



**DOUGLAS COUNTY COMMISSIONERS
WORK SESSION
Monday, May 13, 2024
(In Office and Remote)**

A G E N D A

(Times listed are estimates and may fluctuate depending on length of discussion.)

Time*

3:30 p.m.

**Prohibition of Residential Occupancy Limits
Based on Familial Relationships**

**2024 Scientific and Cultural Facilities District
Grant Funds**

Agenda Item

DATE: MAY 13, 2024
TO: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS
THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER
FROM: TERENCE T. QUINN, AICP, DIRECTOR OF COMMUNITY DEVELOPMENT
CC: STEVEN E. KOSTER, AICP, ASSISTANT DIRECTOR OF PLANNING SERVICES
MICHAEL CAIRY, ZONING COMPLIANCE MANAGER
JEFFREY A. GARCIA, COUNTY ATTORNEY
SUBJECT: PROHIBITION OF RESIDENTIAL OCCUPANCY LIMITS BASED ON FAMILIAL RELATIONSHIPS

The Colorado General Assembly recently passed House Bill 24-1007, the HOME (Harmonizing Occupancy Measures Equitably) Act (the “Act”), which prohibits local governments from limiting “...the number of people who may live together in a single dwelling based on familial relationship.” Governor Polis signed the Act on April 15, and it becomes effective on July 1, 2024. The Act does not impact a local government’s ability to limit residential occupancy based on “demonstrated health and safety standards” or “local, state, federal, or political subdivision affordable housing program guidelines.”

The Act will have limited impact on Douglas County regulations. In May 2016, the Board of County Commissioners amended its Zoning Resolution to remove such limits from its definition of “family,” other than retaining a limit on the number of unrelated registered sex offenders that may live in a residence. The Douglas County Zoning Resolution (“DCZR”) defines “family” as:


An individual or a group of persons, whether related or not, that habitually reside in a single dwelling unit and form a single residential unit, who share common living areas (e.g. laundry, kitchen, living room, garage, etc.) and expenses, and are at least partially dependent upon each other for care of the residential unit.

A family shall not include more than one (1) registered sex offender over the age of 18, unless related by blood, marriage, or legal adoption to all other occupants.

Section 124, Interpretation, of the DCZR contains the following provision:

To the extent any provision of this Resolution or any provision of a planned development is inconsistent with any federal or state legal requirement (a “Controlling Legal Requirement”), then this Resolution, and any provision of any

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THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER
FROM: TERENCE T. QUINN, AICP, DIRECTOR OF COMMUNITY DEVELOPMENT 
CC: KIM SMITH, COMMUNITY RESOURCE PROGRAM COORDINATOR
ALLISON CUTTING, COMMUNITY SERVICES SUPERVISOR
JENNIFER L. EBY, AICP, ASSISTANT DIRECTOR OF COMMUNITY SERVICES
SUBJECT: 2024 SCIENTIFIC AND CULTURAL FACILITIES DISTRICT GRANT FUNDS

SUMMARY

Applications requesting 2024 Scientific and Cultural Facilities District (SCFD) grant funds are lower than the total grant amount available for distribution. Staff anticipates an overage of at least \$38,819.82 if all applications are funded at 100% of their request. Staff is requesting the Board of County Commissioners (BCC) provide guidance to the Cultural Council on how to award this overage.

BACKGROUND

The Cultural Council utilizes a scoring rubric to determine initial awards. In 2023, this resulted in an overage of \$529,079.42. SCFD requires this overage to be distributed to applicants. The Council applied a \$15,000 bonus award to each General Operating Support (GOS) applicant and increased all project-based awards by 35%. Remaining funds were distributed among the GOS applicants equitably using a percentage based on their original request.

DISCUSSION

The Douglas County 2024 portion of SCFD grant funds is \$1,302,123.82. Douglas County received 61 applications from 55 different organizations in the amount of \$1,263,304.00. Of the applications received, 10 are for GOS and 51 are project-based requests. If all applicants are funded at 100% of their request, an overage of \$38,819.82 will remain to be distributed.

During April and May, the Cultural Council held four study sessions to review the applications received. At the conclusion, each Council member submits their scoring rubric prior to the allocation meeting on June 11th. The Cultural Council uses these scores to calculate their funding recommendations. Recommendations will be presented to the BCC for certification during a work session at the end of June.

NEXT STEPS

Staff is requesting the BCC provide guidance to the Cultural Council on how to award the overage. Based on last year's recommendation from the BCC, one option may be to equitably distribute the overage only to GOS applicants.