

AGENDA ITEM SUMMARY

City Council



STAFF

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SUBJECT

Public Hearing and First Reading of Ordinance No. 068, 2023 Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the North College Mobile Home Park Rezoning.

EXECUTIVE SUMMARY

The purpose of this item is to amend the Zoning Map and rezone the North College Mobile Home Park (the "Property") from the Service Commercial (CS) and Low Density Mixed-Use Neighborhood (LMN) zone districts to the Manufactured Housing (MH) zone district. Half the Property is the CS zone district, and the other half is the LMN zone district. With the proposed rezoning both of those would change to the MH zone district, which would cover the entirety of the property. The 33-acre Property is located southwest of the North College Avenue and Willox Lane intersection. The proposed rezoning was initiated by the City and continues a series of rezonings begun in 2020 to rezone existing mobile home parks to the MH zone district to promote the preservation of existing manufactured housing communities.

The rezoning request is subject to Section 2.9.4 of the Land Use Code. The rezoning may be approved, approved with conditions, or denied by Council after receiving a recommendation from the Planning and Zoning Commission. The Planning and Zoning Commission voted 5 to 1 at their March 23, 2023, hearing to recommend approval of the rezoning.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2022-068.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

REZONING REQUEST

The proposed rezoning was initiated by the City and is involuntary on the part of the property owner. In 2020, the City created the Manufactured Housing (MH) zone district and rezoned a majority of the City's existing mobile home parks to the MH district to promote the preservation of manufactured housing, a policy goal found in both City Plan and the 2022 Strategic Plan.

The rezoning of the Property was considered for rezoning in late 2020 along with other mobile home parks; however, deteriorating COVID conditions and the lack of technology and internet access for the park's senior residents to participate in remote meetings led staff to delay the process. An end to pandemic conditions and renewed policy guidance for rezoning in the recently adopted North College MAX Plan once again present an opportunity to consider rezoning the Property to the MH zone district.

MANUFACTURED HOUSING PRESERVATION AND POLICY GOALS

Manufactured housing is an important source of naturally occurring affordable housing in the community. Many of the City's manufactured housing communities feature housing costs that are comparable to or even below other forms of subsidized and deed-restricted affordable housing. Manufactured housing also offers similar benefits to "stick-built" single-family dwellings, including greater privacy and personal space and a strong sense of community.

While a unique form of housing, manufactured housing is also limited, representing less than 2% of all housing units in Fort Collins. Over the past 20 years, five manufactured housing communities have closed in Fort Collins, mostly due to redevelopment, which resulted in the loss of hundreds of affordable and attainable units and the displacement of many residents. As a result, many City policy documents, including City Plan and the 2022 Strategic Plan, include policies and goals to preserve existing manufactured housing communities.

After the closing of several manufactured housing communities between 2008 and 2012, the City adopted the Affordable Housing Redevelopment Displacement Mitigation Strategy Report, which included a recommendation to create a new manufactured housing zone district to support manufactured housing preservation. In 2020, the MH zone district was created, and the City rezoned six of the largest mobile home parks in the community to the MH designation.

PROPERTY CONTEXT AND HISTORY

The Property includes three parcels totaling approximately 33 acres on the west side of North College Avenue south of Willox Lane. The eastern half of the Property was annexed into the City in 1959 as part of the North College Annexation, while the western half was annexed into the City in 1971 as part of the North College Mobile Plaza Annexation. The park was also developed in multiple phases, with the eastern (front) half being developed before the western (back) half.

The Property has featured many different zoning designations and the current split zoning has been a feature since the original development of the North College Corridor Plan and adoption of the Land Use Code in the 1990's. While the western half of the property features a residential designation (LMN zone district), the eastern half carries a commercial designation (CS zone district). The CS designation is consistent with the broader North College Corridor Plan land-use guidance for commercial zoning along the College Avenue frontage. More recent policy plans including City Plan and the North College MAX Plan now provide land use guidance indicating the entirety of the Property should fall under a residential designation and/or be rezoned to the MH zone district to reflect its longstanding use as a manufactured housing community.

The CS designation on the eastern half of the property also renders the mobile home park a nonconforming use because a manufactured housing community is not a permitted land use in the CS zone district.

REZONING CRITERIA AND STAFF EVALUATION

A rezoning is governed by criteria in Land Use Code Subsections 2.9.4(H)(2) and 2.9.4(H)(3). A rezoning must demonstrate compliance with either criterion one or two, while three additional criteria are listed for additional considerations by the Planning and Zoning Commission and Council. These five criteria can be paraphrased as:

1. Consistent with the Comprehensive Plan;
2. Warranted by Changed Conditions;
3. Compatible with Surrounding Uses;
4. Impacts to the Natural Environment; and
5. Logical and Orderly Development Pattern

Staff is recommending the rezoning primarily in consideration of consistency with the comprehensive plan, but a full staff evaluation of compliance or non-applicability to all criteria can be found below and in the attached Planning and Zoning Commission staff report.

Criterion One: Consistent with the Comprehensive Plan

In evaluating consistency with City Plan, staff analyzed both the land use and policy guidance found in City Plan as well as the North College Corridor Plan and the North College MAX Plan, each of which was adopted as an element of City Plan.

Land Use Guidance

The City Plan Structure Plan Map identifies the Property under the “Mixed Neighborhood” place type designation, which aligns with the proposed MH zone district in terms of land use character (primarily residential), density, and proximity to transit and services. The most recent City Plan update in 2019 changed the designation for the eastern half of the property from commercial to residential to better align with policy guidance to preserve and protect manufactured housing communities and in recognition of the longstanding residential use of the property.

The Mixed Neighborhood place type also specifically refers to manufactured housing within existing neighborhoods, indicating, “while reinvestment in existing mobile home parks is encouraged, redevelopment of existing parks is not.” The MH district is designed to discourage redevelopment and further addresses the Mixed Neighborhood place type description found in City Plan.

Within the North College Corridor Plan, the land use framework map identifies the eastern half of the Property under a commercial designation, reflecting the broader North College Avenue frontage that is primarily intended for commercial land uses. The Property is unique along the North College frontage as one of a small handful of properties that contain residential dwellings that are currently nonconforming under CS zone district standards as being within 200-feet of College Avenue. Under the proposed rezoning of the Property to the MH zone district, this nonconformity would be eliminated.

The North College MAX Plan contains the most recent land use guidance for the Property. The Plan recommendations include preserving the Property by rezoning it to the MH zone district and excluding the Property from a proposed Transit Oriented Development Overlay, which seeks to spur intensification in the corridor to support additional transit service. A rezoning to the MH zone district is in alignment with these Plan goals and strategies.

When looking at all three plans together, the balance of land use guidance supports the rezoning, especially when considering the two most recent plans include specific recommendations to change the land use designation of the Property.

Policy Guidance

Manufactured housing preservation and housing affordability and attainability are important community priorities and reflect policy goals in multiple policy plans, including:

(City Plan) LIV 5.2 – Supply of Attainable Housing

Encourage public and private sectors to maintain and develop a diverse range of housing options, including housing that is attainable (30% or less of monthly income) to residents earning the median income. Options could include [accessory dwelling units], duplexes, townhomes, mobile homes, manufactured housing and other “missing middle” housing types.

Manufactured housing represents one of the most affordable types of housing in Fort Collins, comparable to subsidized and deed-restricted housing for those earning between 30% and 60% of the area median income. As a naturally occurring source of affordable housing, manufactured housing communities represent a comparable number of dwelling units to Fort Collins' entire deed-restricted affordable housing supply. Preserving manufactured housing helps protect and maintain an important supply of affordable housing in Fort Collins.

In addition to its affordability, manufactured housing is a unique and limited type of housing that has been in decline over the past several decades due to community closures and redevelopment. The goal of preservation through rezoning to the MH district is designed to protect and promote the ongoing operation of this limited housing resource, which has proven to be difficult to expand via new manufactured housing development.

(City Plan) LIV 6.4 – Permanent Supply of Affordable Housing

Create and maintain an up-to-date inventory of affordable housing in the community. Pursue policy and regulatory changes that will encourage the rehabilitation and retention of affordable housing in perpetuity.

The preservation of manufactured housing through rezoning represents a similar effect to the regulatory changes envisioned by City Plan for the City's subsidized and deed-restricted affordable housing. While most units in manufactured housing communities are private and not publicly subsidized, they have consistently provided an important source of housing at similar pricing levels. While rezoning alone does not guarantee affordability, it promotes the long-term operation of these communities and reduces the likelihood of redevelopment and the loss of some of the community's most affordable housing options.

(City Plan) LIV 6.9 – Prevent Displacement

Build the capacity of homeowner groups, affordable housing providers and support organizations to enable the purchase, rehabilitation and long-term management of affordable housing. Particular emphasis should be given to mobile home parks located in infill and redevelopment areas.

Many of the community's manufactured housing communities are located within or adjacent to commercial areas, or along corridors with existing or planned transit services, which encourages redevelopment to higher intensities. Rezoning properties containing manufactured housing to the MH district provides an important regulatory and policy signal that manufactured housing is encouraged and its continued operation is desired even amongst areas otherwise anticipated to experience infill and redevelopment.

This policy signal may also bolster the efforts of residents, local organizations, and the City to support and reinvest in these communities, including the potential for future acquisition of the underlying property by residents through a resident-owned community if a property owner elects to sell a property in the future.

Criterion Two: Warranted by Changed Conditions

Ongoing infrastructure enhancements and evolving policy goals related to infill and intensification may be creating additional pressure and incentive for properties to redevelop along the North College Corridor. Both the City and nearby stakeholders anticipate or encourage a certain level of redevelopment and intensification in the corridor to support future transit services.

Of the handful of mobile home parks that have closed over the last two decades in Fort Collins, many share similarities with the Property in that their location in commercial zone districts along arterial streets led to greater redevelopment opportunities and thus park closures and displacement of residents. Having identified this condition, the recently adopted North College MAX Plan makes specific recommendations to rezone the Property and exclude the property from a potential expansion of the Transit Oriented Development Overlay Zone, which could further add redevelopment incentive within the corridor.

Criterion Three: Compatible with Surrounding Uses

The proposed rezoning would not alter the long-established mix of land uses on the Property or nearby vicinity, because no physical change is proposed. The close proximity of residential and commercial uses is common to most of Fort Collins's commercial and residential zone districts and generally viewed as compatible with appropriate mitigation measures if future redevelopment near the Property is proposed in the future.

Criterion Four: Impacts to the Natural Environment

The proposed rezoning is not anticipated to result in impacts to the natural environment, because no physical changes are proposed with the rezoning. To the extent redevelopment of a property could positively benefit the natural environment through the application of more recent Land Use Code standards (habitat buffers, mitigation measures, etc.) the rezoning and preservation of the current use may have long-term impacts, but no sensitive natural features are presently identified on the Property.

Criterion Five: Logical and Orderly Development Pattern

The proposed rezoning is not anticipated to result in development pattern changes. While the existing mobile home park predates many of the individual standards of the Land Use Code for orderly development (e.g. street connectivity standards) preserving the existing development provides benefits from broader growth framework goals by providing for a variety of housing options and prices in the community that would otherwise result in additional demand for regional commuting and a decrease in the City's housing opportunities and social connectivity.

CITY FINANCIAL IMPACTS

There are no direct financial impacts associated with the proposed rezoning.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Planning and Zoning Commission voted 5 to 1 at their March 23, 2023, hearing to recommend approval of the rezoning to Council. An excerpt of the draft minutes of the Commission's discussion is attached. The dissenting vote was primarily related to the involuntary aspect of the rezoning and impacts on private property rights.

PUBLIC OUTREACH

A neighborhood meeting discussing the rezoning proposal was held on February 5, 2023. Residents of the North College Mobile Home Park were the primary attendees of the meeting and were largely in support of the proposed rezoning and manufactured housing preservation. A summary of the neighborhood meeting and the public comments are attached.

Staff has been in contact with the Property owners to relay information about the proposal and process steps; however, no formal comment has been received in opposition or support of the proposed rezoning.

ATTACHMENTS

1. Ordinance for Consideration
2. Zoning and Aerial Vicinity Map
3. Rezoning Narrative
4. Planning and Zoning Commission Staff Report
5. Neighborhood Meeting Summary
6. Public Comment
7. Planning and Zoning Commission Minutes, March 23, 2023 (excerpt)
8. Affordable Housing Redevelopment Displacement Mitigation Strategy Report
9. Presentation