Community Corrections

Denver Zoning Regulations

Date: 09/26/2019
Overview: how CCFs are regulated in Denver

Operations (acceptance criteria, setup and role of board, programs):

- Denver Revised Municipal Code
- Department of Safety Rules and Regulations
- Colorado Community Corrections Standards & Statutes

Location and size of facilities:

- Denver Zoning Code
  - Regulations date from previous zoning code (Former Ch. 59), and were last updated in 2008
Zoning Regulations: Zone Districts that permit CCFs

- Community Corrections is currently a Residential Care Use in the Zoning Code’s Group Living category, subject to specific regulations and broader Group Living requirements.

- Community Corrections Facilities are permitted in the following zone districts:
  - Industrial Mixed-Use (I-MX-)
  - Industrial zones (I-A and I-B)
  - Some Downtown districts:
    - Downtown Core (D-C)
    - Downtown Theater District (D-TD)
    - Downtown Lower Downtown (D-LD)
Zoning Regulations: Use Limitations

Buffer Requirements specific to Community Corrections use:

• 1,500 feet from a school meeting all requirements of the compulsory education laws of the state; and
• 1,500 feet from a Residential Zone District
  o Includes multi-unit and mixed-use residential districts

Additional requirements applicable to all Large Residential Care Facilities

• A Large Residential Care use shall be a minimum of 2,000 feet from another such use; and
• No more than two other such uses shall exist within a 4,000 foot radius measured from the proposed use
Zoning Regulations: Group Living organizational chart

- Group Living
  - Residential Care
    - Large
      - Shelter for the Homeless (Any Size)
    - Community Corrections (Any Size)
    - Special Care (9+)
      - Transitional Housing
      - Assisted Living (≤8)
      - Special Care (≤8)
    - Small
      - Rooming and Boarding
      - Assisted Living 9+
      - Nursing/Hos pice
      - Housing for 55+
      - Student Housing
Zoning Regulations: CCF-specific and overlapping use limitations in Zoning Code

**Use Limitations applicable to all large residential care:**

- A Large Residential Care use shall be a minimum of 2,000 feet from another such use; and
- No more than two other such uses shall exist within a 4,000 foot radius measured from the proposed use.

<table>
<thead>
<tr>
<th>Use Limitation</th>
<th>Shelter for the Homeless (Any Size)</th>
<th>Community Corrections (Any Size)</th>
<th>Special Care (9+)</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 feet from a school</td>
<td>• 500 feet from a school</td>
<td>• 1,500 feet from residential zone district</td>
<td></td>
</tr>
<tr>
<td>950 beds/CC District</td>
<td>• 950 beds/CC District</td>
<td>• 1,500 feet from a school</td>
<td></td>
</tr>
</tbody>
</table>
Impact of current DZC location regulations

• Very limited locations where a new facility could be established
  o Approximately 3,246 acres
  o Available land is in areas where similar uses are already concentrated

• Most existing facilities are compliant or non-conforming to zoning regulations
  o **Non-conforming** = legally established but no longer permitted in applicable zone district
    ➢ original operator may continue, but transfer of permits, expansion are limited.
  o **Compliant** = legally established but no longer meets a use limitation
    ➢ Most compliant CCF uses are closer than 1,500 feet to a residential zone district
    ➢ original operator may continue, but transfer of permits, expansion are limited.
Current CCF facilities and areas where new facilities could be established

- New facilities could be established in tan areas.
- Where 4,000 buffers overlap tan areas, presence of other Large Residential Care Facilities would preclude additional CCFs
<table>
<thead>
<tr>
<th>FACILITY_NAME</th>
<th>FACILITY_ADDRESS</th>
<th>NUM_BEDS</th>
<th>OPERATOR</th>
<th>Zone</th>
<th>Compliant/Non-Conforming Issues</th>
<th>Zoning Conformance</th>
</tr>
</thead>
<tbody>
<tr>
<td>CoreCivic - Ulster</td>
<td>3955 N. ULSTER ST.</td>
<td>84</td>
<td>Corecivic, inc</td>
<td>I-MX-5, UO-2</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>CoreCivic -46th</td>
<td>4511 E. 46TH AVE.</td>
<td>120</td>
<td>Corecivic, inc</td>
<td>I-B, UO-2</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>CoreCivic -Columbine</td>
<td>4280 N. COLUMBINE ST.</td>
<td>60</td>
<td>Corecivic, inc</td>
<td>I-A, UO-2</td>
<td>63 feet to Residential District</td>
<td>Compliant</td>
</tr>
<tr>
<td>CoreCivic Fox</td>
<td>570 W. 44TH AVE.</td>
<td>90</td>
<td>Corecivic, inc</td>
<td>I-B, UO-2</td>
<td>213 Feet to RX District</td>
<td>Compliant</td>
</tr>
<tr>
<td>Independence House Filmore</td>
<td>1479 N. FILMORE ST.</td>
<td>40</td>
<td>Independence House, LLC</td>
<td>U-MS-3</td>
<td>In MS District, Adjacent to RH District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>Independence House Pecos</td>
<td>4101 N. PECOS ST.</td>
<td>75</td>
<td>Independence House, LLC</td>
<td>U-TU-C</td>
<td>In TU District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>Independence House South Federal</td>
<td>2765 S. FEDERAL BLVD.</td>
<td>110</td>
<td>Independence House, LLC</td>
<td>PUD 632</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>Peer I</td>
<td>3712 W. PRINCETON CIR.</td>
<td>80</td>
<td>University of Colorado Peer 1 program</td>
<td>CMP-H2</td>
<td>In CMP District, 173 Feet to SU District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>The Haven</td>
<td>3630 W. PRINCETON CIR./3852 W. PRINCETON CIR.</td>
<td>20/16</td>
<td>University of Colorado Haven program</td>
<td>CMP-H2</td>
<td>In CMP District, 709 Feet to SU District</td>
<td>Non-Conforming</td>
</tr>
<tr>
<td>Tooley Hall</td>
<td>4280 N. KEARNEY ST.</td>
<td>73</td>
<td>Geo Care</td>
<td>I-B, UO-2</td>
<td></td>
<td>Conforming</td>
</tr>
<tr>
<td>Williams Street Center, Inc.</td>
<td>1776 N. WILLIAMS ST.</td>
<td>80</td>
<td>Williams Street Center, Inc.</td>
<td>G-RO-5</td>
<td>IN RO District</td>
<td>Non-Conforming</td>
</tr>
</tbody>
</table>
Facility Size: Current DZC requirements

• In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents. (when adopted, this standard was aligned with state population density requirement, which has since changed to 40 square feet)

• In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.

• In the D-C, D-TD, and D-LD zone districts, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas or 40 residents, whichever is less.
Reviewing zoning regulations for many uses in both the Group Living category and conventional households, including:

- Shelters
- Assisted Living Facilities
- Nursing Homes
- Special Care Homes
- Community Corrections
- Uses not well addressed in code (Co-op living, tiny home villages, etc.)
Group Living project, cont.

- Led by 50-member Group Living Advisory Committee of residents, operators, neighborhood representatives and other stakeholders
  - More than 30 meetings since March 2018 as full committee and in topic specific subgroups
  - All meetings open to public, published on Group Living website

- Currently in Phase 3, Solutions Development

- Full set of proposed changes to Denver Zoning Code expected in 1st Quarter of 2019, following public meetings to review with community

- Adoption process in early 2020
Zoning Code shortcomings identified by CCF subgroup

- Demand Exceeds current capacity
- Limited space in available districts for new facilities
- Existing compliant, non-conforming uses have limited allowances for expansion
- Vehicle parking requirements exceed demand and take up space that could be used for programming
- Population limits and requirements need revision

*more details and full problem statements at [www.denvergov.org/group](http://www.denvergov.org/group) living
CCF revisions currently under consideration

- Expanding permitted zone districts (e.g. mixed-use, commercial corridors)
- Reducing school/residential district buffer requirements
  - Current requirements limit impact of expanding districts outside of industrial areas
- Reduced parking requirements
  - Most facilities only need parking for employees
- Reconsidering resident caps
  - Exploring more zone districts/reduced or eliminated buffers for facilities under a certain size
Next steps and how to get involved

• Project team is closely following process to transition operations

• We will actively seek input from potential new operators as they are identified to ensure any zoning changes support new models of service provisions

• Community Corrections subgroup meetings posted on project website, interested stakeholders are welcome to attend and participate.

• Contact us:
  o project website: www.denvergov.org/groupliving
  o Project manager: Andrew Webb: andrew.webb@denvergov.org; 720-865-2973