

Group Living Code Amendment

Overview of Proposed Zoning Code Amendments
February 2021



Why is CPD proposing changes?

- Current regulations prohibit the residential care facilities our city needs and prevent people from sharing housing
 - Example: new community corrections uses are not allowed outside of industrial areas
- We have exclusionary regulations with roots in classism and racism
 - Example: Since 1954, groups of more than two unrelated people (“found” families, blended families and roommates) have only been allowed to live in multi-unit dwellings (duplexes, apartments, etc.) in Denver.
- We need a more equitable approach for locating residential care uses and we need to allow people to legally share housing costs
- We also need to fix problems with the Denver Zoning Code
 - Outdated and unclear language
 - Unpredictable permitting and notification requirements



“The community knows about us. We give back to the community, we maintained the block, cleaning it up, we cut neighbor’s grass and we helped our neighbors.”

- Maurice, formerly homeless, former Community Corrections resident, and Denver Rescue Mission worker

Summary of proposed changes:



Household Living

- Allow up to 5 adults of any relationship to live as part of a household, preserve existing allowance for unlimited related adults to live together.



Congregate Living

- Consolidate all uses with more people than allowed in a household, but where care is not required, into a single use type: “Congregate Living” This category would include uses like rooming and boarding houses, single-room occupancy and permanent tiny home villages.
- As is currently the case for these uses, they would only be permitted in higher-intensity zone districts, not single-unit or two-unit districts.
- Clarify that rent-by-room is only allowed as congregate living in zone districts where higher-intensity residential uses are allowed – it is prohibited in low-intensity residential areas

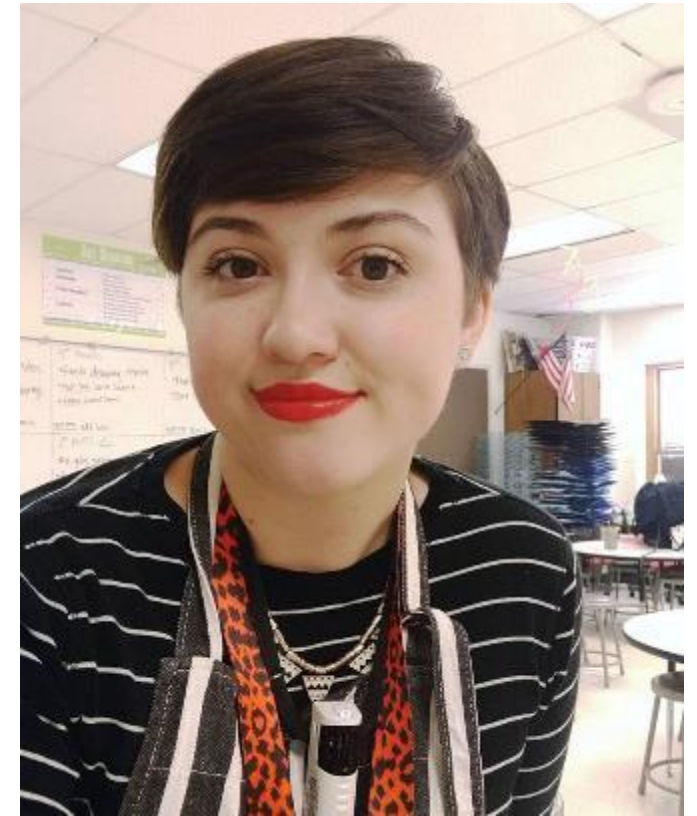


Residential Care

- Consolidate all uses where care is required into a single use type: “Residential Care”
- Regulate by size, with spacing and density limitations for larger facilities
- Allow residential care uses in more places
- Require a community meeting prior to permit application for larger residential care facilities, and for halfway houses of any size
- Prohibit halfway houses in the lowest-intensity residential zone districts

Household Regulations

The Zoning Code's regulations focus on adults 18 or older. There are no restrictions on how many related children can live in a house in any of these proposals.



“There are a lot of social benefits living in a community...I think it should **be accessible for people to choose those people they want to live with.**”

- Samantha, Cooperative Housing Resident and Elementary School Teacher

What's allowed now?

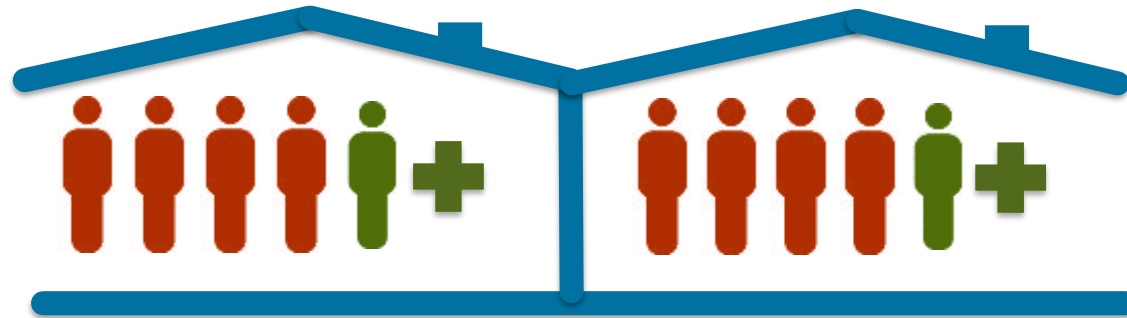
In one, detached home



Two unrelated adults
Unlimited relatives

No off-street parking requirement


In duplexes, apartments, condos (anything with 2 or more attached homes)



Four unrelated adults
Unlimited relatives

Has a minimum off-street parking requirement

 = unrelated adults

 = relatives

Peer City Household Regulations

Unrelated Adults Allowed 2	Avg HH size	Unrelated Adults Allowed 3	Avg HH size	Unrelated Adults Allowed 4	Avg HH size	Unrelated Adults Allowed 5	Avg HH size	Unrelated Adults Allowed 6	Avg HH size	Unrelated Adults Allowed 8	Avg HH size
Denver	2.31	Boulder	2.18	Aurora	2.82	Arvada	2.48	Austin	2.47	Seattle	2.12
Englewood	2.15	Commerce City	3.10	Brighton	2.92	Castle Rock	2.88	Portland, OR	2.36	Vancouver, WA	2.46
		Fort Collins	2.46	Golden	2.24	Co. Springs	2.52	San Diego	2.96		
		Littleton	2.25	Northglenn	2.71	Lakewood	2.30	Spokane	2.43		
		Loveland	2.55	Thornton	2.86	Longmont	2.60				
		Wheat Ridge	2.16	Westminster	2.62	Parker	2.94				
		Salt Lake City	2.48	Las Vegas, NV	2.66	Uninc. Adams Cty.	3.00				
		Minneapolis	2.25	Boston	2.37	Uninc. Arap. Cty.	2.66				
				New Orleans	2.44	Albuquerque	2.48				
						Boise	2.46				
						Kansas City	2.36				
						Oklahoma City	2.59				
						Phoenix	2.87				
						Aspen	1.94				
						Crested Butte	2.00				
						Telluride	2.19				
Avg HH	2.23		2.43		2.63		2.52		2.56		2.29

Notes: All cities permit unlimited adult relatives to live as a household. Most cities cap the size of a household where not all adults are related.

Sources: U.S. Census Bureau Quick Facts; city and county zoning regulations

Average U.S. Household Size (2019): 2.51

LUTI Discussion (Sept. – Dec. 2020): Concerns and Common Values

- Allowing **blended families and some number of unrelated** adults as a household, without a special permit
- Preventing **overcrowding** and **commercialization** of neighborhoods
- **External impacts**, such as parking, are what really matter
- Regulations should be **simple** to understand and enforce

Who Are We Serving?

- Multigenerational families
- Two families sharing housing
- Adults sharing housing as roommates or “found” family
- Couples who want/need to take a roommate
- Anyone who needs to share mortgage or rent costs
- Foster families*

*Requires a permit now, but these amendments would remove that barrier.

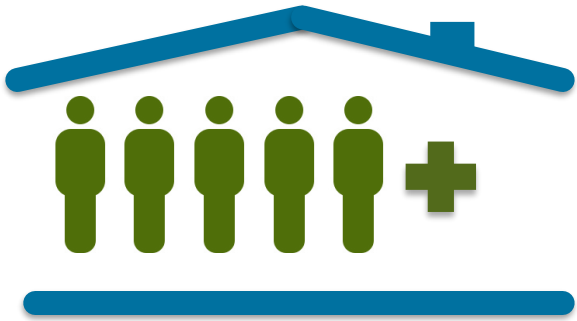


= unrelated adults



= relatives

What does the City Council Draft propose?



- Allow households as follows:

- ✓ Households of any number of people as long as all residents are related (*allowed now*)

OR



- ✓ Households of up to 5 adults where all adults are not related
 - Allows 5 roommates, a blended family of 5 adults, etc.
 - Does not allow additional adult relatives
 - Does not allow additional adults in larger dwelling units

Residential Care

Examples of Residential Care facilities:

- shelters
- community corrections or “halfway houses”
- sober living
- rehabilitation facility
- assisted living
- nursing home
- hospice care



“The opposite of addiction is connection. **Having the ability to be in a community of recovery could be why I am so successful and [able to] be employed.**”

- Jill, former sober living resident and current manager of a recovery home

Summary of Proposed Changes reflected in City Council draft

- **Consolidate** all uses where care is provided into a single type called “Residential Care”
 - Regulate by facility size and scale, rather than the type of care provided.
 - Zoning is not intended to regulate different types of people.
- **Remove restrictions and buffers rooted in bias** that concentrate some people in industrial zones where they lack access to transit and other daily needs
- **Prohibit** Residential Care uses that serve non-paroled individuals (e.g. Community Corrections, or “halfway houses”) in low-intensity residential zone districts
- Encourage more **equitable distribution** of residential care facilities citywide
- Require **community meetings** for larger facilities
- **Strengthen requirements for spacing** between facilities and **density** limitations that prevent concentration of facilities in a given area.



LUTI Discussion (Sept. – Dec. 2020): Concerns and Common Values

- Allow people to access residential care in their communities and where they **have access to daily needs**
- Encourage **equitable distribution** of future facilities around the city and **prevent concentration**
- **Move away from regulations that exclude** people based on the type of care they need
- **Ensure Denver's compliance** with the Federal Fair Housing Act and other regulations
- Ensure facilities are not out of **scale** with neighborhoods

Who Are We Serving?

- People transitioning back into community after incarceration
- People in recovery
- People who are elderly and/or living with disabilities
- People who have experienced homelessness

What revisions were made at LUTI?

- Prohibit community corrections in **single unit (SU), two-unit (TU) and row house 2.5 (RH-2.5) zone districts** (see slides 14-16)
- For “Type 1” facilities (10 or fewer guests), add a requirement to **limit the density of facilities** allowed within a 1-mile radius
- For “Type 2” facilities (11-40 guests on lots larger than 12,000 sq. ft.)
 - Reduce **maximum size to only 20 guests** in SU, TU and RH zone districts
 - In SU, TU and RH zone districts, only allow these facilities **on parcels previously in use for a residential care use, or a civic, public or institutional use**, such as unused churches, schools, and government buildings (i.e., not in a house)

Community Corrections



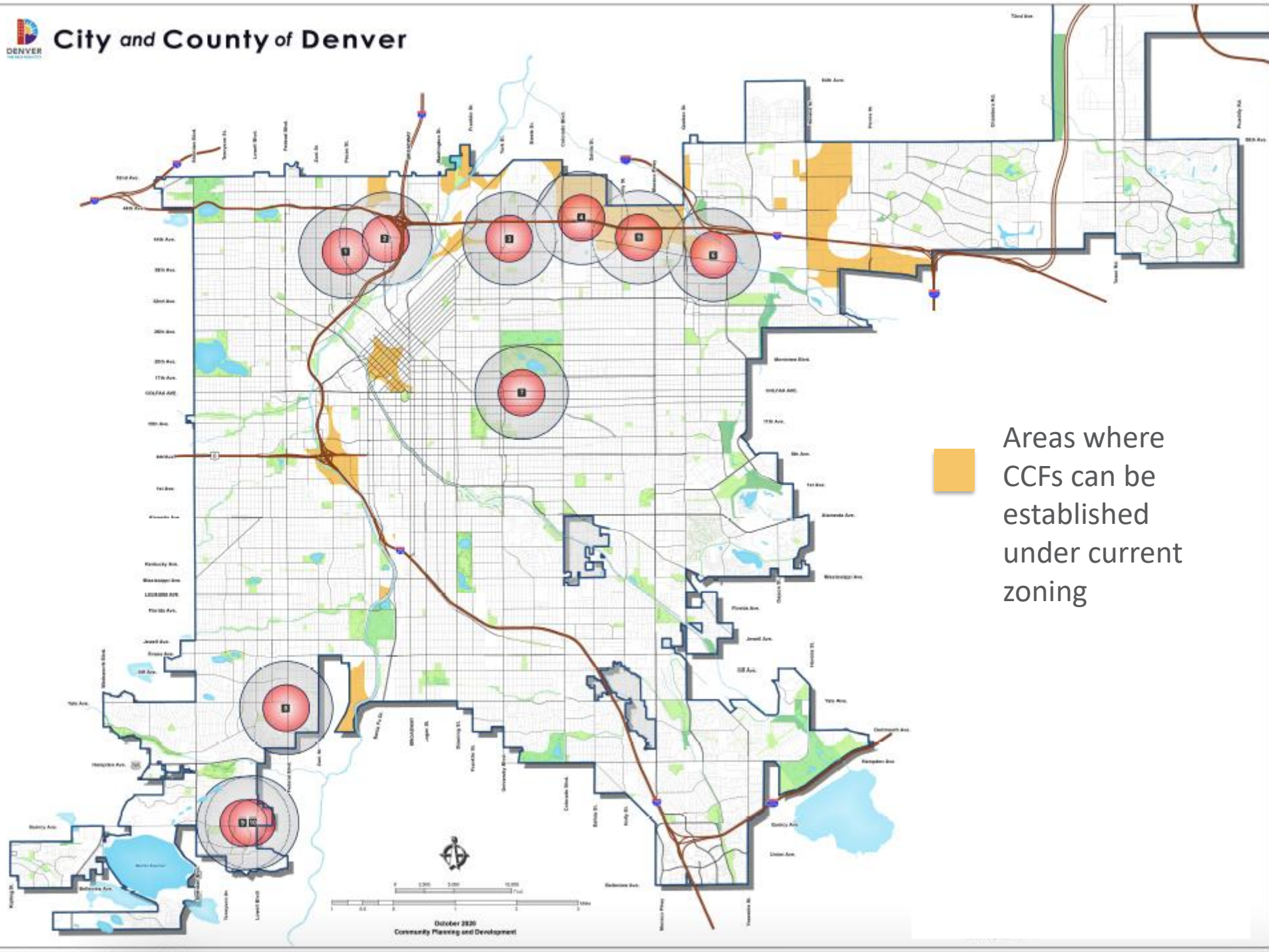
“The community corrections facility helped with everything, as far as my housing, healthcare, sobriety, living situation, and **gaining respect from the community.** [Independence House] offers everything like case management, a doctor on site, and it is **a great asset to the community.”**

- Maurice, formerly homeless, former community corrections resident, and Denver Rescue Mission worker



Current Community Corrections Facilities; buffers, and areas where new facilities could be established

- New facilities could be established in tan areas.
- Approximately 3,200 acres, or approximately 1,200 parcels, most in areas where these uses are already concentrated.
- Where 4,000' (grey) buffers overlap tan areas, presence of other Large Residential Care Facilities would prohibit new CCFs

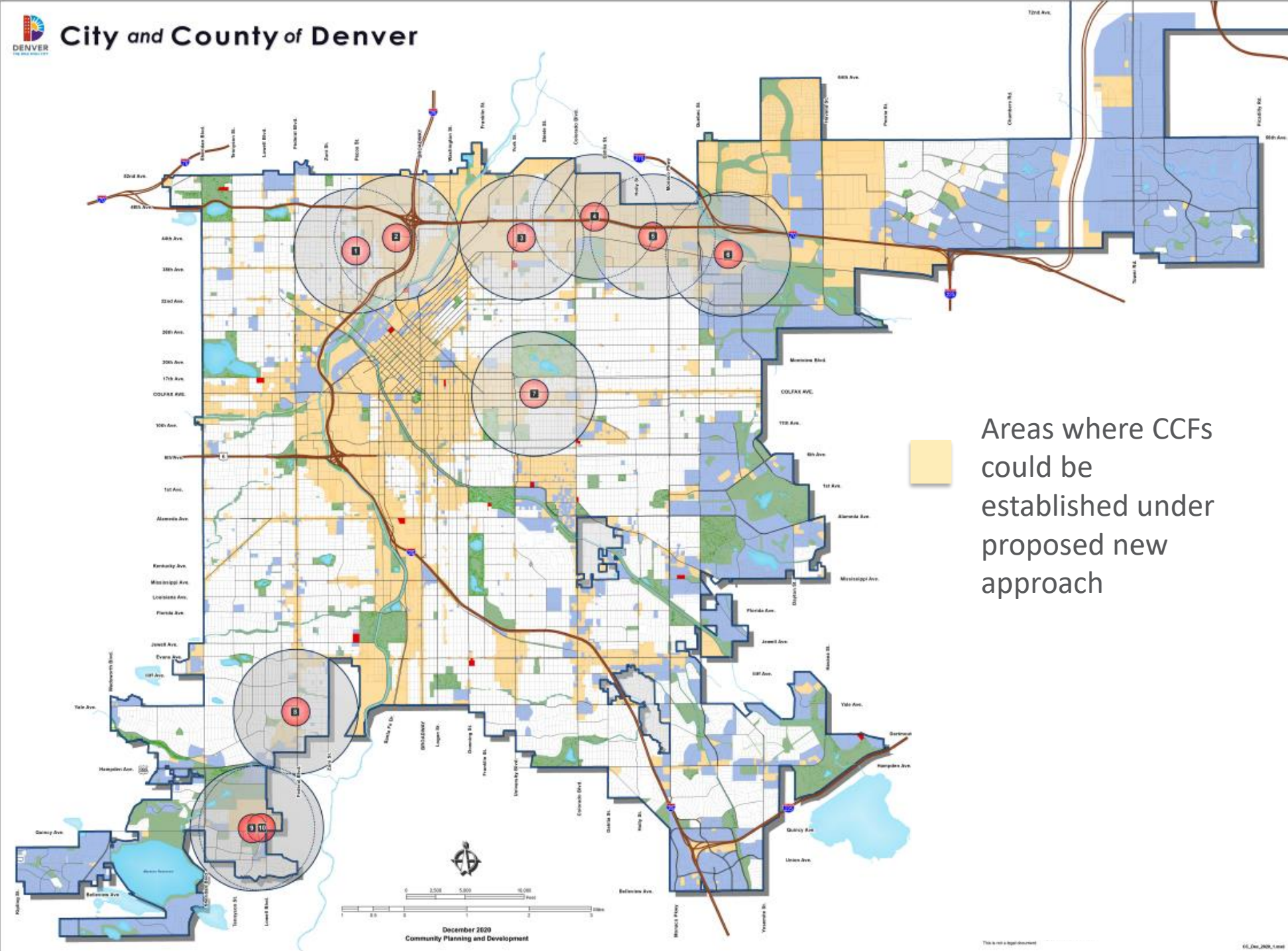


Areas where CCFs can be established under current zoning

Proposed:

Expand available space for community corrections, but not in SU, TU and RH-2.5 districts

- Creates a significant expansion of land available for these uses: **from ~3,210 acres today to ~19,000 acres (~15,000 parcels)**
- Would allow these uses on commercial corridors around the city, where there are structures that could accommodate them and access to transit, jobs, and daily needs.



Next Steps

Review Process Step	Timeline
City Council Land Use, Transportation and Infrastructure (LUTI) Committee	December 22, 2020
City Council first reading	January 11
City Council public hearing	February 8
Former Chapter 59 Bridge Amendment	Early 2021
Post-Adoption Monitoring	Annually after adoption

Information about how to watch or participate in the Feb. 8 hearing, as well as more information about the project, can be found at: denvergov.org/groupliving.