

PROPOSED AMENDMENTS TO THE ADAMS COUNTY DEVELOPMENT STANDARDS AND REGULATIONS REGARDING RESIDENTIAL OCCUPANCY LIMITS AND GROUP HOMES PER HB24-1007, SB24-48, AND THE FEDERAL FAIR HOUSING ACT (additions are underlined and deletions are ~~struck through~~)

CHAPTER 3—ZONE DISTRICT REGULATIONS

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3-06 USE CATEGORIES DEFINED

The categories of use defined by these standards and regulations are set forth below. These use categories are established as a means of detailing the permitted uses within each zone district and overlay zone district. The categories are also established to provide consistent review, permitting, design requirements, and performance standards among similar uses. The uses not enumerated in this Section are not necessarily excluded. Section 3-05-01 empowers the Director of Community and Economic Development to make interpretations of use. The Director of Community and Economic Development may use the most recent edition of the Standard Industrial Classification Manual published by the Executive Office of the President, Office of Management and Budget, or any other sources to help determine whether an unidentified use is substantially similar to an identified permitted or conditional use.

- 1. Agricultural Uses
 - a. Agricultural Business
 - b. Agricultural Support Businesses and Services
 - c. Farming
 - d. Nurseries
 - e. Ranching
- 2. Residential Uses
 - a. Group Home, FHAAGroup Living Facility
 - ~~a.b.~~ Group Residential Facility
 - ~~b.c.~~ Manufactured Home Park
 - ~~c.d.~~ Mobile Home Park
 - ~~d.e.~~ Multi-Family Dwelling
 - ~~e.f.~~ Single-Family Dwelling
 - ~~f.g.~~ Two-Family Dwelling
- 3. Institutional Uses
 - a. Funeral Home/Mortuary *
 - b. Funeral Home/Mortuary to Include Cremation *
 - c. Halfway House *
 - d. Institutional Care
 - e. Jails and Prisons
 - f. Neighborhood Indoor Uses

- g. Outdoor Public Uses
- h. Places of Worship
- i. Public Service
- j. Tiny Home Villages
- k. Universities

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* Adopted by the BOCC on December 13, 2010

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3-07 USE CHART AND DIMENSIONAL REQUIREMENTS

3-07-01 USE CHART

Use Table



Residential Uses																								
USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-
Group Home for the Developmentally Disabled	€	€	€	€	€	€	€	€	€	€	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Home for the Elderly	€	€	€	€	€	€	€	€	€	€	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Living Facility (1 to 5 persons)	P	P	P	P	P	P	P	P	€	€	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Living Facility (in excess of 5 persons)	€	€	€	€	€	€	€	€	€	€	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Living Facility (with more than 1 registered sex offender)	€	€	€	€	€	€	€	€	€	€	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Home, FHAA Large	=	=	=	=	=	=	P	P	C	=	C	C	=	=	=	=	=	=	=	=	=	=	=	=
Group Home, FHAA Small	P	P	P	P	P	P	C	C	P	=	C										C			
Group Residential Facility, Large	=	=	=	=	=	=	C	C	=	=	C	C	=	=	=	=	=	=	=	=	=	=	=	=
Group Residential Facility, Small	=	=	=	=	=	=	C	C	=	=	C	C	=	=	=	=	=	=	=	=	C	=	=	=
Manufactured Home Park	-	-	-	-	C	C	C	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-
Mobile Home Park	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Multi-Family Dwelling	-	-	-	-	-	-	P	P	C	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-
Single-Family Dwelling	P	P	P	P	P	P	C	C	P	-	C	-	-	-	-	-	-	-	-	-	C	-	-	-
Two-Family Dwelling	C	C	C	-	-	P	C	C	C	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-
Vacation Rental	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-

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3-28 TRANSIT-ORIENTED DEVELOPMENT DISTRICT AND STANDARDS (TOD)

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3-28-04-01 PERMITTED USES

The following uses are permitted in the TOD district with specific permits as indicated:

Table 3-27-A: Permitted Uses			
Use Type	Federal	Pecos Junction	Additional Standards
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RESIDENTIAL	All residential uses are subject to Section 3-34-05-05 of the Flammable Gas Overlay		
Group home (developmentally disabled or elderly)	€	€ [1]	-
Group living facility with one to five persons	P	€ [1]	-
Group living facility in excess of 5 persons or with more than one registered sex offender	€	€ [1]	-
<u>Group Home, FHAA Large</u>	<u>P</u>	<u>C [1]</u>	
<u>Group Home, FHAA Small</u>	<u>P</u>	<u>C [1]</u>	
<u>Group Residential Facility, Large</u>	<u>C</u>	<u>C [1]</u>	
<u>Group Residential Facility, Small</u>	<u>C</u>	<u>C [1]</u>	
Live/work unit	P	C [1]	
Manufactured home park	--	--	
Mobile home park	--	--	
Multi-family dwelling, rowhouse/townhouse	P	C [1]	
Single-family detached dwelling	--	--	
Two-Family Dwelling	P	P	
Second-floor or higher residential	P	C [1]	
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Notes	[1] Residential uses may be permitted in the Pecos Junction station area through a conditional use permit when the area is determined to be environmentally mediated and safe for human habitation.		

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CHAPTER 4 DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

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4-03 ACCESSORY USES PERFORMANCE STANDARDS

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4-03-03 ACCESSORY USES, RESIDENTIAL

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4-03-03-02 PERFORMANCE STANDARDS

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4-03-03-02-07 HOME OCCUPATIONS

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11. *Uses Not Considered Home Occupations:* The following uses are not considered home occupations:

- a. Animal Hospital
- b. Long-Term Care Facility
- c. Restaurant
- d. Bed & Breakfast (A bed and breakfast is considered a principally permitted use.)
- e. Group ~~Home, FHAA and Group Residential Facility~~ ~~Living Facility (A group home is considered a principally permitted use, depending upon occupancy.)~~
- f. Auto Painting, Repair, Sales, or Service.
- g. Truck Repair, Sales, or Service.

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4-08 INSTITUTIONAL USES PERFORMANCE STANDARDS

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4-08-02 PERFORMANCE STANDARDS BY USE CATEGORY

The following general performance standards are included in this section:

- 1. Crematory/Crematorium ***Adopted by the BoCC on December 13, 2010**
- 2. Institutional Residential

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4-08-02-02 INSTITUTIONAL RESIDENTIAL

All institutional residential uses shall meet the following standards:

1. *Location:* No institutional residential facility shall be located within five hundred (500) feet of any other institutional residential facility.
2. *New Construction in Residential Area:* Any new construction allowed in a residential zone district for the operation of an [institutional residential group living](#) facility shall substantially resemble a conventional single-family dwelling.
3. *No Administrative Activities on Premises:* No administrative activities of any private or public organization or agency shall be conducted on the premises of the [institutional residential group living](#) facility.
4. *Residential Suites and Assisted Living Units:* Residential suites and assisted living units shall provide bathrooms but shall not provide cooking facilities.
5. *Density:* Residential suites and assisted living units shall be constructed at the same density as the density in the applicable zone district. If the [institutional residential facility group home](#) has on-site common use dining, recreation, health care, or a convalescent center, the density for any associated multi-family units shall not exceed two (2) times the allowed multi-family base density for the zone district.
6. *Screened Parking:* Off-road parking for the guests shall be screened with landscaping meeting the requirements of a Type C Bufferyard (See Section 4-16-06).
7. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
8. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.
9. *Drop-Off/Pick-Up Areas:* All institutional residential uses shall provide an off-road drop-off/pick-up area for patrons or clients. The area shall be provided at a rate of one (1) space per eight (8) individuals. The spaces shall be signed as loading areas and at least ten (10) by twenty (24) feet in area. All drop-off/pick-up areas shall be approved by the Director of Community and Economic Development.

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4-15 PARKING, LOADING, AND CURB CUT REQUIREMENTS

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4-15-03 SINGLE- AND TWO-FAMILY DWELLINGS

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4-15-03-02 AMOUNT OF PARKING REQUIRED

One- and two-family dwellings shall provide a total of two (2) off-road parking spaces per dwelling unit. [Group Home, FHAA Small shall provide a minimum of two \(2\) off-road parking spaces, and a Group Home, FHAA Large shall provide a minimum of four \(4\) off-road parking spaces.](#)

4-15-04 MULTI-FAMILY RESIDENTIAL AND NON-RESIDENTIAL

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4-15-04-03 SPACES REQUIRED

In connection with every [multi-family residential](#), institutional, commercial, and industrial use, there shall be provided, at the time any building or structure is erected, enlarged, or increased in capacity, off-road parking spaces in accordance with the following requirements:

Use	Minimum Required Off-Road Parking Spaces
Art galleries	1 space for each 300 sq. ft. of gross floor area
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Multifamily	
Studio/ Efficiency	0.75 spaces per unit type
1 Bedroom	1.0 spaces per unit type
2 Bedroom	1.5 spaces per unit type
3+ Bedroom	2.0 spaces per unit type
Visitor	Minimum of 15% of the required parking shall be provided for visitors in addition to the minimum required off-road parking
Efficiency units	1 per unit
Group Residential Facility, Large or Small	0.5 spaces per bed
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Wholesale establishments	1 space for each 900 sq. ft. of gross floor area

CHAPTER 11—DEFINITIONS

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11-02 WORDS, TERMS, AND PHRASES

The following listed words, terms or phrases are defined as follows.

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11-02-211 FAMILY

An individual, two or three (3) or more persons related by blood, marriage, or legal adoption, or similar legal relationship, or a group of persons who need not be so related, plus domestic staff employed for services on the premises, living together in a dwelling unit as a single housekeeping unit in one dwelling unit. The definition of "family" shall apply regardless of whether any member of such group receives outside services for mental, emotional, or physical disability. The number of persons occupying each dwelling unit shall not exceed the maximum permitted by the applicable adopted building code and safety codes, or by any applicable state or federal law or regulation, or by affordable housing guidelines applicable to the dwelling unit. Persons not related by blood, marriage, or legal adoption shall be deemed to constitute a family where they are living and cooking together as a single housekeeping unit, but shall not include unrelated students attending colleges or universities.

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11-02-277-A GROUP HOME, FHAA

A residential dwelling or facility where persons are living, together with staff, as a single housekeeping unit where care, supervision, and/or treatment is provided for the exclusive use of residents protected by the provisions of the federal Fair Housing Act Amendments of 1988, codified at 42 U.S.C. Ch 45, or by any similar legislation of the State of Colorado, including, but not limited to, a facility providing housing for people experiencing disabilities, mental health conditions, or developmental disabilities.

1. A "Group Home, FHAA Large" is a facility designed for and occupied by nine or more residents living together.
2. A "Group Home, FHAA Small" is a facility designed for and occupied by no more than eight residents living together.

11-02-277 GROUP LIVING FACILITY

A facility licensed by the Courts, Social Service Department, or other competent governmental authority for housing residents in a group home which include a group home for the aged, residential treatment center, group home for the mentally ill, home for social rehabilitation, group home for the developmentally disabled, communal home, specialized group facility, receiving home for more than four (4) foster home residents, residential child care facility, or shelter for domestic violence.

11-02-277-B GROUP RESIDENTIAL FACILITY

A residence that provides a community living environment for persons requiring custodial care, medical treatment, or specialized social services, but that does not meet the definition of an FHAA Group Home. This use includes, but is not limited to, transitional housing developments and domestic violence shelters.

- 1. [A “Group Residential Facility, Large” is a facility designed for and occupied by nine or more residents living together.](#)
- 2. [A “Group Residential Facility, Small” is a facility designed for and occupied by no more than eight residents living together.](#)

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11-02-502 REAR LOT LINE

See “Lot Line, Rear”.

11-02-502-A RECOVERY RESIDENCE

[A “recovery residence” as that term is defined in C.R.S. § 27-80-129\(1\)\(b\)\(I\), as my be amended. A recovery residence may be either a Group Home, FHAA or a Group Residential Facility, but in either instance, it is a residential use.](#)

11-02-503 RECREATIONAL USES

Recreational uses include active and passive recreational services and parcels open to the public, such as parks, open spaces, trails, playfields, and the like. Incidental sales associated with recreational uses is permitted. These recreational opportunities are meant to serve the recreational and social interaction needs of the residents of all ages, economic situations, and physical conditions, and include publicly owned lands, open spaces, trails, playfields, and the like.

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11-02-513 RESIDENTIAL USES

Residential uses include manufacture home parks, mobile home parks; single-family dwellings, attached; single-family dwellings, detached; two-family dwellings; multi-family dwellings; [Group Homes, FHAA, and Group Residential Facilities](#)~~group homes~~.

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