Consideration of Occupancy Related Ballot Measure

City Council Regular Meeting

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Council discussion under other business at the July 18, 2023, meeting resulted in ballot resolution and question being brought forward. Council discussion on the Occupancy item from August 15, 2023, resulted in Council request for additional options.

Purpose:

Refer a question to voters OR direct staff to conduct community engagement and bring back recommended changes to the existing ordinance that would:

- Allow some increase to the existing occupancy limit based on housing type/size, zone, or other policy measure.

- Remove the existing definition of family and replace with non-familial language.

Materials include two options within the Resolutions and associated ballot language. Both options eliminate familial relatedness as regulation mechanism, and both allow for an increase from the currently allowed occupancy.

Option 1: Refer a question to the November 2023 ballot that confirms a desire to change familial status and allow for some increase in occupancy by June 2024.

Option 2: Council directs staff to bring back occupancy code changes in June 2024 which Council can then either a) consider for adoption or b) refer to the November 2024 election.

Background

The City's occupancy ordinance limits occupancy of residential dwellings to a family of any size plus one additional unrelated occupant *OR* no more than three unrelated occupants.

Active enforcement of the ordinance (Section 3.8.16 of the Land Use Code, also called "U+2") began in 2005.

Adjustments have been made to the Ordinance allowing for extra occupancy designation in some zones and the addition of a Host Family Permit.

Numerous types of analysis have been completed demonstrating trends over time and anticipated and perceived impacts and opinions.

City Council continues to hear strong arguments from the community on both the effectiveness and the detriments of the ordinance.

City of Fort Collins