perceived as promoting growth. They also cite a long and costly review process as an impediment, along with special development fees and taxes, zoning and other local regulations. One community has a charter restriction banning additional mobile homes, on the grounds that it already has more than its share.

Some Methods to Encourage and Retain Affordable Housing

Public Housing Authorities (PHAs) are often catalysts for affordable housing efforts and make a difference in communities that have them. Historically dependent primarily on federal funding, the four PHAs in Boulder County (Louisville, Longmont, City of Boulder and Boulder County) administer a variety of programs. The PHAs own more than 1000 units and provide rental assistance to 1500 households. Through IGAs, the Boulder County Housing Authority provides a limited number of housing units in Broomfield, Nederland, Lyons and Lafayette.

Specified percentage goals for permanently affordable units in new residential developments are set in the City of Boulder's Residential Growth Management System (RGMS). Between November 1995 and November 1997, 160 affordable unit permits were approved under the RGMS. In new annexations of five acres or more, Longmont requires that ten percent of the units be affordable at the time of initial purchase. While no such projects have been constructed, several hundred units are committed. Developers requesting annexations of between five and ten acres can pay $12,000 per unit to Longmont's Affordable Housing Fund in lieu of building affordable units.

Incentives such as fee waivers and density bonuses can also induce developers to build or renovate housing for low and moderate-income households. Four single-family detached and 203 multi-family units have been built under Longmont's Fee Waiver Program.

The use of **manufactured housing** is seen by some housing planners as a promising way to increase the availability of affordable housing. "Manufactured housing" is a relatively recent term. In the past, "trailers" and "mobile homes" were the names given to dwelling units manufactured in factories, delivered to and placed on pads in mobile home parks, and hooked up to electrical, water and sewer services. The new term, "manufactured housing," has been adopted by land use departments and usually includes trailers, mobile homes and the newer manufactured housing that looks more like site-built housing.

Manufactured housing suffers from perceptions growing out of past examples of small and unattractive trailers, deteriorated mobile home parks in flood plain locations, and fatalities resulting from electrical fires. However, manufactured housing developments can be attractive and affordable. For example, in "LongView" in Weld County east of Longmont, home prices begin at $49,900. The land is held by the developer and leased to the homeowner. However, the location away from urban centers with jobs, schools and other services also illustrates a familiar problem for transportation, community design and regional planning.

Public/private partnerships can expand affordable housing opportunities.

- Lenders in a community may agree to provide home mortgages at below market interest rates in return for housing authority loan guarantees. The First National Bank of Longmont offers a "rich uncle" affordable housing loan program at one percent below market rate for low-income households.
- A private developer may share with a housing authority or a non-profit organization ownership in a property that the latter manages and maintains.
- A public body may purchase and retain ownership of land while a non-profit or private sector entity develops housing on it.
- A public body, such as a housing authority or a local jurisdiction, may use its bonding power to provide funding for affordable housing built by the private sector.
- Public and private entities may form a housing partnership to advocate and produce affordable housing.

An example of a public/private partnership is Bridgewalk, a town home development built by the Housing Authority of the City of Boulder and a private developer, who received federal tax credits. The units are both renter and owner occupied.

Retaining affordability in a rising housing market is a challenge. Communities that do not guarantee permanent affordability risk losing affordable units over time. Requirements that certain housing units remain affordable for a specified period, such as twenty or forty years, postpone the loss of their affordability. "Built to be affordable" measures, such as smaller size, increased density, or fewer architectural embellishments provide initial affordability but no assurance that prices will not rise beyond the affordability threshold when the unit is resold.

Longer term or permanent affordability is usually achieved through a deed restriction. Limiting rents and rent increases for a certain period of time or limiting the resale price, with adjustment by an inflation or cost of living factor, are standard restrictions.

A land trust is yet another technique. Under a land trust, a development entity, usually a public or non-profit body, acquires land on which new housing is built and sold or rented to income-eligible households. The development entity continues to own the land, guaranteeing that housing on it will continue to be affordable under the terms of the trust. Similarly, a public or non-profit entity may purchase land for future development, thus securing land at a current price in anticipation of future housing needs. This is known as **land banking.**

Housing Findings

Comprehensive plans, housing market data, and interviews with professionals in housing, community development and planning departments show that countywide:

- The costs of housing, whether rental or owner-occupied, continue to rise faster than incomes.
- Sustained actions to increase the availability of affordable housing vary throughout the county and are limited.
- Affordable housing efforts are most successful in communities with housing authorities.
- Municipalities generally do not assess the impact of land use decisions, such as commercial or industrial project approval and open space acquisitions, on the housing market or on housing affordability.
- Citizen advocacy for affordable housing is weak. Lower income households are generally neither organized nor vocal about their housing needs.
- Data on housing needs based on housing costs and household incomes are inconsistent and incomplete.
- Public/private sector collaboration to provide affordable housing is rare.
- Housing professionals acknowledge that housing markets in Boulder County are interrelated. However, municipalities have not worked together to develop an affordable housing strategy.

If current trends continue, the housing market will increasingly define Boulder County as a place where only the wealthy can afford to live. Low and moderate-income families will face increasingly burdensome housing costs. Employees will have to travel greater distances to work and employers may face a diminishing employee pool.

The Choice is Ours

It is ironic that in other times and places people and communities eagerly seek the residential and commercial growth that many residents in Boulder County often fear and resent. It is a familiar paradox that growth threatens many of the qualities that attract it. To preserve both the quality of life and the opportunities that have drawn so many to Boulder County will require hard work and tough choices. Will present policies and actions get Boulder County communities where they want to be in 2020?

Strong political leadership will be needed to carry out comprehensive plan goals for housing diversity and affordability, transportation, land use, and open space and agricultural preservation.

Some jurisdictions require environmental impact statements for major land use decisions. They could also require a **social impact** statement to assess the effects of a decision on the supply of affordable housing or the demand for additional social services.

Jurisdictions seldom budget or even plan significantly for the **regional** impacts of their decisions and policies, nor do neighboring jurisdictions regularly coordinate their comprehensive plans or development regulations. A countywide assessment of the current status and trends in land use, housing affordability, transportation and the economy could help citizens and policy makers identify shared goals and select appropriate means to achieve them.

This report has described a variety of tools and options for growth management and regional planning. There are also many other possible approaches. Among them are:

- Jurisdictions and intergovernmental bodies could play an expanded role in **regional growth management and planning**. For example, the Consortium of Cities could become a coordinating agency to develop countywide transportation, housing or open space plans.
- Big subdivisions, shopping or business centers have widespread impacts beyond the borders of the jurisdiction regulating them. An inter-jurisdictional body could establish procedures to **review developments of regional impact.** One approach could leave permitting authority in the hands of the responsible local jurisdiction, but provide neighboring jurisdictions or regional authorities the opportunity to review and comment on proposals.
- **Multi-jurisdictional financial strategies** to budget for schools, affordable housing, transportation and other regional needs could be approved.

Just as there is always inherent tension between the interests of the individual and society, there is tension between the interests of a municipality and the larger region. **Success in regional efforts will depend on the willingness of jurisdictions to cooperate.**

As residents we can choose community and regional goals and how to pursue them. **Will "success" spoil Boulder County? The choice is ours.**

Appendices

APPENDIX A

{ INCLUDEPICTURE "http://bcn.boulder.co.us/lwv/success/appA.chart.gif" * MERGEFORMATINET }

Boulder County Land Use Department

APPENDIX H-1

Contents of Comp Plan	Boulder County *	City of Boulder **	Broomfield	Lafayette	Longmont	Louisville	Lyons	Nederland	Superior
Plan date	8/96	8/96 Draft	1995	1995 Draft	1995	1989	1986	1994	1996
Calls for Housing Cost Diversity	Yes HO 1.08	Yes 7.01	Yes Page 51 8.1	Yes 10.6	Yes Goal 9	Yes	Yes Page 24	Yes Page 7,8, 41	Yes 1a, A.4 Page I-1
Calls for Affordable Housing for Low-Income	Yes HO 1.02	Yes 7.01 7.04	No	Yes 10.6 11.3	Yes 9.12	Yes	Yes Page 24	Yes Page 7	Yes A.4 (VII-p1)
Affordable Defined	No	No	No	No	No	No	No	No	No
Calls for Housing Needs Assessments	Yes HO 1.01	Yes 7.07	No	Yes 12.1 12.3	Yes 8.12	No	Yes Page 50	Yes Page 8	No
Calls for Review of Policy Impact on Housing Cost	No	Yes 7.04	No	Yes 10.5	Yes 8.11 9.15 9.3	No	No	No	No
Calls for Review of Process Impact on Housing Cost	Yes HO 1.07	Yes 7.04	No	Yes 10.5a 10.5b	Yes 8.11	No	No	Yes Page 7,8, 13	No
Calls for Jobs/Housing Needs Analysis	No	Yes 7.06	No	No	Yes 8.12 8.21	No	No	No	No
Includes Percent Goal for Affordable Housing	No	Yes	No	No	No	No	No	Planned	No

		7.07						Page 8	
Calls for Public Encouragement of Affordable Housing	Yes HO 1.02	Yes 7.01	No	Yes 10.4	Yes 9.12	Yes	Yes Page 24	Yes Page 7	No
Calls for Public Action for Affordable Housing	Yes HO 1.02	Yes 7.02	No	Yes 10.6a 10.4	Yes 11.21 9.3 9.15	No	No	Yes Page 7-9	No
Calls for Public Dollars for Affordable Housing	Yes HO 1.02	Yes 7.02	No	Yes 10.6	Yes 10.34 11.21	No	No	Yes Page 7-9	No
Calls for Local Dollars for Affordable Housing	Yes HO 1.02	Yes 7.02	No	No	Yes 11.21	No	No	No	No

* Boulder County information is from the Boulder County Comprehensive Plan.

** Both the City of Boulder and Boulder County are signatories to the Boulder Valley Comprehensive Plan.

APPENDIX H-2

A. Jurisdiction	B. Population	C. Est. Number House-holds	D. Est. Percent Renter House-holds	E. Est. Number Renter House-holds	F. Est. Number Lower Income Renter House-holds	G. Est. Lower Income Renter House-holds as Percent	H. New Homes Built and Sold 93-97	I. New Homes Affordable to Low Income Renter Households	J. Percent New Homes Afford-able to Low Income Renter

						of Total			House-holds
Boulder	95,662	39,045	53.8%	21,000	12,600	32.2%	554	50	9.0%
Broomfield	19,660 (1)	8,025	31.1%	2,496	1,497	18.6%	478	7	1.4%
Lafayette	19,500	7,959	26.2%	2,085	1,251	15.7%	958	135	14.0%
Longmont	57,208	23,350	37.8%	8,826	5,296	22.6%	1,333	134	10.0%
Louisville	18,250	7,448	21.3%	1,586	951	12.7%	489	71	14.5%
Lyons	1,350	551	33.1%	182	109	19.8%	31	2	6.4%
Nederland	1,543	629	42.5%	267	160	25.0%	22	1	4.5%
Superior	3,500	1,428	(2)	(2)	(2)	(2)	616	1	<.1%
Unincorp. Boulder Co.	48,881 (3)	19,951	38.9%	7,761	4,656	23.3%	377	6	1.5%

Column B: *Boulder Daily Camera* "1997 Boulder County Almanac," June 22, 1997

Column C: Figure in Column B is divided by 2.45 persons, the average size of a household in Boulder County. "Boulder County Housing Needs Assessment," May 1994, ASI Assoc. Inc., p. 6

Column D: Boulder County Housing Needs Assessment, May 1994, ASI Associates, Inc., p. 10

Column E: Figure in Column C is multiplied by figure in Column D.

Column F: Lower income renter households make up about 60% of all renter households in Boulder County. "Boulder County Housing Needs Assessment, May 1994," ASI Associates, Inc., p.12. Figure in Column E is multiplied by 60%.

Column G: Figure in Column F is divided by Figure in Column C.

Column H: Office of Boulder County Assessor

Column I: New homes built/sold between 1993 and 1997 at or below $125,000 in selling price. Office of Boulder County Assessor

Column J: Figure in Column I divided by Figure in Column H.

(1) Broomfield's Boulder County population, adjusted 1.03% of figure in Boulder County Housing Needs Assessment, May 1994, ASI Associates, Inc., Page 3.

(2) Superior's estimated percent and number of renter households could not be accurately derived from available data.

(3) Boulder County unincorporated area population, adjusted 1.03% of figure in Boulder County Housing Needs Assessment, May 1994, ASI Associates, Inc., Page 3.

APPENDIX H-3

SINGLE FAMILY HOMES					
	1992	1993	1994	1995	1996
Boulder	$159,900	$189,000	$221,000	$235,000	$234,000
Louisville	$129,600	$149,500	$172,500	$172,000	$186,600
Lafayette	$ 94,000	$118,000	$138,000	$150,000	$158,500
Longmont	$ 88,500	$108,500	$121,000	$130,000	$140,000
ATTACHED DWELLINGS					
Boulder	$ 76,000	$ 83,900	$104,000	$114,950	$118,500
Louisville	$ 73,599	$ 78,500	$ 98,000	$105,750	$117,700
Lafayette	$ 63,400	$ 71,000	$ 90,000	$ 97,000	$ 99,900
Longmont	$ 72,450	$ 72,500	$ 88,950	$100,000	$105,000

Source: Steve Altermatt, Walnut Realty and *Boulder Daily Camera*

APPENDIX H-4

There are four public housing authorities (PHAs) in Boulder County: Boulder County, City of Boulder, Longmont and Louisville. Each is made up of a five-member Board of Commissioners appointed by the governing body of its respective jurisdiction, and administrative staff. The creation of PHAs as bodies "corporate and politic" in cities and counties is authorized by Colorado statutes which assign to PHAs the responsibility to address the housing needs of low-income persons and numerous far-reaching powers to accomplish that responsibility. Examples of such powers include buying, selling, developing and managing property, issuing bonds, acting as an agent of the federal government and issuing subpoenas.

The four PHAs in Boulder County administer a variety of affordable housing programs, with 80 to 95 percent of the funds coming from federal sources. The two most common types of PHA housing programs are: 1) PHA owned and managed properties which were acquired or developed by the PHA with federal funds, and which may or may not receive some operating subsidy from the federal government. They are maintained by the PHA and are rented to very low-income families or senior citizens. 2) Rental assistance programs in which PHAs receive federal funds to pay a portion of the rent for low-income families or senior citizens living in private sector housing units. These rental assistance programs are commonly known as Section 8 Certificate and Voucher programs. See chart below.

	BOULDER COUNTY HOUSING AUTHORITY	BOULDER CITY HOUSING AUTHORITY	LONGMONT HOUSING AUTHORITY	LOUISVILLE HOUSING AUTHORITY
1) PHA-OWNED HOUSING UNITS	191	686	32	59

2) SECTION 8 VOUCHERS AND CERTIFICATES (RENTAL ASSISTANCE)	505	469	420	27
1996 PHA BUDGETS	$4.5 million	$5.2 million	$3.2 million	$280,000
*All figures as of July 1996				

The PHAs also administer programs to help low-income families become self sufficient by combining housing assistance with education and job training opportunities. PHAs also foster home ownership with training and counseling programs on financial management and home ownership skills. The average income level of families served in all programs is in the lowest quadrant of area incomes.

APPENDIX H-5

Size of unit	Median Rent	Annual Income Required	Hourly Income Required
Efficiency	$ 598	$21,528	$10
One bedroom	$ 716	$25,776	$12
Two bedroom	$ 917	$33,012	$16
Three bedroom	$1278	$46,008	$22

Extrapolated from DHUD Fair Market Rents, September 1997

Credits and Report Design

Regional Planning and Growth Management Study Committee
League of Women Voters of Boulder Valley

Co-chairs: Jeannette Hillery, Sara Michl, Anne Norwood

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We are grateful to government officials and staff who generously contributed their time, expertise and support.

Boulder County: Graham Billingsley, Dale Case, Carolyn Holmberg, Pete Fogg, Larry Matel

City of Boulder: Debra Baskett, Tim Devlin, Jerry Gordon, Spense Havlick, Susan E. Richstone, Mary Reilly-McNellan, Cindy Pieropan, John Tayer, Phil Weisbach

Broomfield: Kevin Standbridge

Erie: Gary West, Hallie Sawyer

Jamestown: Jim Argenio, Auguste Bussian, Arlen Lazere, Wendy Stokes

Lafayette: Bonnie Star, Tim Paranto

Longmont: Leona Stoecker, Froda Greenberg, Kathy Fedler, Dan Painter, Bob Steimle

Louisville: Paul Wood

Lyons: Terry Andrews

Nederland: Brook Svoboda

Superior: Jason Stilwell

Ward: Jill Sturdevant

We also thank the following for their assistance.

Steve Altermatt, Al Bartlett, Clair Beckmann, Diane Dvorin, Kurt Gerstle, Will Fleissig, Clifton Harald, Walter Jessel, Gail Mock, Larry Mugler, Steve Pomerance, Scott Reed, Michael Reis, Martha Weiser, and Stan Zemler

Funded by grants from
League of Women Voters of Colorado Education Fund
The Peace Development Fund, Amherst, Massachusetts

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Report Design and Assumptions

Against a backdrop of Boulder County's history and efforts to cope with growth, this report identifies and discusses a variety of tools to manage growth and plan regionally. It also describes organizations now working to address regional concerns. Twin goals are to provide a base of information on which interested citizens can assess regional implications of local policy decisions, and to stimulate a search for ways to resolve common issues.

The following assumptions underlie this report:

- Residential and commercial growth in and around Boulder County will continue, regardless of whether people agree on its benefits and costs.
- We can choose how to try to manage it.
- Policies to address residential and commercial growth in one locality affect the entire region.
- Land use, transportation, and housing issues are closely linked.
- Economic and social diversity enrich communities.

The county is the next larger political and administrative jurisdiction within which local municipalities act and interact and is therefore the "region" to which this report refers. Clearly, however, growth and its impacts do not stop at county borders. Developments nearby, such as the proposed 18,000 acre Jefferson Center west and south of Rocky Flats, and to the east in Weld County, present huge growth management challenges to Boulder County and its communities. Although not the focus of this report, decisions made outside the county have enormous impacts on Boulder County and its residents.

There have long been calls for state supervision of growth management, but the state legislature has given local governments primary authority over land use. In the absence of state growth management, this report focuses on municipal and county powers and options.