

## 2021-05-11 LAC Report

**Notebook:** 2021 Reports & Updates

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Legislative Advisory Coalition Update for May 11, 2021

### American Recovery Plan

- The City of Durango is slated to receive \$4.07 Million dollars in American Recovery Act funds. The city will receive the first half of the funding in May and the rest 12 months later.
- At a study session on April 13, Durango City Councilors expressed an interest in using the funds for economic development and infrastructure such as for La Posta Road and infrastructure for Durango Mesa Park. They also discussed supporting the creation of housing.
- City staff will bring recommendations back to council in the near future.

### Durango Financial Update

- Sales tax in January was up 11.5% for the month.
- Lodgers tax was down -26.1% for the month of January.

### Durango La Plata County Airport Update

- Tony Vicari, Director of Aviation, told the Durango City Council on May 4 that the airport is seeing recovery this spring.
- Traffic decreased 49% in 2020 over 2019 but in Q1 of 2021, traffic has improved to approximately 70% of 2019 levels, with March exceeding 80% recovery.
- Passenger traffic recovery at DRO has consistently outpaced the US average since summer 2020. The final March 2021 TSA throughput figure of 83% of 2019 levels at DRO remained well above the US average of 52% for the same period. Through mid-April, TSA throughput at DRO has crested 90% of pre-pandemic levels.
- Airline seat capacity has recovered to over 90% of pre-pandemic levels through March 2021. Looking ahead to the summer, June 2021 airline seat capacity is forecast to exceed 2019 levels by over 15%.

### Multiplexes and Accessory Dwelling Units

- The Durango Planning Staff is moving toward legalizing and making safe multiplexes in Durango.
- Multiplexes are typically single-family houses that have been split into three or more apartments. They are not legal, but they provide housing.
- According to a Community Development Department Memo: Our goal is to find the right mix of incentives and regulation to keep these important sources of housing in operation while ensuring any needed safety improvements are made. If the regulations are too severe, owners are discouraged from coming forward and we lose the opportunity to make safety improvements.
- Planning Staff is also considering making changes to the Accessory Dwelling Unit (ADU) program. Staff has heard suggestions such as: they need to allow some types of

alternative compliance requests, especially for the principal structures; they should consider eliminating or reducing lot size restrictions; and they should allow detached ADUs in EN-4 zone district on large lots, among other things.

- There were no decisions made at the meeting on April 26..

### Fire Restrictions Authority

- La Plata County Commissioners have given the County Sheriff the authority to enact fire restrictions.
- Previously, enacting fire restrictions requires a public hearing and an ordinance.
- County Sheriff Sean Smith told the Board the proposed changes would be simpler and save time.
- Under the changes, a science-based checklist would be used to help the Sheriff determine the need for fire restrictions and the level of restrictions. The changes would also mean automatic restrictions on declared Red Flag Days.

### Meetings attended April 13 - May 11

4/13 - 10 am BOCC Business Meeting	4/26 - 6 pm Durango Planning Commission
4/13 - 2 pm BOCC meeting with the COGCC	4/27 - 10 am BOCC Business Meeting
4/13 - 4 pm Durango Council Study Session	4/27 - 4 pm Durango Council Study Session
4/14 - 8:30 am BOCC Discussion Time	4/28 - 8:30 am BOCC Discussion Time
4/15 - 6 pm Joint Planning Commission CANCELLED	5/3 - 4 pm Durango SLTFAB meeting
4/20 - 10 am BOCC Planning Agenda	5/4 - 6:30 pm Durango City Council Meeting
4/20 - 10:15 am BOCC Special Business Meeting	5/5 - 8:30 am BOCC Discussion Time
4/20 - 6 pm Durango City Council Meeting	5/6 - 2 pm BOCC Work Session on Water Priorities
4/21 - 8:30 am BOCC Discussion Time	5/10 - 4:30 pm Durango URA Meeting
4/22 - 11 am BOCC Study Session on Fire Restrictions	5/11 - 9 am LAC Meeting

### Colorado Legislation Highlights - Signed by the Governor

- HB21-1061 - <https://leg.colorado.gov/bills/hb21-1061> Concerning the definition of residential land for the purpose of property tax classification was signed by the Governor.
- HB21-1052 - <https://leg.colorado.gov/bills/hb21-1052> Concerning the inclusion of pumped hydroelectric energy generation in the definition of "eligible energy resources" for purposes of meeting Colorado's renewable energy standard was signed by the Governor.
- SB21-70 - <https://leg.colorado.gov/bills/sb21-070> The bill authorizes a board of county commissioners to require the registration of businesses in the unincorporated portions of the county. It was signed by the Governor.
- SB21-54 - <https://leg.colorado.gov/bills/sb21-054> Concerning transfers from the general fund to cash funds to be used to address wildland fires, and, in connection therewith, making an appropriation was signed by the Governor.
- SB21-20 - <https://leg.colorado.gov/bills/sb21-020> Concerning the valuation of property related to renewable energy for purposes of the property tax was signed by the Governor..

### Colorado Legislation Highlights

- HB21-1271 - <https://leg.colorado.gov/bills/hb21-1271> Concerning the establishment of programs offering state assistance to local governments to promote the development of innovative affordable housing strategies in a manner that is compatible with best local land use practices, and, in connection therewith, making an appropriation was assigned to House Transportation & Local Government.

- HB21-1232 - <https://leg.colorado.gov/bills/hb21-1232> Concerning the establishment of a standardized health benefit plan to be offered in Colorado was sent to the Committee of the Whole.
- HB21-1224 - <https://leg.colorado.gov/bills/hb21-1224> Concerning modifications to the provisions governing foreclosure sales of real property was assigned to to Business Affairs & Labor.
- HB21-1207 - <https://leg.colorado.gov/bills/hb21-1207> Concerning the overpayment of workers' compensation benefits was re-passed in the House following Senate amendments.
- HB21-1198 - <https://leg.colorado.gov/bills/hb21-1198> Concerning health-care billing requirements for indigent patients receiving services not reimbursed through the Colorado indigent care program, and, in connection therewith, establishing procedures before initiating collections proceedings against a patient was assigned to House Appropriations for a hearing May 11.
- HB21-1189 - <https://leg.colorado.gov/bills/hb21-1189> Concerning additional public health protections in relation to the emission of air toxics was referred to the House Finance Committee for a hearing May 10.
- HB21-1134 - <https://leg.colorado.gov/bills/hb21-1134> Concerning facilitating the reporting of tenants' rent payment information to consumer reporting agencies at the tenants' request was assigned to House Appropriations.
- HB21-1117 - <https://leg.colorado.gov/bills/hb21-1117> Concerning the ability of local governments to promote the development of new affordable housing units pursuant to their existing authority to regulate land use within their territorial boundaries. House considered Senate amendments and the bill was laid over.
- HB21-1109 - <https://leg.colorado.gov/bills/hb21-1109> Concerning the broadband deployment board, and, in connection therewith, modifying the composition of the board, requiring the board to develop a request for proposal process for deploying broadband into critically unserved areas in the state, and requiring the board to give additional consideration to proposed projects that would include discounted service for low-income households was sent to the Senate Business, Labor, & Technology Committee.
- HB21-1028 - <https://leg.colorado.gov/bills/hb21-1028> Concerning the preparation by the division of housing within the department of local affairs of an annual public report that provides information on money administered by the state to promote the provision of affordable housing was sent to the To Senate Local Government Committee.
- HB21-1008 - <https://leg.colorado.gov/bills/hb21-1008> Concerning increased options for financing forest health projects, and, in connection therewith, financing wildfire mitigation treatment was passed on Third Reading in the Senate.
- SB21-108 - <https://leg.colorado.gov/bills/sb21-108> Concerning gas pipeline safety, and, in connection therewith, increasing and clarifying the rule-making and enforcement authority of the public utilities commission was passed on Second Reading.
- SB21-87 - <https://leg.colorado.gov/bills/sb21-087> Concerning agricultural workers' rights was referred to the Senate Committee of the Whole.
- SB21-33 - <https://leg.colorado.gov/bills/sb21-033> Concerning the adoption of statutory changes related to conservation easements that were recommended by the conservation easement working group convened in accordance with House Bill 19-1264 was assigned to Senate Appropriations.