Group Living Advisory Committee
Community Corrections Subgroup
Phase 3, Meeting 4

Handout packet

Date: 12/12/19
Meeting Agenda - 12/12/19

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Time</th>
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<tbody>
<tr>
<td>Welcome, agenda review, today’s meeting goals</td>
<td>11:00 – 11:05 a.m.</td>
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<tr>
<td>Recap progress to-date and items left for discussion 12/12</td>
<td>11:05 – 11:20 a.m.</td>
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<tr>
<td>Overview of Proposed Approach</td>
<td>11:20 – 11:45 a.m.</td>
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<td>Discussion of Proposed Approach</td>
<td>11:45 – 12:45 p.m.</td>
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<tr>
<td>Wrap Up and Next Steps</td>
<td>12:50 – 1:00 p.m.</td>
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</table>

Meeting Goal:

- Review proposed Zoning Code updates and confirm subgroup recommendation
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<td>Community Corrections Background and Recent Progress</td>
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<td>Summary of proposed update to Residential Care regulations and impacts on Community Corrections Uses</td>
<td>Slides 15-19</td>
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<td>Detailed Residential Care Proposal</td>
<td>Slides 20-36</td>
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<tr>
<td>Appendix: Overview of current Community Corrections regulations (from 11-19 handout)</td>
<td>Sides 41-52</td>
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</table>
Group Living Project Overview

Timeline + Schedule

Kickoff: March 2018
Problem Identification: April – August 2018
Solutions Development: Oct 2018-present
Final Strategy Proposals and public outreach:
  • Q1 2020
Public adoption process:
  • Q2 2020 (Includes Planning Board public hearing, LUTI Committee, City Council public hearing and four notification periods, see slide 9)

Key Issues

Zoning limits housing for vulnerable populations
Outdated rules don't acknowledge evolution of residential uses
Widely varying permit and notification requirements lack predictability
Current spacing and density requirements have unintended consequences

About the Project

Advisory Committee: 48 members (clients, providers, RNO reps, designers, etc.)
Project Website: www.denvergov.org/groupliving
Relevant Code Sections:
  • Primary Residential Use Definitions (Sec. 11.12-2)
  • Residential Use Limitations (Div. 11.2)
  • Use Tables (by Neighborhood Context)
Timeline

2018
- Project Kickoff: March 2018
- Problem Statements: 27 meetings + site visits

2019
- Solutions Development: 12 meetings
- Project on hold: Temporary Tiny Home Villages

2020
- Public Outreach: Review final strategies and formal zoning code amendments
- Implementation
- Solutions Development Continued
- Public Adoption Process

- Public Open House: August 2018
- Temporary Tiny Home Villages

Project Progress to date

Phases I and II (setup and problem identification)

• Identified and invited advisory committee
• More than 35 facilitated meetings, site visits and other events (all open to the public)
• Development of clear problem statements identifying issues with code
• Open House to explain code issues to public
• Extensive peer city/best practices research to build understanding of how these uses are regulated elsewhere and how those regulations are evolving
• Project team overhaul of residential permit data
  o Collaboration with Neighborhood Inspection Services to ground-check status of permitted uses
  o Updated Residential Care map
Phase III Solutions Development

- Committee consensus on:
  - Updated Terminology (e.g. "Shelter for the Homeless" amendment to "Shelter")
  - Changes to parking regulations for Assisted Living
  - Temporary Tiny Home Village zoning regulations

- Complete DZC amendment package for Temporary Tiny Home Villages
  - New pre-application Community Information Meeting requirement developed
  - Expanded stakeholder outreach enabled by acquisition and setup of rental unit mailing address data

- Draft recommendations and committee consensus in development (pending additional stakeholder outreach, etc.) on:
  - Overhauled Shelter types breakdown, permitted zone districts
  - New permitted zone districts, revised buffers for Community Corrections
  - Definition of Household
Progress toward final strategies (early December, 2019)

Group Living Uses

- Housing for 55+ (Assisted Living, etc.)
- Community Corrections Uses
- Shelter Uses
- Transitional/Special Care Uses
- Emerging/Artist/DIY Residential Uses

Overarching Issues

- Household Definition
- Residential Care Spacing and Density

Progress since 11/19
## Anticipated Timeline

<table>
<thead>
<tr>
<th>Step</th>
<th>Requirement/Timing/Notes</th>
<th>Tentative Date(s)</th>
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<tbody>
<tr>
<td>Complete Final Strategies</td>
<td>1.5 months</td>
<td>Complete by mid-January</td>
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<tr>
<td>• Residential Care Spacing and Density</td>
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<tr>
<td>• Shelter types and spacing</td>
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<td>• Community Corrections zone districts, buffers</td>
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<td>• Permanent Tiny Home Village</td>
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<td>• DIY Artist housing/flex spaces</td>
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<tr>
<td>• Transitional/Special Care housing</td>
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<tr>
<td>Draft Final Strategy Document</td>
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<tr>
<td>Public Outreach</td>
<td>1 month</td>
<td>Complete by mid-February</td>
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<td>• Open Houses</td>
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<td>• Office Hours</td>
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<tr>
<td>Respond to Public Input</td>
<td>1 week</td>
<td>Throughout February</td>
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<tr>
<td>Redline Amendment Public Review Draft</td>
<td>3 weeks</td>
<td>Begin early February, Complete by Feb 26</td>
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<tr>
<td>Step</td>
<td>Requirement/Timing/Notes</td>
<td>Tentative Date(s)</td>
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<td>-----------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>Release public review draft of proposed changes</td>
<td>30 days prior to Planning Board Public Hearing</td>
<td>Feb 26</td>
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<tr>
<td>Required notice of Planning Board Public Hearing</td>
<td>Required written notification 15 days prior to Planning Board Public Hearing (DZC 12.2.2.3, 12.3.4.4.A.2)</td>
<td>March 9</td>
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<tr>
<td>Planning Board Public Hearing</td>
<td>Text amendments are required to go before Planning Board prior to submitting to council per DZC 12.4.11.3.E, 12.2.2.3 and DRMC 12-45</td>
<td>March 25</td>
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<tr>
<td>Public notice of LUTI Committee Meeting</td>
<td>Required written notification 10 business days prior to LUTI Meeting per DRMC 12-96</td>
<td>April 13</td>
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<tr>
<td>LUTI Committee Meeting</td>
<td>Text amendments are required to go before the LUTI Committee of City Council per DZC 12.4.11.3.F</td>
<td>April 22</td>
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<tr>
<td>City Council First Reading of the ordinance</td>
<td>Required to set the date for the public hearing per Charter 3.3.5(F), DRMC 13-11</td>
<td>May 4</td>
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<tr>
<td>City Council Public Hearing</td>
<td>Required per 12.4.11.3(G) and City Charter 3.2.9</td>
<td>June 1</td>
</tr>
<tr>
<td>Ordinance Effective</td>
<td>Mayor signs ordinance and Clerk publishes Thursday after the hearing (Charter Sec 3.3.5.G)</td>
<td>June 4</td>
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</table>
Community Corrections: Background and Recent Progress
Problems identified by the Group Living Advisory Committee

Community Corrections Subgroup

1. Demand exceeds current capacity
2. Limited space in applicable districts for new facilities
3. Many existing facilities are compliant or nonconforming uses, which have limited allowances for expansion
4. Vehicle parking requirements exceed demand and take up space
5. Population Density requirements need revision
Agreed-upon solutions

1. Demand exceeds current capacity
   • Reduce or remove buffer requirements from residential zone districts and schools

2. Limited space in applicable districts for new facilities
   • Allow CCF use in additional zone districts

3. Many existing facilities are compliant or nonconforming uses, which have limited allowances for expansion
   • Grant Zoning Administrator additional power to allow expansion and transfer (to new operators) of compliant/non-conforming uses

4. Vehicle parking requirements exceed demand and take up space that could be used for programming
   • Change Zoning Code parking category to reduce parking requirements; change method of calculation to avoid unintended consequences

5. Population Density requirements need revision (refers to required square feet/person in some zone districts, based on outdated State standard, found in DZC Sec. 11.2.10.1.D.1.a and c.)
   • Remove requirement, as CCFs are required to follow state standards for space per resident.

More Information:
11-19 meeting summary:
https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text_amendments/Group_Living/Community_corrections_subgroup_meeting6_summary.pdf

11-19 meeting handout:
https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text_amendments/Group_Living/Community_corrections_subgroup_meeting6_handout.pdf
Proposed solutions for discussion Dec. 12

1. Demand exceeds current capacity
   • Increase facility resident caps

2. Limited space in applicable districts for new facilities
   • Updates to spacing and density requirements
   • Updates to Community Corrections Definitions to allow additional flexibility
Summary of Proposed Update to Residential Care Regulations
And Impact on Community Corrections
Summary of Proposal
(Note: detailed proposal outlined beginning on Slide 20)

• Consolidate community corrections and emergency shelter uses into new use category: Community Care
  o Regulate by size and external impacts, not by population types
  o Highest-intensity overnight and institutional care uses

• Regulate by size and intensity, rather than by specific populations
  o Small/seasonal (1-8 guests)
    • Preserve small/seasonal emergency shelter as accessory use to religious assembly uses
    o Medium (9-200 guests)
    o Large (201-500 guests)
    o 10-day emergency expansion

• Establish standardized use limitations
  o 600’/1,200’ (appr. 1.5 to 3-block) spacing between Large and Medium (depending on intensity of applicable zone district)
  o 1-mile radius density limits for Large
  o 1,200 feet radius density limits for Small
  o Pre-application Community Information Meeting (CIM) required for Large, Medium and Small (Primary Use Only) Community Care Uses.
Proposed Overhaul of Residential Care Regulations and effect on Community Corrections, continued

How this proposal accomplishes agreed-upon solutions:

Problem 1: Demand exceeds current capacity
  • This proposal would remove buffer requirements for this use from residential districts (key issue) and reduce or remove buffers from schools.

Problem 2: Limited space in applicable districts for new facilities
  • This proposal would allow CCF uses in more zone districts, including higher-intensity residential, mixed-use and corridor districts, as discussed Nov. 19

Problem 5: Population Density requirements need revision (refers to required square feet/person in some zone districts, based on outdated State standard, found in DZC Sec. 11.2.10.1.D.1.a and c.)
  • This proposal establishes maximum capacity for facilities in the Small, Medium and Large categories, but leaves details about facilities and service provision to the Denver Building Code and local and state regulations and standards governing CCFs
Proposed Overhaul of Residential Care Regulations and effect on Community Corrections, continued

How this proposal addresses issues (for discussion at 12/12 meeting):

Problem 1: Demand exceeds current capacity
• This proposal would remove current location-specific population caps and expand the total number of guests who can be served in CCFs or other Community Care facilities.

Problem 2: Limited space in applicable districts for new facilities
• This proposal updates spacing and density requirements to align with common practices and more specific geographies.
• This proposal would incorporate community corrections facilities into a broader Community Care definition for facilities that are either overnight-only (emergency shelters) or institutional (confined residential settings). Providers would have the flexibility to provide service under a variety of models.
• Small Community Care category allows additional flexibility for facilities located in low-intensity residential districts.
Proposed Overhaul of Residential Care Regulations and impact on Community Corrections, continued

How this proposal addresses other issues raised in this process and at the 11/19 meeting

• This proposal would regulate by size and intensity of facilities, rather than by population, addressing equity concerns raised.

• Community Information Meeting (CIM) provides opportunity for neighbors to learn about a proposed facility and begin a relationship with providers/operators, addressing 11/19 recommendation to better educate communities about these uses.

• Language will clarify that a continuum of residential uses can exist on a single zone lot, provided that the cumulative number of guests served does not exceed the category maximum.

• Community Care proposal incorporates much-needed updates to Shelter uses which serve another key vulnerable population.
Proposed Approach
for consolidating and simplifying Residential Care types and use limitations

DRAFT Language for GLAC Review
CURRENT “org-chart” breakdown of defined Group Living Uses

Group Living
In DZC Residential
Uses

Residential Care

Large
- Shelter for the Homeless (Any Size)
- Community Corrections (Any Size)
- Special Care (9+)

Small
- Transitional Housing
- Assisted Living (≤8)
- Special Care (≤8)

Non-care Group Living uses

- Rooming and Boarding
- Assisted Living 9+
- Nursing/Hospice
- Housing for 55+
- Student Housing

Current Defined uses

- Residential Care
- Large
- Small

Special Care (9+)
- Large
- Small

Transitional Housing
- Large
- Small

Assisted Living (≤8)
- Large
- Small

Special Care (≤8)
- Large
- Small
Current Zoning Regulations: Use-specific and overlapping use limitations in Zoning Code

Use Limitations applicable to all large residential care:

• A Large Residential Care use shall be a minimum of 2,000 feet from another such use; and

• No more than two other such uses shall exist within a 4,000 foot radius measured from the proposed use

- Shelter for the Homeless (Any Size)
  • 500 feet from a school
  • 950 beds/City Council District
  • Max 200 beds for new facilities
  • Variety of process requirements, including committee

- Community Corrections (Any Size)
  • 1,500 feet from residential zone district
  • 1,500 feet from a school
  • Max 40-120 residents
  • Very few permitted zone districts

- Special Care (9+)

Large Residential Care

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Proposed Consolidation of defined Residential Care Uses

- Community Care Facility
  - Large 201-500
  - Medium 9-200
  - Small/Seasonal

- Residential Care Facility
  - Large 41+
  - Medium 9-40
  - Small ≤8

- Non-care Group Living uses
- Emergency (overnight) Shelter
- Community Corrections
- Special Care
- Transitional Housing
- Assisted Living
- Special Care
- Nursing/Hospice

DRAFT Language for GLAC Review
Community and Residential Care Details

**Community Care Facility**

- Moves to Civic/Public uses section of Zoning Code
- Definition highlights:
  - Distinguished by non-residential (e.g., emergency shelters not open 24 hrs) or institutional (e.g., community corrections) uses
  - Highest-intensity residential/overnight uses (external impacts like queuing, transport, etc.)
  - Staffed at all hours of occupancy
  - Allows other similar uses as they evolve
  - Large facilities required to have formal relationship with city or state government
- Community Information Meeting required for all (except Small/Temp Community Care as Accessory to Religious Assembly Use)
- Standardized process and use limitations (e.g., spacing and density requirements) for all uses in category.
- Limited

**Residential Care Facility**

- Stays in Residential Uses of Zoning Code
- Definition Highlights
  - Lower-intensity residential uses
  - Includes nursing, hospice, assisted living
  - Care provided by on-site staff (custodial, medical, etc.)
  - Occupancy is 24-hours
  - Allows residential shelters (24-hr operation, assigned beds, storage, etc.)
  - Allows similar lower-intensity residential care uses as they evolve
- Community Information Meeting required for Medium in low-intensity zone districts
- Standardized process and limitations (e.g., spacing and density requirements) for all uses in category

DRAFT Language for GLAC Review
Conceptual new org-chart breakdown for current Residential Care uses

**Community Care**
- In Public/Civic Uses
  - Large: 201-500
  - Medium: 9-200
  - Small/Seasonal

**Group Living**
- In DZC Residential Uses
  - Residential Care
    - Large: 41+
    - Medium: 9-40
    - Small: ≤8
  - Non-care Group Living uses

For future, separate discussion

DRAFT Language for INTERNAL Review
Potential advantages of this approach

- Shifts from regulating by population in facilities toward more equitable approach of regulating by size and intensity (external impacts, etc.)

- No specific list of use types (focus on size, intensity) allows flexibility, evolution of uses

- Provides additional flexibility for Community Corrections (small facilities, unique programs, etc.) requested by stakeholders.

- Allows additional flexibility for 24-hour residential shelters (as Large Residential Care).

- Applicant-led Community Information Meeting requirement for all uses allows opportunity for providers/applicants to give details to community, begin relationship, potentially enter into non-city agreements (i.e. good neighbor agreement), fulfills GLAC recommendation to educate community on individual projects

- Addresses many Group Living Advisory Committee problem statements

- Moves high-intensity (shelter, community corrections) uses to Civic/Public uses, per staff recommendations

- Standardized + consistent process, use limitations, etc.
The following acronyms are used on subsequent pages:

Process requirement abbreviations:
ZP = Zoning Permit
CIM = Community Information Meeting (requirements set forth in Denver Zoning Code Article 12, sec. 12.3.4.6

Zone District abbreviations:
SU = Single-Unit (a zone district that allows a single dwelling unit on a zone lot)
TU = Two-Unit
RH = Row Home
MU = Multi-Unit
RO = Residential Office
RX = Residential Mixed Use
MS = Main Street
CC = Commercial Corridor
MX = Mixed Use
OS = Open Space
CMP = Campus
I = Industrial
<table>
<thead>
<tr>
<th>Use Type</th>
<th>Process</th>
<th>Permitted Districts</th>
<th>Spacing and Buffers</th>
<th>Density</th>
</tr>
</thead>
</table>
| Community Care Large     | • Zoning Permit (ZP) with pre-application Community Information Meeting (CIM) | • Permitted in all zone districts, except the SU, TU, RH, E-MU-2.5, MS/MX-2, MS/MX-2, MX-2A, CMP-ENT, OS-B, OS-A and OS-C zone districts. | • 1,200 feet between any Large or Medium Community Care facilities and a subject site in MU, RO and RX districts.  
• 600 feet between any Large or Medium Community Care Facility and a subject site in CC, MS, MX (8 stories or less) zone districts.  
• No spacing required in D, I-A, I-B and MX 12, 16 and 20 zone districts).  
• Possible 500-foot buffer for Community Corrections uses in this category  
• Additional Community or Residential Care uses permitted on same zone lot.  
  o Cumulative maximum guests: 500 | • No more than three Large or Medium Community Care within a one-mile radius  
• Additional Community or Residential Care uses permitted on same zone lot.  
  o Cumulative maximum guests: 500 |
| Community Care Medium    | • ZP with CIM                                  | • Permitted in all zone districts, except the SU, TU, RH, E-MU-2.5, MS/MX-2, MS/MX-2, MX-2A, CMP-ENT, OS-B, OS-A and OS-C zone districts. | • 1,200 feet between any Large or Medium Community Care facilities and a subject site in MU, RO and RX districts.  
• 600 feet between any Large or Medium Community Care Facility and a subject site in CC, MS, MX (8 stories or less) zone districts.  
• No spacing required in D, I-A, I-B and MX 12, 16 and 20 zone districts).  
• Possible 500-foot buffer for Community Corrections uses in this category  
• Additional Residential Care uses permitted on same zone lot.  
  o Cumulative maximum guests: 200 | • None |

DRAFT Language for GLAC Review
## Proposed Permitted Zone Districts & Use Limitations: Community Care Continued

<table>
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<tr>
<th>Use Type</th>
<th>Process</th>
<th>Permitted Districts</th>
<th>Spacing and Buffers</th>
<th>Density</th>
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<td><strong>Community Care Small/Seasonal</strong></td>
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<tr>
<td>• Permanent Small</td>
<td>• ZP with CIM</td>
<td>• All except OS-B, OS-A and OS-C</td>
<td>• None</td>
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<td>o 8 or fewer guests</td>
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<td>• Same as current small shelter</td>
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<td>o A facility intended to house up to 8 non-</td>
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<td>paroled individuals under correctional supervision shall have a formal, written agreement with the Denver Manager of Safety</td>
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<td>• Permanent Seasonal</td>
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<td>o Up to 100 guests</td>
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<td>o Operation up to 130 days/year</td>
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<tr>
<td><strong>Community Care Emergency Shelter as Accessory to a Religious Assembly Use</strong></td>
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<tr>
<td>• Permanent Small</td>
<td>• No ZP when accessory to Religious Assembly Use</td>
<td>• All except OS-B, OS-A and OS-C</td>
<td>• None</td>
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<tr>
<td>o 8 or fewer guests</td>
<td></td>
<td>• Same as current small shelter</td>
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<tr>
<td>• Permanent Seasonal</td>
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<tr>
<td>o Up to 100 guests</td>
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<tr>
<td>o Operation up to 130 days/year</td>
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## Proposed Permitted Zone Districts & Use Limitations: Residential Care

<table>
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<th>Use Type</th>
<th>Process</th>
<th>Permitted Districts</th>
<th>Spacing</th>
<th>Density</th>
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<tbody>
<tr>
<td><strong>Residential Care Large</strong></td>
<td>ZP</td>
<td>• Permitted in all zone districts, except the SU, TU, RH, MU (2.5, 3, 5, 8), RO, MS/MX-2x, MS/MX-2, MX-2A, CMP-ENT, OS-B, OS-A and OS-C zone districts.</td>
<td>● None</td>
<td>● none</td>
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<tr>
<td></td>
<td></td>
<td>• Includes uses like current Assisted Living, Hospice/Nursing, Transitional Housing, Special Care uses; residential shelter</td>
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<td></td>
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<td>• 10-day expansion permitted during emergencies</td>
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<tr>
<td><strong>Residential Care Use Medium</strong></td>
<td>ZP</td>
<td>• Permitted in all zone districts, except the OS-B, OS-A and OS-C zone districts.</td>
<td>• 1,200 feet between facilities in SU, TU, RH only</td>
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<tr>
<td></td>
<td>ZP with CIM in SU, TU, RH</td>
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Proposed Permitted Zone Districts & Use Limitations: Residential Care, continued.

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<th>Use Type</th>
<th>Process</th>
<th>Permitted Districts</th>
<th>Spacing and Buffers</th>
<th>Density</th>
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<tbody>
<tr>
<td>Residential Care Small</td>
<td>ZP</td>
<td>• Permitted in all zone districts, except OS-B, OS-A and OS-C</td>
<td>None</td>
<td>• No more than three Small Community or Residential Care Facilities within a 1,200’ radius of a subject site in SU, TU, RH zone districts only.</td>
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<tr>
<td>• 8 or fewer guests</td>
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<tr>
<td>Small Community Care Emergency Shelter as Accessory to a Residential Care Facility</td>
<td>No ZP when accessory to Large or Medium Residential Care Facility</td>
<td>• Permitted accessory to Large or Medium Residential Care Facility, in districts where those uses are permitted.</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
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<thead>
<tr>
<th>Use Type</th>
<th>Permitted in all zone districts</th>
<th>Permitted only in higher-intensity zone districts</th>
<th>Density 3 within 1 mile radius</th>
<th>1200’ spacing all districts</th>
<th>1200’ spacing SU, TU, RH districts only</th>
<th>Density: 3 within 1200’ radius in SU, TU, RH Districts</th>
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<tbody>
<tr>
<td>Community Care Large</td>
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<td>Community Care Medium</td>
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<tr>
<td>Community Care Small/Seasonal</td>
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<tr>
<td>Large Residential Care Facility</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium Residential Care Facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Residential Care Facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
GLAC Decision-Making Criteria

1. Is consistent with adopted plans (Pass/Fail - Must Pass per Charter 3.2.9(C) and DZC 12.4.11.4.A)

2. Is equitable – not necessarily equal – in terms of neighborhood policies and impact

3. Provides for more affordable and attainable housing options across the full range of resident incomes, considering creative options in the process.

4. Limits potential for unintended consequences perceived as negative or in conflict with community character, economic viability and existing or future plans and policies

5. Is clear to administer and enforce

6. Is clear and predictable to all stakeholders

7. Uses language that is consistent with relevant city, state and federal regulations

8. Is enforceable with minimal entry to properties by Zoning & Neighborhood Inspection Services and other staff
Application of decision-making criteria

1. **Is consistent with adopted plans** (Pass/Fail - Must Pass per Charter 3.2.9(C) and DZC 12.4.11.4.A)

   This proposal implements many adopted plan policies for expanding affordable, equitable and flexible housing options, especially for Denver’s most vulnerable populations, as set forth in Blueprint Denver, Housing an Inclusive Denver, etc.

2. **Is equitable** – not necessarily equal – in terms of neighborhood policies and impact

3. Provides for **more affordable and attainable housing options** across the full range of resident incomes, considering creative options in the process.

4. **Limits potential for unintended consequences** perceived as negative or in conflict with community character, economic viability and existing or future plans and policies

   This proposal is equitable in that it moves away from regulating and excluding residential uses by population type, incentivizes smaller, more distributed facilities and increases opportunities for housing the city’s most vulnerable residents. It provides additional flexibility for providers to offer affordable and attainable options. It limits unintended consequences by establishing clear, predictable use limitations and criteria and by requiring pre-application community meetings for the highest-intensity uses to enable relationship-building between providers and neighbors.
This proposal has been developed in close collaboration with review and provider agencies to ensure it would establish clear and predictable regulations that are enforceable and consistent. It is consistent with relevant city, state and federal regulations as it provides the flexibility for uses to operate per those regulations where they apply.
600/1,200-foot spacing standard
• Replaces current 2,000' spacing requirement
• Distance based on length of typical Denver blocks (1.5 block spacing in mid-intensity districts, 3 in lowest-intensity districts)
• Common peer city spacing approach (LA, Austin, etc.)
• Addresses concentration of facilities and services in neighborhoods, per multiple problem statements

1-mile density standard (3 within radius, including subject site)
• Replaces current Council District bed count limit
• Based generally on size of typical Denver neighborhoods (proposed instead of trying to identify a specific geography like statistical neighborhood boundary, council district, etc.)
• Prevents overconcentration of large facilities in neighborhoods
• Addresses multiple problem statements regarding ineffectiveness of current Council District system, overconcentration, etc.

1,200-foot density standard (3 within radius, including subject site)
• Replaces current 4,000' density requirements
• Based on length of 3 typical Denver blocks
• Provides specific standard for Small Res Care, replaces current vague "avoid institutionalization" language per problem statements.
• Proposed for lower-intensity uses, in lower-intensity residential districts

Community Information Meeting:
• New pre-application public meeting requirement
• Includes expanded outreach, including mailed outreach to renters, community organizations that are not officially Registered Neighborhood Organizations.
• Provides opportunity for operators to begin relationship with community, education on uses and populations served.
• Addresses multiple problem statements regarding unclear or inequitable community involvement processes
Map illustrating 500’ school buffer
Illustration of 1-mile density requirements
Scale is approximate
Illustration of 1200' Density/1200' Spacing Requirements
Scale is approximate
Next Steps

• Review with other subgroups related to residential care uses

• Combine with Household definition and other proposals

• Review with full GLAC (January 2020)

• Public Outreach (Jan + Feb 2020)
Appendix: Current Zoning Regulations for Community Corrections Uses
From 11/19 handout
<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Facility Location</th>
<th>Number of Beds</th>
<th>Operator</th>
<th>Zone District</th>
<th>Compliant/Non-Conforming Issues</th>
<th>Zoning Conformance</th>
</tr>
</thead>
<tbody>
<tr>
<td>CoreCivic - Ulster</td>
<td>3955 N. ULSTER ST.</td>
<td>84</td>
<td>Corecivic, inc</td>
<td>I-MX-5, UO-2</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>CoreCivic -46th</td>
<td>4511 E. 46TH AVE.</td>
<td>120</td>
<td>Corecivic, inc</td>
<td>I-B, UO-2</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>CoreCivic -Columbine</td>
<td>4280 N. COLUMBINE ST.</td>
<td>60</td>
<td>Corecivic, inc</td>
<td>I-A, UO-2</td>
<td>63 feet to Residential District</td>
<td>Compliant</td>
</tr>
<tr>
<td>CoreCivic Fox</td>
<td>570 W. 44TH AVE.</td>
<td>90</td>
<td>Corecivic, inc</td>
<td>I-B, UO-2</td>
<td>213 feet to RX District</td>
<td>Compliant</td>
</tr>
<tr>
<td>Tooley Hall</td>
<td>4280 N. KEARNEY ST.</td>
<td>73</td>
<td>Geo Care</td>
<td>I-B, UO-2</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>Williams Street Center, Inc.</td>
<td>1776 N. WILLIAMS ST.</td>
<td>80</td>
<td>Geo Care</td>
<td>G-RO-5</td>
<td>IN RO District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>Independence House Filmore</td>
<td>1479 N. FILLMORE ST.</td>
<td>40</td>
<td>Independence House, LLC</td>
<td>U-MS-3</td>
<td>In MS District, Adjacent to RH District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>Independence House Pecos</td>
<td>4101 N. PECOS ST.</td>
<td>75</td>
<td>Independence House, LLC</td>
<td>U-TU-C</td>
<td>In TU District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>Independence House South Federal</td>
<td>2765 S. FEDERAL BLVD.</td>
<td>110</td>
<td>Independence House, LLC</td>
<td>PUD 632</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>Peer I</td>
<td>3712 W. PRINCETON CIR.</td>
<td>80</td>
<td>University of Colorado Peer 1 program</td>
<td>CMP-H2</td>
<td>In CMP District, 173 Feet to SU District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>The Haven</td>
<td>3630 W. PRINCETON CIR./3852 W. PRINCETON CIR.</td>
<td>20/16</td>
<td>University of Colorado Haven program</td>
<td>CMP-H2</td>
<td>In CMP District, 709 Feet to SU District</td>
<td>Non-Conforming</td>
</tr>
</tbody>
</table>
How Community Corrections Facilities are regulated in Denver

**Operations** (resident acceptance criteria, setup and role of board, programs):

- Colorado Community Corrections Standards & Statutes
- Denver Revised Municipal Code Ch 26
- Denver Department of Safety – Community Corrections Division Rules and Regulations

**Buildings and Locations:**

- Denver Zoning Code
Operations Regulations: Details and Links

Operations (acceptance criteria, setup and role of board, programs):

• **Colorado Community Corrections Standards & Statutes**
  o C.R.S. 17-27-104 Community corrections programs operated by units of local government, state agencies, or nongovernmental agencies.
  o [Colorado Community Corrections Standards & Statutes: C.R.S. 17-27-104](#)

• **Denver Revised Municipal Code**
  o Chapter 26: BOARDING HOMES, PERSONAL CARE BOARDING HOMES, AND NONGOVERNMENTAL RESIDENTIAL FACILITIES FOR THE TREATMENT OR SUPERVISION OF OFFENDERS.
  o This ordinance is sometimes referred to as “Ordinance 565” after the original City Council ordinance that created this section of the Municipal Code.
  o [Denver Revised Municipal Code - Chapter 26](#)

• **Denver Department of Safety – Community Corrections Division**
  o Rules and Regulations Governing Criteria, Standards, Functions, Procedures and Operations Pertaining to the Denver Community Corrections Board
  o [Department of Safety - RULES AND REGULATIONS](#)
Building, Location Regulations: Details and Links

**Location and size of facilities:**

- Denver Zoning Code
  - Division 11.2 Residential Primary Use Limitations
  - Section 11.2.10 Community Corrections Facility
  - Section 11.12.2 PRIMARY RESIDENTIAL USES
    - Subsection 11.12.2.2.A.2. Community Corrections Facility [Definition]

- Regulations date from previous zoning code (Former Chapter 59), and were last updated in 2008

- [Denver Zoning Code](https://denvergov.org) (link)
Community Corrections is currently a Residential Care Use in the Zoning Code’s Group Living category, subject to specific regulations and broader Group Living requirements (see diagram next slide).

Community Corrections is defined in the code as: “A structure which provides a residence for three or more persons who have been placed in a community corrections program of correctional supervision, including a program to facilitate transition to a less-structured or independent residential arrangement; and residents of such facilities shall be those persons placed in the community corrections program by the judicial or correctional departments of the city, the state or the federal government. A community corrections facility shall be considered a Large Residential Care use.”

Community Corrections Facilities are permitted only in the following zone districts:
- Industrial Mixed-Use (I-MX-)
- Industrial zones (I-A and I-B)
- Some Downtown districts:
  - Downtown Core (D-C)
  - Downtown Theater District (D-TD)
  - Downtown Lower Downtown (D-LD)
## Current residential uses ranked by permissiveness of zoning

<table>
<thead>
<tr>
<th>Residential Use</th>
<th>Permitted Zone Districts</th>
<th>Other Use Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household Living</td>
<td>Allowed in nearly all zone districts</td>
<td>none</td>
</tr>
<tr>
<td>Housing for 55+</td>
<td>Allowed in nearly all zone districts</td>
<td>none</td>
</tr>
<tr>
<td>Assisted Living</td>
<td>Allowed in nearly all zone districts</td>
<td>Spacing/Density in low-intensity zone districts</td>
</tr>
<tr>
<td>Transitional Housing</td>
<td>Allowed in nearly all zone districts</td>
<td>None (&quot;institutionalization&quot; language, no specific requirements)</td>
</tr>
<tr>
<td>Special Care Home, Small</td>
<td>Allowed in nearly all zone districts</td>
<td>None (&quot;institutionalization&quot; language, no specific requirements)</td>
</tr>
<tr>
<td>Nursing Home/Hospice</td>
<td>Allowed in limited zone districts (not low-intensity residential)</td>
<td>none</td>
</tr>
<tr>
<td>Student Housing</td>
<td>Allowed in limited zone districts (not low-intensity residential)</td>
<td>none</td>
</tr>
<tr>
<td>Rooming and Boarding House</td>
<td>Allowed in limited zone districts (not low-intensity residential)</td>
<td>none</td>
</tr>
<tr>
<td>Special Care Home, Large</td>
<td>Allowed in nearly all zone districts</td>
<td>Spacing/Density</td>
</tr>
<tr>
<td>Shelter for the Homeless</td>
<td>Allowed in nearly all zone districts</td>
<td>Spacing/Density/Buffering/Bed Limits by City Council District</td>
</tr>
<tr>
<td>Community Corrections</td>
<td>Allowed in very few zone districts</td>
<td>Spacing/Density/Buffering</td>
</tr>
</tbody>
</table>

### Small Residential Care Uses

### Large Residential Care Uses
How the Zoning Code regulates residential uses (including CCFs)

Use Definitions
- Describe and differentiate residential uses

Zone Districts
- Establish where various Group Living uses are permitted

Use Limitations
- Establish requirements for specific use types (primarily Residential Care uses)

Small vs. Large (for Residential Care Uses)
- Large: 9 or more persons, more stringent regulations
- Small: 8 or less persons, more flexible regulations

Spacing
- 2000-foot separation (Large Residential Care Uses)
- “Impacted Neighborhoods”
- Schools and Residential Zones (Community Corrections, Shelters)

Capacity
- Permitted number of beds or residents (Shelters, Community Corrections)

Operations
- Designated Contact Persons
- Limitations on External Impacts
Location of CCFs: Current Use Limitations

Buffer Requirements specific to a proposed Community Corrections Facility use:

- Must be located a minimum of 1,500 feet from a school meeting all requirements of the compulsory education laws of the state; and
- Must be located a minimum of 1,500 feet from a Residential Zone District
  - Includes single-unit, two-unit, row house, multi-unit and mixed-use residential districts

Additional requirements applicable to all Large Residential Care Facilities

- A Large Residential Care use shall be a minimum of 2,000 feet from another such use; and
- No more than two other such uses shall exist within a 4,000 foot radius measured from the proposed use
Population Limits: Current Use Limitations

11.2.10.1.D. Limits on Number of Residents

1. The proposed number of residents in a facility shall not exceed the following limits:

   a. In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents. (When adopted, this standard was aligned with state population density requirement, which has since changed to 40 square feet)

   b. In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.

   c. In the D-C, D-TD, and D-LD zone districts, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas or 40 residents, whichever is less.

2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
## Peer City CCF Zoning Requirements

<table>
<thead>
<tr>
<th>City</th>
<th>Spacing between facilities</th>
<th>Spacing from Schools</th>
<th>Spacing from Residential</th>
<th>Spacing: other</th>
<th>Parking Required</th>
<th>Size limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denver</td>
<td>2,000 feet, no more than 2 facilities within 4,000-foot radius</td>
<td>1,500 feet</td>
<td>1,500 feet</td>
<td>NA</td>
<td>I-MX-. 0.125 spaces/unit</td>
<td>I-MX-, Downtown Districts: 40 residents I-A, I-B: 120 residents (with exceptions)</td>
</tr>
<tr>
<td>Albuquerque</td>
<td>1,500 feet</td>
<td>NA</td>
<td>NA</td>
<td>Liquor establishments prohibited within 500 feet of Community Corrections or other residential facilities</td>
<td>1 space/4 persons design capacity</td>
<td>NA</td>
</tr>
<tr>
<td>Salt Lake City</td>
<td>2,640 feet</td>
<td>2,640 feet (also from parks, churches, daycares)</td>
<td>2,640 feet</td>
<td></td>
<td>1 space per 4 residents, 1 space per 2 employees</td>
<td>NA</td>
</tr>
<tr>
<td>Houston</td>
<td>1,000 feet</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA – determined by manager</td>
<td>Max occupancy 75 persons</td>
</tr>
<tr>
<td>Kansas City</td>
<td>1,500 feet</td>
<td>NA</td>
<td>500 feet (may be waived in case of major thoroughfare, waterway or other barrier)</td>
<td>NA</td>
<td>Determined by manager</td>
<td>NA</td>
</tr>
<tr>
<td>San Diego</td>
<td>1,320 feet from any group living; 5,280 feet from other CCF</td>
<td>1,000 feet</td>
<td>600 feet</td>
<td>NA</td>
<td>1 space/4 beds (25&lt; residents) 1 space/5 beds (25+ residents)</td>
<td>64 beds per sleeping area</td>
</tr>
<tr>
<td>Minneapolis</td>
<td>1,320 feet</td>
<td>NA (see Spacing: other)</td>
<td>NA (see Spacing: other)</td>
<td>300 feet from any non-industrial zone district</td>
<td>1 space/bed</td>
<td>NA</td>
</tr>
<tr>
<td>Portland</td>
<td>600 feet</td>
<td>600 feet</td>
<td>NA</td>
<td>NA</td>
<td>1 space/4 beds</td>
<td>NA</td>
</tr>
<tr>
<td>Tacoma</td>
<td>2,640 feet</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Determined by director</td>
<td>NA</td>
</tr>
</tbody>
</table>