ORDINANCE NO. 1459
Series of 2018


WHEREAS, the Telluride Affordable Housing Strategic Plan identifies an acute need for the provision of affordable housing; and

WHEREAS, the 2000 Residential Job Generation Study for San Miguel County, prepared by the Housing Collaborative, LLC and by RRC Associates, and the 2005 San Miguel County, Colorado Employee Housing Impact Fee Study, prepared by RPI Consulting, Inc., collectively referred to as the "Linkage Studies", determined that the development of single family dwellings generate new, additional permanent construction employees in the Telluride Region; and

WHEREAS, the Linkage Studies specifically determined the number of new, additional permanent construction employees generated by single family development; and

WHEREAS, a duplex is the connection of two single family dwellings by a common party wall; therefore a duplex generates the same number of new, additional employees as a detached single family residence; and

WHEREAS, the Linkage Studies provide the rational nexus for Telluride to require affordable housing mitigation for single family and duplex dwellings; and

WHEREAS, the Planning and Zoning Commission provided a review and recommendation to the Town Council regarding the Affordable Housing Amendments at a meeting on November 16, 2017; and

WHEREAS, the Town Council finds that the proposed Amendments to the LUC are justified since they will implement several affordable housing goals and actions/policies of the Telluride Master Plan; and

WHEREAS, the Town Council finds that the proposed Amendments to the LUC will further the public interest by the provision of additional affordable housing;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO as follows:
Section 1.

Table #1 at Section 3-720.C.1.a is amended to read as follows

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Generation Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial/Public Facility Uses</td>
<td>4.5 employees per 1,000 s.f. of Net Floor Area</td>
</tr>
<tr>
<td>Hotels and Accommodations Uses</td>
<td>0.33 employees per unit</td>
</tr>
<tr>
<td>Multi-family Dwelling and Mixed Use Residential</td>
<td>0.33 employees per dwelling unit</td>
</tr>
<tr>
<td>One and Two-family Dwellings</td>
<td>Generation Rate = 0.070174(e)0.000322 X Proposed, New Gross Floor Area</td>
</tr>
<tr>
<td></td>
<td>+ 0.11 employees per 1,000 s.f. of Gross Floor Area</td>
</tr>
</tbody>
</table>

Section 2.

Section 3-720.C.1.b. **Step 2: Calculate the Amount of Required Mitigation**, is amended to read as follows

b. **Step 2: Calculate the Amount of Required Mitigation.** The amount of required mitigation shall be calculated using the following formula, based on (A) the number of Employees generated by the development as determined under Step 1 above (“Employees Generated”) multiplied by (B) the provision of 400, 350 square feet of Gross Floor Area per employee generated by the development multiplied by (C) the Required Percentage Mitigation that is (i) 40% for commercial uses; (ii) 60% for multi-family, accommodations uses (except hotels); and single family and duplex (two-family dwelling) uses; and (iii) 40% for a hotel equals the minimum number of employees required to be provided with affordable housing.

Employees Generated X 400-350-sq.ft. X Required Percentage Mitigation = Gross Floor Area of affordable housing mitigation requirement.

Section 3.

Section 3-740.A.2.b.1., is amended to read as follows

b. The ten percent (10%) limit regarding payment of fees in lieu described in Section 3-740.A.2.a(5) shall not apply when:

1. The required affordable housing mitigation is equal to or less than 500 400 square feet; or

Section 4.
This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section 5.

The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 6.

This ordinance shall become effective upon the date of publication of notice of its passage in a newspaper of general circulation within the Town of Telluride.

Section 7.

A public hearing on the ordinance shall be held on the 16th day of February, 2018, in the Town Council Chambers, Rebekah Hall, 113 W. Columbia, Telluride, Colorado.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Telluride, Colorado on the 16th day of January, 2018.

TOWN OF TELLURIDE

By: Sean Murphy, Mayor

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Telluride, Colorado this 27th day of February, 2018.

TOWN OF TELLURIDE

By: Sean Murphy, Mayor

APPROVED AS TO FORM:

Kevin J. Geiger, Town Attorney

TOWN OF TELLURIDE

By: Tiffany Kavanaugh, Town Clerk

ATTEST

TOWN OF TELLURIDE

By: Tiffany Kavanaugh, Town Clerk

ATTEST
STATE OF COLORADO  
COUNTY OF SAN MIGUEL  
TOWN OF TELLURIDE

I, Tiffany Kavanaugh, the Town Clerk of the Town of Telluride, Colorado (the "Town"), do hereby certify:

- The foregoing pages are a true and correct copy of an ordinance (the "Ordinance") passed and adopted by the Town Council (the "Council") of the Town at a regular meeting of the Council held on 2/7/18.

- The Ordinance was duly moved and seconded and the Ordinance was adopted at the Town Council meeting of 2/7/18, by an affirmative vote of the members of the Council as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>&quot;Yes&quot;</th>
<th>&quot;No&quot;</th>
<th>Absent</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sean Murphy, Mayor</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Todd Brown</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jessie Rae Arguelles</td>
<td>✔</td>
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<tr>
<td>Lars Carlson</td>
<td>✔</td>
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<tr>
<td>Geneva Shaunette</td>
<td>✔</td>
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<td></td>
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<tr>
<td>Tom Watkinson</td>
<td>✔</td>
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<td></td>
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</tr>
<tr>
<td>DeLanie Young</td>
<td>✔</td>
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</tr>
</tbody>
</table>

- The Ordinance was approved and authenticated by the signature of the Mayor, sealed with the Town seal, attested by the Town Clerk and recorded in the minutes of the Council.

- There are no bylaws, rules or regulations of the Council that might prohibit the adoption of said Ordinance.

The members of the Council were present at the meeting and voted on the passage of such Ordinance as set forth above.

Tiffany Kavanaugh, Town Clerk