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**SUBJECT: CASE NO. LDC24-004 - AFFORDABLE HOUSING LAND DEVELOPMENT CODE AMENDMENTS**

**KAT HAMMER, SENIOR PLANNER**

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**PURPOSE AND REQUEST**

This County-initiated project proposes amending the Land Development Code (LDC), specifically, Chapter 2, Zoning Districts, Chapter 3, Permitted Uses, Chapter 4, Development Guidelines and Standards, Section 5-3.3 Zoning Procedures - Planned Unit Development and Chapter 7 - Definitions. The proposed changes include:

- The creation of Multi-Family (MF) Residential and Mixed-Use (MU) Zone Districts and standards;
- Incentives for affordable housing development;
- New housing types being added to the permitted uses table;
- Changing parking and access standards for mobile home park development;
- Creating development standards (setbacks, height) for the new MF and MU zones;
- Updating parking regulations to align with recent State legislation;
- Streamlining the PUD process for affordable projects;
- Updating the Definitions section of the code to include additional housing types and align with recent State legislation.

The proposed draft language can be found in Attachment A.

In relation to the new Mixed-Use Zone district, there is proposed locational criteria for properties to rezone to this district, and staff is also requesting a recommendation on the required proximity from arterial streets (and higher classified streets) and transit systems as locational criteria for rezoning to the MU Zone District. Attachment B includes three maps, depicting a quarter mile and half mile buffer.

**BACKGROUND**

Colorado has seen significant population growth in the last decade. Despite the rapid population growth, residential construction has been unable to keep up with demand. According to the Denver Regional Council of Governments (DRCOG) 2024 Regional Housing Needs Assessment, between 2023 and 2032, Colorado needs to produce 216,000 new housing units and Unincorporated Arapahoe County has a local need for 46,900 housing units by 2032. While housing is needed at all income levels, housing that is affordable for households earning less than 60 percent of Area Median Income represents the largest share. There are many reasons for the underproduction of housing units, but one of the key contributing factors we hear from the development community is zoning barriers – i.e., limitations on density, location, and housing types in varying zoning districts.

Staff received direction from the Board of County Commissioners (BoCC) in December 2023 to draft proposed LDC amendments that would encourage the development of affordable housing, and create a more streamlined process for development of multi-family and mixed-use zone residential projects. Given that mobile homes are also an affordable type of residential use, staff was also directed to draft amendments that would make mobile home park development easier and make other residential building types permissible in single-family zones as an alternative to stick-built homes, such as modular homes.

Additionally, in 2024, the Colorado legislature passed a couple of land use bills that mandate municipalities to make certain code changes to streamline the development of multifamily and affordable housing. One bill, HB24-1303, mandates that municipalities shall not enact nor enforce regulations that establish a minimum parking requirement for multi-family residential development, adaptive re-use for residential purposes, or purposes which include at least fifty percent of use for residential purposes and affordable housing developments. Another bill, HB24-1313, focuses on zoning capacity. Municipalities are required to rezone parcels within a certain distance of transit areas, as defined on a map, to allow a minimum density of residential. The newly created Multifamily and Mixed-Use zone districts in this code amendment will facilitate this legislation. The bill sets housing goals based on transit stations and transit corridors and requires municipalities to rezone transit areas based on an average density of 40 dwelling units per acre, with a minimum of 15 dwelling units per acre. The bill itself does not require local governments to ensure housing is built, and there is no penalty in HB24-1313 if units are not built if Arapahoe County has zoned capacity. The preliminary report estimating the County's Housing Opportunity Goal (HOG) was due to the Department of Local Affairs (DOLA) on June 30, 2025. After removing exempt parcels, Arapahoe County's HOG is 24,463 housing units. With an estimated zoned density of 5,287 units, Arapahoe County will need to approve zoning density for approximately 19,176 additional units. The Final Transit-Oriented Communities Assessment Report, including affordability strategies, displacement mitigation strategies, and documentation of community engagement efforts, is due to DOLA by December 31, 2026. The county must meet the Housing Opportunity Goal by December 17, 2027. The creation of MF and MU Zone districts may help the County reach the goals of Proposition 123 and HB24-1313.

Proposition 123 created the State Affordable Housing Fund which provides grant money to local jurisdictions. The initial step to qualify for access to these funds is a Local Government Affordable Housing Commitment, which includes a requirement to increase existing affordable housing units by three percent a year and an expedited review process for affordable housing developments. Arapahoe County Community Resources filed an Affordable Housing Commitment including details of the County's goal of 130 affordable unit increase (see Attachment C). Community Resources is working closely with municipalities and the state to identify how the County will meet this goal.

Staff brought these draft code amendments to the Planning Commission on January 7, 2025, for discussion at a study session. The Planning Commission had concerns regarding the following issues:

- Impacts on existing developments of the proposed changes to the LDC including infrastructure and roadways.
- Whether adequate funds would be accessible to developers.
- Concerns for the marketability of affordable units once completed.
- Enforcement and monitoring of affordable units.
- The proposed code amendment would allow affordable housing projects to bypass a neighborhood meeting requirement in order to streamline the process. The Planning Commission recommended that the proposed changes be modified to require neighborhood meetings before formal application, regardless of whether the development included affordable housing units.

See Attachment D for the study session meeting minutes.

Staff brought this topic to the Board of County Commissioners on March 25, 2025. Staff was directed to make four adjustments to the draft regulations, specifically:

- Create a third tier for the affordable housing incentives to address neighborhood outreach meeting requirement. Tier one has a minimum of 10 percent affordable housing units, tier two has a minimum of 25 percent affordable housing units and tier three has a minimum of 50 percent affordable housing units. Tiers one and two require a neighborhood outreach meeting and tier three waives the requirement for a neighborhood outreach meeting prior to formal application submittal.
- Draft the regulations to include a tiered approach for the minimum duration of restriction of affordable units. Tier one requires a minimum of ten years restriction, tier two, a minimum of 15 years restriction, and tier three, a minimum of 20 years restriction.
- Request comment on the locational criteria for rezoning to the MU Zone District. Staff created maps depicting a quarter and half mile buffer from arterial (and higher classified streets) and posted them to the public comment website. Staff did not receive any comments from the public, adjacent jurisdictions, housing authorities and developers of affordable housing, and homebuilders who have previously submitted building permits to the County on the proposed locational requirements.
- Include reduced building permit review timeline and building permit fees in the affordable housing incentives chart.

## **PROPOSED REGULATIONS SUMMARY**

### **Establishment of a new Multi-Family Zone District with Locational Criteria (Chapter 2-3.14)**

Currently, development of apartments or other multifamily residential (townhomes, etc.) is not permitted by-right in the Land Development Code. Thus, all multifamily residential development is required to go through a lengthy PUD process. Most municipalities have a Multi-Family Zone district that allows these types of development with approval of a site plan without requiring public hearings, if all the development standards for that zone (setbacks, height, etc.) are met. Creation of this new zone district will facilitate the development of multifamily residential without requiring public hearings if all standards are met. Thus, streamlining the process. State legislation requires municipalities to provide a streamlined process for development of multifamily uses adjacent to transit areas.

In reviewing the locational criteria for allowing multifamily in other jurisdictions, the consistent requirement is that the parcel be located adjacent to arterial/collector streets where bus and train stops are located and because proximity to large thoroughfares leads to walkability to other uses such as grocery and retail stores and services. This has been added as a locational criteria in the new Multifamily zone district, meaning, in order to rezone to Multifamily, a parcel would have to near an arterial street and transit systems that are in close proximity to neighborhood services and employment.

Allowable density in these zones is more of a medium density, with a range of 13-35 dwelling units per acre (maximum allowed would be 35 units per acre) and a maximum height of 55 feet for multifamily projects. Allowable uses in the MF zone would be any residential type except single-family, such as apartments and townhomes.

### **Establishment of a new Mixed Use Zone District with Locational Criteria (Chapter 2-3.15)**

The recently enacted HB24-1313 requires allowance of high density residential in proximity to transit areas. The purpose of this is to permit walkable residential buildings to transit, thus decreasing reliance on vehicles. In terms of locational criteria, staff considered parcels that are within a one-quarter mile of a transit area, however, the BOCC in a study session asked staff to query the public during the comment window whether there would be support for a half-mile radius from transit. Staff did not receive any public comments on whether we should allow Mixed-Use development one-quarter or a half-mile from a transit area.

Staff researched other jurisdictions and found many jurisdictions with transit stations, and multiple bus routes do not provide a specific distance requirement for rezoning but rather state that the property must be within close proximity or adjacent to a rail station or other high-capacity transit service station. The most similar zone district in the City of Aurora, Mixed-Use – Transit-Oriented Development District (MU-TOD) requires property with this zone designation be “adjacent to the rail station or other high-capacity transit service station and generally extends no more than one-quarter mile from the station. The City of Englewood’s Transit Station Area Specific Plan allows for a minimum density of 75 dwelling units within a quarter mile and half mile of a transit station, with the main difference between the two distances being a reduction in parking requirements.

HB24-1313 defines “Transit Areas” as “Transit Station Areas” which are a quarter-mile buffer around urban bus rapid transit and frequent bus (15-minute service or better) corridors, and “Transit Corridor Areas”, which are a half-mile buffer around light rail, commuter rail, and commuter bus rapid transit stations. Furthermore, The Federal Transit Administration defines Transit Oriented Development as “real property development that includes a mix of commercial, residential, office and entertainment uses centered around or located near a transit station that is served by reliable public transit with a mix of other transportation options.” According to the Metropolitan Council, the area reachable by walking from a transit station or corridor area, typically within a 10-minute walk is approximately one-half mile.

Based on the definition of Transit Areas and Transit Oriented Development and the lack of specific locational requirements in other jurisdictions, staff is recommending a half-mile radius locational criteria for rezoning to the MU zone district. The quarter-mile radius county wide includes 6,623 parcels, while the half-mile radius includes 10,763 parcels eligible for rezoning to the MU Zone District. The Four Square Mile Area is shown in the third map of Attachment B, the quarter-mile radius includes 3,771 parcels while the half-mile radius includes 4,783 parcels eligible for rezoning to MU. These calculations include parcels that are completely within the buffer and parcels that have a portion within the buffer.

The proposed minimum density in the MU zone is 35 dwelling units per acre and the proposed maximum height is 75 feet. This density is in alignment with HB24-1413 in that an average density of 40 dwelling units per acre (with a 15-unit per acre minimum) is required in order to achieve state-mandated density goals around transit. The MU zone would allow for ground-floor commercial uses such as retail, office and restaurants with multifamily residential above.

### **Incentives for affordable housing development** **(Chapter 3-3.J)**

Because strict zoning compliance can often be a barrier to the development of affordable housing, many jurisdictions offer incentives to give developers the ability to gain additional density or height that will allow a project to become financially feasible. In exchange, the municipality receives some type of legal tool that guarantees the units will be affordable to certain income levels (e.g., deed restrictions or Memorandums of Understanding) that are recorded against the property. Staff reviewed affordable housing incentives from many municipalities along the Front Range and developed a range of tools that could be employed, depending on how many affordable units are being offered in a project. Mile High United Way estimates that increasing height limits alone could result in a 9-10% increase in units per affordable housing project, resulting in an additional 800-850 additional units of Front Range Colorado Housing Finance Authority (CHFA) funded projects over the next five years (*Colorado's Housing Affordability Crisis 2025, p 15*).

Staff initially developed a two-tier approach, with incentives for projects containing at least 10 percent of the units as affordable, and another set of incentives for projects that were over 50 percent affordable. The BOCC reviewed this draft in a study session on March 5, 2025, and directed staff to create a third tier, such that incentives were broken down to:

- Tier 1: Projects with at least 10 percent affordable units.
- Tier 2: Projects with at least 25 percent affordable units.
- Tier 3: Projects with at least 50 percent affordable units.

The three tiers offer zoning and financial incentives including density bonuses ranging from 10 to 50 percent above the maximum residential density allowed in the underlying zone district as well as increased height allowances, ranging from one to two stories in height. Tiers two and three allow for reduced setbacks and on-site unobstructed open space. Public Land Dedication for public parks is waived for affordable units in tier three. All three tiers allow for a two-step PUD process regardless of the proposed density and size of the property, and tier three waives the requirement for a neighborhood outreach meeting before formal application submittal. Tiers two and three also offer landscaping and tree preservation incentives.

Tiers one and two offer a reduced planning and engineering review timeline and the option to submit building permits after the second round of staff review comments, rather than waiting until the site plan is finalized and signed. All three tiers allow for an expedited building permit plan review timeline, and tier one allows for a 15 percent reduction of the published review time for the permits. For example, if the plan review is six weeks, plans will be reviewed in five weeks. Tiers two and three offer 25 percent and 50 percent respectively. All three tiers also offer a building permit application fee reduction, 10 percent for tier one, 25 percent for tier two and 50 percent for tier three.

The tiered approach offers the greatest incentives for tier three, which requires a minimum of 50 percent affordable housing units within the development. The rationale to the tiered approach is that projects with more affordable units are assuming a greater risk and therefore require more incentives to make the project financially feasible.

**New housing types being added to the permitted uses table**  
**(Table 3-2.1)**

The current LDC does not include additional types of dwelling units, specifically: Live-Work Dwelling Units, Assisted Living Facilities, Overnight Shelters and Transitional Housing. Allowing these types of additional housing types in the LDC can help address homelessness, promote social equity, encourage diverse housing options, foster a more inclusive community and improve public health and safety. Chapter 7 of the LDC was also updated to provide definitions for these housing types.

**Changing parking and driveway standards for mobile home park development;**  
**(Chapter 3-3.2.C – Manufactured/Mobile Home Parks)**

Mobile home parks are a very affordable alternative to providing low-cost housing. Feedback from the development community indicates that certain development standards for mobile home parks can be onerous, such as requirements for access roadway widths and parking. After discussion with Engineering staff and researching other jurisdictions, we found that we could allow for narrower access roadway widths and less required parking in mobile home parks, and adjustments were made to this section.

**Creating Development Standards (setbacks, height, density) for the new MF and MU Zones**  
**– Chapter 4-1.3**

As noted above, staff has proposed a medium-level of density for the Multifamily zone of 13 to 35 dwelling units per acre, with a maximum height of 55 feet, and this is consistent with other multifamily zones in other jurisdictions. Minimum lot width in the MF zone is 20 feet (to accommodate townhome subdivisions in which the garage footprints are typically 20 feet wide). A minimum amount of open space landscaping is required for projects in the MF zone at 20 percent of the project area. Setbacks in the MF zone are proposed as:

Front & Street Side (Corner): 20 feet in suburban areas (east of E-470) and 15 feet for urban areas (west of E-470) unless there is alley-access to a garage, then front yard is 10 feet.

Side: 10 feet

Rear: 10 feet unless there is alley-access to a garage, then rear yard is 6 feet.

In the MU zone, minimum density is set at 35 dwelling units per acre and maximum height is 75 feet. A minimum of 20 percent of the property must be landscaped open space and for each story above the first floor, an additional 5 percent landscaping is required. Given that mixed-use projects are typically close to transit stations and major arterial streets, the expectation is that the building is much closer to the street, so setbacks have been established at 5 feet from the street, or 20 feet if abutting a residential use, or 10 feet if abutting a commercial or industrial use.

**Updating parking regulations to align with recent State Legislation;**  
**(Chapter 4-1.2.C - Parking Requirements)**

As noted above, HB24-1304 prohibits municipalities from enforcing minimum parking requirements on multi-family residential development, adaptive re-use for residential purposes, or purposes which include at least fifty percent of use for residential purposes and affordable housing developments. In alignment with this legislation, proposed changes to the parking requirements section of the code eliminate minimum parking requirements for these uses.

**Streamlining the PUD process for affordable projects;**  
**(Chapter 5-3.3.E.2 - PUD Procedures)**

In an effort to streamline the PUD process, which can be onerous, for affordable projects, the BOCC directed staff to include code amendments that remove some of the process time it takes to proceed with a PUD rezone. The LDC requires a three-step process starting with a General Development Plan which must be reviewed by Planning Commission and approved by BOCC; then a Specific Development Plan which must be approved by Planning Commission; and then an Administrative Site Plan. This code amendment contains a provision that any projects that are providing at least 10 percent of the residential units as affordable can qualify for the two-step process.

**Updating the Definitions section of the code to include additional housing types and align with recent State legislation.**  
**(Chapter 7)**

In 2024, the Colorado Legislature passed HB24-1007 which prohibited municipalities from placing a limitation on the number of unrelated occupants that can live in a household subject to generally applicable occupancy limits. The majority of jurisdictions limited household occupancy to five unrelated members under the definition of “Family” which is used to describe housing types (for example, “Single-Family Residential”). The current LDC definition of “Family” limits unrelated members of a household to five or less persons, and to be in compliance with HB24-1007, the number five has been removed from the definition.

The LDC currently includes definitions for manufactured homes and mobile homes but does not define/address other types of homes like modular or tiny homes. Staff revised the definition of a manufactured home to include mobile, modular tiny and other preconstructed dwelling units or a combination of preconstructed dwelling units constructed in compliance with federal manufactured home construction safety standards. These types of dwelling units can offer several benefits, including increased affordability and housing options and reduced construction time,

Please see Attachment E for the Planning Commission Study Session staff report and Attachment F for the BoCC Study Session Board Summary Report for a detailed description of the proposed changes.

### **REFERRALS AND PUBLIC COMMENT**

Staff posted the draft regulations on the County's website on Tuesday, May 27, 2025, for 30 days. The posting also included three maps depicting eligible areas for MU zoning (Attachment B). Public outreach also included emails requesting comments to seven adjacent jurisdictions, nine housing authorities and developers of affordable housing, and fourteen homebuilders who have previously submitted building permits to the County. Staff did not receive any direct emails from adjacent jurisdictions, housing authorities and developers of affordable housing or homebuilders. The online posting forum collected 27 responses, one of which was a duplicate (see Attachment G). Of the 27 responses, nine comments were positive/in support of the proposed changes. The themes of the negative comments include pushback on reducing parking minimums, opposition to high density and multi-family development, concerns about stress on existing infrastructure, concerns about increased crime and lowering housing values, and equity concerns.

**Parking:** A comment was received by staff recommending adding minimum parking requirements for any housing development that contains 20 or more units or contains regulated affordable housing to comply with HB24-1304. After further review of HB24-1304, Parking Requirements within Metropolitan Planning Organizations, there is stipulation allowing the county to impose and enforce minimum parking requirements in connection with a housing development project that is intended to contain twenty units or more or contain regulated affordable housing by requiring no more than one parking space per dwelling unit in the housing development. Regulated affordable housing is defined as housing that has received loans, grants, equity bonds or tax credits to support the creation, preservation or rehabilitation of affordable housing. The proposed regulations include no minimum parking regulations for multi-family developments and affordable housing developments. Any housing development may provide parking to meet federal or other standards; the proposed amendment eliminates parking minimums, but it does not create maximum parking ratios.

Staff is not recommending any changes to the proposed regulations because although HB24-1304 allows the county to impose and enforce minimum parking requirements on developments containing 20 units or more and affordable housing developments, the county must publicly publish written findings that find that not imposing or enforcing a minimum parking requirement in connection with the housing development project would have no substantial negative impacts. The written findings must be supported by substantial evidence that supports the finding of a substantial negative impact on safe pedestrians, bicycles, or emergency access to the housing development or existing on- or off-street parking spaces within one-eighth mile of the housing development. The findings must all be reviewed and approved by a professional engineer, include parking utilization data collected from the area and demonstrate that the implementation of strategies to manage demand for on-street parking for the area would not be effective to mitigate a substantial negative impact. Given the legislation's goal of eliminating parking minimums near transit, the waiver procedures and requirements are cumbersome for both county staff and the developer.



**Stress on Existing Infrastructure:** Staff received a few comments indicating the proposed regulations for higher density housing options would cause stress on the existing infrastructure. The proposed regulations allow higher density housing in the Urban Area, where there is access to water and sanitation districts, a built roadway system, and public transit. The intent is to have high density in areas with existing infrastructure rather than promoting sprawl and single-occupancy vehicle use. Furthermore, every development application is required to provide evidence that they have adequate water, sewer and electric capacity to serve the development, and must obtain acknowledgement from the serving school district that there is sufficient capacity to serve the development. Finally, all applicants must provide a traffic study that provides evidence there is sufficient road capacity to serve their development, or they are required to construct mitigation elements to provide adequate capacity. Traffic studies are reviewed by the County traffic engineer.

**Equity Concerns:** Public comment included a few concerns about equity, specifically: waiving the tree preservation requirements, removing landscaping and screening requirements, and locational requirements for rezoning to MU (near higher classification of roadways).

Staff is not recommending removing the tree preservation waiver for tiers two and three because infill development typically does not have large, mature trees on-site and would be another barrier for the developer, since the tree preservation regulations require a tree survey by a certified/registered forester, arborist or licensed landscape architect. Additionally, any removal of existing desirable trees must be replaced at least equal to the total number of caliper inches removed from the site, in addition to the required landscaping. Staff is not recommending removing the waived side landscape requirement for tiers two and three as this incentive may be crucial for infill projects.

The proposed regulations require a property be located within the Urban Area and conveniently located near transit stations and arterial and collector streets. Housing near transit stations and arterial and collector streets can create a more affordable place to live, with quick access to major corridors and gives residents an option of not having to own a car. It may also provide people with pedestrian, bike or public transit options to access nearby goods and services.

**Neighborhood Outreach:** The initial draft created two-tiers of affordable housing incentives and proposed waiving any required neighborhood meetings for all projects that provide at least 10 percent affordable units. Staff was directed by the BoCC at March 25, 2025, study session to create a third tier of incentives (25-50 percent affordable) and to waive the neighborhood outreach meeting for tier three (50 percent or more affordable) but require the neighborhood outreach meeting for tiers one and two. The City of Centennial provided a comment indicating they do not support waiving the neighborhood outreach meeting for tier three (minimum of 50 percent affordable housing units). Staff is not recommending any changes to the neighborhood outreach meeting waiver because this was a directive of the BOCC.

## **FISCAL IMPACTS**

The proposed amendments are not anticipated to have any fiscal impact on Public Works and Development or Arapahoe County with the exception of reduced building permit review fees for eligible projects.

## **RECOMMENDATION**

The proposed amendments comply with recent House Bills and State Initiatives and creates two new zone districts to better align with projects that currently have to be processed through the Planned Unit Development section of the LDC. Additionally, these code amendments promote affordable housing development in unincorporated Arapahoe County. Staff recommends approval of the proposed LDC Amendments.

## **ALTERNATIVES**

The Planning Commission could take the following actions:

1. Recommend approval of the Land Development Code Amendments as proposed or with modifications.
2. Continue the amendment to a time and date certain for more information.
3. Recommend denial of the Land Development Code Amendments.

## **CONCURRENCE**

Arapahoe County Public Works and the County Attorney have reviewed the proposed regulations and recommend approval.

## **PLANNING COMMISSION DRAFT MOTIONS** – LDC24-004 - AFFORDABLE HOUSING LAND DEVELOPMENT CODE AMENDMENTS

### **Recommend Approval**

In the case of LDC24-004 - Affordable Housing Land Development Code Amendments, I have reviewed the staff report, including all exhibits and attachments, and have listened to the staff presentation and any public comment as presented at the hearing and hereby move to recommend approval of the proposed amendments of the Land Development Code as presented in the staff report, subject to the following recommended stipulation:

1. Staff is authorized to make minor corrections or revisions to the proposed language, with the approval of the County Attorney, if necessary, to incorporate the approved amendments into the text of the Land Development Code.

***Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:***

### **Recommended Denial**

In the case of LDC24-004 - Affordable Housing Land Development Code Amendments, I have reviewed the staff report, including all exhibits and attachments, and have listened to the staff presentation and any public comment as presented at the hearing, and hereby move to recommend denial of the proposed amendments to the Land Development Code.

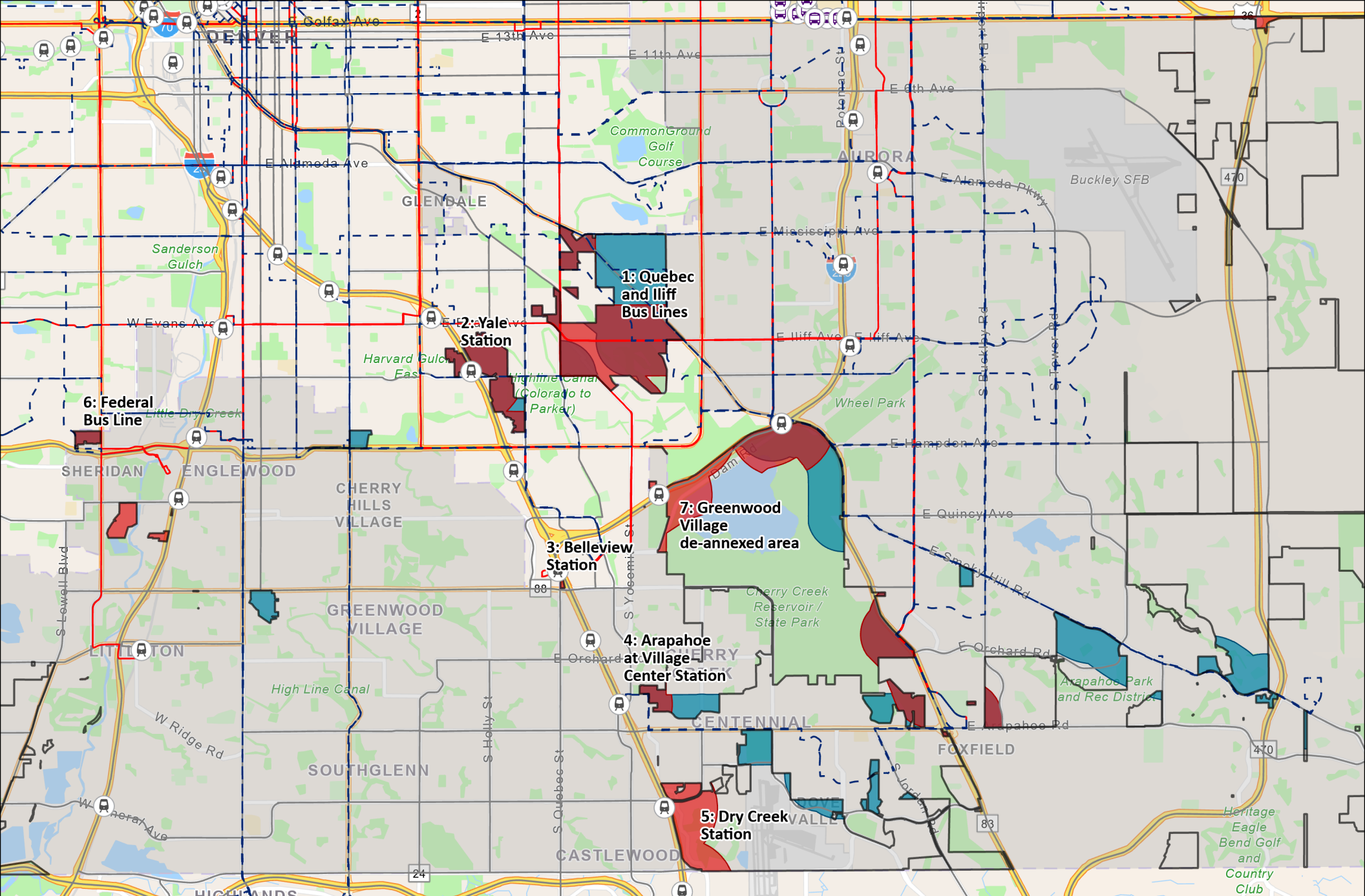
1. *State new findings in support of denial as part of the motion.*

### **Continue to Date Certain:**

In the case of LDC24-004 - Affordable Housing Land Development Code Amendments, I move to continue the hearing to [*date certain*], 6:30 p.m., to obtain additional information and to consider further the information presented.

**ATTACHMENTS**

- A. LDC Affordable Housing Proposed Amendments
- B. Eligible Areas in the County for MU Zoning
- C. Arapahoe County Affordable Housing Commitment
- D. January 7, 2025, Planning Commission Study Session Meeting Minutes
- E. January 7, 2025, Planning Commission Study Session Staff Report
- F. March 25, 2025, BoCC Study Session Board Summary Report
- G. Public Comments



**ARAPAHOE COUNTY**  
PUBLIC WORKS & DEVELOPMENT



1 inch equals 1.75 miles



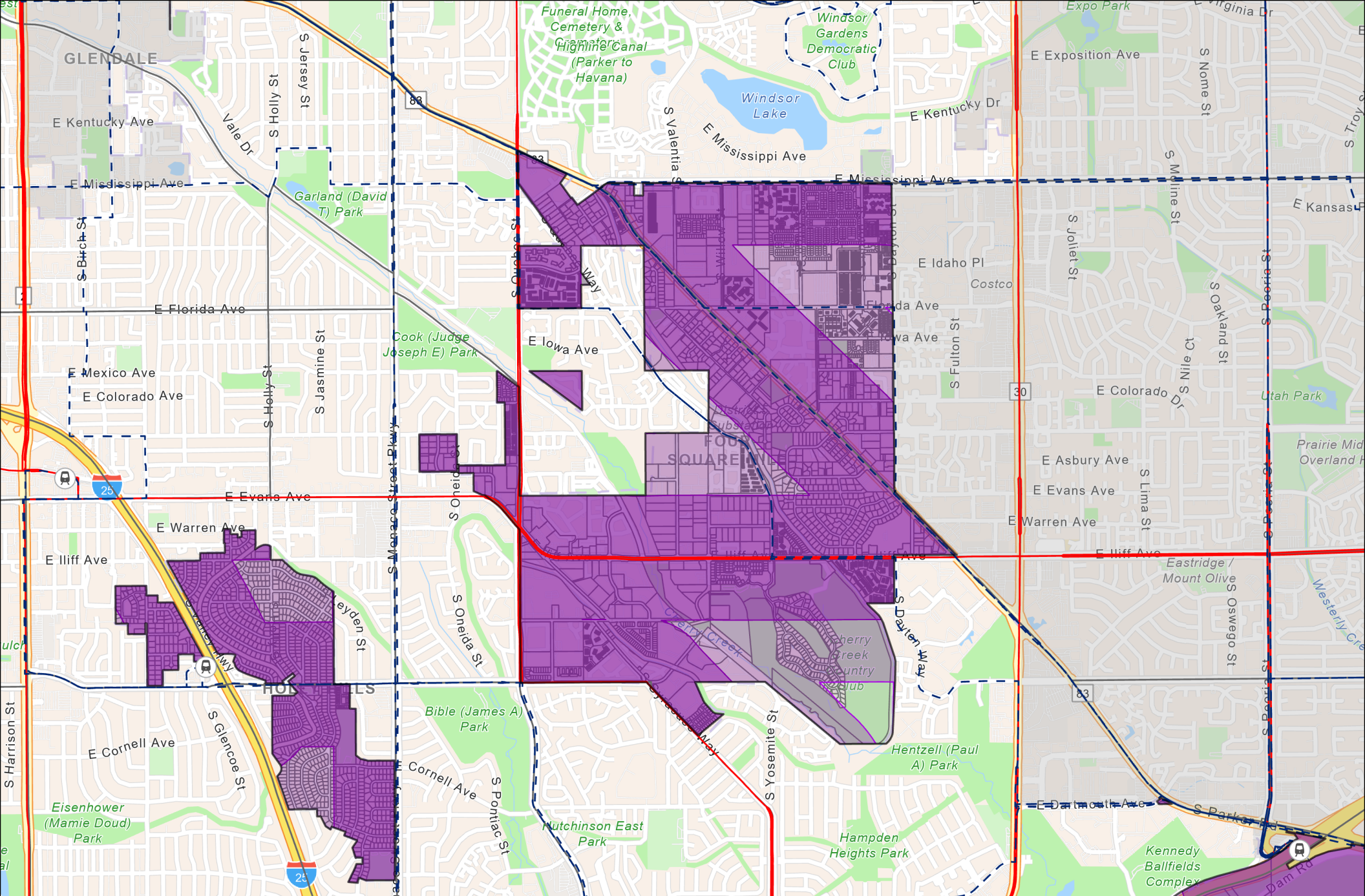
## Eligible Areas for Mixed-Use Zoning 1/2 Mile Radius

- Transit Area 1/2 Mile Buffer
- Optional Transit Area 1/2 Mile Buffer
- Arterial and Higher Classified Roads
- Transit Corridors
- Optional Transit Corridors
- Unincorporated AC
- County Boundary
- Commuter BRT
- Light/commuter rail

**Map Last Updated:** 5/6/2025  
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**ARAPAHOE COUNTY**  
PUBLIC WORKS & DEVELOPMENT

0 0.25 0.5 0.75 1 Mile

1 inch equals 0.5 miles

Map Last Updated: 5/6/2025



### Eligible Parcels for Mixed-Use Zoning in Four Square Mile Area 1/4 Mile Radius and 1/2 Mile Radius

- |                                      |                     |
|--------------------------------------|---------------------|
| 1/4 Mile Buffer                      | Parcels             |
| 1/2 Mile Buffer                      | Unincorporated AC   |
| Arterial and Higher Classified Roads | County Boundary     |
| Transit Corridors                    | Commuter BRT        |
| Optional Transit Corridors           | Light/commuter rail |

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# Proposition 123 - Affordable Housing Commitment

10/3/2023 1:18:12 PM

## Set a Baseline

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### 1. Set an Affordable Housing Baseline

**Enter the Name of your County, Municipality, or Tribe:** Arapahoe County

**Baseline Amount:** 1446

**Baseline Income Limit:** Area Median Income of an Adjacent Jurisdiction

If you select the Area Median Income of an adjacent jurisdiction, or the state household median income, as your income limit type then you must submit a petition to the Division of Housing to use these alternative policy options.

## Baseline Supporting Information

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### 2. Provide Information Supporting The Baseline

Populate the following information that was used to determine your baseline amount of affordable housing:

**Baseline Data Source:** U.S. Census Bureau American Community Survey, 2017-2021 5-Year Estimates

**Baseline County:** Washington and Lincoln Counties

**Baseline Household Size:** 3

**Baseline Determination Methodology Narrative:** Arapahoe County used the baseline assistance tool provided by DOLA to determine our affordable housing baseline number. We are using an income limit year of 2022, which was provided in the baseline assistance tool provided by DOLA. We are using the AMI of a neighboring jurisdiction- Lincoln and Washington Counties, based on the availability of land in the unincorporated areas of our County. This is further described in section 2.b of this submission. We are using a household size of 3. Based on the ACS estimated data for Arapahoe County, including our municipalities, we have an average household size of 2.61 and an average household size of 2.72 in unincorporated Arapahoe County. Based on this, we are rounding up to 3. We are using a sale unit availability rate of 12.4%. Per DOLA's guidance "Only for-sale homes that can be purchased over the commitment period by a household at 100% of the median income are considered affordable. The American Community Survey does not provide data on home sales, but it does provide data on moves into owner-occupied stock housing stock. Roughly 21% of homeowners in Colorado moved into their home from 2019 to 2021, which is provided as the default value above". Using the ACS 5-Year Estimates for Unincorporated Arapahoe County, Table B25026 "Total Population in Occupied Housing units",

12.4% of the unincorporated county's population moved into their home in 2019 or later. We are using an inflation rate of 25.8%. This is based on the US Federal Housing Finance Agency (FHFA), All-Transactions House Price Index, the two-year (January 1, 2021 to January 1, 2023) housing cost inflation is 25.8% for the Denver-Aurora-Lakewood MSA. Based on the FHFA All-Transactions House Price Index for non-metro areas in Colorado, the housing cost of inflation was 33.9%. We used the metro number provided to demonstrate the inflation more closely in our area. We are using an interest rate of 7.1%. Based on FreddieMac data as of the week of 9/14/23, the US Weekly average for a 30-year fixed mortgage was 7.18%. We are using a mortgage term of 30 years as provided in DOLA's baseline tool. We are using an annual property tax amount of \$3,000 and an annual property/mortgage insurance amount of \$1,000 as provided in DOLA's baseline tool. We are using a down payment amount of 5% as provided in DOLA's baseline tool.

## **2.b. Justify a Petition to Use an Alternative Income Limit**

You have selected an income limit that is not the Area Median Income of your own jurisdiction, a petition must be submitted explaining this decision so that the standard policy requirement can be waived.

**Describe how the alternative income limit reflects local housing and workforce needs better than the Area Median Income:** Arapahoe County dedicated significant time in researching our current housing and workforce needs to determine the most appropriate baseline to petition for Prop 123 purposes. Arapahoe County compiled the total number of housing developments in our area, to include the number of affordable units, while also researching available land available for development in our unincorporated areas. We determined the county's total number of housing development units in the unincorporated area was 325 total units in 2022, with the number of affordable units (as defined by proposition 123) was zero. Annually, we have limited residential development in unincorporated areas of the county. In 2022, new unincorporated permits accounted for about 7.5% of all residential development in Arapahoe County. Second, within our urbanized areas, the county has limited available parcels for redevelopment. For example, in the 1,729 (2.7 square miles) of the "Four Square Mile" area, planning staff have identified approximately 35 acres of potential affordable housing development sites. Those potential sites also face numerous hurdles: they are mostly zoned for other uses, are relatively small (none larger than 5 acres), have multiple owners, and may not be suitable for multifamily based on their classification within the County's Comprehensive Plan. Most of the available land for such development is in the rural portion of the county, including the communities of Strasburg and Byers. As such, we believe that usage of our neighboring county AMI, more closely reflects the AMI in the areas which we will be targeting and able to increase development specifically in unincorporated Arapahoe County.

**Describe why the Area Median Income is inconsistent with the housing and workforce needs of your jurisdiction:** Arapahoe County dedicated significant time in researching our current housing and workforce needs to determine the most appropriate baseline to petition for Prop 123 purposes. Arapahoe County compiled the total number of housing developments in our area, to include the number of affordable units, while also researching available land available for development in our unincorporated areas. We determined the county's total number of housing development units in the unincorporated area was 325 total units in 2022, with the number of affordable units (as defined by proposition 123) was zero. Annually, we have limited residential development in unincorporated areas of the county. In 2022, new unincorporated permits accounted for about 7.5% of all residential development in Arapahoe County. Second, within our



urbanized areas, the county has limited available parcels for redevelopment. For example, in the 1,729 (2.7 square miles) of the “Four Square Mile” area, planning staff have identified approximately 35 acres of potential affordable housing development sites. Those potential sites also face numerous hurdles: they are mostly zoned for other uses, are relatively small (none larger than 5 acres), have multiple owners, and may not be suitable for multifamily based on their classification within the County’s Comprehensive Plan. Most of the available land for such development is in the rural portion of the county, including the communities of Strasburg and Byers. As such, we believe that usage of our neighboring county AMI, more closely reflects the AMI in the areas which we will be targeting and able to increase development specifically in unincorporated Arapahoe County.

## File a Commitment

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### 3. File a Commitment

**Commitment Optional Priorities Narrative:** Arapahoe County is committed to prioritizing the development of affordable housing in our area and has already begun to take actions to modernize our current code to further support this, consistent with HB21-1271 . In November 2022, Arapahoe County met four of the 16 qualifying strategies. In September 2023, Arapahoe County implemented Accessory Dwelling Units (ADUs) in single-family zone districts. Arapahoe County also is in the process of working to implement the additional following items to help prioritize affordable development in our area: 1. Permit modular/manufactured/mobile homes in commercial zones in rural town centers (Byers/Strasburg) 2. Streamline the Planned Unit Development Process for Non-profit Developers of affordable housing (2-step process vs 3-step process) 3. Create Incentives/Bonuses (increased density and/or height and decreased parking, setbacks, and open space) for affordable housing projects 4. Create incentives for development near transit stations (reduced parking and setbacks) 5. Create a Mixed-Use zoning district (to allow commercial & residential buildings) 6. Create multi-family zone district to allow multi-family development by-right Arapahoe County is also exploring the inventory of county surplus land for potential donation for AH projects. In addition to the land use changes being implemented in our County, Arapahoe County has prioritized our one-time federal American Rescue Plan Act (ARPA) dollars to be put towards the creation of more affordable housing, all along the housing continuum. This included \$23 million dollars that were allocated specifically for shelter creation, transitional housing, permanent supportive housing, and affordable housing development in our county. Arapahoe County continues to receive annual Housing and Urban Development (HUD) allocations of Community Development Block Grant (CDBG) and HOME Investment partnership funds on an annual basis, which are used to provide gap funding for new affordable housing development in our County as well as to ensure the sustainability of existing affordable housing in our area. With our limited annual funds, Arapahoe County is committed to increasing affordable housing in Arapahoe County and partnering with our municipalities, developers, and non-profit organizations to meet the gaps identified in our 5-year HUD consolidated plan and housing needs assessment.

**Commitment Cooperation Narrative:** With our annual HUD allocations, our one-time ARP and Covid HUD allocations, and our one-time ARPA allocations for affordable housing, we have provided funding to advance affordable housing exclusively in our municipalities. This is due to the availability of land to develop being located primely in their jurisdictions, within the metro area. In addition, we know that partnership on these projects is crucial in order to ensure that

projects have the ability to diversity their capital needs amongst more than one source. Arapahoe County values our partnerships in the past, present, and future with our municipalities. Arapahoe County demonstrates partnership most significantly with: Aurora, Littleton, Englewood, Sheridan, and Centennial through current and future joint projects and programs. Arapahoe County will also plan to continue future partnership building with Byers, Strasburg, and Bennett to increase development in our rural areas, which is where we see the highest opportunity for growth in our unincorporated parts of the County.

**I agree that the three year goal to increase affordable housing in my jurisdiction is 130, and the annualized goal is 43, based on 3% annual increases over the baseline amount of 1446.**

The jurisdiction of Arapahoe County commits to increasing the number of affordable housing units within its territorial boundaries through the new construction or conversion of 130 affordable housing units by December 31, 2026.

This commitment may also be achieved through the new construction or conversion of affordable housing units outside of the boundaries of Arapahoe County, but only if a written agreement exists with that jurisdiction so that partial credit for the achievement can be received by each jurisdiction.

If this goal is not achieved, then projects and programs taking place within my jurisdiction will be ineligible for funds originating from the State Affordable Housing Fund from January 1, 2027 through December 31, 2027.

These activities will also be ineligible if my jurisdiction does not submit information to the State of Colorado, Division of Housing evidencing achievements in annual increases, or a lack thereof. Affordable housing units may only be included for this purpose if they meet the definitions at Colorado Revised Statutes 29-32-101(2) and 29-32-105(3)(c).

If my jurisdiction does not achieve its commitment, then grantees, borrowers, or contractors operating or developing within my jurisdiction will not repay funds, or have funds deobligated from them, for the sole reason that the commitment was not achieved.

**I agree with the above statements:**

☒ Yes

☐ No

**MINUTES OF THE REGULAR MEETING OF THE  
ARAPAHOE COUNTY PLANNING COMMISSION  
TUESDAY, JANUARY 7, 2025**

<b>ATTENDANCE</b>	<p>A regular meeting of the Arapahoe County Planning Commission (PC) was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code.</p> <p>The following Planning Commission members were in attendance: Rodney Brockelman; Brooke Howe; Kathryn Latsis; Randall Miller; Dave Mohrhaus, Chair Pro-Tem; Richard Sall; Lynn Sauve, Chair.</p> <p>Also, present were Robert Hill, Senior Assistant County Attorney (attending by phone); Jason Reynolds, Planning Division Manager; Ceila Rethamel, Engineering Services Division Manager; Ava Pecherzewski, Development Review Planning Manager (moderator); Kat Hammer, Senior Planner; and Kim Lynch, Planning Technician.</p>
<b>CALL TO ORDER</b>	<p>Ms. Sauve called the meeting to order at 6:30 p.m. and roll was called. The meeting was held in person and through the Granicus Live Manager platform with telephone call-in for staff members and public.</p>
<b>GENERAL BUSINESS ITEMS:</b>	
<b>APPROVAL OF THE MINUTES</b>	<p><b>The motion was made by Mr. Mohrhaus and duly seconded by Mr. Brockelman to accept the minutes from the <u>December 17, 2024</u> Planning Commission meeting, as submitted.</b></p> <p><b>The vote was:</b></p> <p><b>Mr. Brockelman, Yes; Ms. Howe, Yes; Ms. Latsis, Yes; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Mr. Sall, Yes; and Ms. Sauve, Yes.</b></p>
<b>STUDY SESSION ITEMS:</b>	
<b>ITEM 1</b>	<p><b>CASE NO. LDC24-004, AFFORDABLE HOUSING / LAND DEVELOPMENT CODE (LDC) AMENDMENT – KAT HAMMER, SENIOR PLANNER; AVA PECHERZEWSKI, DEVELOPMENT REVIEW PLANNING MANAGER – PUBLIC WORKS AND DEVELOPMENT (PWD)</b></p> <p>Ms. Hammer stated this County-initiated project proposed amending the Land Development Code (LDC), specifically, Chapter 2, Zoning Districts, Chapter 3, Permitted Uses, Chapter 4, Development Guidelines and Standards, and Section 5-3.3 Zoning Procedures - Planned Unit Development. She explained the proposed changes included the creation of Multi-Family Residential and Mixed-Use Zone Districts and standards, and incentives for affordable housing developments. She said</p>

Staff was requesting a PC discussion on the proposed changes. She described how Colorado had seen significant population growth in the last decade but despite this growth, residential construction had been unable to keep up with demand. She reported that according to the Denver Regional Council of Governments (DRCOG) 2024 Regional Housing Needs Assessment, between now and 2032, Colorado needed to produce 216,000 new housing units and Unincorporated Arapahoe County had a local need for 2,270 housing units by 2032. She reported Colorado needed to produce 6,800 units by 2050 to meet current and future regional housing needs. Ms. Hammer discussed the need was especially great for housing that was affordable to households earning less than 60 percent of Area Median Income. She outlined the many reasons for the underproduction of such housing units, but one of the key contributing factors heard from the development community was zoning barriers – i.e., limitations on density, location, and housing types in varying zoning districts. She stated Staff received direction from the Board of County Commissioners (BOCC) in December 2023 to draft proposed LDC amendments to promote affordable housing further and add standards and regulations for a multi-family zone district and a mixed-use zone district. She said the BOCC further directed Staff to draft amendments and create incentives for affordable housing, as well as revise the specific mobile home use regulations in the LDC and clarify that modular homes were permitted where single-family homes are permitted. Ms. Hammer stated Staff was also recommending revisions to the parking requirements pursuant to House Bill 24-1304, concerning Parking Requirements within Metropolitan Planning Organizations that stated Arapahoe County shall not enact nor enforce regulations that establish a minimum parking requirement for multi-family residential development, adaptive re-use for residential purposes, or purposes which included at least 50% of use for residential purposes and affordable housing developments. She reported that House Bill (HB) 24-1313, Transit Areas, would also affect housing development and that Proposition 123 focused on housing production while HB24-1313 focused on zoning capacity. She described how Proposition 123 created the State Affordable Housing Fund which provided grant money to local jurisdictions. Ms. Hammer explained the initial step to qualify for access to these funds was a Local Government Affordable Housing Commitment, which included a requirement to increase existing affordable housing units by three percent a year and an expedited review process for affordable housing developments. She reported that Arapahoe County Community Resources filed an Affordable Housing Commitment including details of the County’s goal of 130 affordable unit increase and was working closely with municipalities and the state to identify how the County will meet this goal. She described how HB24-1313 designated Arapahoe County as a Transit-Oriented Community (TOC) because the county was within a Metropolitan Planning Organization (MPO) near light or commuter rail stations and has unincorporated areas that are surrounded by municipalities, set housing goals based on transit stations and transit corridors and required TOC to rezone transit areas based on an average density of 40 dwelling units per acre, with a minimum of 15 dwelling units per acre. She reported the bill itself did not require local governments to ensure housing was built, and stated there was no penalty in HB24-1313 if units were not built if Arapahoe County had zoned capacity. She said the preliminary report, estimating the County’s Housing Opportunity Goal, was due to Department of Local Affairs (DOLA) on June 30, 2025 and the county must meet the Housing Opportunity

Goal by December 17, 2027. Ms. Hammer concluded the creation of Multi-Family and Mixed-Use Zone districts may help the County reach the goals of Proposition 123 and HB24-1313; therefore, Staff was proposing the following changes to the LDC:

Multi-Family Zone District:

Ms. Hammer reported the LDC included a placeholder for a Residential Multi-Family (R-MF) Zone District, but no specific standards, so currently, all multi-family development required a Planned Unit Development (PUD) process which could be lengthy and include up to three public hearings. She stated Staff was recommending establishing standards for a multi-family zone district that was geared toward higher-density multi-family housing and neighborhood-serving commercial uses. She said the R-MF districts were intended to be conveniently located near collector and arterial streets, with easy access to major employment and activity centers, and public amenities or complementary uses and activities such as schools, parks, open space, and public transit and were intended to serve as transitional areas between nonresidential areas and lower-density residential uses. She added the R-MF district was primarily intended for residential uses but might also include limited nonresidential uses that supported the surrounding area. She stated Staff was not proposing any rezoning to this zone district as part of this amendment. She said the proposed rezoning criteria required the subject property to be located within the Urban Area, excluding restricted areas within the Airport Influence Area, or Rural Town Center Planning Areas, as defined by Sub-Area Plans and must also be located near major arterials and transit systems (except for the Rural Town Center Planning Areas) and near neighborhood services and employment. Ms. Hammer stated Staff was proposing this zone district only allow single-family attached, 2-family, townhome, and multi-family dwelling units as permitted uses, single-family detached dwelling units were not permitted uses in this zone district. She clarified the proposed regulations had no minimum lot size per dwelling unit, and a maximum building height of 55 feet for multi-family and 40 feet for all other dwelling units with a proposed minimum density of 13 dwelling units per acre and the maximum density is 35 dwelling units per acre.

Mixed-Use Zone District:

Ms. Hammer explained the LDC did not currently include a Mixed-Use (MU) Zone District, so all mixed-use development required a PUD process. She stated Staff was recommending amending the LDC to include a mixed-use zone district. She stated Staff was not proposing any site-specific rezoning to this zone district as part of this amendment and the MU zone district was intended to include a mix of commercial and higher density residential land uses adjacent to transit and major road corridors in an urbanized area to offer greater opportunities to live, work and recreate within close proximity. She added the district was intended to include easy multi-modal access for higher density residential uses to a full range of office, retail and service uses and the proposed regulations only allowed multi-family and live-work dwelling units permitted in this zone district. Ms. Hammer reported the proposed maximum building height was 75 feet, and the minimum density was 35 dwelling units per acre. She said the MU zone district required the subject property to be located within the Urban area and within one-quarter mile of arterial streets and transit systems and in

proximity to neighborhood services and employment and this zoning would facilitate the density needed in the Transit Oriented Communities legislation.

Incentives for Affordable Housing Development:

Ms. Hammer stated Staff was recommending a two-tiered incentive option for development which included a minimum of 10% of the total units as affordable units. She explained affordable housing included any development project that includes affordable units that utilized federal low-income housing tax credits (LIHTC), pursuant to Section 42 of the Internal Revenue Code or County incentives per a written agreement, which would have a recorded deed restriction. She described how Staff had prepared language describing the required agreements for development including the number of affordable units and specific incentives, requirements that units must carry a deed restriction, restrictive covenant, or other form of affordability restrictions that must be recorded in the real property records of the Arapahoe County Clerk and Recorder's Office, and any residential development seeking incentives must provide a Memorandum of Agreement (MOA) with Arapahoe County Public Works and Development, which shall include:

- i. The total number of affordable units being provided and what percentage such units represent within the overall development.
- ii. The type of affordable units being provided (i.e. for sale or rental).
- iii. The type of residential product being provided and number of units per foundation (i.e. single-family, townhome, multi-family).
- iv. The approximate size of the units, number of bedrooms, and estimated market price or rent for each unit.
- v. A summary of the ownership covenants or rental covenants being placed on each affordable unit, including the length of the deed restriction.
- vi. Identification of the specific units or lots being restricted as affordable units; or in a phased development a summary of the process to be used for identifying the specific units or lots to be restricted as affordable prior to the issuance of the first building permit within any given phase of development.
- vii. The process for determining eligible home buyers or rents and an outline of how the affordable housing program will be administered.
- viii. A requirement to submit to Community Resources/Planning Division on an annual basis a summary of the number of affordable units sold in the preceding twelve (12) months and the sale price of each affordable unit sold.

Ms. Hammer added the proposed changes included design standards and access regulations, timing of construction, and violation and penalty, the purpose of which were to ensure that the designated affordable units were constructed concurrently or prior to the market-rate units, include comparable construction materials, and have equal access to all amenities within the development.

Parking Regulations:

Ms. Hammer described how House Bill 24-1304 stated that Arapahoe County "shall not enact nor enforce regulations that establish a minimum parking requirement for multi-family residential development, adaptive reuse for residential purposes or purposes which include at least fifty percent of use for residential purposes, and

affordable housing developments”. She explained how Staff was recommending revising the parking regulations to comply with HB24-1304 to include recommending one parking space per unit for affordable housing that did not meet the HB24-1304 definition of regulated affordable housing.

Additional Types of Residential Uses:

Ms. Hammer stated Staff was proposing including additional types of residential uses within the permitted use table to address alternative types of housing, specifically:

- Live-Work Dwelling Unit (permitted use in R-MF and MU)
- Assisted Living Facility (permitted use in R-MF and MU)
- Overnight Shelter (permitted use in R-MF, MU, B-1, B-2, B-3 and I-1)
- Transitional Housing (permitted use in R-MF and MU)

She affirmed the definitions for these types of residential uses would be drafted after the study session with the BOCC.

Manufactured Home Definitions:

Ms. Hammer explained the LDC currently included definitions for manufactured homes and mobile homes but did not define/address other types of homes like modular or tiny homes. She added Staff was recommending revising the definition of a manufactured home to include mobile, modular, tiny, and other preconstructed dwelling units or a combination of preconstructed dwelling units constructed in compliance with federal manufactured home construction safety standards. She highlighted the fact that manufactured homes did not include recreational vehicles and clarified the proposed regulations would allow for manufactured homes constructed on a foundation (except mobile homes) by right in all residential zone districts and would also allow for mobile homes in the A-1 and A-E zone districts. She defined a tiny home as a structure that was permanently constructed on a vehicle chassis and was designed for long-term residency that included electrical, mechanical, or plumbing services that were fabricated, formed, or assembled at a location other than the site of the completed home. She further defined the tiny home structure should not be self-propelled and should not have a square footage of more than 400 square feet.

Mobile Home Parks or Subdivision Regulations:

Ms. Hammer stated Staff was recommending amending Section 2.3-1.3 R-M, Residential– Manufactured/Mobile Home and Section 3-3.2.C Manufactured/Mobile Home Parks or Subdivision of the LDC to alleviate some barriers to creating Manufactured/Mobile Home Parks and/or Subdivisions. She reported Staff researched other jurisdictions and was recommending reducing parking and access requirements. She explained that currently, the LDC required manufactured/mobile home parks or subdivisions to abut or have access to streets and highways no less than 60 feet wide for two-way traffic and two off-street parking spaces for each residence. She said Staff was recommending removing this requirement and including standards for internal access drives and was also recommending reducing the required number of off-street parking to one space per residence. Ms. Hammer said Staff expected to take this proposal to the BOCC for discussion and direction in

	<p>the first quarter of 2025 and after receiving direction from the BOCC staff would make any necessary revisions prior to conducting public outreach, including the development community, and would prepare this item for public hearing with the PC and the BOCC.</p> <p>Mr. Brockelman commented on demands to infrastructure as density increased with respect to the finite limit of what existing infrastructures could handle comfortably, effectively and safely. He cautioned that water, sewer, power, traffic concerns would continue to be raised with any new development regardless of its affordability.</p> <p>Ms. Sauve and Mr. Miller commented on impacts of these proposed changes to the LDC and whether adequate funds would be accessible to developers. They expressed concerns for the marketability of these once completed and how this would be monitored and enforced.</p> <p>Ms. Howe agreed and expressed excitement to learn more.</p> <p>Mr. Sall agreed this type of regulation was the direction other local jurisdictions were taking with industry professionals.</p> <p>Ms. Latsis recommended development cost analysis regarding a 10% affordable housing community and research of other jurisdictions with inclusionary affordable building policies.</p> <p>Mr. Miller said he felt we should not opt out of neighborhood hearings as this was important for existing communities.</p> <p>Ms. Hammer thanked the PC for their input and confirmed their comments would be incorporated into the record.</p>
<b>ANNOUNCEMENTS</b>	<p>Mr. Hill announced his retirement as of the end of this week.</p> <p>Mr. Brockelman announced his retirement from the PC at the end of March 2025.</p> <p>Mr. Reynolds reiterated the request for Commissioners for stating their reasons for a nay or a yea if there was another reason other than staff recommendation. He stated there would be a public hearing on January 21, 2025.</p>
<b>ADJOURNMENT</b>	<p>There being no further business to come before the Planning Commission, the meeting was adjourned.</p>



**ARAPAHOE COUNTY PLANNING COMMISSION**  
**STUDY SESSION**

January 7, 2025  
6:30 P.M.

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SUBJECT: STUDY SESSION ON CASE NO. LDC24-004 - AFFORDABLE HOUSING  
LAND DEVELOPMENT CODE AMENDMENTS

KAT HAMMER, SENIOR PLANNER

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**PURPOSE AND REQUEST**

This County-initiated project proposes amending the Land Development Code (LDC), specifically, Chapter 2, Zoning Districts, Chapter 3, Permitted Uses, Chapter 4, Development Guidelines and Standards, and Section 5-3.3 Zoning Procedures - Planned Unit Development. The proposed changes include the creation of Multi-Family Residential and Mixed-Use Zone Districts and standards, and incentives for affordable housing developments. The proposed draft language can be found in Attachment A.

Staff is requesting a Planning Commission discussion on the proposed changes.

**BACKGROUND**

Colorado has seen significant population growth in the last decade. Despite the rapid population growth, residential construction has been unable to keep up with demand. According to the Denver Regional Council of Governments (DRCOG) 2024 Regional Housing Needs Assessment, between now and 2032, Colorado needs to produce 216,000 new housing units and Unincorporated Arapahoe County has a local need for 2,270 housing units by 2032. Furthermore, Colorado needs to produce 6,800 units by 2050 to meet current and future regional housing needs. While housing is needed at all income levels, housing that is affordable to households earning less than 60 percent of Area Median Income represents the largest share. There are many reasons for the underproduction of housing units, but one of the key contributing factors we hear from the development community is zoning barriers – i.e., limitations on density, location, and housing types in varying zoning districts.

Staff received direction from the Board of County Commissioners (BoCC) in December 2023 to draft proposed LDC amendments to promote affordable housing further and add standards and regulations for a multi-family zone district and a mixed-use zone district. Staff was directed to draft amendments, and create incentives for affordable housing as well as, revise the specific mobile home use regulations in the code and clarify that modular homes are permitted where single-family homes are permitted.

Staff is also recommending revisions to the parking requirements pursuant to House Bill 24-1304, concerning Parking Requirements within Metropolitan Planning Organizations. The House Bill states that Arapahoe County shall not enact nor enforce regulations that establish a minimum parking requirement for multi-family residential development, adaptive re-use for residential purposes, or purposes which include at least fifty percent of use for residential purposes and affordable housing developments. More information on HB24-1304 can be found in Attachment B.

Proposition 123 and House Bill (HB) 24-1313, Transit Areas, will affect housing development. Proposition 123 focuses on housing production while HB24-1313 focuses on zoning capacity. Proposition 123 created the State Affordable Housing Fund which provides grant money to local jurisdictions. The initial step to qualify for access to these funds is a Local Government Affordable Housing Commitment, which includes a requirement to increase existing affordable housing units by three percent a year and an expedited review process for affordable housing developments. Arapahoe County Community Resources filed an Affordable Housing Commitment including details of the County's goal of 130 affordable unit increase (see Attachment C). Community Resources is working closely with municipalities and the state to identify how the County will meet this goal.

HB24-1313 designates Arapahoe County as a Transit-Oriented Community (TOC) because the county is within a Metropolitan Planning Organization (MPO) near light or commuter rail stations and has unincorporated areas that are surrounded by municipalities. The bill sets housing goals based on transit stations and transit corridors and requires TOC to rezone transit areas based on an average density of 40 dwelling units per acre, with a minimum of 15 dwelling units per acre. The bill itself does not require local governments to ensure housing is built, there is no penalty in HB24-1313 if units are not built if Arapahoe County has zoned capacity. The preliminary report estimating the County's Housing Opportunity Goal is due to Department of Local Affairs (DOLA) on June 30, 2025, and the county must meet the Housing Opportunity Goal by December 17, 2027. The creation of Multi-Family and Mixed-Use Zone districts may help the County reach the goals of Proposition 123 and HB24-1313. More information on HB24-1313 and Proposition 123 can be found in Attachment D and E.

## **DISCUSSION AND PROPOSED CHANGES**

Staff is proposing the following changes to the LDC:

### **Multi-Family Zone District:**

The LDC includes a placeholder for a Residential Multi-Family (R-MF) Zone District, but no specific standards, so currently, all multi-family development requires a PUD process. The PUD process can be lengthy and include up to three public hearings. Staff is recommending establishing standards for a multi-family zone district that is geared toward higher-density multi-family housing and neighborhood-serving commercial uses. The R-MF district is intended to be conveniently located near collector and arterial streets, with easy access to major employment and activity centers, and public amenities or complementary uses and activities such as schools, parks, open space, and public transit and are intended to serve as transitional areas between non-residential areas and lower-density residential uses. The R-MF district is primarily intended for residential uses but may also include limited nonresidential uses that support the surrounding area. Staff is not proposing any rezoning to this zone district as part of this amendment.

The proposed rezoning criteria requires the subject property to be located within the Urban Area, excluding restricted areas within the Airport Influence Area, or Rural Town Center Planning Areas, as defined by Sub-Area Plans. The subject property must also be located near major arterials and transit systems (except for the Rural Town Center Planning Areas) and near neighborhood services and employment. Staff is proposing this zone district only allow single-family attached, 2-family, townhome, and multi-family dwelling units as permitted uses, single-family detached dwelling units are not permitted uses in this zone district. The proposed regulations have no minimum lot size per dwelling unit, and a maximum building height of 55

feet for multi-family and 40 feet for all other dwelling units. The proposed minimum density is 13 dwelling units per acre and the maximum density is 35 dwelling units per acre.

Mixed-Use Zone District:

The LDC does not include a Mixed-Use (MU) Zone District, so all mixed-use development requires a PUD process. Staff is recommending amending the LDC to include a mixed-use zone district. Staff is not proposing any site-specific rezoning to this zone district as part of this amendment. The MU zone district is intended to include a mix of commercial and higher density residential land uses adjacent to transit and major road corridors in an urbanized area to offer greater opportunities to live, work and recreate within close proximity. The district is intended to include easy multi-modal access for higher density residential uses to a full range of office, retail and service uses. The proposed regulations only allow multi-family and live-work dwelling units permitted in this zone district. The proposed maximum building height is 75 feet, and the minimum density is 35 dwelling units per acre. The MU zone district requires the subject property to be located within the Urban area and within one-quarter mile of arterial streets and transit systems and in proximity to neighborhood services and employment. This zoning would facilitate the density needed in the Transit Oriented Communities legislation.

Incentives for Affordable Housing Development:

Staff is recommending a two-tiered incentive option for development which includes a minimum of 10% of the total units as affordable units. Affordable housing includes any development project that includes affordable units that utilize federal low-income housing tax credits (LIHTC), pursuant to Section 42 of the Internal Revenue Code or County incentives per a written agreement, which would have a recorded deed restriction. Below is the proposed table describing the possible incentives for developments including affordable, deed restricted units.

<b>Table 3-3.2.2: Affordable Housing Development Incentives</b>		
	<b>Tier One</b>	<b>Tier Two</b>
<b>Description</b>	A minimum of 10% of the units are affordable units	A minimum of 50% of total units are affordable units
<b>Density Bonus</b>	10% above the maximum residential density allowed in the zone district	50% above the maximum residential density allowed in the zone district
<b>Increased Height</b>	1 story not to exceed 15 feet	2 stories not to exceed 30 feet (the overall building height shall not exceed 75 feet)
<b>Reduced Setbacks</b>	No reductions	Setbacks may be reduced up to 50% of the zone district. <sup>1</sup>

<b>Reduced On-site Unobstructed Open Space</b>	No reduction	On-site unobstructed open space may be reduced by up to 10% for affordable units  An additional reduction of 50% may be approved if the site is located within 1/2 mi of a public park or open space.
<b>Public Land Dedication for Public Parks</b>	No reduction	Dedication of land or cash-in-lieu is waived for affordable units
<b>Expedited Process</b>	All development with affordable housing qualifies for the two-step Planned Unit Development process	No guest parking is required for affordable units  Neighborhood meeting requirements are waived for projects with a minimum of 50% affordable units
<b>Reduced Fees</b>	Planning and Engineering Review Fees shall be reduced by a percentage equal to the percentage of affordable and/or attainable units provided in the development (not to exceed a 50% reduction of the fees)	Planning and Engineering Review Fees shall be reduced by a percentage equal to the percentage of affordable units provided in the development
<b>Reduced Land Use Application Review Timeline</b>	No reduction	1st Review: 20 business days  Applicant must attend a comment review meeting with staff prior to resubmitting.  2nd Review: 10 business days  3rd and all other additional reviews: 5 business days
<b>Reduced Building Permit Review Timeline</b>	No reduction	Applicant/developer may submit building permit after the second round of staff comment for Planning and Engineering review
<b>Landscape</b>		
Tree Preservation 4-1.3	No reduction	Waive tree preservation requirements

Landscaping and Screening 4-1.4	No reduction	New development or redevelopment regulations do not apply to 100% affordable and/or attainable housing developments.
Landscaping Design Standards and Guidelines 4-1.4 E.1. c. All development sites excluding single-family detached, shall feature consistently landscaped areas along the front, sides, and rear property line.	No reduction	Remove side landscaping requirement.
1. All projects must comply with all regulations and codes that are general in nature and are applicable to all property subject to the jurisdiction of Arapahoe County, including the International Building Code, as adopted and amended by Arapahoe County; and each applicable fire, plumbing, electrical, and mechanical code in effect on the date a permit is applied for pursuant to each of those codes.		

Staff researched other jurisdictions, including jurisdictions with inclusionary zoning regulations, which require affordable units as part of development, to determine the proposed incentives. The proposed incentives are consistent with what other municipalities are offering to encourage affordable housing development. The City of Centennial held a round table with developers in June of 2023 to discuss inclusionary zoning which provided insight on incentives that are most valuable to developers, the notes on this round table can be found in Attachment F.

Staff has prepared language describing the required agreements for development including the number of affordable units and specific incentives. The affordable units must carry a deed restriction, restrictive covenant, or other form of affordability restrictions that must be recorded in the real property records of the Arapahoe County Clerk and Recorder's Office. A residential development seeking incentives must provide a Memorandum of Agreement (MOA) with Arapahoe County Public Works and Development, which shall include:

- i. The total number of affordable units being provided and what percentage such units represent within the overall development.
- ii. The type of affordable units being provided (i.e. for sale or rental).
- iii. The type of residential product being provided and number of units per foundation (i.e. single-family, townhome, multi-family).
- iv. The approximate size of the units, number of bedrooms, and estimated market price or rent for each unit.
- v. A summary of the ownership covenants or rental covenants being placed on each affordable unit, including the length of the deed restriction.

- vi. Identification of the specific units or lots being restricted as affordable units; or in a phased development a summary of the process to be used for identifying the specific units or lots to be restricted as affordable prior to the issuance of the first building permit within any given phase of development.
- vii. The process for determining eligible home buyers or rents and an outline of how the affordable housing program will be administered.
- viii. A requirement to submit to Community Resources/Planning Division on an annual basis a summary of the number of affordable units sold in the preceding twelve (12) months and the sale price of each affordable unit sold.

The proposed changes also include design standards and access regulations, timing of construction and violation and penalty. The purpose of the design standards and access regulations and timing of construction are to ensure that the designated affordable units are constructed concurrently or prior to the market-rate units, include comparable construction materials, and have equal access to all amenities within the development. A draft of a MOA for rental units can be found in Attachment G. The final MOA will require additional research and approval from the County Attorney's Office.

#### Parking Regulations:

House Bill 24-1304 states that Arapahoe County shall not enact nor enforce regulations that establish a minimum parking requirement for multi-family residential development, adaptive re-use for residential purposes or purposes which include at least fifty percent of use for residential purposes, and affordable housing developments. Staff is recommending revising the parking regulations to comply with HB24-1304. Staff is recommending one parking space per unit for affordable housing that does not meet the HB24-1304 definition of regulated affordable housing below.

“Regulated Affordable Housing” means Affordable Housing that has received loans grants equity bonds or tax credits, property with restricted use covenant, or similar recorded agreement to ensure affordability, or has been income-restricted as part of inclusionary zoning or another program.”

#### Additional Types of Residential Uses:

Staff is proposing including additional types of residential uses within the permitted use table to address alternative types of housing, specifically:

- Live-Work Dwelling Unit (permitted use in R-MF and MU)
- Assisted Living Facility (permitted use in R-MF and MU)
- Overnight Shelter (permitted use in R-MF, MU, B-1, B-2, B-3 and I-1)
- Transitional Housing (permitted use in R-MF and MU)

The definitions for these types of residential uses will be drafted after the study session with the BoCC.

#### Manufactured Home Definitions:

The LDC currently includes definitions for manufactured homes and mobile homes but does not define/address other types of homes like modular or tiny homes. Staff is recommending revising the definition of a manufactured home to include mobile, modular, tiny, and other preconstructed dwelling units or a combination of preconstructed dwelling units constructed in compliance with

federal manufactured home construction safety standards. Manufactured homes do not include recreational vehicles. The proposed regulations would allow for manufactured homes constructed on a foundation (except mobile homes) by right in all residential zone districts. The proposed regulations would also allow for mobile homes in the A-1 and A-E zone districts.

Colorado HB22-1242 regulates tiny homes, which are typically manufactured, where no other construction standards otherwise exist. A tiny home is defined as a structure that is permanently constructed on a vehicle chassis and is designed for long-term residency. The structure shall include electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home. The structure shall not be self-propelled and shall not have a square footage of more than 400 square feet. Attachment H includes the proposed definitions of these types of homes and illustrations.

#### Mobile Home Parks or Subdivision Regulations:

Staff is recommending amending Section 2.3-1.3 R-M, Residential – Manufactured/Mobile Home and Section 3-3.2.C Manufactured/Mobile Home Parks or Subdivision of the LDC to alleviate some barriers to creating Manufactured/Mobile Home Parks and/or Subdivisions. Staff researched other jurisdictions and is recommending reducing parking and access requirements. Currently, the LDC requires manufactured/mobile home parks or subdivisions to abut or have access to streets and highways no less than 60 feet wide for two-way traffic and two off-street parking spaces for each residence. Staff is recommending removing this requirement and including standards for internal access drives. Staff is also recommending reducing the required number of off-street parking to one space per residence.

#### **ACTION REQUESTED**

The attached PowerPoint presentation highlights specific areas for which staff requests Planning Commission discussion and recommendations. Staff expects to take this proposal to the Board of County Commissioners for discussion and direction in the first quarter of 2025. After receiving direction from the Board of County Commissioners staff will make any necessary revisions prior to conducting public outreach, including the development community, and preparing this item for public hearing with the Planning Commission and the Board of County Commissioners.

#### **ATTACHMENTS**

- A. LDC Affordable Housing Proposed Amendment
- B. HB24-1304 Minimum Parking Requirements
- C. Arapahoe County Affordable Housing Commitment
- D. HB24-1313 Housing in Transit-Oriented Communities
- E. Proposition 123 Affordable Housing Programs
- F. Centennial Round Table Notes
- G. Draft Memorandum of Agreement
- H. Manufactured Homes Definitions and Illustrations

**To:** Board of County Commissioners

**Through:** Bryan Weimer, Director, Public Works & Development

**Prepared By:**

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prepared
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Kat Hammer, Senior Planner, Public Works & Development

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presenter
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**Presenter:** Kat Hammer, Senior Planner, Public Works & Development

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end
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**Subject:**

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title
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LDC24-004 - Affordable Housing Land Development Code Amendments

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end
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**Purpose and Request:**

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recommended action
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This County-initiated project proposes amending the Land Development Code (LDC), specifically, Chapter 2, Zoning Districts, Chapter 3, Permitted Uses, Chapter 4, Development Guidelines and Standards, and Section 5-3.3 Zoning Procedures - Planned Unit Development. The proposed changes include the creation of Multi-Family (MF) Residential and Mixed-Use (MU) Zone Districts and standards, and incentives for affordable housing developments. The proposed draft language can be found in Attachment A.

Staff is seeking specific direction on a few options and authorization to conduct public outreach and proceed to public hearings.

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end
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**Background and Discussion:**

Colorado has seen significant population growth in the last decade. Despite the rapid population growth, residential construction has been unable to keep up with demand. According to the Denver Regional Council of Governments (DRCOG) 2024 Regional Housing Needs Assessment, between now and 2032, Colorado needs to produce 216,000 new housing units and Unincorporated Arapahoe County will need to produce 2,270 housing units by 2032. While housing is needed at all income levels, housing that is affordable to households earning less than 60 percent of Area Median Income (AMI) represents the largest share. There are many reasons for the underproduction of housing units, but one of the key contributing factors we hear from the development community is zoning barriers – i.e., limitations on density, location, and housing types in varying zoning districts.

Staff received direction from the Board of County Commissioners (BoCC) in December 2023 to draft proposed LDC amendments to further promote the development of affordable housing and add standards and regulations for MF and MU Zone districts. Currently, the Code does not



permit multifamily housing as a use by-right; rather, those applications must go through a lengthy PUD (Planned Unit Development) process. Staff drafted new zoning districts that would allow multifamily as a use by right. Staff was also directed to draft amendments and create incentives for affordable housing, as well as revise the code to allow other housing types more easily. Staff was not directed to amend the LDC to require inclusionary zoning as part of this effort. Although many cities throughout the Front Range have adopted inclusionary zoning regulations (those that require a certain percentage of residential units in a development to be rented or sold to a certain income level), there are some legal complexities that still need to be refined, such as fee-in-lieu of construction of affordable units. Staff was directed to hold off on this until the proposed regulations included in this staff report have been reviewed and discussed.

Staff is also recommending revisions to the parking requirements pursuant to House Bill (HB) 24-1304, concerning Parking Requirements within Metropolitan Planning Organizations. The House Bill states that Arapahoe County shall not enact nor enforce regulations that establish a minimum parking requirement for multi-family residential development, adaptive re-use for residential purposes, or purposes that include at least fifty percent residential use, and affordable housing developments within a transit service area (properties located within ¼-mile of a transit stop). The Board held a study session on this item on February 18<sup>th</sup> and directed staff to amend the parking requirements section of the Code to reflect this State mandate.

Proposition 123 and HB24-1313, Housing in Transit Oriented Communities, will affect housing development. Proposition 123 focuses on housing production while HB24-1313 focuses on zoning capacity. Proposition 123 created the State Affordable Housing Fund which provides grant money to local jurisdictions. The initial step to qualify for these funds is a Local Government Affordable Housing Commitment, which includes a requirement to increase existing affordable housing units by three percent a year and an expedited review process for affordable housing developments. Arapahoe County Community Resources filed an Affordable Housing Commitment, including details of the county's goal of a 130-unit affordable unit increase (see Attachment C). Community Resources is working closely with municipalities and the state to identify how the County will meet this goal.

HB24-1313 designates Arapahoe County as a Transit-Oriented Community (TOC) because the county is within a Metropolitan Planning Organization (MPO) near light or commuter rail stations and has unincorporated areas surrounded by municipalities. The bill requires local communities to increase zoning capacity (density) near transit, establish an administrative approval process for multifamily projects on smaller parcels near transit, and sets housing goals based on transit stations and transit corridors. It requires TOCs to rezone transit areas based on an average density of 40 dwelling units per acre, with a minimum of 15 dwelling units per acre. The bill itself does not require local governments to ensure housing is built; there is no penalty in HB24-1313 if units are not built if Arapahoe County has zoned capacity. The Board held a study session on this legislation on February 11<sup>th</sup> and directed staff to focus code amendments on three of the seven transit areas: Dry Creek Light Rail Station, the Four Square Mile neighborhood, and the Federal Avenue bus route north of Highway 285.

The preliminary report estimating the County's Housing Opportunity Goal (HOG) is due to the Department of Local Affairs (DOLA) on June 30, 2025, and the county must meet the Housing

Opportunity Goal by December 17, 2027. Arapahoe County has seven transit areas, which is approximately 796 acres of transit area. Based on the current zoning of these 796 acres, the County must rezone to allow for approximately 15,000 additional units. In this suite of code amendments, staff is proposing to create a new Mixed Use (MU) zone adjacent to transit stations which would require a minimum density of 35 dwelling units per acre and complies with the minimum density requirement in HB24-1313; the proposed Multi-Family (MF) Zone district would require a minimum density of 13 dwelling units per acre and is more aligned with HB24-1313 density requirement than other zone districts currently in the LDC. The creation of MF and MU Zone districts may help the County reach the goals of Proposition 123 and HB24-1313 and allow for an administrative approval process for multifamily development that would be a quicker process than rezoning to a PUD.

Staff brought this topic to the Planning Commission on January 7, 2025, for discussion at a study session. The Planning Commission had concerns regarding the following issues:

- Impacts on existing developments of the proposed changes to the LDC including infrastructure and roadways
- Whether adequate funds would be accessible to developers
- Concerns for the marketability of affordable units once completed
- Enforcement and monitoring of affordable units
- The proposed code amendment would allow affordable housing projects to bypass a neighborhood meeting requirement in order to streamline the process. The Planning Commission recommended that the proposed changes be modified to require neighborhood meetings before formal application, regardless if the development included affordable housing units.

### **Summary of the Proposed Changes:**

Please see the attached Planning Commission staff report for a more detailed explanation of the proposed changes.

### **Creation of Multi-Family (MF) Zone District**

#### **Locational Criteria for this zone:**

- Geared towards higher-density multi-family housing and neighborhood serving commercial uses
- Conveniently located near collector and arterial streets
- Easy access to major employment and activity centers and public transit
- Intended to serve as transitional areas between non-residential and lower-density residential uses
- Single-family attached, 2-family, townhome and multi-family dwelling units as permitted uses by-right
- Density ranges from 13-35 dwelling units per acre.

### **Creation of Mixed-Use (MU) Zone District**

#### **Locational Criteria for this Zone:**

- Easy multi-modal access for higher density residential uses to a full range of office, retail, and service uses
- Property must be located within one-quarter mile of arterial streets and transit systems

- Only allow multi-family and live-work dwelling units; can be horizontally or vertically mixed with commercial uses
- Maximum building height of 75 feet
- Minimum density of 35 dwelling units per acre.

### **Incentives for Affordable Housing Development**

- Two-Tiered approach option:
  - Tier One must have a minimum of 10 percent affordable units
  - Tier Two must have a minimum of 50 percent affordable units
- Streamlined PUD Process
- Project must include affordable units that utilize federal low-income housing tax credits (LIHTC)
- Affordable for sale units must be deed restricted
- Affordable rental units must submit a summary of the cost of rent an annual basis
- A Memorandum of Agreement (MOA) must be provided for development seeking incentives.

### **Parking Regulations**

- Remove minimum parking requirements to align with HB24-1304.

### **Introduction to Additional Types of Residential Uses**

- Live-Work Dwelling Unit and Assisted Living Facilities
- Overnight Shelter and Transitional Housing

### **Revised Manufactured Home Definitions**

- Revised definitions to define and address other types of homes, such as modular and tiny homes in addition to manufactured and mobile homes.

### **Revisions to Mobile Home Parks or Subdivision Regulations**

- Reduce parking requirements and adjust access requirement.

### **Fiscal Impact:**

In 2022, the BOCC adopted reduced Planning review fees for land use applications which incorporated affordable housing into their plans. Staff is looking at bringing forth fee reductions for engineering review fees with land use applications.

### **Alternatives:**

Staff is requesting discussion on the proposed LDC amendment related to affordable housing. If the BoCC would like additional information staff can schedule an additional study session prior to drafting additional regulations and sending/publishing the draft regulations for comment.

### **Alignment with Strategic Plan:**

- ☒ Be fiscally sustainable
- ☒ Provide essential and mandated service
- ☒ Be community focused

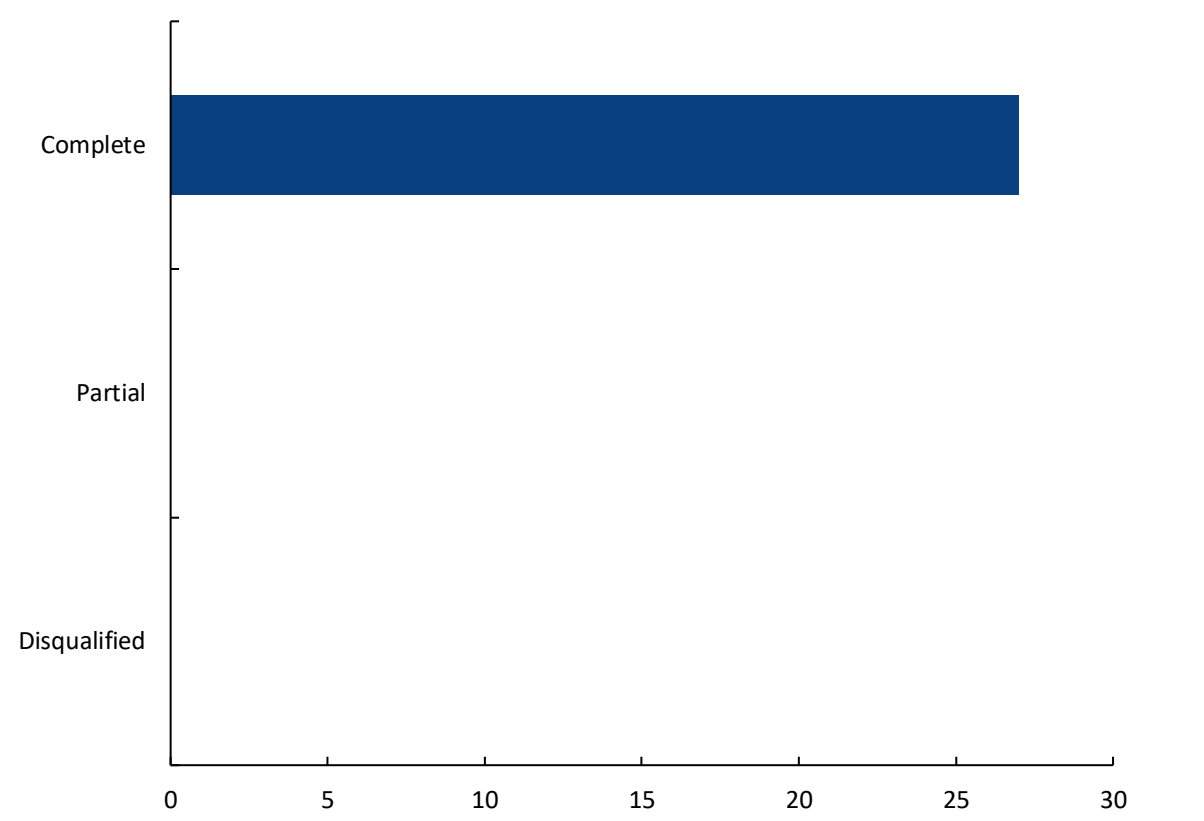
**Staff Recommendation:** N/A

**Concurrence:** PWD and Community Resources have reviewed the proposed changes to the LDC.

# Report for Affordable Housing Amendments

Affordable Housing Amendments

Response Statistics



	Count	Percent
Complete	27	100
Partial	0	0
Disqualified	0	0
Totals	27	

1. Please comment below on the proposed amendments to the Arapahoe County Land Development Code as it regards affordable housing regulations.

ResponseID	Response
1	There should not be any reduction to minimum parking requirements.
2	Appreciate plan to support affordable housing. Recommend add minimum parking requirement for any housing development that contains 20 or more units or contains regulated affordable housing. This is in alignment with HB24-1304.
3	am opposed to high density populations, multi family units. prefer space-single family units with yards judith marienthal englewood
4	NO. Arapahoe and its constituent cities show no understanding of actual needs for affordable housing. Littleton recently sold out the historical and genuinely affordable Geneva Village in order to build new housing the developer claimed to the city was affordable, but in an off-the-record conversation admitted will actually be priced in accordance with the million-dollar condos across the street. This is what happened to Englewood which is killing small businesses and driving families out of the city and in fact out of Colorado. Arapahoe should STOP CHANGING CODES until it looks up the meaning of "affordable" in the dictionary.

5	<p>These regulations seem like a very reasonable step towards addressing the urgent need for additional housing. I applaud these actions for directly aiming to fix one of the chief culprits of housing under supply - zoning. While I expect some pushback for any proposals which might lead to more housing, this is the right thing to do and the evidence supports it. Thank you, Ben Richards</p>
6	<p>I am always going to root for more affordable housing so I am in solidarity with this amendment. Please keep residents updated, as you already do well, and I think the county is on the right track. For people who complain that there might be too much traffic can relax and consider the fact that the county is growing and needs to serve younger communities as well, and those communities need adequate transportation, safe roads, affordable houses and access to everything the county has to offer. Thank you for fighting for those people and for all of us.</p>
7	<p>I strongly oppose The proposed amendments. What you are suggesting for affordable housing, I see infrastructure that can't handle it. Littleton has been a place that was safe. You add more multi units instead of single family houses without better infrastructure, especially water, roads and electricity, and you create a problem for everyone. The more people you squish in, the less safe everything becomes in Littleton. I'm not just thinking " not in my backyard ". I</p>



	<p>would propose a new housing section be built further from the center of the city. There's already enough people in this area for the available infrastructure.</p>
8	<p>Too much density in areas that could be next to homes. Going to look like NYC.</p>
9	<p>Fantastic! I am all for this modification to the land use code! We need more available and affordable housing in Arapahoe County!.</p>
10	<p>Has the County considered the permitting process for private and non-profit affordable housing developers? Often these developers are utilizing other funding for their projects that require the use of funds within a certain time frame. If the process itself takes too long the affordable housing developer will loose its funding and the project. If not, look at San Antonio TX affordable housing as an example.</p>
11	<p>Vote NO. This is bad for the long term including the following areas</p> <ol style="list-style-type: none"> <li>1. Crime: It will increase crime by attracting low rent individuals with comprised values</li> <li>2. Lower housing values: The community will be changed and it will not be as attractive to stable and successful families.</li> <li>3. Future demand on single family homes: This will attract more population including some that will eventually want normal single family homes that will drive up the demand for housing even more, and thus making the problem worse.</li> <li>4. Stress infrastructure: Most of the</li> </ol>

	<p>infrastructure was not designed for the high-density capacity: Roads (traffic), utilities (more water), safety (more police) Don't do this.</p> <p>Affordable housing is a macro issue affecting the entire United States and the correct solution is at a national level and not an individual county level. Arapahoe county should not be making policies that disproportionally attracts marginal individuals, instead it should be attracting the best, brightest, and most successful that want to really build a community and add value to society. This plan does nothing for Arapahoe county and its current citizens. Arapahoe country is a great place to live, why ruin it?</p>
12	Hi- I'm so support
13	<p>There is a reference that there are four maps to review, however there are no maps provided or linked. The link to review the proposed amendments also does not include the maps.</p>
14	<p>I think the change to zoning for housing only near large roads is a problem. This seems like it will create a form of segregation where poor people must endure the horrible conditions next to large roads. Please remove references to collector and arterial roadways as these should not define how a road is to be used. In fact, it really doesn't seem suitable to have housing near these conditions. Kids still need green spaces and safe areas to play and this seems incompatible with high traffic speeds.</p>

15	<p>- Waiving tree preservation as an incentive for affordable housing creates equity concerns considering low-income communities tend to have lower tree coverage, increasing heat and other health impacts. - Similar concern with equity implications of removing landscaping and screening requirements for higher % affordable developments. - Thank you for permitting shelters and transitional housing - Why no temporary construction yard or office permitted when it is allowed in other residential zones? - The summary notes incentives are tied to LIHTC which typically requires 15-30 year affordability periods and usually at least 20% affordability, how many scenarios are there under LIHTC that would trigger the proposed 10% affordable for a 10-year period incentives? Is that level more intended for the 'county incentives per written agreement'? What are the parameters the county considers for that type of agreement? Is removing the LIHTC tie for incentives a possibility to further spur affordable housing development? - The language under J Affordable Housing is confusing. The summary states it has to have LIHTC to qualify, J 1. says LIHTC, J 2. talks about County agreements and J 3. is 10%.</p>
16	<p>With Arapahoe county already struggling with funding, it needs to change zoning on existing land developments to meet the housing needs. There is a lot of wasted space in parking lots and single family neighborhoods that would</p>

	organically convert to multi-family housing if given the opportunity.
17	<p>It seems like the decrease in parking minimums at mobile home parks would hurt the families living there more than help. It also seems like it's putting an unfair burden on that segment of the population while the rich folks in large single family homes get garages and unlimited free street parking. There needs to be more safe and efficient alternatives to driving before you take away the parking for the poorest in our communities.</p>
18	<p>It seems like the decrease in parking minimums at mobile home parks would hurt the families living there more than help. It also seems like it's putting an unfair burden on that segment of the population while the rich folks in large single family homes get garages and unlimited free street parking. There needs to be more safe and efficient alternatives to driving before you take away the parking for the poorest in our communities.</p>
19	<p>I would NOT agree with the proposition, "Multi-Family zoning would allow single-family attached, two-family, townhome, and multi-family dwelling units with between 13-35 housing units per acre on land near major roadways that provide easy access to business centers and public transportation. For Mixed-Use zoning, there would be a minimum density of 35 housing units per acre" if it would apply to</p>

	<p>ANY single-family neighborhoods. Single family neighborhoods should ONLY have single-family homes on them!</p>
20	<p>These amendments are entirely unnecessary and are not at all desired by citizens. They are unnecessary because the birth rate is so low - and has been since 2018 - in the US and especially in other countries where prior immigrants to the US, such as Japan and South Korea. As a result, these unsightly and if we wanted to live in a dense city, you create a situation that cannot be undone a few years from now when our population plummets. If we wanted to live amongst this density, we would move to a dense city. Over 800 people a day moved out of CA during COVID, when they were able to work from anywhere, because nobody wants to live amongst that many people.</p>
21	<p>We need more housing and affordable housing. Thank you for working on this issue.</p>
22	<p>I don't believe there is a need to create more high density housing in Arapahoe County. I do believe there is already enough traffic and people, and "affordable" is misleading.</p>
23	<p>Comments on Proposed Land Development Code Amendments: Affordable Housing – LDC24—004 The League of Women Voters of Arapahoe and Douglas Counties (LWVADC) supports these proposed Land Development Code changes designed to encourage</p>

	<p>development of affordable housing in the unincorporated areas of Arapahoe County. There is a critical need for housing for those whose income is less than 60% AMI.</p> <p>LWVADC is encouraged that the County sees fit to adopt changes that will comply with legislation enacted by the Colorado General Assembly in 2024 and also meet the requirements of Proposition 123. We commend the County's effort to reduce zoning barriers to the development of affordable housing. Sonya Pennock, Chair Housing and Homelessness Committee League of Women Voters of Arapahoe and Douglas Counties  <a href="mailto:sonsu@earthlink.net">sonsu@earthlink.net</a></p>
24	<p>Do not make any changes. Housing market is about to collapse and these changes will allow developers to create low quality housing when the market turns and the value of housing is cut in half. Arapahoe county needs to look at rules for short term rentals and corporate ownership of properties by raising property taxes of these types of investments to discourage inappropriate use of residential property as revenue generating assets. Stop building dense housing now before it turns into a problem later.</p>
25	<p>These proposed changes are NOT what is in the best interest of a majority of Arapahoe county residents. These changes will ultimately create extreme high density areas where infrastructure is not in place to handle the volume of people. Multiple things need to be addressed BEFORE</p>

	<p>considering these density changes, not after they have already caused problems. This seems to be an avenue for Arapahoe county to increase revenue, while decreasing quality of life for existing residents. I do not support these changes.</p>
26	<p>4 square needs to be cleaned up before increasing the density. The county is unable to enforce current ordinances related to junk cars up and down our streets, tractor trailers stored in residential neighborhoods, and increased gang activity; adding more cars will make this problem worse. We absolutely need more housing options in Colorado for people, but we need services like police, parking enforcement, fire and EMS to go along with with this growth. I would like to see the county include strategic plans for these services as well. It will take anyone 5 minutes driving around 4 square to see that the county has no control over the management of the current issues that residents have been furious about for years. If you talk to current developers it is also very well known that Arapahoe County is extremely difficult to permit and develop in as evident by lots such as the abandoned lot on S Syracuse that has had zone review board for years, and the lot of S Quebec that is frequently filled with homeless starting fires.</p>
27	<p>From City of Centennial • 2-4.11.C.1 (p 4)</p> <p>o Why is Centennial Airport AIA treated differently than other airports for Mixed Use</p>

	<p>developments? • 2-4.11. (p 4) o D-F reference R-MF, but I believe they should reference MU. •Expedited Review P 37 o</p> <p>Centennial does not support removal of neighborhood meeting requirements.</p>
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