

PLANNING COMMISSION SUMMARY

ITEM: Amending Title 24 of the Municipal Code regarding household occupancy standards, specifically regarding the number of unrelated adults allowed to comprise a household, as found in the definition of “family” in Section 24-5.

FILE NUMBER: CU2021-0001

PROJECT: Code Update: Household Occupancy Standards

APPLICANT: City of Greeley

CASE PLANNER: Caleb Jackson, AICP | Planner II

PLANNING COMMISSION HEARING DATE: May 11, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by staff and the public, and shall then make a recommendation to the City Council regarding the proposed amendment to the Development Code.

A. PROJECT OVERVIEW & BACKGROUND

The proposal would change Greeley’s household occupancy standards to allow a number of unrelated adults to live in a house based on the property’s zoning district and the number of bedrooms in the house by revising the definition of “family” in the Development Code. The proposal would also explicitly state that people bound by civil union are related and clarify language and interpretation of the code.

CURRENT HOUSEHOLD OCCUPANCY STANDARDS

In the City’s existing code, household occupancy standards are primarily set through the definition of family. The current definition of family, which has largely been in place since 1980, defines a family as:

1. An individual.
2. Any number of persons living together as a single household who are interrelated by blood, marriage, adoption or other legal custodial relationship.

3. 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.

This definition applies to the City's lower density zoning districts (R-E, R-L, R-M, and R-MH). In other zoning districts, any number of people may occupy a single-family dwelling regardless of relationship, and this is not proposed to change.

The current definition has been interpreted to mean that, when considering the addition of unrelated individuals to be included in a single-family home, married couples would be counted as two individuals, rather than a single unit. As such, a married couple may not include an unrelated person in their household under the current standard.

The current definition allows the following household compositions to occupy a single-family dwelling in lower density zones regardless of the dwelling size or number of bedrooms:

1. A married couple plus zero unrelated adults
2. A single person plus one unrelated adult
3. An unmarried couple plus zero unrelated adults

However, the current definition does not restrict adding additional people who are related to an allowed adult by blood, adoption, guardianship, or custodianship to the household.

REASONS TO REEVALUATE

The City is reevaluating household occupancy standards in response to increasing financial and housing constraints, in addition to changing societal norms. One gap in the current definition is that civil unions are unmentioned. Also, demographics are shifting away from the predominance of family households, and households including unrelated residents are becoming more common.

Furthermore, City Council adopted the Strategic Housing Plan, which tasked the City with amending household occupancy standards as an implementation step. Additionally, City Council adopted a 2040 priority called *Your Home is Here*, which envisions residents having access "to an amazing variety of housing options including style, price, and location." Adjusting household occupancy standards could give households that include unrelated residents access to more Greeley neighborhoods with additional varieties of style, different price points, and more locations.

REVISION PROCESS TIMELINE

Dec 7, 14, & 29	Housing Task Force and Development Code Advisory Committees meet, recommend allowing additional unrelated adults
Jan 1 to March 11	Initial public questionnaire available (see Attachment G)
Jan 12	Planning Commission worksession, overall expressed interest in exploring expanding the number of unrelated adults allowed
Feb 9	City Council worksession, positive feedback received with a preference towards the approach of basing the allowance on the number of bedrooms (see Attachment C)
Feb 19 to March 11	Additional public questionnaire available (see Attachment G)
March 1	Public open house , staff informed attendees of the update purpose and process and answered inquiries
March 9	Planning Commission worksession, general feedback provided to staff (see Attachment D)
March 30	Planning Commission worksession, workshop on the language for a proposed update, general support expressed (see Attachment E)

Based on the discussion on this topic and the feedback received, staff is requesting that Planning Commission consider the proposed amendment and make a recommendation to City Council.

PROPOSED FAMILY DEFINITION

Family shall mean a 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 an allowed unrelated adult by blood, adoption, guardianship, or other legal custodial relationship		

B. KEY ISSUES & STAFF ANALYSIS

NEIGHBORHOOD IMPACTS

Neighborhood impacts are anticipated to be minimal due to the minor increase proposed and the limited number of households expected to change composition as a result of the amendment. Although the proposed update would provide additional housing options for some community members, it is anticipated that most households would not choose to change composition as a result of this amendment due to personal living preferences. Additionally, the proposed amendment makes only a minor change in the lowest density zones (R-E, R-L, and R-MH), which further limits the likelihood of adverse neighborhood impacts. Maintaining a standard is a helpful tool and sets community expectations, and nuisances like parking, noise, property maintenance, and trash are addressed in other parts of the Municipal Code and are enforced by City divisions, such as Code Compliance.

CIVIL UNIONS

The proposed definition explicitly notes that people bound by civil union are related. The current family definition does not mention civil unions.

CLARIFICATION

The proposed definition is more understandable, and would no longer be interpreted to count a married couple as two individuals, instead of as related individuals.

HOUSING OPPORTUNITY

The Strategic Housing Plan and City Council's priorities align with the amendment in terms of increasing housing availability, affordability, and choice. The proposed amendment would provide additional housing opportunities for Greeley households that include unrelated individuals.

SMALL FORMAT HOUSING

The overall Development Code update that is underway, which includes provisions for small format housing, including opportunities for smaller homes, smaller lots, and accessory dwelling units. By basing the allowance on the number of bedrooms within the dwelling unit, the proposed amendment scales nicely to ensure that neighborhoods that include small format housing do not become overcrowded. Smaller houses typically have fewer bedrooms and would be allowed a smaller number of unrelated adults under the proposed definition.

C. PUBLIC NOTICE AND COMMENT

Notice of this hearing was published in the newspaper, displayed on the City website, emailed to interested parties, and advertised in a press release. Comments received in time for distribution of the Planning Commission packet are included in Attachment F.

Two public questionnaires (see Attachment G) and a virtual open house hosted in March collected community feedback from residents. The first questionnaire focused on receptiveness to increasing the allowance and garnered 390 responses with 57% of respondents indicating support for relaxing the restriction. The second questionnaire added questions focused on the idea of basing the allowance on the number of bedrooms within a house. It garnered 232 responses with 2/3 of respondents favoring keeping the current allowance in houses with two bedrooms and 2/3 favoring allowing additional unrelated adults in houses with three or more bedrooms.

Common concerns with relaxing the standard included: parking and traffic, property maintenance, overcrowding, noise, trash, crime, and reduced property values. Respondents in support of a relaxed standard frequently cited increased flexibility, privacy, addressing unaffordability, changing demographics, providing housing stability, and economic development considerations.

D. PLANNING STAFF RECOMMENDATION

Approval

E. PLANNING COMMISSION RECOMMENDED MOTION

A motion that, based on the Project Summary 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 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 – Proposed Code Update (Redlined)

Attachment B – Proposed Code Update (Clean)

Attachment C – City Council Worksession Minutes 2.9.2021

Attachment D – Planning Commission Worksession Minutes 3.9.2021

Attachment E – Planning Commission Worksession Minutes 3.30.2021

Attachment F – Public Letters and Emails Received

Attachment G – Public Questionnaire Responses