

Group Living Code Amendment

Project Overview
May/June 2020



What is this project about?

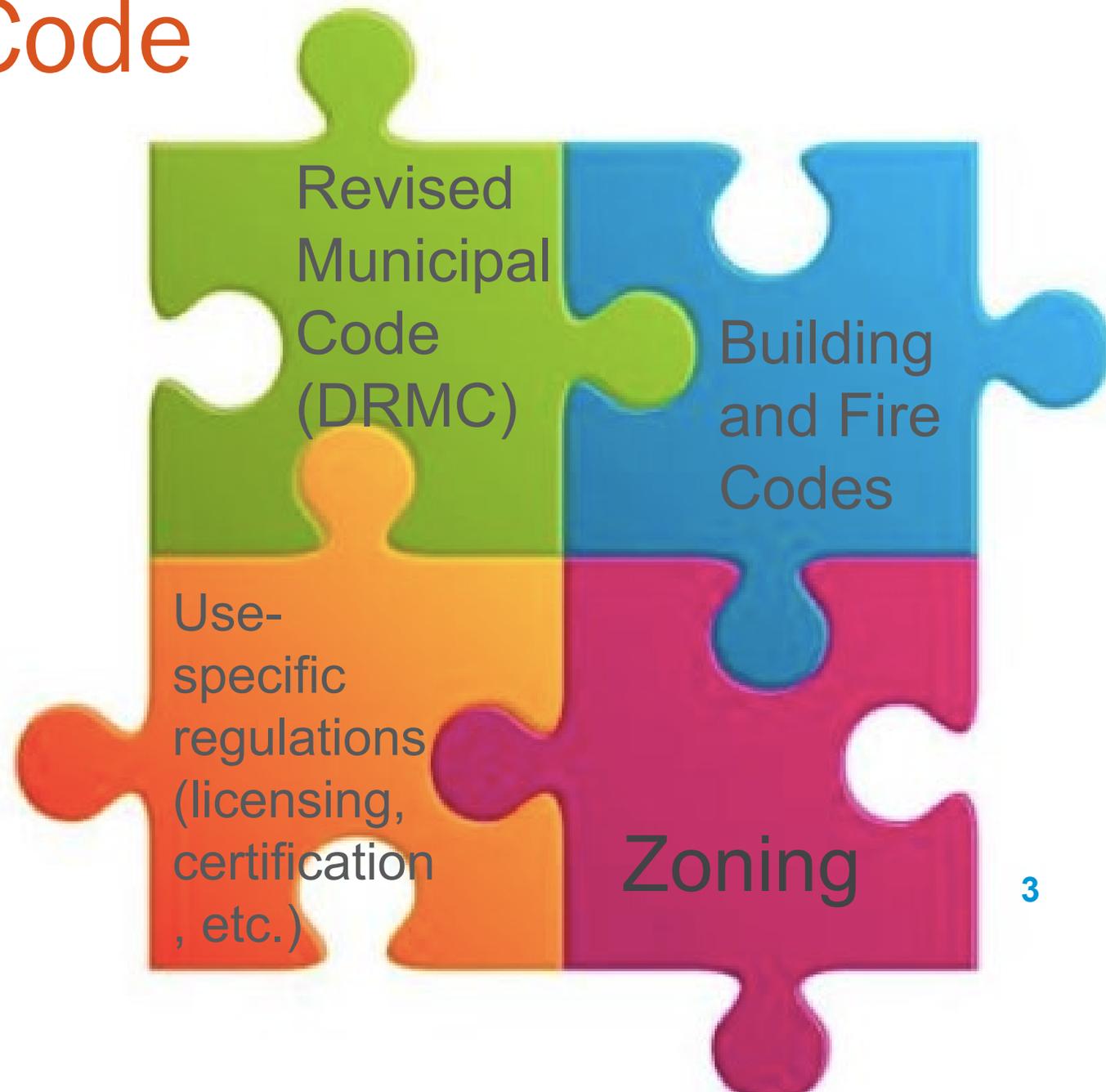
- **Implementing Adopted City Goals**
 - ✓ Equitable, affordable and inclusive housing for all
- **Addressing identified problems with the code**
 - ✓ Outdated or unclear language
 - ✓ Regulations that prevent establishment of needed residential care facilities or keep people from seeking flexible housing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



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
 - Proposal open houses (4): Feb & March 2020
 - Staff focus groups with various stakeholder groups
 - Multiple staff presentations to Inter-Neighborhood Cooperation (INC), 25+ individual registered neighborhood organizations and community 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
<p>1. Outdated definition of “household” limits common living arrangements and reduces affordability especially for people who could live with roommates.</p>	<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.
<p>2. Residential Care regulations treat some populations inequitably, such as people who are experiencing homelessness or in community corrections.</p>	<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

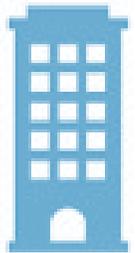
Problem Identified	Proposed Solution
5. Some evolving uses are not clearly regulated, such as sober living, co-ops, and tiny homes.	<ul style="list-style-type: none">• Consolidate residential care uses into a single category regulated by size and clarify what types of facilities are included.• Allow 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.

Current & Proposed Regulations: Household Definition

Current



- Single-Unit use (typical detached house): **2 partners or unrelated adults**, unlimited family members of any age
- No off-street parking requirements



- Two- or multi-unit use (duplex, apartment, etc.): **4 unrelated adults**, unlimited family members of any age (from same list).
- Minimum off-street parking requirements

Proposed



- Up to 5 adults of any relationship, with unlimited relatives to each, in any dwelling unit
- Provisions for more unrelated adults in larger dwelling units
- Minimum off-street parking requirements for larger households in single-unit uses.

Details: Proposed Updates to Household regulations

- Permit **5 unrelated adults and any number of relatives** to each living as a household in dwelling units with less than 1,800 square feet of finished floor area.
- Allow additional **unrelated adults** for every 200 additional feet of finished floor area per table at right.
 - Interconnected smoke alarms required for houses with more than 5 unrelated adults.
- Cap maximum at **10 unrelated adults**
 - Building Code regulates 10 or more adults living together as congregate living, which requires sprinklers, etc.
- Require off-street parking for single-unit uses in some Neighborhood Contexts for dwelling units with 6 or more adults (see table, next slide)
- Permit Administrative Adjustment (upon request) for FFHA-protected groups (more than 5 in a dwelling unit <1800 square feet).

Dwelling Unit Size (square feet of finished floor area)	Unrelated adults permitted
Less than 1,800	5 adults
1,800 to 1,999	6 adults
2,000 to 2,199	7 adults
2,200 to 2,399	8 adults
2,400 to 2,599	9 adults
2,600 or more	10 adults

Details: Proposed Revisions to Household regulations

Require minimum off-street vehicle parking for single-unit household uses with 6 or more adults

Single-unit dwelling uses have not previously required off-street parking, due in part to Denver's development history, where some neighborhoods were built without it.

Proposed off-street vehicle parking for larger households aligns with current requirements for two- and multi-unit dwelling uses.

Establish a maximum number of vehicles permitted to be associated with a dwelling unit at one per licensed driver, plus one for the household to a maximum of 6.

Include definition language specifying that a non-profit housekeeping unit does not include "rent-by-the room" and similar uses

Context	Parking required for single-unit dwelling Use with 6 or more adult residents (note: bicycle parking is not required)
Suburban	2 vehicle spaces
Urban Edge	2 vehicle spaces
Urban	1 vehicle spaces
General Urban	1 vehicle space
Urban Center	0 vehicle spaces CCN only: 1 vehicle space
Downtown	0 vehicle spaces
I (where applicable)	1 vehicle space
CMP (where permitted)	0 vehicle spaces
Master Planned	1 vehicle space

Current & Proposed Regulations: Residential Care

Current

- **Small:** 8 or fewer guests
 - 6,000 square-foot min. lot size
- **Large:** 9 or more guests
 - Building construction date requirements in SU, TU and RH zone districts
 - Cap of 20 guests in SU, TU and RH districts
 - 6,000 square-foot min. lot size
 - Spacing and Density requirements
- **Shelters and Community Corrections**
 - Separate regulations, size caps



Proposed

- **Very Small:** 10 or fewer guests
- **Small:** 11 to 40 guests
 - 12,000 square-foot min. lot size in SU, TU, RH
 - Spacing and Density requirements
- **Medium:** 41 to 100 guests
 - Permitted only in higher-intensity zone districts
 - Spacing and Density Requirements
- **Large:** 101+ guests
 - Permitted only in higher-intensity zone districts
 - Spacing and Density Requirements
- **Shelters and Community Corrections**
 - Regulated like all other Residential Care uses

Next Steps

Public Review of Text Amendment: the Public Review Draft of the text amendment (a document showing specific proposed changes to the language in the DZC) will be published online for the public to review and provide comments for at least 30 days in advance of a Planning Board hearing. We expect this will occur in late June 2020 (subject to change). Upon publication, project staff will

- present to the Inter-Neighborhood Cooperation (INC) Zoning and Planning Committee, and any other Registered Neighborhood Organization (RNO) or other interested organizations, upon request (in-person or virtual, depending on applicable social distancing requirements in effect at this time)
- Office Hours events for one-on-one or small group discussion of proposal details.

Planning Board: the Denver Planning Board will hold a public hearing on the proposed Text Amendment and consider it against the review criteria found in Section 12.4.11.4 of the Denver Zoning Code. The Planning Board will receive public input via written comments and public testimony and make a recommendation to the Denver City Council. This hearing is anticipated to occur in July or August of 2020, subject to change.

Denver City Council: The City Council will hold a public hearing on the proposed text amendment and consider it against the review criteria found in Section 12.4.11.4 of the Denver Zoning Code. The City Council will receive public input via written comments and public testimony, and then vote on whether to approve the Text Amendment. This hearing is anticipated to occur in August or September of 2020.

Implementation: If these amendments are adopted by the City Council, the new standards will take effect approximately three days after City Council adoption following the Mayor's signature and publication of the ordinance. Implementation will include updates to Development Services permit review processes, staff and customer guides and staff training on the new regulations.