NOTICE AND AGENDA OF A
WORK SESSION
Idaho Springs City Council
and Planning Commission
September 02, 2020
6:00 p.m.

- **Housing Workshop follow-up**

The Public will be able to view and hear this meeting remotely at the following address:
https://www.colorado.gov/pacific/idahosprings/city-council-live

CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

Planner Communication

Date: August 27, 2020

To: Planning Commission Members

CC: Andrew Marsh, City Administrator

From: Barb Cole, Community Development Planner c/o Community Matters Institute

RE: August Activities of the Community Development Department

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The Community Development (CD) planners are working on the following recent, current, and upcoming projects. Community Matters Institute (CMI) is serving as the Community Development Planner. Community Development activity seems to be slowing down and projects initially reviewed by Alan are still in progress.

The second round of interviews for a replacement Community Development Planner take place on Friday, August 28th, 2020.

Staff has been having 'Development Review Committee' meetings to ensure consistent and clear communication with applicants on complex projects. These virtual meetings include: The City Administrator, Planner, Public Works Director, City Engineer and Building Official.

Development applications and pre-applications:

- **Mighty Argo Annexation, Rezoning, and Ordinances.** After a recommendation by Planning Commission (PC) on August 5th, the City Council had a first reading on August 10th followed by a public hearing and decision on Monday, August 17th. These 4 mining claims near the upper landing and have been added to the Argo holdings. The property has also been included in the current Argo PD zone.
- **Metropolitan District for Argo.** A PC workshop on the proposed Argo Metropolitan District on July 29th was followed by a similar presentation to City Council on August 17th to discuss the Service Plans. The Service Plans for the proposed Metro District were approved by City Council on August 24th.
- **Proposed housing at 2800 Miner Street.** The applications for the proposed rezoning and FDP are still in progress.
- **Betz Cabin Annexation, rezoning, minor subdivision, and FDP.** The applicant is still finalizing the annexation documents and will rezone the property to either C-2 or C-3. We will be receiving the full application for review in the next few days.
- **1800 Colorado Blvd**. The property owner is in contact with Staff about enlarging the east wing of the building. The addition would be used for housing. The increase in square footage is below 50%

so the FDP is reviewed administratively. Staff has asked for an administrative plat so the City can retain use of Riverside Drive.

- **Annexation of City-owned Cemetery.** The annexation map is being revised, and it will go to a City Council worksession.
- **1614 Wall Street.** Staff has answered questions regarding possible construction on the now vacant lot 2 of the Urso Subdivision. This subdivision is served by a shared private driveway.

Variance Board. An application for a setback variance has been submitted for 2126 Virginia Street.

Floodplain Administration. No rise certifications are being prepared for two locations: for work by CDOT on a culvert along Soda Creek under Interstate 70, and for a pedestrian bridge over Soda Creek that connects to one of the entries to the Community Clinic.

Housing workshop. A joint meeting of City Council and Planning Commission was held on August 19. A follow-up meeting is scheduled for September 2, 2020.

Codes. Information is being researched on Dark Sky communities and lighting requirements in like communities.

Property questions. Staff answered questions about the potential RV park at 958 E. Idaho Springs Road, for which a Conditional Use Permit has been approved—this was the second inquiry about the RV park this year.

Email. Staff continues to monitor and respond to emails on a daily basis.

/bc

Filename: C:\...\ Current Activities Memo to PC **2020-08-27**

CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

Planner Communication

Date: July 27, 2020

To: Planning Commission Members

CC: Andrew Marsh, City Administrator

From: Barb Cole, Community Development Planner c/o Community Matters Institute

RE: June and July Activities of the Community Development Department

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The Community Development (CD) planners are working on the following recent, current, and upcoming projects. Community Matters Institute (CMI) is serving as the Community Development Planner.

Development applications and pre-applications:

- **Mighty Argo Annexation, Rezoning, and Ordinances.** After a recommendation by Planning Commission (PC) on August 5th, the City Council is scheduled to have a first reading on August 10th followed by a public hearing and decision scheduled for Monday, August 17th. There are 4 mining claims near the upper landing that will be added to the Argo holdings. The property will be zoned PD.
- **Metropolitan District for Argo.** A PC workshop on the Argo Metro District is scheduled for July 29th followed by a similar presentation to City Council on August 17th to discuss the Service Plan.
- **Proposed housing at 2800 Miner Street.** The applications for the proposed rezoning and FDP are still in progress. There are numerous items that the applicant still needs to submit prior to being scheduled for a hearing. The applicant is proposing R-3 zoning.
- **Betz Cabin Annexation, rezoning, minor subdivision, and FDP.** Andy and I spoke to the applicant whose business has been significantly impacted by COVID-19. The applicant is finalizing the annexation documents and will rezone the property.
- **1800 Colorado Blvd**. The property owner is in contact with Staff about enlarging the east wing of the building. The addition would be used for housing. The increase in square footage is below 50% so the FDP is reviewed administratively.
- **Annexation of City-owned Cemetery.** Research by staff found that State Law allows a simplified procedure for the City to annex city-owned property. An adjacent property owner also is investigating possible annexation.

Variance Board. At its meeting on July 8th, the Variance Board approved a reduced front setback at 195 Montane.

Housing workshop. A joint meeting of City Council and Planning Commission is scheduled for August 19.

Referrals from others – County Road 314. The Colorado Department of Transportation (CDOT) requested comments on proposed work on County Road 314 related to a 106 review (impact on historic resources) and a 4F review (impact on park, trails, and recreation facilities). The information was referred to the PC and the Historic Preservation Review Commission (HPRC). There were no negative comments from either board.

Codes. Information is being researched on Dark Sky communities and lighting requirements in like communities.

Property questions. Staff answered questions on the 1600 block of Wall Street (possible new dwellings) and on 1746 Miner Street (possible deck). Several additional inquiries were received by contract staff and questions answered to the satisfaction of those looking to buy property within the City limits.

Building permits. Applications were reviewed for 26 Colorado (covered walkway between a house and garage), 2700 Miner (decks on a house), 805 Colorado (detached garage), and 2911 Colorado (restaurant interior remodel).

Email. Staff continues to monitor and respond to emails daily.

/bc Filename: C:\...\ Current Activities Memo to PC **2020-07-27**

City of Salida

ARTICLE XIII. - INCLUSIONARY HOUSING

Sec. 16-13-10. - Purpose and objectives.

(a) Promote the construction of housing that is affordable to the community's workforce;

(b) Retain opportunities for people that work in the City to also live in the City;

(c) Maintain a balanced community that provides housing for people of all income levels; and

(d) Ensure that housing options continue to be available for very low-income, low-income, mode rate, and middle-income residents, for special needs populations and for a significant proportion of those who work or live in the City.

Sec. 16-13-20. - General inclusionary housing requirements.

(a) Any application brought under the annexation or planned development sections of this Code; or condominium plats of five (5) units or greater; and minor and major subdivision sections of this Code is required to include at least twelve and one-half (12.5) percent of the total number of residential dwelling units as affordable dwelling units, subject to the following standards:

(1) The prices for sale or rents charged for permanently affordable priced dwelling units shall not exceed a price that is affordable to a household earning eighty (80) percent of Area Median Income (AMI) for Chaffee County as defined annually by the United States Department of Housing and Urban Development (HUD).

(2) Affordable dwelling units shall be permanently restricted as defined by the administrative regulations, or unless a different timeframe is required as a part of a Low Income Housing Tax Credit project.

(3) If the calculation for inclusionary housing results in a fraction of a dwelling unit, the fraction of the unit shall be provided as a complete affordable unit or a fee-in-lieu shall be provided per Section 16-13-40.

(b) The City Administrator is authorized to adopt administrative regulations to be utilized in the enforcement of the provisions of this Article.

(c) Units built as affordable in the project should be comparable to the market rate housing units in exterior finish and design and integrated into the overall project.

(d) Income Eligibility Required. No person shall sell, rent, purchase or lease an affordable dwelling unit created pursuant to this Article except to a program eligible household. A private owner of a single affordable unit may rent the unit in accordance with the provisions of this Article as set forth in Section 16-13-60 "Program Requirements for For-Sale Units." All sales, rentals, purchases and leases shall comply with the provisions of this Article.

(e) Deed Restriction Required. No person offering an affordable dwelling unit for rent or sale shall fail to lawfully reference in the grant deed conveying title of any such unit, and record with the County Recorder, a covenant or declaration of restrictions in a form approved by the City. Such covenant or declaration of restrictions shall reference applicable contractual arrangements, restrictive covenants and resale restrictions as are necessary to carry out the purposes of this Article.

(f) Good Faith Marketing Required. All sellers or owners of affordable dwelling units shall engage in good faith marketing and public advertising efforts each time an affordable dwelling unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance to become informed of the availability of such units.

(g) Required Agreements. Those applicants creating residential developments under this Chapter shall enter into an inclusionary housing development agreement with the City Council. Such agreements may be part of a development agreement, annexation agreement or subdivision agreement and shall document how the applicant will meet the requirements of this Article including:

(1) Defining the inclusionary housing development including the total number of units; the total number of affordable housing units required; and the total number of affordable housing units provided; and

(2) The application of allowed density, parking and development standards allowed for projects that provide one hundred (100) percent of the inclusionary housing requirements, as provided in Section 16-13-50; and

(3) Design standards to assure the affordable units will be comparable to market rate units and are integrated into the development; and

(4) The restrictive covenants and additional agreements, in a form acceptable to the City, as necessary to carry out the purposes of this Article.

An applicant shall not be eligible to submit for a building permit until the affordable housing agreement and any required restrictive covenants are approved by the City Council and recorded with the Chaffee County Recorder.

Sec. 16-13-30. - Options for satisfaction of inclusionary housing requirement.

An applicant may seek an alternative to providing the required percentage of affordable housing under this Article by any of the following methods:

(a) Providing the Required Housing Off-Site. This may be met only through the dedication of land to the City or qualified non-profit housing developer as approved by the City, with the guarantee that the land to be dedicated will allow for, and be developed with the number of required affordable housing.

(b) Dedicating Land Within the Project. Land within a project may be dedicated to the City or a qualified non-profit housing developer as approved by the City. The units to be built within the project shall be comparable to the market rate housing units in exterior finish and design to blend into the overall project.

(c) Paying a fee in lieu of providing units as defined in Section 16-13-40.

(d) Providing fewer units, but which are affordable to households earning sixty (60) percent or less of the AMI for Chaffee County. For the purposes of this option, an affordable dwelling unit at sixty (60) percent or less AMI shall equal two (2) units at eighty (80) percent or less AMI.

(e) Any alternatives shall be approved by agreement with the City Council as defined in Section 16-13-20(g).

Sec. 16-13-40. - In-lieu fee.

If an applicant chooses to pay an in-lieu fee for all or part of the inclusionary housing required for the project, the fee shall be calculated as described here and be due no later than issuance of the building permit.

(a) Annexations, Planned Developments, Major Subdivisions and Condominium Plats of Five (5) Units or More. The in-lieu fee shall be the lessor of (1) or (2) for each non-restricted unit within the development:

(1) $15,748.00.

(2)	$\frac{AHR - AHP}{AHR}$	X	\$7.87 per habitable square feet of the principal unit
	Where:	AHR = Affordable Housing Units Required AHP = Affordable Housing Units Provided	

(b) Minor Subdivisions. The in-lieu fee shall be the lessor of (1) or (2) for each non-restricted unit within the development:

(1) $7,874.00.

(2)	$\frac{AHR - AHP}{AHR}$	X	\$3.94 per habitable square feet of the principal unit
	Where:	AHR = Affordable Housing Units Required AHP = Affordable Housing Units Provided	

Sec. 16-13-50. - Density, parking and development standards for inclusionary housing developments.

Residential development within the zoning districts of C-1, R-3, R-4 and RMU; and portions of a planned development with the underlying zoning districts of C-1, R-3, R-4 and RMU; that are subject to inclusionary housing development requirements and are providing one hundred (100) percent of the required affordable housing within the development, may increase the allowed density and utilize the lowered dimensional standards stated in Table 16-F, Schedule of Dimensional Standards, within these districts and utilize the reduced parking requirements for multi-family dwellings stated in Table 16-J, Off-Street Parking Standards by Use. To ensure the integration of the affordable residential units into the development, these standards shall apply to all of the residential units within parcels with the above zoning or underlying zoning, that include a minimum of twelve and one-half (12.5) percent affordable housing.

Sec. 16-13-60. - Program requirements for for-sale units.

(a) Affordable Unit Price. The prices charged for affordable priced dwelling units shall not exceed a price that is affordable to a household earning eighty (80) percent of the Area Median Income (AMI) for Chaffee County.

(b) Approved Purchasers for Affordable Dwelling Units. A developer or owner shall sell to a qualified purchaser after completing a good faith marketing and selection process approved according to the housing administrative regulations.

(c) Sale Restriction. No person shall sell an affordable dwelling unit except to a person that meets the income, asset and other eligibility requirements of this Article or any asset and income eligibility requirement that is included in any contract, covenant or any other agreement to which the City is a party or beneficiary.

(d) Resale Restrictions. All affordable ownership dwelling units developed under this Article shall be subject to the following resale restrictions:

(1) Approved Purchasers. A seller of an affordable dwelling unit must select an income-eligible purchaser by a method that complies with the good faith marketing and selection process defined by the housing administrative regulations. All purchasers of affordable dwelling units shall be part of program eligible households.

(2) Resale Price. The resale price of any affordable dwelling unit shall not exceed the purchase price paid by the owner of that unit with the following exceptions:

a. Closing Costs. Customary closing costs and costs of sale, which may include customary realtor fees, as reviewed and approved by the City Administrator.

b. Permanent Capital Improvements. Consideration of eligible permanent capital improvements installed by the seller that have been approved in advance by the City Administrator in accordance with rules or administrative guidance established by the City Administrator.

c. Resale Price. The resale price may include an inflationary factor or shared appreciation factor as applied to the original sale price pursuant to rules as may be established by the City Administrator to provide for such consideration. In developing rules, the City Administrator may consider the purposes of this Article, common private, nonprofit and governmental lending practices, as well as any applicable rules or guidelines issued by federal or state agencies affecting the provision or management of affordable housing. In the event that the City has not adopted rules that contemplate a particular arrangement for the use of an inflationary factor or shared appreciation factor, the City Administrator is authorized to approve a resale price formula that is consistent with the purposes of this Article, common private, nonprofit and governmental lending practices, as well as any applicable rules or guidelines issued by federal or state agencies affecting the provision or management of affordable housing.

(3) Special Fees. The seller of an affordable dwelling unit shall neither levy nor charge any additional fees or any finder's fee nor demand any other monetary consideration other than provided in this Article.

(e) Ownership Associations. When accepting a for-sale unit as meeting the inclusionary housing obligation, the City Administrator will review the condominium association declarations to assess the impact on buyers of affordable units. The City Administrator is authorized to establish rules regarding allowable terms in condominium declarations in order to ensure that the purposes of this Article are accomplished.

(f) Rental Restriction. The owner of an affordable unit may rent the unit to an income eligible renter by a method that complies with the administrative regulations.

Sec. 16-13-70. - Program requirements for rental units.

Maximum Rent. Rents charged for affordable units in any one (1) development must be affordable to households earning no more than eighty (80) percent of the AMI or as approved in the agreement.

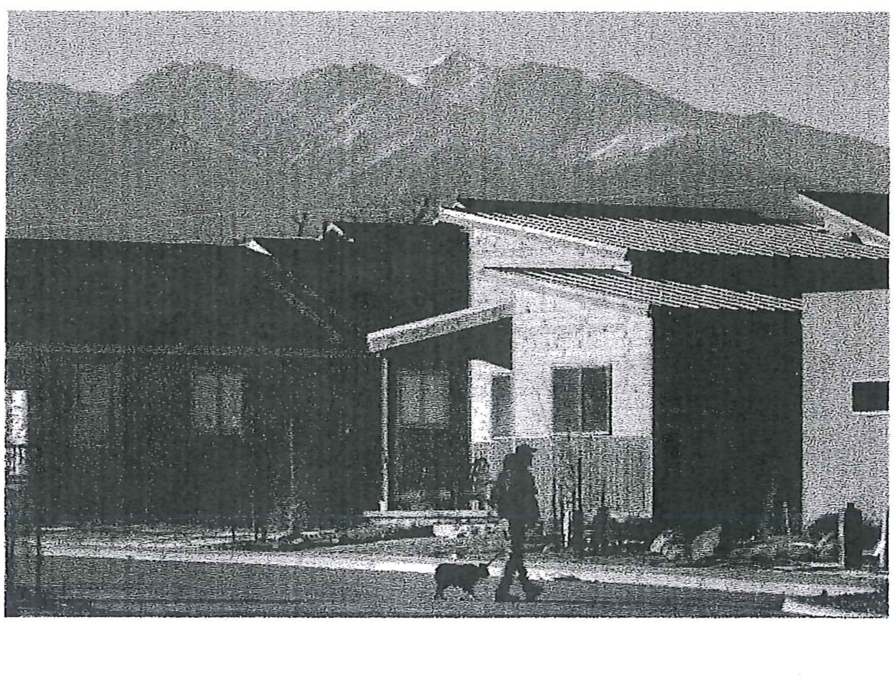
Sec. 16-13-80. - Administrative regulations.

To the extent the City Administrator deems necessary, rules and regulations pertaining to this Article will be developed and approved by the City Council, and thereby maintained and enforced in order to assure that the purposes of this Article are accomplished. No person shall violate any rule or regulation issued by the City Administrator under this Article.

BUSINESS > **REAL ESTATE** • News

Colorado's housing crunch reaches beyond Front Range, as mountain and plains communities struggle to provide affordable options

Inclusionary housing ordinance in Salida, land swap deal in Buena Vista, and a planned apartment community in Limon among ways communities are working to meet needs



become a problem in Chaffee County, where the cost of homes is skyrocketing but wages and seasonal work make it hard for people to afford to buy homes. The Commons at Two Rivers is a mixed use development where 12% of the new housing units are affordable.

By **JOE RUBINO** | jrubino@denverpost.com | The Denver Post
PUBLISHED: February 16, 2020 at 6:00 a.m. | UPDATED: February 16, 2020 at 9:29 a.m.

35

BUENA VISTA — There are delicate family politics to consider when sharing a three-bedroom apartment with four kids, but Shelly Kwiek is managing.

In her 1,116-square-foot home in the Collegiate Commons apartments in Buena Vista, she gives the teens their space. Fourteen-year-old Adamina and 13-year-old Nic have their own rooms. Cardigan, 10, and Stetson, 9, share a room with mom.

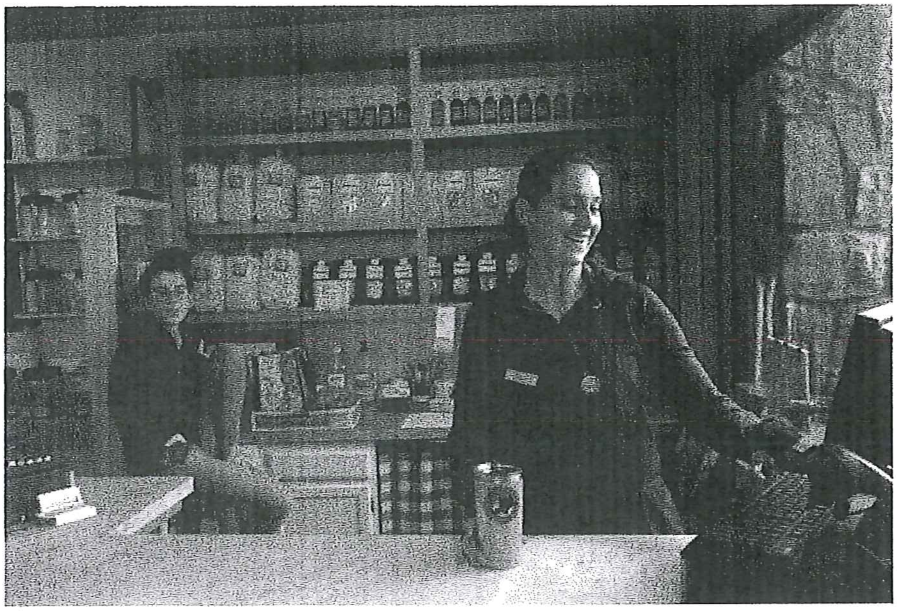
It might not be ideal, but at $967 per month, Kwiek, a single parent, can afford it on the $13.50 per hour she makes working as an office assistant at a dental practice in Salida.

The 48 apartments in Collegiate Commons were built with support from federal low-income house tax credits. The complex opened in 2018 and is reserved for households making no more than 60% of the area median income for Chaffee County, roughly $44,160 for a family of five.

"We probably would have had to move to a city," Kwiek said last month when asked what she would have done had she not gotten a spot in the commons. "My kids love it here. It's safe. We don't want to move."

Across the parking lot, in the complex's south building, 67-year-old Duane Talada is renting a three-bedroom on the fixed income he is living on in retirement. He moved to Buena Vista to be closer to his daughter and grandchildren. He couldn't even find a one-bedroom apartment in Lakewood for the price he's paying now, he said.

Callee Moran, 39, and her son Keenan White, 16, moved into Collegiate Commons in April. Moran pays the $828 rent each month out of my money she earns as the manager of the town's combination gas station and sweets



Helen H. Richardson, The Denver Post

Mangager Callee Moran, right, works the register at the Shell Station with employee Savannah Case, left, in Buena Vista on Feb. 10, 2020. Moran moved to Buena Vista in April 2019 to be closer to her parents. She moved into Collegiate Commons Apartments where she was able to secure affordable housing for herself and her 16-year-old son.

"There's not much that's affordable on a minimum wage salary," she said. "They're really nice apartments. It's home."

The residents' situation is not unique in Chaffee County or in many other corners of rural Colorado. The chronic housing shortages that have put intense pressure on metro Denver residents and clamped down on workers in the state's resort towns in recent years are being felt in distinct and stubborn ways in small Colorado towns from Poncha Springs to Julesburg.

"There is a statewide need," Elena Wilken, executive director of nonprofit policy organization Housing Colorado, said this week. "But it looks a little different if you're in the rural areas."

The Colorado Department of Local Affairs estimates 280,000 Colorado households dedicate at least half of their income to their housing, roughly 13.3% of the state. That's a monthly budget chunk that puts people at financial risk and can destabilize communities, according to Housing Colorado.

Wilken has noticed a cascading effect as steep home prices and a

Urban pressures are hardly the only force at play when it comes to finding places for low- and moderate-income earners to live in small towns. When rural communities move to build more housing to meet to demand, they're often confronted with a major problem, particularly when it comes to rental projects.

"The cost of construction is just as high as it is in Denver if not higher," Wilken said. "The labor is more expensive, your materials have to be shipped. Nothing changes in that equation except the rents are lower."

State legislators passed a pair of bills in 2019 expected to pump tens of millions of dollars into housing over the coming years. The Colorado Division of Housing has granted rural communities, including Basalt, support for affordable housing projects in just the last few months.

But rural communities aren't standing still waiting for people working in the capital to address their problems.

In 2016, Chaffee County, Salida, Buena Vista and Poncha Springs commissioned a housing needs assessment. The finished product found to catch up with the county's existing shortfall and keep up with predicted job growth, 262 units of new housing would need to be built across the county every year for a decade. Admitting that goal was unrealistic, the report recommended aiming for 27 new units every year for 10 years, with 17 of those priced for people making 60% or less of the area median income.

Helen H. Richardson, The Denver Post

Two cousins, who wanted only to be called by their first names which were both Bob, pet their dogs Jack and Bear after getting coffee at Alba Bakery & Coffee in the new Monarch Crossings development in Poncha Springs on Feb. 11, 2020. The two have been Chaffee County residents for years, but both are leaving the area because neither of them can afford housing anymore. The Monarch Crossing development is a mixed used development which allows owners to have a business downstairs and live upstairs in the same unit. Affordable housing in Chaffee County, like many other Colorado communities has become a problem where many locals can't afford the rising price of homes.

Since then, each jurisdiction has taken steps to move the needle in a county where people have been known to sleep in their trucks during the busy summer tourism season.

"Each community is going after the supply side market in different ways," said Becky Gray, the county's director of housing, whose office was launched in 2018.

Salida adopted an inclusionary housing ordinance in 2018 mandating 12.5% of any new residential development of more than five units must be "affordable."

Poncha Springs updated its zoning regulations to allow for more density and a wider variety of development, Gray said. Permits for single-family homes shot up 132% to 51 last year, county building data shows.

One of Poncha's newest developments — the mixed-used Monarch Crossing neighborhood — has brought a handful of new small businesses to town. Former Denver residents Rick and Dawn Barrowman were able to get a home loan to buy a unit in the complex. They turned half the space into Alba Bakery & Coffee, a place where Dawn, the business's owner, can showcase her skills as an Italian-trained pastry chef.

Helen H. Richardson, The Denver Post

Owner Dawn Barrowman, left, talks with local regular Hal Barnes, right, as he makes an order at Alba Bakery & Coffee in Poncha Springs on Feb. 11, 2020. Alba Bakery is owned by Dawn and Rick Barrowman, who moved to Poncha Springs to start the bakery in 2019.

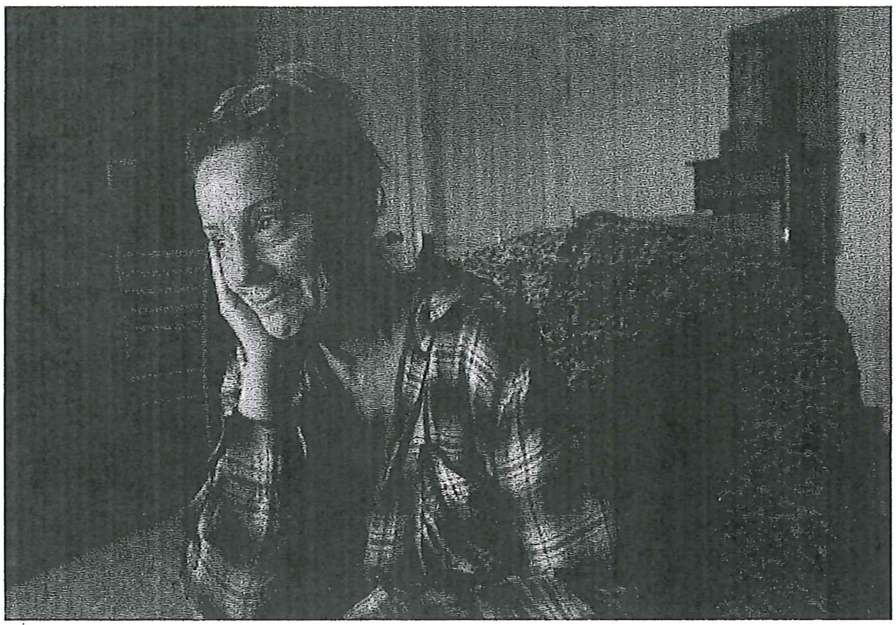
"Affordability comes in a variety of forms," said Rick Barrowman, who manages the bakery on the business side. "Affordable to us meant that we could live someplace and own a business someplace."

Through a land swap and ground lease agreement, Buena Vista worked with Greenwood Village-based developer Urban Inc. to get Collegiate Commons built on the town's former baseball field. The town also changed its zoning to allow for more density and encourage infill, Gray said.

In a place with a mountain of barriers to boosting supply — a challenging climate; a remote location where 80% of land is dedicated public; a small, trade labor force; an abundance of second homes and vacation properties — Gray and other officials are trying a number of things.

Last summer, the housing office launched a rental deposit guarantee program to help people without the necessary savings break into market. With the support of a state health disparities grant, Gray is leading a series of public discussions aimed at exploring the county's housing-economic ecosystem. One aim coming out of the talks is to foster the creation of smaller-scale development companies that will cater to local needs.

The cause is already being aided by innovative local projects like Fading West Development's The Farm neighborhood on the south end of Buena Vista, where factory-built homes can be had for under $300,000.



Helen H. Richardson, The Denver Post

Christiana Huffman poses for a portrait inside her new apartment at Collegiate Commons on Feb. 10, 2020 in Buena Vista. Huffman was homeless for almost 2 years because she couldn't afford housing in the area. With a new affordable apartment she was able to start her own cleaning business called Christies Custom Cleaning. She specializes in cleaning vacation rentals, move out/move in and private residences.

Steve Shraiberg, president of Urban Inc., the developer behind Collegiate Commons, has been watching Buena Vista and Salida grow for years through his involvement with Collegiate Peaks Bank. In the early 1980s, Urban Inc. built (and has since sold) the affordable Sunrise Manor senior apartments in Buena Vista. Shraiberg said he has been approached about building an assisted living complex in Salida but none of the sites he's seen have been the right fit.

A lot had to fall into place for Collegiate Commons to be built. Urban Inc. secured highly competitive 9% federal low-income housing tax credits to finance the project. The town offered up the property. Gray said the county can't bank on tax credit projects every year, particularly with limited space on which to build.

"How do you draw down federal grant funding for a single quadruplex, which is what fits the scale of our communities?" she said.

On the opposite side of the Front Range, communities on Colorado's Eastern Plains are confronting their own housing crunch. Lincoln County completed a housing needs assessment in January 2019, but Troy McCue, executive director of the county's economic development corp., said the rental projections already need to be updated.

McCue owns some rental properties in his hometown of Arriba. Last year, he advertised one of his properties on Facebook and was so inundated with calls and emails he had to take it down the same afternoon. Based on that and job growth he is seeing in the county — including new jobs coming in with a large construction supply warehouse planned for Limon — he said the county could use another 75 to 80 attainably priced places to rent, about twice what the housing study projected. Not all workers want to buy in a community right away, and if they can't find a place to rent they'll commute and take their paychecks with them, he said

Helen H. Richardson, The Denver Post

Listings for available properties are shown at a local brokerage firm in Buena on

"If we can increase our available rental stock and keep it high-quality and well-managed, I think we can really help folks get familiar with our community to the point where they actually want to build or buy their own homes," McCue said.

At the same time, the county is struggling to provide affordable places to live for low-wage workers in its motels and restaurants. The economic development corp. is looking for a developer now to work with on an 11.3-acre parcel it owns in Limon. The property is being eyed for a 62-unit rental project that would be supported with low-income housing tax credits, McCue said.

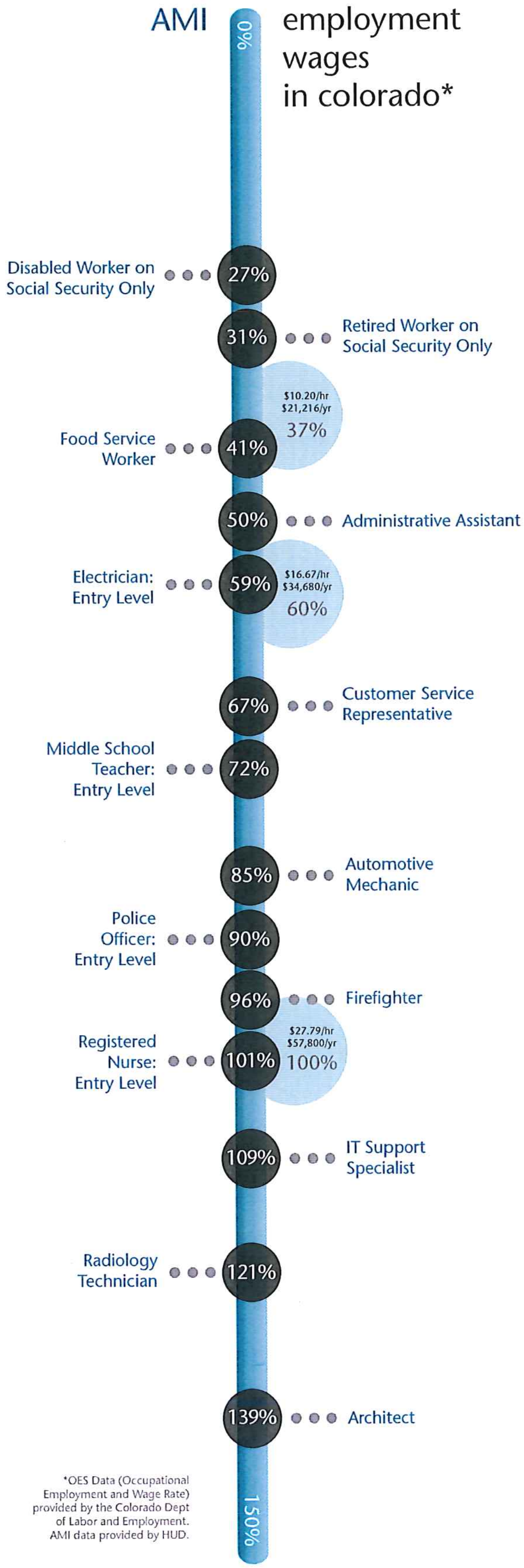
"In Lincoln County and Limon, we have a probably a larger amount of low-income or people living beyond their means than along the Front Range," Limon town manager Greg Tacha said.

Even in Sedgwick County, population roughly 2,300, residents are wrestling with how to provide rooftops for people that want to live there. Lacey Ramirez, 37, recently moved back to the county where she spent a chunk of her childhood. Ramirez, who has a master's degree in economic development from Columbia University, has seen troubling trends are work in the northeast corner of the state.

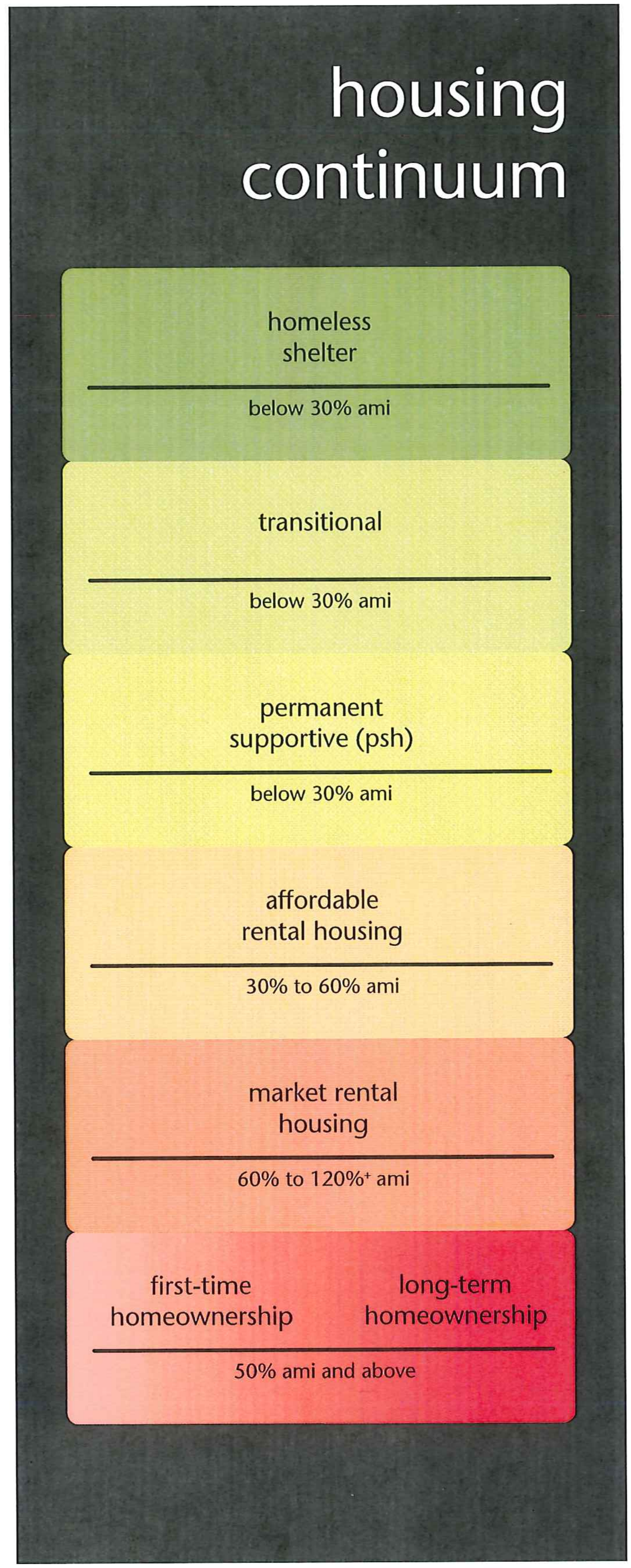
Much of the existing housing stock is occupied by retirees. It's affordable for them, but it keeps families who can't afford to build a new house from moving in and sustaining the communities. There is skilled labor in the county, Ramirez said, but the timeline for homebuilding is too long leading people to give up and move on. There has been little in the way of support from state or federal agencies, she feels.

"We feel ignored out here. We feel forgotten," she said. "What are we going to do? We need to have options for people."

Popular in the Community



*OES Data (Occupational Employment and Wage Rate) provided by the Colorado Dept of Labor and Employment. AMI data provided by HUD.



Denver Metro Area Median Incomes and Maximum Rents - 2019

AMI	1 person max income	2 person max income	3 person max income	4 person max income	1-BR max rent	2-BR max rent	3-BR max rent
100%	$65,000	$74,300	$83,600	$92,800	$1,741	$2,090	$2,413
60%	$39,000	$44,580	$50,160	$55,680	$1,044	$1,254	$1,448
50%	$32,500	$37,150	$41,800	$46,400	$870	$1,045	$1,206
40%	$26,000	$29,720	$33,400	$37,120	$696	$836	$965
30%	$19,500	$22,290	$25,080	$27,840	$522	$627	$724

LONGMONT
HOUSING & COMMUNITY INVESTMENT
A Division of Community Services

SUMMARY GUIDE: LONGMONT'S ORDINANCE ON INCLUSIONARY HOUSING

SUMMARY

12% of all residential homes must be affordable (defined as homes sold at a price that is affordable to households at or below 80% of the Area Median Income or renting homes at rents that are affordable to households at or below 60% of the Area Median Income). Sales and rent prices are set by the City and are made available, along with the methodology, on the city's website.

For-sale market homes developments can use any of the below options to satisfy their requirement; rental homes developments can only use the Fee-in- Lieu or Land Donation option or can enter into a Voluntary AH Agreement.

Affordable Homes (both for-sale and rental) must be deed restricted as permanently affordable in a form provided by the City.

HOW TO SATISFY THE REQUIREMENTS

On-Site Location (E.1.)

Provide the affordable homes (AH) homes on-site based on 12% of total number of market homes being provided. AH homes can be provided in a different product type than the market homes (e.g., market = single family detached; AH = townhomes, condos, rentals) as long as the total number of AH homes meets the number of homes required.

The phasing of the construction of AH homes will be outlined in an Affordable Housing Agreement between the city and the developer/builder and under the same standards and procedures as a public improvement agreement.

Affordable homes will have equal access to all amenities within the development and homeowner associations will keep affordable homes on a fair and equal footing with market rate homes within the governing documents.

Council approval is not needed when providing for-sale AH homes On-Site.

Council approval is required if a rental project voluntary chooses to provide affordable homes on-site (see: Voluntary Alternative Agreement)

Fee in Lieu (E.2.)

FIL is calculated based on the total finished livable square footage of the market rate homes in the development and will be updated, via the Council-accepted methodology, and approved by Council every three years.

The initial for-sale FIL amount is set at $7.90/SF. The initial rental FIL is set at $1.90/SF. The 12% affordable requirement has been applied to reach the $7.90 and $.190 figures, which will be applied to the total square footage of livable finished square footage.

The FIL may be paid at any time up to the release of C.O. for each market rate home. The FIL to be paid will be the cost in effect at the time of Final Plat or Site Plan approval, whichever is later.

Council approval is not needed when paying the FIL for for-sale or rental projects.

Off-Site Location (E.3.)

The AH homes may be provided in a different location than the market rate homes and must equal the same number of affordable homes required to be provided as if on-site.

AH homes cannot be located in designated low/moderate income areas of the city without prior Council approval granting an exception (K.3).

AH homes provided in an off-site location can be new construction or can be existing housing that is purchased, deed restricted, and sold at the affordable sales prices.

Existing homes must be in good repair based on an inspection commissioned by the city, but paid by the developer; carry a warranty from the date of deed restriction; and cannot already be deed restricted as affordable.

Approval to build homes off-site does not guarantee Planning and Development Services approval for the Off-Site location. The developer must complete the standard development review process through the city.

Phasing of the construction of AH homes offsite will be outlined in the Affordable Housing Agreement between the city and the developer/builder under the same standards and procedures as a public improvement agreement.

No Double Counting - Off-Site AH homes will not satisfy obligations for any market rate housing on the off-site location. Additional AH homes will be necessitated by those market homes.

This option must be approved by Council prior to approval of the Final Plat or Site Plan for the original development.

Land Dedication (E.4.)

Land may be donated to the city in place of providing the AH homes and must:

- Be approved by Council prior to the approval of the Final Plat or Site Plan;
- Be fully buildable land or lots, i.e. have all off-site infrastructure to the site, OR agree to build the infrastructure, OR provide sufficient funding to the City to pay for the infrastructure AND have all obligations to neighboring landowners paid;
- Be able to support at least the quantity of AH required without the need for variances or reliance on incentives from the city;
- Not be encumbered in any way (liens, taxes or fees accrued, floodplain that limits development, etc.);
- Be zoned appropriately to provide the AH homes;
- Not be in a Low/Moderate Income designated area (unless prior Council approval is received);
- Be dedicated to the city at time of execution of the final Plat/Site Plan;
- Be compliant with all environmental site assessment code provisions;
- Be in fee simple title and transferred by general warranty deed.

This option must be approved by Council prior to approval of the Final Plat or Site Plan for the original development.

Combinations of the above are allowed and developers may propose an alternative manner to meet the AH requirements not outlined in the ordinance. Proposals must be approved by Council prior to the approval of the market rate Final Plat or Site Plan. (E.6. and E.7.)

Developers can provide an alternative manner in which to meet these requirements. This includes developers of rental housing who voluntarily agree to designate or otherwise provide affordable rental homes rather than pay the FIL or dedicate land. (E.6.)

EXCEPTIONS

Affordable Housing for Lower Income Households

When providing housing at the following lower AMI levels, a reduction is allowed in the amount of AH homes that must be provided. (E.6.a-d)

Product Type	Requirement	Alternative
For Sale	≤ 80% AMI = 12%	≤ 60% AMI = 9%
Rental	≤ 60% AMI = 12%	≤ 40% AMI = 9%

Middle-Tier Housing

When a development provides some or all of its homes as middle-tier housing, the obligation shall be reduced on a per unit basis when sales prices meet the following: (F.1 – 3)

Tier Level	Reduction to 12% Requirement
A=80.1%-100% AMI	100% (no added requirement)
B=100.1%-110% AMI	60% (40% requirement owed)
C=110.1%-120% AMI	20% (80% requirement owed)

Sales prices are set by the city and updated annually. No deed restrictions are required on the Middle-Tier homes; however, developer must use best efforts to ensure the initial buyers intend to use the home as their primary residence and provide documentation via sales contracts, loan docs, etc. (F.5.)

Developers will provide to the city, prior to each building permit, which middle-tier price range the home is intended to meet. To receive a C.O. for each unit and for reconciliation at the final C.O., the developer will provide proof that the home sold within the range via final closing documents, etc.

If a home in a designated tier ends up selling for more than allowed for that tier, there will be a reconciliation and the additional FIL amount owed to the city can be made without Council approval.

Individual-Owned Lots and ADUs

An individual who owns a lot that was platted prior to the implementation of the Ordinance and will construct a home that will be his or her primary residence is exempt from this ordinance. (B)

An accessory dwelling unit (ADU) constructed by the owner of a primary residence is exempt from this ordinance.

Low/Moderate Income (LMI) Areas.

Council may, at its sole discretion, provide an exception to allow AH homes in Off-Site or Land Dedication options to be placed in LMI Areas, generally considering if the AH would result in clustering that would negatively impact the area, the surrounding community, or the city as a whole, and whether positive elements of the redevelopment or investment in the area would outweigh any negative impacts (K.3.)

Live/Work Units

Live/work units are considered residential development, but only 80% of the SF of each structure will be considered residential for calculating the AH requirement. (D.3.)

High Density Rental Projects

Rental projects with more than 20 homes per acre will receive an exemption on the number of homes provided above the 20 units/AC. The FIL or number of AH homes to be provided will only be calculated on the homes up to 20 per acre. (E.2.c.)

GENERAL INFORMATION

Income Qualification. The city will income qualify households eligible to purchase affordable homes under the program and will work with property managers/ agents on how to income qualify tenants for affordable rental properties (if providing homes under a voluntary agreement). The Program's Policies and Procedures will outline this process and will provide for a local live/work preference when there is competition for a home. (H.)

Affordable Housing Agreement. Each development will enter into an Affordable Housing Agreement with the city laying out how the AH requirements will be met.

Credits. (L.) The city will provide and track credits for developments that offer to and provide more than the minimum number of AH homes.

No federal, state, local agency or city assistance, financial subsidy, tax relief or other credit can be used to support the extra affordable homes.

The land for the affordable homes may not have been provided under a Longmont AH program.

Land use incentives and/or HUD loans can be used to support/produce the extra homes.

Credits can be used to offset AH homes required in another development. The development generating the credit may negotiate with a future project to transfer/sell the credits to another development. Developments are required to provide documentation of the transfer/sale of credits to the city. Credits will expire after five years, with one two-year extension allowed.

Period of Applicability. Requirements apply to any development receiving approval of a final plat, site plan, PUD plan, overall development plans, or other similar planning approval after the enactment of this Ordinance. (C.)

FOR-SALE/HOMEOWNER REQUIREMENTS

Marketing of AH Homes. The Program Rules and Regulations will address the marketing requirements of a development providing AH homes to ensure that the community is aware of affordable housing opportunities. (M.)

Deed Restrictions. Deed restrictions will be secured by a Deed of Trust and a covenant on each property. The covenant will allow a sale to another income-qualifying affordable buyer at the sales price determined by the city. Sales prices will allow for a long-term rate of appreciation, plus allowance for some capital improvements installed by the homeowner.

The rate of appreciation will be indexed to changes in the area median income and may be capped to ensure the long-term affordability.

All requirements will be in the Program's Policies and Procedures and city staff will explain requirements to potential buyers. The sales staff of each development is expected to fully understand the requirements and be able to inform potential buyers as well. (G.)

Primary Residence. For sale homes may not be rented, but must be owner-occupied as a primary residence. An exception may be granted by the city if there is a bona-fide hardship, the property doesn't carry an outstanding down payment assistance loan, and the renter will be low/moderate income. Requirements around this exception will be laid out in the Program's Policies and Procedures. (I.)

RENTAL REQUIREMENTS

Any deed restrictions pursuant to a voluntary agreement will be secured by a deed of trust on the property and will be put into place prior to the issuance of the first C.O. for any rental unit in the property. (G.1.b.)

The rental covenant may be released after 30 years, at the city's full discretion, considering if the owner at the time pays for each deed restricted rental unit the amount of the difference in value of the unit, with and without the deed restriction, based on reasonable market data, or if an arm's length sale, the value at which the property is priced in the sale.

More information on the mechanics of this will be laid out in the Program's Policies and Procedures. (G.5.b.)