



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

Referral Memo: Proposed Updates to Boarding House and Group Care or Foster Home Uses

MEMO TO: Referral Agencies, Stakeholders, and Interested Parties
FROM: Cayley Byrne, Long Range Planner I
DATE: April 10, 2025
RE: Docket DC-24-0004: Text Amendments to the Land Use Code related to residential uses, specifically Article 4 Boarding House and Group Care or Foster Home use classifications, and other changes to the Code necessary to integrate these changes.

Dear Referral Agency, Stakeholder, or Interested Party,

On October 29, 2024, the Board of County Commissioners authorized Community Planning & Permitting staff to pursue a text amendment to Article 4-511 of the Boulder County Land Use Code (“the Code”) related to residential uses, specifically the Boarding House and Group Care or Foster Home uses.

In 2024, Community Planning & Permitting staff completed DC-24-0002 Text Amendments to the Land Use Code Related to Residential Occupancy. As part of this update the county removed the Family definition from the Land Use Code (Code). The Boarding House and Group Care or Foster Home uses rely on the Family definition and these uses are now out of date and require an update. Staff are also taking this opportunity to reevaluate the scope and purpose of these uses in unincorporated Boulder County, ensuring that the uses comply with Federal Fair Housing law and state regulations related to group homes.

The full draft Text Amendment, included here, is being referred to agencies and stakeholders so that feedback can be provided to staff and aid in the development of this update. The draft proposes to:

- Remove the Boarding House Use.
- Remove the Group Care or Foster Home Use.
- Define and add a new Group Home Facility Use.
- Define a Group Home and amend the Household definition to clarify that a Group Home is considered a Household and thus may operate within a Dwelling Unit as a by right use.

You may also view the proposed Text Amendment and future revisions online at:

<https://www.boco.org/dc-24-0004>.

The docket review process for the proposed Text Amendment to Article 4 of the Land Use Code will include a public hearing before the Boulder County Planning Commission and before the Board of County Commissioners. Public comment will be taken at both hearings. Confirmation of hearing dates and times will be published online at the link above and in local newspapers.

Community Planning & Permitting staff, Planning Commission, and the Board of County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado, 80306 or via email to cbyrne@bouldercounty.gov.

All comments will be made part of the public record and shared with Planning Commission and the Board of County Commissioners. You are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email cbyrne@bouldercounty.gov if you have any questions.

Your responses will help staff develop the draft further. Please return them **no later than April 24, 2024**, so your comments can be incorporated.

_____ We have reviewed the proposal and have no comments.

_____ Letter is enclosed.

Signed: _____ Printed Name: _____

Agency or Address: _____

Date: _____

Draft Text Amendments

The proposed changes to Article 5-11.A Boarding House and 5-11.B Group Care or Foster Home are shown below. Language proposed to be deleted from the Code is struck through and new language proposed to be added is underlined.

Article 4 Zoning

4-511 Residential Uses

~~A. Boarding House~~

- ~~1. Definition: A building or portion thereof which is used to accommodate, for compensation, three or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such a building.~~
- ~~2. Districts Permitted: By right in MF, T, B, C, and G1~~
- ~~3. Parking Requirements: One space per bedroom~~
- ~~4. Loading Requirements: None~~
- ~~5. Additional Provisions: None~~

~~B. Group Care or Foster Home~~

- ~~1. Definition: A facility which provides 24-hour care or supervision of persons who are not related by blood, marriage, or adoption, to the owner, operator, or manager thereof, and who do not meet the definition of family under this Code. A Group Care or Foster Home may be operated by a public, nonprofit, or private agency.~~
- ~~2. Districts Permitted: By Special Review F, A, RR, ER, SR, MF, MH, MI, T, and B~~
- ~~3. Parking Requirements: To be determined through Special Review~~
- ~~4. Loading Requirements: None~~
- ~~5. Additional Provisions:~~
 - ~~a. This use shall also be granted and maintain all applicable local, state, and federal permits.~~

[Re-number 4-511 Residential Uses]

X. Group Home Facility

1. Definition: Structure(s) which provide housing for an identified group of individuals with specific, identified needs and provide supportive care, supervision, or services to residents which meet those identified needs. Group Home Facilities include, but are not limited to, homes for individuals who have intellectual or developmental disabilities, homes for the aged, recovery residences, and homes for person with behavioral or mental health disorders. Group Home Facilities do not include nursing homes, medical or mental health treatment centers, or facilities for court ordered residency. A Group Care Facility may be operated by a public, nonprofit, or private agency.
2. Districts Permitted: By Special Review, F, A, RR, ER, SR, MF, MI, T, and B

3. Parking Requirements: To be determined through Special Review
4. Loading Requirements: None
5. Floor Area Maximum: To be determined through Special Review
6. Additional Provisions:
 - a. Group Home Facilities shall be granted and maintain applicable local, state, and federal permits, licenses, and/or certifications.

Article 18 Definitions

18-170A Household

A group of individuals who occupy a single Dwelling Unit and have established a cooperative living arrangement, where all members of the Household have free and unfettered physical access to the Dwelling Unit's kitchen, living areas, all utilities and mechanical equipment, and a bathroom which includes bathing facilities. A Household includes a Group Home.

18-XXX Group Home

A Dwelling Unit which provides housing for an identified group of individuals with specific, identified needs and provides the supportive care, supervision, or services to residents which meet those needs. Group Homes include, but are not limited to, homes for individuals who have intellectual or developmental disabilities, homes for the aged, recovery residences, and homes for person with behavioral or mental health disorders. Group Homes do not include nursing homes, medical or mental health treatment centers, or facilities for court ordered residency. A Group Home may be operated by a public, nonprofit, or private agency. Group Homes shall be granted and maintain applicable local, state, and federal permits, licenses, and/or certifications.