



Land Use Code Phase 1 Updates: Process Next Steps

Meaghan Overton | Housing Manager
Paul Sizemore | CDNS Director

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Introduction: Overview and Policy Alignment

(3 min presentation)

Part 1: Engagement Update and Timeline

(5 min presentation; 20 min discussion)

Part 2: Potential Alternatives

(15 min presentation; 40 min discussion)

Conclusion: Next Steps

(2 min presentation)



1. What feedback do Councilmembers have on the polarities and most appropriate next steps for ADUs, 2-5 Plexes, Affordable Housing, Private Covenants, and Parking?
2. What feedback do Councilmembers have about the recommended revisions on community notification for development review and short-term rentals?





Engagement Update & Timeline

- 127 General Comments
- 60 Attendees at the Virtual Info Session
- 175 Attendees at the May 8th event
- 70 attendees at the Deliberative Forum
- 80+ attendees at Walking Tours



- Walking Tours scheduled throughout May in each Council District
- On-site review of specific property on each tour
- Over 80 attendees at walking tours so far
- Several tours remaining in May
- RSVPs open on the webpage for scheduled tours that still have space remaining
- General tour in June



- ✓ **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
- ✓ **April 24th, 6:00-7:30 p.m.** – Virtual Information Session
- ✓ **April 26th, 5:30-8:00 p.m.** – 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
- **June (dates TBD)** – Overflow Neighborhood Walking Tours as needed

Inform

Promise: We will keep you informed.

Consult

Promise: We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals

Involve

Promise: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

Stage 1 (March - April)

- Begin outreach to all
- Identify areas for engagement and potential adjustment

Stage 2 (April - June)

- Gather feedback through dialog
- Listen, Consult & Involve

Stage 3 (June - July)

- Draft Potential Alternatives
- Testing Alternatives & Legal Review

Stage 4 (August - September)

- Recommendations & Adoption



Themes and Topics to Address

Purpose of the Land Use Code Updates:

To Align the LUC with Adopted City Plans and Policies with a focus on:

- Housing-related changes
- Code Organization
- Equity



FIVE GUIDING PRINCIPLES

Revisions to the code will continue to support the five guiding principles confirmed by City Council in November 2021 with an emphasis on Equity.

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 permit review
process, especially for housing

Increased menu of housing choices and associated regulations

Affordable housing comments, questions, and suggestions

Size, height, form, and allowed density of specific housing types

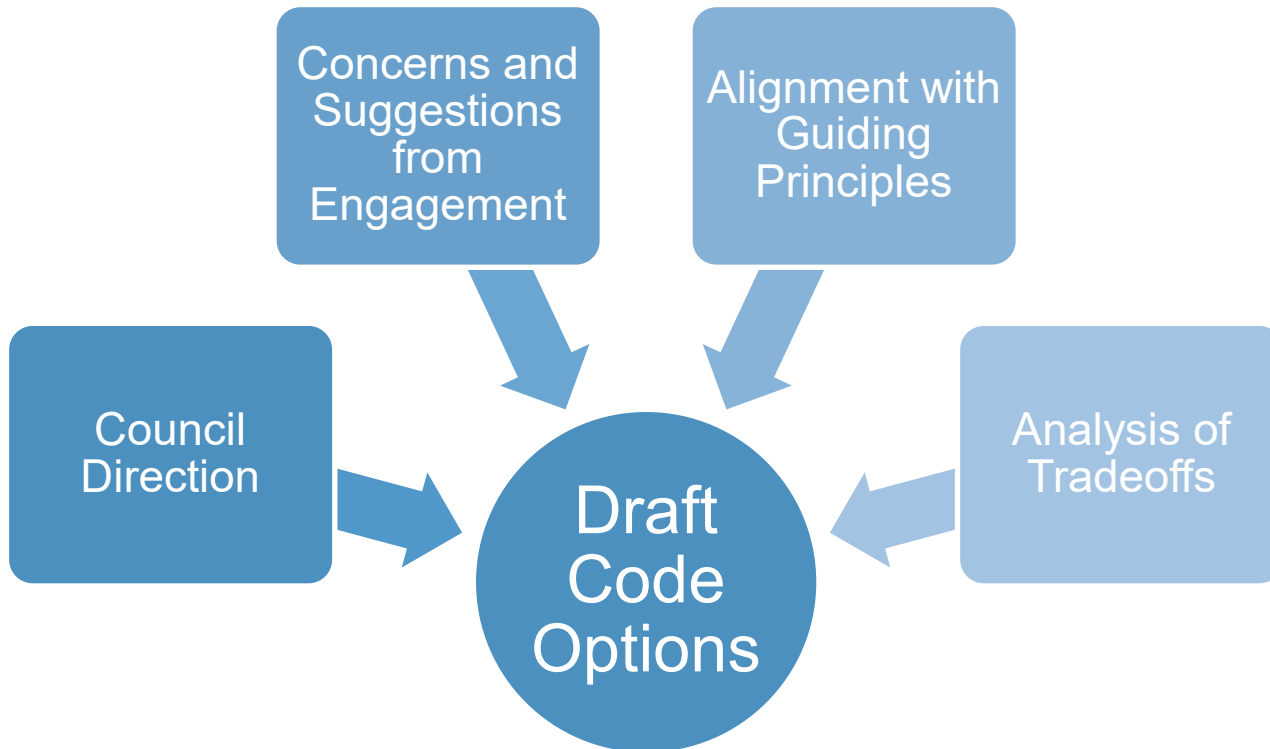
Notification, community input, and review procedures for residential development

Interaction between the code and private covenants

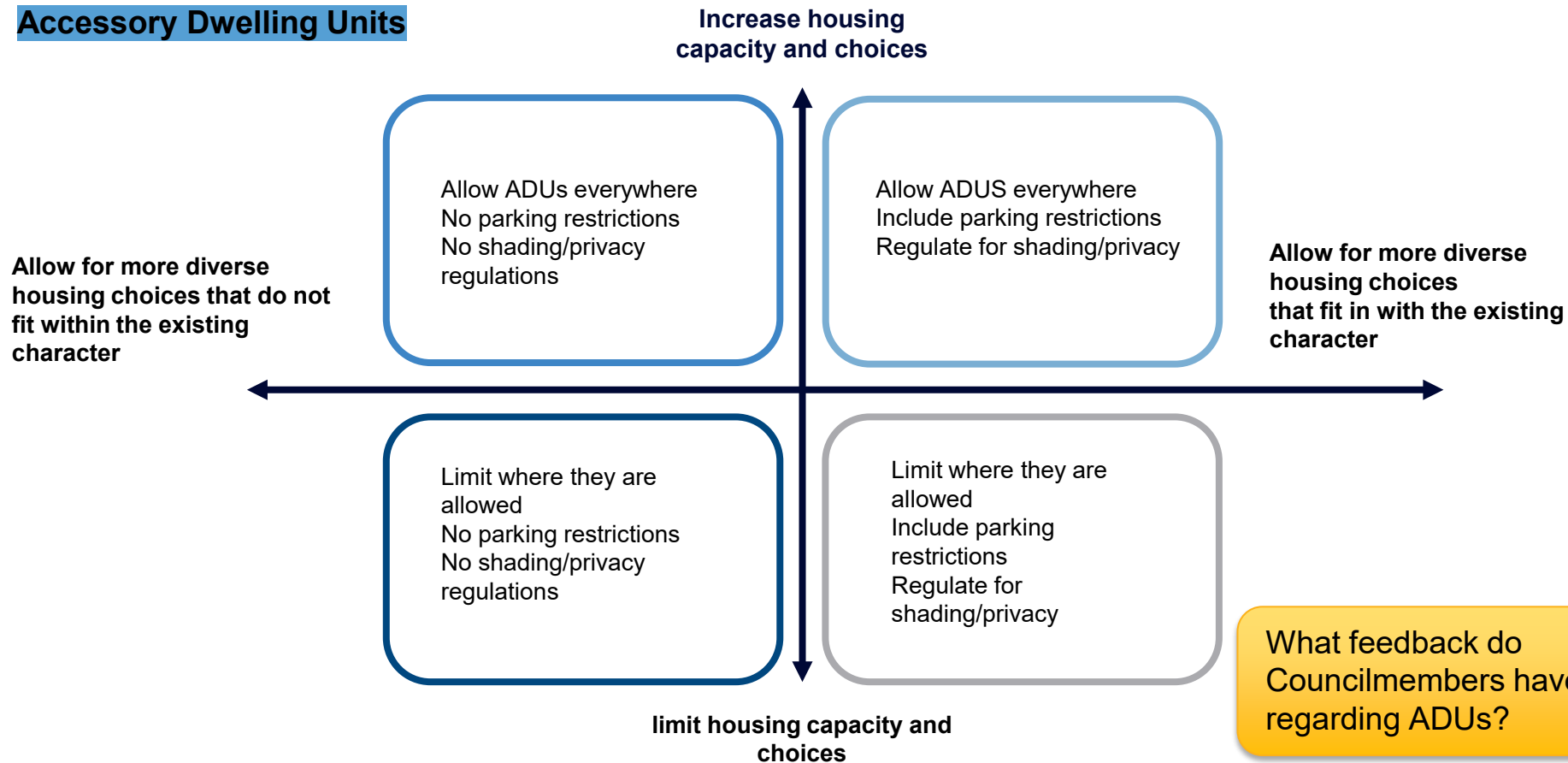
Infrastructure and utilities



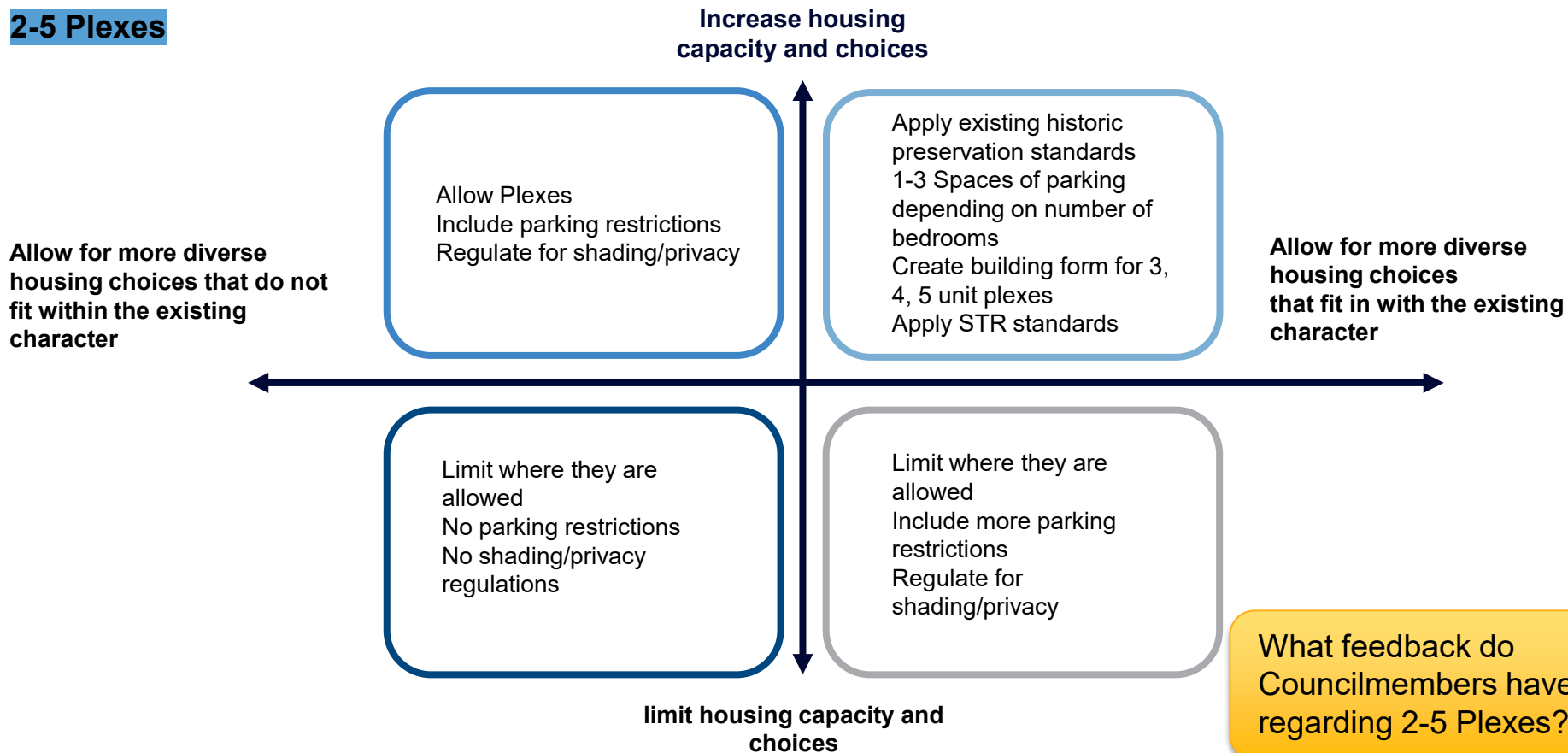
Potential Alternatives and Revisions



Accessory Dwelling Units



2-5 Plexes



Increase housing
capacity and choices

Allow Plexes
Include parking restrictions
Regulate for shading/privacy

Apply existing historic
preservation standards
1-3 Spaces of parking
depending on number of
bedrooms
Create building form for 3,
4, 5 unit plexes
Apply STR standards

Allow for more diverse
housing choices
that fit in with the existing
character

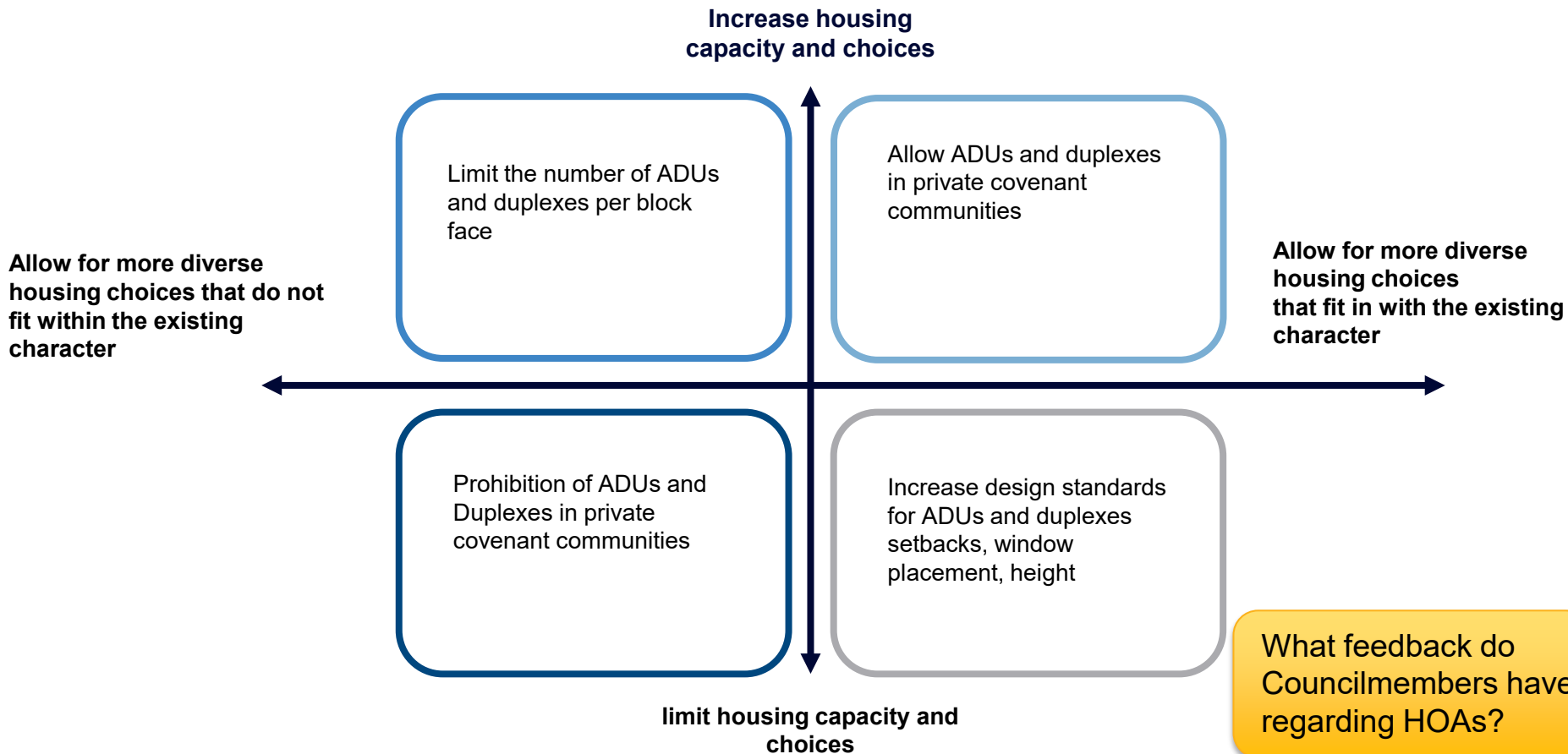
Allow for more diverse
housing choices that do not
fit within the existing
character

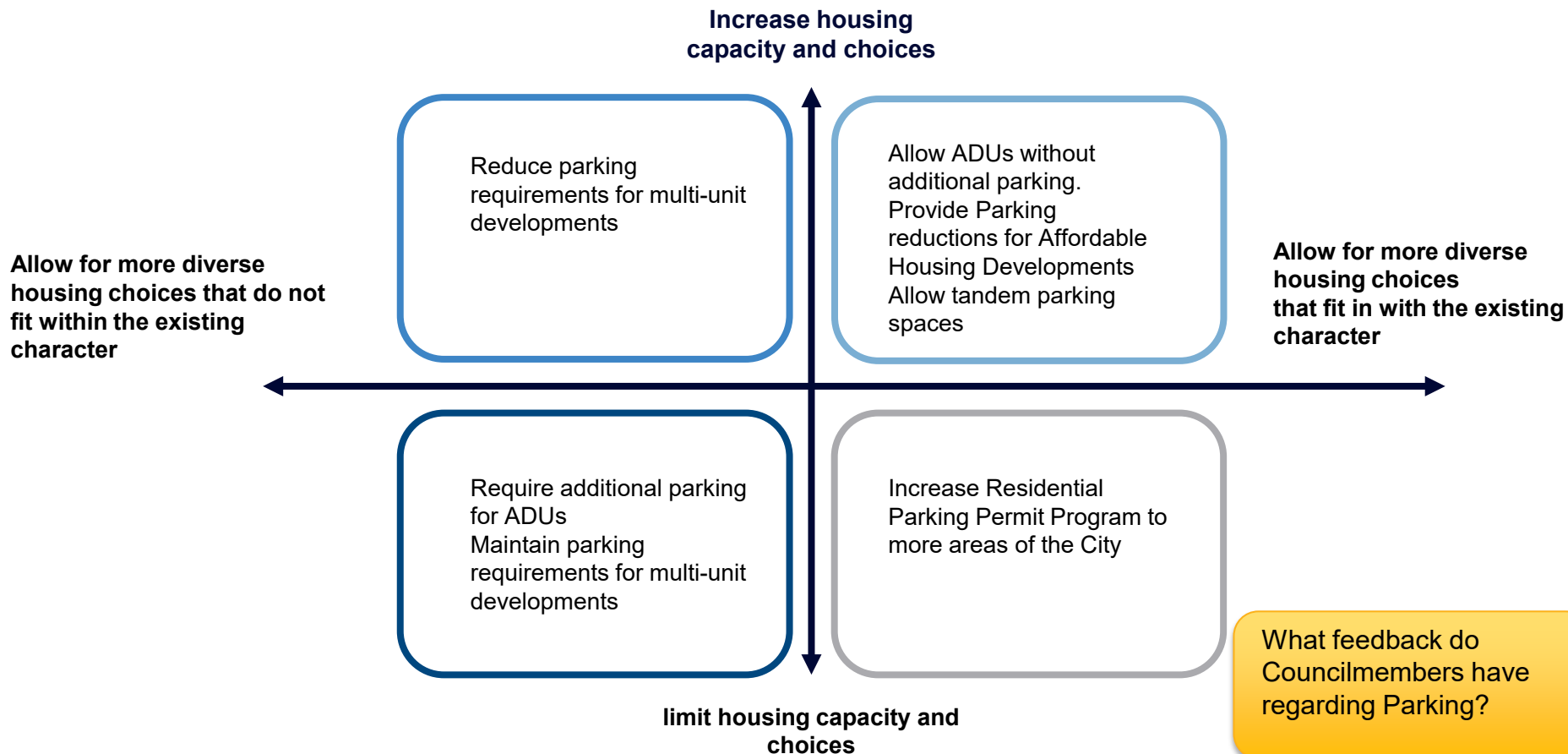
Limit where they are
allowed
No parking restrictions
No shading/privacy
regulations

Limit where they are
allowed
Include more parking
restrictions
Regulate for
shading/privacy

limit housing capacity and
choices

What feedback do
Councilmembers have
regarding Affordable
Housing?





CURRENT CODE

- Notification to residents a certain distance from the development
- Large, yellow sign placed on the site
- 3 review types based on unit type:
 - Administrative (BDR)
 - Public Hearing (Type 1)
 - Public Hearing and **Neighborhood Meeting** (Type 2)

REPEALED CODE

- Notification to residents a certain distance from the development
- Large, yellow sign placed on the site
- 3 review types based on unit type:
 - Administrative (BDR)
 - Public Hearing (Type 1)
 - Public Hearing and **Neighborhood Meeting** (Type 2)
- Public Hearing and Neighborhood Meeting (Type 2) not required for residential projects

EXPLORE

- Explore public comment periods
- Explore posting of all comments online
- Explore neighborhood meetings or other community engagement opportunities

CURRENT CODE

- Only allowed in certain zone districts
- Primary and Non-Primary STRs differentiated by zone

REPEALED CODE

- Only allowed in certain zone districts
- Primary and Non-Primary STRs differentiated by zone

EXPLORE


- Explore revisions to STR program policies to limit STRs due to new policy on Accessory Dwelling Units

1. What feedback do Councilmembers have on the polarities and most appropriate next steps for ADUs, 2-5 Plexes, Affordable Housing, Private Covenants, and Parking?
2. What feedback do Councilmembers have about the recommended revisions on community notification for development review and short-term rentals?





Next Steps

- 
- A decorative graphic consisting of a series of blue footprints arranged in a winding path that starts from the bottom left and curves towards the top right, ending near the top right corner of the slide.
- **June Memo:** In-depth analysis of feedback from engagement events and corresponding potential code revisions
 - **July 31th Work Session:** Present Phase 2 engagement info and discuss code revisions
 - **August 22nd Work Session:** Present draft code amendments



Backup Slides

CURRENT CODE

Where: UE (up to 2 units), NCM (2-4 units)

Review: Public Hearing (Type 1) in UE; Administrative (BDR) in NCM*

Height: 2-3 stories

Parking: 1-3 spaces per unit depending on number of bedrooms

Design Requirements: Yes

Other: Administrative approval in NCM only if no structural change to an existing house

REPEALED CODE

Where: Add NCL and RL (up to 2 units); Increase NCM (+1 unit)

Review: Administrative (BDR)

Height: 3 stories or 35 ft max

Parking: 1-3 spaces per unit depending on number of bedrooms

Design Requirements: Yes

Other: Affordable housing incentives allow additional 1-2 units and reduced parking requirements

CONCERNS

Concern about demolition of existing structures

Availability of street parking

Potential impact on neighborhood

Potential to impact shading and privacy of adjacent properties

Multi-unit buildings as short-term rentals

PRINCIPLES

Increase overall housing capacity

Enable more affordability

Allow for more diverse housing choices that fit in with the existing context

Improve predictability of the development review process

CURRENT CODE

Where: All zones

Type: Voluntary incentives

Review: Varies by district

Requirements: 20 year deed restriction; 10% of units must be affordable to access incentives

Rental and For Sale

10% at 80% AMI

Incentives: Limited density bonus of 3 dwelling units per acre in LMN (from 9 to 12); 50% parking reduction in Transit-Oriented Development Overlay; reduced tree sizes

REPEALED CODE

Where: All zones

Type: Voluntary incentives

Review: Administrative (BDR)

Requirements: 99 year deed restriction; 10-20% of units must be affordable to access incentives

Rental

10% at 60% AMI
or

20% at 80% AMI

For Sale

10% at 80% AMI
or

20% at 100% AMI

Incentives: Citywide density bonus of additional units, density, or height depending on zone; ~50% reduction in parking requirements for all affordable projects; reduced tree sizes

CONCERNS

Updates do not do enough to ensure affordable housing for residents

Updates will not make housing more affordable

Clarification about how the updates will increase housing affordability

Technical questions related to enforcement, deed restrictions, definitions and income level requirements

PRINCIPLES

Increase overall housing capacity

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Improve predictability of the development review process

CURRENT CODE

Where: Residential and mixed-use zones

Review: Public Hearing (Type 1)

Design Requirements: Specific to each zone district. Code defines a range of “dwellings”:

- Single-family detached
- Single-family attached
- Two-family
- Two-family attached
- Multi-family

Other: Detached house floor area limited by lot size and rear coverage in Old Town zones; overall “use based” approach with design requirements for carriage houses, single unit houses, and multi-unit buildings

REPEALED CODE

Where: Residential and mixed-use zones

Review: Administrative (BDR)

Design Requirements: Defines a menu of “housing types” with specific design requirements including (but not limited to):

- Urban detached house
- Suburban detached house
- Cottage court
- Rowhouse
- Apartment building

Other: Detached house limited to 2,400 sf floor area in OT zone; overall “form based” approach including façade, articulation, height, massing, entry, and other requirements

CONCERNS

General concern about additional housing, especially in existing neighborhoods

Impacts of additional housing on built environment and neighborhood
























Impacts to traffic, parking, utility capacity, gentrification, sprawl, and other topics

Questions about new housing types, particularly the cottage court

PRINCIPLES

Increase overall housing capacity

Allow for more diverse housing choices that fit in with the existing context

COMPARISON OF REVIEW TYPES										
	Conceptual Design Review includes notification on website/electronic newsletter	Neighborhood Meeting includes website/electronic newsletter, mailing, and sign posting	Application Submittal includes website/electronic newsletter, mailing, and sign posting	Rounds of Review (Average of 3 rounds)	Public Hearing includes mailing, sign posting and website/electronic newsletter	Notification a Decision is pending includes website/electronic newsletter and mailing	Decision includes appeal period	Final Plan Submittal includes sign posting and website/electronic newsletter	Rounds of Review (Average of 3 rounds)	Recording of Plans and Development Agreement
Type 2 (Planning and Zoning Commission)										
Type 1 (Hearing Officer)										
Basic Development Review (Director)										
	City Staff available to receive comments and answer questions									

	RESIDENTIAL DISTRICTS														MIXED-USE DISTRICTS									
	RUL		UE		RF		RL		OT-A		OT-B		MH		LMN		MMN		HMN		OT-C		NC	
USES	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC	LUC	LDC
Single Unit Dwelling	■	■	■	■	■	■	■	■	■	■	■	■			■	■	■	■			■	■		
Two Unit Dwelling (duplex)			■	■			X	■	X	■	■	■			■	■	■	■			■	■	■	■
Single Unit Attached (2-4 units)			■	■			X	▲	X	▲	X	■			■	■	■	■			■	■	■	■
Multi-Unit (4+ units)											■	■			■	■	■	■	■	■	■	■		
Mixed-Use Dwelling															■	■	■	■			■	■	■	■
Accessory Dwelling Unit	X	■	X	■	X	■	X	■	■	■	■	■	X	■	X	■	X	■	X	■	X	■	X	■

X - Not Permitted in LUC

■ - Administrative (BDR)

▲ - Only if Affordable in LDC

■ - Public Hearing (Type 1)

■ - Public Hearing and Neighborhood Meeting (Type 2)

CONCERNS

Notification requirements were not changed in the repealed code, but many had concerns about notification processes

Concern about removing requirements for neighborhood meetings in housing developments

Concern that fewer neighborhood meetings and public hearings could result in decreased opportunities for community input

Questions about Development Review process

PRINCIPLES

Increase overall housing capacity

Enable more affordability

Improve predictability of the development review process

Make the code easier to use and understand

CURRENT CODE

HOAs are currently prohibited from creating or enforcing provisions that

Prohibit or limit:

- The installation or use of xeriscape landscaping
- The installation or use of solar/photovoltaic collectors on roofs
- The installation or use of clothes lines in back yards
- The installation or use of odor controlled compost bins

Or requiring:

- Turf grass yards/lots

REPEALED CODE

Adds language that prohibits HOAs from creating or enforcing provisions that

Prohibit or limit:

- The City's regulations to implement its housing policies, as supported by the Housing Strategic Plan
- Including but not limited to provisions for increased density, height and occupancy

CONCERNS

Questions asking whether someone could now build an ADU even if it is against their HOA rules

Concern about legality of preempting HOA restrictions

Concern that the code updates improperly disregard HOA rules

PRINCIPLES

Increase overall housing capacity

Enable more affordability

Allow for more diverse housing choices that fit in with the existing context

Improve predictability of the development review process

CURRENT CODE

Adequate public facilities (APF) management system ensures that public facilities and services are available concurrently with the impacts of development

Includes:

- Transportation
- Water Utilities
- Electric Facilities
- Fire and Emergency response

Public streets are constructed to allow on-street parking, and development is required to meet minimum parking standards

REPEALED CODE

- No changes to APF criteria and regulations
- Public streets designed to allow on-street parking
- Development required to meet minimum parking standards
 - Reduction for studio, one, and two bedroom units
 - Additional reduction for affordable housing

CONCERNS

Condition of and costs associated with water, sewer, roads, electricity, and schools

Availability of street parking if more people live in Fort Collins

Questions about how the code intersects with transportation planning/traffic

Ability to accommodate more people, particularly with regard to water availability

PRINCIPLES

Increase overall housing capacity

Enable more affordability

Allow for more diverse housing choices that fit in with the existing context