

PLANNING AND ZONING COMMISSION

AGENDA

DATE JULY 5, 2022, 6:30 P.M.

420 CENTRAL AVE DOLORES CO. 81323

OR VIRTUALLY BY THE LINK BELOW:

Join Zoom Meeting

<https://zoom.us/j/92252992315>

Meeting ID: 922 5299 2315

One tap mobile

+16699006833,,92252992315# US (San Jose)

+12532158782,,92252992315# US (Tacoma)

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.**
- 5. APPROVAL OF THE AGENDA**
- 6. PUBLIC PARTICIPATION 5 minutes per person.**
- 7. CONSENT AGENDA**

7.1 Minutes of June 7, 2022.

8. Staff updates

8.1 Grant awards: Housing Planning, JRP Master Plan, Bear-To-Human Conflict Reduction; Trash Container Upgrades, Bathroom Grant, Adult Exercise Equipment.

8.2 Update on the progress of finalizing the Land Use code for printing the full version.

8.3 Code Enforcement update -verbal - Manager and Building Official

8.4 Development/ Land Use activity report - verbal - Building Official

9. Discussion and possible decision:

9.1 Setting goals for the task force. Please watch the [YouTube video](#) of the June 27, 2022, Board Workshop regarding attainable workforce housing.

9.2 Appoint two P&Z members to the Dolores Attainable Housing Task Force.

9.3 Discuss Watershed Protection Planning Process.

10. Future agenda items. Reading the Clean-up ordinance (public hearing)

11. Adjournment

Attachments:

- Workshop Material,
- Award letter,
- Preliminary Planning and
- Analysis Grants Program

PLANNING AND ZONING COMMISSION

MINUTES

DATE JUNE 7, 2022 6:30 P.M.

420 CENTRAL AVE DOLORES CO. 81323

OR VIRTUALLY BY THE LINK BELOW:

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1. **CALL TO ORDER.** Chairperson Robinson called the meeting to order at 6:33 p.m.
2. **PLEDGE OF ALLEGIANCE.** The group recited the pledge.
3. **ROLL CALL.** Present at the meeting were, Commissioners Watters, Powell, Tucker and Robinson. Staff members present, Manager Charles, Attorney Kelly, and Assistant Clerk Swope.

Absent were, Commissioner Heeney and Ex Officios Youngquist and Lewis.

4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None.
5. **APPROVAL OF THE AGENDA.** Commissioner Tucker moved and Commissioner Watters seconded to approve the agenda.
Yes: all
No: none

6. **PUBLIC PARTICIPATION 5 minutes per person.** No public participation occurred.

7. CONSENT AGENDA

7.1 Minutes of May 3, 2022, and May 17, 2022.

Commissioner Tucker moved and Commissioner Powell seconded to approve the consent agenda.
Yes: all
No: none

8. Staff updates

8.1 Update on Board action on Hillside Townhome Subdivision Preliminary Plat and future procedures by the Board of Trustees concerning the final plat.

Manager Charles and Attorney Kelly reported on the action of the Board of Trustees on the Town home subdivision application and preliminary plat. The BOT approved the preliminary plat and approved the conditions recommended by the Planning Commission and additional conditions being an improvements contract, installing fencing along the alley between the two townhome developments and connecting the sidewalk along Hillside to the corner of 15th street. The next step will be a final plat hearing by the BOT when the developer has completed the necessary documents and amendments to the plat.

Chairperson Robinson recommends the staff require a traffic mitigation in the future because of the public comments related to parking and over crowding of the streets from the residents living at the east set of townhomes. The concern was that the proposed development would cause even more overcrowding of the streets. Attorney Kelly had confirmed that the developer could not restrict the residents from parking on the street in the covenants. The town would need to establish parking policies and provide a tool for enforcement of the policies. The developer has provided the required number of off-street parking for the proposed dwellings on the plat.

The Town recognizes that the streets are narrow and dusty. Some methods will be used to control the dust and policy of on-street parking will be reviewed. Other concerns from the commission based on public comment was the drainage of storm water. When the first phase of the project was first applied for, a drainage study was completed by Stoner Engineering. This study found no negative impact would be created by the runoff from the roofs in a 100- and 500-year storm. There was also a traffic study performed by Stoner Engineering and this study will be reviewed by Building Official Doudy to determine if the findings of the study meet the current conditions of the area.

Chairperson Robinson asked about the possibility of visiting the site of a proposal in person in the future. Attorney Kelly affirmed that if the site visit was posted properly in compliance with open meetings law the Commission could travel to the proposed development site during the set meeting date. No comments would be made until the group convened for the public hearing. The Attorney can look at the practices of other communities. The staff would be able to collect video images of the development area. Some talk of using drone to capture the area was discussed.

Commissioner Powell observed that the commission was not prepared with information about local jurisdiction and ordinances to know what the public comments are relating to. As she pointed out the public concern for parking was related to parking regulations not zoning regulations. She would like to know more about who is responsible for what in the operations of the town and how they relate to the Zoning regulations and the Comprehensive plan. The commission discussed local parking violations and what could be done for enforcement and solutions to long term parking for trailers and campers. The Commission was informed that nuisances like illegal parking are enforced by complaint to the town and passed on to the law enforcement if found to be a valid complaint. Other complaints are currently managed through a multi-step process of notification, resolution, or abatement by the staff. Staff mentioned that the Municipal Code needed to be updated, corrected and edited. Other nuisance issues

addressed by the staff are lighting and noise. Some businesses in town have been notified of and have corrected their nuisance conditions for lighting.

8.2 Update on the progress of finalizing the Land Use code for printing full version. The document that was posted on the website was removed because the chapters posted on the site were work in progress versions and not the adopted version from the February 2022 BOT adoption. Planner Garvin will continue to make the common corrections of spelling, numbering and page headers. Town attorney Kelly will prepare the clean up ordinance to correct additional technical problems that have been identified.

8.3. Shirley Powell, update on the State Historic Grant for the Exon Building. Commissioner Powell reported that the grant was awarded to the Exon building. The total funding, including the match, is \$44,372. The expenditures are going to be used for updating the exterior, the front entrance, basement finishing and floodproofing. The next steps will be finalizing the contract with the state, Kokopelli (owner of building), and the town for managing the grant. The town will expend no cash, but staff will be involved in the management. The positives of this grant award are that the project is very visible and will result in increased sales tax revenue to the town. Powell says that completing this grant will help the town to see if it is worthwhile to partner with other restoration and preservation grants or if another agency will be better employed to do this. She is cautious about adding more grant projects as the required staff time (she is volunteering her time) is not built into the town staffing load. This alternative agency would have to qualify criteria established by the State Historical Fund.

9. Discussion and possible decision:

9.1 Attainable housing. Status of the application submitted to DOLA. Selecting the criteria, we can add to our policies and legislation to secure approval of a grant. See attached list from this link [DOLA IHOI Guidance for Qualifying Strategies](#). (We have met some of these strategies we would be more successful if we met at least three more.)

- [Use of vacant publicly-owned property for affordable housing development](#)
- [Subsidize/reduce local government fees](#)
- [Expedited development review for affordable housing up to 120% AMI](#)
- [Expedited development review for acquiring or repurposing underutilized commercial property](#)
- [Density bonus program for housing needs](#)
- [Promote submetering utility charges for affordable housing](#)
- [Dedicated funding source to subsidize affordable housing infrastructure costs and fees](#)
- [Middle multifamily \(duplex, triplex, other\) use by right in single family residential zoning districts](#)
- [Affordable housing as a use by right in residential zoning districts](#)
- [ADU use by right in single family zoning districts](#)
- [Allow planned unit developments \(PUDs\) with integrated affordable housing units](#)

- Allow small square footage residential unit sizes (under development as examples arise)
- [Lessened minimum parking requirements for new affordable housing](#)
- Land donation/acquisition/banking program (under development as examples arise)
- [Inclusionary zoning ordinance \(HB21-1117\)](#)
- Other novel, innovative, creative approaches

The Commission heard details about the attainable housing project site planning grant the town has applied for but must meet additional strategies, the DOLA links are listed above, of which the town has met only 7 of 10 recommended strategies. The town currently has identified sites suitable for attainable housing projects and could be eligible for grant funds for the site development planning. The requirement of the town is to establish policies and standards to specifically enable attainable housing projects to be allowed in residential zones. The town must add a specific definition of affordable (attainable) housing in its codes, opt to create use by right standards for residential properties for affordable housing units, adopt a range for income eligibility that reflects the community and the surrounding communities' AMI. Commissioner Tucker thinks there should be a defined need established. Manager Charles says that the available developable land the town owns will serve to set that definition by determining how many units can be built on the town property. These efforts will involve public processes to build these elements into the Land Use code.

9.2 Discussion on Planning Commission projects for 2022 and beyond. The current and upcoming projects were discussed. Of these housing, watershed protection, and financing grant opportunities. There was a consideration for developing steering committees within the community to reduce the impact on staff time for administrating these. The commission will be moving forward with the comprehensive plan by continuing reviewing the elements of the plan. Manager Charles says the update may be scheduled for the 2023 budget year at the earliest.

10. Future agenda items. Water shed protection standards, reading the LUC Clean-up ordinance (public hearing). Manager Charles suggested that Commissioner Tucker and Robinson present a weed management program to the BOT. Commissioner Tucker preferred to invite the County Weed Department to explain where the problem weeds are and the best methods for managing them.

11. Adjournment. The meeting adjourned at 8:20 p.m.

Chairperson, Linda Robinson

Assistant Clerk, Ann Swope



COLORADO
Department of Local Affairs
Division of Local Government

June 2, 2022

The Honorable Leigh Reeves, Mayor
Town of Dolores
PO Box 630
Dolores, Colorado 81323

RE: IHOI-PPA005 Dolores Local Workforce Housing Report

Dear Mayor Reeves:

Congratulations! After thorough review, I am excited to offer a Preliminary Planning & Analysis Program grant award in the amount of \$20,000 to assist with the Local Workforce Housing Report.

This awarded project is a part of an exciting new program through the Colorado Department of Local Affairs (DOLA), with funding from HB21-1271, that offers state assistance to local governments to promote the development of innovative affordable housing strategies in a manner that is compatible with best local land use practices. The funds are made up of both federal and state stimulus funds. The Divisions of Local Government (DLG) and Housing (DOH) are partnering on this program to provide multi-disciplinary support to grantees.

Your project was reviewed based on a variety of factors such as its connection to readiness, capacity, impact on housing, political support, and equity, diversity, and inclusion in stakeholder and community engagement. DOLA is available at any point for assistance as needed with your project. We support your work and are excited to share your results with other local governments, the Governor's Office, and the legislature.

Please contact DOLA Community Development Office staff, Mitch Hendrick, Mitch.Hendrick@state.co.us, for additional information on how to proceed. Expenditure of funds prior to the contract being fully executed cannot be included in the contract budget or reimbursed by the state. DOLA will be executing these contracts over the coming weeks. Per our program guidelines, all funds need to be spent before June 30, 2024.

I wish you success with your project. Thank you for helping Colorado build more attainable and affordable housing across the state.

Sincerely,

Rick M. Garcia
Executive Director

cc: Don Coram, State Senator
Marc Catlin, State Representative
Ken Charles, Town of Dolores
Patrick Rondinelli, DOLA Regional Manager
Andrew Atchley, DOH Development Specialist





Kenneth Charles <manager@townofdolores.com>

Human-Bear Conflict Reduction Grant - Congratulations

5 messages

Cannon - DNR, Kristin <kristin.cannon@state.co.us>

To: Kenneth Charles <manager@townofdolores.com>, cortezairport@cortez.gov, townmanager@ricocolorado.gov

Cc: Matt Sturdevant - DNR <matt.sturdevant@state.co.us>, Adrian Archuleta - DNR <adrian.archuleta@state.co.us>

Thu, Jun 23, 2022 at 4:32 PM

Hi Ken,

I am happy to inform you that Heather Dugan, Acting Director of Colorado Parks and Wildlife, following the recommendations of the Human-Bear Conflict Reduction Grant review panel, has given conditional approval for \$27,078 in funding for the project. As discussed in your application, funding will go towards 26 bear resistant containers.

Congratulations on a successful proposal! On behalf of the Human-Bear Conflict Reduction Grants review panel and Colorado Parks and Wildlife thank you for your efforts to reduce human-bear conflict in your community.

I ask that you or the project leader contact me to discuss your plans for your project, including the potential work timeline. I can be reached at 303-291-7313 or by email at kristin.cannon@state.co.us. Please hold off on spending any money until we have a chance to discuss your project in more detail.

Colorado Parks and Wildlife looks forward to helping your project become a reality.

Kristin Cannon
Northeast Region Deputy Regional Manager



P 303.291.7313 | C 303.877.6094

6060 Broadway, Denver, CO 80216

kristin.cannon@state.co.us | cpw.state.co.us



Kenneth Charles <manager@townofdolores.com>

To: Andy Lewis <andy@townofdolores.com>, Leigh Reeves <leigh@townofdolores.com>, Mark Youngquist <mark@townofdolores.com>, Sheila Wheeler <sheila@townofdolores.com>, Val <val@townofdolores.com>, snowlin@so.montezuma.co.us

Thu, Jun 23, 2022 at 4:37 PM

FYI good news.

[Quoted text hidden]

Ken Charles
Dolores Town Manager
970-882-7720-O

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Options:

In-Ground Mount: [78000007](#), Surface Mount: [78000007SM](#).

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In-Ground Mount: [78000037](#), Surface Mount: [78000037SM](#).

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**Town of Dolores
June 27, 2022
Workshop Material
Attainable Housing**

Workshop Goals

Define the problem, first is this a problem and second, is the town the appropriate entity to address the problem.

Develop the Problem Solving/Decision Making process.

Provide Information and Insights
Review Rural Homes video
Rural Homes Deed Restriction

On several occasions the Town of Dolores Mayor and Trustees, present and past, has discussed with staff if it were advisable for the town to become actively involved in developing an “attainable workforce housing” project. Attainable workforce housing is defined by DOLA **“is defined in the statute as up to 80% Average Medium Income (AMI) for rental housing and up to 140% AMI for affordable homeownership”**. The town might elect to limit the definition to 120% of AMI

Montezuma County 2022 AMI-\$57,562

80% AMI-\$46,050
120% AMI-\$69,074
140% AMI-\$80,586

Housing Costs-Montezuma County was the #2 most dramatic median price increase from 2019-2021 with an 84% increase. The medium home price in 2021-\$390,000. Montezuma Regional Roadmaps presentation.

The Problem

Coloradans have identified housing affordability as the biggest issue facing the state as one in every seven Colorado households is spending more than half of its income on housing according to a study by Shift Research Lab. House Bill 21-1271.

In Dolores, the Medium home price is \$379,000. The annual income needed to support this type of purchase is estimated at \$72,633. The average teacher salary at Dolores 4A is \$41,006. Clearly this is unattainable for teachers and others in a similar income bracket. Income significantly lags behind housing price increases. According to study by the Southwest Colorado Council of Governments, on the rental side, half of all renters in the Southwest Region are housing cost burdened.

The problem is exacerbated by the growth in short-term rentals and second-home buyers.

If nothing is done, owning or renting a home in Dolores will not be possible to our workers. It will become increasingly difficult to recruit teachers, law enforcement personnel and other necessary workers. This will likely push downward the Dolores 4A school district population. We can argue that the community's Quality of Life will be diminished because of fewer and fewer working people living in the community.

Is this a problem that needs to be addressed?

If yes, is the town the right entity to address this problem/opportunity? Given the town's responsibilities, it would be irresponsible for the town not to address Attainable Housing.

The town can make an impact. Two of the significant costs affecting affordability is the high cost of land and public utility costs (tap fees) The town owns developable sites and could waive tap fees (grants are available to reimburse tap fee waivers). In return, buyers agree to a deed restriction that limits the appreciation. In this way resale values should remain attainable to the next qualifying buyer.

Develop the Problem Solving/Decision Making Process

If yes, we need to develop an early-stage Decision Making process that is reasonable, sensible and responsible.

1. Develop a set of goals and objectives to address the problem.
 - Adopt the DOLA definition of affordable housing.
 - Appoint an attainable housing advisory commission composed of elected and appointed town officials and several community leaders to "advise" the development of the attainable housing project(s). One or two town trustees, a P&Z member, Realtor, Financial institution, Chamber, private citizens.
 - With the help of the planning commission recommend change to the town's new Land Use Code and other tools to add attainable housing strategies as defined by DOLA.
 - Develop a scope of services for a consultant to assist the town with an attainable housing project that can be built in 2023. The DOLA has awarded the town with \$20,000 to aid with the consultant costs. Discuss scope of services of grant funded Preliminary Planning & Analysis project.
 - Analyze sites.
 - Analyze how the system works.
 - Predict the impacts of each solution.
 - Evaluate those impacts.
 - **Get the decision-makers to choose a course of action.**
 - Implement course of action: programing, budgeting, deed restriction document, financing etc.

Rural Homes presentations



COLORADO
Department of Local Affairs
Division of Local Government

June 2, 2022

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Town of Dolores
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Dolores, Colorado 81323

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Your project was reviewed based on a variety of factors such as its connection to readiness, capacity, impact on housing, political support, and equity, diversity, and inclusion in stakeholder and community engagement. DOLA is available at any point for assistance as needed with your project. We support your work and are excited to share your results with other local governments, the Governor's Office, and the legislature.

Please contact DOLA Community Development Office staff, Mitch Hendrick, Mitch.Hendrick@state.co.us, for additional information on how to proceed. Expenditure of funds prior to the contract being fully executed cannot be included in the contract budget or reimbursed by the state. DOLA will be executing these contracts over the coming weeks. Per our program guidelines, all funds need to be spent before June 30, 2024.

I wish you success with your project. Thank you for helping Colorado build more attainable and affordable housing across the state.

Sincerely,

Rick M. Garcia
Executive Director

cc: Don Coram, State Senator
Marc Catlin, State Representative
Ken Charles, Town of Dolores
Patrick Rondinelli, DOLA Regional Manager
Andrew Atchley, DOH Development Specialist





Preliminary Planning & Analysis Grants

from the Affordable Housing Development Incentives Grant Program (HB 21-1271)

What is the Preliminary Planning and Analysis Grant Program?

DOLA is setting aside up to approximately \$250,000 from the Affordable Housing Development Incentives Grant Program to assist eligible Colorado communities with funds to support preliminary planning and analysis that is often needed to get an affordable housing development project ready to seek financing. Many communities and stakeholders have expressed a funding gap for this type of planning and study, especially in rural areas or in small communities.

Which communities are eligible to apply?

Municipalities and counties are eligible to apply for funds. Housing authorities, nonprofit developers, and other nonprofit organizations are not eligible on their own but can partner with municipalities and counties. ***Only municipalities and counties that have adopted at least three qualifying strategies are eligible to apply for funds*** (see list in the [program guidelines](#)).

How can the funds be used?

Funds must be used to perform necessary analysis and planning for housing projects that will ultimately meet the following income restrictions - for households earning up to 80% AMI for rental housing and up to 140% AMI for homeownership. The intent of this funding is to support the preliminary planning and analysis work that must take place in order for a community to be able to finalize an application for funding for a project. Eligible expenses may include but are not limited to initial feasibility studies, financial modeling, preliminary site planning, surveying, environmental site assessment, real estate planning, energy efficiency and performance modeling, market studies, displacement and relocation planning, project-specific equity assessments, title research for land acquisition, infrastructure planning, acquisition or project due diligence, and other work necessary to formulate a solid project (see program guidelines and/or scoring matrix to assess what makes a project strong as defined by this program).

What costs are ineligible?

Costs that occur as part of a project once it has been designed, such as entitlement requirements, are not eligible for these dedicated funds. Any costs which can be bundled into the project financing should not be included in the application. This program is meant to support the preliminary costs and feasibility studies needed to finalize a project concept to begin to line up financing. Also, funds cannot be used for broad housing needs assessments, land use/zoning code updates, or other similar studies that are eligible to be funded through the Planning Grant Program. Grantees cannot begin work on a project that has been awarded grant funds until after receiving an executed contract from DOLA.

What is the award limit? Is there a match requirement?

Suggested maximum award amount for this cycle, unlike the other cycles in this program, is \$150,000, although we expect typical projects will request between \$20,000 to \$75,000 in funding. Applications must demonstrate a high likelihood of successful development potential within a quick time frame (e.g., within 12 months), as well as strong local government and partner support. DOLA may consider reviewing time-sensitive projects on a faster timeline if possible.

A 20% local cash match is required (e.g., cash, waived fees, purchased/donated land). Local governments can make a case for a match reduction or waiver (contact your Division of Local Government Regional Manager). All funds should be fully expended before March 31, 2023.

When and how does the application process begin?

Predevelopment planning and analysis grant applications will be accepted for a limited time as funds are available, with a first application due date of April 1. More details will be posted online at cdola.colorado.gov/1271 (awards are expected by the first week of May, 2022). Interested communities will submit a brief application in DOLA's online grant portal (open March 7, 2022). DOLA will schedule a meeting with each applicant meeting program requirements; this meeting will allow the team to review the project with the applicant and key partners before final funding recommendations are made.

How will applications be evaluated?

The Division of Local Government will engage both Division of Housing staff and experts from the Colorado Housing and Finance Authority's (CHFA) Small Scale Affordable Housing Technical Assistance program to coordinate programs and evaluate DOLA's applications. The team will evaluate applications for the likelihood of development project financing and completion, evidence of community support (including local government support through policies and incentives, etc) and support from potential developer(s).

- a. Local government elected body support for project (adopted policies, plans, and letter from chief elected official)
- b. General consensus among key partners on outcomes
- c. Project appears economically viable and addresses local housing need
- d. Analysis can be completed in time to have a project application by next fall, preferably (or they have a clear path to another funding source)
- e. Major gaps already addressed (e.g., if site needs infrastructure or annexation, provider/municipality has agreed to provide/annex)
- f. Grants cannot be used to cover adopted inclusionary requirements (i.e., grants cannot be used to pay for fee in-lieu requirements of an inclusionary housing/zoning ordinance)
- g. Applicants will be asked to describe the ability to move forward if the project is found to be feasible after study (e.g., financially, politically, etc).

How does this program compare with CHFA's similar program- the Small Scale Affordable Housing Technical Assistance (TA) Program?

DOLA's Preliminary Planning & Analysis Program

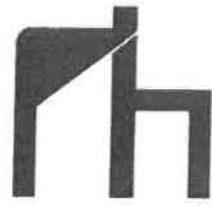
- Quick, temporary program to fund this important need
- No limits on the size of the potential project (i.e., # units)
- Grant awards are provided to local governments (only) to hire consultants to do the work
- Rural projects will be more competitive, but all impactful projects will be considered

CHFA's Small Scale Affordable Housing Technical Assistance Program

- Annual CHFA program
- For small-scale projects of 30 units or less
- Eligible project sponsors receive pro bono technical assistance from CHFA's consultant team
- Additional grants available to support CHFA TA project sponsors with direct project expenses. Grants not to exceed \$20,000.
- Priority for rural projects

For more information on the grant program, visit cdola.colorado.gov/1271 or contact KC McFerson, Senior Planner, at KC.McFerson@state.co.us or 720.557.4661.

David Bruce
p: 603-203-1342
e: david@telluridefoundation.org



MEMO: Project Scope, PPAP/DOLA Grant For Town of Dolores

Dear DOLA/DOH/CHFA Staff & Ken Charles,

I have attached the project planning scope that will be included for a fee of \$20,000. This scope outline was requested by Andrew Paredes (DOLA) during the April 19 meeting PPAP - Town of Dolores project meeting. **This work can be delivered to the Town of Dolores by August 1.**

(1) <u>Goff Civil Engineering existing conditions survey -</u>	<u>\$5995</u>
a. Drone flight imagery	
b. Topography	
c. Property corners	
d. Existing infrastructure	
(2) <u>SME Environmental Site Assessment: phase I -</u>	<u>\$1995</u>
a. Recognized Environmental Conditions	
(3) <u>Rural Homes preliminary site planning package -</u>	<u>\$12,010</u>
a. Town of Dolores code analysis & outline of entitlements process.	
b. Density studies & planning for selected site.	
c. Project concept renderings for selected site.	
i. Street view	
ii. Aerial view	
d. Overview of Colorado panelized & modular home manufacturing products.	
i. Concept floor plans & elevations	
e. Pro forma/project budget.	
f. Outline of project financing options.	
g. Outline of project delivery structure.	
i. Contractual structure	
ii. Timeline and process for construction	
<u>PROJECT TOTAL: -</u>	<u>\$20,000</u>

Supplemental Scope:

(To be completed after preliminary study outlined above with additional/outside funding sources)

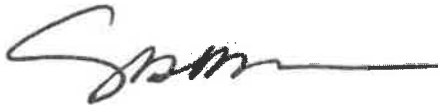
- (1) Market absorption analysis
- (2) Geotechnical analysis
- (3) Infrastructure analysis & civil engineering
- (4) Preliminary plat
- (5) Hiring rural homes for entitlements

Additional Questions:

(These questions I cannot answer at this moment, directed towards Ken Charles, Manager, Town of Dolores)

-
- What are the driving factors of site selection?
What has been done so far?
- What would come next after this grant?
What are the sources and uses for continued work?

Thank you for the conversation and questions. I look forward to continued collaboration expanding the inventory of rural affordable housing in the San Juans.



Sincerely,

David Bruce

Enterprise Community Partners Rose Fellow for The Telluride Foundation

Project Lead for Pinion Park, Norwood & Yellow Brick Lane Townhomes, Ridgway for Rural Homes, LLC

This proposal has been reviewed and approved by Ken Charles, Town of Dolores Manager

X

Ken Charles

Manager, Town of Dolores

**Rural Homes Deed Restriction
Norwood Summary Sheet
2/22/2022**

- A Deed Restriction (DR) & Guidelines exist for each RH project; both legal documents govern each home, but the Guidelines provide more detailed explanation.
- The DR & Guidelines are managed and enforced by a regional Housing Authority (HA).
- The term of DR is 100 years which shall reset upon each transfer of a unit.
- Exception & Appeals process: We recognize that the DR & Guidelines won't address every specific situation; therefore, an Exception & Appeals process has been established with the housing authority.
- Qualified Owners & Households must meet each of the following requirements:
 - **Minimum Work Standard** – at least one member of the household, who is an owner shall be a Qualified Employee – who works 1,200 hrs. (a minimum of 40 hrs/month for at least 8 of the last 12 months) physically in the Norwood R2-j School District (R2-j). Exemptions from Minimum Work Standard include Qualified Elderly and Qualified Disabled.
 - **NOTE: Remote Workers:** Persons who physically work in the R2-j either as self-employed or for a business outside of the R2-j are eligible for all of the benefits of other local workers as long as the other standards are met.
 - **Earned Income Standard** – Qualified Owners must work for a living. Total Household earned income must be at least 75% of the total Household. Unearned Income cannot exceed 25% of total Household Income. Households must qualify for the AMI standard associated with their unit Exemptions from the earned income standard include Qualified Elderly and Qualified Disabled.
 - **Area Median Income (AMI)-** Households must qualify for the AMI limitation associated with their unit.
 - **Residency Standard** – there is no length of residency requirement prior to ownership or tenancy but applicants must actually occupy the unit as their sole and primary residence.
 - **Property Ownership Standard** – in general, no member of a Household can own any other Improved Residential Property within a 150 mile radius from the Housing Unit. There is a grace period for an applicant to sell other Improved Residential Property they own within 1 year.
 - **Net Assets Standard** - Total net assets shall not exceed 3 times the Original Purchase Price of the unit.
- A Household must maintain qualification continuously as long as it rents or owns a unit as follows:
 - **Continuing Minimum Work Standard** – at least 1 member of the Household must be a Qualified Employee who meets Minimum Work Standards.
 - **Continuing Earned Income Standard** – Households shall meet the Earned Income Standard.

- **Continuing AMI Standard** - Household Net Income/AMI shall not be considered for ongoing qualification for Owners. Tenant households shall continue to meet the AMI for the Unit's designated tier.
- **Continuing Residency Standard** – Qualified Households shall occupy the unit for at least 8 of every 12 months. Households may apply for a leave of absence.
- **Ownership of Improved Residential Property** – the Household cannot own other Improved Residential Property unless given an exception.
- **Continuing Net Assets Standard** – Total Net Assets shall not exceed 4 times the Original Purchase Price of the unit.
- **Selling Unit-When owner wants to sell the unit:**
 - Notice must be given to HA prior to marketing, sale or refinancing.
 - In order to keep the units affordable over time, price appreciation is limited (see Maximum Sales Price, below).
 - The HA will provide the Owner with the Maximum Sales Price (MSP) of the unit.
 - Upon sale, Buyer of unit pays HA a 1% transfer tax (unless Buyer has already paid such tax in a prior Pinion Park Project or San Miguel County deed-restricted property transaction).
 - Beneficiaries have right and option to purchase unit for the MSP or at the offered sales price (Beneficiaries include: San Miguel County, Rural Homes LLC, and HA).
 - Maximum Sales Price:
 - There is no guarantee that seller will receive MSP.
 - Equals the **Original Purchase price plus 3% per year** from the date of purchase to the date of Owner's Notice of Intent to Sell (compounded annually and prorated at the rate of .25% per each whole month of any part of a year); Plus costs of any public improvements for which assessments imposed; Plus costs of permitted capital improvements, not to exceed 10%.
 - Appreciation of unit will stop while a Household is in violation of the DR.
 - A unit must meet minimum standards as listed in Guidelines to qualify at MSP. Certain capital improvements as defined in Guidelines and approved by HA may be considered in determining the MSP.
- **Owners can rent an entire unit or a room:**
 - Renters of a unit must qualify as a Household.
 - A renter of a room is considered independently, and their income and assets are not included in the Owner's Household income or assets.
 - Tenants shall be qualified by HA and:
 - One member of Tenant Household must be a Qualified Employee.
 - Tenant Household shall meet Minimum Work, Earned Income, Residency, Property Ownership & Net Asset Standards.
 - Tenant household's Income (AMI) Eligibility determined by unit's income tier at time of initial tenancy.
 - Maximum rental rate per unit is set by HA.
- **Non-Traditional Owners:**
 - **San Miguel County:** San Miguel County donated the land to build Pinion Park and is allowed to purchase up to 5 units, which can be sold or rented to San Miguel County

Employees who work for San Miguel County both in and outside of the Norwood R2-j School District. San Miguel County units may also be sold or rented to Qualified Households.

- **Business Owners:** Certified Business Owners may own up to two units for rental to Qualified Households. Certified Business Owners are classified as Unqualified Applicants for the initial sales lottery. See Lottery below.
- **Life Changes:**
 - **Disabled and Retired Persons:** Allowances are made for persons who qualify to own or rent a unit that, later, become disabled or wish to retire.
 - **Qualified Elderly** – those who are 65 years or older may apply to be Qualified Elderly by providing a verifiable history of employment meeting the Minimum Work Standard on a rolling 12 month basis for at least 5 or the 7 years within the County.
 - **Qualified Disabled** – a person can apply to be Qualified Disabled by providing a verifiable history of employment meeting the Minimum Work Standard on a rolling 12 month basis for at least 5 or the 7 years within the County.
 - **Family Status Changes:** Allowances may be made for persons who have a change in family status that would otherwise cause compliance concerns.
 - **Job Loss:** if a Qualified Employee loses employment, they have up to 3 months in which active employment is not required. The Qualified Employee is expected to find other employment if unemployment continues and threatens to cause non-compliance.
 - **Exceptions:** The HA may grant exceptions for many circumstances. Efforts will be made to help Households during transitional periods.
- **Lottery for initial sales.** Should the demand exceed the supply, a lottery will be held to determine who will be allowed to purchase a unit. To participate in the lottery, interested buyers must:
 - Complete application to enable HA to determine qualification of household.
 - Submit letter from mortgage lender stating Household's ability to pre-qualify.
 - One additional lottery entry is given to Households with a member who is employed by the following in the R2-j School District:
 - School District
 - Health Care
 - Government
 - Essential Response
- **Secondary Lottery for initial sales.** If necessary, a secondary lottery will be held and made available to any interested Applicants that did not qualify to participate in the Primary Lottery. Those Applicant could include:
 - Norwood Residents and Local workforce needing an exception.
 - **Qualified Business Owners:** Qualified Business Owners are allowed to purchase up to 2 units during a secondary sales lottery, upon certification by the HA and if any Units are available after all Qualified Households have received Units. There will be a priority list for the secondary lottery made up of business owners and specific exceptions.
 - All other exceptions.

- Entries for those needing an exception are as follows:
 - Living in Norwood School District, needing an exception – 3 entries
 - Working in Norwood School District, needing an exception – 3 entries
 - Living and Working in Norwood School District, needing an exception – 5 entries
 - Qualified Businesses – 3 entries.
 - All other exceptions – 1 entry.
- The DR & Guidelines comply with the Fair Housing Act. All standards administered by HA prohibit discrimination on the basis of age, race, color, religion, sex, sexual identify, familial status, national origin, and handicapped or disabled status.