

Definition of Family Ord. 2738

Presented by Heather Vidlock, Planning Manager
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Background

- On April 14, 2025, City staff presented proposed 2025 Land Development Code (LDC) updates to City Council and the Planning Commission to align with recent state housing laws.
- Ord. 2738 including updates to the 2009 LDC, support this alignment:
 - Remove relation-based occupancy limits in the “family” definition and defer to the City’s adopted International Property Maintenance Code.
- Amendments reflect standards in the 2025 LDC, adopted November 3, 2025.
- Alignment with state law helps Commerce City stay competitive for state funding.

Residential Occupancy Limits (HB 24-1007)

State Requirements

Prohibits municipalities from **imposing occupancy requirements based on family relationship**, but allows occupancy limits based only on:

- **Health and safety standards** (e.g., international building code standards, fire code regulations, public health and water quality standards); or
- **Affordable housing program guidelines** from the state or federal government.

Intent

Make it easier to share homes between occupants and help households afford increasingly high housing costs.

Residential Occupancy Limits (HB 24-1007)

Current Standards

2009 Land Development Code

Family defined as:

- **One person or two or more people related** by blood, marriage, adoption, or legal custody (including IRS-defined dependents) living together
- **Up to three unrelated individuals** living together
- **Not more than one registered sex offender**, unless related by blood or marriage, or placed together by a state agency

Residential Occupancy Limits (HB 24-1007)

Proposed Adjustments

- **Ordinance 2738:** Updates the definition of “family” to allow a “group of persons, not related by blood, marriage, or adoption,” to live together in a dwelling unit.”
- **Changes ensure occupancy limits follow the City’s adopted International Property Maintenance Code, which** *requires bedrooms to be at least 70 sq. ft. and 50 sq. ft. per occupant.*

Planning Commission Recommendation

November 18, 2025 public hearing

Commission recommended approval 4 – 0

Staff Recommendation

Approval