

Group Living Code Amendment

Project Overview
February 2020



What is this project about?

- **Implementing Adopted City Goals**
 - ✓ Equitable, affordable and inclusive housing for all
- **Addressing identified problems with the code**
 - ✓ Outdated or unclear language
 - ✓ Regulations that prevent establishment of needed residential care facilities or keep people from seeking flexible housing options
 - ✓ Unpredictable permitting and notification requirements



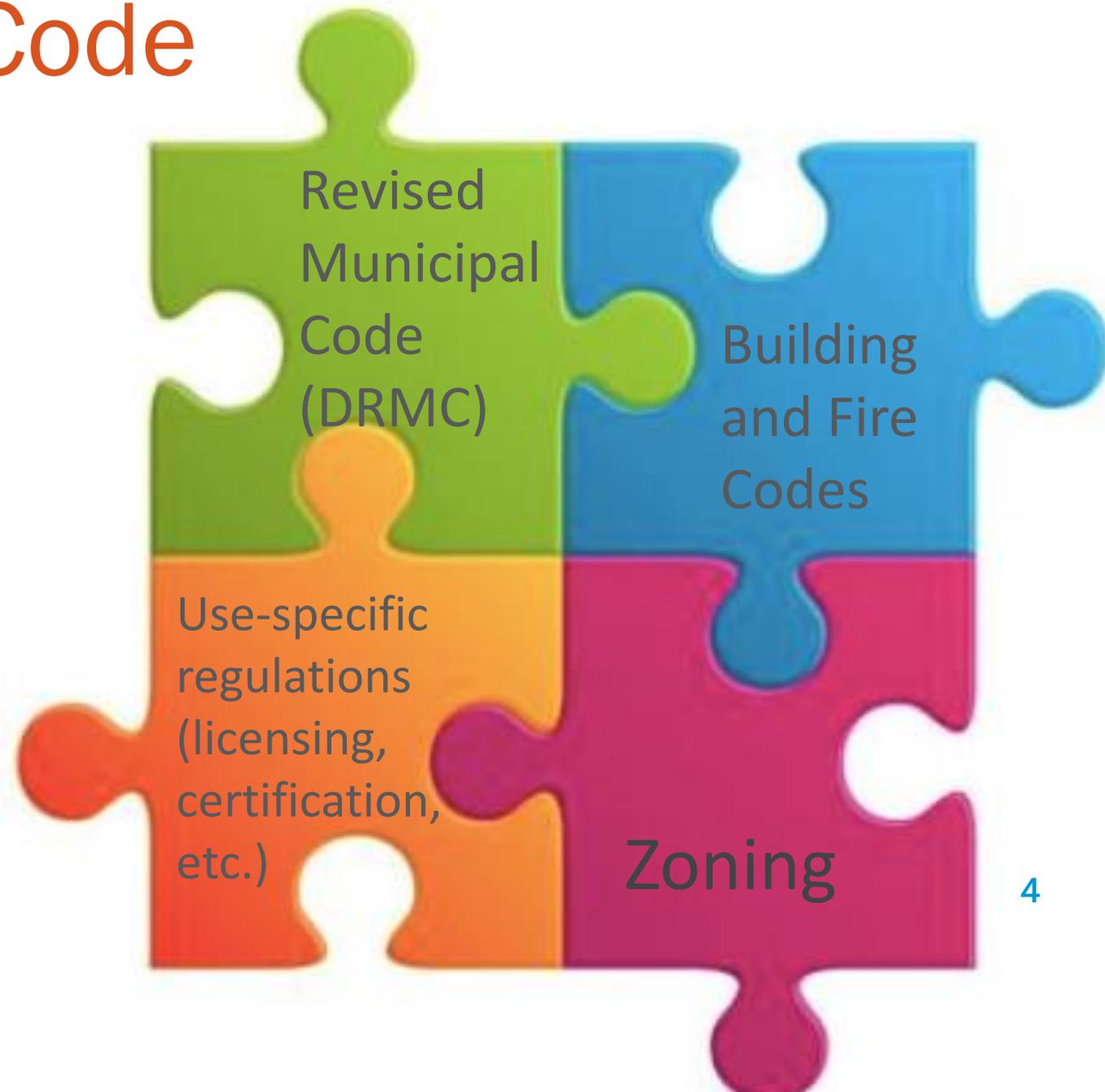
What this project will change

- This project will update zoning regulations for all residential uses, including conventional houses and apartments, group homes, assisted living facilities, shelters and halfway houses.
- Changes will include updates to:
 - Definitions and requirements (off-street parking requirements, etc.)
 - Use limitations (size, required spacing between facilities, etc.)
 - Permitted zone districts (places where such uses are permitted)
- This project will **not** change regulations separate from the Zoning Code governing noise and maintenance of properties, operation of facilities like halfway houses, licensing or building and fire safety.

Role of the Zoning Code



- Location
 - Zone Districts where use is permitted
 - Spacing, Density, Buffering between uses
- Site Design
- Size and intensity



How we analyzed issues with the code

- **Group Living Advisory Committee:**

- Broad cross-section of housing providers, residents & guests, designers, neighborhood representatives, advocates and community leaders
- 35 meetings and site visits (all open to the public)

Public engagement:

- Problem statement open house October 2018
- Staff focus groups with various stakeholder groups
- Multiple staff presentations at Inter-Neighborhood Cooperation (INC) and individual RNO/community meetings (19 as of February 2020).
- Staff presentations to organizations (Anti-Displacement Network Denver, Homelessness Leadership Committee, Denver Commission on Cultural Affairs, etc.)



Rhinocerosopolis site visit, 2018



Problem Statement public open house, fall 2018

Key problems and proposed solutions

Problems Identified	Proposed Solutions
1. Outdated definition of “household” limits common living arrangements and reduces affordability especially for people who could live with roommates.	<ul style="list-style-type: none">• Allow more unrelated people the choice to live together, subject to existing building, fire, and housing code requirements to protect health and safety. The code currently allows an unlimited number of <u>related</u> people of any age to live together.
2. Residential Care regulations treat some populations inequitably, such as people who are experiencing homelessness or in community corrections.	<ul style="list-style-type: none">• Regulate residential care by the size of the facility, not by the housing status or type of care guests are receiving, as the code currently does. Smaller facilities would have fewer restrictions than larger facilities.

Key problems and proposed solutions

Problem Identified	Proposed Solution
3. It is difficult to establish some needed uses, like Community Corrections facilities.	<ul style="list-style-type: none">• Allow them in more districts and reduce or remove spacing requirements to allow new facilities where residents can live near transportation, jobs, and amenities.• Allow a spectrum of housing options to be provided on the same zone lot to support people moving from emergency shelter to transitional, supportive, and independent housing.
4. Some existing facilities cannot grow to meet demand.	<ul style="list-style-type: none">• Remove zoning code caps on size of larger facilities to allow providers to determine the scale of facilities based on best practices and resources. Allow existing facilities to expand in place. Allow facilities to accommodate more people for up to ten days during emergencies.

Key problems and proposed solutions

Problem Identified	Proposed Solution
5. Some evolving uses are not clearly regulated, such as sober living, co-ops, and tiny homes.	<ul style="list-style-type: none">• Consolidate residential care uses into a single category regulated by size and clarify what types of facilities are included.• Allow larger groups of people to live together and in clusters of tiny home units in the same districts where multi-unit housing is allowed.
6. Inconsistent notification and permit requirements can interfere with establishing some kinds of shelters and frustrate neighbors who cannot stop the permitting process.	<ul style="list-style-type: none">• Require Community Information Meetings prior to submitting a formal application for larger residential care uses to notify and educate neighbors and foster positive relationships.

Details: Proposed Regulations for Residential Care Uses

<p>Large 100+ guests</p>	<ul style="list-style-type: none"> • Permitted in higher-intensity commercial, mixed-use and residential districts • Context-sensitive spacing requirements (up to 3 blocks) • Density limitations • Community Information Meeting required prior to formal zoning permit application
<p>Medium 41-100 guests</p>	<ul style="list-style-type: none"> • Permitted in higher-intensity commercial, mixed-use and residential districts • Context-sensitive spacing requirements (up to 3 blocks) • Community Information Meeting required prior to formal zoning permit application
<p>Small 9-40 guests</p>	<ul style="list-style-type: none"> • Permitted in all zone districts that allow residential uses • Spacing requirements in low-intensity residential districts (Single-Unit, Two-Unit, Row-Home) • Community Information Meeting required in low-intensity residential zone districts prior to zoning permit application
<p>Very Small/Seasonal ≤8 guests year round /≤100 guests, ≤130 days per year</p>	<ul style="list-style-type: none"> • Permitted in all zone districts that allow residential uses (as is currently allowed)

Details: Household Definition

Current



- Single-Unit use (typical detached house): **2 partners or unrelated adults**, unlimited family members of any age from specific list.



- Two- or multi-unit use (duplex, apartment, etc.): **4 unrelated adults**, unlimited family members of any age from specific list.

Proposed



- Up to **8 adults** (with more permitted in larger homes) and unlimited **minor** relatives

Details: 8 unrelated people in a household

- Current restrictions don't reflect how people live today and limit options for people to save on housing costs by:
 - having multiple roommates
 - combining households
 - Living in intentional communities like cooperatives and multi-generational households of unrelated people.
- Most peer and Front Range cities permit more unrelated people to live in a household.
 - https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text_amendments/Group_Living/Group_living_peer_cities_review.pdf
- Zoning is primarily focused on reducing a land use's potential impacts on a neighborhood or community; treating eight unrelated adults living together differently from eight related adults living together does not result in reduced impacts.
- Colorado's Group Home statute already requires Denver to treat a group of up to eight people that fall within one of that statute's protected classes (people over the age of 60 or people with behavioral or mental health disorders, for example) as a household for the purposes of zoning.

Next Steps

Public Outreach with proposed solutions

- Four solutions-oriented public open houses scheduled in mid-February 2020
 - Public Open House #1 | Tuesday, February 11 | 6 p.m. to 8 p.m. | Bruce Randolph School | 3955 Steele St.
 - Public Open House #2 | Saturday, February 22 | 9 a.m. to 11 a.m. | Goldrick Elementary School | 1050 S. Zuni St.
 - Public Open House #3 | 6 to 8 p.m. | Wednesday, February 26 | Hebrew Educational Alliance | 3600 S. Ivanhoe Street, Denver
 - Public Open House #4 | 6 to 8 p.m., Wednesday, March 4 | Scheitler Recreation Center (multipurpose room) | 5031 W. 46th Ave., Denver
- “Office Hours” meetings in March/April (coincident with Public review Draft)

Public review of Redline Text Amendment

- Published on project website in spring
 - Required notification to RNOs and other stakeholders
 - 30-day comment period

Public Legislative Review Process

- Planning Board (late Spring)
- City Council Land Use, Transportation and Infrastructure Committee
- City Council Public Hearing (Summer 2020)

More Information, FAQ and contact information: www.denvergov.org/groupliving