

Let's clarify: Fact-checking claims about the Group Living proposal

What we've heard: Is this true?

"These changes will increase density 150%."

This is very unlikely. Data from 40 cities across the U.S. show the average household size is 2-3 people, even in cities that allow 5 or more unrelated adults to live together. For people who already live with roommates, these changes will make their living situation legal, but zoning codes do not make people who otherwise would not have moved in with roommates suddenly do so. While our hope is to increase legal options for Denverites who may want roommates in the future, our average household size across the city will likely remain close to what it is today (2.3 residents/household).

"These changes will allow homeless shelters in all neighborhoods."

This is misleading because this is already true today. Existing laws already allow shelters operated by churches, nonprofits and government agencies citywide, including residential areas. Some can operate year-round, and others can only operate seasonally or in emergencies.

What the proposal does is provide clearer criteria for emergency expansion of shelters, allows operators to offer multiple housing types to assist guests as they move through a continuum of housing toward housing of their own, and allows existing downtown shelters (which are effectively "frozen" in place today due to non-conforming status and bed limits) to make renovations to more effectively serve guests, but it does not "open up" new neighborhoods to shelters.

"These changes will allow shelters in neighborhoods to expand to 100 guests for 130 days."

This is also misleading. Existing laws already allow shelters in neighborhoods to serve 100 guests for up to 120 days/year. The proposal would, however, change the 120-day limit to 130 days to ensure that a network of three providers (such as three churches) can provide shelter year-round.

"There will be no buffers from schools for shelters or community corrections."

This is misleading. Existing laws already allow shelters of up to 100 people for 120 days/year in residential areas, without buffers from schools. Denver Public Schools estimates that ~2,000 of its students experience homelessness in any given year, many of whom live in shelters or other emergency housing. Moreover, about half of Denver's existing community corrections facilities are already within 1,500 feet (the "buffer" zone) of one or more schools. The buffers have not been a functional way to regulate these facilities and they do not prevent new schools or childcare providers from opening within a buffer zone.

Instead, this proposal creates spacing and density requirements designed for large residential care facilities, including shelters and community corrections, to prevent a concentration of facilities in a given area.

“These changes will allow unlimited cars per household.”

This is false. This proposal includes a parking requirement limiting the number of cars allowed to one per licensed driver, plus one additional car for each household, up to a maximum of six on a property. Previously, there was no maximum number, meaning households could have as many cars as they had drivers, plus one more car. The vehicle maximum will apply to all households with single-unit, two-unit, or row-house zoning in Denver. Additional parking regulations, such as rules prohibiting inoperable vehicles and street parking rules from the municipal code, remain unchanged.

“This proposal would prohibit ability of neighbors to object to homeless shelters.”

This is misleading. There is no change to neighbors’ ability to object because there is no requirement today that shelters have neighbor support. Rather, this proposal would add a NEW requirement to ensure neighbors are notified when the city receives a permit application for any residential care facility that would serve 11 or more people and would require operators of these facilities to meet with neighbors before applying for permits. These requirements do not exist today.

“These changes would commercialize single-family neighborhoods.”

This is false. This proposal contains a prohibition on commercial scenarios, like “rent by the room,” in areas zoned single-unit, two-unit, or row house (up to 2.5 stories).

“5 people ‘and all of their relatives’ could move in next door.”

This is false. In response to concerns from residents over raising the household limit too high, too fast, the limit currently proposed is a maximum of five unrelated adults, or five related and unrelated adults. The only way to exceed this maximum is if *everyone* in the home is related, which is what current law allows. Five adults brings Denver in line with other cities along the Front Range.

“City inspectors can’t view photos submitted to 311 or Pocketgov.”

This is false. Inspectors have access to photos in the office and via an app on their mobile devices in the field and were recently re-trained on how and when to view photos. Moreover, inspectors collect their own evidence. When citing someone for a violation of the municipal or zoning code, we do not rely on evidence gathered by neighbors; but rather, document the violation ourselves. Taking our own photos also allows us to protect the anonymity of the person who initially submitted a complaint.

A final note:

While there are many people who had concerns over previous drafts of this proposal, our staff have worked steadfastly with City Councilmembers and Denverites from all council districts to refine the proposal to address those concerns. After three years of research and preparation – and four months of in-depth work with City Council’s Land Use, Transportation and Infrastructure committee – we have arrived at a balanced package of amendments that improves Denverites’ ability to seek care and share housing costs, while also making it easier to regulate these land uses.

City Council will hold a public hearing on this proposal on Monday, February 8, 2021. Please visit www.denvergov.org/groupliving to sign up to speak.