

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S RESOLUTION

NO. CB-2024  
Series of 2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN,  
COLORADO, THAT:

A PUBLIC HEARING WILL BE HELD ON CB-2024 SERIES OF 2024, ENTITLED "A BILL FOR AN ORDINANCE ADDING SECTION 11-7-7 TO ARTICLE 7 OF CHAPTER 11 OF THE NORTHGLENN MUNICIPAL CODE REGARDING HOUSING OCCUPANCY LIMITS" ON NOVEMBER 18, 2024 AT 6:00 P.M. AT CITY HALL COUNCIL CHAMBERS, 11701 COMMUNITY CENTER DRIVE, NORTHGLENN.

DATED this 28<sup>th</sup> day of October, 2024.

  
MEREDITH LEIGHTY  
Mayor

ATTEST:

  
JOHANNA SMALL, MMC  
City Clerk

AFFIDAVIT OF POSTING:

I, Johanna Small, certify that CB-2024 was posted at the authorized posting places in the City of Northglenn this 29<sup>th</sup> day of October, 2024.

  
City Clerk's Office

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S BILL

ORDINANCE NO.

No. CB-2024  
Series of 2024

\_\_\_\_\_  
Series of 2024

A BILL FOR AN ORDINANCE ADDING SECTION 11-7-7 TO ARTICLE 7 OF CHAPTER 11 OF THE NORTHGLENN MUNICIPAL CODE REGARDING HOUSING OCCUPANCY LIMITS

WHEREAS, on October 15, 2024, the Planning Commission held a properly noticed public hearing on the Unified Development Ordinance (the "UDO") and recommended approval;

WHEREAS, pursuant to Section 11-6-4(c), any amendment to the UDO requires a public hearing by the City Council;

WHEREAS, on November 18, 2024, the City Council held a properly noticed public hearing on the Ordinance; and

WHEREAS, the City Council desires to reaffirm its right to legislate on this matter of purely local concern.

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

Section 1. Section 11-7-7 is hereby added to the City of Northglenn Municipal Code to read as follows:

**Section 11-7-7. Housing Occupancy Limits.**

(a) Purpose and Legislative Declaration. The City Council finds and determines as follows:

(1) Pursuant to Article XX, Section 6 of the Colorado Constitution, the City is a Colorado home rule municipality, and as such has that organic authority derived from Article XX, Section 6 of the Colorado Constitution;

(2) The City has the home rule power and authority to enact legislation on matters of purely local concern that preempt and supersede State legislation;

(3) Zoning is, and has many times been declared and affirmed by the Colorado Supreme Court to be, a matter of purely local concern, and the purpose of this Section 11-7-7 of the Northglenn Municipal Code is to state the City's intent to zealously assert its home rule authority to enact local zoning and subdivision

regulations which supersede and preempt State legislation regulating zoning and subdivision as matters of purely local concern because the City Council of the City of Northglenn is in the best position to legislate on how best to accomplish the increased availability of housing within the corporate limits of the City;

(4) Colorado House Bill 24-1007 purports to prohibit municipalities from limiting housing occupancy based on familial relationships through the codification of C.R.S. § 29-20-111;

(5) The City Council has promulgated certain limits on housing occupancy consistent with the City's zoning needs and objectives to protect the health, safety and welfare of its residents;

(6) Such limits include the number of people who may live together in a single dwelling based on familial relationship; and

(7) The City Council therefore finds and declares that the limit on housing occupancy promulgated in its Unified Development Ordinance, Section 11-1-1, *et seq.*, of the City of Northglenn Municipal Code, is in furtherance of the health, safety and welfare of the City on a matter of purely local concern, notwithstanding the provisions of C.R.S. § 29-20-111.

(b) Housing Occupancy Limits. The City is aware of the passage of House Bill 24-1007, codified in C.R.S. § 29-20-111. The City rejects the assertion that the subject matter of C.R.S. § 29-20-111 is a matter of mixed statewide and local concern and determines that C.R.S. § 29-20-111 is expressly superseded and preempted within the City by this Unified Development Ordinance, specifically at its definition of "Family" in Section 11-7-6.

INTRODUCED, READ AND ORDERED POSTED this 20<sup>th</sup> day of October, 2024.

  
MEREDITH LEIGHTY  
Mayor

ATTEST:

  
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JOHANNA SMALL, MMC  
City Clerk


PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2024.

\_\_\_\_\_  
MEREDITH LEIGHTY  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, MMC  
City Clerk

APPROVED AS TO FORM:

  
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COREY Y. HOFFMANN  
City Attorney