



Planning Commission Supplemental Memo

Date: May 18, 2021
To: City of Greeley Planning Commission
From: Caleb Jackson, AICP | Planner II
Project: Household Occupancy Standards
Case #: CU2021-0001
Department: Community Development / Planning

Staff is providing this supplemental memo for the continuance of Item VIII from the May 11, 2021, meeting regarding Code Update: Household Occupancy Standards (CU2021-0001). The purpose of this memo is to supplement the original project summary based on the discussion at the previous meeting and forward additional public comments received for consideration.

1. Current Standard

It became apparent during the Planning Commission hearing that some clarification about the current standard could be helpful. The definition of “family” currently found in Section 24-5 of the Development Code is provided below, with *italics*, underlining, and **bold font** added to emphasize the three different family compositions allowed by the current definition.

*Family means an individual living alone, or any number of persons living together as a single household who are interrelated by blood, marriage, adoption or other legal custodial relationship; or **not more than two unrelated adults and any number of persons related to those unrelated adults by blood, adoption, guardianship or other legal custodial relationship**.* In multifamily units, the number of unrelated adults shall be determined based on the provisions of the city's housing code. For the purposes of this definition, a bona fide employee of the family who resides in the dwelling unit and whose live-in status is required by the nature of his employment shall be considered a member of the family.

The first two family compositions allowed are relatively straightforward: a single *individual* or any number of people who are interrelated as described. The third composition, in **bold**, explicitly requires two **unrelated** adults. This means the basis of the third household composition is a pair of adults who share no relation at all, neither by marriage nor by blood. The third definition further allows any number of persons related to those unrelated adults by blood, adoption, guardianship, or custodianship, but not marriage. This allows the two unrelated adults to include their siblings, parents, aunts,

uncles, grandparents, children, grandchildren, and other blood/adopted/guardian/custodian relatives; however, relatives by marriage are not allowed. As such, the current definition of family allows the following household compositions in the R-E (Residential Estate), R-L (Residential Low Density), R-MH (Residential Mobile Home Community), and R-M (Residential Medium Density) zoning districts:

- a. An individual (*first composition*)
- b. A married couple, plus any relatives (second composition)
- c. Two unrelated adults, plus any blood/adopted/guardian/custodian relatives (**third composition**)

Despite what many in the community believe, a married couple cannot include an unrelated adult within their household in the lower density zones under the current definition, because the **third composition** does not include marriages.

2. Staff Recommendation

Staff's recommendation from the May 11, 2021, summary is provided below and includes some minor language adjustments at the bottom of the chart for clarity.

Family shall mean an individual or group living together as a single household comprised of any number of persons who are interrelated by blood, marriage, civil union, adoption, or other legal custodial relationship, plus a number of unrelated adults per the chart below. The number of household occupants must also be compliant with the International Property Maintenance Code.

Zoning Districts	Number of Bedrooms in the Dwelling Unit	Number of Allowed Unrelated Adults*
R-E, R-L, R-MH	2 or fewer bedrooms	1
	3 or more bedrooms	2
R-M	Efficiency or 1 bedroom	1
	2 bedrooms	2
	3 bedrooms	3
	4 or more bedrooms	4
All other zoning districts	Any number	Any number
*Plus any number of persons related to the allowed unrelated adult(s) by blood, adoption, guardianship, or other legal custodial relationship		

Staff's recommendation aims to achieve the following:

- a. Provide clarity by restructuring the way that the definition is written. This includes updating the reference from the Housing Code to the International Property Maintenance Code to ensure that unsafe or unhealthy conditions are not caused by overcrowding. Also included is clear reference of the existing practice and

interpretation to allow any number of unrelated adults in all but the lower density zoning districts.

- b. Explicitly include people bound by civil union as relatives.
- c. Allow households that include a spouse to include unrelated adults by including marriage and civil union in the core segment of the family definition. Planning Commissioners noted that many in the community are not aware that a married couple cannot add an unrelated adult under the existing definition. This change would adjust the Development Code to accommodate that community expectation.
- d. Base the number of unrelated adults allowed on the number of bedrooms in the house. At worksession, City Council expressed interest in exploring this tiered standard. The idea also garnered some favorable response from the Housing Task Force, Development Code Advisory Committee, Planning Commission, and some members of the public. By adopting a tiered occupancy standard, staff's recommendation would scale well with the idea of smaller format housing proposed in the overall Development Code update as smaller houses on smaller lots generally have fewer bedrooms and would be allowed fewer unrelated adults than larger houses with more bedrooms.
- e. Ease financial constraints by increasing the number of unrelated adults allowed. The Strategic Housing Plan identified amending household occupancy standards as one of several ways that the City should help address the community's housing challenges. The Housing Task Force, Development Code Advisory Committee, Planning Commission, City Council, and public questionnaire responses expressed support for increasing the allowance.

The proposed increase could help many in the community financially. Although median earners can often comfortably afford housing, half of the population earns below median wages and finding affordable housing becomes more difficult.

- 49% of Greeley area renters are cost-burdened by spending over 30% of their income on housing
- 24% are severely cost-burdened by spending over 50% of their income on housing

Sharing housing not only provides opportunity for cost-burdened renters to find more affordable options, it can also provide important income for homeowners renting out spare bedrooms to afford their homes, upkeep, and other expenses. By expending less on housing, people could spend more at local businesses and spur economic development.

- f. The proposed increase would help neighborhoods adapt to changing demographic trends. Many older adults are living longer and desire to have housesharers. Many young professionals are forming families later in life, living with housemates well beyond college.

- In 1960, around 85% of U.S. households were families, with 44% of households being married couples with children.
- By 2017, only 65% of households were families, with 19% being married couples with children.

Increasing the allowed number of unrelated adults would allow neighborhoods to adapt to these trends and provide housing choice for households that traditionally lived in high density areas and apartments to get access to high quality amenities, schools, and neighborhoods. The proposed increase, especially in the lowest density zones, is a fairly small incremental change. It is anticipated that most households would continue living in their existing compositions, and impacts are expected to be minor as nuisances are still regulated by the Municipal Code.

3. **Alternative Recommendations**

Based on the discussion at the meeting on May 11, 2021, staff understands that the Planning Commission may prefer to make an alternative recommendation to City Council. Below is an alternative that Planning Commission could find preferable. If another alternative not shown in this memo is preferable, staff will work with Planning Commission to display the most preferable alternative on the screen during the meeting for discussion and consideration.

Alternative Recommendation:

Family shall mean an individual or group living together as a single household comprised of any number of persons who are interrelated by blood, marriage, civil union, adoption, or other legal custodial relationship, plus a number of unrelated adults per the chart below. The number of household occupants must also be compliant with the International Property Maintenance Code.

Zoning Districts	Number of Bedrooms in the Dwelling Unit	Number of Allowed Unrelated Adults*
R-E, R-L, R-MH	Any number	1
R-M	Efficiency or 1 bedroom	1
	2 bedrooms	2
	3 bedrooms	3
	4 or more bedrooms	4
All other zoning districts	Any number	Any number
*Plus any number of persons related to the allowed unrelated adult(s) by blood, adoption, guardianship, or other legal custodial relationship		

4. Additional Public Feedback

Included with this memo are the letters that were read into the record at the meeting on May 11, 2021 (see Attachment A). Also included are letters received subsequent to the meeting on May 11, 2021 (see Attachment B). Staff may forward additional letters to Planning Commission received in advance of the meeting on May 18, 2021, including letters received on the same day.

5. Motions

a. Motion for Staff's Recommendation:

A motion that, based on the Project Summary, Supplemental Memo, and accompanying analysis, the Planning Commission finds that the proposed amendment to the definition of "family" in Title 24 of the Greeley Municipal Code as presented under "Staff Recommendation" in the Supplemental Memo dated May 18, 2021, is necessary and appropriate to meeting the intent of the Comprehensive Plan and clarifies administration of the Development Code, and therefore, recommends approval to City Council.

b. Motion for Alternative Recommendation:

A motion that, based on the Project Summary, Supplemental Memo, and accompanying analysis, the Planning Commission finds that the proposed amendment to the definition of "family" in Title 24 of the Greeley Municipal Code as presented under "Alternative Recommendation" in the Supplemental Memo dated May 18, 2021, is necessary and appropriate to meeting the intent of the Comprehensive Plan and clarifies administration of the Development Code, and therefore, recommends approval to City Council.

c. Motion for Another Alternative:

A motion that, based on the Project Summary, Supplemental Memo, and accompanying analysis, the Planning Commission finds that the proposed amendment to the definition of "family" in Title 24 of the Greeley Municipal Code as presented on the screen at the meeting on May 18, 2021, is necessary and appropriate to meeting the intent of the Comprehensive Plan and clarifies administration of the Development Code, and therefore, recommends approval to City Council.

ATTACHMENTS

Attachment A – Letters/emails read into the record at the meeting on May 11, 2021

Attachment B – Letters received subsequent to the meeting on May 11, 2021