The City of Durango encourages the participation of all its citizens in its public meetings. If an accommodation is needed, please contact the City of Durango ADA Coordinator at (970) 375-5005.

MISSION
The City of Durango and our employees provide efficient city services, effectively maintain city assets and manage growth, are accountable, ethical and fiscally responsible, and collaborate with regional partners to improve the quality of life for our entire community.

VISION
Durango is an authentic, diverse, multigenerational, and thriving community. Our residents value and enjoy our unique natural environment and benefit from the management of our city’s resources in a fiscally responsible, environmental, and socially sustainable manner.

VALUES
- Teamwork
- Dependability
- Professionalism
- Service
- Respect
- Innovation
- Well-Being

STRATEGIC GOALS
- Affordability & Economic Opportunity (AEO)
- Diversity, Equity, Inclusion (DEI)
- Effective Infrastructure Network (EIN)
- Enhanced Livability & Sense of Place (ELS)
- Environmental Sustainability & Resilience (ESR)
- Financial Excellence & High Performing Government (FE)
- Engaged & Collaborative Governance (ECG)
Hybrid Meeting Information

This meeting is being held in a Virtual/In Person format based on City of Durango Resolution R 2022-0017 adopted on April 5, 2022 by the Durango City Council.

The link to the virtual meeting is available here:

http://durangogov.org/zoom

Please note: If this link does not take you directly to the meeting list, please copy and paste it into the address bar of your web browser.

1. CALL TO ORDER 5:30 PM

2. CITY COUNCIL ROLL CALL

3. INTRODUCTION OF TRANSLATOR

4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST

5. PROCLAMATIONS/PRESENTATIONS 5:45 PM
   The City Council enjoys acknowledging those who contribute to and enhance the quality of life in Durango. Citizens may request to have the mayor present a proclamation or nominate exceptional members of the community who deserve special recognition at a City Council meeting only if someone will be present to receive the proclamation or recognition. The mayor will review and determine eligibility of all requests. Recipients will have 5 minutes to share information about the proclamation as well as any actions community members can take to provide support or recognition.

5.1. Proclamation Recognizing The Dedication of the Durango Botanic Literary Gardens

5.2. Proclamation Recognizing National Boys and Girls Club Week

6. PUBLIC PARTICIPATION (IN PERSON AND VIA ZOOM) 6:00 PM
   This section of the agenda is set aside for the public to provide 3 minutes of comments or ask questions regarding items that are not scheduled for a hearing or public testimony or that do not otherwise appear on this agenda. City Council will not respond to questions from the dais. Citizens should address their comments directly to the City Council.
   As this is a virtual meeting, the avenues for public participation have been adjusted. (Please refer to the end of the agenda for additional information regarding public comment.) All written comments received by the City Clerk by noon today have been delivered to Council and will be summarized in the meeting minutes.

7. CITY OPERATIONAL UPDATES 6:20 PM

7.1. City Manager Updates

7.2. Housing Program Update - AEO

This meeting is being held in a virtual/In Person format (Durango Resolution R 2022-00017 dated 4/5/2022). Link to the virtual meeting at http://durangogov.org/zoom. If this link fails, please copy and paste into your browser.
8. REVIEW OF THE CONSENT AGENDA 6:40 PM
The Consent Agenda is intended to allow the City Council by a single motion to approve matters that are considered routine or noncontroversial. There will be no separate discussion of these items unless a Council member requests an item be removed from the Consent Agenda and considered separately. Items removed from the Consent Agenda will be considered under Agenda Item 9.

8.1. Approval of Minutes June 6, 2023 City Council Study Session

9. APPROVED CONSENT AGENDA ITEMS

10. REMOVED CONSENT AGENDA ITEMS

11. PUBLIC HEARINGS 6:45 PM
The City Council previously directed staff to publish notice of public hearing for each hearing listed below. The following proposed ordinances, or topics, have been set for public hearing at this meeting. The issues dealt with in this section of the agenda are of a legislative or policy nature.

As this is a virtual meeting, the procedure for public hearings has been adjusted. To contribute to a public hearing, please refer to the instructions under PUBLIC PARTICIPATION above.

11.1. Legislative and Policy-related Hearings:

11.1.1. A Public Hearing to Consider an Ordinance to Amend Chapter 2 of the Code of Ordinances, Delegating Enforcement Authority to the Open Space & Parks Rangers to Enforce Ordinances Contained Within the Code

11.1.2. A Public Hearing to Consider Future Land Use Map Amendments for Durango Crossings (even addresses from 1480-1540 Florida Road) - AEO

11.2. Quasi-judicial Hearings - No items

12. INTRODUCTION OF ORDINANCES 7:45 PM

12.1. An Introduction of An Ordinance Creating an Open Space Parks Ranger Position and Adding it to the Durango Municipal Code

13. GENERAL BUSINESS ITEMS 8:00 PM

13.1. Discussion and Possible Action Concerning Possible Approval of a Resolution Allocating the 2022 Lodgers' Tax Overage

13.2. Discussion and Possible Action Regarding a Resolution To Implement an Enhanced Demand-Based Parking Strategy at High-Occupancy Parking Meters - EIN

14. COUNCIL REPORTS/ACTIONS 9:00 PM
Each Council member is provided an opportunity to report on meetings recently attended and to discuss topics not otherwise appearing on the agenda.

14.1. Board and Commission Council Liaison Reports

14.1.1. Library Advisory Board Meeting June 14, 2023

14.1.2. Durango La Plata County Airport Commission Meeting June 15, 2023
This meeting is being held in a virtual/In Person format (Durango Resolution R 2022-00017 dated 4/5/2022). Link to the virtual meeting at http://durangogov.org/zoom. If this link fails, please copy and paste into your browser.
15. ADJOURNMENT 9:15 PM

NOTE THAT ALL TIMES ARE APPROXIMATIONS

The public may view the meeting live on Zoom at durangogov.org/zoom or on YouTube at https://www.youtube.com/@CityofDurango6512. An email link for public comment is located at DurangoGov.org/meetings at the top of the page as well as on the agenda itself under Public Participation. Comments must be submitted no later than noon on the Monday preceding the meeting. Each email should contain the corresponding agenda item in the subject line of the email if there is one. The sender’s full name and address should be included for the record. If comment by email is not possible, comments may also be placed in the drop box located in front of City Hall no later than noon on the Monday preceding the meeting. All written comments will be provided to the Council for review. Written comments may be read into the record and/or attached to the minutes of the meeting at the direction/discretion of Council. Email comments should be directed to: PublicComment@durangogov.org.

Members of the public who wish to provide verbal comments can use the Virtual Meeting Information at the top of this agenda to join the meeting. Please ensure you have the Zoom app installed on your computer or mobile device prior to the meeting (https://zoom.us/download). The mayor will provide additional details during the meeting when public comment is accepted.
DURANGO BOTANIC GARDENS PROCLAMATION
June 20, 2023

WHEREAS, the mission of Durango Botanic Gardens is creating public gardens for demonstration, education, and inspiration; and

WHEREAS, the Durango Botanic Gardens designs, develops, and maintains the gardens at the Durango Public Library; and

WHEREAS, since 2010 the Durango Botanic Gardens have made lasting improvements to the grounds of the library with artwork and plants that thrive in southwest Colorado, which are accessible to everyone at no cost; and

WHEREAS, the newest addition to the botanic gardens is the Literary Garden with initiation of construction in 2021 involving six themed gardens: Indigenous, Youth, Southwest, El Jardín Botánico, Classics, and Contemporary; and

WHEREAS, the successful completion of the Literary Garden links authors that have used gardens for inspiration and the strong connection between the gardens and the library.

NOW, THEREFORE, I, Jessika Buell, Mayor Pro Tem of Durango, Colorado, do hereby proclaim June 29, 2023 as the dedication of the Literary Gardens and encourage citizens to join the community celebration at 4:00 p.m. at the Durango Public Library.

____________________________________
Jessika Buell, Mayor Pro Tem
WHEREAS, the greater a community’s investment in its children, the greater return it will realize when they become adults.

WHEREAS, children are the foundation on which our future success is built; and

WHEREAS, children seek parents, mentors and friends to aid them in reaching important goals; and

WHEREAS, families and communities play vital roles in helping children develop a positive self-image, sense of belonging and a sense of competence; and

WHEREAS, the Boys & Girls Club of La Plata County serves over 1,700 community youth each year, through Club membership, engaging programs, fun activities, and school and community outreach; and

WHEREAS, the Boys & Girls Club of La Plata County provides essential programming during the times that children and families need us most, after school as well as during summer; and

WHEREAS, Boys & Girls Club Week is a special week set aside to highlight the work that is done at Boys & Girls Clubs to promote academic success, healthy lifestyles and good character & citizenship; and

WHEREAS, Boys & Girls Club Week emphasizes the importance of meaningful time spent with kids during this week and every week, all year long; and

NOW, THEREFORE, I, Melissa Youssef, Mayor of Durango, Colorado, do hereby proclaim June 26-30th as Boys & Girls Club Week for youth in La Plata County and call upon all citizens to join together in recognizing and commending the Boys & Girls Clubs organizations in our area for providing their contributions and commitment to improving the lives of the children and young adults in our community.

__________________________________
Melissa Youssef, Mayor
TO: DURANGO CITY COUNCIL
FROM: EVA HENSON, HOUSING INNOVATION MANAGER

SUBJECT: HOUSING PROGRAMS UPDATE (AEO)

RECOMMENDATION:
The Housing Innovation Division has been making progress on a variety of housing initiatives and staff will present an Operational Update to City Council to highlight several of these efforts for the first half of 2023 which seek to achieve Council’s Affordability & Economic Opportunity objectives through incentives, partnerships, efficient review processes, and other mechanisms, with a particular emphasis on middle-income housing. These efforts are focused on:

- Increase the diverse supply of housing units which will sustain a multigenerational community and meet the needs of the workforce.
- Pursue new ways to bridge the disparity between incomes and home/rental prices.

BACKGROUND SUMMARY:
The City of Durango (City) is dedicated to the development and preservation of sustainable workforce housing to support a stable year-round economy for a diverse population comprised of individuals that live and work in the community. The Housing Innovation Division, within the Community Development Department, is working on a variety of housing programs that aim to achieve tangible results for the community.

For this Housing Programs Update the information contained in this report is based on the semi-annual period from January 1, 2023-June 15, 2023. Staff will provide an overview of the following housing program initiatives and efforts that are aligned with City Council’s 2022 Strategic Plan AEO goals including:

- Housing Website & Housing Dashboard Data
- ADU for Locals Rebate Program
- Twin Buttes Housing Compliance – Animas High School Site & Selected Developer
- New Funding Sources – Community Development Block Grant & Prop 123

Website Updates and Housing Dashboard Data
Staff is working on updates to the Housing Website and will be releasing revised web pages targeting release at the end of the month. The new Housing Dashboard will be updated on a semi-annual basis (January-June and July-December) for visible, consistent and accurate data information.

This aligns with City Council’s 2022 Strategic Plan for Affordability and Economic Opportunity (AEO) for tracking key Performance Metrics. Other housing web pages will be updated periodically to keep content current and up to date as needed.

- Housing Projects: Housing developments that contain affordable, attainable, and/or workforce units, will be featured on individual webpages to highlight project information including a project narrative, timeline and eligibility details for the units that are secured with the City by either a deed restriction, land use agreement, or other contractual agreement establishing the partnership and specific terms. The below table illustrates the current projects that are in the pipeline.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Construction Type</th>
<th>Unit Type</th>
<th>Affordability</th>
<th>Secured Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animas City Park Overlook</td>
<td>Townhomes</td>
<td>Ownership</td>
<td>Deed-Restricted</td>
<td>10</td>
</tr>
<tr>
<td>Gauge Apartments</td>
<td>Apartments</td>
<td>Rental</td>
<td>Rent-Restricted</td>
<td>14</td>
</tr>
<tr>
<td>Residences at Durango</td>
<td>Apartments</td>
<td>Rental</td>
<td>Rent-Restricted</td>
<td>120</td>
</tr>
<tr>
<td>(Best Western Motel Conversion)</td>
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</tr>
</tbody>
</table>
Twin Buttes former Animas High School Site
Mix of Townhomes and Single-Family Ownership Land Trust Model Yield up to 37

Total Units 181

- **Housing Dashboard**: This new data dashboard will contain visible, consistent, and accurate information that will be updated semi-annually, or June 15th and December 15th and it will include:
  - **Current Residential Projects in Review**: Tracking preliminary project information and is subject to change during the development review process. The spreadsheet information is based on staff assumptions given knowledge of the projects and local market conditions and projects that have four (4) or more units. “Affordable” refers to a unit that has a strong, long-term deed restriction or other guarantee that the unit will be occupied by an individual or household earning 80% Area Median Income (AMI) or less. “Attainable/Workforce” refers to a unit that would most likely be considered accessible by someone earning between 80% - 120% AMI. “Market Rate” refers to a unit that has no deed limitation which means that pricing will fluctuate based on market conditions. Given the fact that no controls will be in place, staff is assuming that these units will be purchased/rented by individuals and households earning 120% of AMI or greater.
  - **Affordable Housing Inventory**: Tracking existing affordable housing inventory while also annually monitoring units to ensure compliancy of the covenants with our partner agencies including HomesFund (deed restricted homeownership units) and Housing Solutions for the SW (rent restricted units).
  - **New Development to Secure Units**: Tracking new developments where the City is securing affordable, attainable and workforce units.
  - **Certificate of Occupancy (COs issued)**: Tracking COs that are issued for various unit types.
  - **Housing Revenue**: Tracking Fair Share Fees-in-Lieu, Twin Buttes 1% Transfer Fees, and Three Springs 0.5% Transfer Fees.

**ADU for Locals Rebate Program**
In mid-year 2022, City Council approved Accessory Dwelling Unit (ADU) Program text amendments reducing restrictions. Staff also created a new incentive program for construction of new ADUs, called **ADU for Locals Rebate Program**, to incentivize construction of these units. The program is first-come, first-serve on a rolling basis and are encouraged to apply for a $8,000 rebate once the ADU is completed and issued a Certificate of Occupancy. In exchange for the rebate, primarily to reimburse for development fees, the homeowner must rent to a local worker who works an average of 32 hours per week for a business or organization in La Plata County, reside in the unit as their primary residence, with a minimum of a 6-month lease, for commitment of two years in the program.

This aligns with City Council’s 2022 Strategic Plan for AEO to support the production of a variety of housing types through incentives, partnerships, efficient review processes, and other mechanisms with a particular emphasis on middle-income housing and to establish policies to allow use of Housing Funds to facilitate unit construction.

Since the adoption of the updated ADU text amendments and the creation of the **ADU for Locals Rebate Program**, the City has seen an increase in ADU inquiries and Limited Use Permit (LUP) Application submittals for new ADUs.
- Since September 2022-June 2023: 12 LUPs have been approved and issued for new ADUs
- For 2023, one of those ADUs has been completed and 1 rebate has been issued
- Therefore, 11 ADUs are in various stages of construction and when the ADU is completed are anticipated to apply for the rebate.
- This exceeds staff’s expectations and is excited to share with Council the tangible results this program is achieving.
- Table below illustrates the ADUs that have been issued COs from 2015-2022

<table>
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<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADUs</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td>11</td>
<td>4</td>
<td>7</td>
<td>1</td>
<td>4</td>
<td>4</td>
<td>43</td>
</tr>
</tbody>
</table>

Page 2 of 4
Twin Buttes Housing Compliancy – Animas High School Site & Selected Developer

In March 2023, the City in partnership with Twin Buttes, Inc. released a Request for Proposals (RFP) seeking competitive proposals from well qualified development teams with the capacity and the necessary expertise to design and develop a workforce housing project, to include all planning, engineering, architectural and construction services necessary, for a site located at 271 Twin Buttes Avenue, Durango, Colorado. 271 Twin Buttes Avenue is the former site of the Animas High School, which moved to their new location on the Fort Lewis College campus in 2023.

The City received two (2) proposals and a Notice of Award was issued in May 2023 to the selected development team that consists of Elevation Community Land Trust and Fading West Development, a modular manufacturer in Buena Vista, Colorado to build an all affordable community with a mix of townhome and single-family units on the site. Elevation Community Land Trust, based out of Denver, is already has ties to the Durango community as they helped purchased the Westside Mobile Home Park in collaboration with the residents of in 2022. Staff is working in collaboration with Twin Buttes, Inc. in the coming months to determine make strides towards a housing compliancy agreement, while navigating this innovative affordable housing project forward.

This aligns with City Council’s 2022 Strategic Plan for AEO to create housing opportunities to support a multigenerational & mixed-income community workforce and increase affordability to bridge the disparity between income and home/rental prices, identify and commit resources and revenue towards implementing a long-term plan that encourages housing opportunities for mixed-income demographics with an emphasis on workforce housing, and ensure there is adequate city staff to focus on ways to increase affordable and workforce housing inventory through a variety of mechanisms that include land acquisition or land bank, or infrastructure acquisition (or bank), changes to code, and public-private incentives.

Funding Sources – Grants and Prop 123

Community Development Block Grant

In December 2022, the City and HomesFund submitted a joint application to the Department of Local Affairs (DOLA) for the Community Development Block Grant (CDBG). On May 19th, the City and HomesFund received a Notice of Award for the full request of $1,881,400 for this next round of CDBG funding. The City will be the pass-through agency and HomesFund will use these funds to provide project delivery, program overhead, and mortgage downpayment assistance loans in Southwest Colorado.

Housing Innovation Division: Current Grant Funding Sources

<table>
<thead>
<tr>
<th>Grantor</th>
<th>Federal/State Funds</th>
<th>Grant Project Description</th>
<th>Project being Funded</th>
<th>Grant Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Housing and Urban Development</td>
<td>Federal</td>
<td>Durango Affordable Housing Development</td>
<td>Best Western Motel Conversion (Acquisition)</td>
<td>$ 3,000,000</td>
</tr>
<tr>
<td>Colorado Department of Local Affairs</td>
<td>Federal</td>
<td>Durango Housing Nexus Study and Code Audit</td>
<td>Review and update the Fair Share Ordinance</td>
<td>$ 120,000</td>
</tr>
<tr>
<td>Colorado Department of Local Affairs</td>
<td>Federal</td>
<td>Durango Residences at Durango Adaptive Re-Use</td>
<td>Best Western Motel Conversion (Project Construction)</td>
<td>$ 1,000,000</td>
</tr>
<tr>
<td>State of Colorado Department of Local Affairs-Division of Housing</td>
<td>Federal</td>
<td>Down Payment Mortgage Assistance</td>
<td>Pass-Through to HomesFund for Down Payment Assistance</td>
<td>$ 1,881,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$ 6,001,400</strong></td>
</tr>
</tbody>
</table>

Prop 123

Proposition 123 was enacted by the voters of Colorado in 2022. It contains many provisions that will create more affordable housing through additional funding and planning. Currently, staff monitoring this closely and is actively working with DOLA on receiving technical assistance that is available for local governments to get additional guidance and questions answered on Prop 123. Staff will come back to City Council at a later time once staff is better informed on the Prop 123 requirements regarding
baseline submittal, program funding options, and the commitments that may be required to receive Prop 123 funding.

**STRATEGIC PLAN ALIGNMENT:**
This Operational Update applies to the Affordability & Economic Opportunity (AEO) objectives in the Strategic Plan for the following:

1. Create housing opportunities to support a multigenerational & mixed-income community workforce and increase affordability to bridge the disparity between income and home/rental prices
   1.1 Identify and commit resources and revenue towards implementing a long-term plan that encourages housing opportunities for mixed-income demographics with an emphasis on workforce housing.
   1.2 Support the production of a variety of housing types through incentives, partnerships, efficient review processes, and other mechanisms with a particular emphasis on middle-income housing.

**FISCAL IMPACT:**
This is an operational update and there is no fiscal impact currently.
Mayor Youssef called the meeting to order at 2:16 p.m. Present were Mayor Youssef, Mayor Pro Tem Buell, Councilor Yazzie, and Councilor Woodruff. Councilor Bosmans was not in attendance. Also present was Deputy City Clerk Ben Florine, City Attorney Mark Morgan, City Manager José Madrigal, and Assistant City Manager Erin Hyder.

**Future New Business and Review of Agendas**

Mayor Youssef asked if the group was interested in having staff give recommendations on ways the group could expedite decisions, particularly when state legislation would make local efforts challenging.

The group talked about various ways they could convene to make decisions on important matters and City Attorney Mark Morgan advised the group on a few items. Staff would follow up with more information.

Councilor Yazzie asked if the group was interested in revisiting council wages.

The group talked about recent wage discussions and suggested Councilor Yazzie meet with City Manager Madrigal to get up to date information. The current group did not support further discussions.

**INFORMATION ONLY ITEMS**

**Community Survey Launch**

Public Information Office Tom Sluis shared information on establishing benchmarks through a community wide survey. He indicated they expected a 20% response rate and would have the surveying company assemble results for City Council in September 2023. The surveys would be direct mailings and virtual, in English and Spanish.

City Manager Madrigal reviewed strategies and information they were hoping to capture as a key components of community engagement.

The group asked questions on formatting of the survey along with other clarifying questions. They were looking forward to the updates that would come in September.

**DIRECTION NEEDED ITEMS**

**Diversity Equity and Inclusion (DEI) Land Acknowledgement**

Assistant City Manager Erin Hyder and Librarian Spencer Snarr presented updates on the Diversity Equity and Inclusion program, including recommendations on developing a land acknowledgement. They noted language was a very powerful tool that could be used for greater inclusion and collaboration. A land acknowledgement would also support the City’s DEI goals in the strategic plan.

Mayor Youssef appreciated the information and wanted to see what similar cities’ land acknowledgements looked like.

Councilor Woodruff supported land acknowledgements and wanted to make sure it was a meaningful effort instead of streamlining an acknowledgement.

The group asked staff to gather more information from other municipalities to continue the conversation. Staff would have updates in a few months.

**Lodgers’ Tax Overage**

Public Information Office Tom Sluis updated the group on excess lodgers’ tax funds that support marketing efforts. He clarified the overages in those funds and how voters decided to use them under the adopted ballot language. He identified allocations to Visit Durango, DMMP and amounts into 10% reserve fund. He said the extra funds could be used if it supported the initial ballot language. Mr. Sluis shared different departments’ current projects that needed funding, along with staff suggestions for amounts of funding.

Attorney Mark Morgan encouraged the group to make the decision at a City Council Regular Meeting with a supporting resolution on the consent agenda.

Councilor Buell wanted to have more information on projects from staff.
Sustainability Manager Marty Pool gave details on the proposed additional funding for electric vehicle fast chargers, including how they would play into sustainable marketing.

Transportation Manager Sarah Hill reviewed the signage redesign efforts including an audit of existing signage and ways they could implement new signs for better parking access. A recent parking management survey was discussed, including how it identified dispersed vacant spots around town. Fulfilling funding for signage redesign would allow visitors to access parking more efficiently.

Rachel Brown, with Visit Durango, encouraged the group to provide funding as identified in the lodgers’ tax ballot language. She outlined marketing efforts within her organization and how their requested funding would support local events, trail and infrastructure enhancements, and destination grants. She noted how much funding would go to each project and that much of their grant funding had already been used for the year.

The group talked about the process for how this funding could be approved.

Mr. Morgan said the group could review and approve the suggested funding at a future City Council meeting on the consent agenda. They could discuss specifics or adjustments for the funding through that process.

The group agreed they could schedule the approval of a resolution for the funding at the June 20th City Council meeting.

2005 Sales Tax Reauthorization Timeline
Acting Chief Financial Officer Devon Schmidt said staff were needing direction whether to pursue reauthorization of the 2005 Sales Tax in 2023. She shared the initial ballot language, which gathered a half cent in tax to support natural land preservation, capital improvement projects, and parks and recreation development. She identified next steps including developing ballot language, establishing citizen working groups, community outreach, analysis from city boards, and noticing La Plata County of the intent to have a local election.

City Manager Madrigal said it would be beneficial to have better cost estimates for a civic center to make sure adequate funding was in place.

The group talked about timeline requirements for having the initiative on a coordinated election. They felt November 2023 would be rushing to get the tax reauthorized and thought November of 2024 would give the reauthorization more time.

Adjournment
The Mayor adjourned the meeting at 4:20 p.m.

APPROVED: 

_____________________________
Melissa Youssef, Mayor

ATTESTED:

_____________________________
City Clerk
TO: DURANGO CITY COUNCIL  
FROM: BOB BRAMMER, POLICE CHIEF  

SUBJECT: A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO CHAPTER 2 OF THE CODE OF ORDINANCES, DELEGATING ENFORCEMENT AUTHORITY TO THE OPEN SPACE & PARKS RANGERS TO ENFORCE ORDINANCES CONTAINED WITHIN THE CODE

BACKGROUND SUMMARY:
Open Space & Parks Rangers assist with enforcement of the city code on open space and parks properties;

An amendment to the Code would authorize authority to the Open Space & Parks Rangers to enforce ordinances contained within this code;

Open Space & Parks Rangers would enforce city ordinances on city trails, open space, and parks, including but not limited to Lake Nighthorse or any other area as specified by the city manager. Enforcement action would be limited to the issuance of warnings, written directions, citations or summons to municipal court;

The specific duties of Open Space & Parks Rangers would include, but not be limited to, parking enforcement at parks and trailheads, animal control violations, or other violations of the Code of Ordinances of the City of Durango.

STRATEGIC PLAN ALIGNMENT:
Enhanced Livability and Sense of Place (ELSP)

ALTERNATIVE OPTIONS CONSIDERED:
N/A

FISCAL IMPACT:
There is no fiscal impact for the City.

POTENTIAL ADVERSE IMPACTS:
N/A

NEXT STEPS AND TIMELINE:
It is the recommendation of the City Manager and the Police Chief that the City Council consider public testimony at the public hearing and thereafter direct the City Attorney to finalize the proposed ordinance, delegating enforcement authority to the Open Space & Parks Rangers to enforce ordinances contained within the city code.
ORDINANCE NO. O-2023-___

AN ORDINANCE CREATING AN OPEN SPACE PARKS RANGER POSITION AND ADDING IT TO THE DURANGO MUNICIPAL CODE.

WHEREAS, the City of Durango does not currently have the position of open space parks ranger in the Code of Ordinances (Code) to assist with enforcement of the Code on open space and parks properties; and

WHEREAS, Article II, §11(a) of the Charter of the City of Durango, Colorado requires the adoption of an ordinance to Adopt or amend an administrative code or establish, alter or abolish any city department, office or agency; and

WHEREAS, a public hearing has heretofore been held before the City Council of the City of Durango, and the Council has determined, subsequent to said public hearing, that the creation of the open space and parks ranger position would be in the best interests of the citizens of the City of Durango;

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

Section 1. Subject to the approval by the City Manager of the employment terms and conditions of the position of the open space and parks ranger position, the City Council of the City of Durango does amend the Code and add the position of open space parks ranger, adding new Code section 2-98 as follows:

Sec. 2-98. – Open Space Parks Ranger. The city manager is authorized to create the position and appoint city employees as open space park rangers for purposes of enforcing the ordinances contained within this Code. Open space park rangers, subsequent to their appointment, shall enforce city ordinances on city trails, open space, parks, including but not limited to Lake Nighthorse, or any other area as specified by the city manager. Enforcement action is limited to the issuance of warnings, written directions, citations or summons to municipal court. The specific duties of open space park ranger may include, but are not limited to, parking enforcement at parks and trailheads, animal control violations, or other violations of the Code of Ordinances of the City of Durango. Appointment by the city manager as a open space park ranger shall remain in full force and effect until such time as the appointment is revoked by the city manager, in writing.

Section 2. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

CITY COUNCIL OF THE CITY OF DURANGO

Attest: ______________________________

Mayor
I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023-___ was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the ___ day of May, 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the ___ day of May, 2023, prior to its final consideration by the City Council.

City Clerk

I further certify that said Ordinance No. O-2023-___ was duly adopted by the Durango City Council on the ___ day of May, 2023, and that in accordance with instructions received from the Durango City Council, said Ordinance was published by title only in the Durango Herald on the ___ day of May, 2023.

City Clerk
AGENDA DOCUMENTATION
Item Number 11.1.2
Meeting Date: June 20, 2023

TO: DURANGO CITY COUNCIL
FROM: DAN ARMENTANO, AICP
PLANNER III

SUBJECT: A PUBLIC HEARING TO CONSIDER FUTURE LAND USE MAP AMENDMENTS FOR DURANGO CROSSINGS (EVEN ADDRESSES FROM 1480-1540 FLORIDA RD) - AEO

RECOMMENDATION:
It is the recommendation of Community Development staff and the Planning Commission that the City Council, by motion,
1. Move to adopt the proposed amendments to the Comprehensive Plan’s future land use map with the findings as described in the staff report and discussed at this public hearing.

BACKGROUND SUMMARY:
This is a City-initiated request to modify the Comprehensive Plan’s future land use designations for 14 parcels just east of the City limits along Florida Road. The subject parcels comprise about 8.2 acres located immediately south of the Florida Road and East Animas Road (CR 250) intersection. While the subject parcels have multiple ownerships, 9 of the 14 are owned by the City. Three of the five remaining properties are owned by Ken Trujillo, a developer with whom the City is partnering to create a mixed housing development. The remaining two properties impacted by these changes are privately owned and will not be part of this development unless they are acquired at a later date. Modifying the future land use designations for these two parcels maintains consistency with the overall amendments without impacting the current owners or their established residential uses.

The public-private partnership, called Durango Crossings, was initiated in late 2022 following a Request for Qualifications. While specific details are still being determined, the partnership will use both City and partner-owned land to create a high density residential and mixed use development, with a minimum of 50% of the residential units deed-restricted as workforce housing. A formal submittal for the proposed development has not yet been received by staff and final details are as yet unknown, but initial design concepts have indicated that well over 100 units may be built. The proposed future land use map amendments fulfill the City’s first commitment in moving towards bringing the development to fruition and will allow the developer to maximize density. The City’s requirements for the site and the development team’s desired initial layout have helped to inform the arrangement of the future land use changes under consideration.

The proposed modifications change Medium Density (5-12 units/acre) residential and Rural future land uses to either High Density (12-24 units/acre), Mixed Use, or Conservation/Open Space. The High Density and Mixed Use designations will allow for maximum residential densities of up to 24 units per acre, with the Mixed Use areas also being eligible to accommodate neighborhood scale commercial uses. The Conservation/Open Space use has been applied to areas with greater than 30% slopes, which are inappropriate for development. The attached maps demonstrate the proposed configuration of the changes.

Modifications to the Comprehensive Plan, as an adopted policy document, require a degree of public engagement. Staff held a neighborhood meeting on May 15th to present the proposed changes and provide an opportunity for public comment. Over 20 people attended this virtual meeting, and the feedback received was overwhelmingly positive. Though there were many questions about project details that could not yet be answered, neighbors and the public at large broadly supported the map amendments and the public-private partnership. After the neighborhood meeting, one written comment was submitted expressing opposition to the changes based on impacts to traffic and the hillside.

The Planning Commission heard this proposal on May 22nd. Discussions focused on the complexities related to calculating density when steep slopes are involved, the nuances with Mixed Use and High Density designations, and the broader goals of the partnership. There was one public comment addressing the need to consider impacts to traffic, wildlife, and wildfire risk. The commissioners agreed that this was an exciting project and found that the map updates align with the requirements of the Land Use and Development Code and directives of multiple policy documents including the Comprehensive Plan, the Northeast Quadrant Area Plan, and the Strategic Plan. The Planning Commission unanimously recommended adoption of the map amendments on a 5-0 vote.

Attachments:
Planning Commission Staff Report
STRATEGIC PLAN ALIGNMENT:

The proposed map amendments and the broader public-private partnership align with the Affordability and Economic Opportunity objectives of the Strategic Plan. The partnership will create workforce housing opportunities using City resources in the form of City-owned land.

ALTERNATIVE OPTIONS CONSIDERED:

Aside from the recommendation described above, the following options may be considered by Council.

Deny the proposed future land use map amendments with reasons/findings stated.

Continue project consideration with specific direction to staff.

FISCAL IMPACT:

There is no direct fiscal impact stemming from the adoption of these amendments.

POTENTIAL ADVERSE IMPACTS:

There are no adverse impacts anticipated with the adoption of the proposed future land use map changes.

NEXT STEPS AND TIMELINE:

Adopting the proposed future land use map changes will allow the applicant to submit an application for a Conceptual Planned Development and Annexation. The precise timing for this submittal is up to the developer, but is anticipated to be received this summer. The review of a Conceptual PD and Annexation typically takes about 4-6 months from the date of application to City Council approval. Following the Conceptual PD and Annexation, the developer will be required to submit for Preliminary Planned Development reviews. Staff anticipates that these reviews will be completed in phases.
PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING DATE
May 22, 2023

PROJECT NAME
Florida Road Future Land Use Map Amendments

PROJECT STAFF
Dan Armentano, AICP
Planner III

PROJECT NUMBER
#23-050

PROJECT TYPE
Comprehensive Plan Amendments

APPLICANT (PROPERTY OWNER)
City of Durango

PROPERTY ADDRESS/LOCATION
Even numbers from 1480-1540 Florida Rd

PROJECT SUMMARY
This is a City-initiated request to make changes to the future land use designations for 14 parcels just east of the City limits along Florida Road. The subject parcels comprise about 8.2 acres located immediately south of the Florida Road and County Road 250 intersection. The proposed modifications will impact mostly City-owned parcels and will allow a public-private partnership project with workforce housing to move forward with desired densities. While an application for the public-private partnership project has not yet been submitted for review, the City committed to initiating the Future Land Use Map amendments as part of the agreement with the developer. The developer was selected as a partner through the RFP process and owns three of the impacted parcels, which would be grouped together with the city owned properties for the development. The City has a commitment from the partner that a minimum of 50% of the units constructed will be restricted as workforce housing.

EXISTING COMPREHENSIVE PLAN LAND USE DESIGNATION
Rural, Medium Density, High Density

CURRENT LAND USE
Residential/Vacant

CURRENT ZONING
N/A

EXISTING SIZE OF PROPERTIES
8.2 acres

PROPOSED LAND USE
High Density Residential, Mixed Use, Open Space

ADJACENT ZONING
PD, MU-N

PROPERTY HISTORY
The subject properties are developed either with residential uses or sit vacant. The residential properties contain homes built in the 1950s and 60s. The City-owned properties are all vacant and were acquired in the early 2000s for the purpose of a road connection up to Jenkins Ranch Road. This connection was prioritized as an alternative to North College Drive at the time, though the street has never been built. Based on directives from City Council to pursue housing developments on City-owned land, staff initiated the RFP process for a project on the vacant properties in 2022.

COMPREHENSIVE PLAN COMPATIBILITY
The Comprehensive Plan anticipates the need to modify future land use designations as conditions evolve. In this case, the proposed changes would serve to up-zone the subject properties in a manner consistent with the future land uses in the area. The changes also take measures to protect the steep slopes leading up to College Mesa and promote workforce housing, which are both policy directives within the Plan.

STAFF RECOMMENDATION
APPROVE

RECOMMENDED MOTION
Move to recommend approval of the proposed Future Land Use Map Amendments with the findings as described in the staff report and discussed at this public hearing.

ATTACHMENTS
- STAFF REPORT
- CONTEXT MAP, ZONING MAP & SITE AERIAL
- APPLICANT NARRATIVE
- SUBMITTED PLANS
- EXISTING & PROPOSED FLU MAPS
- PUBLIC COMMENTS
- LUDC EXCERPTS
- OTHER:
PROJECT OVERVIEW

Background
This is a City-initiated request to modify future land use (FLU) designations for 14 parcels located along Florida Road immediately south of its intersection with County Road 250/East Animas Road. While the subject parcels have multiple ownerships, 9 of the 14 are owned by the City. Three of the five remaining properties are owned by Ken Trujillo, a developer with whom the City is partnering to create a mixed housing development that will contain a minimum of 50% deed-restricted workforce units. This public-private partnership was initiated in late 2022 and the proposed future land use map amendments are the first step in moving towards bringing the development to fruition. The remaining two properties impacted by these changes are privately owned and will not be part of this development unless they are acquired at a later date. Modifying the future land use designations for these two parcels maintains consistency with the overall amendments without impacting the current owners or their established residential uses.

While a formal submittal demonstrating a conceptual design for the development has not yet been received by staff, the development team has shared information with staff that helps to inform the layout of the proposed future land uses. The development will include a new road that will begin at the Florida Road/CR 250 intersection, creating a 4-way signalized intersection. This road will initially head south, and then swing to the east along the hillside before terminating at the eastern boundary of the development. The long-term plan for this road is to connect with platted right of way for Jenkins Ranch Road. This road connection was the catalyst for the City’s acquisition of the parcels in the area, though it has not been prioritized for construction for some time. Residential units are planned at a high density at the southwest corner of the new 4-way intersection, and a mixed-use building with additional units at a high density could be located at the southeast corner to anchor the development. Additional residential units are proposed at high density on the vacant city-owned and partner owned parcels east of 1520 Florida Road. Lastly, the developer would like to include townhome units south of the new road against the hillside. These units have the potential to encroach into areas with 30% slopes and will need to be carefully sited. A slope study produced by the development team indicates the steepest areas and has been used to help define the proposed future land uses.

Current future land uses for the subject parcels are Medium Density Residential (5 - 11.99 units/acre), High Density Residential (12-24 units/acre), and Rural (1 unit per 35 acres). Of the parcels with frontage on Florida Road, only 1530 and 1540 are High Density. The remaining parcels have a Medium Density designation. The southerly parcels without frontage are currently designated as Rural and are at least partially encumbered by steep slopes.

As the 14 properties in question have an unusual configuration that is unlikely to remain into the future, the proposed future land use designations do not strictly adhere to the property lines. The proposed changes will modify the Medium Density designations to either High Density or Mixed Use along the street frontage and to Conservation/Open Space in areas with slopes exceeding 30%. The properties with existing High Density designations will mostly remain unchanged, with only the steepest areas being changed to Conservation/Open Space. Parcels with the Rural designation will be changed to either High Density or will have split designations with High Density and Conservation/Open Space. Copies of the existing and proposed future land use designations are included as attachments to this report and will also be provided in the staff presentation.

Process
Amendments to the Future Land Use Map trigger the need for a neighborhood meeting. All property owners within a 500’ radius of the boundary’s requests were sent notifications and given the opportunity to attend. This meeting preceded the Planning Commission’s review of the proposal and was held virtually on Monday, May 15th. There were 22 members of the community in attendance, with several making comments or asking questions. These comments and questions are discussed in greater detail later in this report.

The Planning Commission is charged with holding a public hearing to consider the amendments and to make a recommendation to the City Council. City Council may choose to adopt the amendments by motion.

ANALYSIS AND FINDINGS

Land Use and Development Code
The LUDC allows for three types of Comprehensive Plan amendments, which include a change to the text of the plan, a change to the future land use map, and a change to the plan boundary. Review criteria for future land use map changes are specifically outlined by section 6-3-10-7.C.2 of the code and are provided below, with staff responses.

B. Amendment to the Future Land Plan Map. Sufficient evidence has been provided that the Future Land Use Map amendment meets the following criteria:
1. The proposed map amendment is compatible with existing or planned land uses on adjacent properties;

The area’s context aligns well with the proposed changes. Properties south of Florida Road for nearly a half mile in either direction of the area in questions already have high density designations and are anticipated to be developed with multifamily housing. Across Florida Road is existing commercial development that also reflects the proposed mixed-use designation. The only new future land use designation proposed is the Conservation/Open Space. In the opinion of staff, using this category is appropriate to promote the protection of the steepest slopes.

2. Adequate public utilities, facilities, and/or services are available or may be extended in a cost-effective and efficient manner to serve the development for the type and scope suggested by the proposed amendment;

The properties are located along an arterial street and will be accessed by a signalized intersection, which is an ideal scenario for new high density or mixed-use development. City utilities are located in the adjacent right-of-way and can easily be extended. The City limits are also immediately adjacent to the subject area, so providing services is not anticipated to be problematic.

3. The proposed map amendment is warranted by changing conditions in the area, or it corrects an error in fact concerning the property’s future land use classification at the time of the original plan adoption;

Given that some of the properties in question have the only medium density designations south of Florida Road for a 1 mile stretch, it is reasonable to question whether the original plan assigned these designations in error. Regardless, the Florida Road corridor is a redeveloping area with a significant number of recently approved and currently proposed medium and high density residential projects. These changing conditions seem to warrant the amendment, particularly given the need for projects with workforce housing.

4. The map amendment meets a currently unaddressed need; and

As stated above, the proposed amendments are the first step towards facilitating a public-private partnership that will result in a significant number of deed restricted workforce housing. These units will be offered both as rentals and for ownership, which is a dire need in our community highlighted by both the Comprehensive and Strategic Plan.

5. If the map amendment is approved, there will be an adequate supply of land permitted in the category being changed.

The properties proposed for changes are mostly designated as Medium Density, which allows up to 11.99 units/acre. The requested changes to high density and mixed use would allow similar types of housing developments with up to 24 units per acre. There is not a need to keep a specific amount of land with a medium density designation as the main need is for the City to keep property designated for multifamily uses.

Comprehensive Plan Policies

The policies cited below from the Comprehensive Plan address the Future Land Use Map and describe goals and objectives related to Community Development. Generally, these policies acknowledge the need for future land use map amendments and provide support for the proposed changes.

Objective 6.1: Maintain a future land use map that provides guidance on land use decisions for public and private decision makers.

Objective 6.2: Achieve neighborhood stability, Comprehensive Plan goals and Objectives and economic opportunity through implementation of the Future Land Use Map in conjunction with plan policies and the Land Use Development Code.

Policy 6.2.1: Prior to amending the Future Land Use Map, make findings that the proposed amendment will:

- Be consistent with the Plan priorities;
- Be compatible with future land uses for surrounding areas of the community;
- Not create a shortage of any category of residential or non-residential land; and
- Enhance the overall quality of life in the community.

Goal 14: Provide for the development of a variety of housing types throughout the Durango planning area that meets the diverse needs of the community.
Objective 14.1: Promote housing affordability for all residents through efficient development patterns as well as design standards that minimize long-term costs to residents, considering up-front costs, operating costs and health impacts of construction materials. The City will also consider diverse housing types and promote development patterns that minimize transportation costs.

Policy 14.1.1: Encourage the provision of various types of housing in mixed-use and mixed-income projects.

Policy 14.1.2: Encourage residential development in areas where the necessary public facilities and services can be provided economically and efficiently.

Objective 14.2: Provide opportunities for a variety of housing types.

Policy 14.2.1: Encourage a mix of housing types and allow greater densities to provide a greater number of workforce housing units.

Policy 14.2.4: Facilitate development of mixed-density and mixed-income projects and other creative housing options that reduce housing costs and provide adequate amenities.

Chapter 13.3
The Future Land Use Plan map is intended to serve as a guide for public and private development and land use decisions. The City has adopted a formal amendment process in the LUDC. Land use amendments are anticipated as growth occurs and market conditions change.

Northeast Quadrant Area Plan Policies
The Northeast Quadrant Area Plan was adopted in 1997 to serve as a guiding document for future development in the Florida Road, CR 250, and CR 251 corridors. As the document is now over 25 years old, this area has undergone significant changes since the date of adoption. While the plan itself is probably due for a rewrite, there are policy directives that remain applicable today. Though some policies support the proposed amendments, staff also originally believed that an amendment to this plan would be necessary in order to recommend allowing mixed-use south of Florida Road. The public notices that went out for both the neighborhood meeting and the Planning Commission hearing reflected this belief. Upon further discussion, the plan’s directives related to the location of the “Northeast Center” commercial area are worded in a manner that may not directly conflict with the future land use changes that are proposed. Extending the Northeast Center commercial area across Florida Road at its intersection with East Animas Road seems reasonable based on the document’s language. The applicable policies of the Northeast Quadrant Area Plan are listed below.

Policy 5.1.6: Develop a Local Commercial district, as defined in the Comprehensive Plan, on East Animas Road between 32nd Street and Florida Road as shown in Exhibit 6 (subsequently referred to as “Northeast Center). Encourage neighborhood-serving commercial uses such as grocery stores, dry cleaners, restaurants, and other neighborhood-oriented services.

Policy 5.1.7: Reinforce Florida Road as a residential rather than a commercial corridor by promoting medium and high density residential development east of Holly Avenue. Commercial development should be focused in Northeast Center.

Policy 5.1.9: Promote the redevelopment of underutilized and substandard residential property. The City should facilitate the consolidation of multiple properties into larger development parcels, particularly along Florida Road.

Policy 5.1.10: Require site plan review to determine the environmental and visual impacts of proposed developments. Cut and fill impacts should be carefully reviewed. Development on slopes in excess of 30% should be prohibited.

Public Comment
The neighborhood meeting held on May 15th had more than 20 residents or neighbors in attendance and lasted about 1 hour. Seven of the participants commented or asked questions about the proposed changes and the future development of the property. The comments provided were overwhelmingly supportive of the future land use map changes and the project’s potential to provide workforce housing for the community. Several questions focused on details about the development that are not yet available to staff, including traffic impacts and specific information about how the public private partnership will be facilitated. Others recognized that the development of these properties at a higher density may have impacts that will alter the character of the neighborhood, but understood that many of these impacts would actually be positive—particularly with the workforce housing component. Broadly, staff concluded that there is support from the neighborhood and community for the proposed changes to the future land use map.
Staff also received one written comment from an adjacent property owner. This comment struck a different tone from those that were voiced during the neighborhood meeting, though it was made without the benefit of the information that was presented by staff. This comment expressed opposition to the changes to high density, citing concerns about traffic along Florida Road and hillside development. There appeared to be a misunderstanding related to the number of units that would be built, as the comment implied that the City had received a proposal for 175 units, which is incorrect. It is worth noting that the Conceptual Development Plan and Annexation submittal for the development will include a traffic study, and that the proposed future land use designations will effectively prohibit extensive hillside development.

CONCLUSION AND RECOMMENDED ACTION

Staff finds that the requested FLU map changes align with the required standards listed within the LUDC, the cited policies of the 2017 Comprehensive Plan, and the recommendations of the 1997 Northeast Quadrant Area Plan. The neighborhood concerns that have been documented pale in comparison to the overwhelming support that was expressed in the neighborhood meeting. The proposed map amendments fulfill the first of the City's commitments stemming from a public-private partnership that will directly address the community's dire need for workforce housing and are supported by the City Council goals outlined within the Strategic Plan.

Possible Actions

A. **Recommend approval** of the proposed future land use map amendments with the findings as described in the staff report and discussed at this public hearing.

B. **Recommend denial** of the proposed future land use map amendments with reasons/findings stated.

C. **Continue** project consideration with specific direction to staff.

**Staff Recommendation**

By motion, Action A described above.
1. Call To Order/Roll Call
Chairman Payne called the meeting to order at 5:00 pm.

5.3 Florida Road Future Land Use Map Amendments - Durango Crossings

Planner Dan Armentano shared the proposal to change the Comprehensive Plans Future Land Use Map Amendments. He shared this is part of a public-private partnership project initiated by the City.

- This is a proposal to change the Comprehensive Plan’s Future Land Use Map.
- Changes are focused on an area just outside City Limits, south of the Florida Road and East Animas Road (CR 250) intersection.
- Changes are initiated by the City to facilitate a public-private partnership to develop workforce housing on city-owned land.
- Updates to the NE Quadrant Area Plan are not needed.

Durango Crossings Public-Private Partnership presented by Dan.
- City has initiated a public-private partnership to develop housing, partially on City-owned lots.
- City parcels acquired over 20 years ago for road connection to College Mesa.
- Minimum of 50% of units will be workforce housing.
- This development is not yet under review.

Impacted Properties
- 8.2 acre area south of Florida Road & CR 250 intersection.
- 14 total parcels, 9 city-owned.
- Even addresses between 1480 and 1540 will have modified Future Land Uses.

Proposed Changes

High Density: 4.37 acres
- Allow areas fronting Florida Rd to increase density.
Conservation/Open Space: 2.05 acres
- Areas shown as open space are generally too steep for development.
Mixed Use: 1.78 acres
- Area SE of intersection could support a neighborhood scale commercial activity.

Scaled back – GIS analyst updated the slope exhibit with more recent changes. Appropriate sizing for retaining walls. Aligned with most recent slope.
Alignment with LUDC LUDC 6-3-12-5, FLUM amendments should meet the following criteria:

• Compatible with existing or planned land uses on adjacent properties.
• Adequate public utilities, facilities, and/or services are available to serve development of the type and scope suggested by the amendment.
• The amendment is warranted by changing conditions in the area.
• The map amendment meets a current need.

Alignment with adopted plans

• Strategic Plan- AEO Objectives - Broadly supports creating mixed-income workforce housing by committing City resources and pursuing partnerships.
• Comprehensive Plan - Contemplates FLUM changes and recommends maintaining consistency with Plan priorities.
• NE Quadrant Area Plan - Recommends keeping commercial uses to the “Northeast Center” area. Promotes higher density residential development along Florida Road without impacting hillsides.

Next steps and process.

• FLUM Amendments reviewed by Planning Commission and City Council, Council makes the decision to adopt the changes.
  • Planning Commission: May 22, 2023
  • City Council: June 20, 2023
• Development Review for Durango Crossings
  • Formal review process has not yet begun, but will entail:
    • Annexation & Conceptual Planned Development
    • Preliminary Planned Development (likely to be phased)
  • At least two public hearings to occur at each stage.

Findings:

• The proposed FLUM amendments align with the LUDC standards and the recommendations of adopted plans.
• Proposed amendments fulfill the City’s first obligation of a public-private partnership that will develop workforce housing on the subject property.

The proposed amendments have the support of the community

Chair Payne asked about density clarification for future proposals and Dan confirmed they would be allowed to build at those densities, but they wouldn’t be required to.

Chair Payne asked how the value of City donated land would be leveraged towards getting what the city wants and addressing needs for housing. Dan clarified it will be addressed through the development and annexation process.

Payne asked about gross density and Dan explained the density calculation will come off of whatever the total acreage of the site is, and that includes what will end up becoming right of way open space.

Commissioner Ulery asked how much of that 8.2 acre parcel involves the 30% or greater slope designation.

Scott Shine clarified on Standards of the LUDC section 2.4.2 speaks to density control, and the code anticipates these situations. Other factors need to be applied to determine the appropriate density. The LUDC talks about density in section 2, 4, 1, 2, and it says not all parcels proposed for development will be able to achieve the maximum development yield due to factors such as
geometry, physical conditions, such as slope soils and natural hazards, infrastructure limitations, or restrictions on proposed uses.

Scott explained that staff knows that there are other factors that need to be applied.

Commissioner Ulery asked about the minimum of 50 percent for workforce housing split. Mr. Armentano explained the minimum is 50 percent workforce, with 50% of those units for sale and 50% will be rental.

Commissioner Ulery emphasized property ownership over rentals and the need for purchasing over renting and the opportunity to pursue this.

Dan assured the City’s Housing Innovation Manager is heavily involved in this development.

Commissioner Devine asked if mixed use future land use require or allow commercial ground floor? Does mixed use future land use require commercial or retail on the ground floor or simply allow it Dan explained it would not be required but would accommodate residential development.

Commissioner Devine asked why not mixed use development or mixed use future land use on the 2 westernmost parcels to allow for commercial uses on the ground floor at all 4 corners of the future intersection, and not just 3 of them. Dan explained it has been based on the direction that we’ve gotten from the developer. So the 2 westernmost parcels are expected to be developed as housing. If there ends up being a mixed use component, which doesn’t exactly align with the residential high density designation, we may be okay with it, because it's policy, not code.

Devine encouraged examining mixed use on all 4 corners of the future intersection.

Commissioner Hickox asked about the 2 private parcels located in the center.

Mr. Armentano explained the two private parcels currently have residential development and that these properties would not be impacted by the change to mixed use.

Commissioner Hickox also brought up the question of how we define workforce housing, and we don't have any code language that either defines workforce affordable attainable.

Dan Armentano explained this just highlights how much work we've got ahead of us.

Scott Shine added that it is an ongoing discussion with the housing staff that will be heavily involved in this and there's a lot of external resources to define that will be utilized.

Public Comment:

Marilyn McCord, 1625 CR 500 Vallecito Area, Durango CO. Concerned on traffic considerations, wildlife and the strong slope fire mitigation concerns.

Planning Commission board comments.

Commissioner Evans wanted to emphasize the 30 percent grade, code alignment or staff discussion Payne asked for a copy of the NE Quadrant Area Plan from Dan Armentano that would be beneficial.

Recommendation:
Geoff moved to recommend approval of the proposed future land use map amendments with the findings as described in the staff report and discussed at this public hearing.” Alma second. Approved unanimously.

| Matt Payne, Chairman | Daniel Murray, Secretary |
Future Land Use Map Changes: 1400-1600 Block of Florida Rd

Legend
Impacted Parcels

FLU Designation
- Commercial
- Conservation
- Downtown
- HDR
- Industrial
- LDR
- MDR
- Mixed Comm LI
- Mixed Use
- Public
- Rural
- Rural Res
ORDINANCE NO. O-2023-___

AN ORDINANCE CREATING AN OPEN SPACE PARKS RANGER POSITION AND ADDING IT TO THE DURANGO MUNICIPAL CODE.

WHEREAS, the City of Durango does not currently have the position of open space parks ranger in the Code of Ordinances (Code) to assist with enforcement of the Code on open space and parks properties; and

WHEREAS, Article II, §11(a) of the Charter of the City of Durango, Colorado requires the adoption of an ordinance to Adopt or amend an administrative code or establish, alter or abolish any city department, office or agency; and

WHEREAS, a public hearing has heretofore been held before the City Council of the City of Durango, and the Council has determined, subsequent to said public hearing, that the creation of the open space and parks ranger position would be in the best interests of the citizens of the City of Durango;

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

Section 1. Subject to the approval by the City Manager of the employment terms and conditions of the position of the open space and parks ranger position, the City Council of the City of Durango does amend the Code and add the position of open space parks ranger, adding new Code section 2-98 as follows:

Sec. 2-98. – Open Space Parks Ranger.
The city manager is authorized to create the position and appoint city employees as open space park rangers for purposes of enforcing the ordinances contained within this Code. Open space park rangers, subsequent to their appointment, shall enforce city ordinances on city trails, open space, parks, including but not limited to Lake Nighthorse, or any other area as specified by the city manager. Enforcement action is limited to the issuance of warnings, written directions, citations or summons to municipal court. The specific duties of open space park ranger may include, but are not limited to, parking enforcement at parks and trailheads, animal control violations, or other violations of the Code of Ordinances of the City of Durango. Appointment by the city manager as a open space park ranger shall remain in full force and effect until such time as the appointment is revoked by the city manager, in writing.

Section 2. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

CITY COUNCIL OF THE CITY OF DURANGO

Attest:___________________________ Mayor
STATE OF COLORADO )
) ss.
COUNTY OF LA PLATA )

I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023-___ was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the ___ day of May, 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the ___ day of May, 2023, prior to its final consideration by the City Council.

________________________________
City Clerk

I further certify that said Ordinance No. O-2023-___ was duly adopted by the Durango City Council on the ___ day of May, 2023, and that in accordance with instructions received from the Durango City Council, said Ordinance was published by title only in the Durango Herald on the ___ day of May, 2023.

________________________________
City Clerk
Item 13.1
Meeting Date: June 20, 2023

TO: DURANGO CITY COUNCIL
FROM: TOM SLUIS,
PUBLIC INFORMATION OFFICER

SUBJECT: LODGERS TAX 2022 DISTRIBUTION - MARKETING

RECOMMENDATION:
Direct staff to allocate an overage of $361,000 for 2022 lodgers’ tax collections among the city’s sustainability division, transportation department and Visit Durango.

BACKGROUND SUMMARY:
The city of Durango collects lodgers tax levied on hotel rooms. This money is then allocated according to the 2021 ballot measure approved by voters: 55% for sustainable tourism marketing, 20% for transportation, 14% for arts/culture and 11% for council discretion.

In 2022 there was $3.64 million total lodgers’ tax collected. The sustainable tourism marketing portion, 55%, is $1.82 million. However, total allocations for sustainable tourism in 2022 totaled $1.46 million. This leaves $361,000 that needs to be allocated from 2022 collections for further sustainable tourism marketing efforts.

STRATEGIC PLAN ALIGNMENT:
Financial Excellence and High-Performing Government

ALTERNATIVE OPTIONS CONSIDERED:
N/A

FISCAL IMPACT:
None. No additional revenues or expenditures affected. Lodgers tax funds are simply in need of allocation.

POTENTIAL ADVERSE IMPACTS:
None.

NEXT STEPS AND TIMELINE:
Transfer amounts recommended by staff to city’s sustainability division, transportation department and Visit Durango by the end of June.
RESOLUTION R-

A RESOLUTION TO AMEND THE 2023 BUDGET FOR THE PURPOSE OF BUDGET ADJUSTMENTS TO THE 2023 APPROPRIATIONS

WHEREAS, under the provisions of Article V, Section 10 of the Durango City Charter, the City Council may make additional appropriations during the budget year for unanticipated expenditures required by the city not exceeding, however, actual revenues and unappropriated surplus; and

WHEREAS, to accomplish the goals of City Council and foster a team oriented working environment resulted in budget impacts and incorporates several unanticipated budget adjustments increasing, transferring, or amending the appropriations for expenditures and revenues; and

WHEREAS, there exists sufficient funds within fund balance;

NOW, THEREFORE, BE IT RESOLVED, as follows

Section 1. That the City Council of the City of Durango, in regular meeting assembled, that 2023 budget shall reflect the changes and the appropriations for 2023 are increasing, transferring, or amending according to the tables below:

<table>
<thead>
<tr>
<th>Lodgers Tax</th>
<th>Budget Increase/(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Number</td>
<td>Project Number</td>
</tr>
<tr>
<td>23-4821-39699</td>
<td>97</td>
</tr>
<tr>
<td>23-4817-39699</td>
<td>11</td>
</tr>
<tr>
<td>23-4821-31499</td>
<td>11</td>
</tr>
<tr>
<td>Net Effect on Fund Balance</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trash and Recycle Fund</th>
<th>Budget Increase/(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Number</td>
<td>Project Number</td>
</tr>
<tr>
<td>45-1000-66629</td>
<td>97</td>
</tr>
<tr>
<td>45-5501-31499</td>
<td>97</td>
</tr>
<tr>
<td>Net Effect on Fund Balance</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation Services</th>
<th>Budget Increase/(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Number</td>
<td>Project Number</td>
</tr>
<tr>
<td>Revenues</td>
<td>97-1000-66629</td>
</tr>
<tr>
<td>Expenditures</td>
<td>97-8211-31499</td>
</tr>
<tr>
<td>Net Effect on Fund Balance</td>
<td></td>
</tr>
</tbody>
</table>

Approved and adopted this 20th day of June, 2023.

CITY OF DURANGO, COLORADO

By: _______________________
Mayor
ATTEST:

By: ____________________________
    Faye Harmer, City Clerk
TO: DURANGO CITY COUNCIL
FROM: SARAH HILL, TRANSPORTATION DIRECTOR

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO IMPLEMENT AN ENHANCED DEMAND-BASED PARKING STRATEGY AT HIGH-OCCUPANCY PARKING METERS

RECOMMENDATION:

It is the recommendation that the City Council, by motion, approve the Resolution to implement an Enhanced Demand-Based parking strategy at high-occupancy meters during peak seasons, as described in the Comprehensive Parking Management Plan, and to authorize the administration to lower or raise rates in conformity with the Plan not to exceed the maximum rate of $1.50 per hour, and authorize the Mayor to execute the final Resolution.

BACKGROUND SUMMARY:

The Strategic Operation Plan adopted by Council in 2022 directs staff to “Finalize Parking Study to understand parking supply and demand and identify transportation demand management solutions including resource needs and outcomes.”

In support of that goal, the Comprehensive Parking Management Plan (CPMP) was adopted in January 2023 after extensive public outreach and data analysis. The CPMP recommends a number of solutions that will redistribute the demands on downtown Durango’s parking supply. One of the recommended solutions is to implement Enhanced Demand-Based Parking Pricing during peak season (May 1-October 31).

Demand-Based pricing is a strategy that lowers or increases meter rates based on the average peak occupancy of each block. Hourly rates will be increased at meters that are in higher demand in order to encourage space turnover and redirect cars to underutilized spaces. This strategy recognizes the value of public right-of-way, advances climate and sustainability goals by promoting other travel choices, responds effectively to user behaviors, and achieves parking management initiatives, like space turnover.

The City Code requires that “parking meter rates shall be established by resolution adopted by city council” (Section 24-61 (g)). Since the demand-based pricing recommendation in the CPMP will necessitate small meter pricing adjustments at least twice per year, the plan also recommends that administrative ability be granted to implement demand-pricing during peak season, not to exceed a maximum of $1.50. Should Council adopt the proposed resolution, all other meter rate changes outside of these specific parameters will continue to be brought before Council via resolution.

STRATEGIC PLAN ALIGNMENT:

Effective Infrastructure Network
1.2 Integrate Parking into Transportation Demand Management Program

ALTERNATIVE OPTIONS CONSIDERED:

Enhanced Demand-Based Pricing is one of the recommendations to address parking supply from the Comprehensive Parking Management Plan.

FISCAL IMPACT:

There is expected to be a slight increase in parking meter revenue.

NEXT STEPS AND TIMELINE:

At Council’s direction, staff is ready to implement demand-based parking pricing immediately at meters on blocks with an average occupancy of 80% or higher for the 2023 peak season (through October 31, 2023).
RESOLUTION R-2023-XX

A RESOLUTION IMPLEMENTING AN ENHANCED DEMAND-BASED PARKING STRATEGY BY RAISING PARKING METER RATES TO $1.25 AND $1.00 PER HOUR AT HIGH-OCCUPANCY PARKING METERS (EIN)

WHEREAS, the City of Durango adopted the Comprehensive Parking Management Plan (CPMP) in December 2022; and

WHEREAS, the CPMP recommends Enhanced Demand-Based Parking Pricing be implemented in Durango as a short-term solution to parking management ahead of the peak season in 2023; and

WHEREAS, this strategy recognizes the value of the public right-of-way, helps to advance climate and sustainability goals by promoting other travel choices, responds effectively to user behaviors, and achieves parking management initiatives, such as turnover of parking spaces; and

WHEREAS, the CPMP identified “peak period” for on-street parking to be May 1-October 31 in Appendix C; and

WHEREAS, the city codes states that parking meter rates shall be established by resolution adopted by the City Council (Section 24-61(g));

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Durango, in regular meeting assembled, that:

- Parking meter rates shall increase 25 cents per hour to a rate of $1.25 at meters that are currently $1.00, or to a rate of $1.00 per hour at meters that are currently $0.75, on blocks with an average peak occupancy of 80% or above as described in the Comprehensive Parking Management Plan, effective immediately until October 31, 2023, whereafter rates may be lowered or raised as determined by the administration and in conformity with the Comprehensive Parking Management Plan but not to exceed the maximum rate of $1.50 per hour herein established by the city council.

Approved and adopted this 20th day of June, 2023.

CITY OF DURANGO, COLORADO

By: ______________________________

Mayor

ATTEST:

By: ______________________________

Faye Harmer, City Clerk