

Former Ch. 59 Household Bridge Amendment

Denver City Council

Land Use, Transportation and Infrastructure Committee

March 2, 2021



What is this project about?

- Amend the Denver Revised Municipal Code to “bridge” the Denver Zoning Code’s definition of household to areas under Former Ch. 59, or the “old code.”
- Follow-up to the recently adopted Group Living amendments to the Denver Zoning Code
 - Make updated regulations for households effective citywide,
 - Allow up to 5 unrelated adults to live together in any dwelling unit in the city.

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



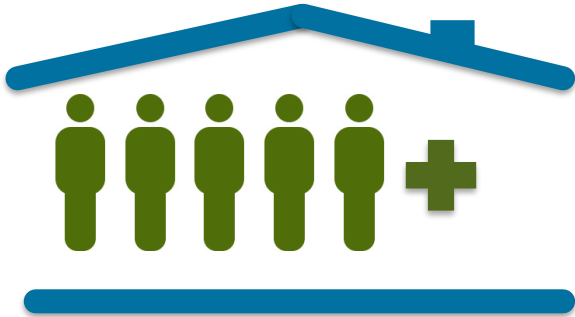
= unrelated adults



= relatives

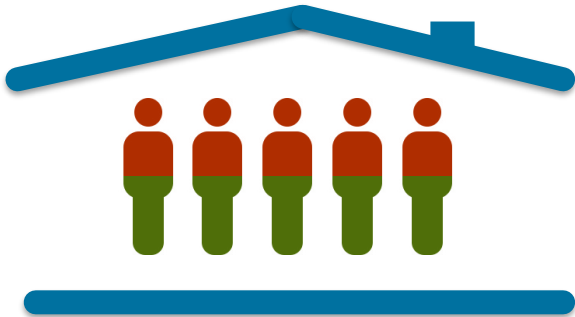
What would this amendment allow?

- This amendment would mean all households citywide are regulated by the Denver Zoning Code's regulations:



- ✓ Households of any number of people as long as all residents are related


OR

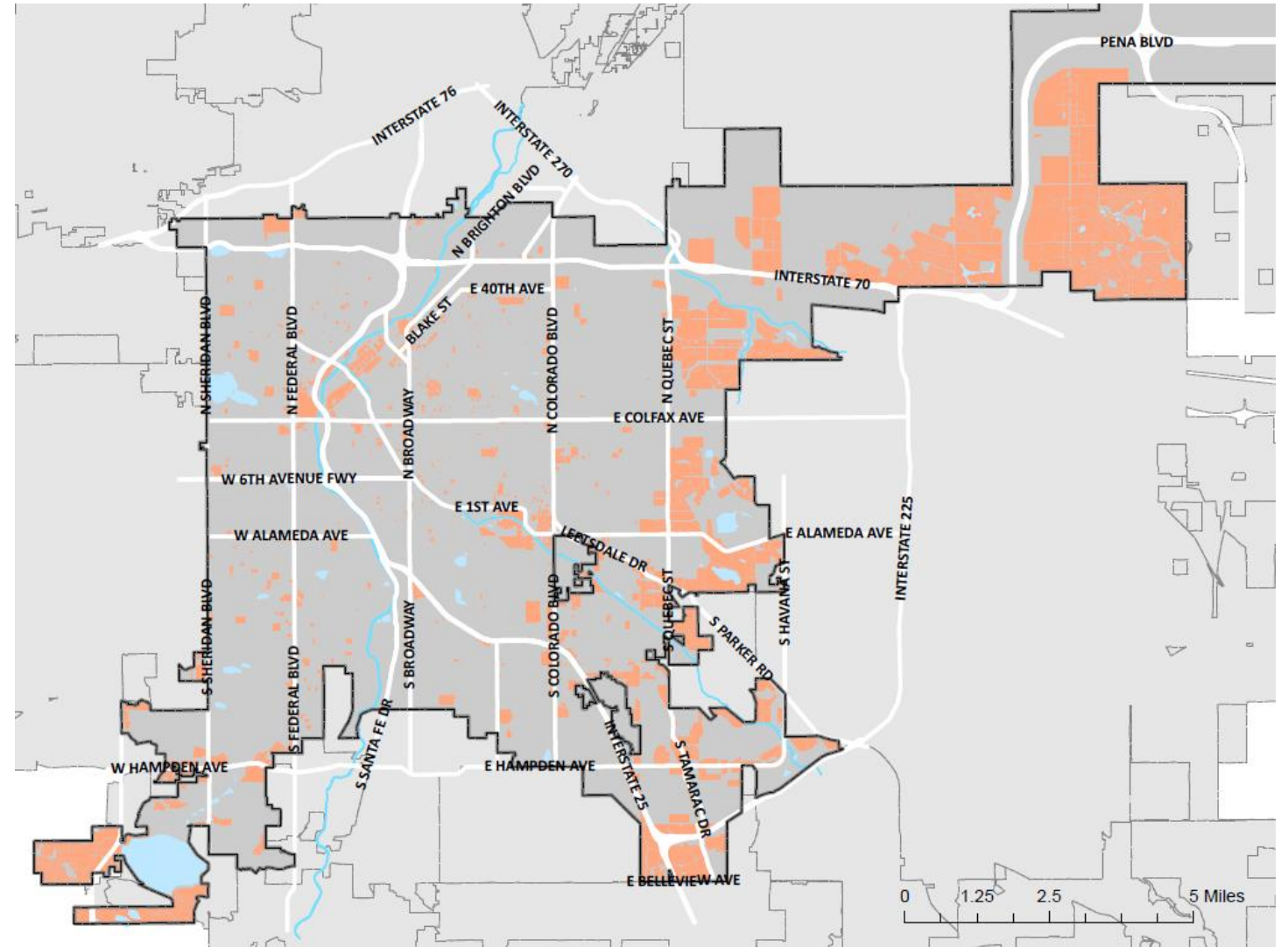


- ✓ Households of up to 5 adults where all adults are not related
 - Allows 5 roommates, a blended family of 5 adults, etc.
 - Does not allow additional adult relatives
 - Does not allow additional adults in larger dwelling units

FC59 Zoning Overview

- Just over 20% of the land area of the City is zoned Former Chapter 59 (“old code” or “FC59”)
- About 25% of Denver’s residential units are in FC59 areas

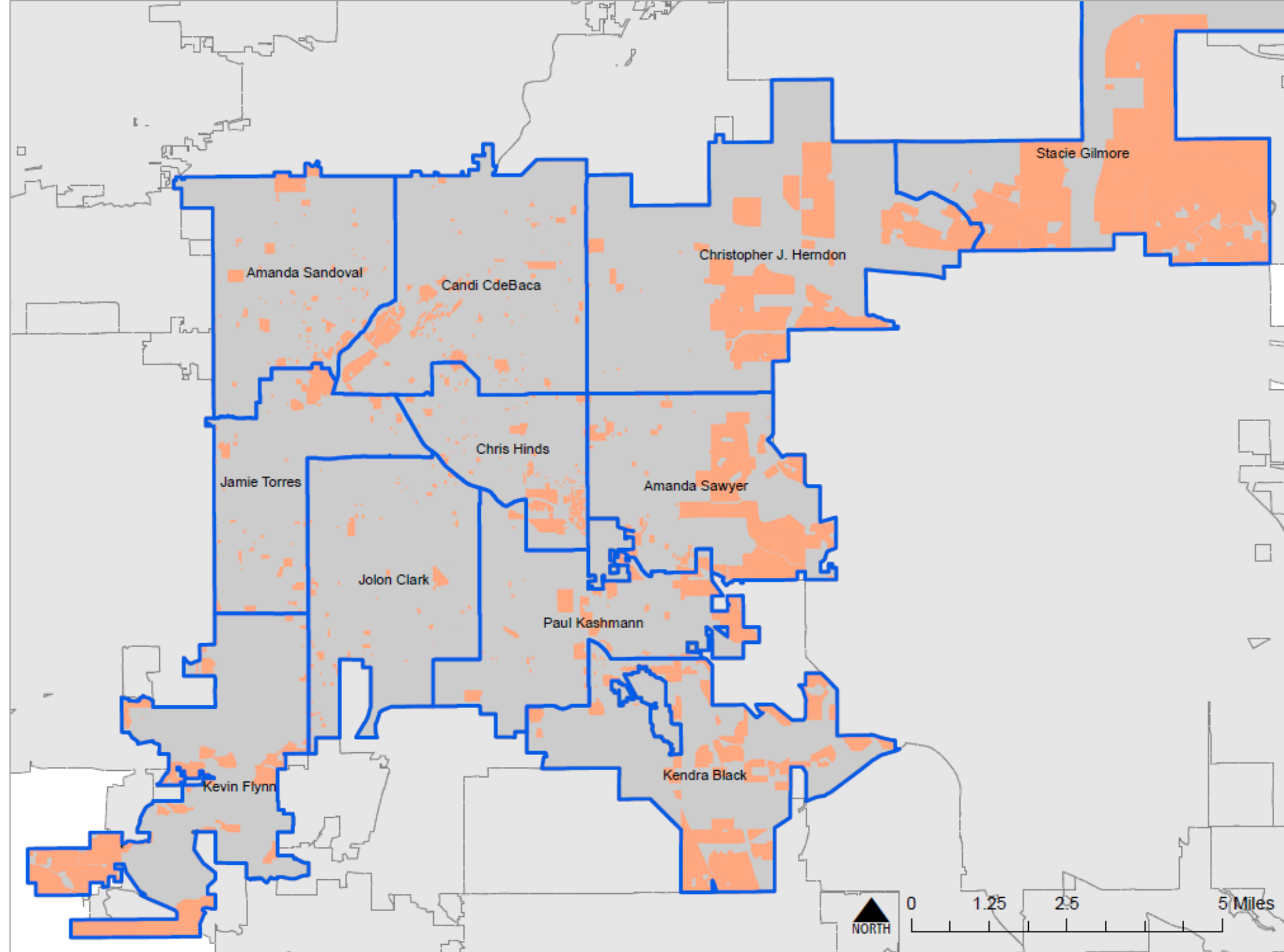
 CH. 59 Properties



Properties zoned FC59 as of November, 2020

FC59 Zoning by Council District

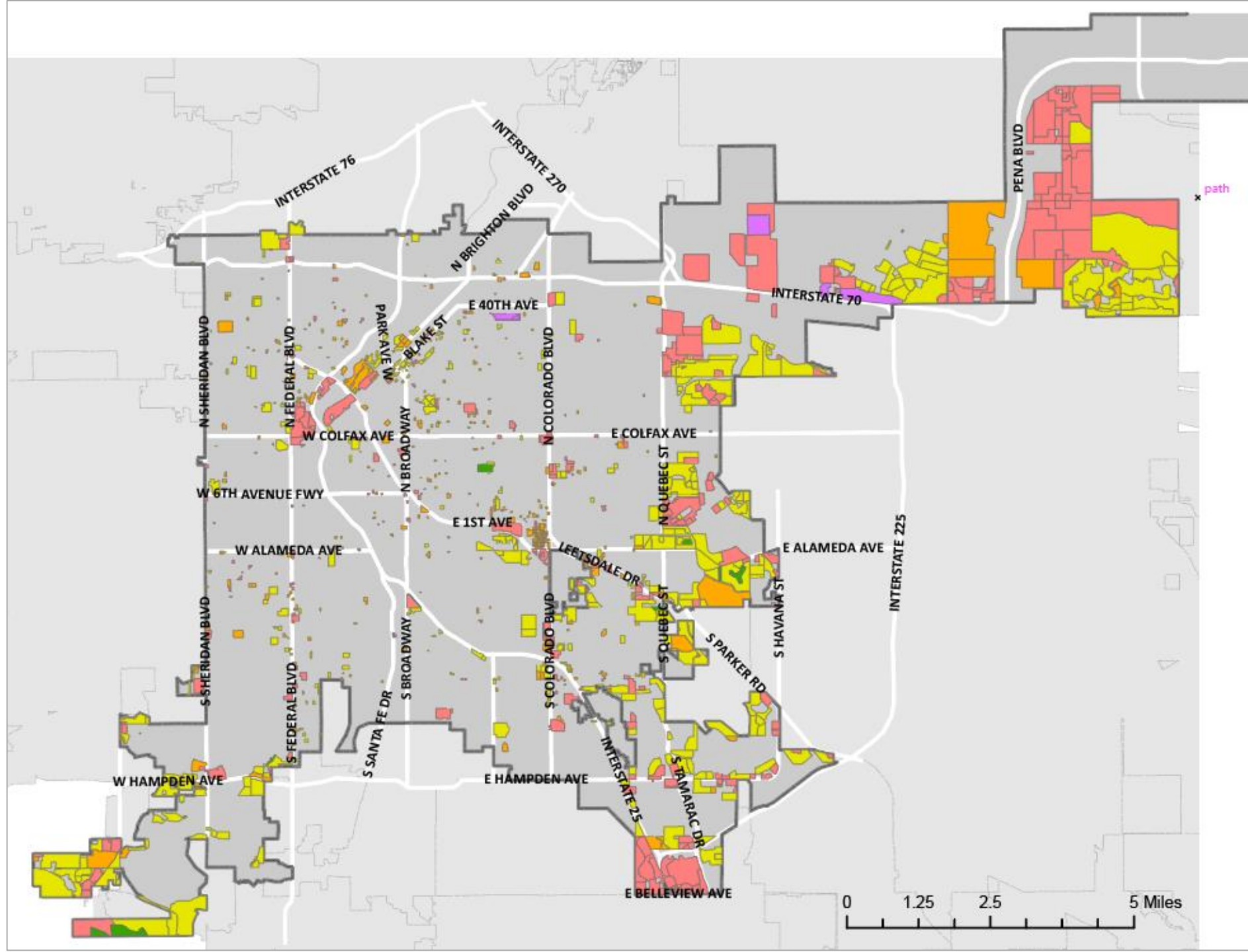
District	% of FC59 Land Area
11 (Gilmore)	33.97%
8 (Herndon)	16.72%
5 (Sawyer)	11.24%
4 (Black)	10.74%
2 (Flynn)	10.46%
6 (Kashmann)	4.79%
9 (CdeBaca)	3.46%
10 (Hinds)	2.61%
1 (Sandoval)	2.45%
3 (Torres)	2.26%
7 (Clark)	1.30%



FC59 Zoning by District Type

Zone District Type

- Commercial Mixed Use
- Industrial
- O-1
- Open Space
- PUD
- Residential



Transitioning From Former Chapter 59 Zoning

- **Proposed Solutions**
 - **Step 1 (this amendment): Make updated Household regulations effective in areas with FC59 zoning**
 - Near-term approach to citywide application of Group Living amendment
 - Does not change underlying zoning
 - Gives the same options for household size to all neighborhoods in Denver
 - Requires an amendment to DRMC, with public hearing at City Council
 - **Step 2: One City One Code**
 - Growing awareness that we need to get there more quickly
 - Explore city-driven and applicant-driven opportunities

Consistency with Adopted Plans

Comprehensive Plan



- Implements city policies for creation of complete range of housing option in every neighborhood
- Promotes programs to help individuals and families, especially those most vulnerable to displacement, reduce housing costs
- Helps ensure that city regulations enable a range of flexible housing options to meet the needs of all residents

Blueprint Denver

- Ensures land use regulations “support modern and equitable approaches to housing options...”
- “...provide a more inclusive definition of households.”
- expands “the allowance of flexible and affordable housing types”



Blueprint Denver, continued



- Expands flexible housing opportunities citywide.
- Allows people to choose how they want to live, without fear that housing is in violation of zoning.

Housing an Inclusive Denver

- Increases flexibility of regulations for all housing types



Next Steps

Review Process Step	Timeline
City Council Land Use, Transportation and Infrastructure (LUTI) Committee	March 2, 2021
City Council first reading	March 8 (tentative)
City Council public hearing	April 5 (tentative)

More information about this proposed amendment and the Group Living Denver Zoning Code amendment can be found here: denvergov.org/groupliving.

Visit with staff during virtual “Office Hours,” Thursday afternoons and evenings – Schedule at www.denvergov.org/groupliving

Provide written feedback to project manager Andrew Webb at andrew.webb@denvergov.org. Comments will be provided to the City Council prior to the public hearing.

Extra Slides

Denver Zoning Code Household Regulation Details:

Who can live in a household?

- i. a single person occupying a dwelling unit, plus any permitted domestic employees; or
- ii. Any number of persons related to each other by blood, marriage, civil union, committed partnership, adoption, or documented responsibility (such as foster care or guardianship), plus any permitted domestic employees, who all occupy a dwelling unit as a single non-profit housekeeping unit; or
- iii. Up to 5 adults of any relationship, plus any minor children related by blood, adoption or documented responsibility, plus any permitted domestic employees, who all occupy a dwelling unit as a single non-profit housekeeping unit; or
- iv. Up to 8 adults of any relationship with a “handicap” according to the definition in the Federal Fair Housing Act, and who do not meet this Code’s definition of a Congregate Living or Residential Care use; or
- v. Up to 8 older adults (individuals 55 or more years of age) who occupy a dwelling unit as a single, non-profit housekeeping unit, and who do not meet this Code’s definition of a Congregate Living or Residential Care Use

Household Regulation Details: Non-Profit Housekeeping Unit

- **Non-Profit Housekeeping Unit.**
- A household comprised of people who live together as a family or as the functional equivalent of a family, and who share household activities and responsibilities, such as meals, chores, rent, and expenses. The choice of specific adults comprising the single non-profit housekeeping unit is determined by the members of such housekeeping unit rather than by a landlord, property manager, or other third party. Members of a single non-profit housekeeping unit are not required to seek services or care of any type as a condition of residency. All adult residents jointly occupy the entire premises of the dwelling unit.

Household Regulation Details: relatives

- ...any persons related to each unrelated adult by blood, marriage, civil union, committed partnership, adoption, or documented responsibility (such as foster care or guardianship)

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