

FIRST READING: July 2, 2019

SECOND READING: July 16, 2019

ORDINANCE NO. 6308

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO REIMBURSE THE LOVELAND FIRE RESCUE AUTHORITY FOR ANY WAIVED CAPITAL EXPANSION FEES AND AUTHORIZE ADDITIONAL USE OF THE COMMUNITY HOUSING DEVELOPMENT FUNDS

WHEREAS, City Council for the City of Loveland, Colorado (the “City Council”) recognized the growing demand for affordable housing and designated one and a quarter percent (1.25%) of the City’s net sales tax to be collected for the provision of affordable housing; and

WHEREAS, City Council directed these tax funds to go to the Community Housing Development Fund as articulated in title 18.16.05.02 of the City’s Municipal Code; and

WHEREAS, the City entered into an Intergovernmental Agreement for the assessment, collection, and remittance of Emergency Services Impact Fees with the Loveland Fire Rescue Authority [hereinafter the “Authority”] effective January 1, 2018; and

WHEREAS, Ordinance 6263, passed unanimously on December 4, 2018, City Council approved the use of the Community Housing Fund to reimburse the Loveland Fire & Rescue Authority Fund; and

WHEREAS, on the same date City Council also voted unanimously to allow the Community Housing Funds to support the Community Partnership Office’s needs for professional services; and

WHEREAS, the Uniform Development Code was repealed and replaced, effective November 20, 2018, and Ordinance 6263 remained in the municipal code as it was passed after the effective repeal of Title 18. The changes from Ordinance 6263 will be moved to the Uniform Development Code, so Ordinance 6263 will be repealed; and

WHEREAS, City Council finds it is in the best interest of the City and Fire Authority reimburse impact fees waived for affordable housing development and amend the Uniform Development Code, adopted by reference.

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

Section 1. That Section 16.43.020 of the Loveland Municipal Code (Ordinance 6263) is hereby repealed.

Section 2. That Section 18.16.01.03(E) of the Uniform Development Code is hereby amended to read as follows:

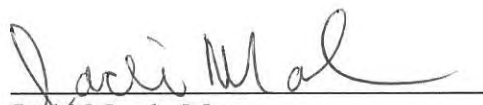
E. Policy on Capital-Related Fees. Policy on Capital-Related Fees. When a capital-related fee is waived or reduced, it is the general policy of the City Council to direct that the waived fee be paid by the general fund or another appropriate fund, except in the case of waivers pursuant to subsection B.1., B.2.a., and B.2.c., which are generally only reimbursed if the waived fee involves a utility fund or the Loveland Fire & Rescue Authority Fund. However, such general policy is not binding upon the City Council, is subject to appropriation, and shall not be construed to create a multi-year fiscal obligation.

Section 3. That Section 18.16.05.02 of the Uniform Development Code is hereby amended to read as follows:

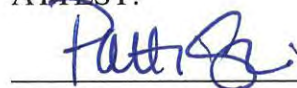
There is created a special fund to be known as the "Community Housing Development Fund" for the purpose of receiving all revenues related to affordable housing programs and services and other appropriations from the general fund or other funds as approved or established by the City Council. The fund and any interest earned in the fund shall be for the specific use of those affordable housing programs and services or other professional services necessary to support the Community Partnership Department as determined by City Council.

Section 4. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance also complies with section 31-16-202, C.R.S. (2018) which allows for the adoption by reference of the Uniform Development Code. This Ordinance shall be in full force and effect (10) days after publication following final adoption, as provided in City Charter Section 4-8(b).

ADOPTED this 16th day of July, 2019.



Jackie Marsh, Mayor

ATTEST:


City Clerk



APPROVED AS TO FORM:


Assistant City Attorney

Ordinance 6308

I, Patti Garcia, City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on July 2, 2019 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full on July 6, 2019 and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on July 20, 2019.

Patti Garcia

City Clerk



Effective Date: July 20, 2019

