



Affordable Housing Fee Waiver Policy

I. Purpose

This Affordable Housing Fee Waiver Policy provides a process and criteria that the City of Craig (“City”) will use to evaluate requests for capital impact and building fee waivers from housing developers. Each project will be evaluated on its merits. The City may accept or reject any fee waiver requests for any reason and revise or rescind this policy at any time.

II. Municipal Code

Pursuant to Title 13, Chapter 32; Title 15, Chapters 4 and 6; and Title 16, Chapters 1 and 3 of the Craig Municipal Code, the City may grant an exemptions from or waive all or part of the requirements related to the payment of capital impact fees and building permit fees for new development if the waiver is “in the best interests of the public[.]”

III. Application Process

1. **Pre-Application.** A developer who desires fee waivers must schedule a pre-application meeting with the City Manager and Community Development Manager.
2. **Application Submittal.** The developer must submit a written request addressed to City Council and the application materials detailed below. City staff will review application materials and work with the developer to ensure the application is complete.
3. **Staff Review.** Once complete, City staff will present City Council with the developer’s application and the staff’s recommendation.
4. **City Council Resolution.** At a duly noticed public meeting, City Council will approve, approve with amendments, table for further consideration, or deny the fee waiver request by resolution.

IV. Application Materials

Each developer must submit the following documentation to the City:

- a project description that includes proposed income restrictions, number of units and bedrooms, and population to be served;
- a conceptual site plan;
- a detailed financial pro forma including sources and uses and projected cash flow;

- a list of project partners including the project’s architect, contractor, attorney, accountant, property manager, and financial partners;
- most recent two years of tax returns and financial statements and a current balance sheet for the project’s guarantor(s); and
- the developer’s resume that includes any other residential projects completed in Colorado.

The City is subject to the Colorado Open Records Act, C.R.S. § 24-72-200.1, *et seq.* (“CORA”). If a developer would like any of the above documents to be kept confidential, the developer must clearly mark each document as “Confidential Financial Information.”

V. Eligibility Criteria

1. The project must be in the City of Craig and must benefit households earning at or below 100% of Area Median Income (determined by reference to the Colorado Housing and Finance Authority’s most recently published household income data).
2. The developer must demonstrate capacity and experience to develop and operate the project.
3. The developer must demonstrate that the project is not financially viable without the fee waivers.
4. The project must include recorded income restrictions that maintain affordability at agreed upon levels for at least ten years.
5. The developer’s fee and projected cash flow must be reasonable given the project financials.

CHA may place conditions on fee waivers including:

1. fee waivers may be secured by a subordinate deed of trust until the end of the agreed-upon affordability period;
2. a personal guaranty from one or more of the project’s sponsor to ensure repayment if the affordability restrictions are not maintained; and
3. an agreement requiring the developer to reimburse expenses incurred by the City.

VI. Waivers

A developer may request in writing that the City waive one or more of the provisions of this policy for good cause. City Council may grant waivers in its sole discretion.

Certificate of Adoption

I, Chris Nichols, certify that I am the Mayor of the City of Craig, Colorado, and the City Council adopted the Affordable Housing Fee Waiver Policy on November 26, 2024.

By: _____
Chris Nichols, Mayor

ATTEST

Bruce Nelson, Interim City Clerk

Votes in Favor: _____

Voted Opposed: _____

Abstained: _____