

Group Living Problems in DZC – Public Meeting Summary

Date and Time: Tuesday, August 14, 2018, 5:30-8:00 PM

Location: McNichols Civic Center Building

Event Summary

OPEN HOUSE

The public meeting was organized primarily as an open house, with seven stations to explore:

1. General/Regulatory Overview
2. Shelters for People Experiencing Homelessness
3. Community Corrections
4. Special Care and Transitional Housing
5. Older Adults and Assisted Living
6. DIY/Artist Housing
7. Emerging Trends

Stations were hosted by Group Living Advisory Committee members and included large posters of the problem statements, examples of the identified problems and feedback forms. They were available for exploration 5:30-6:00 PM and 6:30-7:30 PM.

PRESENTATIONS

Two presentations were given during the event.

1. **Project Overview (6:00-6:30 PM):** Andrew Webb, Senior City Planner and the city's project manager for this body of work, shared background on why the city is seeking to update the group living section of the Denver Zoning Code, an overview of key issues and highlights of the summary problem statement arrived at by consensus of the Group Living Advisory Committee. Councilmembers Kniech and Ortega also gave opening comments, recognizing staff, committee members and other for their efforts and sharing how this project fits into the city's broader planning efforts, including Denveright.
2. **Open House Station Conversation Highlights (7:30-8:00 PM):** Meagan Picard, Principal Consultant and facilitator from The Athena Group, facilitated a round robin report-out by committee members that hosted each open house station. A full summary of public input is provided below.

Public Input Summary

GENERAL

Participants shared the following general questions/comments:

- I want to know the history of the Zoning Code's regulations on household size.
- What does this mean to our neighborhoods?
- What are the impacts of regulations on neighborhoods?
- What is the timeline for the overall process?
- How many amendments will there be?
- I want to know the reason for the moratorium (on Community Corrections, expired May 2018).
- How can we be good neighbors?

SHELTERS FOR PEOPLE EXPERIENCING HOMELESSNESS

Participants voted on elements of this problem statement that they would like the advisory committee to prioritize in its efforts to develop solutions:

1. Current limitations on spacing, density and size for shelters are difficult to administer and have unintended consequences, including overreliance on emergency determinations to expand existing facilities and continued concentration of legacy facilities in certain neighborhoods. (13 votes)
2. Definitions of shelter types are confusing, have ineffective and inequitable public involvement procedures, and make it difficult to combine a continuum of residential and program options in one facility. (12 votes)
3. The terms "bed" and "Residents" 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. (8 votes)
4. City Council districts are the wrong geographic units for regulating the maximum number of beds for shelters as permanent, primary uses. (6 votes)

Comments/questions received:

- Concentration of shelters in industrial areas and poor neighborhoods keeps the cycle of poverty alive and well
- Change the overall terminology when talking about the homeless population
- A county farm type facility near the airport with substance abuse, mental health services and vocational training
- Shelters are not community corrections facilities and should not be treated as such
- How shelters provide for families vs. individuals differ
- Prevent overconcentration in neighborhoods
- Emergency shelters are for things like hurricanes and earthquakes and should not be treated like housing
- (response to above bullet) What about when my husband hits me and I have no place to go?
- Need to maintain spacing requirements to avoid overconcentration. Encourage distribution city-wide.
- Need shelters for couples, and for shelters to be ADA accessible
- "Shelter for the Homeless" need a better term [ref to DZC language]

COMMUNITY CORRECTIONS

Participants voted on elements of this problem statement that they would like the advisory committee to prioritize in its efforts to develop solutions:

1. Demand Exceeds Current Capacity (11 votes)
2. Limited Space Available for New Facilities (3 votes)
3. Many existing facilities are compliant or nonconforming uses, which have limited allowances for expansion. (4 votes)
4. Vehicle parking requirements exceed demand and take up space (3 votes)
5. Population Density requirements need revision (2 votes)

Comments/questions received:

- Include social enterprises to be more self-sustaining
- Please document parking load if stating it as a problem
- When will the city and county expand housing of correctional inmates being released so they may be able to expedite release?
- Statement #1 should be more forceful and compelling
- Put demand in the context of less people being incarcerated, I imagine it's cheaper and better for society
- We should describe the shortage of beds so the public understands the shortage
- [facilities] should be integrated across city neighborhoods with appropriate form factors (multiple smaller buildings).
- What about identifying the number of beds we need to meet the demand for space.
- Keep these facilities out of neighborhoods that already suffer from crime and zone violations
- There MUST be strict regulations and enforcement of these facilities
- More locally-owned, greater flexibility
- The community must be given a say in whether or not one of these facilities can open and operate in their neighborhood
- [Consider] Impact on neighborhood property values; notification of RNO in impacted area; Minimum square foot requirements per resident; Strict management assurance.
- Take into consideration: Concentration; Smart Mix of facilities per district/neighborhood
- These facilities need to be located throughout the city, not concentrated

SPECIAL CARE/TRANSITIONAL HOUSING

Participants voted on elements of this problem statement that they would like the advisory committee to prioritize in its efforts to develop solutions:

1. Sober Living homes not clearly identified and regulated as a group living use. (12 votes)
2. The distinction between services provided in a transitional housing setting and a special care home facility are unclear. (2 votes)
3. Small Residential Care facilities contribute to the concentration of services and "institutionalization" of neighborhoods but face far fewer requirements than large residential care. (10 votes)
4. Establishment of new large residential care facilities near adequate transit and services is limited by zoning, spacing and density requirements. (9 votes)
5. Neighborhood role in permitting decisions is unclear and difficult to explain to the public, especially for small residential care facilities. (9 votes)
6. Minimum 6,000-foot lot dimension for res care facilities may have the effect of concentrating them in suburban neighborhoods. (1 vote)
7. Section 11.2.9.1.F, specifying compliance with the Denver Building and Fire Code, is redundant, as all residential uses must comply with the Building and Fire Code. (0 votes)

Comments/questions received:

- Don't put everything under the same broad umbrella. Some operations highly effect quality of life for neighborhoods and should require more regulations.

- [consider] notification of HOA and RNO about proposed changes; Minimum square ft living requirements per resident; impacts on existing property values

55+/SENIOR HOUSING

Participants voted on elements of this problem statement that they would like the advisory committee to prioritize in its efforts to develop solutions:

1. Zoning restrictions limit the number of unrelated individuals who can live together under the definition of "Household Living," which reduces opportunities for intergenerational living and other desired uses. (9 votes)
2. Vehicle parking requirements for Assisted Living Facilities exceed the vehicle parking demand. (4 votes)
3. The Denver Zoning Code stipulates that all Assisted Living Facilities in Single- and Two-Unit neighborhoods should be regulated as Large Residential Care facilities, which has led to inconsistencies in permitting and data collection. (5 votes)

Comments/questions received:

- What are the transportation needs of these folks? How are they being addressed?
- I find that [Via] and [RTD's] Access-a-Ride are cumbersome to use and are not very consistent for my clients. Why not expand to include smaller agencies that provide transportation such as Senior Resource Center?
- Increased costs of living are pushing out Denver's most marginalized populations. If affordable housing cannot be rented to undocumented residents due to federal funding, what is the city doing to protect these individuals from displacement? Lets not "white wash" conversation around group living.
- Intergenerational/Group Houses can and should be geared towards inclusivity for all.
- Home sharing needs to be part of the conversation and allow for multi-ages.
- Transitional home care as residents age in-home.
- Minimum square feet per resident requirement. Notification of established HOAs and RNOs. Impact on neighborhoods. Property Values.
- Current communities have stated concerns that the "integrity" of their neighborhoods be maintained. Who defines "Integrity?" How will it be maintained?
- What recourse does [a] homeowner have to facility in neighborhood if group home is not kept up?
- Limit [the] number of residents per square foot of residence.
- What effect does group home have on property values?

DIY/ARTIST HOUSING

Participants voted on elements of this problem statement that they would like the advisory committee to prioritize in its efforts to develop solutions:

1. The Denver Zoning Code's definition of "Household" places limits on the number of unrelated individuals who can live together. These restrictions inhibit the development of non-traditional residential typologies like artist housing, cooperative housing and co-living. (18 votes)

2. The Denver Zoning Code's Household and Group Living definitions and use limitations make it difficult to establish creative spaces that combine low-cost housing with flexible performance venues, assembly and gallery venues, and the narrow "Live/Work Dwelling" category has proven inapplicable to such uses. (13 votes)
3. Key terminology used in the Denver Zoning Code is not always consistent with corresponding language in the Building, Fire and Health Safety codes. This leads to confusion in interpreting the correct language and regulations between the codes, causing delays and additional expense as staff and property owners resolve the conflicts. (7 votes)

Three participants also shared that they believe all three elements of this problem statement are a priority, while one participant specifically identified #1 as the most important to address.

Comments/questions received:

- Minimum S.F. requirement per resident.
- Notification of effected HOA or RNO.
- Impact on property values of neighborhood.
- No need to make special accommodations for artists. They are not [a] privileged [class].
- Vulnerable populations targeted disproportionately, especially undocumented immigrants. What does sanctuary city mean without reliable housing for those most likely to face prosecution?
- Community concerns have advocated for "maintaining the integrity of the current neighborhood." Who defines "integrity?" How will it be maintained?
- Make sure the solution builds equity across the city.
- Utilize all zip codes. Owners should not have to at the property. Cottage homes should be able to be used as studios.
- Allow for smaller lots. Change zone codes
- I support co-op living. I suggest some kind of line for [the number of] residents based on square footage, number of bedrooms, number of bathrooms or a similar measurement.

EMERGING TRENDS

Participants voted on elements of this problem statement that they would like the advisory committee to prioritize in its efforts to develop solutions:

1. The zoning definition of "Household" is too restrictive, limiting the number of unrelated individuals who can live together. (17 votes)
2. Typical building forms and use types for co-housing and tiny home villages do not comply with current building form standards or use definitions in the Denver Zoning Code. (10 votes)
3. Single Room Occupancy is categorized as a lodging use which may be negatively impacting their development as an attractive group living option. (3 votes)

Comments/questions received:

- Definition of "Household" is the most important. [If] 10 folks can live peaceably together, let them.
- Tax break for shared extra bedroom.

- What resources do neighborhoods have if group home is not kept up?
- Lots should be zoned for Tiny Home Villages in ALL neighborhoods, not just Industrial
- Zoning that actually allows for shared resources (Water, bathroom, etc.)
- Tiny Home Villages should not be allowed in any residential zoning. Single Family zoning means 1 structure only.
- Tiny Homes allowed in ALL parts of the city.
- Tiny homes can help address "Right to Housing" but must be open to experiments for years to discover what works well.
- Allow for smaller lots. Change zoning code.
- Allow ADUs across the whole city.
- Square foot requirements per resident.
- Notification of effected HOA or RNO.
- Impact on neighborhood property values.
- Need to allow more units in single family zone districts.
- Need to allow for smaller lots to allow for more Single Family development and the efficient use of land.
- Community concerns have advocated for "maintaining the integrity of the current neighborhood." Who defines "integrity?" How will it be maintained?