Welcome & Check-In
Connection and Appreciation

- Meaningful and impactful outcomes of Phase II
- Lessons learned from Shared Learning Opportunities
- 1 thing you want from others in solutions development
August Open House recap

Public comment:

• Support for expanding number of unrelated people permitted to live together

• Support for flexibility and variety of affordable housing options, creative spaces, etc.

• Support for changes to address need for shelter, community corrections, etc.

• Concern about concentrations of poverty, services in neighborhoods

• Support for updating spacing and density regulations for clarity and enforceability
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<tr>
<th>Time</th>
<th>Topic</th>
<th>Objective(s)</th>
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<tr>
<td>1:00 – 1:25</td>
<td>Welcome and Check In</td>
<td>Connect and share</td>
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<td>1:25 – 1:30</td>
<td>Meeting Agenda and Objectives</td>
<td>Orient to now</td>
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<td>1:30 – 2:00</td>
<td>Blueprint Denver Presentation with Q&amp;A</td>
<td>Learn</td>
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<td>2:00 – 2:30</td>
<td>Fair Housing Act Presentation with Q&amp;A</td>
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<td>2:30 – 3:00</td>
<td>Decision-making Criteria</td>
<td>Decide</td>
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<td>2:30 – 3:00</td>
<td>• Rapid refinement process</td>
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<td>3:00 – 4:55</td>
<td>Problem Resolution 1: Household Definition</td>
<td>Solve</td>
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<td>3:00 – 4:55</td>
<td>• Staff presentation of options and preferred alternative</td>
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<td>3:00 – 4:55</td>
<td>• Criteria-based review of alternatives</td>
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<td>3:00 – 4:55</td>
<td>• Community-oriented decision-making process</td>
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<td>4:55 – 5:00</td>
<td>Gratitude, Next Steps and Close</td>
<td>Improve</td>
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Proposed Phase III schedule

**What?**
- Shelter Subgroup: Definitions
- Transitional Subgroup: Definitions
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses
- Emerging and Artist Subgroups:
  - 2. THV, Co-Housing
  - 3. Co-Housing Use Definition
  - 4. THV Zone District

**Where?**
- Full Committee: Household Definition
- Shelter Subgroup: Definitions
- Transitional Subgroup: Definitions
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**How?**
- Shelter Subgroup: Definitions
- Transitional Subgroup: Definitions
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**Recommended Change**
- Staff Recommendation Development
  - 3. Denver Building Code consistency
  - 7. DMC Reference

**October**
- Full Committee: Household Definition
- Shelter Subgroup: Definitions
- Community Corrections Regulations and Location
- 55+ Subgroup Regulations

**November**
- Shelter Subgroup: Definitions
- Transitional Subgroup: Definitions
- Community Corrections Subgroup: Meeting #2 (if nec.)

**December**
- Shelter Subgroup: Definitions
- Transitional Subgroup: Definitions
- Community Corrections Subgroup: Meeting #2 (if nec.)
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**January**
- Shelter and Transitional Subgroups: Public Involvement
  - 4.b. Ineffective procedures
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**February**
- Shelter and Transitional Subgroups: Public Involvement
  - Meeting #2 (if nec.)
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**March**
- Shelter and Transitional Subgroups: Public Involvement
  - Meeting #2 (if nec.)
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**April**
- Shelter and Transitional Subgroups: Public Involvement
  - Meeting #2 (if nec.)
- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

**Other Notes**
- 55+ Subgroup Regulations
- 3. THV, Co-Housing
  - 1. THV Use Definition
  - 2. THV Zone District
  - 3. Co-Housing Use Definition
  - 4. Co-Housing Zone District

- Community Corrections Subgroup: Meeting #2 (if nec.)
- Full Committee: Confirmation

- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses

- Full Committee: Definitions and Regulations
- Shelter Subgroup: Meeting #2 (if nec.)
- Emerging and Artist Subgroups: Nontraditional Uses
### Schedule Problem Statement Key

#### Emerging Uses

1. The Zoning Code's Definition of Household is too restrictive, limiting the number of people who can live together.
2. Co-housing, Tiny Home Villages, and other non-traditional uses are not clearly addressed, resulting in a lack of guidance for developers.
3. Single Room Occupancy is categorized as a lodging use, which may be negatively impacting its development as an attractive group living option.

#### Artist/DIY/Co-op

2. The Denver Zoning Code's definitions of "Household" places limits on the number of unrelated individuals who can live together, inhibiting the development of non-traditional residential typologies like artist housing, cooperative housing, and co-living.

#### Community Corrections

1. Demand exists for additional community corrections capacity, but current regulations limit possible locations for new facilities, or expansion of some existing use.
   - Permitted Zone District Component
   - Spacing and Density Component

2. Population Density requirements need revision to better align with state and federal regulations.

#### Shelter

1. Current limitations on spacing, density, and use for shelters are difficult to administer and have unintended consequences, including overcrowding on emergency shelters, effectively expanding existing facilities and constricting the development of new facilities in certain neighborhoods.
   - City Council districts use the wrong geographic units for regulating the maximum number of beds for shelters as permanent, primary use.

2. The terms "bed" and "bedspaces" are used inconsistently, and the use of "beds" as a measure of facility size does not reflect best practices for limiting the size of shelters.
   - Definitions of shelter types are confusing...
   - ...have ineffective and susceptible public involvement procedures...
   - ...and make it difficult to combine a continuum of housing types and sizes in one facility
   - The specific use type named "Shelter for the Homeless" needs to be updated.

#### Transitional/Special Care Housing

1. Senior living homes are not clearly identified as a group living use.
2. The distinction between services provided in a transitional housing setting and a special care home facility are unclear.
3. Small Residential Care facilities contribute to the concentration of services and "institutionalization" of neighborhoods but face fewer requirements than large residential care facilities.
4. Replacement of new large residential care facilities near residential areas is limited by zoning, spacing, and density requirements.
5. Neighborhood roles in permitting decisions is unclear and difficult to explain to the public, especially for small residential care facilities.
6. Minimum 5,000-foot lot dimension for residential care facilities may have the effect of concentrating them in suburban neighborhoods.
7. Section 112.8.8.2.F, specifying compliance with the Denver Building and Fire Code, is redundant, as all residential care must comply with the Building and Fire Code.
What is Blueprint Denver?

- “Big Picture” view on how our community values inform how a future Denver looks, feels, and functions
- Establishes **policy direction** on land use, transportation and urban design
- **Strategy** for future growth
Blueprint Process Update
THE Vision FOR DENVERIGHT IS:

- Equitable, Affordable and Inclusive
- Economically Diverse and Vibrant
- Strong and Authentic Neighborhoods
- Connected, Safe and Accessible Places
- Healthy and Active
- Environmentally Resilient
Land use and transportation plan for growing an inclusive city:

- Creating complete neighborhoods and networks
- Measured, common-sense approach to growth
- Consideration of social equity factors to tailor solutions by neighborhood
Key Equity Concepts

Access to Opportunity
creating more equitable access to quality-of-life amenities, health and education.

Vulnerability to Displacement
Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

Housing and Jobs Diversity
providing a better and more inclusive range of housing and employment options in all neighborhoods.

Measuring Access to Opportunity

Measuring Vulnerability to Displacement

Measuring Housing and Jobs Diversity
Upcoming Schedule

• Community Engagement Window: August thru October 31
  • Office Hours held in different parts of the City – Sept/October
  • Online survey and comments
  • Other Community Events

• Planning Board
  • Draft Plan Released – December
  • Planning Board Public Hearing – Late January

• City Council - February
Blueprint Denver 2019 Update

Housing Recommendation 01

Revise city regulations to respond to the demands of Denver’s unique and modern housing needs.

A. Update Group Living use categories; encourage flexibility and affordability

B. Update the zoning code to provide a more inclusive definition of households and reflect diverse living arrangements

C. Ensure city codes and land use regulations support modern and equitable approaches to housing options for people experiencing homelessness and those transitioning out of homelessness.
Blueprint Denver 2019 Update

Other Housing Recommendations

• Integrate “Missing Middle” housing

• Allow additional unit(s) to be added to an existing structure if structure is preserved

• Incentivize ongoing use of existing smaller, more affordable homes

• Diversify housing choice by expanding ADU opportunities

• Incentivize development of affordable and mixed-income housing near services and transit

• Encourage development of family-friendly housing
Laws governing Group Homes in Colorado

Federal: Fair Housing Act

- Adopted in 1968 as part of the Civil Rights Act
- Prohibits discrimination based on:
  - Race
  - Color
  - Religion
  - National Origin
  - Sex (including sexual orientation and gender identity)
  - Disability (includes mental illness, recovery from addiction, illness, physical and mental disabilities)
  - Familial status
- Constantly evolving case law about spacing, “family,” etc.
Laws governing Group Homes in Colorado, Cont.

State: Colorado Statute § 31-23-303

- Group Homes with 8 or less persons may not be prohibited from residential zones
  - Intellectual or Developmental Disabilities
  - Mental Illness
  - Persons 60 years of age or older
- Permits spacing restrictions (gray area, may be in conflict with federal requirements)
Decision-making criteria
Decision-Making Process

1. Staff analysis of alternatives

2. Consider minimum criteria to advance an option
   - \( \text{Pass} = \) meets all criteria (moves towards ideal future state)
   - \( \text{Fail} = \) does not meet minimum criteria (remove from options)
   - \( \text{Minimum} \) criteria = essential factors (moves towards ideal future state)
   - \( \text{Ideal future state} = \) optimal conditions subgroups are seeking

3. Which alternative(s) makes the greatest progress toward ideal future, while limiting unintended consequences

4. Poll: consensus reached?
Expanded 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
Any Refinements Needed?

1. Small group discussion

2. Write suggested changes on sticky notes and post on front flipchart – post “none” if none

3. Large group: Review suggestions

4. Large group: *If we broke or ignored any of these criteria, could we still achieve our desired future?*
Problem Resolution #1: Household Definition

• Update to definition of “household” to acknowledge foster/guardianship relationships.
• Number of unrelated adults
• Method of regulation
DZC Current Household Definition

- Permits two unrelated adults, plus an unlimited number of certain specified relations in Single Unit (SU) zone districts
- Requires Home Occupation permit for:
  - Foster Family Care
  - Rooming and Boarding (1+ roommates in SU)
- Complicates desired uses
  - Cooperative Housing
  - Co-Living
  - Co-ownership of homes
Denver Zoning Code Household Definition

A dwelling unit occupied by persons in any one of the following four categories living as a single, non-profit housekeeping unit, including any permitted domestic employees:

a. A single person plus any number of persons bearing to each other the relationship of: parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece); or

b. Two persons living together as spouses, domestic partners, or civil union partners, plus any number of persons bearing to either the relationship of: parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece); or

c. In a single unit dwelling use only: One or two unrelated adults over the age of 18 years plus any persons bearing to either of the two unrelated adults the relationship of parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece); or

d. In a two-unit dwelling use or multi-unit dwelling use only: Up to four unrelated adults over the age of 18 years plus any persons bearing to either of the four unrelated adults the relationship of parent, grandparent, child, sibling, step-child, stepsibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece).
### Peer Cities Review: Unrelated Adults Allowed in Single Unit

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<td>Boulder</td>
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<td>Most California Cities*</td>
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Peer Cities Review: Key Findings

• **Foster and Guardianship relationships:** Majority of Colorado and peer cities studied include foster care/legal guardianship in Family and/or Household definition.

• Most cities we looked at use the term “family” to describe various types of housekeeping units.
  
  • For example, Seattle, WA: Defines “Family” as, “A housekeeping unit consisting of any number of related persons; eight or fewer non-related, non-transient persons; eight or fewer related and non-related non-transient persons, unless a grant of special or reasonable accommodation allows an additional number of persons.”
Household Definition: Foster/Guardianship Relationships
Household Definition Staff/Dept. Recommendation:

Include “foster care/legal guardianship” in Zoning Code’s definition of Household,” or any proposed updated versions of the definition (such as defining “family,” rather than household.)
Decision-Making Criteria: Foster/Guardianship Relationships

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
Revising the Household Definition [Poll]

Should Foster Care/Guardianship Relationships be included in the definition of “Family” or otherwise included in Household definition?

1. Support
2. Can live with it
3. Cannot live with it

Evaluated against the Group Living Advisory Committee Review Criteria
Units of Measure for Unrelated Adults
Alternatives Considered for Denver

1. Regulating by Dwelling Unit
2. Regulating by house size as reflected in number of bedrooms per Dwelling Unit
3. Regulating by no unit of measurement
4. Regulating by house size in square feet
5. Regulating by number of off-street parking spaces
Alternatives for Regulating the Number of Unrelated Adults

A. By maximum number per Dwelling Unit (CPD Recommendation)
   Max of (8) unrelated adults

B. By bedroom (as defined in Building and Fire Code):
   *2 persons/bedroom is used by other codes, referenced in HUD documents, etc.
   2 persons per bedroom
   max of (8) unrelated adults

C. By No Unit of Measure
   Unlimited number of unrelated adults
Alternatives Ruled out by Criteria Analysis

C. By Dwelling Unit Square Footage
   • Regulation by square footage was intentionally removed from Zoning Code in 2010 update
   • Difficult to enforce
   • Not preferred by Neighborhood Inspection Services staff

D. By parking spaces
   • DZC does not require off-street parking in SU districts
   • Parking is not a good measure of appropriate density and vehicle ownership is evolving and not assumed of all residents
What’s missing?

1. Discuss at tables (5 mins)
2. Report to large group
Unit of Measure for Unrelated Adults [Poll]

Do any of the options fail to meet 1 or more criteria?

A. By maximum number per Dwelling Unit
B. By bedroom (as defined in Building and Fire Code):
   *2 persons/bedroom is used by other codes, referenced in HUD documents, etc.
C. By No Unit of Measure

Evaluated against the Group Living Advisory Committee Review Criteria
Group Discussion: Appropriate Number of Unrelated Adults and the right unit of measure/regulatory scheme?
Process

Step 1 - Mix up groups

1. Neighborhood rep with strong preferences? Spread out among tables.

2. Others with strong preferences? Spread out among tables.

3. One more group member stand and move to next table.
Process

Step 2 – Select speakers and recorder


2. 30 seconds: share preferences (just issue, not why)

3. 1 min: ID 2 people to share more about their preferences

4. ID person to record preferences and key issues on flip chart during discussion
Process

Step 3 – Consider preferred alternatives

1. Alt 1: share why, what matters most to you, how it moves best toward ideal future/how works best for all (2-3 mins)  **Others note questions**

2. Alt 2: share why, what matters most to you, how it moves best toward ideal future/how works best for all (2-3 mins)  **Others note questions**

3. Q&A session: **Record pros/cons for each alt**

4. Add perspectives – other options to add if neither of 1st alts satisfy all
Process

Step 4 – Recommend alternative

1. Which alternative seems to work best for all and to achieve ideal future? **Record**

2. Anyone object? Can sticking point(s) be addressed in another step on decision map? **Record**

3. Report to full group: recommendation and rationale
Poll: [pref1]

1. In support
2. Can with it
3. Can NOT live with it
Next Steps

- Staff will develop amendment strategy based on preferred alternatives identified
- Will be posted on project webpage and e-mailed to group
Group Living Code Amendment

THANK YOU