TEMPORARY MANAGED COMMUNITIES

Text Amendment City Council Hearing: 6/5/2023

- November 2020: Zoning Administrator issued Unlisted Temporary Use Determination for sanctioned campsites amid COVID-19
- **December 2023:** Use determination expires



• In over 2 years: 9 sites have provided shelter for over 500 individuals, over 180 of whom have transitioned into permanent housing



- Safe parking: one site has provided secure space for people to sleep in their vehicles
- Management: all sites have been managed by non-profits providing 24/7 staff, sanitary facilities, and supportive services, etc.



 Moving forward: blend existing regulations for Temporary Tiny Home Villages with regulations specified in the Unlisted Temporary Use Determination for Temporary Managed Camping to create proposed regulations for Temporary Managed Communities



• **Apply regulations similarly to:** tents, vehicles (including RVs), tiny homes, pallet shelters, and other temporary sleeping units in a secure environment



TEMPORARY MANAGED COMMUNITY - DEFINITION

- Non-profit organizations or government entities provide or arrange for:
 - operational management
 - access to supportive services
 - on-site staffing
 - routine maintenance, or
 - housekeeping accommodations including but not limited to facilities for secure shelter, guest check-in, food distribution or preparation, toilets, washrooms, showers, personal storage opportunities, and communal gathering

APPROACH TO PROPOSED REGULATIONS

| TEMPORARY TINY | TEMPORARY USE | TEMPORARY MANAGED |
|----------------------|----------------------|----------------------|
| HOME VILLAGE | DETERMINATION | COMMUNITY |
| Existing regulations | Existing regulations | Proposed regulations |

DURATION OF ZONING PERMIT

| TEMPORARY TINY | TEMPORARY USE | TEMPORARY MANAGED |
|-------------------------------------|---------------|---|
| HOME VILLAGE | DETERMINATION | COMMUNITY |
| 4 years max, and 4 years in between | No max | 4 years max, with time in between being equal |

operation

to duration of initial

operation

ALLOWED ZONING DISTRICTS

| TEMPORARY TINY | TEMPORARY USE | TEMPORARY MANAGED |
|-------------------------|-----------------------|-------------------------|
| HOME VILLAGE | DETERMINATION | COMMUNITY |
| All DZC zone districts, | All DZC and FC59 zone | All DZC zone districts, |
| except Open Space | districts | except Open Space, with |
| | | bridge to FC59 zone |

districts

ALLOWED ZONING DISTRICTS

DENVER ZONING CODE

- Open Space: Not Allowed
- SU, TU, RH: Allowed with Use Limitations
- All Other Districts: Allowed

- FORMER CHAPTER 59
- R-X, R-0, R-1, R-2, R-2-A, R-2-B:
 Allowed with Use Limitations
- All Other Districts: Allowed

USE LIMITATIONS IN SU, TU, RH DISTRICTS

| TEMPORARY TINY | TEMPORARY USE | TEMPORARY MANAGED |
|------------------------|---------------|---------------------------|
| HOME VILLAGE | DETERMINATION | COMMUNITY |
| Maximum of 30 sleeping | No maximum | Maximum based on zone lot |

units

size and required separation per Building and Fire codes, where applicable

USE LIMITATIONS IN DZC: SU, TU, RH DISTRICTS (FC59: R-X, R-0, R-1, R-2, R-2-A, R-2-B)

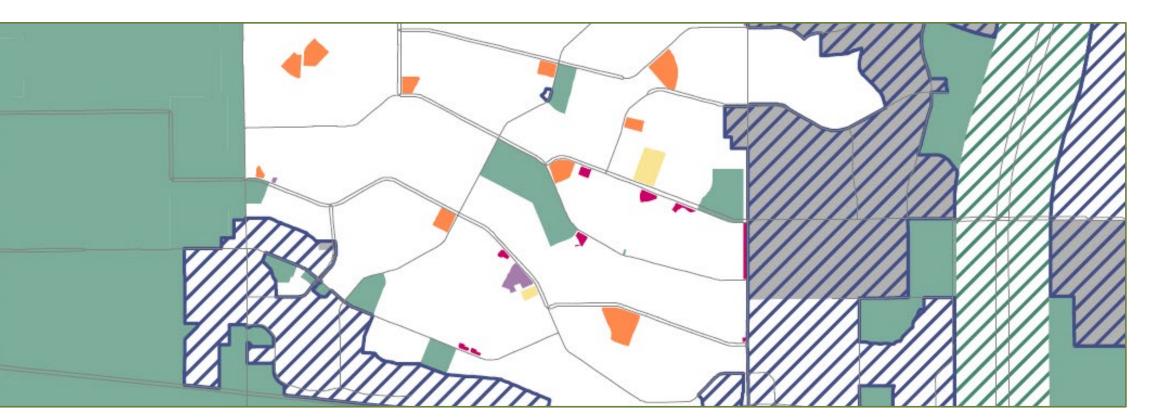
| TEMPORARY TINY HOME VILLAGE | TEMPORARY USE DETERMINATION | TEMPORARY MANAGED COMMUNITY |
|--------------------------------|--------------------------------|--------------------------------|
| Must be accessory to a | Not applicable | Must be accessory to a |
| Civic, Public or | | Civic, Public or |
| Institutional Use | | Institutional Use; |
| | | OR |
| | | On a vacant corner lot |
| | | with a minimum size of |
| | | 5,000 SF where at least |
| | | one of the intersecting |
| | | streets is a collector or |

arterial street

USE LIMITATIONS IN DZC: SU, TU, RH DISTRICTS (FC59: R-X, R-0, R-1, R-2, R-2-A, R-2-B)

PRIMARY CIVIC, PUBLIC, & INSTITUTIONAL USES

- Basic Utilities: facilities for water, waste disposal, electricity, etc.
- Community / Public Services: fire and police stations, hospital, correctional institution, etc.
- Cultural / Special Purpose / Public Parks & Open Space: libraries, museums (aquarium, botanic garden, zoo), etc. – zoning excludes Public Parks & Open Space
- Education: elementary, secondary or high school, university, vocational school, etc.





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Non SU, TU, RH, and OS zone districts

- DIA zone district where the Aviation Director has authority over use allowances
 - SU, TU, or RH zoned lot that is vacant, greater than 5,000 sq. ft., and a corner zone lot where at least one of the intersecting streets is a collector or arterial street

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SU, TU, or RH zoned lot that has an established civic, public, or institutional use

- FC59 districts excluding R-X, R-0, R-1, R-2, R-2-A, R-2-B
 - FC59 lot zoned R-X, R-0, R-1, R-2, R-2-A, or R-2-B that is vacant, greater than 5,000 sq. ft., and a corner zone lot where at least one of the intersecting streets is a collector or arterial street
 - FC59 lot zoned R-X, R-0, R-1, R-2, R-2-A, or R-2-B that has an established civic, public, or institutional use



Planned Unit Development (PUD)

*The language of custom zone districts, including PUDs, waivers, and conditions may allow TMCs

OWNER AND OPERATIONAL REQUIREMENTS

| TEMPOR | RARY | TINY |
|--------|------|------|
| HOME | VILL | AGE |

TEMPORARY USE DETERMINATION

Requires an operational plan as a part of the zoning permit, which is difficult to enforce

Requires an operational plan as a part of the zoning permit, which is difficult to enforce TEMPORARY MANAGED COMMUNITY

Requires the use be operated by a non-profit organization, government entity or quasigovernmental agency AND Allows the Zoning Administrator to attach conditions to the zoning permit

SITE DESIGN REQUIREMENTS - SETBACKS

| TEMPORARY TINY | TEMPORARY USE | TEMPORARY MANAGED |
|--------------------------|---------------------|--------------------------|
| HOME VILLAGE | DETERMINATION | COMMUNITY |
| Non-SU/TU/RH Districts: | No Defined Setbacks | All Districts: |
| Primary Street: Least | | Primary Street: 0' |
| required for a primary | | Side Street: 5' |
| building form in that | | Side Interior / Rear: 5' |
| district / 0' | | |
| Side Street: 5' | | |
| Side Interior / Rear: 5' | | |
| SU/TU/RH Districts: | | |
| Primary Street: 20' | | |
| Side Street: 5' | | |
| Side Interior / Rear: 5' | | 17 |

EMERGENCY SUSPENSION

TEMPORARY TINY HOME VILLAGE TEMPORARY USE DETERMINATION

Not applicable

Established during an emergency with an expiration of Dec. 2023 TEMPORARY MANAGED COMMUNITY

> Allows the Zoning Administrator to suspend zoning code standards and procedures during emergencies that threaten public health or life

PROCESS

PLANNING BOARD NOTICE: MARCH 21, 2023 PLANNING BOARD PUBLIC HEARING: APRIL 5, 2023

LUTI COMMITTEE: APRIL 18, 2023 CITY COUNCIL PUBLIC HEARING: JUNE 5, 2023

RNO COMMENTS: 3 OPPOSE PUBLIC COMMENTS: 13 OPPOSE, 51 SUPPORT

DENVER ZONING CODE REVIEW CRITERIA

CONSISTENCY W/ ADOPTED PLANS

PUBLIC HEALTH, SAFETY & WELFARE UNIFORMITY OF DISTRICT REGULATIONS & RESTRICTIONS

- Comprehensive Plan 2040
- Blueprint Denver

COMPREHENSIVE PLAN 2040

EQUITABLE, AFFORDABLE AND INCLUSIVE

- Goal 2, Strategy B to "Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options" (p. 28).
- Goal 8, Strategy C to "Ensure that city regulations enable a range of flexible housing options to meet the needs of those experiencing or transitioning out of homelessness" (p. 30).

STRONG AND AUTHENTIC NEIGHBORHOODS

- Goal 6, Strategy A to "Continue to strengthen trust and communication between the city and all neighborhoods." (p.14)
- Goal 6, Strategy B to "Provide proactive communication and transparency about city policies, public safety, processes and plans." (p. 14)

BLUEPRINT DENVER – POLICIES

LAND USE AND BUILT FORM

- Policy 1, Strategy C. "Ensure city codes and land use regulations support modern and equitable approaches to housing options for people experiencing homelessness and people in need of supportive housing" (p. 82).
- Policy 11, Strategy B. "Use text amendments combined with map amendments to apply strategies recommended by Blueprint Denver at the effective, area appropriate scale. Text amendments and large legislative rezonings should be guided by the equity concepts and maps in Chapter 2" (p. 79).

BLUEPRINT DENVER – EQUITY CONCEPTS

IMPROVING ACCESS TO OPPORTUNITY

• Enables providers to increase the range of attainable shelter options so that people of all incomes can live where they have access to health care, food and other daily needs.

REDUCING VULNERABILITY TO DISPLACEMENT

• Allows more immediate shelter and enables the first steps for individuals to get back into more stable housing in their communities.

EXPANDING HOUSING AND JOBS DIVERSITY

• Allows operators to provide secure sleeping accommodations in neighborhoods throughout the city near social networks and community services.

DENVER ZONING CODE REVIEW CRITERIA

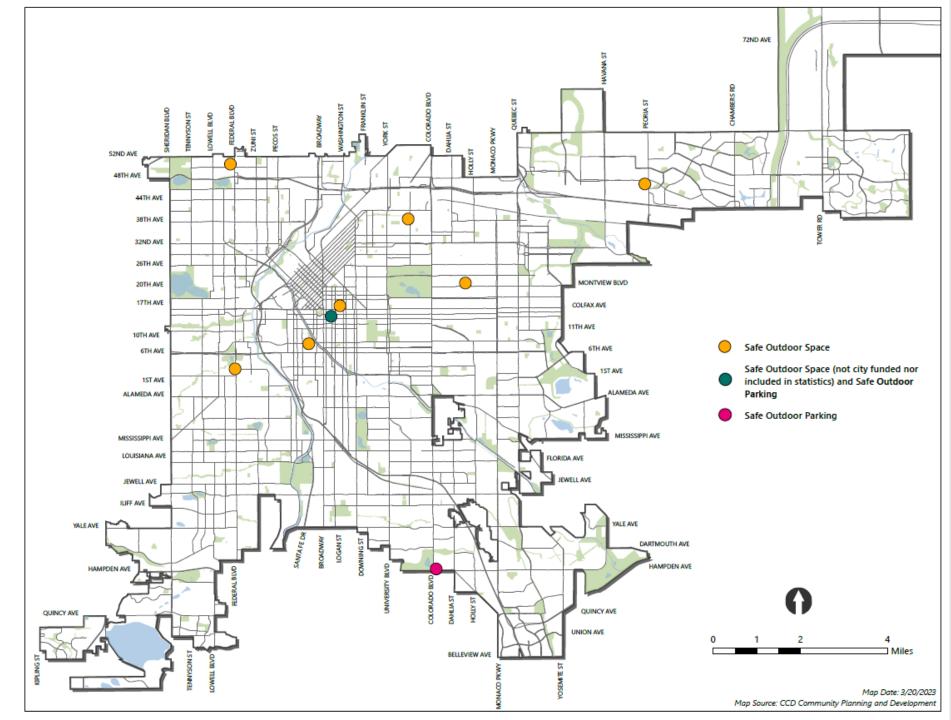


• Staff recommends approval of the text amendment and the companion amendment to the Denver Revised Municipal Code.

APPENDIX

SAFE OUTDOOR SPACES / PARKING

(Permitted under the Temporary Unlisted Use Determination)



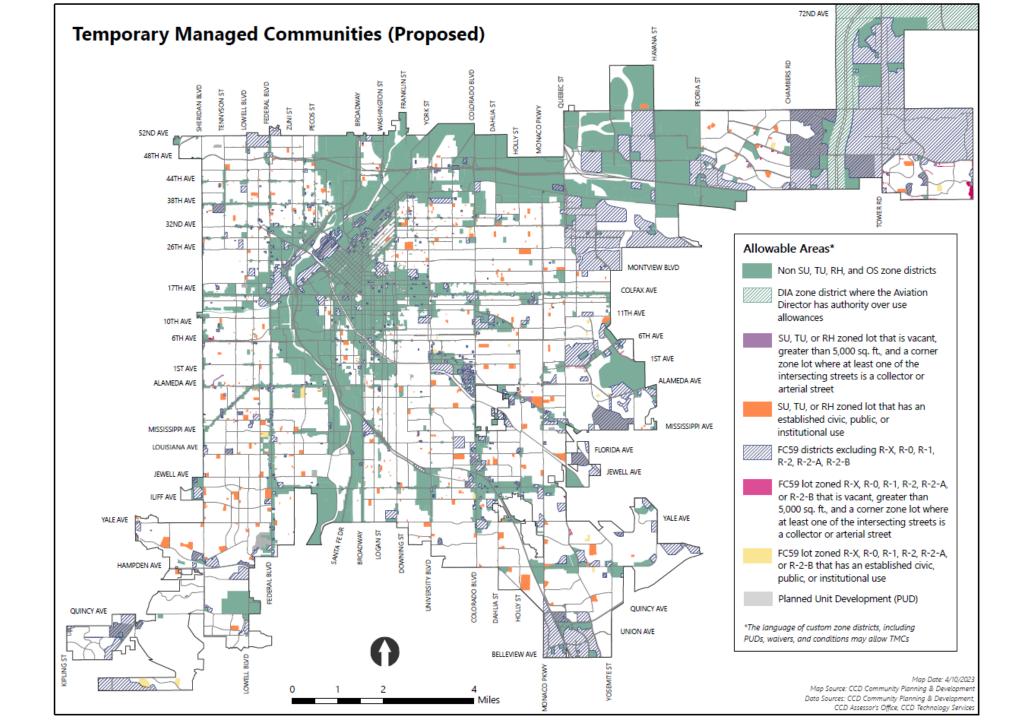
FUNDING

2021 - 2024

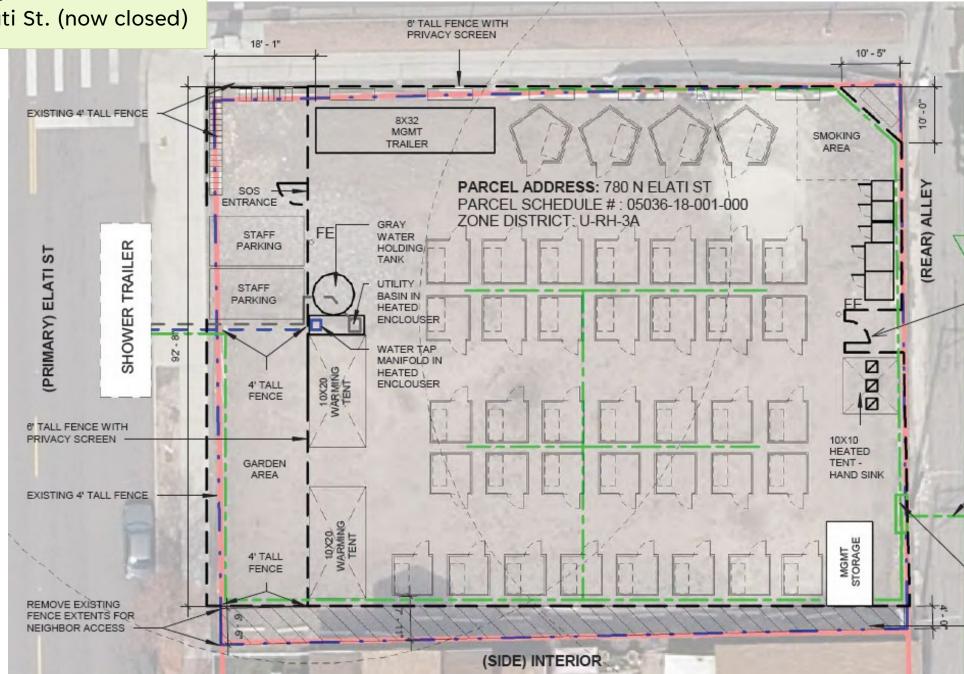
• \$12.3 million

2023-2024

- Safe Campsites:
 - \$7.3 million in ARPA funding, serving 410 households
 - \$225,000 in Participatory Budget program funding, 3 new shower trailers at SOS sites
- Safe Parking (planned, not yet executed):
 - \$600K, serving 45 households



Site plan for temporary use that operated at 780 N. Elati St. (now closed)



Site plan for temporary use that operated at 5085 N. Federal Boulevard (now closed)



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Site plan for temporary use that operated at 1345 N. Grant Street (now closed)

