



City Council Communication

AGENDA DATE: December 15, 2025 **LEGISTAR ITEM #:** Ord 2739

PRESENTER: Heather Vidlock
Development

DEPARTMENT: Community

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Public Hearing
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REQUEST

Staff requests approval of Ordinance 2739, amending "Chapter 5: Buildings and Buildings Regulate" with revised residential occupancy standards to comply with HB24-1007, which prohibits municipalities from imposing occupancy requirements based on family relationship, but allows occupancy limits based on demonstrated health and safety standards, such as international building code standards.

BACKGROUND

To support compliance with HB24-1007, Ordinance 2739 proposes updates to "Chapter 5: Buildings and Buildings Regulate" within the City's Municipal Code to remove occupancy restrictions based on the number of unrelated adults and overall square footage of the dwelling unit. These changes aim to ensure that all residential occupancy standards are aligned with the 2021 International Property Maintenance Code, already adopted by the City, which regulates occupancy based on bedroom size rather than familial relationships. This ensures that the City is imposing occupancy restrictions based on the demonstrated health and safety standards as required by HB24-1007.

As a companion to this ordinance, Ordinance 2738 advances a text amendment to the 2009 Land Development Code (LDC) to align with HB24-1007 by updating the definition of "family" to eliminate restrictions based on whether occupants are related. This amendment reflects updates already incorporated into the 2025 LDC.

Aligning with this state law will ensure that Commerce City maintains its certification as a Strategic Growth Compliant Local Government, which is important for prioritizing eligibility for certain state funding opportunities.

CITY COUNCIL COMMUNICATION CONTINUED

JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input checked="" type="checkbox"/> Work Plan	<input type="checkbox"/> Legal
Citation	Amending "Chapter 5: Buildings and Buildings Regulate" to remove occupancy restrictions based on the number of unrelated adults and overall square footage of the dwelling unit ensures compliance with HB24-1007.		

AVAILABLE ACTIONS

- Available Action #1 Approve Ordinance as submitted.
- Available Action #2 Amend and approve the Ordinance.
- Available Action #3 Continue action on the Ordinance.
- Available Action #4 Do not approve the Ordinance.

STAFF RECOMMENDATION

Staff recommends Action #1 to approve the ordinance.