



WORK SESSION AGENDA ITEM SUMMARY

City Council

STAFF

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SUBJECT FOR DISCUSSION

Land Use Code Extended Discussion.

EXECUTIVE SUMMARY

The purpose of this work session is to update council on the engagement conducted so far related to the Land Use Code (LUC) changes, seek input from council regarding potential alternatives, and seek guidance on next steps.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback do Councilmembers have on the polarities and most appropriate text steps for ADUs, 2-5 Plexes, Affordable Housing, Private Covenants, and parking?
2. What feedback do Councilmembers have about the recommended revision on community notification for development review and short-term rentals (STR)?

BACKGROUND / DISCUSSION

Following the submission and certification of a petition sufficient for referendum, Council reconsidered Ordinance No. 114, 2023 at the Regular Meeting on January 17, 2023. Council voted unanimously (7-0) to repeal Ordinance No. 114, 2022, *Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins Code to Adopt the Land Development Code and Separately Codifying the 1997 Land Use Code As "Transitional Land Use Regulations"*. Council directed staff to explore next steps to allow for additional community engagement and further refinement of housing-related code changes.

Revisions to the code will continue to support the five guiding principles confirmed by City Council in November 2021 and re-affirmed by a majority of Councilmembers at a work session in February 2023:

1. **Increase overall housing capacity** (market rate and affordable) and calibrate market-feasible incentives for deed-restricted affordable housing
2. **Enable more affordability**, especially near high frequency transit and growth areas
3. **Allow for more diverse housing choices** that fit in with the existing context

4. **Make the code easier to use** and understand
5. **Improve predictability** of the development review process, especially for housing

A refined approach to engagement, including proposed themes and topics to cover, are outlined below. The approach also includes an updated timeline, a report on engagement already conducted, and additional engagement opportunities planned for June.

Community Engagement Update

City staff has re-engaged community members over the past several weeks to gather additional feedback on housing-related LUC changes. The target audience is citywide, with some engagement methods tailored to specific audiences. Following a citywide (97,000+) postcard mailing in early April, staff have been hosting a wide range of community engagement events in April and May, with more engagement opportunities planned for June. So far, staff have hosted 30+ meetings and events.

Engagement Opportunities: A wide range of engagement events were scheduled in accordance with Council direction received at the February 14, 2023 work session. Engagement opportunities were announced with a postcard (English/Spanish) mailed to all residents and a parallel social and print media effort. Events have included presentations to community groups, Boards, and Commissions, virtual and in-person sessions, small group meetings with residents and HOA groups, and deliberative dialogue opportunities. All information about events will continue to be posted to the project website, <https://www.fcgov.com/lucupdates>.

- **Early April** – Postcards arrived in mailboxes
- **April 12th, 6:00-9:00 p.m.** – CityWorks 101 presentation on LUC updates
- **Earth Day 4/22, Open Streets 6/4, Bike to Work Day 6/28, etc.** – Tabling at events
- **April 24th, 6:00-7:30 p.m.** – Virtual Information Session
- **April 26th, 5:30-8:00 p.m.** – Deliberative Forum with Center for Public Deliberation
- **Late April** – Next Level Neighborhood Walking Tours
- **Thursdays, Fridays, and Saturdays in May** – Neighborhood Walking Tours
- **May 8th, 2:00-7:00 p.m.** – In Person Community Open House
- **May 10th** – Historic Preservation Commission
- **May 12th** – Planning & Zoning Commission
- **May 17th** – Economic Advisory Board
- **Walking tours/Discussion Groups** – Seeking to engage with community in their neighborhoods
- **June** – General “catch-all” walking tours for those who were unable to attend
- **June** – Neighborhood Discussions to be held to discuss potential code alternatives

A summary of comments received so far is attached to this Agenda Item Summary. A robust summary of feedback received through all events will be delivered to Council and the community prior to the July Work Session. These comments have generally continued to fit within the seven theme areas discussed with Council at the April work session:

1. Increased menu of housing choices and associated regulations (e.g. Accessory Dwelling Units, duplexes, triplexes)
2. Affordable housing questions, concerns, and suggestions
3. Size, height, form, and allowed density of specific housing types
4. Interaction between the code and private covenants (HOAs)
5. Notification, community input, and review procedures for residential development
6. Infrastructure and utilities (including parking)

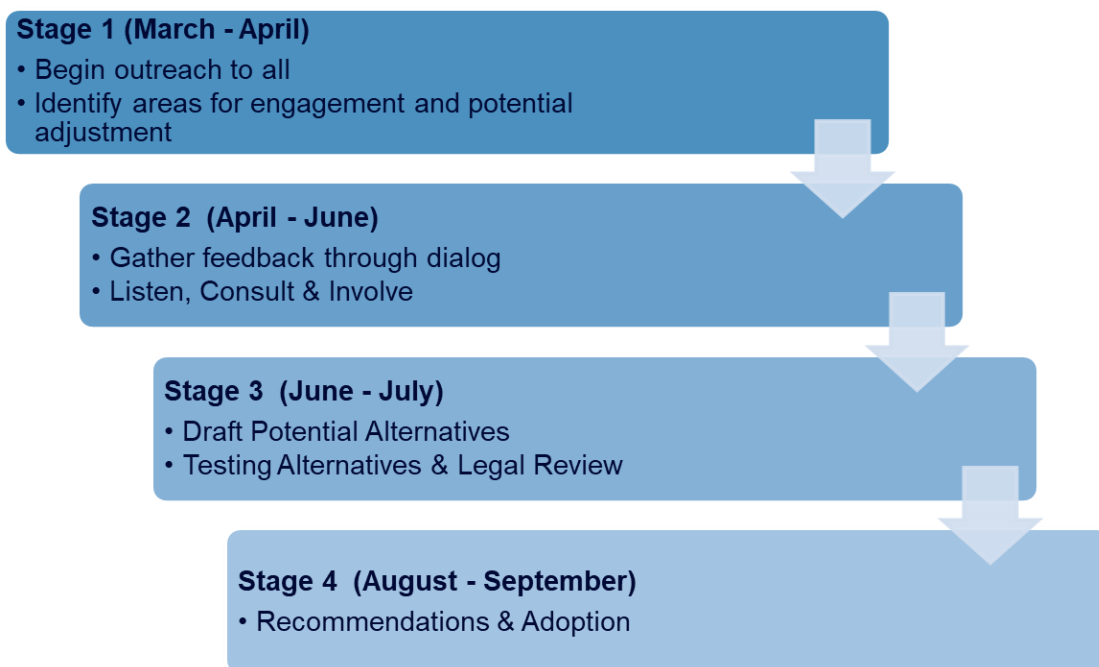
7. Process of LDC code changes and adoption

Participation to Date: Potential changes to the LUC have resulted in robust community dialogue and many comments shared with City Leaders and staff. During March and April 2023, staff engaged with hundreds of residents through online comments, virtual engagement opportunities, and in-person events:

- 127 General Comments received through the FCGov.com general comment form
- 60 Attendees at the Virtual Info Session
- 70 attendees at the Deliberative Forum
- 175 Attendees at the May 8th event
- Over 80 attendees at the 11 completed Walking Tours with more scheduled

Initial participation in engagement opportunities has been high with good attendance. However, staff recognize a need to proactively connect with additional diverse audiences. To date, demographics collected at engagement events indicate that most participants are white, 55 years of age or older, and own their homes. Staff will schedule meetings and events in June with two primary goals: 1) provide additional opportunities for all residents to engage; and 2) seek to reach a more representative group of residents with tailored opportunities (e.g., Spanish-language and renter-focused events and similar).

Overall Engagement Timeline: Most large-scale engagement events will be complete by the end of June with code drafting beginning during Stage 3 (June-July). Online comments, staff presentations, and similar smaller scale engagement opportunities will be available in all stages. Staff anticipates sharing a public draft in late summer, with Council consideration of adoption to follow in late summer or early fall 2023.



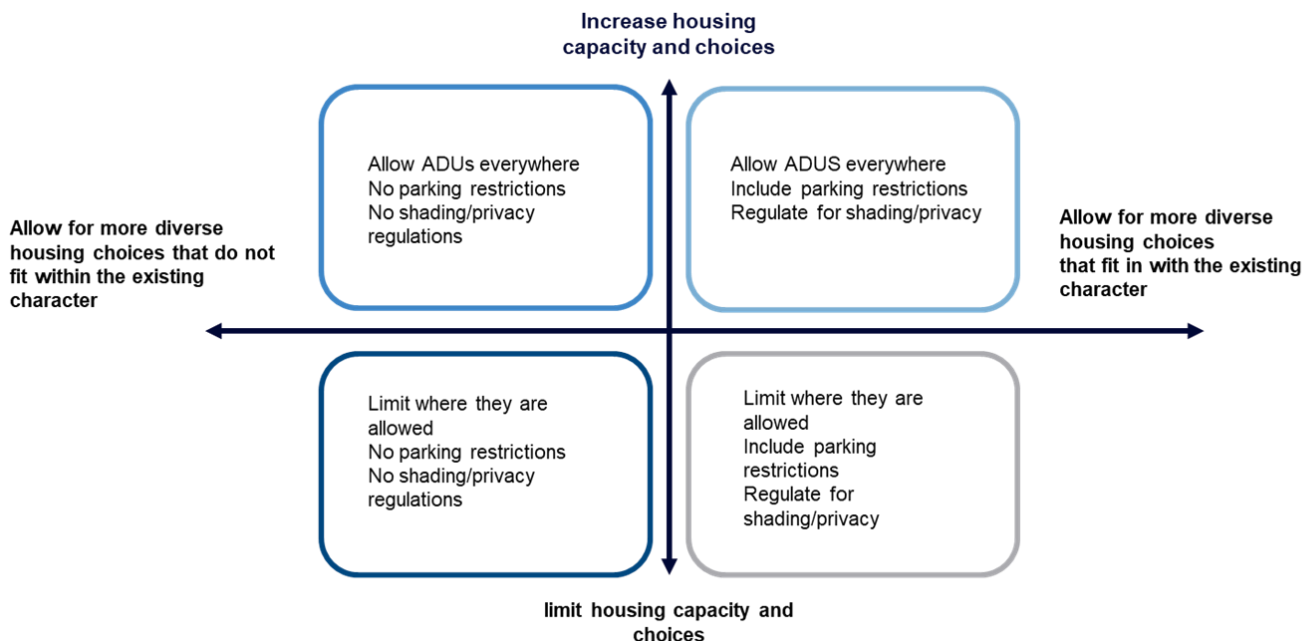
Approach to Exploration of Potential Alternatives and Revisions

Staff will continue to gather, analyze, and synthesize community feedback received through upcoming engagement events and other correspondence, including online feedback forms and emails. Staff will then use this information along with additional analysis and Council direction to inform alternative code options within the 6 topic areas.

Exploration of Polarities and Council Direction for Code Drafting

Following is an example of a polarity framework staff proposes for evaluating potential alternatives and revisions. Each quadrant represents a list of possible code revisions that could be considered for the topic area, organized along two axes representing the guiding principles related to that topic. Organizing potential code revisions in the context of polarities is intended to illustrate the trade-offs that may result from revisions within each topic area.

Example: Increased menu of housing choices and associated regulations (Accessory Dwelling Units)



Staff is seeking Council guidance on the polarities inherent in each topic area, as well as direction about the most appropriate next steps for each topic as the team prepares to draft code language. The example included above is for Accessory Dwelling Units; however, each of the following topics will be addressed in turn during the Council Work Session:

1. Increased menu of housing choices and associated regulations (Accessory Dwelling Units)
2. Increased menu of housing choices and associated regulations (2-5 plexes)
3. Affordable Housing
4. Interaction between the code and private covenants (HOAs)
5. Parking

Staff Recommendations for Revisions

In addition to exploration of polarities and direction for code drafting, staff would also like to recommend further work on two groups of revisions that seem to have broad support based on preliminary evaluation of community feedback. These revisions will be explored along with the additional guidance Council will offer with the topics outlined above:

- Notifications and Community Input:
 - Explore implementing defined public comment periods
 - Explore posting all comments online for community review

- Explore requiring neighborhood meetings or other community engagement opportunities
- Short Term Rentals (STR)
 - Explore limitations on STR use in new ADUs

NEXT STEPS

Community engagement will continue through June as outlined in this Agenda Item Summary. Three Council work sessions are scheduled to date:

- June Memo: In-depth analysis of feedback from engagement events and corresponding potential code revisions
- July 31st: Present Phase 2 engagement info and discuss code revisions
- August 22nd: Present Draft Code Amendments

ATTACHMENTS

1. Synthesis of Public Comments and Questions
2. Presentation