

Growth Management in Golden, Colorado - Updated 12/09/12

Introduction: The City of Golden has employed a “growth rate cap” style of growth management since 1996. The Golden Planning Commission proposes to re-affirm the City’s current 1% residential growth policies and concurrently suggest modest refinements to the administration of the system and municipal code related to growth management to better facilitate residential construction that supports our Golden Vision 2030 goals. For more information about this report and topic, contact the City of Golden Planning Division at 303-384-8097 or planningcommission@cityofgolden.net.

Summary of Recommendations: The following findings are recommended as a result of Planning Commission’s extensive discussions:

- The choice of 1% annually as a maximum rate of increase for residential dwellings was a good choice in 1995, and remains so.
- The change in economic complexity and type of residential projects that meet the City’s “smart growth” and Golden Vision 2030 values argue for increased flexibility in the timing of allocation use and approvals, but not an increase in overall community change.
- Accordingly, the City should consider the least amount of change to the 1% growth codes to maintain the philosophy and integrity of the 1% growth system while also providing the needed timing flexibility to accommodate desirable projects.

Why do we need a change?
The current administrative procedures and municipal codes that are used to implement Golden’s residential growth management provide an easier path for developers to build a sprawling residential subdivision than to build a compact, more sustainable walkable and bikable residential neighborhood with a mixture of businesses.

Background:

- In 1995, citizens of Golden voted to limit growth in residential dwelling units to 1% per year, alarmed at the seemingly overnight appearance of sprawling single family housing in the northern foothills (especially Mountain Ridge and Mesa Meadows developments).
- City Council responded by enacting the residential growth management ordinance (Chapter 18.70 of the Municipal Code) which places limits on residential growth within the City of Golden to a maximum of a one percent increase in dwelling units per year (through the control of building permits).
- The 1% growth concept was quite popular when it was initiated by a vote in 1995.
- For the initial years of the project, the ordinance appeared to have the desired effect of putting the brakes on large new subdivisions.
- For several years, demand was relatively constant and administration of the system was not a substantial hindrance to individual projects.

- The annual distribution nature of the 1% growth system has always been easier for single family projects to deal with than multi-family housing and mixed use projects, which may be counter to current goals to support infill and more compact development.
- The ordinance does contain possible exemptions for certain senior housing developments and a single Golden Urban Renewal project (Chapter 80.70.020 of the Golden Municipal Code).
- With the recent (current) recession, supply has remained constant, but annualized demand has fluctuated significantly, with many allocations going unused and thereby forfeited on an annual basis. Systems for “banking” the number of permits over more than one year are in place to allow some multi-unit developments, but can only be used for “entitled” projects and still require lengthy periods of time to save up allocations when demand is high.
- City Council can amend or even repeal the ordinance without voter approval.

History of Administration

- When Chapter 18.70 of the City code (pertaining to residential growth management) was first enacted in early 1996, the City counted up existing dwelling units (minus CSM dorms) and determined that the base number was 7164. The number of allocations available for 1996 was 71.
- By the end of 2010, after 15 complete years of enforcing the system, the calculated base of affected dwellings was 8083 or an increase of 12.8%. When calculating the cumulative growth rate rather than a simple percentage of change, the annualized rate of growth for the community over that period was about 0.7%.
- For the 10 year period starting in 2002 and ending at the end of 2011, a total of 781 allocations for residential dwellings were authorized. During that period, 441 new dwellings were constructed with allocations, and 69 senior housing units that had been allowed under an exemption secured allocations in order to remove their 1% restrictions. In addition, 55 allocations were being held in a banking plan for the Overlook subdivision.
- Accordingly, 216 allocations went unused and expired over that same 10 year period.

Current situation/ why consider a change?

- The recently adopted *Golden Vision 2030*, built through a 2 year process of innovative citizen involvement, states the values and vision for the future of Golden. The following guiding principles reinforce the idea that the citizens of Golden want to manage growth and have a transparent government to continue to respect its wishes:

- Our city government is responsive, approachable, good at listening, welcomes participation and involvement, is fair to all parts of the city and is accountable
- Our community values require that we direct and manage change, assure smart growth (transportation and development), affordable housing, and sustainability. As a community, we expect sustainability that preserves the small town look, feel, and character of Golden for today and for future residents.
- *Golden Vision 2030* also contains a number of specific values that include walkability, bikability, accessibility, an active healthy community connected to the natural environment, supporting local businesses and downtown, retaining convenience to services and amenities, maintaining friendliness, and enhancing our sense of community pride and our community character and events.
- The long-term issue is that while *Golden Vision 2030* appears to reflect similar sentiments to the 1995 Residential Growth Limits, the rigid administrative provisions of the current growth management system constrain the community's ability to direct the nature, location, or quality of residential development.
- Future growth in Golden is likely to be mostly infill and multi-family projects, not sprawling subdivisions. Such projects can fit well with the community goals in *Golden Vision 2030*. While requests for residential units over the next several years are expected to fall within Golden's residential growth limits over multiple years, these types of projects tend to need more than a 1-year allocation to be viable (for example, the recently approved 8th Street apartment project).
- An example of an opportunity that may be lost is attracting a mixed multi-family residential and commercial hub at the new light rail station. Difficulty in obtaining 150 residential permits to make such a project viable under the current system (would take two or more years) complicate planning and securing financing. The result could be that the developer will choose to build a set of office or medical buildings with large paved parking lots, and our new light rail stop would be merely a parking area for jumping on the train. Golden would lose the chance for a sustainable and vibrant hub that promotes less vehicle use and other community goals.
- The current situation is that the residential growth limit itself is not an issue. Demand for building permits over the next several years is not expected to exceed the 1% cap. It is the administration of the residential growth management system which is rigidly applied to the calendar year that is at odds with some unique opportunities to encourage a few desirable infill projects that creatively mix multi-family and commercial uses in areas of change that enhance our community goals as identified in *Golden Vision 2030*.

Recommended Alternative: Amend the current residential growth management system while maintaining the 1% residential growth limitation. The Golden Vision 2030 project and documents provide significant information about the type of community Goldenites prefer, and how such a community would function in the future. It is the community's obligation to utilize both regulatory tools and resources to achieve community goals. Bearing this in mind, the changes that would best maintain the philosophy and integrity of the 1% growth system and provide needed flexibility include the following:

- a. Extend the shelf life of allocations from one calendar year to two calendar years to better address the longer planning periods for infill and mixed use projects rather than forcing construction schedules to strictly adhere to an arbitrary calendar year schedule.
- b. Amend the municipal code to allow Planning Commission to authorize early distribution of a limited amount of future year allocations for projects that objectively demonstrate a high level of support for Golden Vision 2030 values. Limitations on the early distribution program include at least the following:
 - The project seeking early distribution must be a single family attached (townhome), multi-family, or mixed use project of at least 50 dwelling units and have all zoning and site plan approvals in place.
 - The project seeking early distribution must demonstrate a modeled vehicular trip generation of no more than 80% of the otherwise applicable trip generation for that type of dwelling unit project (ie a standard multi-family project generates more vehicle trips than a mixed use or a project near a transit stop).
 - The project seeking early distribution must meet all applicable design guidelines as well as standards in Chapter 18.40 of the municipal code.
 - The project seeking early distribution must either be at least 50% affordable units (as currently defined in the code), or achieve 35 sustainability points on the City's green menu (as opposed to the 25 points otherwise required).
 - Upon authorization of early distribution of a certain number of allocations, Planning Commission shall concurrently specifically determine the reduction in allocations in the following years necessary to balance the early distribution. Such subsequent year reduction shall not extend more than four years past the current year. As Council annually authorizes the reduced distribution necessary to balance any early distribution, such allocations shall be counted as being used for purposes of calculating the adjusted base, and for overall accounting purposes.
 - Continue to allow unused allocations to lapse.
 - The total number of early distribution allocations outstanding in the system shall never be more than 160 allocations.
 - Eliminate existing exemptions Chapter 18.70 of the municipal code for senior housing or urban renewal projects. Such projects would fit under the modifications above.

Other alternatives considered:

A. No change – continue to work within the existing residential growth management system.

- Utilize current annual allocation with limited banking
- Allow unused allocations to lapse
- Utilize senior exemptions as appropriate

B. Develop a new model – replace the current residential growth management system with a more strategic model.

- Address overall amount of growth and change rather than focusing on individual calendar years (work with a multi-year timeframe of 3-5 years, maybe a rolling time frame).
- Allow unused allocations to be available for future years.
- Develop a set of criteria or point system to choose among projects.
- Favor development in certain areas, such as areas of change identified in the comprehensive plan.
- Favor development that fully embraces Golden Vision 2030 goals over other types. For example, smaller detached houses and multi-family projects in defined walkable or transit accessible neighborhoods would be preferred to large lot single family homes.

C. Propose modifications to Golden’s growth management system in November’s municipal election.

- Allow future allocations for qualifying projects
- Eliminate exemptions

Planning Commission seeks community input on these alternatives, as well as other community issues. Write to planningcommission@cityofgolden.net.