

Transitional/Special Care Housing Subgroup Information Packet

Phase 3, Subgroup Meeting 1
Tuesday, Jan. 22, 2019



Group Living Advisory Committee

Transitional/Special Care Subgroup: Phase 3, Meeting 1

Date and Time: January 22, 2018, 4:00 - 7:00 PM

Location: Webb Municipal Building, Room 4.1.4

Agenda

Time	Topic and Facilitator Notes	Objective(s)
4:00 – 4:20	Welcome and Check In	Connect
4:20 – 4:40	Residential Care Definitions – Scope of this Subgroup’s Work and Key Issues	Understand scope of uses to address
4:40 – 5:10	Household versus Selected Residential Care Uses – Differences in Characteristics and Impacts	Discuss → Identify range of thinking for future decisions
5:10 – 6:40		
6:40 – 7:00	Gratitude, Next Steps and Close	Close meeting; orient to what’s next

Current Denver Zoning Code Residential Uses

Household Living

- Single-unit uses (e.g. a detached house): Two unrelated adults or partners over the age of 18, plus any number of relatives to either
- Two- and Multi-unit uses: up to 4 unrelated adults, plus any number of relatives to either

Group Living

No care/support:

- Residence for Older Adults
- Rooming and Boarding House
- Student Housing

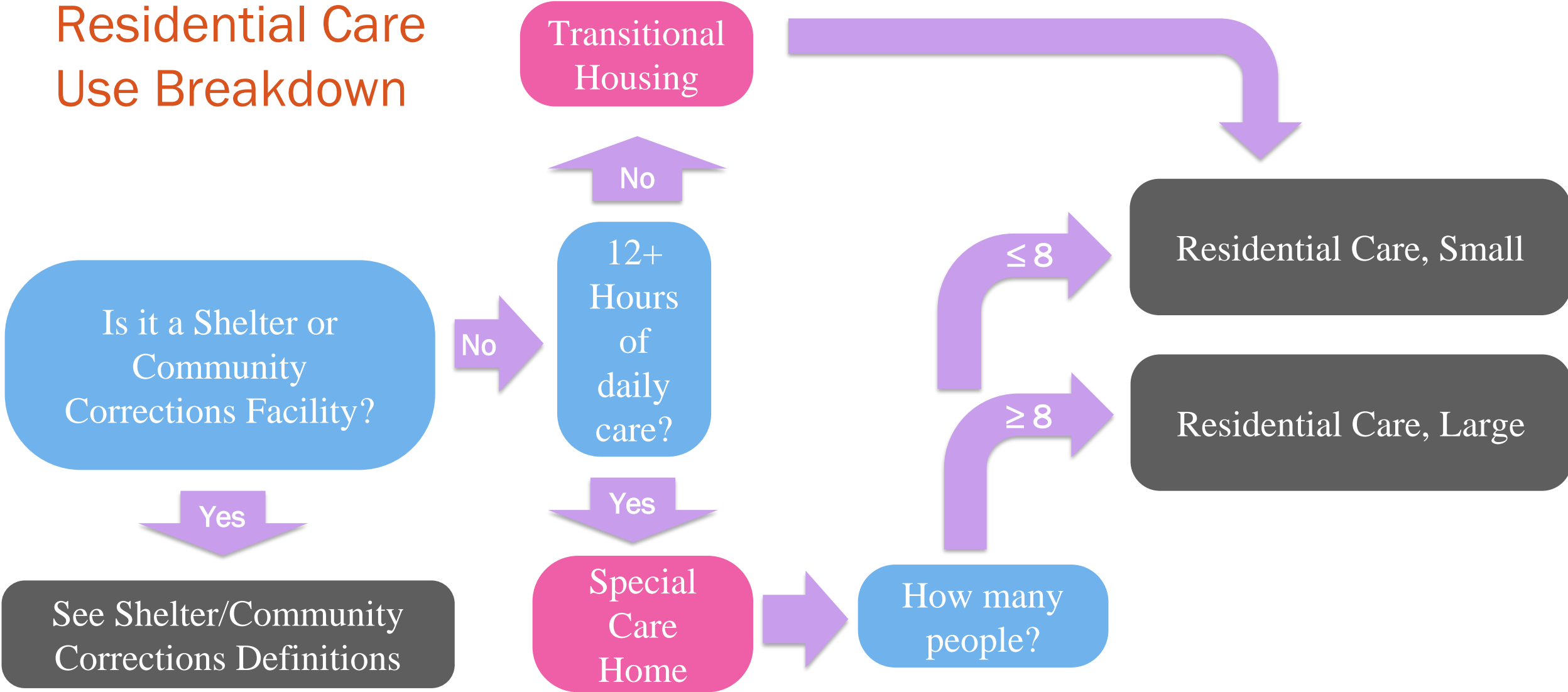
Care for older persons, persons with disabilities

- Nursing Home, Hospice
- Assisted Living Facility

Residential Care Facilities (Medical, psychological, developmental care)

- Shelter for the Homeless
- Community Corrections Facility
- Transitional Housing
- Special Care Home

Residential Care Use Breakdown



Current definitions

“Transitional Housing: A residential structure housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district, where such persons are provided with individual bedrooms, where the primary service offered at the facility is related to transitioning into permanent housing and all services provided are not sufficient to constitute a “special care home” and where occupancy of such housing is primarily made available for more than 30 days and less than 2 years.”

- Transitional Housing is considered a Small Residential Care use regardless of the number of residents

“Special Care Home: A special care home is a residential structure housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district in which the dwelling unit is located, where such persons are living as a single housekeeping unit and are receiving more than 12 hours per day of on-premises treatment, supervision, custodial care or special care due to physical condition or illness, mental condition or illness, or behavioral or disciplinary problems.

- ≤ 8 residents = Small Residential Care Facility
- ≥ 8 residents = Large Residential Care Facility

Large vs. Small Residential Care

- Large Residential Care Facilities are not permitted within 2,000 feet of other such uses, and no more than two others may exist within a 4,000-foot radius of the proposed new use.
- In Impacted Neighborhoods, up to 200 feet of additional spacing may be required by the Zoning Administrator between Large Residential Care Uses. (Impacted Neighborhoods are those neighborhoods with more than the city-wide average number of Residential Care Uses within their boundaries.)
- Limits on # of residents in residential zone districts

Residential Care Permits: Public Input

Public Concerns noted in recent ZPIN feedback:

- Traffic and parking (most frequently cited concern)
- Safety
- Property Values
- Unrelated adults living together
- Proximity to other uses (schools, stores)
- Institutionalization

Zoning Violation Comparison

Residential Care Facilities (Small and Large)

Number of facilities represented in data:	187
Number open as of late 2018:	148

Zoning and Neighborhood Inspection Services Residential Care Facility Zoning Violations 2016-2018

Total Violations 2016-2018 <small>Includes data for facilities that have since closed</small>	63
Unique Facilities with ZNIS Violations	59

Violation Types (as % of total violations)

Weeds/landscape maintenance	35%
Trash in yard/Dumpster overflow	30%
Snow on sidewalk	13%
Unrelated adults/use violation	7%
Parking/too many vehicles	2%
Other (fence height, unpermitted construction, unspecified)	13%

Single, Two-Unit and Rowhouse Residential Uses

Number of households represented in data:	158,172
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Zoning and Neighborhood Inspection Services Single, Two-Unit and Rowhouse Residential Zoning Violations 2016-2018

Total Violations 2016-2018	91,932
Unique Addresses with ZNIS Violations	30,739

Violation Types (as % of total violations)

Weeds/landscape maintenance	23%
Trash in yard/Dumpster overflow	14%
Outdoor Storage	10%
Obstruction of ROW (typ. shrubbery)	7%
Construction without permit	6%
Unsurfaced Parking	6%
Inoperable Vehicle	5%
Other (RV parking, garage sales, fence height, drainage, etc.)	29%

Note: some ZNIS records in this dataset do not specify nature of violations. All figures should be considered estimates for discussion.

Zoning Violation Comparison highlights

- Top Violations for both Residential and Residential Care Uses are maintenance-related:
 - Landscaping/weeds
 - Trash/overflowing dumpsters
- Residential Care uses generated 8 complaints for use violations/# of unrelated adults; 4 determined to be actual violations.
- Three complaints related to parking in this timeframe, one violation found.

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

Example distinctions between use types

- Number of residents
- Nonprofit or for-profit operator
- Level of supervision (e.g. 24-hr house manager or care provider; peer-to-peer models, etc.)
- Provision of medical care
- External impacts
- Ex difference between transitional and special care use
- Operators, number of people served, etc.