# 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 4 or more tenants are subject to a Type 1, administrative public hearing.

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 and fees or if you want to schedule a conceptual review meeting.

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

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 than 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.