



385 Kimbark Street, Longmont, CO 80501
T 303-651-8330 F 303-651-8696
longmont.planning@longmontcolorado.gov

Group Home Defined

Group care home means a facility of 12 or fewer persons, including staff, providing residential and special care and supervision within a dwelling where persons are living together with staff, as a single housekeeping unit, providing care, supervision, and treatment exclusively for residents protected by the provisions of the Federal Fair Housing Act (FHA). The term "group care home" does not include group care facilities, halfway houses, residential rehabilitation facilities, residential childcare facilities, or penal/correctional facilities

Residential Recovery Residence (Sober Living Residence) Defined

Sober living home means a residential dwelling used by persons protected by the provisions of the Federal Fair Housing Act (FHA) who are not currently, illegally using or addicted to a controlled substance but are recovering from abuse of alcohol or a controlled substance, where the residence serves as an interim environment between rehabilitation and treatment facilities and mainstream society.

Submittal Requirements for Group Homes and Residential Recovery (Sober Living) Residences:

1. Change of Use Application

- Note that this may also require additional submittals, such as a Building Permit.

2. Operation/Business Plan (include the following information):

- ☐ Whether or not the structure will be owner occupied
- ☐ Number of residents
- ☐ Number of staff
- ☐ Number of occupants overnight
- ☐ Treatment and check-in requirements
- ☐ Length of resident stay (i.e. > 30 days, > 90 days, indefinite, etc.)
- ☐ Clarification on whether residents receive custodial care (assistance with day to day living tasks or person who have mental complications that would require slower evacuation rate).
- ☐ Indicate if residents are transient (whether or not they reside in the building for less than 30 days) or if residents are both transient and non-transient.
- ☐ Description of the ambulatory condition of residents.
- ☐ Plan for security or supervision of the premises.

3. CARR (Colorado Agency for Recovery Residences) or other State issued certification(s). If recently applied for and not certified yet, provide a copy of application submitted to the State.

4. Building Information: (include the following):

- ☐ Square footages for both the building and each bedroom. Architectural plans can be included if available.
- ☐ Fire sprinklers or suppression (existing or proposed)
- ☐ Information regarding any building alterations, remodeling, or renovations

5. Please note that a safety inspection, performed by Building Services and Fire Department representatives, will likely be required to verify information provided.

Please note the following standards related to Group Homes and Residential Recover (Sober Living) Residences:

- No private kitchen facilities shall be located in any bedroom.
- A use sited in an existing structure and housing more than five clients shall meet the requirements stated in the current city-adopted building code.
- Only housing types allowed in each zoning district are allowed for group care homes. All new or existing structures shall be compatible in terms of building mass, scale, and design with the character of any surrounding residential neighborhood.
- Occupancy limits: the number of residents occupying a facility at any one time, including staff and family of staff, shall not exceed building code occupancy limitations.
- Location: In the MU-D zoning district, group care homes shall not be located on the ground floor on a lot adjacent to Main Street.
- Number: only one group care home is permitted per dwelling unit.
- Note that per Ordinance No. O-2025-33, Registered Sex Offenders (RSOs) are only permitted to live in residences which are 500 feet or greater from Schools, Parks, and Child Care Centers. Furthermore, a maximum of 3 RSOs may live in any one dwelling.

Process

1. Submission of materials

- Submit all required items to: Longmont.Planning@LongmontColorado.gov.

2. Staff review

- Staff will review the application materials and provide any necessary feedback and may require corrections or additional information. The applicant will be required to resubmit information. This step of the process may occur more than once if information submitted is not sufficient.

3. Inspections

- The Fire and/or Building Departments may require an inspection to confirm information submitted with the submittal information.

4. Fire Permit

- If it is determined through application materials or inspections, a fire permit for suppression or sprinklers could be required.

5. Issuance of Change of Use, Issuance New Cert of Occupancy

- Once the process above is complete, the Change of Use can be approved. This will typically coincide with the issuance of a Certificate of Occupancy.

Resources

- [Change of Use Application](#)
- [Section 15.04.030. Use-specific standards](#)
- Code Definitions for Group living uses (from Section 15.10.010)
- Registered Sex Offender (RSO) Ordinance
- Building Code Interpretation regarding Congregate Living suppression requirements
- Inspection Contacts:
 - Building: 303-651-8332
 - Fire Department: 303-651-8426



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Change of Use/Occupancy Application

Use this form for:

- Changes in Land Use ([Reference Table 15.04.020. Table of Allowed Uses](#))
- Changes in Tenant or Occupancy Type (Example: Group M – Mercantile to Group A – Assembly)
- Group Homes, Recovery Residences, Sober Living Homes or similar types of residential dwellings used by persons protected by the provisions of the Federal Fair Housing Act (FHA)

Please note that if any changes to structures or the site are proposed, additional permits may be required.

Date:	
Property Address:	
Name of <u>Previous</u> Business and Land Use:	
Name of <u>Proposed</u> Business and Land Use:	
Applicant Information	Property Owner Information
Name _____	Name _____
Company _____	Company _____
Address _____	Address _____
Phone _____	Phone _____
Email _____	Email _____
Property Owner Signature (Required) _____ Date _____	Property Owner Signature (Required) _____ Date _____
Description of Proposed Use	
Describe the proposed use in detail (Attach additional pages if necessary).	
Will there be any external modifications to the building or site? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes to any changes or modifications, provide a brief description:
Will there be any internal modifications to the building? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Please note: if any changes to structures are planned or proposed, additional permits may be required such as a site plan waiver for site modifications or a building permit for any external or internal building modifications.	
Certification of Information Above	
By signing above, as either applicant or property owner, I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge and consent of the owners of the property. In submitted application materials and by signing this application, I acknowledge and agree that the application is subject to all terms and conditions found in Title 15 of the City of Longmont Municipal Code. I understand that false statements or omissions may result in denial or revocation of this application and jeopardize the approval of future permits. I acknowledge that I have read the application regulations associated with this application and agree to fully comply City of Longmont Regulations and agree to comply with any terms and conditions imposed by the decision-making body as they relate to a change of use.	

Sec. 15.04.030. Use-specific standards.

B. Residential uses.

6. *Boardinghouse, roominghouse.* In the MU-D zoning district, boardinghouses and roominghouses shall not be located on a lot adjacent to Main Street.
7. *Group care home.*
 - a. *Location.* In the MU-D zoning district, group care homes shall not be located on the ground floor on a lot adjacent to Main Street.
 - b. *Number.* Only one group care home is permitted per dwelling unit.
 - c. *Licensing.* Certification or licensing by the applicable governmental agency is a prerequisite to site plan approval or issuance of a certificate of occupancy.
 - d. *Security and supervision.* Group homes shall include a plan for security and supervision of the premises.
 - e. *Occupancy limits.* The number of residents occupying a facility at any one time, including staff and family of staff, shall not exceed building code occupancy limitations.
 - f. *Development standards for facilities.*
 - i. No private kitchen facilities shall be located in any bedroom.
 - ii. Such use sited in an existing structure and housing more than five clients shall meet the requirements stated in the current city-adopted building code.
 - iii. Only housing types allowed in each zoning district are allowed for group care homes. All new or existing structures shall be compatible in terms of building mass, scale, and design with the character of any surrounding residential neighborhood.
 - g. *Abandonment of use.* If active and continuous group care home operations are discontinued for a period of 12 consecutive months in a group care home that was approved under this development code, the use shall be considered abandoned. The use may be reinstated only after obtaining a new site plan approval or waiver.
8. *Sober living home.*
 - a. Only housing types allowed in each zoning district are allowed for sober living homes.
 - b. In the MU-D zoning district, sober living homes shall not be located in a Main Street storefront.
 - c. The number of residents occupying a home shall not exceed building code occupancy limits.
9. *Group care facility.*
 - a. Shall comply with the same standards for a group care home in section 15.04.030.B.7.
 - b. In the MU-D zoning district, group care facilities shall not be located on a lot adjacent to Main Street.
10. *Independent living facility.*
 - a. Only housing types allowed in each zoning district are allowed for independent living facilities.
 - b. In the MU-D zoning district, independent living facilities shall not be located on a lot adjacent to Main Street.
11. *Rehabilitation and treatment facilities.* Shall comply with the same standards for a group care home in section 15.04.030.B.7. In addition, shall comply with the following:
 - a. All halfway houses shall comply with the reporting requirements stated in chapter 9.48.
 - b. Rehabilitation and treatment facilities shall include a plan for security and supervision of the premises.
 - c. Rehabilitation and treatment facilities shall be located a minimum of 500 feet from a residential lot in a residential zoning district.

City of Longmont Code Definitions for Group living uses (from Section 15.10.010)

Group living uses. Uses in this category are characterized by residential occupancy of a structure by a group of people who do not meet the definition of the term "household living." Tenancy is arranged on a monthly or longer basis and the size of the group may be larger than a family. Generally, group living structures have a common eating area for residents. Residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses may include recreational facilities and vehicle parking for occupants and staff.

Boardinghouse, roominghouse means a residential dwelling with at least two rooms that are rented or intended to be rented primarily for sleeping only, but which do not constitute separate dwelling units. Such facility is occupied by longer-term residents than hotels, motels or bed and breakfast establishments and includes sororities, fraternities and dormitories.

Group care facility means a facility of more than 12 persons, including staff, providing longer term residential and special care, supervision, and treatment exclusively for residents protected by the provisions of the federal Fair Housing Act (FHA), including, but not limited to, assisted living facilities and nursing homes. The term "group care facility" does not include halfway houses, residential rehabilitation facilities, residential childcare facilities, or penal/correctional facilities.

Group care home means a facility of 12 or fewer persons, including staff, providing residential and special care and supervision within a dwelling where persons are living together with staff, as a single housekeeping unit, providing care, supervision, and treatment exclusively for residents protected by the provisions of the Federal Fair Housing Act (FHA). The term "group care home" does not include group care facilities, halfway houses, residential rehabilitation facilities, residential childcare facilities, or penal/correctional facilities.

Independent living facility means a multifamily dwelling restricted to adults at least 55 years of age or older, that includes central dining facilities and provides residents with access to meals and other services such as housekeeping, transportation, and social and recreational activities. Independent living facilities do not provide skilled medical and residential care and assistance such as those provided at a group care facility.

Rehabilitation and treatment facility includes the following facilities:

Halfway house means a licensed home for inmates on release from more restrictive custodial confinement who were initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation and counseling are provided to mainstream residents back into society, enabling them to live independently, excluding foster homes housing not more than two juveniles.

Residential childcare facility means a facility so licensed by the state department of human services pursuant to part 1 of article 6 of title 26, Colorado Revised Statutes, to provide 24-hour group care and treatment for children operated under private, public, or nonprofit sponsorship. The term "residential childcare facility" does not include a homeless youth shelter as defined by the state.

Residential rehabilitation facility means an institutional facility for persons referred by a state department or division, or by a physician or medical institution, wherein medical treatment, counseling, rehabilitation and 24-hour on-site supervision are provided for substance abuse, emotional disorders, physical disabilities, or other medical conditions, with the goal of enabling residents to live independently when treatment is completed.

Sober living home means a residential dwelling used by persons protected by the provisions of the Federal Fair Housing Act (FHA) who are not currently, illegally using or addicted to a controlled substance but are recovering from abuse of alcohol or a controlled substance, where the residence serves as an interim environment between rehabilitation and treatment facilities and mainstream society.

ORDINANCE O-2025-33

A BILL FOR AN ORDINANCE AMENDING TITLE 10 OF THE LONGMONT MUNICIPAL
CODE CONCERNING RESIDENCY RESTRICTIONS FOR REGISTERED SEX
OFFENDERS

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

The Council amends Title 10 of the Longmont Municipal Code by adding the following
Chapter:

Chapter 10.70 – Sex Offender Distance Requirements

Section 10.70.010 – Findings and Intent.

A. Findings. The City Council finds this Chapter is needed for the protection
of the health and safety of the public. Sexual predators and the specified sex
offenders who use physical violence or who prey on children present an extreme
threat to the public safety. Sexual predators and the specified sex offenders have a
high rate of recidivism, making the cost of sex offender victimization to society at
large extremely high. Balancing public safety concerns alongside the public interest
of not unduly risking increasing housing instability and homelessness is an
important goal of the city.

B. Intent. This Chapter is intended to serve the City's compelling interest to
promote, protect and improve the public health, safety and welfare by creating
areas, around locations where children regularly congregate in concentrated

1 numbers, where sexual predators and specified sexual offenders are prohibited from
2 establishing temporary or permanent residences.

3 Section 10.70.020 – Definitions.

4 A. The following words, terms, and phrases, when used in this Chapter, shall
5 have the meanings ascribed to this in this section, except when the context clearly
6 indicates a different meaning:

7 1. Childcare Center shall mean a facility licensed, certified, or registered by
8 the state that provides care, protection and supervision for children on a regular
9 basis away from their primary residence for less than 24 hours per day.

10 2. Pocket Park Boundary means the outer perimeter of a portion of a private
11 park, which areas include the property comprised of play equipment, active and
12 passive recreation amenities, exercise equipment, associated turf field areas and
13 similar features.

14 3. Private Park shall mean any pocket park as that term is used in Chapter
15 15.05 of the Longmont Municipal Code. A private park shall not include areas
16 utilized exclusively for drainage or detention facilities and appurtenances,
17 landscape buffers, or trail connections.

18 4. Public Park shall mean any neighborhood or community park, as those
19 terms are used in Chapter 13.20 of the Longmont Municipal Code.

20 5. Permanent Residence shall mean a place where a person abides, lodges, or
21 resides for five or more consecutive days.

22 6. Registered Sex Offender shall mean any person who has been found to be a
23 Sexually Violent Predator pursuant to C.R.S. 18-3-414.5; or any person required to

1 register under the Colorado Sex Offender Registration Act, C.R.S. section 16-22-
2 101, *et. seq.*, who has been: (i) convicted of a felony for an offense requiring
3 registration with a victim less than 18 years old, (ii) has multiple convictions for
4 offenses requiring registration, or (iii) whose offense(s) requiring registration
5 involve multiple victims.

6 7. School shall mean any public, private, parochial, charter or other school
7 attended by students generally under the age of 18, except for home schools.

8 8. Temporary Residence shall mean a place where a person abides, lodges, or
9 resides for a period of five or more days in the aggregate during any calendar year
10 and which is not the person's permanent residence, or a place where a person
11 routinely abides, lodges, or resides for a period of five of more consecutive or
12 nonconsecutive days in any month and which is not the person's permanent address.

13 Section 10.70.030 – Prohibitions

14 A. It shall be unlawful for a Registered Sex Offender to establish a permanent
15 or temporary residence within 500 feet of any school or childcare center or within
16 500 feet of any private park or public park.

17 B. It shall be unlawful for a Registered Sex Offender to reside in a permanent
18 or temporary residence with three or more Registered Sex Offenders, unless such
19 individuals are related as parent and children, as siblings, or by marriage.

20 C. It shall be unlawful to let or rent any portion of any property, room, place,
21 structure, trailer, vehicle or other living space to a Registered Sex Offender with
22 the knowledge that it will be used as a permanent or temporary residence in
23 violation of this Chapter.

Section 10.70.040 – Exceptions

A. A Registered Sex Offender is not guilty of a violation of this Chapter if:

1. The Registered Sex Offender had established the permanent or temporary residence prior to the effective date of this chapter; provided, however, that this exception shall not apply if the Registered Sex Offender committed and was subsequently convicted of an offense, for which registration under the Colorado Sex Offender Registration Act is required, after the effective date of this Chapter;

2. The Registered Sex Offender is placed in the residence pursuant to a state-licensed foster care program; or

3. The school, private park, public park, or childcare center was opened after the Registered Sex Offender established the permanent or temporary residence.

B. A person who lets or rents any portion of any property, room, place, structure, trailer or other living space to a Registered Sex Offender with the knowledge that it will be used as a permanent or temporary residence in violation of this Chapter is not guilty of a violation of this chapter if:

1. The person let or rented the property, room, place, structure, trailer or other living space to the Registered Sex Offender prior to the effective date of this Chapter;

2. The person lets or rents the property, room, place, structure, trailer or other living space to a Registered Sex Offender pursuant to a state-licensed foster care program; or

3. The person let or rented the property, room, place, structure, trailer or other living space to the Registered Sex Offender prior to the opening of any school, private park, public park, or childcare center.

Section 10.70.040 – Measurement

A. For purposes of determining the minimum distance separation required for schools, childcare centers, and public parks, the measurement shall be made by following a straight line from the outer property line of the property on which the school, childcare center, or public park is located to the nearest point on the outer property line of the property on which the permanent or temporary residence is located. For the purposes of determining the minimum distance separation required for private parks, the measurement shall be made by following a straight line from the Pocket Park Boundary to the nearest point on the outer property line of the property on which the permanent or temporary residence is located. If any portion of a dwelling unit used as a temporary or permanent residence falls within the measurement area, the entire dwelling unit is presumed to be the residence. Geographic information system (GIS) data regarding the locations in question shall be prima facie evidence of the actual distance.

Section 10.70.050 – Penalties

A. Any violation of this Chapter shall be deemed a criminal violation of this Code, punishable by a fine or imprisonment or both in accordance with the provisions of Chapter 1.12 of the Longmont Municipal Code.

Section 2

To the extent only that they conflict with this ordinance, the Council repeals any conflicting ordinances or parts of ordinances. The provisions of this ordinance are severable, and invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance.

Introduced this 6th day of May, 2025.

Passed and adopted this 20th day of May, 2025.

DocuSigned by:

Joan Peck

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MAYOR

ATTEST:

DocuSigned by:

[Signature]

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CITY CLERK



NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT 7:00 P.M. ON THE 20TH DAY OF MAY, 2025, AT THE LONGMONT CITY COUNCIL MEETING.

APPROVED AS TO FORM:

Signed by:

[Signature]

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ASSISTANT CITY ATTORNEY

5/23/2025 | 11:04 AM MDT

DATE

Signed by:

[Signature]


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PROOFREAD

5/23/2025 | 10:56 AM MDT

DATE

1 APPROVED AS TO FORM AND SUBSTANCE:

2
3 DocuSigned by:
4 
5 00AF0844A7F247C...

5/23/2025 | 11:14 AM MDT

6
7 ORIGINATING DEPARTMENT

DATE

CA File: 25-003353

Certificate Of Completion

Envelope Id: 673447A9-E7B8-44AE-8215-B338385B71F2

Status: Completed

Subject: O-2025-33 - Ordinance Amending Title 10 of the Longmont Municipal Code ...

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Document Pages: 7

Signatures: 5

Envelope Originator:

Certificate Pages: 5

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Michelle Gomez

AutoNav: Enabled

350 Kimbark St.

Envelopeld Stamping: Enabled

Longmont, CO 80501

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michelle.gomez@longmontcolorado.gov

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Signer Events

Cristi Campbell

cristi.campbell@longmontcolorado.gov

Legal Administrator Paralegal

City of Longmont

Security Level: Email, Account Authentication
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Signature

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Signed: 5/23/2025 10:56:23 AM

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Jeremy Tyrrell

jeremy.tyrrell@longmontcolorado.gov

Assistant City Attorney

City of Longmont

Security Level: Email, Account Authentication
(None)

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ID: 331f3aae-94bb-435b-a9ce-4e6e46816b92

Grant Penland

grant.penland@longmontcolorado.gov

Planning and Development Services Director

City of Longmont

Security Level: Email, Account Authentication
(None)

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Accepted: 3/25/2024 2:41:14 PM

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Joan Peck

Joan.peck@longmontcolorado.gov

Mayor

Security Level: Email, Account Authentication
(None)

DocuSigned by:

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Signer Events	Signature	Timestamp
Dawn Quintana dawn.quintana@longmontcolorado.gov City Clerk City of Longmont Security Level: Email, Account Authentication (None)	 Signature Adoption: Uploaded Signature Image Using IP Address: 69.87.213.124	Sent: 5/23/2025 1:45:36 PM Resent: 5/27/2025 8:40:36 AM Viewed: 5/27/2025 12:23:19 PM Signed: 5/27/2025 12:24:02 PM

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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	5/27/2025 12:23:19 PM
Signing Complete	Security Checked	5/27/2025 12:24:02 PM
Completed	Security Checked	5/27/2025 12:24:02 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		



To: Grant Penland, Planning & Development Services Director
From: Blas Hernandez, Chief Building Official
CC: Jeremy Tyrrell, Michele Goldman, Matt Payette
Date: May 2, 2025
Re: Single Family Dwelling Unit – Definition

INTERPRETATION OF SINGLE-FAMILY UNIT VS. CONGREGATE LIVING FACILITY (BOARDING HOUSE)

BACKGROUND

A One- or Two-family Dwelling and Townhouses are regulated under the International Residential Code (IRC) Section R101. Boarding houses are defined and found in the International Building Code (IBC), Chapter 2 Definitions.

A single-family unit is not defined in the IRC and the IBC does not define a clear path or makes a clear distinction between a building used as a single-family unit and a congregate living facility. However, looking at the history of the code and how congregate living facilities are addressed, the number of occupants living in a single-family unit have allowed up to five (5) persons before it is considered a commercial use regulated by the IBC.

The Longmont Land Development Code defines how many unrelated people may occupy a home, that we no longer use because of State Law, and allowed up to five unrelated people living in the same home. The IRC Section R101.2 defines the scope of uses that may be regulated under the IRC that include the following

1. Live/work units located in townhouses and complying with the requirements of Section 508.5 of the *International Building Code*.
2. Owner-occupied *lodging houses* with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving custodial care within a *dwelling unit*.
4. A care facility with five or fewer persons receiving medical care within a *dwelling unit*.
5. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

IBC DEFINITIONS

BOARDING HOUSE. A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

DWELLING. A building that contains one or two *dwelling units* used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

LODGING HOUSE. A one-family dwelling where one or more occupants are primarily permanent in nature and rent is paid for guest rooms.

CUSTODIAL CARE. Assistance with day-to-day living tasks, such as assistance with cooking, taking medication, bathing, using toilet facilities and other tasks of daily living. *Custodial care* includes persons receiving care who have the ability to respond to emergency situations and evacuate at a slower rate and/or who have mental and psychiatric complications.

CONCLUSION AND INTERPRETATION

Boarding houses that have more than five persons are considered a change in use and shall be reviewed under the IBC. All IBC uses in R3 occupancy group require fire sprinklers.

Based on the code history, the Chief Building Official interprets that Single Family Units are a change of use and shall be reviewed under the IBC, if there are more than five persons occupying a single-family dwelling unit under independent leases.