

# Key Terms

**RL** - Low Density Residential

**NCL** - Neighborhood Conservation Low Density

**NCM** - Neighborhood Conservation Medium Density

**ADU** - Accessory Dwelling Unit; attached or detached residential unit distinct from the primary residence

**Setbacks** - The distance any buildings on a lot must be removed from the lot's property lines

**Bulk Plane** - Allowable space a building can occupy

**BDR** - Basic Development Review; performed by City staff

**Public Hearing** - Hearing before the Planning & Zoning Commission; open to the public and public comment

# Engagement Roadmap

Guiding Strategic Plans



**Land Development Code**

## Engagement

- Information Sessions
- Resident Advisory Group
- Input Sessions
- Boards & Commissions Meetings
- Public Workshops
- Office Hours
- Community Presentations

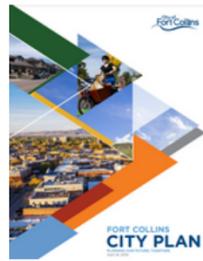
**Repeal**

**Land Use Code**

## Re-engagement

- Virtual Information Session
- Public Forum
- Neighborhood Walking Tours
- Open House
- Traveling Exhibit
- Public Hearings

# Where did the LUC come from?



2018

CITY PLAN

Over 3,800 residents engaged

275 Strategies  
11 Related to Land Use Code

Vision: "We take action to address the needs of all members of our community and strive to ensure that everyone has the opportunity to thrive. As a community, we commit to building a healthy, equitable and sustainable city—for our families, for our neighbors and for future generations"



2021

HOUSING STRATEGIC PLAN

Over 450 residents engaged

26 Strategies  
8 Related to Land Use Code

Vision: "Everyone in Fort Collins has Healthy, Stable Housing They Can Afford"



OTHER PLANS THAT IMPACT THE LUC

- Our Climate Future
- Transportation Master Plan
- Transit Master Plan

125 Strategies  
14 Related to Land Use Code



2023

LAND USE CODE

Over 400 residents engaged

Includes regulations and actions the City can take to make *strategies and visions* become policy

# What is Fort Collins doing to address our housing crisis?

Twenty-six City of Fort Collins Prioritized Strategies for addressing our greatest housing challenges from the 2021 Housing Strategic Plan

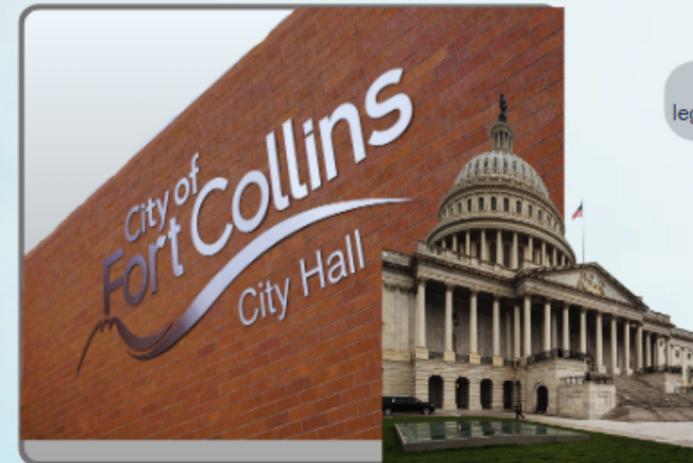
Seven of these relate to the current Land Use Code update



- 12. Expand partnerships with local Community Development Financial Institution (CDFI) to offer gap financing and low-cost loan pool for affordable housing development
- 19. Bolster city land bank activity by allocating additional funding to the program
- 15. Explore/address financing and other barriers to missing middle and innovative housing development



- 9. Advance Phase 1 of the Land Use Code Audit with off-cycle appropriation
- 11. Create a new dedicated revenue stream to fund the Affordable Housing Fund
- 19. Bolster city land bank activity by allocating additional funding to the program



- 5. Advocate for housing-related legislation at state and federal levels
- 21. Explore revisions to occupancy limits and family definitions in order to streamline processes and calibrate the policy to support stable, healthy, and affordable housing city wide

3. Implement the 2020 Analysis of Fair Housing Choice Action Steps

4. Implementation, tracking and assessment of housing strategies

13. Recalibrate existing incentives for creating Affordable Housing to reflect current market conditions

14. Create additional development incentives for Affordable Housing

17. Consider affordable housing requirements as part of the community benefit options for metro districts

20. Explore the option of a mandated rental license/registry program for long-term rentals and pair with best practice rental regulations

2. Promote inclusivity, housing diversity, and affordability as community values

23. Allow tenants right of first offer/refusal for cooperative ownership of multifamily or manufactured housing communities

25. Fund foreclosure and eviction prevention and legal representation

26. Develop Small Landlord Incentives

18. Increase awareness opportunities for creative collaboration across water districts and other regional partners around the challenges with water costs and housing

10. Refine local affordable housing goal

2. Improve resident access to housing information and resources

6. Evaluate implementation of a visitability policy

1. Assess displacement and gentrification risk

8. Extend the City's affordability term

7. Remove barriers to the development of Accessory Dwelling Units

16. Remove barriers to allowed densities through code revisions

22. Require public sector right of first offer/refusal for affordable developments

24. Support community organizing efforts in manufactured home communities and increase access to resident rights information, housing resources, and housing programs



# DR. MARTIN CARCASSON'S PUBLIC ENGAGEMENT REPORT

## ADUs

"Many residents felt that ADUs could provide additional housing options with the 'least noticeable impact' on the neighborhood."



## Transit

"support for better public transit and transit oriented development were particular points of common ground."

## Parking

"residents wanted to be sure that parking was 'adequately planned for' as density increased."

## Neighborhood Character

"Residents were 'highly concerned' about or 'strongly opposed to' or 'deeply dissatisfied about' changes that would impact 'established neighborhoods.'"



## Growth

"There are at least three typical positions here that conflict":

- "Some people are very concerned about growth, whether due to environmental capacity or quality of life issues, and hope to limit growth if possible."
- "A second group may hold similar concerns generally, but see growth as something that is rather inevitable, especially in a quality city in Colorado like Fort Collins. They focus, therefore, on finding ways to manage the growth they assume is coming."
- "A third group...is more apt to welcome growth, as more population equates to more customers and/or taxpayers, and, in their eyes, a more vibrant city."

# Housing: A Wicked Problem

"A wicked problems analysis works to identify the underlying positive values inherent to different perspectives on issues, in order to surface the tensions and make them explicit."

-- Dr. Martín Carcasson, Land Use Code Engagement Report

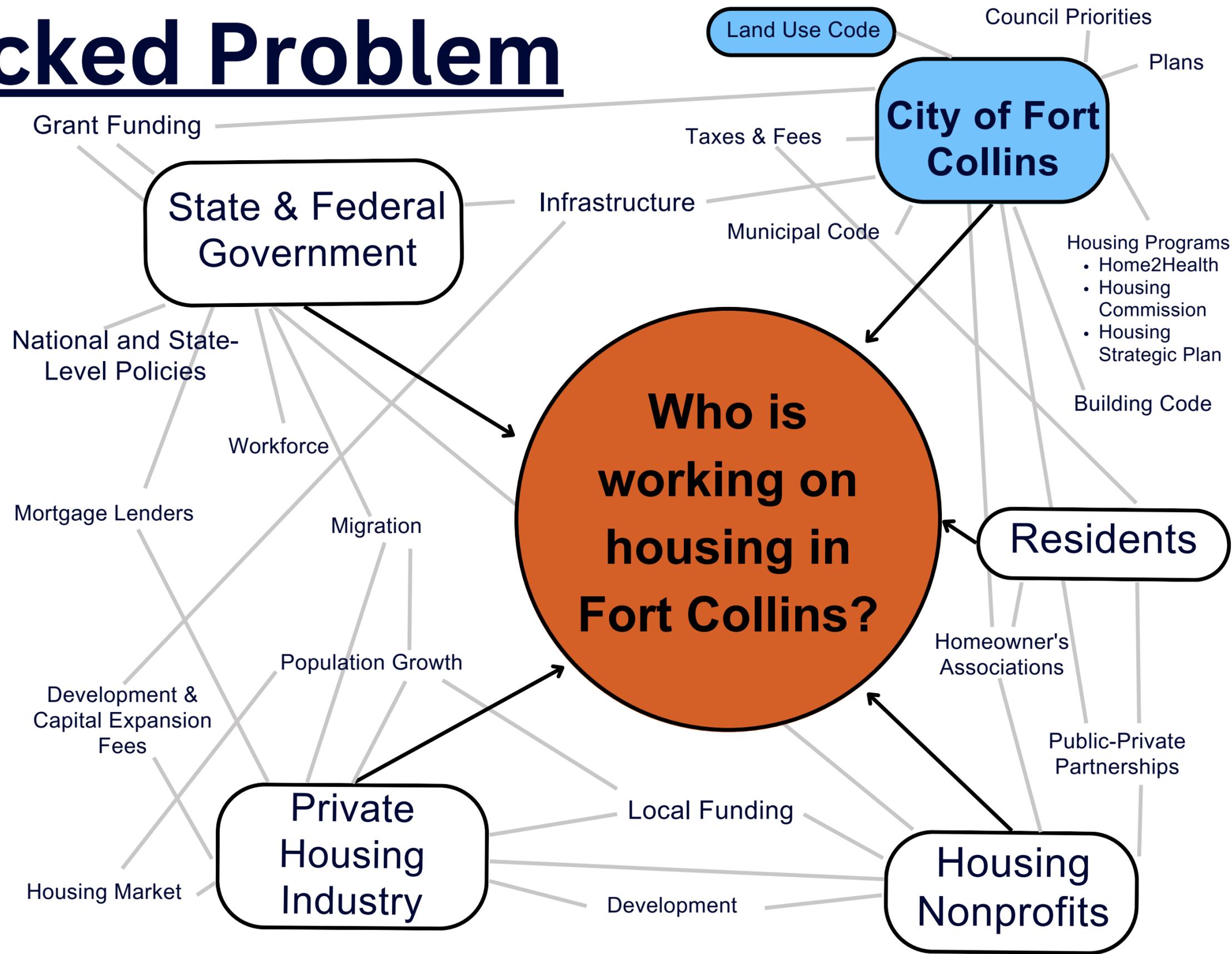
## Values Related to Housing

- Equity
- Sustainability
- Tradition
- Innovation
- Safety
- Inclusivity
- Accountability
- Compassion
- Creativity
- Dependability

- Which value is **most important** to you and why?
- Which value is **least important** to you and why?
- Which values are **in the middle** and why?
- What values would you **add** to this list?

"Rather than facing an opponent or enemy and seeking to 'win,' we are trying to work together to address a shared problem."

-- Dr. Martín Carcasson, Land Use Code Engagement Report



## WHO ELSE IS INVOLVED?

# Alternatives

## What are they?

The Land Use Code alternatives are ideas that City Council is considering implementing in the upcoming Land Use Code draft.

## Where did they come from?

City staff designed these alternatives based on all the feedback received during the Land Use Code public engagement process.

## Why are they important?

The alternatives aim to change the Land Use Code to better align with the complex values, needs and perspectives of the city.

# Learn more about the alternatives



 **During the July 31 Work Session, City Council opted against some alternatives, marked with a red X.**

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*

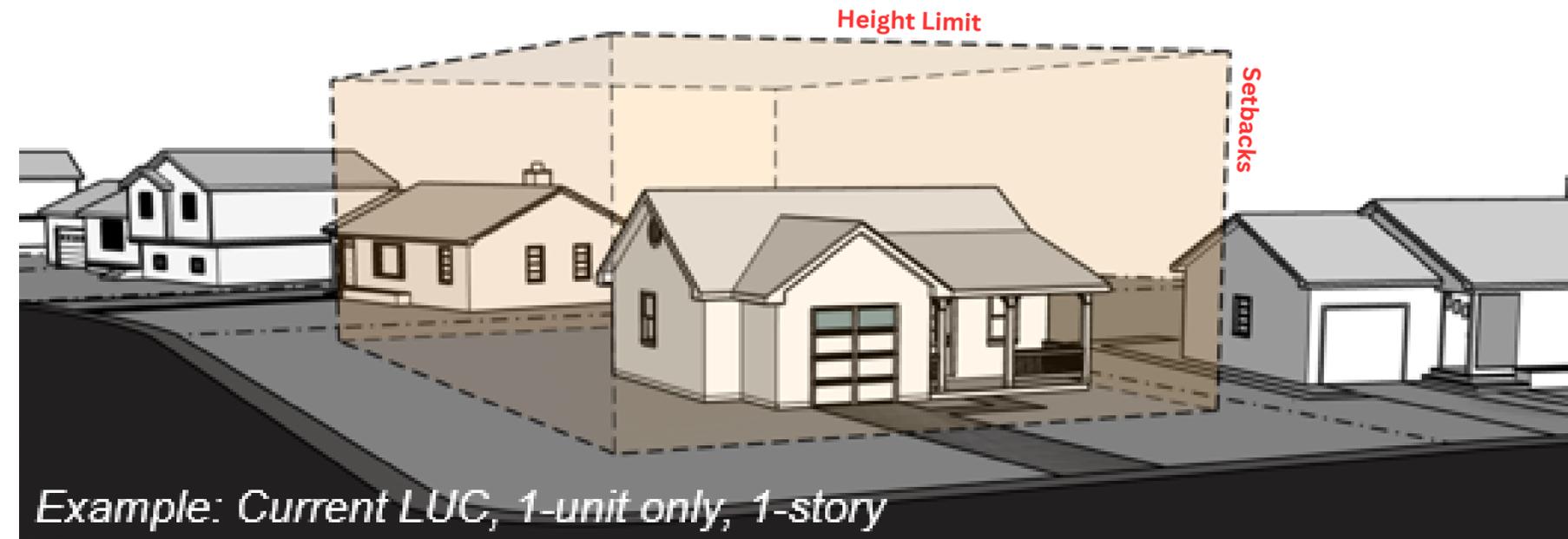
## Key Topic Areas

- Housing types and number of units allowed in RL, NCL, and NCM Zones
- Affordable housing incentives
- Affordable housing definitions + requirements
- Regulations to enhance compatibility in RL, NCL, and NCM Zones
- Private covenants and HOAs
- Parking
- Short-term rentals (STRs)
- Levels of review for residential development
- Basic Development Review process

## Other Changes

- Housing types allowed in mixed-use and some commercial zones (cottage court, ADU, etc)
- Increasing maximum density in LMN Zone from 9 to 12 dwelling units per acre
- Maximum 2,400 sq. ft single-unit floor area in NCM, NCL, NCB
- Design requirements (bulk plane, façade articulation, etc.) and rear-lot requirements in NCM, NCL, NCB
- Form-based approach to regulating housing types
- Code reorganization
- Simplify and rename NCL, NCM, NCB to OT A, B, C
- Clarification of definitions/measures
- Graphic and form-based representation of code standards

- *Housing Types:* Single-unit detached house
- *Lot Size:* 6,000 sq feet minimum and 3 times the total floor area, whichever is greater
- *Maximum Height:* 28 feet for residential buildings
- *Hearing Type:* Building permit for parcel in an existing subdivision; Public Hearing (Type 1) for new subdivision



# RL Alternatives

Should the RL Zone allow up to two units maximum?

**4 Allow two units maximum (house + ADU or duplex only)**

Should Accessory Dwelling Units (ADUs) be permitted?

**1 Limit ADUs to one story when there is no alley**

**2 Allow ADU with single unit dwelling, not with a duplex**

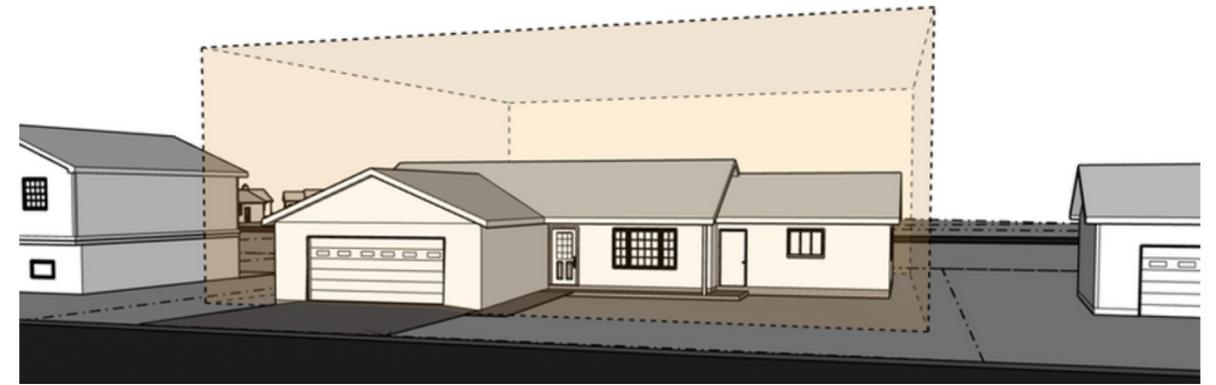
**3 Require ADU properties to be owner occupied (meaning owner has to reside in one of the units)**

Should duplexes be permitted?

**5 Allow duplexes ONLY IF 1) a lot is 100ft width or wider or 2) one unit is an affordable housing unit or 3) the duplex converts and integrates an existing structure or 4) a lot is within 1/4 mile of current or future high-frequency transit**

Total parcels	24,990
Parcels wider than 100 feet	4,906
Parcels within ¼ mile of current or future high-frequency transit	7,747

# Examples



Side-by-side duplex



Split-level duplex



Single-level ADU

- *Housing Types:* Single-unit detached house; carriage house
- *Lot Size:* 6,000 sq. feet minimum; 12,000 sq. feet minimum for carriage house
- *Maximum Height:* 2 stories, 1.5 stories for carriage house or building at the rear of the lot
- *Hearing Type:* Administrative Review (Basic Development Review/BDR) for single-unit detached house, Public Hearing (Type 1) for 2 units or alley-fronting buildings
- Additional requirements for façade and bulk in NCL



# NCL Alternatives

Should the NCL Zone allow up to two units maximum on smaller parcels?

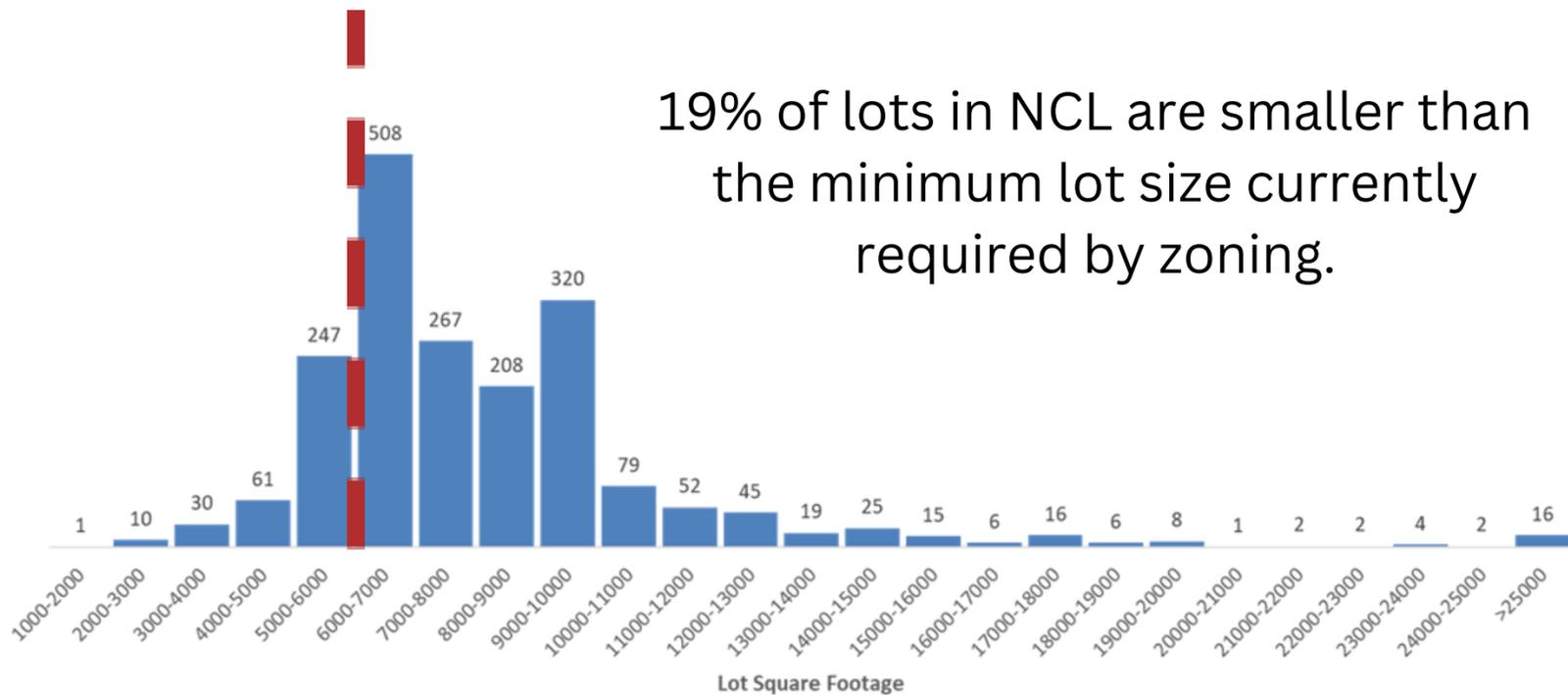
- 6** Decrease minimum lot size to 4,500 sf
- 7** Allow two units maximum on lots 4,500 - 6,000 sf (house + ADU or duplex)

Should height restrictions be placed on ADUs in the NCL Zone?

- 8** Restrict ADU height to the height of the primary building

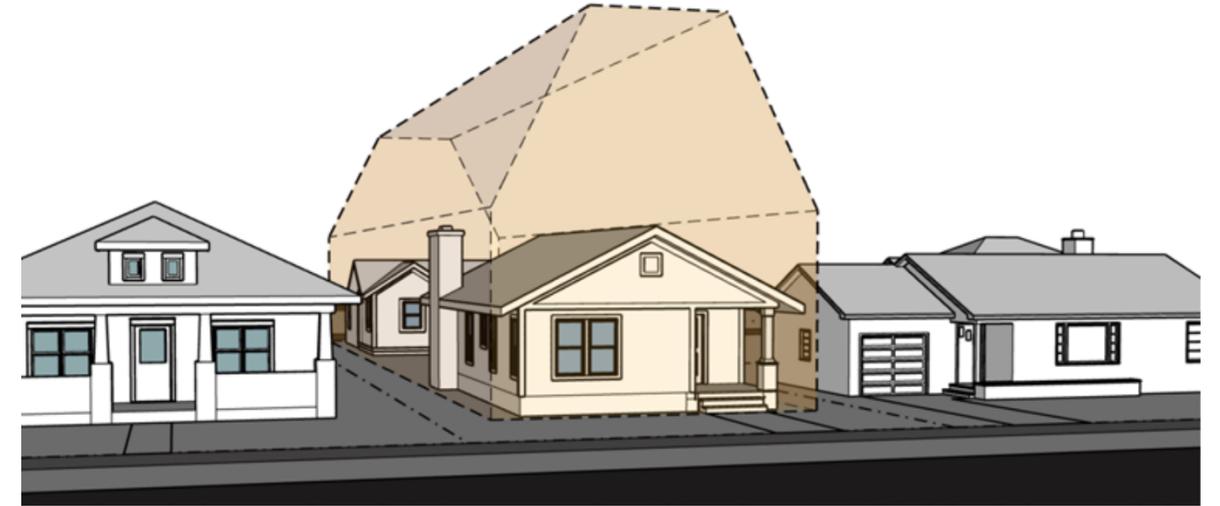
Should the NCL Zone allow up to three units maximum on larger parcels?

- 9** Allow three units maximum on lots 6,000+ sf ONLY IF 1) a duplex + ADU or triplex converts and integrates an existing structure OR 2) a triplex or 3-unit cottage court includes one affordable unit



19% of lots in NCL are smaller than the minimum lot size currently required by zoning.

# Examples

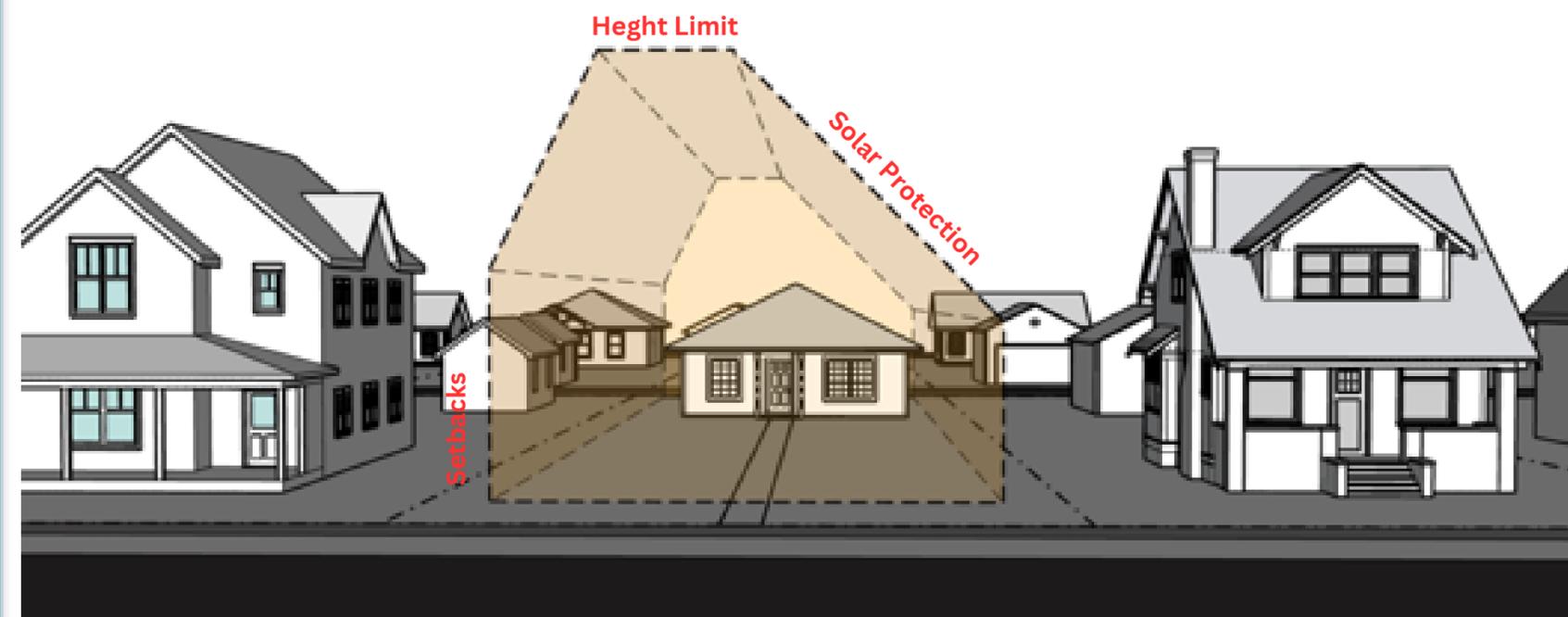


Single-family home with ADU



Duplex with ADU

- *Housing Types:* Single-unit detached house; carriage house; multi-unit up to 4 units (e.g. duplex, triplex, fourplex)
- *Lot Size:* 5,000 sq. feet minimum for single-unit detached house; 6,000 sq. foot minimum for multi-unit buildings up to 4 units; 10,000 sq. feet minimum for carriage house
- *Maximum Height:* 2 stories, 1.5 stories for carriage house or building at the rear of the lot
- *Hearing Type:*
  - Administrative Review (BDR) for single-unit detached house or up to 2 units in one building on a vacant lot or with no exterior changes to an existing building
  - Public Hearing (Type 1) for 2 units in more than one building or up to 4 units on a vacant lot or with no exterior changes to an existing building
  - Public Hearing + neighborhood meeting (Planning and Zoning Commission) for 2-4 units when structural additions or exterior alterations are made to an existing building



# NCM Alternatives

Should the NCM Zone allow up to three units maximum on smaller parcels?

- 10 Decrease minimum lot size to 4,500 sf
- 11 Allow three units maximum on lots 4,500 - 6,000 sf (single unit, duplex, row house and ADU only)

Should the NCM Zone allow up to six units maximum on larger parcels?

- 12 Allow five units maximum on lots larger than 6,000 sf
- 13 Allow six units on 6,000 sf or larger ONLY IF the development converts and integrates an existing structure (single unit, duplex, row house and ADU only) AND one unit is affordable

Should Cottage Courts be a permitted housing type in NCM?

- 14 Allow a Cottage Court (minimum 3 units, maximum 6 units) on lots 9,000 sf or larger

Lot Sq Ft	Number of Lots	Percentage
0-4499 sqft	154	7.5
4500-5999 sqft	462	22.5
6000-8999 sqft	810	39.5
9000+ sqft	627	30.5
<b>Total</b>	<b>2053</b>	<b>100</b>

# Examples



Single family home *converted* into 5 studio units with an ADU (lot over 6,000 sf)



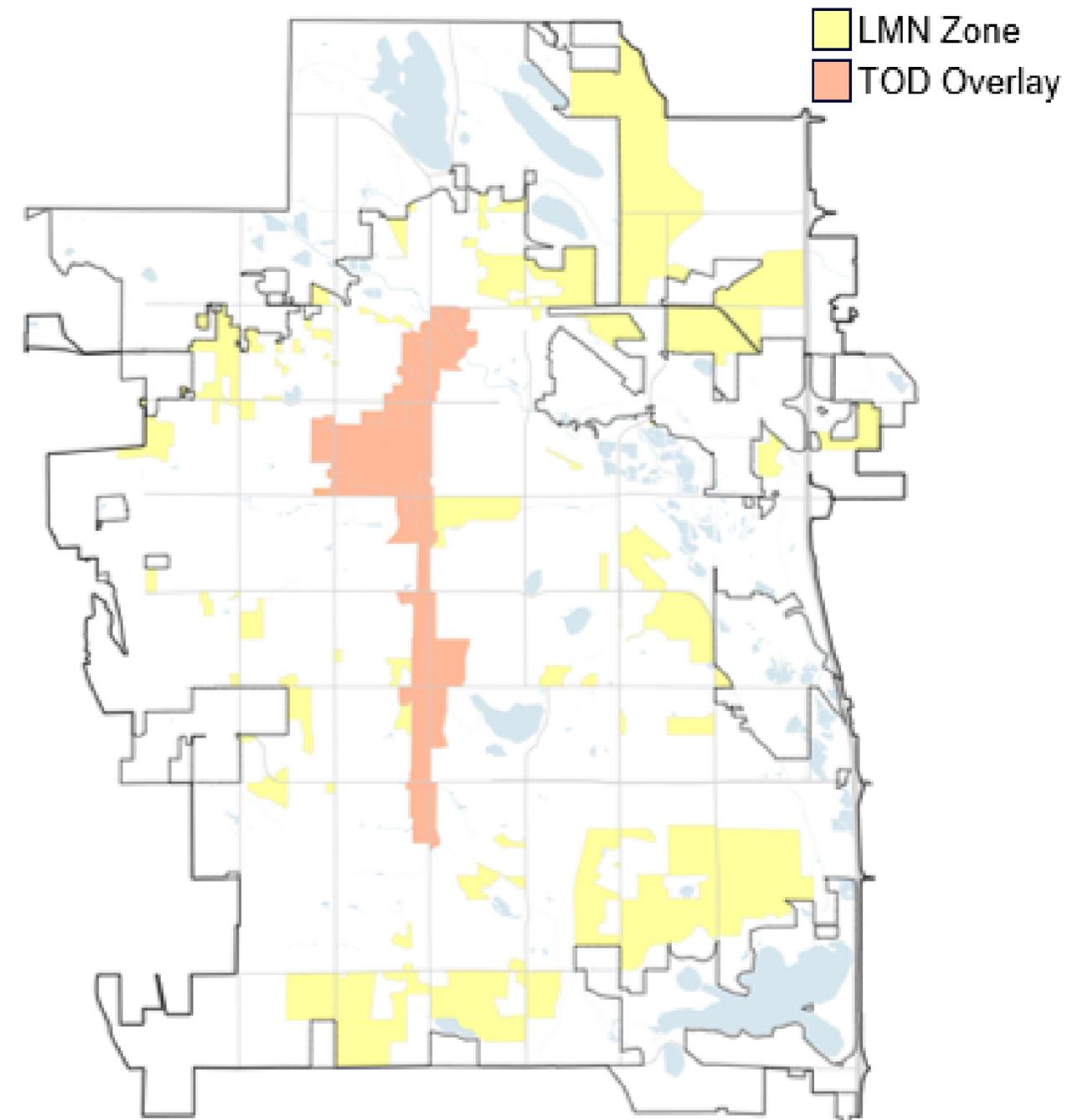
6-unit cottage court (lot over 9,000 sf)



Duplex with ADU (Lot under 6,000 sf)

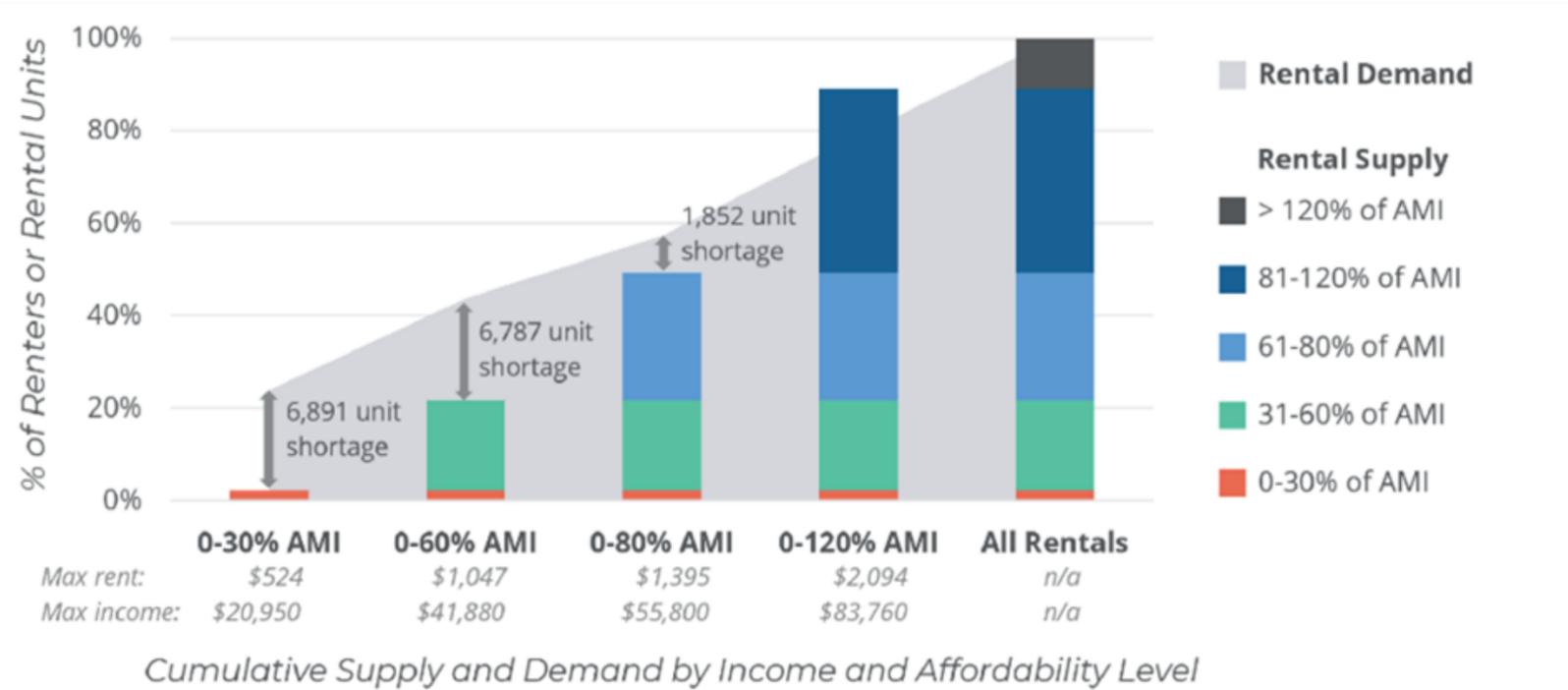
### LUC Incentives Available:

- *Density bonus* of 3 additional dwelling units per acre in the Low-Density Mixed-Use Neighborhood (LMN) Zone
- *Height bonus* of 2 stories for buildings that are both mixed-use and affordable in the Transit-Oriented Development Overlay (TOD) Zone
- *Parking Reductions* of up to 50% in the TOD Zone for affordable developments at 60% Area Median Income (AMI) or below
- Reduced tree sizes permitted for affordable housing developments



*Note:* Current incentives require 10% of units to be affordable to households earning 80% of AMI for 20 years

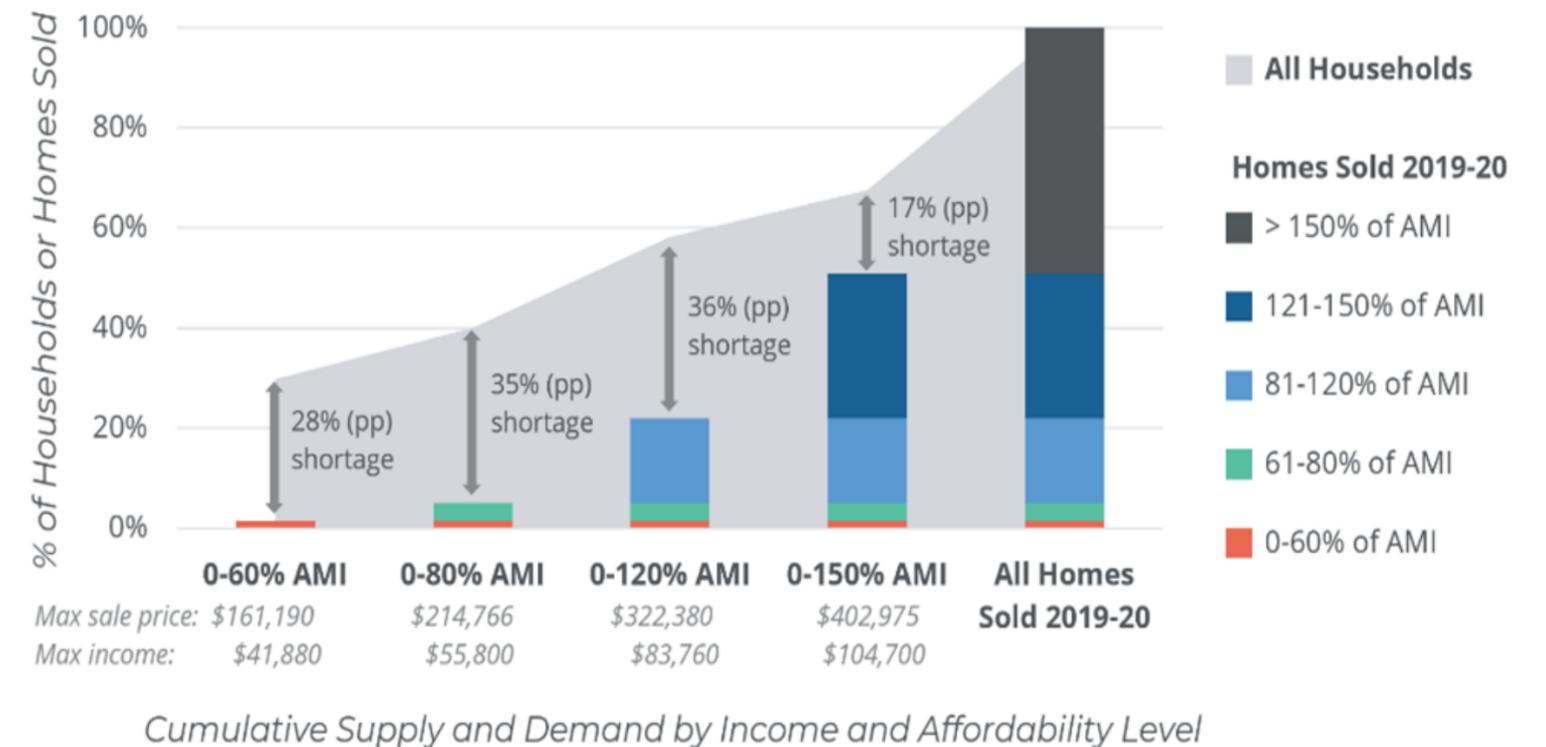
# Rental Gap



The shortage of rental units for households earning less than 60% of AMI is nearly 4 times greater than the shortage of rental units for households earning less than 80% of AMI.

The shortage of affordable ownership units is slightly different. Even households earning greater than 80% of AMI face a critical shortage of affordable for-sale options. The depth of the shortage of households earning up to 120% of AMI is similar to the shortage for households at 80% of AMI.

# Ownership Gap



# Affordable Housing Alternatives

Should Affordable Housing incentives be expanded to more parts of the city?

**15 Expand affordable housing incentives and calibrate market-feasible incentives for ownership and rental**

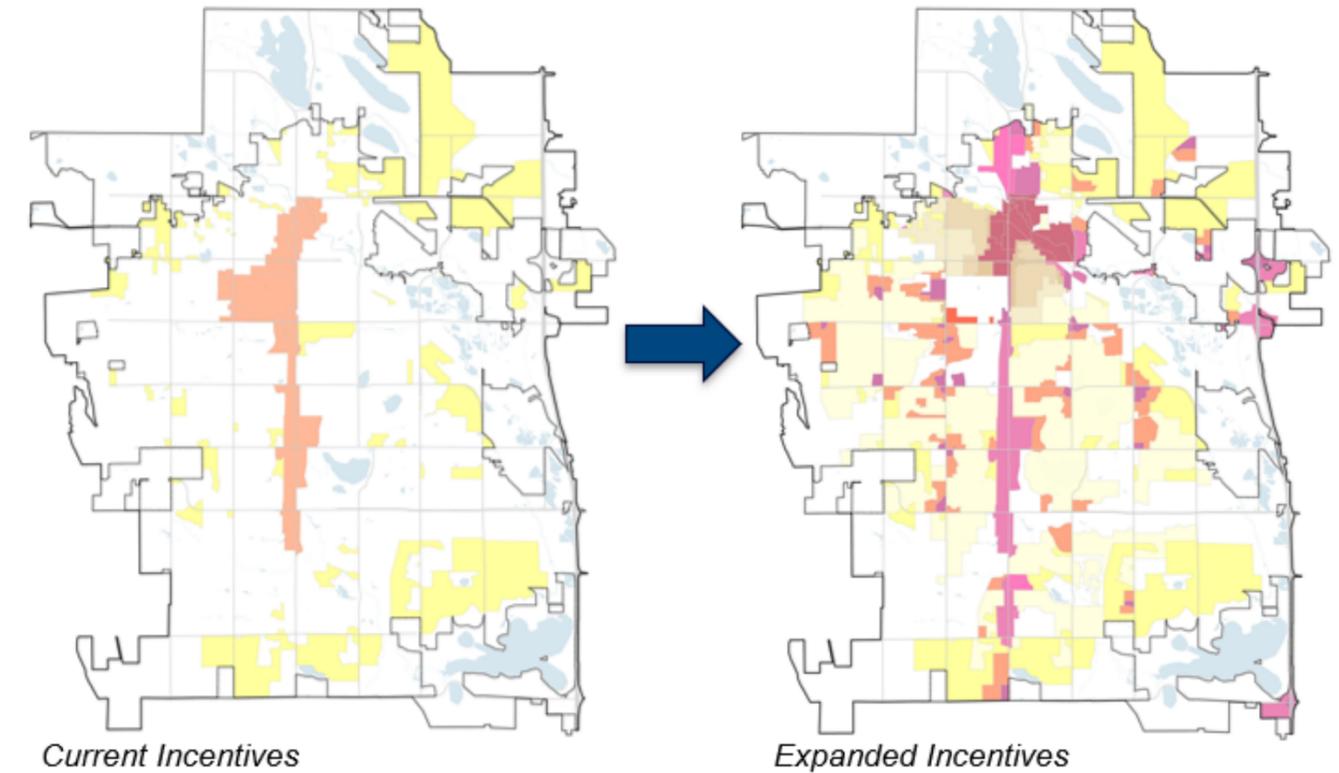
Should Affordable Housing requirements be updated and adjusted for ownership and rental needs?

**16 Update definitions of affordable housing to match market needs for ownership and rental**

Should deed restrictions be lengthened for affordable developments seeking to use Affordable Housing incentives?

**17 Extend required affordability term to 99 years**

Zone	Incentive
Residential Zones (RL, NCL, NCM)	Additional housing types
Low-Density Mixed-Use Neighborhood (LMN) Zone	Additional density (remove density maximum)
Mixed-use Zones	Additional height (1-2 stories)
Multi-unit developments (7 or more units)	Reduced parking requirements (25-50% reduction depending on unit types)



Current Incentives

Expanded Incentives

	EXISTING CODE	POTENTIAL ALTERNATIVE	
		RENTAL	OWNERSHIP
Required minimum percentage of affordable units	10%	10%	10%
Maximum income level as percent of Area Median Income	80% of AMI	60% of AMI	100% of AMI
Current max household income for a 2-person household	\$68,650	\$51,540	\$85,800
Current max monthly rent or sale price for a 2-person household	\$1,716 Monthly Rent \$208,000 Sale Price	\$1,288	\$287,000

# HOA Alternatives

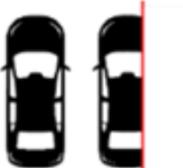
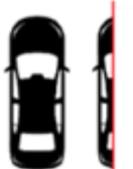
- Homeowners Associations (HOAs) can regulate several aspects of aesthetics and design including exterior colors, materials, and some aspects of design
- HOAs cannot restrict residents from having solar panels, xeric landscaping, or clothes-drying lines on their properties

<b>18</b>	Allow an HOA to regulate the option for detached or attached ADU
<b>19</b>	Specify that HOA's can continue regulate aesthetics (color, window placement, height, materials, etc.) within the bounds of their existing rules
<b>20</b>	Add language to allow HOA's to regulate site placement (additional setbacks, separation requirements)
<b>21</b>	Allow an HOA to regulate whether a lot can be further subdivided

# Parking

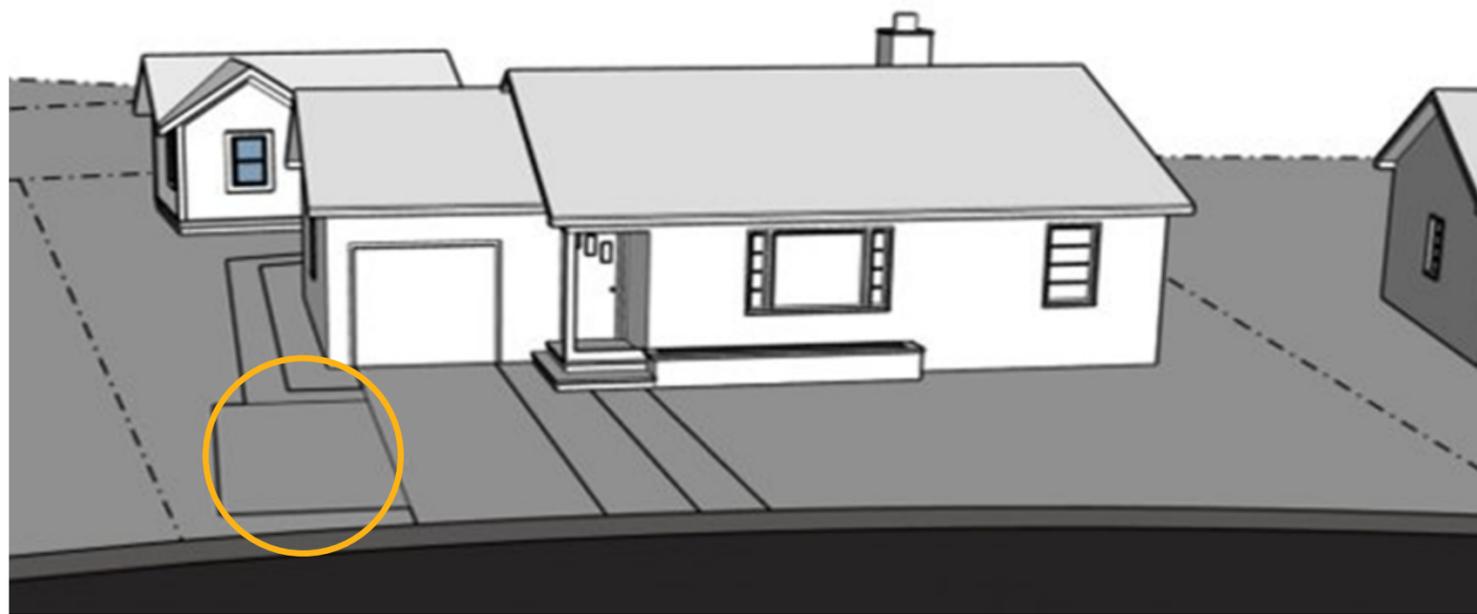
# Alternatives

<b>22</b>	Reduce parking requirements for multi-unit developments: 1 bedroom = from 1.5 to 1, 2 bedroom = from 1.75 to 1.5
<b>23</b>	Reduce parking requirements for affordable housing ONLY if the development has 7 or more units

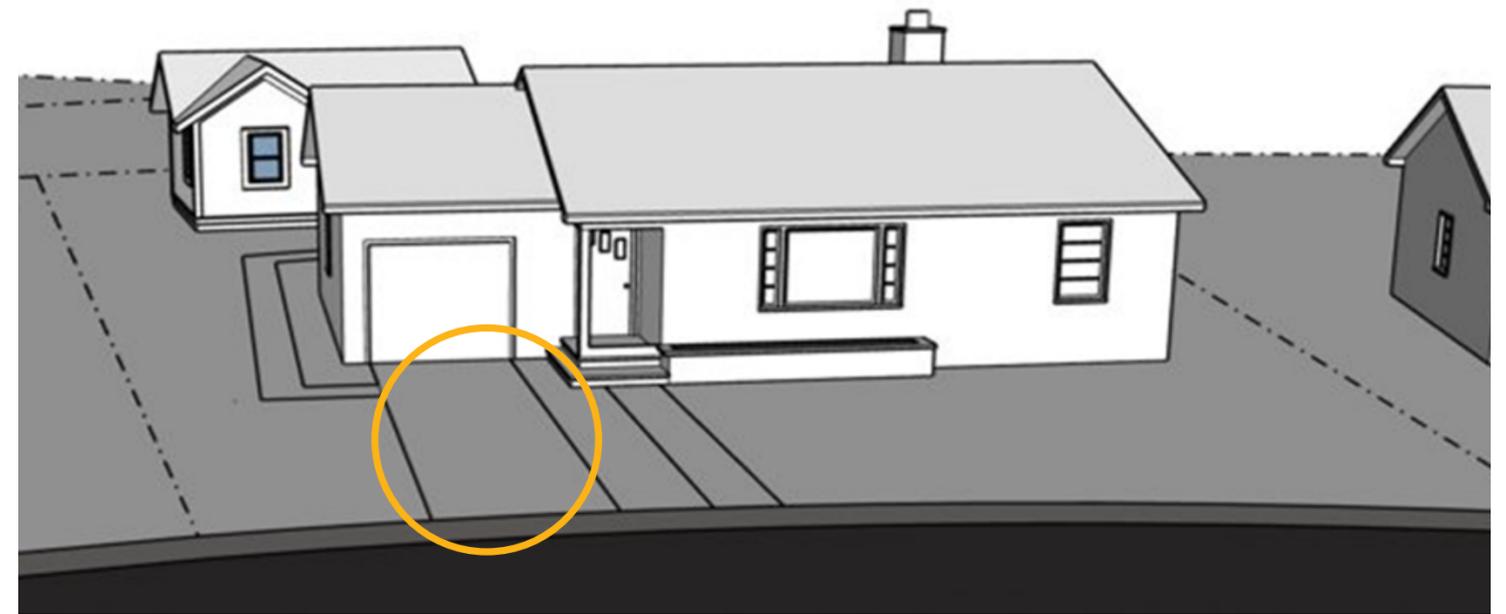
UNIT SIZE	EXISTING CODE REQUIREMENT	PROPOSED CODE REQUIREMENT	Affordable Housing PROPOSED PARKING REDUCTION INCENTIVE
1 or less bedrooms	1.5 spaces per unit 	1 space per unit 	0.75 spaces per unit 
2 bedrooms	1.75 spaces per unit 	1.5 spaces per unit 	1 space per unit 
3 bedrooms (no change)	2 spaces per unit 	2 spaces per unit 	1.25 spaces per unit 
4 or more bedrooms (no change)	3 spaces per unit 	3 spaces per unit 	1.5 spaces per unit 

# ADU Parking Alternatives

24	Require 1 parking space for an ADU
25	Allow a tandem parking space to count <b>ONLY IF</b> an ADU or extra occupancy



Existing home with ADU,  
**additional** parking space



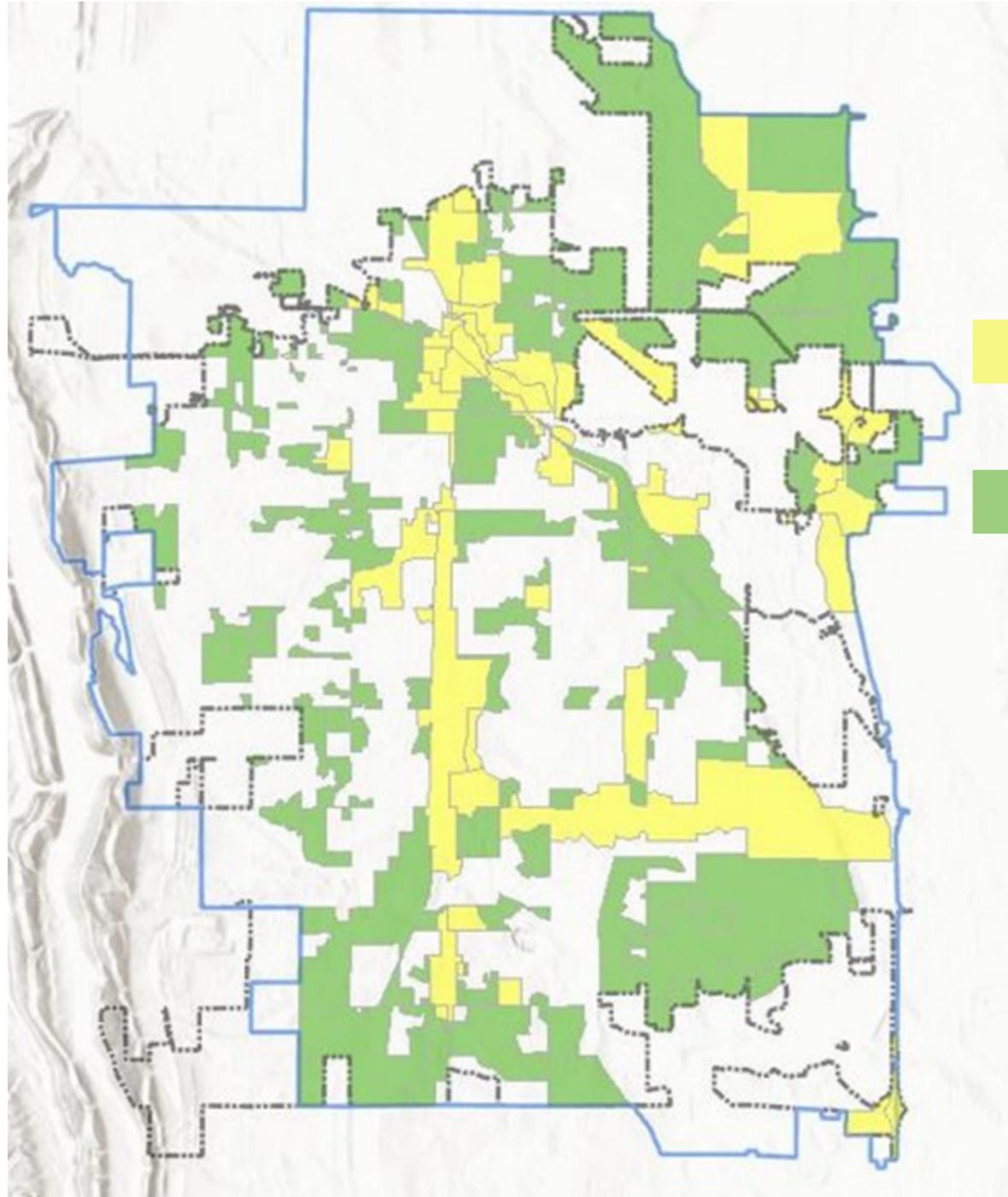
Existing home with ADU,  
**tandem** parking space

# Development Review Process Alternatives

	26	Allow residential projects to be reviewed under Basic Development Review <b>Affordable Only</b>
	27	Require a neighborhood meeting for some projects (larger, more complex, etc.)
	28	Require a pre-application conceptual review meeting for projects over 6 units
	29	Establish a defined comment period for public comments on Basic Development Reviews
	30	Require projects with Modifications go to P&Z when it involves a modification for certain code sections (such as parking, height, density) or;
	31	Require projects with Modifications go to P&Z when it involves more than a certain number of modifications

# Short-Term Rental Alternatives

## Current Short-Term Rental Map



32	Restrict new ADUs from being used as STR
33	Allow existing ADU or Accessory Structures with STR license to continue operating under current license

Non-Primary and Primary short-term rentals allowed by zoning

Primary short-term rentals allowed by zoning

- A non-primary short-term rental is not occupied by the owner and the entire residence is rented to one party at a time for less than 30 consecutive days.
- A primary short-term primary rental is resided in by the owner for at least 9 months each year and only a portion is rented to one party at a time for less than 30 consecutive days.

# Next Steps

**8/22:** Council Work Session to discuss draft language of alternatives.

**September:** Draft Code available for public review

**9/27:** Planning and Zoning Commission hearing.

**10/3:** Tentative date for Council first reading of the updated Land Use Code.



**Learn more about the project or leave a comment at <https://fcgov.com/housing/lucupdates>**