

Group Living Advisory Committee

Community Corrections Subgroup Meeting 2, Phase 3

Date and Time: Wednesday, September 26, 2019, 4:00 – 6:00 PM

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

Attendees

ADVISORY COMMITTEE MEMBERS

Rose Rodriguez
Kristen Lewis
Shannon Carst
Michael Henry
Greg Mauro
Polly Kyle
Debbie Ortega

DENVER PROJECT STAFF MEMBERS

Andrew Webb
Kyle Dalton
Edson Ibanez
Will Lindsey
Tina Axelrad

OTHER ATTENDEES

Michael Sapp (Denver Dept. of Safety)

Meeting Summary

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

Andrew Webb opened the meeting with a review of the agenda and goals for the discussion.

2. PARKING RECOMMENDATIONS

Andrew presented an analysis of options to align parking requirements more closely with operator needs. Staff recommended changing the way parking is regulated for Community Corrections Facilities from the current ratio of vehicle spaces per “unit” to a requirement of vehicle spaces per gross floor area (GFA). For most existing facilities, this would result in a lower parking requirement, allowing use of land for expansion of capacity or programming.

Outcome and next steps: The Community Corrections subgroup supported this proposed change. *Staff will prepare a more formal description of this change for committee review and confirmation.*

3. POPULATION LIMITS & EXPANSION OF NEW FACILITIES

Andrew presented staff analysis of current zoning code regulations capping CCF populations and prohibiting expansion of facilities that are non-conforming (legally established but no longer permitted in applicable zone district) or compliant (legally established, permitted in zone district, but not in compliance with an applicable use limitation, such as the 1,500-foot buffer requirement from residential zone districts and schools). Staff made several recommendations, including:

1. Removing current DZC language setting a density limit (1 person per 50 square feet in a facility) in some zone districts, leaving regulation of this type of requirement to state and federal industry standards and the Building and Fire Code.
2. Raising the population cap to up to 150 residents in permitted zone districts
3. Grant the Zoning Administrator the power to allow expansion of existing non-conforming and compliant uses where space allows.

Outcomes and next steps:

1. the Community Corrections Subgroup supported removing language requiring a certain number of square feet per resident, generally agreeing that this should be left to state and federal agencies that oversee community corrections facilities and the Building and Fire Code which establishes life and safety requirements for all residential uses. *Staff will continue to advance this proposal.*
2. The Subgroup agreed that the Zoning Code's current population caps were arbitrary and should be increased for some types of facilities. However, some suggested the maximum number should be set at 120, which is the current limit for facilities in industrial zone districts. Additionally, the group may be supportive of allowing smaller facilities in other zone districts. *Staff will expand exploration of the impacts of adding permitted zone districts and removing or reducing buffers – possibly differentiating buffer requirements between larger and smaller facilities.*
3. The Subgroup supported an administrative process for expansion of existing non-conforming and compliant facilities but recommended that specific criteria be developed for these instances, and that notification be provided to neighbors, possibly via the Zoning Permit with Informational Notice (ZPIN) process. *Staff will develop conceptual criteria and notification requirements for Subgroup consideration and confirmation.*

4. SITING OF NEW FACILITIES

Will presented a mapping scenario analysis showing how adding additional permitted zone districts, such as mixed-use, main street and commercial corridor (MX, MS and CC, 3 stories and up) could open up an additional 10,000 acres of land around the city, including along transit corridors, but only if the current 1,500-foot buffer requirement from residential zone districts and schools were substantially reduced or removed. Staff recommended that these additional zone districts (and possibly others, such as residential mixed use (RX), residential office (RO), permit community corrections uses. Staff also recommended that the buffer requirements be reduced or eliminated if there is a desire to allow the use in more areas of the city than the industrial zones where the use is permitted now.

Outcomes:

The Subgroup generally supported the idea of expanding the use to additional zone districts to allow for expansion of capacity, but proposed several approaches which staff will consider, including:

- Reducing or removing buffers for only facilities under a certain size threshold
 - 40 residents was suggested as a possible threshold
- Regulating smaller facilities as Large Residential Care (without CCF-specific regulations) making them a permitted use in lower-intensity residential districts.
 - A licensing requirement or system was suggested as a possible additional level of oversight in these instances.

Next Steps:

Staff will prepare additional map analyses of:

- Allowing use in multi-unit (MU), residential office (RO), residential mixed-use (RX) and campus (CMP) districts.
- Analysis of impact of buffering only from schools (not residential districts) at 1,500 feet and smaller radii.
- Analysis of buffering only from lower-intensity residential zone districts.

Staff will seek industry input on:

- Appropriate facility size (150, 120, etc.)
- Feasibility of allowing additional flexibility for smaller facilities
- Licensing

Additional comments from Subgroup members and other meeting attendees

- Ensure CCF services can provide entrepreneurial/work training opportunities to residents as part of programming, similar to Delancy Street Foundation
 - Staff noted that adding employment uses would be allowed in any zone district where this use is currently allowed, and in most districts under analysis for expanding the use.
- Current number of non-conforming and compliant facilities face uncertain futures if new operators take over, explore whether DZC could allow transfer of non-conforming/compliant use.
- Timing of larger Group Living project means these amendments will not be in effect when current contracts with large providers end GEO contracts end in December 2019, CoreCivic ends in June 2020. Some attendees proposed moving these amendments sooner, as was done for Temporary Tiny Home Villages. Others argued against – focus on DO comments, public wants to see as integrates with other projects.

Next Meeting: *staff will survey Subgroup for late October and late November dates to continue these discussions.*