



Occupancy Discussion Council Work Session

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1. What questions do Councilmembers have regarding the implementation of HB24-1007?
2. Are there any additional actions Councilmembers would like staff to pursue?

2023: Council Direction to consider occupancy modifications and bring options by July 2024

Staff focused on:

- Non-binary options (not maintain/not eliminate)
- Removal of family definition
- Maintain neighborhood quality
- Identify “outlier” scenarios
- Research other communities

January 2024: HB 1007 introduced, signed by the Governor in April 2024



Bill language:

“A local government shall not limit the number of people who may live together in a single dwelling based on familial relationship. Local governments retain the authority to implement residential occupancy limits based only on:

- (a) Demonstrated health and safety standards, such as international building code standards, fire code regulations, or Colorado Department of Public Health and Environment Wastewater and Water Quality Standards, OR
- (b) Local, State, Federal, or Political Subdivision Affordable Housing Program Guidelines.”

Amendments to the Land Use Code would include:

- Replacing the word “family” with the word “unit” throughout the document.
- Removing the definition of “family” in the Definitions section.
- Removing Occupancy section 3.8.16 and any references to that section of the document.
- Removing references to Group Homes, associated requirements, and removing the definition from the document.
- Removing references to “Extra Occupancy.”

Amendments to the Municipal Code would include:

- Section 5-264 related to Extra Occupancy in single-family, two-family or multi-family dwellings.
- Section 5-265 related to disclosure and posting of maximum permissible occupancy.
- Section 20-111 definition of “Dwelling unit occupancy limits” and reference to 3.8.16 in the Land Use Code.

Compliance required by July 1, 2024.

June/July 2024:

- June 4, 2024: First Reading of Code changes.
- June 20, 2024: Planning and Zoning Commission Hearing.
- **July 2, 2024: Staff is requesting Second Reading of Code changes related to occupancy within the Land Use Code and Municipal Code be held on July 2.**
- Staff recommends relying on existing City regulations and monitor activity for 18 to 24 months.
- Council could consider a square foot per person requirement if desired.

