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State:	Colorado
Jurisdiction Type:	Municipal
Municipality:	Town of Estes Park
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Community Type – applicable to:	Suburban; Rural
Title:	Town of Estes Park Attainable Housing Density Bonus Ordinance
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Abstract

The Attainable Housing Density Bonus Ordinance for the Town of Estes Park – Estes Valley states that for every one attainable housing unit provided, a developer may receive a bonus of one-half unit that may only be used for the development of additional affordable housing units. That statute also lists certain development requirements to satisfy the bonus provision including a twenty-year deed restriction to ensure the housing remains affordable.

Resource

§ 11.4 ATTAINABLE HOUSING DENSITY BONUS

- A. **Purpose.** This Section is intended to create an incentive to provide a variety of attainable housing for persons living and/or working in the Estes Valley. (Ord. 2-02 #9)
- B. **Eligibility.** All residential subdivisions and developments in residential zoning districts are eligible for the attainable housing density bonus set forth in this Section. (Ord. 2-02 #9)
- C. **“Attainable” Defined.** For purposes of this Code and Chapter, “attainable housing units” shall mean the following:
 1. *Renter-Occupied Attainable Housing Units.*
 - a. Housing units that are attainable to households earning sixty percent (60%) of the Larimer County Area Median Income or below, adjusted for household size.
 - b. To qualify as attainable units, housing costs (i.e., rent and utility expenses) must not exceed thirty percent (30%) of the maximum income for an imputed household size based on sixty percent (60%) of the Larimer County Area Median Income. The imputed household size is equal to one and one-half (1.5) times the number of bedrooms in the unit, For example, rent on a two-bedroom unit would be equal to thirty percent (30%) of the monthly income limit of a

three-person family; for a three-bedroom unit the rent should not exceed thirty percent (30%) of the monthly income of a four-and-one-half-person family - the midpoint of the range of a four and five- person family. If the property owner does not pay all utility expenses, then a utility allowance, computed by the Estes Park Housing Authority, must be subtracted from the housing cost to determine the maximum rent. (Ord 2-02 #9)

2. *Owner-Occupied Attainable Housing Units.*

- a. Housing units that are attainable to households earning eighty percent (80%) of the Larimer County Area Median Income or below, adjusted for household size.
- b. To qualify as attainable units, housing costs must not exceed forty percent (40%) of the eighty-percent Larimer County Area Median Income, adjusted for household size. (Ord. 2-02 #9)

3. *Larimer County Area Median Income, Defined.* The Larimer County Area Median Income is the current applicable area median income for Larimer County published by the U.S. Department of Housing and Urban Development. (Ord. 2-02 #9)

D. **Maximum Permitted Density Bonus.** Except in the R-1 Zoning District, subject to the standards and review criteria set forth in this Section and Chapter, attainable housing units are eligible for a density bonus of up to one and one-half (1.5) times (one hundred fifty percent [150%]) of the base net density standard set forth in Table 4-2, §4.3.C. For example, on a RM Multi-Family Residential zoned lot with a net land area of one (1) acre, the underlying base zoning district density is eight (8) units per acre. A maximum density of twelve (12) dwelling units per acre may be achieved if at least four (4) of the dwelling units are attainable. (Ord. 8-05 #1)

E. **Development and Design Standards.**

1. *Minimum Lot Size/Area.* Notwithstanding the minimum lot area requirements set forth in the underlying base zoning district, the following requirements shall apply to residential subdivisions and developments that include attainable housing units pursuant to this Section:

- a. **Single-Family Detached Attainable Units.** The minimum lot size for single-family, detached attainable housing units included in a subdivision or development shall be five thousand (5,000) square feet, provided that at least fifty percent (50%) of the total housing units in the subdivision or development are attainable. If less than fifty percent (50%) of the total units are attainable, then the minimum lot size shall be no less than seventy-five percent (75%) of the underlying base zoning district lot area requirement.
- b. **Two-Family Attainable Units.** The minimum lot size for two-family attainable housing units included in a subdivision or development shall be twelve thousand (12,000) square feet, provided that at least fifty percent (50%) of the total housing units in the subdivision or development are attainable. If less than fifty percent (50%) of the total units are attainable, then the minimum lot size

shall be no less than seventy-five percent (75%) of the underlying base zoning district lot area requirement for two-family residential uses.

- c. **Multi-Family Developments Containing Attainable Units.** The minimum lot size for a multi-family structure or development containing at least fifty percent (50%) attainable housing units shall be twenty-five thousand (25,000) square feet. If less than fifty percent (50%) of the total units are attainable, then the minimum lot size shall be no less than seventy-five percent (75%) of the underlying base zoning district lot area requirement for multi-family residential uses.
2. *Dispersal Required.* Attainable housing units shall be dispersed within a residential subdivision or development.
3. *Public Sewers and Water Required.* All developments containing attainable housing units shall be served by public central sewer service and public water service.
4. *Short-Term Rentals Prohibited.* Attainable housing units shall not be leased or rented for tenancies of less than thirty (30) days.
5. *Deed Restriction Required.* Attainable housing units developed pursuant to this Section shall be deed-restricted to assure the availability of the unit for sale or rent to persons meeting the income guidelines and definition set forth in §11.4.C above, for a period of time no less than twenty (20) years. The mechanism used to restrict the unit shall be approved by the Town or County Attorney.

(Ord. 13-99 §D.4, 11/3/99; Ord. 2-02 #9, 2/12/02; Ord. 8-05 #1, 6/14/05)