AGENDA for a Special Work Session
of the Board of Trustees of the Town of Fairplay, CO
Monday, July 14, 2025, at 6:00 P.M. in the
Fairplay Town Hall, 901 Main St, Fairplay, CO

Join the TEAMS Meeting (Meeting ID: 229 966 794 557 7 / Passcode: 9sZ9Mn3M)

I. 6:00 PM – CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. WORK SESSION

A. Presentation from Barrie Stimson and team with general overview of potential Bar S development plan and discussion of Town of Fairplay Inclusionary Housing and other land use / zoning requirements.

V. ADJOURNMENT.

Upcoming Meetings / Events

Park County Fair & Rodeo	July 11-20, 2025
Fairplay Board of Trustees Special Work Session	July 12, 2025
Fairplay Board of Trustees Regular Meeting	July 21, 2025
Fairplay Gem, Mineral and Jewelry Show	July 24-27, 2025
TGIFairplay FREE Concert Friday with The Long Run	July 25, 2025
76th Burro Days Celebration	July 25-27, 2025
Fairplay Board of Trustees Regular Meeting	August 4, 2025
National Night Out	August 5, 2025
TGIFairplay FREE Concert Friday with Hazel Miller and FREE Ice Cream & Peaches	August 22, 2025
Fairplay Fall Festival	September 20, 2025

Posted at Fairplay Town Hall, 501 Main Visitor Center, Park County Library, Prather's Market and on the Town of Fairplay Website (www.fairplayco.us) on Thursday, July 10, 2025. THIS AGENDA MAY BE AMENDED.

July 8, 2025

Janell Sciacca, Town Administrator / Town Clerk
Town of Fairplay
901 Main Street / Post Office Box 267
Fairplay, Colorado 80440

RE: Stimson Family Property – the Bar-S Ranch

Janell,

Thank you for your time and assistance with my family's property. We are excited about the possibilities for the land and creating a locals' neighborhood – for individuals that work in Town and families that want to raise their children here. We have continued to refine our development plan and we are contemplating a residential development consisting of single-family and duplex residential lots with a multi-family residential component. Some of the residential lots and all of the multi-family units will be deed restricted to fulfill the Town's Inclusionary Housing requirements. Public recreational improvements are also proposed throughout the property – trails, pavilion, restrooms, and parking lot, as well as improvements to the Town's old reservoir, as part of our Inclusionary Housing efforts. We intend to create a neighborhood that benefits the entire Fairplay community.

As you know, 50% of the units at 50% Area Median Income ("AMI") are very aggressive inclusionary zoning requirements. We understand that our project will be the first time that these requirements will be applied and we will need the Town's cooperation to make this project a reality. The project must work from an economic standpoint in that the market rate lots must cover the project's infrastructure costs, and now also the construction of the affordable workforce units and public amenities. Consequently, the Town's various design requirements and the affordable units' AMI and release rates are important to us and must be looked at wholistically. The unintended consequence of the cumulative effect of the Code's various requirements make construction cost prohibitive. In the end, this hinders the development of any local housing in Town.

We have provided a general overview of our project, needed relief, and proposed public improvements/benefits in relation to the Inclusionary Housing requirements for your consideration. We look forward to discussing these with you next week and hearing your comments and suggestions.

<u>Project Background and Overview</u>

The Bar-S Ranch consists of two parcels comprising approximately 27 acres on the north-west side of Town. My family has owned these properties for decades and we used the larger parcel as a hay meadow and grazing land for our livestock while I was growing up. One single-family home and a few scattered sheds/outbuildings currently exist. Both lots are zoned Single Family Residential (SF-RES) per the Town's Official Zoning Map and Single Family Residential per the Comprehensive Plan's Future Land Use Map. (The Comprehensive Plan's Zoning Map also designates them as Residential One (R-1).) The property entirely surrounds the Town of Fairplay's old reservoir. No public access is available to it.

As previously discussed, a development agreement, subdivision(s), and rezoning will be needed to accomplish this residential project. The subdivision(s) will create the development area by deleting the internal property lines between the larger and smaller parcel and creating the individual residential lots. The rezoning will be needed to accommodate the muti-family and perhaps the duplex uses (duplex uses are allowed via special review in the SF-RES zone) and the proposed public parking lot, pavilion, and restroom improvements. The development agreement will be needed to memorialize the various development and inclusionary housing terms for the property and an extended vesting period.

94 total residences are proposed to be constructed in four phases – 71 market rate residences and 23 workforce housing residences. (63 single-family residential market rate residences (lots); 4 market rate duplex buildings (8 residences); 9 workforce housing residences in four duplex buildings (8 residences) and one single-family residential lot; and 14 multi-family workforce housing residences.) The main access to Bar-S Ranch will be taken from Castello Avenue across from 3rd Street. A second access for the northwestern portion of the project will be taken off of Parkview Drive. I developed the Bristlecone Subdivision and own the tract of land needed for the road extension.

The Bar-S Ranch has been laid out in a geometric design. The roadways will provide safe circulation throughout the development while minimizing site disturbance. They are similar in design to Parkview Drive in the adjacent Bristlecone Subdivision. Parkview Drive was designed to eventually extend into and be compatible with the Bar-S Ranch development. The intent is to continue the existing road design, size, and infrastructure of Bristlecone into the property. We want to maintain the Town's rural mountain character in Bar-S Ranch rather than creating a dense hardscaped urban environment. Wider roads, sidewalks, and storm drain improvements will also add significant costs to the project and the individual vacant lots, potentially making them unsaleable relative to what the local market will bear. We would like to collaborate with you on the road infrastructure design and come up with an acceptable solution.

The residential lots will be a minimum of 7,200 square feet in size and a building envelope will be platted for each lot to contain development and provide buffers to neighbors. The residential building envelopes will exceed the Single Family Residential setbacks of the Unified Development Code's ("Code"). Thus, the single-family 2,500 square foot minimum lot size and 40% lot coverage limitation will be met. The multi-family lot will also meet Code requirements. (12,000 square feet = 3,000 square foot minimum lot size + 1,000 square feet per unit.)

The proposed lots are simple rectangles with only a very few of them, generally due to their locations at the end of the roadways, having depths greater than twice their widths. These lots are functional and accessible, but if needed, they can be modified with the creation of additional open space in these areas. Similarly, we will continue to research and analyze the reservoir ditch alignment through the property – it runs through some of the proposed public improvements and a proposed lot. If needed, the improvements or the ditch will be relocated.

Approximately nine acres of public open space will be provided throughout the property. (Additional public open space will be provided in Phase 4 around the workforce housing and market rate duplex buildings than previously calculated.) Meandering trails will provide a connection for the neighbors and

residents to the open space areas and the reservoir improvements. As mentioned above, development is planned to take place in four phases as shown on the attached plans.

Inclusionary Housing – Section 16-29-30

We support the Town's desire to have a balanced community with a wide range of housing options so that people that work in the Town of Fairplay or who work in Summit County and commute can also afford to live in Town. We want to create a locals' neighborhood – for individuals that work locally and for families that want to raise their children in Fairplay. In an effort to create recreational and other amenities for the benefit of the Town's existing and future residents, Code Section 16-29-30 allows a variety of alternative methods and improvements to be provided by the applicant to meet the required 50% affordable workforce housing units. (Up to 50% of the required housing may be off-set.) Those applicable to our request that we are interested in include:

- The dedication of land on- or off-site to the Town or a qualified developer with the guarantee that the land will be developed with the required number of affordable workforce housing units.

- Other public benefits over and above what is otherwise required of the project by Code. Per Section 16-29-30-(E):

  (4) Other Public Benefits may include, but are not limited [to], public parks and trails that close an existing gap in connectivity, opportunities for local food production, access to streams, water and public lands in locations with minimal to no access, rehabilitation and preservation of streams, water and public lands and opportunities for educational programs including those in underserved communities.

In terms of workforce housing construction, at this time we are considering all sale and construction options for Bar-S Ranch – donating land to the Town or a qualified developer to construct the workforce housing, selling individual lots for the owners to build their own homes, selling lots with homes on them, and constructing the multi-family workforce housing units and either selling them to individuals or retaining ownership and renting them. At this time, we envision the multi-family workforce units to be two-bedrooms of approximately 1,000 square feet each. (Currently one building is shown, but we are also investigating a two-building design.) We are also considering designating some of the residential lots as affordable workforce duplex housing and either selling vacant lots or constructing homes on them for sale.

Of the 94 total residences:

- 63 single-family lots and 4 duplex lots (8 residences) will be market rate. (71 total market rate residences.)

- The existing single-family home, 4 duplex lots (8 residences), and 14 multi-family units are intended to be affordable workforce housing. (23/94 total = 24.46%)

- We realize that another workforce housing unit must be provided, 24 total, in order to meet the Code's 25% maximum off-set allowance and are looking into where/how best to provide this unit. However, we note that instead of providing smaller studios or one-bedroom units to meet the Inclusionary Housing requirements, we are prioritizing livability of the units for families. We believe that two bedrooms are much more desirable and functional for them. We ask that the Town take this into consideration in the overall required unit counts.

We would also like to provide recreational and other amenities for the entire Fairplay community – above that which is required by Code for our project:

- Public Parks/Open Space and Trails – Approximately nine acres of public parks/open space will be provided throughout Bar-S Ranch. Soft surface trails will meander through the property connecting Castello Avenue, 2nd Street and Parkview Drive to the parks/open space areas and the reservoir. The open spaces will provide space for families and their pets to enjoy. Benches and/or picnic tables will be dispersed throughout these areas. Our goal is to preserve as many trees as possible on-site and maintain the indigenous meadow grasses to blend into the natural mountain setting.

  We understand that per Code Section 16-18-10, on-site parks and/or open space in an amount equal to 1.5 acres for each 100 residents is required. According to the US Census Bureau, the Park County household size is 2.43 persons per household. Thus, with 94 proposed residences/households, approximately 3.43 acres of on-site open space are required. (94 x 2.43 = 228.42 new residents. 228.42 / 100 = 2.12842 x 1.5 acres = 3.4263.) With approximately nine acres of public open space proposed, Bar-S Ranch well exceeds that.

- Reservoir Improvements – A trail will be constructed around and to the reservoir. The intent is to line the reservoir and fill it with water to about two to three feet in depth. Landscaping will be installed and benches and/or picnic tables will be placed around the shoreline. We envision a wading pond with a sand bottom, and perhaps a sand beach area. The pond can also be used for ice skating during the winter.

  We believe the Town owns the reservoir so we will need the Town's approval and collaboration to allow these improvements. We welcome your ideas for the reservoir improvements and the mechanism by which to fill it with water.

- Parking Lot – A nine space parking lot (with an ADA loading area) will be constructed near the reservoir. The parking lot will be constructed per Town design requirements including lighting.

- Pavilion – A pavilion will be built near the reservoir for individuals to enjoy or take shelter under during inclement weather. Picnic tables will also be placed under the pavilion so that picnics, birthday parties, or other celebrations can take place here.

- Restrooms – Public restrooms will also be constructed near the pavilion.

In terms of general estimated construction costs for the above public benefits:

- $ 29,000 – Trails
- $ 429,500 – Reservoir Improvements. (This does not include any water costs to fill the pond.)
- $ 183,000 – Parking Lot, Pavilion, and Restrooms
- $ 207,000 – Additional Associated Costs (i.e., engineering, mobilization, geotechnical, surveying, permitting, and erosion control)
- $ 848,500 – Total

As noted above in our earlier calculations, approximately 3.43 acres of open space are required and approximately nine acres of public open space is proposed. Thus, an additional 5.57 acres of public open space will be provided on-site as a public benefit (9.00 – 3.43 = 5.57.) Based on an estimated value of a $150,000 per each single-family lot, at approximately 7,200 square feet each, which is forgone, the value of this additional open space is approximately $5,055,000. (5.57 acres x 43,560 square feet = 242,629 square feet / 7,200 square feet = 33.70 lots. 33.70 lots x $150,000 = $5,055,000.)

- $5,055,000 value of public open space

Total value of public improvements/benefits:

- $5,903,500

The public benefits costs are much more than only their pure construction costs. Additional soft costs associated with entitlements will also be incurred – other consultant fees, architectural plans preparation, planning review and public noticing fees, etc. The land costs have also not been considered. Although my parents left the property me and my siblings, I had to purchase the land/buy them out and I continue to pay property taxes on the property.

As noted above, 24 units of work force housing will be provided in addition to the above public benefits. (24 units /94 total units = 25.53%.) The existing single-family home on the property will be deed restricted as a workforce housing unit to count towards the 24 units. It contains two bedrooms/two bathrooms and has an approximately value of $400,000. The estimated construction costs for the remaining 23 units are $5,750,000. (23 units x 1,000 square feet each = 23,000 square feet x $250/square foot construction costs = $5,750,000.)

Again, not all infrastructure, entitlement, and land costs are considered in the above $250/square foot construction costs. We realize that some portion of these will be included in the overall project costs, but some will not. For instance, the multi-family housing units will need their own site plan and subdivision reviews and homeowner association documents drafted by our attorney. Also, a deed restriction covenant must be written for the Town's review/approval and additional efforts will be needed for the sales/ marketing of the units as required by the Inclusionary Housing provisions.

I intend to construct all of the public parks/open space, trails, parking lot, pavilion, restrooms, and other associated improvements and then dedicate them to the Town for public use per the Inclusionary Housing

requirements. We see the reservoir and other improvements serving as a gathering place for the entire Fairplay community. There are no public parks or open space in the immediate area. This as a great opportunity to provide recreational amenities for the Town's residents on this side of Fairplay. We are excited about these improvements and welcome the Town's comments and suggestions on them in relation to the Inclusionary Housing requirements. We seek to reduce the amount of units to be provided from 50% to 25% as allowed by the Inclusionary Housing provisions. While difficult, if not impossible, to quantify, we believe the value of the public benefits are much greater than their hard construction costs and additional soft costs. The entire Fairplay community's quality of life will be improved with opportunities for recreational and social activities.

50% AMI

As noted earlier, 50% of the units at 50% AMI is a very aggressive requirement. We know of no other municipal or state mandated formula to be so rigorous. For instance, Proposition 123 which the Town just recently opted into to encourage and facilitate the construction of affordable workforce housing, only limits rentals to 60% AMI and for-sale units to 100% AMI in their Land Banking Program. (Rural Resort communities may petition for more flexible income requirements. In addition, commercial or mixed-use developments, including non-restricted housing, are eligible to apply for Proposition 123 funding provided that the predominate use, 70%, is affordable. Projects proposing between 51% and 69% of the project as affordable may apply with justification.) According to the Colorado Housing and Finance Authority ("CHFA")/Housing and Urban Development ("HUD") 2025 Income Limit and Maximum Rent Tables for All Colorado Communities, Park County 60% AMI rental rate for a two-bedroom unit is $1,891/month and a two-person income limit of 100% AMI for a for-sale unit will allow up to roughly $423,000 with zero % down. On the other hand, 50% AMI for a two-bedroom unit rental is $1,576/month and a two-person income limit of 50% AMI for a for-sale unit is $56,050.

We believe that the 50% at 50% AMI does not recognize the diversity employment opportunities in Town – such as the school district and governmental jobs. We also know that a large portion of the residents living in Fairplay are actually employed in Summit County. In recognition of the variety of employment opportunities and Proposition 123's higher AMI limits, we ask that the Town allow us to utilize the Proposition 123 AMIs – 60% for rental units and 100% for for-sale units for the required affordable workforce housing units.

Residential Units Release Rate and Public Improvements Rates

Section 16-29-20(F)(3) of the Code requires, … *that each required affordable housing unit must receive its certificate of occupancy before development of every second market-rate housing unit within the development, unless an alternative schedule is approved by the Town…*

We understand that this is a 1:1 certificate of occupancy rate, however it does not seem appropriate for our mixed residential unit development. We are selling a variety of residential products – vacant lots which the owners may construct their own homes on sometime in the future, built to suit homes, and multi-family units in one or two buildings. It seems like the Inclusionary Housing policy was geared towards smaller projects with one type of residential unit. Although four phases are proposed for the orderly and

manageable development of Bar-S Ranch, a 1:1 sale or certificate of occupancy rate will not cover infrastructure costs, public improvements costs, and allow for the construction of the required affordable workforce units. Absorption rates are also questionable in today's economy and are a concern for us – not just for the market rate units but also the workforce housing units. We worry that there may not be enough AMI qualified individuals for the large amount of required employee housing units.

We realize that the proposed public improvements offered to meet the required 50% affordable workforce units must also be constructed in a timely manner. We would like to discuss an alternative schedule for the construction of the workforce housing units and the recreational amenities with you. For instance, we would construct some of the public recreational improvements (i.e., reservoir and open space and trails) of Phase 1 to allow all of Phase 1's market rate lot/home sales. Any workforce duplex lot/home sales in Phase 1 would be applied to the overall affordable workforce housing requirements. We would also deed restrict the existing single-family home in Phase 1 to count towards the requirement. The rest of the reservoir improvements (i.e., pavilion, restrooms, and parking lot) would be developed in a later phase. The public open space and trails shown in various phases would then be developed in that particular phase. Due to the large-scale reservoir, pavilion, restroom, and parking lot improvements, the multi-family housing would be developed in the last phase once a certain number of market rate lots/homes were sold or constructed.

We also note that instead of providing 24 smaller studios or one-bedroom units to meet the Inclusionary Housing requirements, we are prioritizing livability of the units for families. We believe that two bedrooms are much more desirable and functional for them. We ask that the Town take this into consideration in the overall required unit counts and release rates.

Other Financial Considerations

We also ask about the possibility of reducing or waiving the various fees related to the review and construction of the affordable housing units – fees such as planning and building permits, water and sewer tap fees, and open space fees. These fee waivers are typically provided by many jurisdictions in recognition that the sale or rental prices of affordable housing units will not cover the true construction costs of the units. Similarly, the market rate units will not cover the cost of these units either. This is especially true with a 50% AMI requirement. We ask that the Town consider waiving the planning and building permit review fees for the affordable workforce housing units, the water and sewer tap fees for the affordable housing units, and the open space fees for the affordable workforce units – $500 for each single-family residential unit and the $350/unit for each multi-family unit as specified in Code Section 16-18-20. We appreciate the Town's policy to waive a certain amount of consultant fees related to the review of workforce housing projects and ask for this same consideration.

Conclusion

We understand that the Town's Inclusionary Housing policy is relatively new and no other projects have been submitted for review since its adoption. While we appreciate and support the intent, we have many questions and concerns about these new requirements. We believe the unanticipated consequence of the cumulative Code requirements now make construction cost prohibitive in Town. The local market will not

bear the resulting cost of construction. Consequently, we need the Town's cooperation to make Bar-S Ranch a reality. We are excited about the possibilities for Bar-S Ranch and collaborating with the Town to bring additional local housing and recreational amenities to the community. We believe Bar-S Ranch will be a valuable asset to the Town and will set the standard for all future developments. It will be a project that both the community and the Town will be proud of.

We would appreciate your comments and suggestions on the above and anything else that comes to mind. Thank you for your consideration of Bar-S Ranch and we look forward to discussing it with you in person next week.

Best regards,

Barrie Stimson

PHASE 1

PHASE 2

PHASE 3

PHASE 4

ROAD

ROAD

ROAD

ROAD

ROAD

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LOT 68

TOWN OF FAIRPLAY

POND

OPEN SPACE (0.2 AC.)

OPEN SPACE
TREES TO BE PRESERVED
(1.5 AC.)

OPEN SPACE (0.7 AC.)

OPEN SPACE
(1.8 AC.)

OPEN SPACE
(1.4 AC.)

8-UNIT MARKET RATE
FOUR DUPLEXES

PHASE 4
OPEN SPACE (1.4 AC.)

WORKFORCE HOUSING
(1.0 AC.)

TRAIL

NORTH
WINTER SUN
DEC. 21
SUMMER SUN
JUNE 20

1
A-1
SITE PLAN
SCALE: 1" = 60' 1:720
0 60' 120'

ARAPAHOE ARCHITECTS
P.O. BOX 4780
BRECKENRIDGE, CO 80424
970 453 8474

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BAR-S RANCH

FAIRPLAY, COLORADO

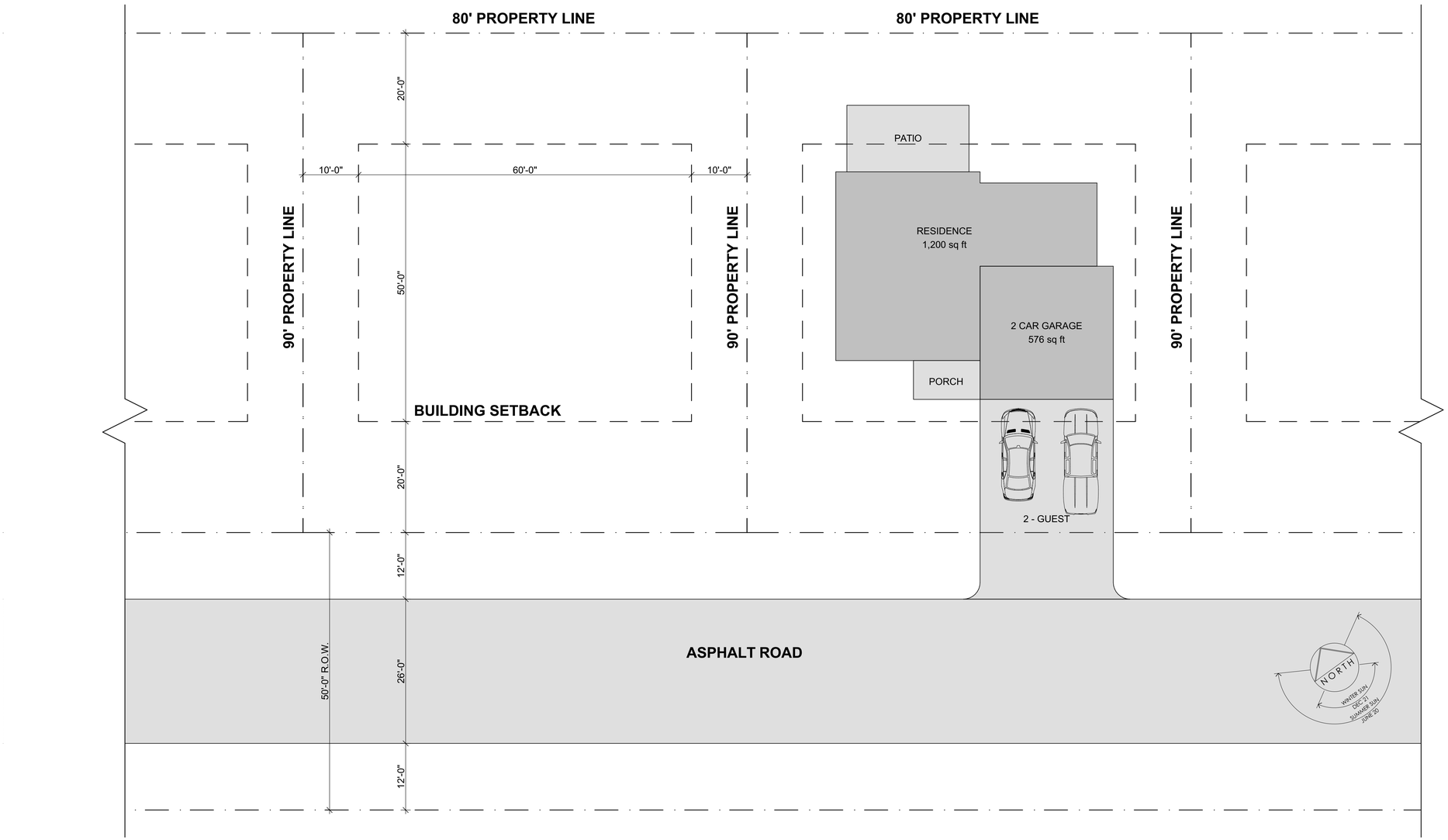
SITE PLAN

JOB 2527
DWN BY GP
ISSUE 06/09/25 - REVIEW

SHEET A-1

FILE: G:\AA Arch\Projects 2024-2025\2527 - Bar S Ranch\Drawings\Arch Drawings\2527 - Bar S Ranch.pln PLOT DATE: 6/9/2025

PROTOTYPE LOT		
BUILDABLE AREA	60' X 50' =	3,000 SF
OPEN SPACE		4,200 SF
LOT	80' X 90' =	7,200 SF



1 / A-2 LOT PLAN

SCALE: 1" = 10'

0 5' 10' 20'

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BAR-S RANCH

#Project Description
#Site Address1
FAIRPLAY, COLORADO

FLOOR PLANS

JOB 2527
DWN BY GP
ISSUE 05/13/25 - REVIEW

SHEET A-2

FILE: Q:\AA Arch\Projects 2024-2025\2527 - Bar S Ranch\Drawings\Arch Drawings\2527 - Bar S Ranch.pln PLOT DATE: 5/13/2025

#235 BEAVER CREEK ROAD
#271 BEAVER CREEK ROAD
MILLER PARCEL - VACANT LAND
BEAVER CREEK ROAD
EXISTING STRUCTURE
DRIVEWAY
EXISTING TREE LINE APPROXIMATED FROM AERIAL PHOTOGRAPHY
TOWN OF FAIRPLAY
EXISTING RESERVOIR (PRESENTLY DRY)
EXISTING STRUCTURE NOTE: ALL STRUCTURES HAVE BEEN APPROXIMATED FROM AERIAL TOPOGRAPHY
EXISTING UTILITY POLE AND OVERHEAD UTILITY LINE(S) TYPICAL - ALL LOCATIONS APPROXIMATED FROM AERIAL PHOTOGRAPHY
STIMSON PARCEL
EXISTING STRUCTURE
EXISTING LIGHT POLE LOCATION APPROXIMATED FROM AERIAL PHOTOGRAPHY
EXISTING DITCH
EXISTING TREE LINE APPROXIMATED FROM AERIAL PHOTOGRAPHY
STIMSON PARCEL
EXISTING STRUCTURE
EXISTING SANITARY SEWER MAIN TYPICAL
#200 CASTELLO BK 350/PG 537
EXISTING SINGLE-FAMILY HOME
#290 CASTELLO REC# 476075
WIEDERMAIER TRACT (STIMSON) PARCEL NO.42521
TRACT 2 STIMSON
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THE BRISTLECONE SUBDIVISION
PARKVIEW DRIVE
FAIRPLAY HEIGHT SUBDIVISION
PINE DRIVE
DRIVEWAY
BK 108/PG 501
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STIMSON PARCEL
CASTELLO AVENUE
3RD STREET
2ND STREET
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N
0 60 120 Feet

BAR-S RANCH

FAIRPLAY, COLORADO
EXISTING CONDITIONS PLAN

SCALE: 1"=60'	SHEET: 1 OF 4
ISSUE: SCHEMATIC DESIGN	DATE: JUNE 6, 2025
DRAWN: D. LEINWEBER	INIT.:
FILE: 6S EXCON.DWG	JOB NO.: 2023-08

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DON@CIVILINSIGHT.NET

#235 BEAVER CREEK ROAD
#271 BEAVER CREEK ROAD
BEAVER CREEK ROAD
MILLER PARCEL - VACANT LAND
DRIVEWAY
PROPOSED PHASING LINE TYPICAL
EXISTING STRUCTURE TO BE REMOVED
PROPOSED 3' CONCRETE PAN
OPEN SPACE (0.2 AC.)
PROPOSED 11' ASPHALT ROAD
PROPOSED ROAD 3
PROPOSED ROAD 5
PROPOSED ROAD 4
PROPOSED ROAD 1
PROPOSED ROAD 2
PROPOSED ROAD 6
TOWN OF FAIRPLAY
PROPOSED PUBLIC TRAILHEAD PARKING
PROPOSED PUBLIC SOFT SURFACE TRAIL
OPEN SPACE (1.5 AC.)
PHASE 1
PHASE 2
PHASE 3
PHASE 4
WORKFORCE HOUSING (1.0 AC.)
OPEN SPACE (0.7 AC.)
OPEN SPACE (1.8 AC.)
OPEN SPACE (1.4 AC.)
EXISTING STRUCTURE TO BE REMOVED
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TRACT D-STIMSON
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LOT 8
CONNECT TO PARKVIEW DRIVE
FOUR DUPLEXES
#200 CASTELLO BK 350/PG 537
#290 CASTELLO REC# 476025
PROPOSED FIRE DEPARTMENT HAMMERHEAD
EXISTING SINGLE-FAMILY HOME
PROPOSED PHASING LINE TYPICAL
EXISTING PARCEL BOUNDARY TO BE VACATED
CASTELLO AVENUE
ASPEN WAY
THE BRISTLECONE SUBDIVISION
FAIRPLAY HEIGHT SUBDIVISION
PARKVIEW DRIVE
PINE DRIVE
BK 108/PG 501
DRIVEWAY
2ND STREET
3RD STREET
4TH STREET
MAREK ADDITION
N
0
60
120
Feet

BAR-S RANCH

FAIRPLAY, COLORADO
SITE PLAN

SCALE: 1"=60'	SHEET: 2 OF 4
ISSUE: SCHEMATIC DESIGN	DATE: JUNE 6, 2025
DRAWN: D. LEINWEBER	INIT.:
FILE: BS SITE.DWG	JOB NO.: 2023-08

CIVIL INSIGHT
235 So. Ridge St - P.O. BOX 7644
BRECKENRIDGE, CO 80424
(970) 771-2940 / (970) 376-4858
DON@CIVILINSIGHT.NET

#235 BEAVER CREEK ROAD
#271 BEAVER CREEK ROAD
BEAVER CREEK ROAD
MILLER PARCEL - VACANT LAND
DRIVEWAY
PROPOSED PHASING LINE TYPICAL
EXISTING STRUCTURE TO BE REMOVED
PROPOSED 3' CONCRETE PAN
PROPOSED BACKLOT DITCH
PROPOSED 11' ASPHALT ROAD
PROPOSED CULVERT
PROPOSED BACKLOT DITCH
TOWN OF FAIRPLAY
PROPOSED ROAD 3
PROPOSED 11' ASPHALT ROAD
PROPOSED PUBLIC TRAILHEAD PARKING
PROPOSED PUBLIC SOFT SURFACE TRAIL
OPEN SPACE (1.5 AC.)
PROPOSED 3' CONCRETE PAN
PROPOSED ROAD B
PROPOSED STORMWATER DETENTION POND
PROPOSED CULVERT
PHASE 2
PHASE 1
PROPOSED ROAD 4
PROPOSED ROAD 1
OPEN SPACE (0.7 AC.)
PROPOSED CULVERT
PROPOSED PHASING LINE TYPICAL
OPEN SPACE (1.8 AC.)
PROPOSED CULVERT
PROPOSED STORMWATER DETENTION POND
PROPOSED ROAD 2
PHASE 3
PROPOSED BACKLOT DITCH
PROPOSED 11' ASPHALT ROAD
PROPOSED CULVERTS
OPEN SPACE (1.4 AC.)
PROPOSED 3' CONCRETE PAN
PROPOSED 11' ASPHALT ROAD
EXISTING DITCH
PROPOSED BACKLOT DITCH
PROPOSED 3' CONCRETE PAN
#200 CASTELLO
BK 350/PG 537
PROPOSED STORMWATER DETENTION POND
PROPOSED BACKLOT DITCH
#290 CASTELLO
REC# 476075
PROPOSED CULVERT
PROPOSED 3' CONCRETE PAN
PROPOSED CULVERT
CONNECT TO PARKVIEW DRIVE
EXISTING DITCH
FOUR DUPLEXES
PROPOSED FIRE DEPARTMENT HAMMERHEAD
CASTELLO AVENUE
EXISTING SINGLE-FAMILY HOME
PROPOSED PHASING LINE TYPICAL
PROPOSED CULVERT
PROPOSED STORMWATER DETENTION POND
PROPOSED STORMWATER DETENTION POND
EXISTING DITCH
PHASE 4
WORKFORCE HOUSING (1.0 AC.)
OPEN SPACE (1.4 AC.)
ASPEN WAY
FAIRPLAY HEIGHT SUBDIVISION
THE BRISTLECONE SUBDIVISION
PARKVIEW DRIVE
PINE DRIVE
DRIVEWAY
BK 108/PG 501
2ND STREET
3RD STREET
4TH STREET
MAREK ADDITION
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 12
LOT 13
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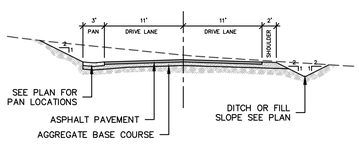

TYPICAL ROAD SECTION

BAR-S RANCH

FAIRPLAY, COLORADO
GRADING PLAN

SCALE: 1"=60'	SHEET: 3 OF 4
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#235 BEAVER CREEK ROAD
#271 BEAVER CREEK ROAD
PROPOSED PHASING LINE TYPICAL
MILLER PARCEL - VACANT LAND
BEAVER CREEK ROAD
DRIVEWAY
LOT 50
LOT 43
LOT 42
LOT 41
LOT 40
LOT 39
OPEN SPACE (0.2 AC.)
LOT 13
LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
LOT 13
LOT 51
LOT 52
PROPOSED ROAD 5
PROPOSED ROAD 3
LOT 12
LOT 53
LOT 44
LOT 45
LOT 38
TOWN OF FAIRPLAY
LOT 14
LOT 25
LOT 6
LOT 11
LOT 54
LOT 58
LOT 15
LOT 10
LOT 55
LOT 59
LOT 46
LOT 37
OPEN SPACE (1.5 AC.)
LOT 16
LOT 5
LOT 9
LOT 56
LOT 60
PHASE 2
PHASE 1
LOT 24
LOT 17
LOT 4
LOT 8
LOT 57
LOT 61
PROPOSED PHASING LINE TYPICAL
OPEN SPACE (0.7 AC.)
LOT 18
LOT 19
LOT 20
LOT 21
LOT 22
LOT 23
PROPOSED ROAD 1
LOT 7
LOT 62
LOT 47
LOT 36
PROPOSED ROAD 4
PROPOSED ROAD 2
LOT 3
MAREK ADDITION
4TH STREET
OPEN SPACE (1.8 AC.)
PHASE 3
LOT 6
LOT 63
LOT 48
LOT 66
LOT 64
LOT 49
LOT 35
LOT 34
LOT 33
LOT 32
LOT 31
OPEN SPACE (1.4 AC.)
LOT 26
LOT 2
LOT 5
LOT 67
LOT 65
LOT 1
LOT 4
PROPOSED ROAD 6
LOT 68
LOT 7
#200 CASTELLO
BK 350/PG 537
LOT 30
LOT 29
LOT 28
LOT 27
#290 CASTELLO
REC# 476075
LOT 3
LOT 2
CONNECT TO EXISTING MANHOLE
TRACT D-3
SIMSON
LOT 8
LOT 6
FOUR DUPLEXES
LOT 1
PROPOSED FIRE DEPARTMENT HAMMERHEAD
CONNECT TO EXISTING UTILITIES LOCATIONS ASSUMED
ASPEN WAY
LOT 5
EXISTING SINGLE-FAMILY HOME
PROPOSED PHASING LINE TYPICAL
CASTELLO AVENUE
CONNECT TO EXISTING WATER LINE AND SHALLOW UTILITIES LOCATIONS ASSUMED
3RD STREET
THE BRISTLECONE SUBDIVISION
LOT 4
PARKVIEW DRIVE
FAIRPLAY HEIGHT SUBDIVISION
PHASE 4
WORKFORCE HOUSING (1.0 AC.)
OPEN SPACE (1.4 AC.)
LOT 3
LOT 2
PINE DRIVE
LOT 1
BK 108/PG 501
DRIVEWAY
2ND STREET

N
0 60 120 Feet

LEGEND
- PROPOSED SANITARY SEWER MAIN
- PROPOSED SANITARY SEWER MANHOLE
- PW — PROPOSED WATER MAIN
- PROPOSED WATER VALVE
- PROPOSED FIRE HYDRANT
- JUT — PROPOSED JOINT UTILITY TRENCH (GAS/ELEC/COMM)
- PROPOSED CULVERT

BAR-S RANCH

FAIRPLAY, COLORADO
UTILITY PLAN

SCALE: 1"=60'	SHEET: 4 OF 4
ISSUE: SCHEMATIC DESIGN	DATE: JUNE 6, 2025
DRAWN: D. LEINWEBER	INIT.:
FILE: 8S UTILITY.DWG	JOB NO.: 2023-08

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TOWN OF FAIRPLAY, COLORADO

ORDINANCE NO. 1
(SERIES 2023)

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FAIRPLAY MUNICIPAL CODE BY CREATING A NEW ARTICLE 29 OF CHAPTER 16, UNIFIED DEVELOPMENT CODE, ESTABLISHING INCLUSIONARY HOUSING

WHEREAS, the Town of Fairplay, Colorado (the "Town"), is a statutory town, duly organized and existing under the laws of the State of Colorado;

WHEREAS, the Board of Trustees (the "Board") has the authority, pursuant to C.R.S. §31-16-101, *et seq*., to adopt and enforce all ordinances and enact laws to govern and regulate the use of land within its territory;

WHEREAS, pursuant to C.R.S. §31-23-301 *et seq*., the Town also possesses the authority to adopt and enforce zoning regulations;

WHEREAS, the community is currently experiencing a severe housing shortage for the local workforce, due to exacerbated pricing and limited availability in the local housing market;

WHEREAS, pursuant to its authority, the Board desires to establish certain specific rules and regulations to address the significant need for a diverse and affordable housing stock within the community, implement the housing goals of the Town Comprehensive plan, promote the construction of housing that is attainable to the community's workforce, retain opportunities for people that work in the Town to also live in the Town, and maintain a balanced community that provides housing for people of all income levels;

WHEREAS, the Board finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its citizens to amend Chapter 16 of the Code, to establish regulations for inclusionary housing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, AS FOLLOWS:

Section 1. The above and foregoing recitals are adopted as express findings and determinations of the Town of Fairplay Board of Trustees.

Section 2. A new Article 29 of Chapter 16, entitled Inclusionary Housing, is hereby adopted to read as follows:

ARTICLE XXIX - Inclusionary Housing

Sec. 16-29-10. Purpose and Objectives.

To ensure and promote residential development that provides a range of housing opportunities for all identifiable economic segments of the population, including households of low-and moderate-income and to retain opportunities for people that work in the Town to also live in that Town, with the goal of maintaining a balanced community and affordability to the community's workforce.

Sec. 16-29-20. General Requirements.

(A) Any land use application for projects of two (2) or more residential housing units brought under the annexation, planned unit development, rezoning, subdivision, subdivision exemption, condominium, condominium exemption, special use, site plan development review or multi-family site plan review sections of this Chapter are required to include at least fifty percent (50%) of the total number of residential dwelling units as affordable dwelling units, pursuant to requirements set forth in this Article, and subject to the following standards:

(1) The prices for sale or rents charged for permanently affordable priced dwelling units shall not exceed a price that is affordable to a household earning the applicable percentage of Area Median Income (AMI) for Park County as defined annually by the United States Department of Housing and Urban Development (HUD), at the time such unit is sold or rented, and as further specified in Sections 16-29-50 and 16-29-60.

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

(3) If the calculations for inclusionary housing results in a fraction of a dwelling unit, the fraction of the unit shall be provided as a complete affordable unit or a fee-in-lieu shall be provided per section 16-29-40.

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

(C) Income Eligibility Required. No person shall sell, rent, purchase or lease an affordable dwelling unit created pursuant to this Article except to a program eligible household. A private owner of a single affordable unit may rent the unit in accordance with the provisions of this Article as set forth in section 16-29-50. All sales, rentals, purchases and leases shall comply with provisions of this Article.

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

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

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

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

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

(3) The requirement that each required affordable housing unit must receive its certificate of occupancy before development of every second market-rate housing unit within the development, unless an alternative schedule is approved by the Town; and

(4) The deed restrictions and additional agreements, in a form acceptable to the Town, as necessary to carry out the purposes of this Article.

(G) Accessory dwelling units shall not be considered inclusionary housing for the purpose of compliance with the requirements of this Article.

(H) An applicant shall not be eligible to submit for a building permit until the affordable housing agreement and any required deed restrictions are approved by the Board of Trustees and recorded by the Park County Clerk and Recorder.

Sec. 16-29-30. Options for Satisfaction of Inclusionary Housing Requirement.

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

(A) Providing the Required Housing Off-Site. This may be met only through the dedication of land to the Town or a qualified housing developer as approved by the Town, with guarantee that the land to be dedicated will allow for, and be developed with, the number of required affordable housing units, and that such units will be deed-restricted as provided for in this Article.

(B) Dedicating Land Within the Project. Provided it is large enough and located appropriately to accommodate at least the minimum number of required affordable units, land within a project may be dedicated to the Town or a qualified housing developer as approved by

the Town. The units to be built within the project shall be comparable to the market rate housing units in exterior finish and design to blend into the overall project, and such units shall be deed-restricted as provided for in this Article.

(C) Paying a Fee in Lieu of Providing Units as Defined in Section 16-29-40 and in the amounts set forth in the Town Fee Schedule, adopted and amended by the Board of Trustees from time to time. This alternative is only available if the calculation for inclusionary housing results in a fraction of a dwelling unit or if the development is for five (5) units or less.

(D) Providing fewer units, but which are affordable to households earning at lower AMI levels. For the purposes of this option, one (1) dwelling unit affordable to households earning forty percent (40%) or less of the Area Median Income (AMI) for Park County, as defined annual by HUD, shall equal two (2) units at fifty percent (50%) or less AMI, and one (1) dwelling unit affordable to households earning thirty percent (30%) or less of the AMI shall equal three (3) units at fifty percent (50%) or less AMI.

(E) The Town Board, in its sole and exclusive discretion, may consider Other Public Benefit proposals to offset an applicant's required percentage of affordable housing, pursuant to the following:

(1) No more than 50% of the required percentage of affordable housing may be offset by Other Public Benefits.

(2) To be counted as Other Public Benefits, an applicant must show that its proposal is not solely for the use of the project or development's residents or owners. Project amenities (parks, open space, recreation path, health/fitness centers/pools intended only for project use) will not be considered as Other Public Benefits.

(3) Other Public Benefits shall be over and above what is otherwise required to obtain approval of the project or development, pursuant to the Unified Development Code.

(4) Other Public Benefits may include, but are not limited, public parks and trails that close an existing gap in connectivity, opportunities for local food production, access to streams, water and public lands in locations with minimal to no access, rehabilitation and preservation of streams, water and public lands and opportunities for educational programs including those in underserved communities.

(F) Any alternatives for satisfaction of the inclusionary housing requirement shall be approved by agreement with the Board of Trustees as described within this Article.

Sec. 16-29-40. In-Lieu Fee.

If an in-lieu fee is permitted and chosen for all or part of the inclusionary housing required for the project, the fee shall be calculated as described in the Town's fee schedule,

established, adopted and amended by the Board of Trustees from time to time, and be due prior to the issuance of the certificate of occupancy.

Sec. 16-29-50. Program Requirements for For-Sale Units.

(A) Affordable Unit Price. The prices charged for any affordable units shall not exceed prices greater than what is affordable to households earning fifty percent (50%) the Area Median Income (AMI) for Park County.

(B) Approved Purchases for Affordable Dwelling Units. A developer or owner shall sell to a qualified purchaser after completing a good faith marketing and selection process approved by the Town and/or applicable housing authority.

(C) Sale Restriction. No person shall sell an affordable dwelling unit except to a person that meets the income asset and other eligibility requirements of this Article or any asset and income eligibility requirement that is included in any applicable contract, deed restriction or any other agreements to which the Town is a party or beneficiary.

(D) Resale Restriction. All affordable ownership dwelling units developed under this Article shall be subject to following restrictions:

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

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

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

b. Permanent Capital Improvements. Consideration of eligible permanent capital improvements installed by the seller that have been approved in advance by either the Town Administrator or Board of Trustees in accordance with Town Code, deed restriction, applicable housing authority regulations or administrative rules and guidance.

c. Resale Price. The resale price may include an inflationary factor or shared appreciation factor as applied to the original sale price pursuant to rules as may be established by the Town Administrator, deed restriction, applicable housing authority regulations or administrative rules and guidance to provide for such consideration. In developing rules, the Town may consider the purposes of this Article, common private, nonprofit and governmental lending practices, as well as any applicable rules or guidelines issued by federal or state agencies affecting the provision or management of affordable housing. In

the event that the Town has not adopted rules that contemplate a particular arrangement for the use of an inflationary factor or shared appreciation factor, the Town Administrator is authorized to approve a resale price formula that is consistent with the purposes of this Article, common private, nonprofit and governmental lending practices, as well as any applicable rules or guidelines issued by federal or state agencies affecting the provision or management of affordable housing.

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

(E) Ownership Associations. When accepting for-sale unit as meeting the inclusionary housing obligation, the Town Administrator and/or applicable housing authority may review the condominium association declaration to assess the impact on buyers of affordable units. The Town Administrator and/or applicable housing authority is authorized to establish rules regarding allowable terms in condominium declarations in order to ensure that the purposes of this Article are accomplished.

(F) Rental restrictions. The owner of an affordable unit may rent the unit to an income eligible renter by a method that complies with the administrative regulations and/or applicable deed restriction. At no point shall rent price exceed a price that is affordable to a household earning fifty percent (50%) of the Area Median Income (AMI) for Park County, as defined annual by HUD.

Sec. 16-29-60. Program Requirements for Rental Units.

Maximum Rent. Rents charged for any affordable unit shall not exceed a price greater than what is affordable to households earning fifty percent (50%) of the AMI for Park County, as defined annually by HUD.

Sec. 16-29-70. Administrative Regulations.

The Town Administrator is authorized to adopted administrative regulations to be utilized in the enforcement of the provisions of this Article. To the extent the Town Administrator deems necessary, rules and regulations pertaining to this Article will be developed and approved by the Board of Trustees, and thereby maintained and enforced in order to assure that the purposes of this Article are accomplished. No person shall violate any rule or regulation issued by the Town Administrator under this Article.

Section 3. Severability. If any section, sentence, clause, phrase, word, or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED this 15th day of May, 2023.

Town of Fairplay

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk

chfa.

2022 Income Limit and Maximum Rent Tables for All Colorado Counties

20% to 120% of Area Median Income (AMI)

HUD Effective Date: April 18, 2022

- The IRS allows Housing Tax Credit projects that placed in service as of 12.31.2008 to use higher HERA Special limits.
- All Housing Tax Credit and CHFA Loan projects are "held harmless" from limit decreases. To be "held harmless," a project must be in service before 06.03.2022.
- Housing Tax Credit and CHFA Multifamily Loan projects whose counties experienced a decrease in 2022 limits and that place in service before 06.03.2022 may continue to apply the same limits used in 2021.

County	HERA	AMI	2022 Maximum Rents					2022 Income Limits							
			0 Bdrm	1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Ouray		120%	1,863	1,995	2,394	2,764	3,084	74,520	85,080	95,760	106,320	114,840	123,360	131,880	140,400
Ouray		100%	1,552	1,662	1,995	2,303	2,570	62,100	70,900	79,800	88,600	95,700	102,800	109,900	117,000
Ouray		80%	1,242	1,330	1,596	1,843	2,056	49,680	56,720	63,840	70,880	76,560	82,240	87,920	93,600
Ouray		70%	1,086	1,163	1,396	1,612	1,799	43,470	49,630	55,860	62,020	66,990	71,960	76,930	81,900
Ouray		60%	931	997	1,197	1,382	1,542	37,260	42,540	47,880	53,160	57,420	61,680	65,940	70,200
Ouray		55%	853	914	1,097	1,267	1,413	34,155	38,995	43,890	48,730	52,635	56,540	60,445	64,350
Ouray		50%	776	831	997	1,151	1,285	31,050	35,450	39,900	44,300	47,850	51,400	54,950	58,500
Ouray		45%	698	748	897	1,036	1,156	27,945	31,905	35,910	39,870	43,065	46,260	49,455	52,650
Ouray		40%	621	665	798	921	1,028	24,840	28,360	31,920	35,440	38,280	41,120	43,960	46,800
Ouray		30%	465	498	598	691	771	18,630	21,270	23,940	26,580	28,710	30,840	32,970	35,100
Ouray		20%	310	332	399	460	514	12,420	14,180	15,960	17,720	19,140	20,560	21,980	23,400
Park		120%	2,463	2,638	3,165	3,657	4,080	98,520	112,560	126,600	140,640	151,920	163,200	174,480	185,760
Park		100%	2,052	2,198	2,637	3,047	3,400	82,100	93,800	105,500	117,200	126,600	136,000	145,400	154,800
Park		80%	1,642	1,759	2,110	2,438	2,720	65,680	75,040	84,400	93,760	101,280	108,800	116,320	123,840
Park		70%	1,436	1,539	1,846	2,133	2,380	57,470	65,660	73,850	82,040	88,620	95,200	101,780	108,360
Park		60%	1,231	1,319	1,582	1,828	2,040	49,260	56,280	63,300	70,320	75,960	81,600	87,240	92,880
Park		55%	1,128	1,209	1,450	1,676	1,870	45,155	51,590	58,025	64,460	69,630	74,800	79,970	85,140
Park		50%	1,026	1,099	1,318	1,523	1,700	41,050	46,900	52,750	58,600	63,300	68,000	72,700	77,400
Park		45%	923	989	1,186	1,371	1,530	36,945	42,210	47,475	52,740	56,970	61,200	65,430	69,660
Park		40%	821	879	1,055	1,219	1,360	32,840	37,520	42,200	46,880	50,640	54,400	58,160	61,920
Park		30%	615	659	791	914	1,020	24,630	28,140	31,650	35,160	37,980	40,800	43,620	46,440
Park		20%	410	439	527	609	680	16,420	18,760	21,100	23,440	25,320	27,200	29,080	30,960

Implementation Cutoff Date: June 3, 2022