

Group Living Code Amendment

Project Overview and Proposal Summary
Summer 2020



What is this project about?

- **Implementing Adopted City Goals**
 - ✓ Equitable, affordable and inclusive housing for all
- **Addressing identified problems with the Denver Zoning Code**
 - ✓ Outdated or unclear language
 - ✓ Regulations that prohibit needed residential care facilities or keep people from seeking flexible housing options
 - ✓ Unpredictable permitting and notification requirements
- **Emergent Needs**
 - ✓ The issues being addressed by this project have become even more urgent in the wake of the pandemic, job losses that are leading to a wave of evictions, the forthcoming loss of our existing community corrections resources, and our country's long-overdue awakening to issues of equity.





At a Glance: Proposed Household Regulations

- Permit up to 5 unrelated adults and any number of relatives to each to live as a household in any dwelling unit (house, apartment, etc.).
- Allow additional unrelated adults for every 200 additional feet of finished floor area in dwelling units with over 1,600 square feet.
- Cap maximum at 10 unrelated adults in houses 2,600 square feet or larger.
- Establish new off-street parking requirement for single-unit uses in lower-intensity residential areas for dwelling units with 6 or more adults.
- Prohibit commercial, rent-by-the-room scenarios in Single-Unit, Two-Unit and Row-House zone districts by specifying that all residents shall have jointly chosen to occupy the entire home and live as a non-profit housekeeping unit.
- Ensure safety with existing building and fire code requirements:
 - Interconnected smoke alarms required for all houses.
 - Building Code requires fire suppression (sprinklers) for houses with more than 10 occupants.

What other regulations apply?

The **Denver Building and Fire Code** ([link](#)) sets forth safety requirements like:

- Safe entry and escape from sleeping areas (such as “egress” windows in basement bedrooms.
- Interconnected alarms that “talk” to each other, alerting residents in all rooms of a fire.
- Fire suppression (such as sprinkler systems) in households with more than 10 adults.
- Structural standards to protect safety

The **Denver Rules and Regulations for Housing** ([link](#)) sets forth minimum standards for housing:

- Basic requirements of all housing (kitchens, bathrooms, etc.)
- Standards for ventilation, drainage and plumbing

The **Denver Revised Municipal Code** ([link](#) to Ch. 27, the Housing Code) provides additional standards and establishes policies and authority for enforcement:

- Maintenance responsibilities of owners and occupants
- Procedures for enforcement and remediation of unfit dwellings
- Regulations and enforcement procedures for excessive noise and other nuisance issues
- Regulations about use of public right-of-way, such as public streets



At a Glance: Proposed Congregate Living Regulations

- Congregate Living would be defined as any use where residents don't live in a self-contained dwelling unit, or who live in a conventional dwelling unit but do not have access to the entire dwelling, are on separate leases or exceed the number of adults permitted in a Household. Residents are not required to seek care or services as a condition of residency.
- This use includes, but is not limited to:
 - Rooming and boarding houses
 - Dormitories and other student housing
 - Tiny Home Villages
 - Single-room occupancy (SRO) housing
- As is currently the case for Rooming and Boarding Houses, dormitories and other uses currently identified in the code, Congregate Living would be permitted in zone districts that allow higher-intensity multi-unit housing, including:
 - Multi-Unit (MU)
 - Mixed Use (MX)
 - Main Street (MS)
 - Campus (CMP)

What other regulations apply?

All Residential Care facilities require a review by Denver Building and Fire staff to ensure adequate access and emergency exit routes are provided, kitchens meet standards for safety and fire prevention/suppression and that adequate facilities, such as bathrooms and showers, are available for guests.

Denver Building and Fire Code ([link](#)) sets forth facility and safety requirements like:

- Safe entry and escape from sleeping areas
- Interconnected alarms that “talk” to each other, alerting residents in all rooms of a fire.
- Fire suppression (such as sprinkler systems) in most facilities
- Commercial-grade kitchen requirements, bathroom and shower facilities for larger Residential Care uses like shelters
- Structural standards to protect safety

Denver Rules and Regulations for Housing ([link](#)):

- Basic requirements of all housing (kitchens, bathrooms, etc.)
- Standards for ventilation, drainage and plumbing

Denver Revised Municipal Code

- **Housing Code** ([link](#) to Ch. 27, the Housing Code):
 - Maintenance responsibilities of owners and occupants
 - Procedures for enforcement and remediation of unfit dwellings.
- **Boarding home regulations** and licensing requirements ([link](#) to Ch. 26, boarding home and halfway house regulations):
 - Rules and regulations for Residential Care and Congregate Living uses like boarding houses, Assisted Living, etc.



At a Glance: Proposed Residential Care Regulations

Resid. Care Size	Type 1	Type 2	Type 3	Type 4
Number of Guests	10 or fewer (365 days/year) or up to 100 for no more than 130 days/year	11-40	41-100	101+
Minimum Lot Size	NA	12,000 square feet	NA	NA
Permitted Zone Districts	All districts that permit residential uses	All districts that permit residential uses	<ul style="list-style-type: none"> Higher-intensity zone districts that permit apartments, commercial uses, etc. Not permitted in single-unit, two-unit or rowhome districts 	<ul style="list-style-type: none"> Highest-intensity zone districts that permit apartments, commercial uses, etc. Not permitted in single-unit, two-unit or rowhome districts, or in lower-intensity multi-unit districts
Spacing Requirements	NA	<ul style="list-style-type: none"> 1,200' between facilities in single-unit, two-unit and rowhome districts when lot has not previously been used for a Civic, Public or Institutional Primary Use 	<ul style="list-style-type: none"> 1,200' between Type 3 and Type 4 facilities in medium-intensity districts like multi-unit. 600' between Type 3 and Type 4 facilities in high-intensity districts like Urban Center 400' between Type 3 and Type 4 facilities in some Downtown districts 	<ul style="list-style-type: none"> 1,200' between Type 3 and Type 4 in medium-intensity districts like multi-unit. 600' between Type 3 and Type 4 in high-intensity districts like Urban Center 400' between Type 3 and Type 4 in some Downtown districts
Density Requirements	NA	NA	NA	No more than 3 Type 3 and Type 4 facilities within 1 mile of a Large Residential Care Facility
Community Information Meeting	Not required	Required in SU, TU, RH districts	Required	Required

Next Steps

With the release of the Public Review Draft, these proposed amendments are now in the legislative review phase, during which they'll be considered for recommendation and adoption by the appointed Denver Planning Board, and subsequently the Denver City Council. The public review draft will be online for public comment for a period of 30 days, during which stakeholders can submit written comments to project manager Andrew Webb, at andrew.webb@denvergov.org.

All comments received during this period will be provided to the Planning Board as attachments to the staff report. Staff may make additional changes to the draft amendments prior to the Planning Board hearing based on this input. Additionally, three “appointment with a planner” opportunities will provide the opportunity to meet one-on-one or in small groups with project staff to get answers to questions.

The Planning Board and City Council hearings are public, and stakeholders may also attend and provide spoken testimony. Stay tuned to the project website (www.denvergov.org/groupliving) for information about the dates and locations of these hearings, which are expected to conclude in fall of 2020.