

ORDINANCE NO. 1160 (2024)

AN ORDINANCE REVISING TITLE 13 CHAPTER 32, TITLE 15 CHAPTERS 4 AND 6, AND TITLE 16 CHAPTERS 1 AND 3 OF THE CRAIG MUNICIPAL CODE FOR PURPOSES OF AFFORDABLE HOUSING NEEDS.

RECITALS:

1. The City of Craig is a home rule municipality.
2. The City of Craig has determined there is a need for safe and affordable housing within the City limits.
3. The City Council of the City of Craig believes it is necessary to revise certain provisions of the Municipal Code related to the development of land, collection of fees, and land use regulations in the City of Craig, for the purpose of making affordable housing available within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO, THE FOLLOWING:

Section 1: The Craig Municipal Code, Title 13 Chapter 32, Title 15 Chapters 4 and 6, and Title 16 Chapters 1 and 3, are hereby amended as follows:

Title 13 Chapter 32 – Public Services

Section 13.32.020 -Permit; capital investment fees:

13.32.020(D) shall be added as follows:

- D. City Council may, by resolution, grant an exemption from or waive all or part of the requirements related to the payment of capital investment fees imposed by the City upon new development, upon a finding that such waiver is in the best interests of the public by encouraging activities that provide significant social, economic, or cultural benefits.
1. Determination of affordability shall be based on the most recent Area Median Income tables for Moffat County as published by the Colorado Housing and Finance Authority annually.
 2. Only projects targeted at households at or below 100 percent of the Area Median Income will be considered for an exemption.
 3. The City Council shall be required to adopt an Affordable Housing Fee Waiver Policy and application process to determine eligibility.

Title 15 Chapter 4 – International Building Code

Section 15.04.050 – Additions; permit fees.

15.04.050(D)(E) shall be added as follows:

- D. The Craig Housing Authority shall be exempt from building permit fees.
- E. City Council may, by resolution, grant an exemption from all or part of the requirements related to the payment of building permit fees imposed by the City upon new development, upon a finding that such waiver is in the best interests of the public by encouraging activities that provide significant social, economic, or cultural benefits.
 - 1. Determination of affordability shall be based on the most recent Area Median Income tables for Moffat County as published by the Colorado Housing and Finance Authority annually.
 - 2. Only projects targeted at households at or below 100 percent of the Area Median Income will be considered for an exemption.
 - 3. The City Council shall be required to adopt an Affordable Housing Fee Waiver Policy and application process to determine eligibility.

Title 15 Chapter 6 – International Residential Code

Section 15.06.050 – Additions; permit fees.

15.06.050(D)(E) shall be added as follows:

- D. The Craig Housing Authority shall be exempt from building permit fees.
- E. City Council may, by resolution, grant an exemption from all or part of the requirements related to the payment of building permit fees imposed by the City upon new development, upon a finding that such waiver is in the best interests of the public by encouraging activities that provide significant social, economic, or cultural benefits.
 - 1. Determination of affordability shall be based on the most recent Area Median Income tables for Moffat County as published by the Colorado Housing and Finance Authority annually.
 - 2. Only projects targeted at households at or below 100 percent of the Area Median Income will be considered for an exemption.
 - 3. The City Council shall be required to adopt an Affordable Housing Fee Waiver Policy and application process to determine eligibility.

Title 16 Chapter 1 – General Provisions

Section 16.01.160 – Definitions

The existing definition of *Affordable housing project* shall hereby be deleted and replaced with the following:

Affordable housing project – Shall be defined as: A development that includes *affordable housing unit(s)* for rent or purchase considered affordable for individuals or families as described in the definitions and in the currently adopted version of the *Affordable Housing Fee Waiver Policy*.

The definition of *Affordable housing unit for rent* shall hereby be deleted.

The definition of *Affordable housing unit for sale* shall hereby be deleted.

A definition of *Affordable housing unit* shall be added as follows:

Affordable housing unit – Shall be defined as: A dwelling unit available for rent or for sale that would be considered affordable to households earning at or below 100% Area Median Income, adjusted for household size as determined by the most recent Area Median Income chart published by the Department of Housing and Urban Development for Moffat County. Generally, housing is considered affordable if households spend no more than 30 percent of their gross income on housing costs. Affordable housing is further defined by the currently adopted version of the *Affordable Housing Fee Waiver Policy*.

A definition of *Affordable Housing Fee Waiver Policy* shall be added as follows:

Affordable Housing Fee Waiver Policy refers to the officially approved policy that outlines the criteria and eligibility for fee waivers and other forms of relief for projects seeking to build affordable housing units in the City of Craig. This policy may be updated in response to changing housing conditions and state grant funding requirements for affordable housing.

The policy shall be updated by resolution.

Title 16 Chapter 3 – Zoning

Section 16.03.040 – Principal, conditional and temporary uses per zoning district.

16.03.040(N)(7)(a) shall be replaced with the following by adding “Affordability is defined in Title 16.01.160 Definitions” and deleting affordable housing definitions (i) and (ii) in their entirety.

Deed restrictions on the appreciation or price of housing. With this strategy, the price of certain housing units remains affordable to residents who make a set percentage of the median income. Affordability is defined in **Title 16.01.160 Definitions**. ~~To qualify, "affordable housing" shall be defined as:~~

- i. ~~Affordable housing unit for rent means a dwelling unit which is available for rent on terms that would be affordable to households earning eighty percent (80%) or less of the median income of county residents, as adjusted for family size, and paying less than thirty percent (30%) of their gross income for housing rent. The unit must be occupied by and be affordable to such low income household(s) for a period of at least thirty (30) years or as stipulated by the regulatory authority.~~
- ii. ~~Affordable housing unit for sale means a dwelling unit in which is available for purchase on terms that would be affordable to households earning one hundred forty percent (140%) or less of the median income of county residents, as adjusted for family size, and paying less than thirty percent (30%) of their gross income for housing, including principle, interest, taxes, and insurance. The unit must be occupied by and affordable to such low income household(s) for a period of at least thirty (30) years or as stipulated by regulatory authority.~~

Section 2. If any subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. All other provisions of Title 13, 15, and 16 of the Craig Municipal Code shall remain in full force and effect.

Section 3. The City Council deems it appropriate to publish the title of this ordinance, together with a summary of the ordinance and with a statement that the text is available for public inspection and acquisition in the office of the City Clerk.

Section 4. This ordinance shall be effective immediately upon passage.

Section 5. This Ordinance is enacted pursuant to the City's authority to act to preserve the general welfare of the City and its citizens.

READ, APPROVED AND ORDERED PUBLISHED ON FIRST READING THIS _____
DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF CRAIG,
COLORADO.

Chris Nichols, Mayor

ATTEST:

Bruce Nelson, Interim City Clerk

FINALLY READ, PASSED AND APPROVED AFTER PUBLIC HEARING THIS _____ DAY
OF _____ 2024.

Chris Nichols, Mayor

ATTEST:

Katie Carmody, City Clerk