

ITEM: LMCA-000537-2025 – Amendment to the Zoning Ordinance, Modifying the Definition of Family.

PLANNER: Emily Cline-Gibson, Planner II

REQUEST: Approval of Resolution 1, Series 2025 recommending to the City Council approval of an ordinance amending Louisville Municipal Code Section 17.08.050 – Family.

SUMMARY:

The Colorado General Assembly adopted HB 24-1007 in May 2024 that prohibits municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship. The City of Louisville is updating Municipal Code Chapter 17.08 – Definitions to satisfy the new State requirements.

BACKGROUND:

The purpose of HB 24-1007 is to increase housing availability across Colorado by requiring local governments to prohibit limiting the number of people who may live together in a single dwelling based on familial relationship. Local governments may only implement residential occupancies based on:

1. Demonstrated health and safety standards, such as international building code standards, fire code regulations, or Colorado department of public health and environment wastewater and water quality standards; or
2. Local, state, federal, or political subdivision affordable housing program guidelines.

Louisville Municipal Code (LMC) Sec. 17.08.150 currently defines *family* as the following:

*A single individual doing his or her own cooking and living upon the premises as a separate, independent, housekeeping unit; or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship **based upon birth or marriage**; or a group of not more than two unrelated persons doing their own cooking and living together upon the premises as a single housekeeping unit, except that no more than one of such persons may be an individual who has been adjudged by a court of law as a sex offender and who is required to register as such within the community of his residence in accordance with the provisions of the C.R.S. § 18-3-412.5, as amended. Single persons of 18 years of age or older not living with parents or a legal guardian are considered to be unrelated to each other.*

PROPOSAL:

The proposed changes to the definition of *family* are to align with HB 24-1007. The modification to the definition will expand housing opportunities by no longer restricting occupancy of a dwelling unit to a family based upon birth or marriage. The proposed definition of *family* is the following:

Family means one or more persons occupying a dwelling unit and living as a single housekeeping unit. The number of persons living as a single unit shall not exceed the maximum permitted by applicable adopted building, fire, and safety codes, by any applicable state or federal law or regulation, or by affordable housing guidelines applicable to the dwelling unit.

ANALYSIS:

The proposed definition of *family* closely aligns with the definitions used in Lafayette and Erie. Staff find the proposal addresses the City's [Housing Plan](#) Goal 3 to Diversify Louisville's Housing Stock (Housing Plan p. 26) and Action Item 3.2 that explicitly calls for this code amendment (p. 47). Staff also find that the change in definition will not affect the meaning of the term *family* as it is used throughout the Louisville Municipal Code (LMC).

PUBLIC COMMENTS:

No public comments have been submitted.

STAFF RECOMMENDATION:

Staff recommend approval of Resolution 1, Series 2025 recommending to the City Council approval of an ordinance amending Louisville Municipal Code Section 17.08.150 – Family.

ATTACHMENTS:

- A. Resolution 1, Series 2025
- B. Draft Ordinance
- C. House Bill 24-1007

**RESOLUTION NO. 1
SERIES 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING
THE LOUISVILLE MUNICIPAL CODE TO MODIFY THE DEFINITION OF FAMILY**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

WHEREAS, the Louisville Municipal Code Title 17, Zoning, establishes definitions related to the use and development of land within the City;

WHEREAS, the Colorado General Assembly adopted House Bill 24-1007 in April 2024, prohibiting municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship;

WHEREAS, the City desires to modify the definition of family, which will lift existing restrictions on people living together based on specific familial relationships; and

WHEREAS, the Planning Commission has considered the proposal at a duly noticed public hearing on February 13, 2025, where evidence and testimony were entered into the record; and

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of an ordinance amending Title 17 of the Louisville Municipal Code to modify the definition of family.

PASSED AND ADOPTED this 13th day of February, 2025.

By: _____
Steve Brauneis, Chair
Planning Commission

Attest: _____
Cullen Choi, Secretary
Planning Commission

ORDINANCE NO. XX
SERIES 2025

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE TO
MODIFY THE DEFINITION OF FAMILY.**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

WHEREAS, the Louisville Municipal Code Title 17, Zoning, establishes definitions related to the use and development of land within the City;

WHEREAS, the Colorado General Assembly adopted House Bill 24-1007 in April 2024, prohibiting municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship;

WHEREAS, the City desires to modify the definition of family, which will lift existing restrictions on people living together based on specific familial relationships;

WHEREAS, after a duly noticed public hearing held February 13, 2025, where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated February 13, 2025, the Louisville Planning Commission has recommended the City Council adopt the amendments to the LMC set forth in this ordinance;

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Louisville Municipal Code Chapter 17.08 (Definitions) is hereby amended by the addition of a new Section 17.08.338 and definitions as follows:

Sec. 17.08.150. – Family.

~~Family means a single individual doing his or her own cooking and living upon the premises as a separate, independent, housekeeping unit; or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth or marriage; or a group of not more than two unrelated persons doing their own cooking and living together upon the premises as a single housekeeping unit, except that no more than one of such persons may be an individual who has~~

~~been adjudged by a court of law as a sex offender and who is required to register as such within the community of his residence in accordance with the provisions of the C.R.S. § 18-3-412.5, as amended. Single persons of 18 years of age or older not living with parents or a legal guardian are considered to be unrelated to each other.~~

Family means one or more persons occupying a dwelling unit and living as a single housekeeping unit. The number of persons living as a single unit shall not exceed the maximum permitted by applicable adopted building, fire, and safety codes, by any applicable state or federal law or regulation, or by affordable housing guidelines applicable to the dwelling unit.

**INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED
PUBLISHED** this __ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this __ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

An Act

HOUSE BILL 24-1007

BY REPRESENTATIVE(S) Rutinel and Mabrey, Bacon, Boesenecker, deGruy Kennedy, English, Epps, Froelich, Garcia, Hernandez, Jodeh, Kipp, Lindsay, Lindstedt, Marvin, Mauro, McCormick, Ortiz, Parenti, Ricks, Sirota, Velasco, Vigil, Weissman, Willford, McCluskie, Herod, Martinez; also SENATOR(S) Exum and Gonzales, Buckner, Coleman, Cutter, Danielson, Fields, Hinrichsen, Jaquez Lewis, Marchman, Michaelson Jenet, Priola, Winter F.

CONCERNING RESIDENTIAL OCCUPANCY LIMITS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add 29-20-111** as follows:

29-20-111. Local government residential occupancy limits - short title - legislative declaration - definition. (1) THE SHORT TITLE OF THIS SECTION IS THE "HOME (HARMONIZING OCCUPANCY MEASURES EQUITABLY) ACT".

(2) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT OCCUPANCY LIMITS AND THE INCREASED AVAILABILITY OF HOUSING ARE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

MATTERS OF MIXED STATEWIDE AND LOCAL CONCERN.

(3) A LOCAL GOVERNMENT SHALL NOT LIMIT THE NUMBER OF PEOPLE WHO MAY LIVE TOGETHER IN A SINGLE DWELLING BASED ON FAMILIAL RELATIONSHIP. LOCAL GOVERNMENTS RETAIN THE AUTHORITY TO IMPLEMENT RESIDENTIAL OCCUPANCY LIMITS BASED ONLY ON:

(a) DEMONSTRATED HEALTH AND SAFETY STANDARDS, SUCH AS INTERNATIONAL BUILDING CODE STANDARDS, FIRE CODE REGULATIONS, OR COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT WASTEWATER AND WATER QUALITY STANDARDS; OR

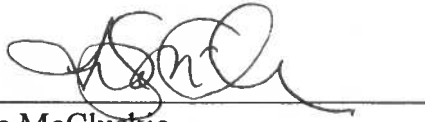
(b) LOCAL, STATE, FEDERAL, OR POLITICAL SUBDIVISION AFFORDABLE HOUSING PROGRAM GUIDELINES.

(4) AS USED IN THIS SECTION, "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY CITY, HOME RULE OR STATUTORY COUNTY, TOWN, TERRITORIAL CHARTER CITY, OR CITY AND COUNTY.

SECTION 2. Effective date. This act takes effect July 1, 2024.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate

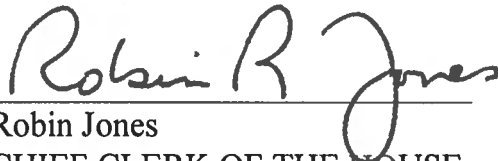
preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Steve Fenberg
PRESIDENT OF
THE SENATE

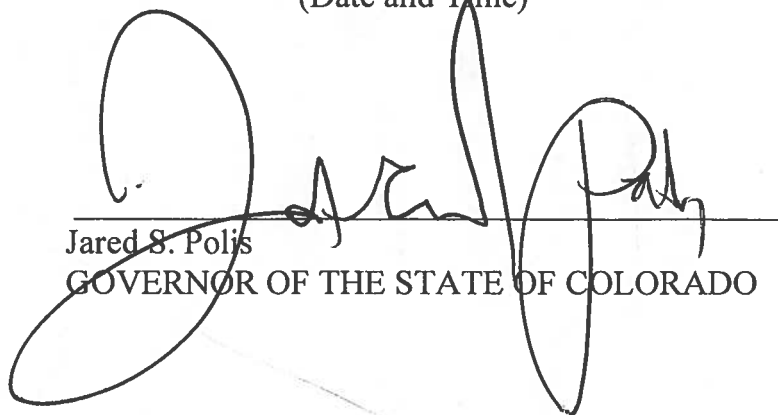


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED Monday April 15th 2024 at 12:15 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO