



EXTRA OCCUPANCY RENTAL HOUSE REGULATIONS

Extra Occupancy Rental House conversions require compliance with Land Use Code and Building Code regulations adopted by the City of Fort Collins. An Extra Occupancy Rental House is a building or portion of which is used to accommodate, for compensation, four (4) or more tenants, boarders or roomers. It is not necessary for a family or owner to also occupy the house. The word compensation shall include compensation in money, services or other things of value.

The following information is offered as a guide and resource to explain the process required to convert a single-family dwelling or other building to an Extra Occupancy Rental House.

What zones allow Extra Occupancy Rental houses?

Extra Occupancy Rental Houses are allowed in the LMN, MMN, HMN, NCB, D, RDR, CC, CCN, CCR, C, CN, NC, CL, E, and I zoning districts.

How do I determine what zone my property is in?

Contact the Zoning office at 970-416-2745 or use the City's online zoning map. Instructions for using the online map are attached.

What type of review process is required?

Once you've determined that the property is in a zone that allows an Extra Occupancy Rental House, it is necessary to submit a development application for the conversion.

Extra Occupancy Rental Houses in the LMN zone for more than 4 tenants are subject to a Type 1, administrative public hearing. Extra Occupancy Rental Houses in the LMN zone for 4 or fewer tenants are subject to Basic Development Review (a non-public hearing process).

Extra Occupancy Rental Houses for more than 5 tenants in all of the other listed zones are subject to a Type 1, administrative public hearing. Extra Occupancy Rental Houses for 5 or fewer tenants in these zones are subject to Basic Development Review.

How do I apply for a Type 1 review?

The Type 1 review begins with a Conceptual Review meeting. Staff members from various City departments meet with the applicant and provide comments with regards to applicable development regulations. There is no fee for this meeting. A planner from the Current Planning Department is assigned as the project planner and assists the applicant with the submittal requirements necessary for the Type 1 public hearing. The applicant submits all of the required plans and documents to the Current Planning Department at 281 N. College Avenue, along with the completed development application form and fee. These plans are then routed to the departments and agencies that need to review the plans for compliance with the regulations. Once it has been determined that the plans and documents are in compliance, a public hearing will be scheduled. After the development plan has been approved, the applicant must then apply for a building permit and certificate of occupancy for the actual conversion. Contact the Current Planning Department at 970-221-6750 if you have additional questions about the Type 1 process or if you want to schedule a conceptual review meeting.

How do I apply for a Basic Development Review (BDR)?

A conceptual review meeting is not required for a BDR. The process is initiated by submitting a completed development application form (see attached) for BDR to the Building Permit Office at 281 N. College Avenue. The fee for a BDR is \$200. The application must be accompanied by a plan that contains the site plan of the property showing the lot dimensions and parking area dimensions, and a floor plan of all floor levels of the building. The floor plan must indicate the use of each room and whether or not the room is finished. Additionally, the floor plan must show the room dimensions and window locations. (Note that additional plan details may be required at the time of building permit and certificate of occupancy application in order to ensure compliance with applicable building codes. See the attached Conversion Requirements handout). **Two copies of the site and floor plan on 24" x 36" paper are required to be submitted.** The BDR application must also be accompanied by a written statement that explains the current use of the building, the proposed use, the proposed number of occupants, the proposed number of parking spaces, and the amount of finished habitable floor space in the building. Once it has been determined that the plans are in compliance, the development application will be approved, and the applicant must then apply for a building permit and certificate of occupancy for the actual conversion. Contact the Zoning Office at 970-416-2745 if you have additional questions about the BDR process.

How do I apply for a building permit and certificate of occupancy?

After the development application has received Type 1 or BDR approval, it is necessary to apply for a building permit in order to ensure that the building complies with applicable building and rental housing codes (see attached Conversion Requirements handout). Contact the Neighborhood and Building Services Department at 970-221-6760 for submittal requirements. Once the permit has been issued and the subsequent remodel work (when required) has been completed, City staff will conduct an inspection of the premises and building for compliance with all approved plans and documents. Upon approval, the City will issue a certificate of occupancy for an Extra Occupancy Rental House.

What Land Use Code regulations apply to Extra Occupancy Rental Houses?

The Land Use Code establishes Extra Occupancy Rental House regulations for parking, square footage per occupant, and density.

Parking = .75 parking spaces per boarder, rounded up to the nearest whole parking space, plus 1 additional space if the house is owner occupied. Each parking space must have unobstructed access to a street or alley unless the lot has less than 65 feet of street frontage length and does not abut an alley, in which case one of the required parking spaces may be provided in a manner that does not provide direct access to the street. In all instances, no more than 40% of the area of the front yard can be used for parking.

Minimum building square footage = 350 square feet of habitable floor space per boarder plus an additional 400 square feet if owner occupied.

Density/number of Extra Occupancy Rental Houses = no more than 25% of parcels on a block face may be approved for Extra Occupancy Rental Houses in the LMN zone. No limit in the other zones.

Only detached single-family dwellings, zero lot line attached single-family dwellings (townhomes), and duplexes are eligible to be converted to Extra Occupancy Rental Houses. Apartments or condominiums that are in buildings containing three or more dwelling units are not eligible to be converted. Eligible dwellings must be located on a lot that is in a platted subdivision. If the lot is currently not a platted lot, then a subdivision plat must be processed and approved before an Extra Occupancy Rental House conversion application can be accepted.

In addition, the conversion may also be subject to other regulations, especially if the proposed Extra Occupancy Rental House is subject to a Type 1 Review.

Attachments:
Development application
Conversion requirements (building and rental housing codes)
Online zoning map instructions



Development Review Application

For Office Use Only

Date Submitted _____ Current Planning File # _____ Planner _____

Project Name: _____

Project Location (Street Address):

Project Description: _____

(Choose the type of project from the list on the back)

General Information: *List all property owners having a legal/equitable interest in the property (attach separate sheets if necessary).*

Owner's Name(s): _____

Street Address: _____

City/State/Zip: _____

Telephone: _____ Fax: _____

Applicant's/Consultant's Name: _____

Name of firm: _____

Contact: _____

Street Address: _____

City/State/Zip: _____

Telephone: _____ Fax: _____

E-mail: _____

Land Use Information:

Gross Acreage/Square Footage: _____

Existing Zoning: _____

Proposed Use: _____

Total Number of Dwelling Units: _____

Total Number of Affordable Dwelling Units: _____

Percentage of Affordable Dwelling Units (out of total): _____

Total Commercial Floor Area: _____

Additional Information (if Applicable):

CERTIFICATION

I certify the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge, consent, and authority of the owners of the real property, as those terms are defined in Section 1-2 of the City Code (including common areas legally connected to or associated with the property which is the subject of this application) without whose consent and authority the requested action could not lawfully be accomplished. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection, and if necessary, for posting of public notice on the property.

Name (Please PRINT): _____

Address: _____

Telephone: _____

Signature: (and title showing authority to sign, if applicable)

⇒ **CERTIFICATION MUST BE SIGNED.** ⇐

Type of Request

Please indicate the type of application submitted by checking the box preceding the appropriate request(s). Additional handouts are available explaining the submittal requirements for each of the following review processes.

- Annexation Petition with Initial Zoning** REQUESTED ZONE: _____
Fee \$1,188.00 + \$50.00 sign posting fee + \$.75 for each APO label
- Rezoning Petition** REQUESTED ZONE: _____
Fee \$977.00 + \$50.00 sign posting fee + \$.75 for each APO label
- Overall Development Plan (ODP)**
Fee: \$1,599.00 + \$50.00 sign posting fee + \$.75 for each APO label
- Project Development Plan (PDP) without Subdivision Plat**
Fee: \$3,887.00 + \$50.00 sign posting fee + \$.75 for each APO label
- Project Development Plan (PDP) with Subdivision Plat**
Fee: \$5,879.00 + \$50.00 sign posting fee + \$.75 for each APO label
- Final Plan without Subdivision Plat**
Fee: \$1,000.00
- Final Plan with Subdivision Plat**
Fee: \$1,000.00
- Modification of Standards/Text and Map Amendment**
Fee: \$200.00+ \$50.00 sign posting fee
- Basic Development Review**
Fee: Varies: Check with the Zoning Department
- Major Amendment**
Fee: \$3,206.00 + \$50.00 sign posting fee + \$.75 for each APO label
- Non-Conforming Use Review**
Fee: \$1,389.00
- Vacation of ROW or Easement**
Fee: \$5.00 per sheet of filing document
- Small Project Fees**
Fee: Varies-Check with the Current Planning Department
- Street Name Change**
Fee: \$5.00
- Extension of Final Approval**
Fee: \$566.00
- Site Plan Advisory Review**
NO FEE



ONLINE ZONING MAP

The City of Fort Collins web site contains an online zoning map that enables the viewer to determine the zoning classification for specific properties within the city limits. This map also contains a feature that allows the user to view the zoning district regulations for the specific property that is searched (i.e. uses allowed, setbacks, lot square footage, etc). The instructions for using this online tool are described below.

1. Log onto the City of Fort Collins web site at www.fcgov.com.
2. Click the "City Services A-Z" link that is near the top of the page and select "Departments".
3. On the page that comes up, click the "Current Planning" link.
4. Under "zoning" in the right-hand column, click "online zoning map".
5. Click "I Agree" on the page that comes up to continue.
6. Select Zoning Districts from the list of map applications on the left side of the page. You will now be viewing the Zoning District map.
7. In the "search by" fields, select address in the drop down box and then enter the address in the next box. (note, it's best if you don't type in St., Ave, Pkwy, etc.) and click "find"
8. Select the address you're looking for in the box that comes up and click the "zoom to selected" button. That will bring up the selected property on a zoning map and will indicate the property by a star.
9. Now click the "identify" button along the top of the map and then move the cursor to the star. Click on the star and the zoning designation will appear in a box.
10. You'll notice that the box which indicates the zoning district for the property will also contain an online code link. This link indicates the section number in Article 4 of the Land Use Code that sets forth the regulations for the particular zoning district. Click the link and that entire section will be displayed. The Code section will list all of the specific development standards for that zone, such as uses allowed, setbacks, height, etc.
Please be advised that other chapters and sections of the Land Use Code may also be applicable to a property, so what you see in Article 4 may not always be everything that applies. For instance, Article 3 contains general standards for such things as parking, landscaping, signage, and other regulations.

Please feel free to contact the City of Fort Collins Zoning Department at 970-416-2745 if you have any questions about using this online tool or if you have other zoning questions.



Rental Housing Minimum Requirements

Required Items in ALL Rental Housing

Exterior General

1. Building, sidewalks, outbuildings and fences generally must be in good repair and free from hazards like damaged and loose building components.
2. Yards must not have rodent, vermin or insect infestation and free from hazards such as open holes or broken sidewalks.
3. Stairways must not have loose or broken steps and have handrails solidly attached.
4. Decks and porches 30 inches above the ground must have guardrails that are solidly attached.
5. Window wells within 3 feet of driveways or sidewalks must be protected with guard rails or grate covers.

Interior General

1. Windows and doors must be capable of keeping wind and elements out.
2. Insect screens are required on windows and doors used for ventilation May to November.
3. Entry doors are required to have locks for security; locks shall operate from inside without a key or special knowledge.
4. Windows located within 6 feet of ground are required to have locks for security.
5. All floors, walls, stairs, doors and windows to be maintained in good repair and free from decay or defective surfaces.
6. All stairs must have handrails and guardrails installed and solidly attached.
7. All interior doors must be securely attached and open and close properly.
8. All interior spaces must be free from rodent, vermin or insect infestation.
9. All walking surfaces must be in generally good repair.

Light

1. Every habitable space must have a window for natural light with a glazed area sized not less than 8% of the floor area of the room.
2. In buildings containing 3 or more dwelling units, the common hallways and stairways must be provided with one 60 watt bulb per every 200 square feet.

Ventilation

1. Every habitable space must have at least one openable window for natural ventilation sized not less than 4% of the floor area of the room.
2. Every bathroom and toilet room must have an openable window to the exterior or have an exhaust fan, ducted to the exterior.
3. Every clothes dryer must be exhausted to the exterior through independent ducts.

Occupancy General

1. Dwelling units must be arranged to provide privacy from adjoining spaces.
2. Every bedroom must have access to at least one water closet and lavatory without passing through another bedroom.
3. Spaces used for food preparation must contain suitable space and equipment to store, prepare and serve foods in a sanitary manner.
4. Adequate facilities for temporary storage and sanitary disposal of food waste and refuse are required.

Plumbing Facilities

1. Every dwelling unit must contain its own bathtub or shower, lavatory, water closet and kitchen sink, maintained in safe and sanitary condition.
2. A kitchen sink must not be used as a substitute for the required lavatory.
3. Toilet rooms and bathrooms must provide privacy
4. All plumbing fixtures must be maintained in a safe, sanitary and functional condition, free from obstructions, leaks and defects.
5. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers must have hot and cold running water.
6. The water supply system must have sufficient volume and pressure for proper function of plumbing fixtures.
7. Water heated to a temperature of not less than 110 degrees must be provided.
8. All plumbing fixtures must be connected to an approved sewer system without obstructions, leaks and defects.

Mechanical Facilities

1. Habitable spaces must have heat during the period from September 15 to May 15 and maintain a temperature of not less than 68 degrees F.
2. All mechanical appliances must be properly installed and maintained in a safe working condition.
3. All fuel-burning equipment and appliances except for gas-cooking appliances, must be connected to an approved chimney or vent.
4. All mechanical equipment must have an approved automatic safety fuel shutoff, an accessible manual fuel shutoff valve and a listed appliance fuel connector.
5. Gas cooking appliances must not be used for space heating of any portion of a dwelling or guestroom, and, portable fuel burning appliances are prohibited.

6. Every rental housing unit containing fuel-burning appliances(s) or constructed with an attached garage must have an approved carbon monoxide alarm maintained in sound operational condition.

Electrical Facilities

1. Dwelling units must have a three-wire, 120/240 volt, electrical service having a rating of not less than 60 amperes.
2. All electrical equipment, wiring and appliances must be properly installed and maintained in a safe and approved manner.
3. Every habitable space in a dwelling must contain at least (2) separate and remote receptacle outlets.
4. Every laundry area must contain at least (1) grounded receptacle or a receptacle protected with a ground fault circuit interrupter (GFCI).
5. Every bathroom must contain at least (1) receptacle protected with a ground fault circuit interrupter.
6. Receptacle outlets installed in kitchens, garages, unfinished basements and exterior locations must be protected by ground fault circuit interrupters.
7. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room must contain at least (1) electric light fixture.
8. Extensions cords must not be wired directly to permanent wiring or installed inside walls, through floors, under carpets or attached to trim or walls.

Fire Safety Requirements

1. All means of egress doors must be openable from the inside without the need for keys, special knowledge or effort.
2. Every rental dwelling unit or guestroom must have access directly to the outside or to a public corridor which leads to an exterior exit.
3. Below grade sleeping rooms must be provided with emergency escape window having a maximum sill height of (48) inches above the floor and a minimum openable area of (720) square inches.
4. Smoke alarms (electric or battery operated) must be installed in each of the following areas:
 - a. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - b. In each room used for sleeping purposes.
 - c. In each story within a dwelling unit, including basements.

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