

Group Home Facility

Attachment to Administrative Review Application Form



**City of Boulder
Planning and Development
Services Center**

1739 Broadway, third floor
Mail: P.O. Box 791
Boulder, CO 80306-0791
Phone: 303-441-1880, Fax: 303-441-3241
Web: boulderplandevop.net

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GROUP HOME FACILITY CRITERIA

A "group home facility", as defined in Section 9-16, B.R.C. 1981 and listed below, is allowed as a conditional use in all residential zoning districts (except MH, Mobile Home) and all business districts. The use is prohibited in the industrial, public, and agricultural zoning districts. **For those zoning districts in which a group home facility is allowed as a conditional use, approval of an administrative review application is required.**

In order for an administrative review application to be approved for a group home facility as a conditional use, Planning and Development Services must find that the application meets the relevant group home facility criteria. These criteria are found in Section 9-6-3(d), B.R.C. 1981 of the city's land use regulations and are attached. An application for approval of a group home facility as a conditional use must include a written statement that addresses how the proposal meets the applicable criteria. The written statement must describe the number and characteristics of occupants (e.g. staff, developmentally disabled residents, etc.), the calculated floor area ratio and applicable standard, and how the proposal meets city code standards for the distance between group home facilities. The required site plans must show off-street parking areas. The criteria cannot be met by using the variance process. In addition, a group home facility must meet other city code requirements that may apply, such as building code or landscape design standards.

CITY CODE DEFINITION OF GROUP HOME FACILITY:

"Group home facility" means a facility providing custodial care and treatment in a protective living environment for the handicapped or the aged person. This category of facility includes, without limitation, group homes for persons who are sixty years of age or older, group homes for the developmentally disabled or mentally ill, drug or alcohol abuse or rehabilitation centers, and facilities for persons with acquired immune deficiency syndrome (AIDS) or human immunodeficiency virus (HIV) infection.

CRITERIA (CITY CODE EXCERPT OF SECTION 9-6-3(d), B.R.C. 1981):

9-6-3(d) Group Home Facilities.

The following criteria apply to any group home facility:

- (a) For purposes of density limits in Section 9-8-1, "Bulk Requirements," B.R.C. 1981, and occupancy limits, eight occupants, not including staff, in any group home facility constitute one dwelling unit, but the city manager may increase the occupancy of a group home facility to ten occupants, not including staff, if:
 - (1) The floor area ratio for the facility complies with standards of the Colorado State Departments of Health and Social Services and Chapter 10-2, B.R.C. 1981, "Housing Code"; and
 - (2) Off-street parking is appropriate to the use and needs of the facility and the number of vehicles used by its occupants, regardless of whether it complies with other off-street parking requirements of this chapter.
- (b) In order to prevent the potential creation of an institutional setting by concentration of group homes in a neighborhood, no group home facility may locate within three hundred feet of another group home facility, but the city manager may permit two such facilities to be located closer than three hundred feet apart if they are separated by a physical barrier, including without limitation an arterial collector, a commercial district, or a topographic feature that avoids the need for dispersal. Planning and Development Services will maintain a map showing the locations of all group home facilities in the city.
- (c) No person shall make a group home facility available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. A determination that a person poses a direct threat to the health or safety of others or a risk of substantial physical damage to property must be based on a history of overt acts or current conduct of that individual and must not be based on general assumptions or fears about a class of disabled persons.