

Text Amendment #6: Zoning regulations for Temporary Tiny Home Villages

and updates to Large Development Review and Parking Reductions

City Council Public Hearing
October 7, 2019



What are "Tiny Home Villages?"

- Communities of small private sleeping units arranged on a site with common facilities, such as bathrooms, kitchens and gathering areas.
- Gaining popularity as one of many "housing first" approaches for addressing homelessness.
- Can be built quickly at low cost
- Rising interest in tiny home villages locally and nationwide as step between shelters and permanent housing for people experiencing homelessness
- Existing villages here and in other cities have demonstrated service advantages for couples, LGBTQ people, people with pets and others who find it hard to use conventional shelter systems.



Occupy Madison Village
Madison, WI



Whittier Heights Tiny home Village, Seattle, WA

Why update the code?

- Existing Beloved Community Village permitted as “Unlisted Temporary Use”
 - No clear regulations or use limitations as for other temporary uses
 - Results in less predictability for applicants, neighbors and other stakeholders
 - Unknown/difficult process for applicants to navigate
 - Issues identified as part of Group Living code update project
- CM Kniech has proposed an update to the code to create a specific temporary use category for tiny home villages, with clear regulations and public processes.
- Accompanied by parallel amendments to the Denver Building Code (adopted in July).

Proposed Temporary Use definition:

Temporary Tiny Home Village: The residential occupation of multiple relocatable temporary buildings containing only sleeping units combined with one or more separate buildings containing common eating, bathing, toilet and gathering facilities, all located on one zone lot. This temporary use is intended to grant flexibility from building form and site design requirements for providers of housing for people who are experiencing or are at risk of homelessness. Tenancy is typically 30 days or longer. This temporary use does not include Trailer Camp or Court as defined in the Zoning Code.

Permit duration: up to four years

- Aligned with building permits, which vary based on permanence of utility connections, plumbing, energy efficiency, etc.

Permit limits: Upon expiration of permits, no new Temporary Tiny Home Village uses may be permitted on a subject site for at least 4 years.

Temporary vs. Permanent Tiny Home Village use

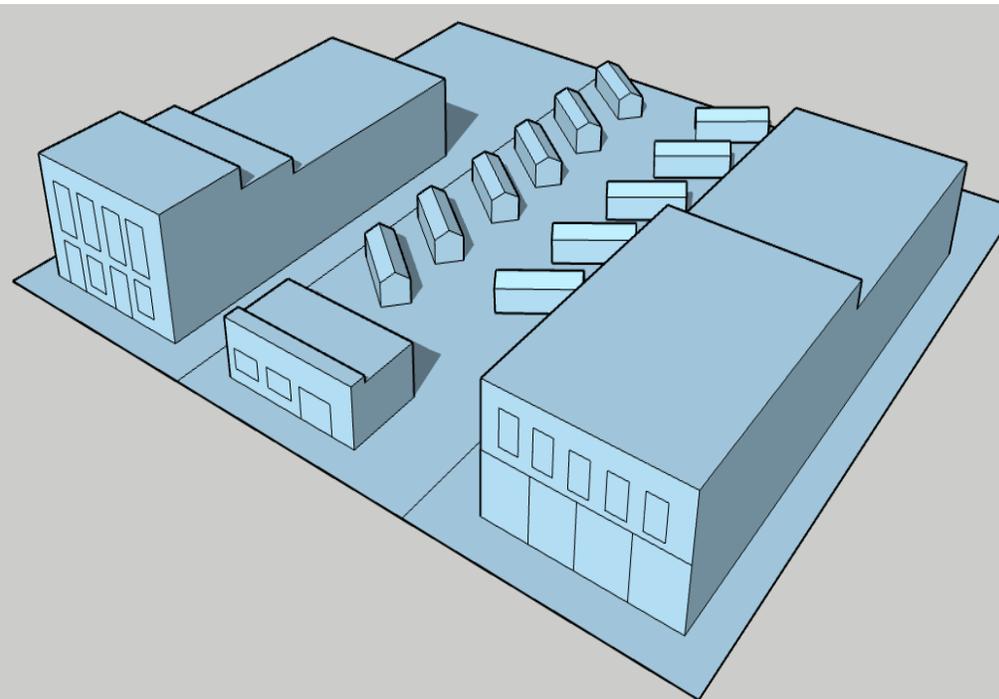
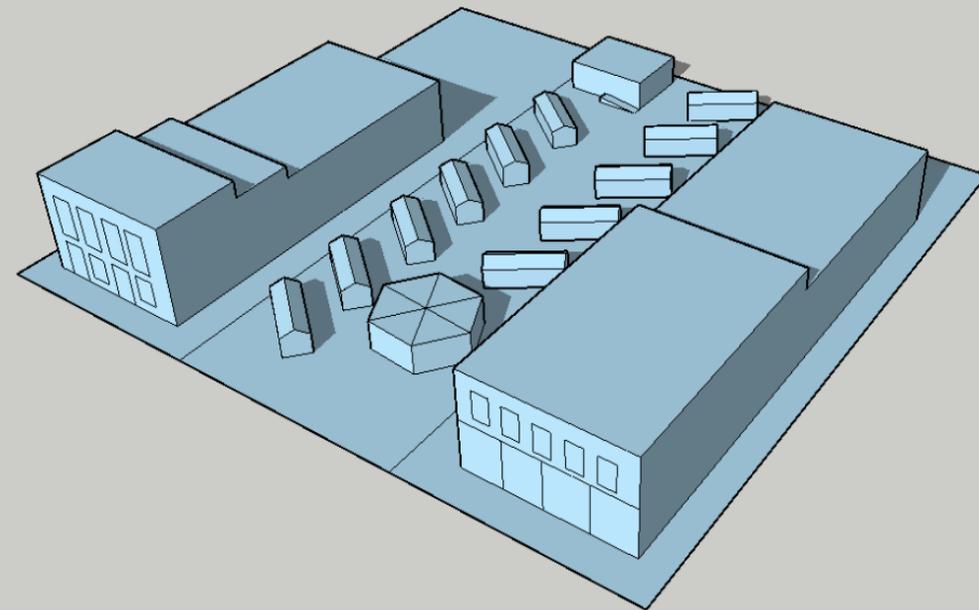
Temporary Tiny Home Village

- Grants flexibility from building form, site design standards

Desired Configuration for future long-term and permanent Tiny Home Village uses

- Common structures address public realm
- Meet Zone District build-to, transparency and active use requirements

Will move through adoption this winter with rest of Group Living code amendments.



Permitted Zone Districts

- **SU (single-unit), TU (two-unit), RH (rowhome):**
 - Permitted only on properties where there is an existing civic or public use, such as a church, community center or cultural facility.
 - Limit of 30 sleeping units in a Temporary Tiny Home Village in SU, TU or RH zone district
 - Community Information Meeting required
- **All other Zone Districts (commercial, mixed use, industrial, etc.; excludes Open Space districts)**
 - Community Information Meeting required
- **OS- (Open Space)**
 - Not Permitted

Temporary Use Permit: Proposed Applicant Requirements

- Operational Plan setting forth details of specific project
- Community Information Meeting required
- Site Plan demonstrating compliance with siting and design standards, etc.

Community Information Meeting

- Applicant-hosted public meeting required **prior** to Zoning Permit application
- Notice requirements:
 - City Council Members (subject site district and at-large)
 - Posted Notice
 - Mailed Notice to:
 - RNOs within 400 feet
 - Tenants and owners of properties within 400 feet (based on community feedback to include renters in notice)
 - Outreach to other relevant neighborhood-service organizations (churches, nonprofits, etc.)
- Translation of notice and materials required where warranted (via guidelines)
- Neutral facilitation/record-keeping required (via guidelines)
- Applicant to provide record of meeting as part of Zoning Permit application materials
- CPD will publish minimum guidelines for Community Information Meeting

Operational Plan Requirements

- Applicant background and role in village management and operations
- Resident qualifications and selection process (demonstrated risk of homelessness, etc.);
- Security for residents, and in relationship to the surrounding community
- Property maintenance plan;
- Transportation provided for residents, as applicable;
- Provision of housekeeping facilities and services for residents (e.g. laundry services, health care, etc.);
- Community governance and procedures for violations;
- A single point of contact in case of emergency;
- Mitigation of potential impacts to surrounding properties, such as impacts from potential noise, outdoor lights, littering, and pets; and
- Commitments in place to occupy the subject property and to remove the use upon expiration of permit timeframes, unless such time is extended through amendment of the Denver Building Code and/or Denver Zoning Code, or the use is reconfigured as a permanent Tiny Home Village and a new permit is issued.

Proposed Zoning Requirements

Primary Street (front) Setback	20 feet in SU, TU, RH; per Zone District minimums elsewhere
Side, Rear Setback	5 feet
Entry Feature	Required on common use structures if located within 25 feet of Primary Street
Over-height privacy fence	Allowed with permit. At least 1/4 of area above 4 feet must be transparent (lattice, wrought iron, etc.)
Parking	No minimum vehicle parking required
Number of units permitted	Determined by building separation, lot size, etc.; limit of 30 units in SU (single-unit); TU (two-unit) and RH (row house) zone district.
Accessory Uses (pets, gardens, etc.)	Follow typical residential use regulations
Trailers and Mobile Homes	TTHV use requires purpose-built structures on permanent foundations. Mobile homes, trailers and recreational vehicles are regulated separately in the code (Section 13.3: Definitions, Trailer Camp or Court) and not permitted by this temporary use.

TTHV Development Scenarios

Estimated capacity by lot or site size:

- 4,000-square-foot lot (35' X 120'): Appr. 5 sleeping units
- 6,000-square-foot lot (50' X 120'): Appr. 10 units
- 12,000-square-foot lot (100' X 120'): Appr. 24 units

Calculation inclusive of 96 ft² units (8' X 12'), 400 ft² kitchen/eating space and 200 ft² bathroom structure, 10' required between units, 5' setbacks.

Updates to Large Development Review (Sec. 12.4.12)

- LDR process adopted July 15, replaced general development plan (GDP) system
- Incorporated Community Information Meeting requirement
- TTHV amendment moves Community Information Meeting requirement out of LDR section and into generally applicable notification section of Zoning Code where it can be cross-referenced by both LDR and TTHV sections.
- Additional refinements include renter/occupant notification; expansion of notification buffers from 200 to 400 feet.

Proposed update to Vehicle Parking Reductions (Sec. 10.4.5.3)

- Quick win to correct outdated references to the Inclusionary Housing Ordinance (IHO) so that new affordable housing projects can take advantage of a 20% parking reduction
- CPD requested a Planning Board condition to make this change to the LUTI draft

Building Code Requirements

- July 22 Building Code amendment created new Denver Building and Fire Code occupancy type for relocatable sleeping units and detached common-use facilities (kitchens, gathering areas, bathrooms.
- Foundations Required (may be relocatable)
- Minimum Sleeping Unit size: 70 sq. feet
- Occupants permitted per sleeping unit: 2
- Building Separation: 10 feet, reductions may be permitted if constructed with additional fire protection

* Included for reference, separate from Zoning Code amendments. Building Code updates were adopted in late July.

DRAFT

Accountability mechanism for TTHV

Topic	Typical Residential Land Use decision/permit requirement	Requirements or Considerations for TTHV
Resident selection	no requirements	<ul style="list-style-type: none">• Only those exiting or at risk of homelessness• Other selection criteria• made public in Operational Plan with application
Approach to safety	no requirements	<ul style="list-style-type: none">• Physical site aspects, approach/procedures for violations of safety expectations must be made public in Operational Plan with application• Where involving physical design (lighting, fencing, orientation of homes etc) – can be enforced through site design review• Approaches and procedures for working with a community of residents will evolve as community governance is established, residents come/go

Additional layers of accountability for TTHV

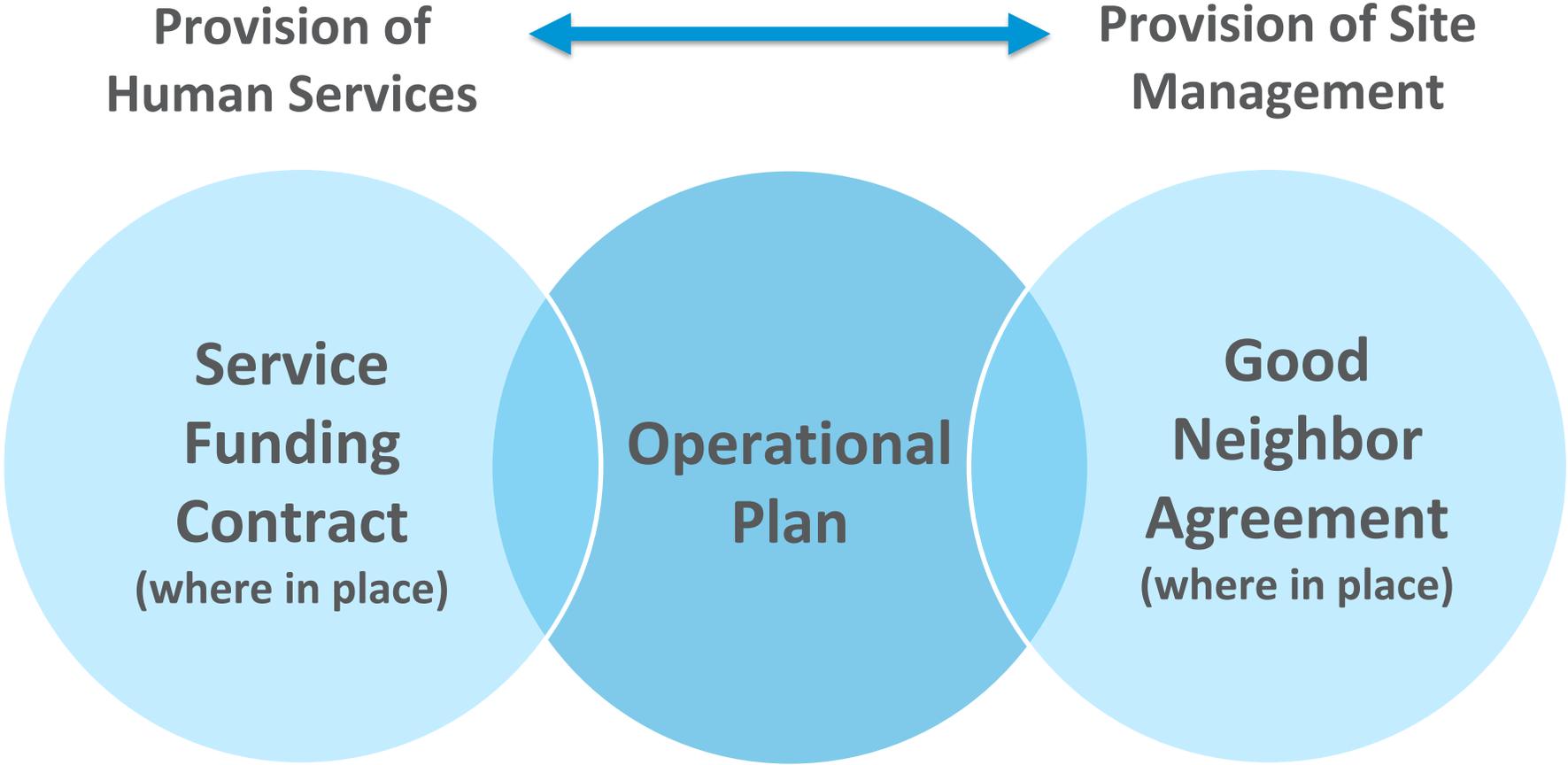
Transparency and Accountability for Physical Design Elements:

- zoning code setbacks
- fire and building code spacing
- any other commitments to physical layout of site to address concerns (vehicle access, orientation of units, utilities) would be identified in site plan and binding as part of permit.

Additional layers of accountability for TTHV, cont.

Topic	Typical Residential Land Use decision/permit requirement	Requirements or Considerations for TTHV
Communication with the community	<ul style="list-style-type: none">• No requirements	<ul style="list-style-type: none">• made public in Operational Plan with application
Property Maintenance (typ. Denver Revised Municipal Code)	<ul style="list-style-type: none">• No requirements in planning process• Code violations can be enforced	<ul style="list-style-type: none">• made public in Operational Plan with application• code violations can be enforced

Documents providing oversight of TTHVs:



Process

March 2018 - Present	Multiple Group Living Advisory Committee meetings to define problem, identify and refine possible solutions. Three meetings focused specifically on Tiny House Village proposal.
May 1, 2019	CPD and sponsor presented proposal at Inter-Neighborhood Cooperation (INC) Zoning and Planning Committee for briefing with the sponsor
June 5, 2019	Public Meeting held to present proposal and take community input.
June 27, 2019	Summary of text amendment and redline draft of text amendment posted to CPD website for public review and email notice sent to all Registered Neighborhood Organizations and all Denver City Councilmembers
July 17, 2019	Planning Board Informational Item
July 19, 2019	CPD written notice of the Planning Board public hearing sent to all members of City Council and registered neighborhood organizations
August 7, 2019	Planning Board public hearing (unanimous recommendation of approval)
August 27, 2019	Land Use, Transportation, and Infrastructure Committee of the Denver City Council meeting (Sent to City Council)
Sept. 9, 2019	City Council First Reading
October 7, 2019	City Council public hearing (tentative)

Changes made in response to community input

- Limiting TTHV uses to sites with existing Civic/Public uses in low-intensity residential zone districts (SU, TH, RH)
- Limiting TTHVs to 30 sleeping units in SU, TH, RH to reduce impacts in these lower intensity districts
- Requiring four years pass prior to establishment of a new TTHV on a subject site after departure of a previous TTHV
- Notice to renters and to community entities that serve the area

Review Criteria (DZC Sec. 12.4.11)

1. Consistency with Adopted Plans
 - Comprehensive Plan 2040 (2019)
 - Blueprint Denver (2019)
 - Housing an Inclusive Denver (2018)
2. Public Health, Safety and Welfare
3. Uniformity of District Regulations and Restrictions

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, access affordable housing
- Helps ensure that city regulations enable a range of flexible housing options to meet the needs of those experiencing or transitioning out of homelessness



- Expanded outreach, meeting requirement helps strengthen trust and communication between the city and all neighborhoods
- Renter outreach, community information meeting requirement helps improve the engagement and representation of all Denverites, including communities of color, in neighborhood groups and city processes

Blueprint Denver

- Ensures land use regulations “support modern and equitable approaches to housing options for people experiencing homelessness...”
- expands “the allowance of flexible and affordable housing types”
- Developed through “robust and inclusive community input process”
 - See slide 18 for process details



Blueprint Denver, cont...



Equity Concepts

- Expands opportunities for low- or no-cost housing citywide.
- Provides safe, private housing for people who have experienced homelessness
- Enables stabilization of lives, improves access to jobs and services, reduces need to live around shelter transportation and meal schedules
- Reduces vulnerability to displacement by allowing low- or no-cost housing that can be a step toward returning to traditional housing in residents' communities

Housing an Inclusive Denver

- Implements policies and recommendations from all relevant adopted plans related to providing affordable, flexible housing; address homelessness; improve public outreach and provide public engagement opportunities.



Review Criteria (DZC Sec. 12.4.11)

1. Consistency with Adopted Plans

- Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)
- Housing an Inclusive Denver (2018)

2. Public Health, Safety and Welfare

- Furthers public health safety and welfare by implementing adopted policies for enabling affordable housing and options for people experiencing homelessness and by creating more predictable, transparent city processes.

3. Uniformity of District Regulations and Restrictions

- Will result in processes and regulations for TTHV that are uniform within each zone district in which this temporary use is allowed.

CPD Recommendation

Staff recommends that the Council adopt this text amendment, based on a finding that all review criteria have been met.