

# Group Living Text Amendment

Denver City Council  
Land Use, Transportation and Infrastructure Committee  
September 29, 2020



# Goals for this meeting

- Recap issues raised at September 1 LUTI Committee Meeting
- Review schedule for moving forward and finding solutions for these concerns
- Set expectations for October 6 meeting

# Key concerns from Sept. 1 LUTI

- **Project scope**
  - Need opportunity to focus on each component: households, residential care, etc.
- **Former Chapter 59 (the “old code”)**
  - Inequity as Denver Zoning Code is kept up-to-date
- **Household size**
  - Enforcement
  - Number of people allowed to live in a dwelling unit
- **Residential Care**
  - Community Corrections in Type 1/Type 2 in low-intensity residential neighborhoods
  - Type 2 (11-40 guests) size concerns + compatibility
- **Process concerns**

# LUTI Committee Schedule

Date	Proposed Topics
Sept. 29 (partial meeting)	<ul style="list-style-type: none"><li>• Follow-up from 9/1 LUTI</li><li>• Proposed Schedule</li><li>• Household Regulations introduction</li></ul>
Oct. 6 (full meeting)	<ul style="list-style-type: none"><li>• Household Regulations: alternatives and revisions</li></ul>
Nov. 3 (partial meeting)	<ul style="list-style-type: none"><li>• Residential Care introduction</li></ul>
Nov. 10 (full meeting)	<ul style="list-style-type: none"><li>• Residential Care regulations</li><li>• Community Corrections</li><li>• Proposed “Type 2” size/lot minimums/locations</li></ul>
Nov. 17 (full meeting)	<ul style="list-style-type: none"><li>• Former Chapter 59</li><li>• Enforcement</li><li>• Post-adoption monitoring</li></ul>
Dec. 1 (full meeting)	<ul style="list-style-type: none"><li>• Wrap up and final committee action on all topics</li></ul>

# Former Ch. 59 (to be discussed Nov 17)

## Options we are considering:

- “Bridge” amendment to the Denver Revised Municipal Code to make updated Household regulations effective in areas with former Ch. 59 zoning (“old code” zoning)
- Prioritize staff resources for solutions, such as proactively rezoning areas with old code zoning

# For Discussion on Oct 6: Household Size

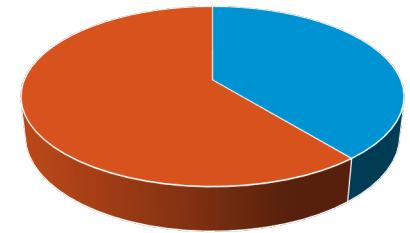
- Who lives in households?

- Families
- “Found” families
- Groups of adults of all ages seeking affordability and/or camaraderie
- Increasingly, more than one family seeking to share housing costs
- Average Denver Household Size: 2.31 people
  - Number of houses with 6 or more adults: 2%
  - Percent of those households that are Black or Latinx: 80%

- Why change current regulations?

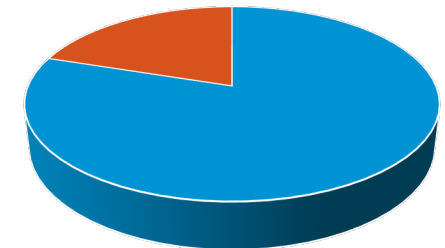
- The current regulations for households date from the 1950s and prevent most of these common configurations

Denver Population



■ Black or Latinx: 39.1% ■ Other: 60.9%

Houses with 6 or more adults



■ Black or Latinx: 80% ■ Other: 20%

# Possible Alternatives

Alternatives we have considered based on what we have heard:

- Reduce numbers, Zoning Permit for larger households.
- Reduce numbers, Zoning Permit for larger households, total cap of adults
- Allow additional unrelated adults in larger houses by bedroom instead of square footage

Other ideas that have been offered:

- Separate use type for houses of unrelated adults (e.g. X adults) and those with related adults (unlimited)
- Total cap on number of adults in any household

# Additional Info



# Household Regulations and the definition of “family”

Single-Unit (“Detached”) house regulations have grown more restrictive over time...

**1925:** “any number of individuals living together in a single housekeeping unit, and doing their cooking on the premises.”

- When Denver first adopted zoning in, the city did not regulate who could live in a house.



**1954:** “one individual or group of two (2) or more persons related by blood or marriage living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house, lodging house...”

- By 1954, that language had evolved to prohibit unrelated people, including LGBTQ and interracial couples, who were not legally allowed to marry in Colorado at this time.

# Household Regulations and the definition of “family”

Single-Unit (“Detached”) house regulations have grown more restrictive over time (cont.)...

**1968:** “husband, wife, mother, father, grandmother, grandfather, son, daughter, sister, brother, stepson, stepdaughter, stepsister, stepbrother, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew, or niece, plus domestic servants employed for services on the premises”

- By the late 1960s, zoning was even more specific about who can be considered a “family”

**1989:** “A husband and wife or 2 or Fewer Unrelated Individuals,” with other relatives.

- This vote toward more inclusive housing just barely passed - City Council voted 7 to 6 to permit two unrelated people for the first time since the 1950s

**2018:** “Two Partners or Two Unrelated Adults,” with other relatives from the existing list

- Updated in 2018 to be gender-neutral



# Household Regulations and the definition of “family”

...While multi-unit regulations have remained less restrictive.



**1925:** “any number of individuals living together in a single housekeeping unit, and doing their cooking on the premises.”

- When Denver first adopted zoning, the city did not regulate who could live in a house.

**1954:** “5 or fewer unrelated individuals,” plus relatives to each (reduced to 4 in 1982).

- By 1954, zoning only permitted people who were related to each other to live together in single unit houses, while multi-unit houses (duplexes, apartments, condominiums), typically smaller units in denser areas of the city, were permitted to house more unrelated adults.
- Redlining practices pushed rental units in Black and brown neighborhoods
- Today, Black and Latinx neighborhoods account for 72% of Denver households with 5 or more adults.

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# Equity: Household Regulations and the definition of “family”

Where can non-traditional families, families sharing housing or unrelated people who choose to live together live legally?

- Approximately **340,000** households in Denver
  - ~134,000 households (about 39%) live in single-unit (typical detached) houses
    - Average House Size: 1,660 ft<sup>2</sup>
  - ~140,000 apartments
    - Average Apartment Size: 842 ft<sup>2</sup>
  - ~66,000 duplexes, condominiums and other types of housing
- Approximately **77%** of land in Denver is zoned for single-unit residential uses.

## Household Size in Denver

- Average Denver Household Size: 2.31 people
- Number of houses with 6 or more adults: 2%
- Percent of those households that are Black or Latinx: 80%

# Peer Cities: Unrelated adults permitted in a single-unit dwelling

2	Avg HH	3	Avg HH	4	Avg HH	5	Avg HH	6	Avg HH	8	Avg HH
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				
Avg HH	2.23		2.43		2.63		2.63		2.56		2.29

Notes: All cities permit unlimited adult relatives to live as a household, but some (ex. Albuquerque, Aurora) do not permit a combination of related and unrelated adults in a household

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

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