

Group Living Advisory Committee

Emerging Uses Subgroup Meeting 1, Phase 3

Date and Time: Tuesday, March 19, 2019, 4:00 – 7:00 PM

Location: Webb Municipal Building, Room 4.I.4

Attendees

ADVISORY COMMITTEE MEMBERS

James Ronzcy

Rachel Keeven

Cole Chandler

Michael Henry

Robert Fisher

Heidi Aguilar

Joel Noble

Deborah Ortega

Loretta Koehler

Polly Kyle obo Robin Kniech

DENVER STAFF MEMBERS

Andrew Webb

Kyle Dalton

Edson Ibanez

Will Lindsey

Scott Prisco

Keith Peetz

Tina Axelrad

FACILITATOR

Meagan Picard

Meeting Summary

1. WELCOME AND CHECK-IN; MEETING AGENDA, OBJECTIVES AND HOUSEKEEPING

Meagan Picard opened the meeting, welcomed everyone and shared the meeting agenda, objectives and agreements. Participants checked in, with some sharing new learning to keep mind:

- Cottage zoning/housing came up at Blueprint listening session. It is an interesting opportunity for missing middle housing. The difference between cottages and tiny homes in the tiny home village (THV) context is that cottages are full but tiny dwelling units, while THVs are detached sleeping quarters with a central building for shared uses like bathrooms. The concept of Cottage Zoning is to allow subdivision of land in residential zones to very small lots that could be developed with cottages and sold separately.
- The importance of the neighborhood outreach process in establishing a tiny home village has become clear through the efforts to site the Beloved Community in Globeville. “You

can't take neighborhood support for granted." Another committee member also remarked that people don't understand small living spaces and who lives there...could be housing solution across income levels.

- Some people remarked to a committee member that the homeless population will deter them from visiting Denver again in the future. Mental health issues among people who are homeless need to be addressed better.

Housekeeping included a note that visitors are welcome, recognizing that they have contributed valuable information to the committee's deliberations, but they are asked to abstain during decision-making. The committee members agreed.

2. OVERVIEW OF CURRENT REGULATIONS AND PEER CITIES REVIEW

Andrew Webb reminded the group of current regulations and presented findings from staff's review of peer cities' zoning code regulations of THVs. Q&A followed:

Q: Does Whittier Heights THV in Seattle have the same issues as Denver THV?

A: Set up and operated on land owned by non-profit organization

Q: Is Whittier Heights near then end of its one-year term?

A: Not sure, 9 THVs in place across Seattle, two have closed. There is a mixture of private and city-owned properties where THVs are located in Seattle.

Q: If Seattle THVs are closing after a year where do the residents go?

A: This is related to bigger issue of a housing continuum and where people transition to after THV.

Q: Is the intent of the THVs in Seattle just as housing or as a form of temporary housing?

A: Recent study shows that many residents move on to longer term housing after tenancy at THV.

Q: The RV language used in Austin, TX seems like it could get mixed up with the regulations related to the existing mobile home parks in Denver. Are there cities that have allowed a combination approach of THVs and RVs?

A: Yes, Seattle is one of them. RVs are allowed through right of way regulations.

Q: When did Denver restrict the number of mobile home parks?

A: 1956

Q: What other SRO changes are being proposed as part of the group living project?

A: Planning on moving SROs (Permanent, Attached) out of Lodging into Group Living section of the DZC

Q: Any cities with permanent tiny home villages?

A: Didn't find any good U.S. examples. Amsterdam has them; staff should look at how they are allowed.

3. OVERVIEW OF PROPOSED REGULATIONS

Andrew gave an overview of the proposed approach to zoning THVs, which includes three tiers with two levels of temporary housing as well as permanent primary. Discussion ensued about key aspects of this general concept:

- Three tiers: Definition of temporary types specifies use for people experiencing homelessness, and Tina Axelrad noted that staff needs to consider the implications of allowing/not allowing that caveat in temporary and permanent.
- 180-day limit for level 1 temporary: The group discussed whether 180 days is enough to realistically establish a THV and if a full year at level 1 might be sufficient. Input indicated that it could be good for new developers testing the concept and for the city to be involved earlier to see if the conditions are appropriate for an extension, and it might make neighborhoods more accepting.
- Utilities requirements: The group also acknowledged that 180 days is a long time for individuals to utilize detached SROs with no attachments to water and sewer.
- Other: A committee member wanted to know if conditional uses could be put on an applicant, and it was explained that Denver doesn't do Conditional Uses, but the City does have zoning permits that can be granted when certain conditions are met.

Agreement on the general comment was deferred until after further discussion and agreement on the details.

4. PROPOSAL DETAILS – SECTION BY SECTION REVIEW

Proposed Building Form and Design Standards

- **REQUIRED MINIMUM PARKING:** Some participants advocated for parking requirements across all types, while some advocated for requirements for permanent villages only (staff proposal) and others advocated for none at all. Comments included:
 - Parking could become a bartering tool with the neighborhood
 - Neighbors might be concerned about no parking required - assumption is that anything being built will have parking impacts on the neighborhood.
 - Temporary levels should not have to have parking, but as the scale increases parking should be a requirement for permanent primary use. 0-0.25 seems reasonable and wouldn't require too much parking.
 - Only 1 out of 12 residents at Beloved Community Village are using a car.
 - Zone Districts that require paved parking (more than packed gravel) will put undue cost on applicants if parking is required for the use.
 - How the use is categorized will influence how much paving/landscaping will be required
- **ENTRANCE:** The group requested clarification of what an entrance is in the design standards.

Proposed Building/Other Regulations

- **TENTS/RVS/WHEELS:** It was clarified that tents and RVs are not included in staff proposal for tiny home villages, though Tina indicated that staff should double-check DZC definition of structure to make sure there is no gap that would allow for tents. The group seemed to support the provision that prohibits wheels on the structures. Homes

could be built on chassis that allows for easier mobility, but with wheels removed and structures placed on temporary foundations for permitting.

- **FOUNDATIONS:** There should be specific guidance in the DZC/IBC that talks about temporary versus permanent foundations for the structures and whether or not these foundations apply to the common building. The intent of this proposal is that the foundation requirements would be applied to sleeping units and the common building – temporary for temporary and permanent for permanent.
- **STORAGE/CLOSETS:** It was clarified that a closet does not have to have a door, and it was generally agreed that it seems like common sense/best practice to require storage for the residents. The group discussed options including storage lockers and storage sheds, and it was noted that the code allows flexibility for different kinds of storage configurations, but there needs to be guidance on how it is sited.

Permitted Zone Districts

- **PUBLIC OUTREACH/COMMUNITY INPUT:** This proposal only requires public notification (ZPSE) for temporary level 2 permits in all SU, TU and RH Zone Districts. Alternatives discussed included requiring good neighbor agreements and the ZPIN process. Staff noted that multiple sub-groups have found the ZPIN process to not be particularly effective in fostering a dialogue with the neighborhoods, usually generating comments that result in conditions for the use permit
- **PERMANENT PRIMARY:** These are only proposed to be in the most intense districts where competition for land is intense. It seems unlikely that permanent primary THVs would be able to get established in these high value land areas, so some advocated for allowing primary uses in 2.5 and down zone districts.
- **CONCENTRATION/LIMITATIONS BY NEIGHBORHOOD DENSITY.** What are the potential limitations for permanent THVs in the SU/TU/RH zone districts? In SU, TU, RH could there be a limitation on the number for higher density neighborhoods? Are there too many other group living uses in the area already (shelter for the homeless)? It was suggested that proximity to other uses should be considered when siting a THV.
- **INDUSTRIAL AREAS:** If the focus is to prioritize industrial areas more than other zone districts the community will push back on the concentration of other uses (marijuana, community corrections, shelters for the homeless, etc.).
- **NUMBER OF UNITS PER SITE:** More units allowed on a site will be harder to sell to the community/neighborhood.
- **ATTACHED SRO ZONING:** City needs to consider if attached SROs are allowed in the same zone districts in its regulation of THVs.

Many of the above issues indicate need for analysis of how much land is available (in terms of acres) to understand the zone district implications – for neighborhoods and for feasibility of siting these new uses. The group also noted that pictures of potential places would be helpful in understanding the context of the various scenarios. All decisions were tabled until a future meeting when these analyses can be explored.

5. GRATITUDE, NEXT STEPS AND CLOSE

It was noted that staff has significant work to do to bring additional information to the group. The meeting was brought to close at 6:35 pm.

