

<b>Topic:</b>	Development Standards; Affordable Housing
<b>Resource Type:</b>	Regulations
<b>State:</b>	Colorado
<b>Jurisdiction Type:</b>	Municipal
<b>Municipality:</b>	County of La Plata
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<b>Community Type - applicable to:</b>	Urban; Suburban; Rural
<b>Title:</b>	County of La Plata Development Standards Ordinance
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### ***Abstract***

La Plata County divides development standards into two groups, required and encouraged. Standards are encouraged through a point system. A developer is awarded points for meeting various importance factors which are scored in relevance to its assigned importance level. Negative scores are assigned when a project causes some detriment to the community. A developer is then eligible for various incentives and waivers depending on the total points accrued. The provision of affordable housing for employees and residents is an encouraged standard (Sec. 82-127; Sec. 82-177).

### ***Resource***

<http://www.municode.com/resources/gateway.asp?pid=13098&sid=6>

#### **Sec. 82-127. Types of standards; importance factors; scores**

There are two types of standards described in this division: "required" and "encouraged."

- (1) *Required standards.* Failure to comply with any required standard shall result in a continuance or denial of a permit application. The director shall indicate whether the application meets required development standards.
- (2) *Encouraged standards.* Encouraged standards encourage or discourage certain characteristics of a development. Each development is assigned points by the reviewing entity. Points assigned are a reflection of the compliance of the development with the standard. The assigned points for each standard is referred to as a "score." The director shall present a score sheet to the planning commission and board of county commissioners for consideration. Ratings for each standard

are a product of this score, multiplied by an importance factor, as explained in subsection (3) of this section.

(3) *Importance factors and scores.*

a. *Assignment of importance factors.* Importance factors indicate the relative importance of encouraged standards. These factors are assigned to each encouraged standard.

b. The meaning of each importance factor is:

1 = The least important encouraged standards;

2 = Encouraged standards of minor importance;

3 = Encouraged standards of average importance;

4 = Important encouraged standards; and

5 = The most important encouraged standards.

(4) *Assignment of scores.* A developer's performance on encouraged standards is awarded positive or negative scores. The director shall be responsible for scoring each proposal. The scores assigned by the director are advisory recommendations and shall not be considered binding upon any reviewing entity.

+2 is awarded for an excellent job of implementation of the standard, and/or for creating a significant public benefit with no substantial public detriment.

+1 is awarded for doing a good job of implementing the standard, and/or creating some public benefit or mitigating a public detriment.

0 is awarded for an average job of implementing the standard, if the standard is not applicable to the development, or if there is no public benefit or detriment.

-1 is awarded for an inadequate job of implementation or when some public detriment is created.

-2 is awarded for a poor job of implementation or when significant public detriment is created.

(5) *Range.* The score assigned to a particular project is limited by the range available on a particular standard. Some standards are written so that only positive points are available. In such a case the range would be written 0/2, and the reviewing entity may choose between 0, 1 and 2 in assigning a score to a particular project, depending on its performance in terms of the standard. Conversely, some

standards have a range limited so that only negative points are available. This is written as -2/0. The score to choose between in this case would be -2, -1 and 0.

**Sec. 82-177. Project amenities.**

The developer of a project shall receive additional positive points toward the consideration of his project for:

- (1) *Archaeological*. The preservation of archaeological resources within the project.

Score × 1 (importance factor) = the rating.

Score available: 0/+2.

- (2) *Affordable housing*. The provision of affordable housing to residents and employees is an encouraged standard. For purposes of this section, the following definitions shall apply:

- a. *Affordable rental housing*. Residential dwelling units for which the annual rental or annual rental expense does not exceed 30 percent of the gross annual income for "very low income" families in the county, as published in the latest edition of the U.S. Department of Housing and Urban Development, Community Development Block Grant guidelines.
- b. *Affordable home ownership housing*. Residential dwelling units to be sold to eligible "low income" families, as published in the latest edition of the U.S. Department of Housing and Urban Development, Community Development Block Grant guidelines.
- c. *Low income*. Those individuals or families whose annual income does not exceed 80 percent of the county median income, adjusted for family size, as published in the latest edition of the U.S. Department of Housing and Urban Development, Community Development Block Grant guidelines.
- d. *Very low income*. Those individuals or families whose annual income does not exceed 50 percent of the county median income, adjusted for family size, as published in the latest edition of the U.S. Department of Housing and Urban Development, Community Development Block Grant guidelines.
- e. *Qualified developer*. Any person who is constructing new residential housing within the county and who is contractually bound, through financing arrangements or otherwise, by a governmental or nonprofit agency other than the county to provide all or a portion of the residences as affordable housing for a period of at least 20 years.

- f. *Qualified development.* Any project for which 20 percent or more of the completed units meet the definitions of affordable rental or home ownership housing.

Score  $\times$  5 (importance factor) = the rating.

Score available: -2/+2.

- (3) *Signs.* The adoption of restrictions or specified sign amenities within a project which establish an internal sign code appropriate to the character and scale of the development.

Score  $\times$  1 (importance factor) = the rating.

Score available: 0/+2.

- (4) *Solar access.* The design of a project shall provide the project and adjacent lots or building lots or buildings with access to solar radiation.

Score  $\times$  1 (importance factor) = the rating.

Score available: 0/+2.