

LAND USE CODE INFORMATION SHEET

Following several months of public engagement and updates to code language based on community feedback, City Council passed significant housing-related Land Use Code (LUC) changes on October 17, 2023.

Land Use Code changes will go into effect on January 1, 2024.

Purpose of the Land Use Code Changes

These changes seek to improve housing supply and housing affordability, while ensuring that new housing types fit in with existing neighborhoods. The updated Code document was also re-designed to make it easier to understand with illustrative diagrams and organized content.

Community Benefits of Code Changes

- Increase housing capacity in areas near public transit and places with buildable land. This helps achieve the City Council’s goal of having people’s basic needs and services within a 15-minute walk, and supports objectives identified in City Plan, the Transit Master Plan, Our Climate Future, and the Housing Strategic Plan.
- Expand affordable housing incentives to help create greater supply by modifying income criteria to address the most critical shortages of housing and requiring 60 years of deed restriction rather than the current 20 years.
- Adjust standards to enable more small-lot infill development and “missing middle” housing types to allow for greater housing choices across the community.

Guiding Principles

1. Increase overall housing capacity (market rate and affordable) and calibrate market-feasible incentives for deed restricted affordable housing
2. Enable more affordability especially near high frequency transit and growth areas

3. Allow for more diverse housing choices that fit in with the existing context
4. Make the code easier to use and understand
5. Improve predictability of the development permit review process, especially for housing

Public Engagement

- 97,000+ postcards mailed to residents
- 40+ meetings and events between April and August of 2023
- 10+ updates to Council + Boards and Commissions
- 200+ emails and general comments received
- 60 attendees at the April Virtual Info Session
- 70 attendees at the April Deliberative Forum
- 175 attendees at the May 8th open house event
- 100+ attendees total at 13 neighborhood-specific walking tours and 1 general walking tour
- Spanish walking tour July 26th
- Alternatives Exhibit on August 9th

What Doesn’t Change in the Code

Changes to the LUC focus on increasing the supply and availability of housing, and reorganizing the code to improve usability. Many existing code requirements and regulations have not been changed and will still apply to all development, including (but not limited to):

- Notification procedures for proposed developments
 - Including notification letters, yellow sign postings, neighborhood meetings, development review newsletter, and

- information on the Development Review webpage
- Level of review required for residential development (except Affordable Housing)
 - These include requirements for Type 1 and Type 2 (Planning & Zoning Commission) public hearings and neighborhood meetings
- Non-residential uses
- Historic Preservation requirements
- Environmental/Natural Resources requirements
- Landscaping requirements
- Street design requirements
- Engineering requirements
- Modification and Variance standards
- Adequate Public Facilities requirements (e.g., water availability, infrastructure availability, road capacity, etc.)
- Occupancy Regulations (e.g., U+2)

What has changed from the Repealed Code?

Community feedback directly resulted in many changes to the updated LUC as compared to the Repealed Code. Details are available on the project website at www.fcgov.com/housing/lucupdates.

A few examples include:

- Existing development review process and levels of review remain for housing projects, except for affordable housing (now eligible for Basic Development Review)
- Reduced maximum number of units allowed in several residential zones
- Increased minimum lot sizes for multi-unit buildings in Old Town zones
- New requirements to integrate existing structures and/or provide affordable housing for 3-6 unit buildings in Old Town zones
- Better clarity about what an HOA can and can not regulate
- Duplexes not permitted in the RL Zone District
- Detached accessory Dwelling Units (ADUs) limited to 15 feet in height where there is no alley
- ADUs must provide an off-street parking space

- ADUs may not be used as short-term rentals and, if not owner-occupied, must have a designated resident manager

Organizations and Government Entities That Have Expressed Support for the Code (there may be others not captured in this list)*

FC Habitat for Humanity

Neighbor to Neighbor

United Way of Larimer County

The Family Center: La Familia

Colorado State University

Elevation Community Land Trust

FC P&Z Commission

Realtor: Adam Eggleston

FC Chamber of Commerce

Housing Catalyst

9 to 5

Downtown Dev Authority

Partnership for Age Friendly Communities

FC Historic Preservation Commission

FC Board of Realtors

CARE Housing

Hartford Homes

Larimer County

YIMBY

FC Affordable housing Board

FC Economic Advisory Board