



COLORADO
Behavioral Health
Administration

Licensing and Designation Zoning Requirement Form

ZONING DEPARTMENT - Zoning Use Confirmation - Sign off for Local Authorities

SECTION A: TO BE COMPLETED BY THE APPLICANT

PURPOSE OF THE APPLICATION: ☒ Initial Application ☐ Modification (Move location or add a site)
☐ Renewal Application

Type of Behavioral Health Entity (BHE) licensed services: ☒ Mental Health ☐ Substance Use Disorder

Type of behavioral health levels of care being provided: ☒ Residential / Transitional Living ☐ Day Treatment/PHP ☐ Outpatient
☐ Inpatient Psychiatric/Withdrawal Management

SECTION B: TO BE COMPLETED BY THE APPLICANT – PHYSICAL SITE LOCATION

Current Name of Agency: Colorado Springs Mental Health LLC

Address: 6720 Jicarilla Drive

City: Colorado Springs Zip: 80908 County: El Paso

Name of Contact Person for any questions: Danielle Morgan

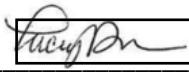
Phone: 9258950593 Fax: Email: daniellem@quickstarthealth.com

SECTION C: TO BE COMPLETED BY THE CITY/COUNTY ZONING DEPARTMENT

(this section must be filled out by the proper authority to be considered a valid document)

Zoning Department having jurisdiction: El Paso County Planning and Community Development

The above named facility meets the requirements of the local authority having jurisdiction for the occupancy based on work outlined above. (If "no", please explain on a separate attachment) ☒ YES ☐ NO

Signature:  Date: 8/27/2026

Printed Name: Lacey Dean Title: Associate Planner

Address: 2880 International Blvd City: Colorado Springs Zip: 80910

JUSTIN KILGORE, AICP, PLANNING DIVISION MANAGER

PLANNING AND COMMUNITY DEVELOPMENT | [PLANNING DIVISION]

August 27, 2026

ATTN: Danielle Morgan (daniellem@quickstarthealth.com)

RE: Zoning Verification

File: ZVL2633 – 6720 Jicarilla Drive

PID: 5206001003

This letter is in response to a request made for a zoning verification letter for the property at 6720 Jicarilla Drive, in unincorporated El Paso County. The current Parcel ID number for the property is 5206001003.

REQUEST

A request by Danielle Morgan for a Zoning Verification Letter for determination regarding whether the residential property may be used for a Mental Health Center.

ZONING ANALYSIS

The property at 6720 Jicarilla Drive in unincorporated El Paso County is zoned Residential Rural with a minimum lot size requirement of 5 acres (RR-5). The RR-5 zoning district is a 5-acre district intended to accommodate low-density, rural, single-family residential development.

The zoning verification request letter does not specifically describe the intended use of the property but includes a form with the category “Residential/Transitional Living” check marked for a proposed agency called “Colorado Springs Mental Health LLC”.

The Land Development Code (LDC) defines a “Group Home” as follows:

A home intended to provide a normal residential family setting for certain unrelated groups of people and limited to group homes for persons with mental illness, group homes for developmentally disabled persons, group homes for the aged, and group homes for disabled persons.

The LDC defines “Group Home for Persons with Mental Illness” as follows:

A State-licensed group home for persons with mental illness, as that term is defined in C.R.S. § 27-65-102(14). The criteria, requirements, and restrictions for group homes for persons with mental illness shall be those prescribed by C.R.S. § 30-28-115(2)(b.5) (except for separation requirements) and elsewhere in this Code. The term group home for persons with mental illness shall not include any facility licensed as a residential child care facility.

Pursuant to the Principal Use Table in the LDC (See Table 5-1 below), the use of the property for a Group Home may be allowed by right or by special use depending on size and other criteria. (See Table 5-3 below).

Table 5-1. - Principal Uses.

Use Type	Agricultural Zoning Districts			Residential Zoning Districts													Subject to Specific Use Standards?	Site Development Plan Required to Initiate Use?	Site Plan Required to Initiate Use?
	F-5	A-35	A-5	RR-5	RR-2.5	RR-0.5	RS-20000	RS-6000	RS-5000	RM-12	RM-30	RT	MHP	MHS	MHPR	RVP			
Group Home	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴		YES		YES

⁴ Use may be an allowed use or special use depending on size and other criteria. See specific use criteria.

The table above states that the proposed use is subject to the Specific Use Standards of Section 5.2.17. in the LDC below:

5.2.17. Child Care Centers, Family Care Homes, and Group Homes

The following standards apply, subject to the provisions and limitations of the County and State Department of Human Services and Department of Public Health and Environment.

(A) Separation Requirements. *No family care homes, child care centers, or group homes, excluding group homes for disabled persons, shall be located on an adjacent lot or parcel or within 500 linear feet along the same*

road from the lot or parcel boundary lines as another family care home, child care center, or applicable group home except for those facilities that: (1) qualify as a single-family dwelling and have an occupancy in the family care home, child care center, or group home of fewer than 6; or (2) where the family care home, child care center, or group home is located within a commercial zone district.

(B) Parking, Screening and Buffering. The facility shall comply with the parking standards of the Land Development Code. All commercial components, such as parking lots and playgrounds, shall be screened and buffered from neighboring residences and uses. For family care homes, child care centers, or group homes, excluding group homes for disabled persons, the County may request a transportation plan showing how the operators of the facility intend to meet the transportation needs of the residents of the facility. The sufficiency of the transportation plan may be considered by the County in reviewing an application but may not, by itself, constitute grounds for denying the application. See, C.R.S. § 30-28-115(2.5).

(C) Facility Allowances and Applicable Review Processes.

(1) A family care home, child care center, or group home shall be considered an allowed use or may require a special use permit depending on the specific facility type and number of residents/enrollment as shown in Table 5.3 when located within a forestry, agricultural, and residential zone district, and shall not be considered a second principal use when operated in conjunction with or within a residence on the property. Additional necessary persons required for the care and supervision of the permitted number of disabled persons are allowed.

(2) A family care home, or group home shall not include any person required to register as a sex offender pursuant to C.R.S. § 18-3-412.5, as amended, unless related by blood, marriage or adoption or in foster care.

(3) A family care home, child care center, or group home shall maintain compliance with any building codes, fire codes, and health codes based upon the occupancy classification and number of residents and necessary persons for care of the residents.

(4) Copies of any applicable current state or local certifications, licenses or permits for the group home shall be maintained on the premises.

(5) All existing family care homes, child care centers, and group homes shall meet these standards, except separation requirements at Section 5.2.16(A), by December 31, 2014, regardless of pre-existing circumstances, and no nonconforming rights are hereby established.

(D) Standards Applicable Only to Group Homes. The Colorado General Assembly has declared that state-licensed group homes for no more than 8 intellectually and developmentally disabled persons is a matter of

statewide concern and is a residential use of property for zoning purposes, specifically including single-family residential zoning. C.R.S. § 30-28-115(2)(a). The Colorado General Assembly has declared that state-licensed group homes for no more than 8 persons with mental illness is a matter of statewide concern and is a residential use of property for zoning purposes. C.R.S. § 30-28-115(2)(b.5). The following standards apply to group homes for disabled persons and state-licensed group homes for mentally ill or intellectually and developmentally disabled persons requesting special use approval to house 9 or more occupants/enrollees as a reasonable accommodation under federal law:

(1) Pursuant to the Fair Housing Amendments Act ("FHAA"), discrimination includes a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford disabled persons equal opportunity to use and enjoy a dwelling. 42 U.S.C. § 3604(f)(3)(B). Therefore, a reasonable accommodation is required whenever it may be necessary (or indispensable or essential) to achieving the objective of equal housing opportunities between those with disabilities and those without.

(2) Reasonable accommodation requests will follow the applicable special use process and procedures pursuant to the Group Home and Special Use sections of Chapter 5 of this Code, except that if the PCD Director elevates the application to a public hearing, that hearing shall be exclusively before the BOCC, and except that such requests will follow review criteria based on the FHAA for reasonable accommodations as follows rather than special use review criteria:

a) An accommodation request must be reasonable and necessary. A necessary accommodation is reasonable unless it requires a fundamental alteration in the nature of a program or imposes undue financial and administrative burdens on the County. For example, an applicant could show that the group home is one way of ameliorating the effects of disabled persons' disabilities and that the request to locate in a given location is reasonable. Whether a requested accommodation is reasonable requires balancing the needs of the parties involved.

b) In order to impose special restrictions on either a special use or a reasonable accommodation approval, the County must show either: (1) that the restriction benefits the protected class; or (2) that it responds to legitimate safety concerns raised by the individuals affected and is not based upon stereotypes.

Table 5-3. Use Table and Occupancy Limits for Family Care Home, Group Home and Child Care Facilities in Forestry, Agricultural, and Residential Zone Districts

Use Type ²	Allowed Use (Max. Occupancy/Enrollment)	Special Use (Occupancy/Enrollment)
Group Homes		
Persons with Mental Illness ²	8 ³	9 or more ³
Developmentally Disabled ²	8 ³	9 or more ³
Aged (Assisted Living Residence) ²	8 ³	9 or more ³
Group Home for Disabled Persons	8 ³	9 or more ³
Notes: ¹ Child care centers are allowed as an accessory use when operated in the same building as a religious institution. ² As defined by State law and rules and regulations. ³ Family members that reside within the group home but are not themselves disabled and are not required for the care or supervision of any disabled resident shall be counted toward the maximum occupancy/enrollment limits. The enrollment or occupancy numbers in this table do not include additional necessary persons required for the care and supervision of the enrollees or occupants. Enrollment or occupancy numbers may be affected by licensing or building code requirements.		

In addition to adhering to the Specific Use Standards outlined above and a potential Special Use Permit based on Table 5-3 above, a Site Plan must also be submitted to the Planning and Community Development Department for review to initiate the use of the property as a Group Home. All structures on the Site Plan must meet the Density and Dimensional Standards of the RR-5 zoning district as shown in Table 5-4 below.

Table 5-4. Density and Dimensional Standards for Agricultural, Residential and Special Purpose Districts

Zoning District	Maximum Density (DU/ac)	Minimum Lot Size		Minimum Setbacks Principal(Accessory) ^{14,3}			Maximum Lot Coverage	Maximum Height
		Area ¹	Width (at front setback line)	Front	Rear	Side		
RR-5		5 acres ²	200 ft	25 ft ³	25 ft ³	25 ft ³	25%	30 ft
¹ Specific uses may be subject to larger minimum lot area requirements.								
² In the event that the land to be partitioned, platted, sold or zoned abuts a section line County road, the minimum lot area for lots abutting the road shall be 4.75 acres and minimum lot width shall be 165 ft.								
³ Agricultural stands shall be setback a minimum of 35 feet from all property lines.								
¹⁴ If no separate setback is shown in parentheses for accessory structures, the principal structure setback applies to accessory structures.								

House Bill HB24-1007 prohibits residential occupancy limits. This bill prohibits local governments from enacting or enforcing residential occupancy limits based on familial relationships. Local governments may still limit residential occupancy based on “demonstrated health and safety standards,” such as the International Building Code, fire code, Colorado Department of Public Health & Environment wastewater and water quality standards, or affordable housing program guidelines. The bill applies to all Colorado municipalities regardless of population and all Colorado counties regardless of population and went into effect on July 1, 2024.

Senate Bill SB 24-048 includes several sections, with sections 6 and 7 impacting local county zoning and land use. The bill renames a sober living home or sober living facility (group home) as a recovery residence and provides direction on the number of occupants living in a group home or recovery residence. Current law establishes the requirements a facility must meet before operating as a recovery residence and charges the Behavioral health Administration in the State Department of Human Services with the enforcement of recovery residences operating unlawfully. This bill went into effect June 5, 2024. (See the attached memo from the Planning and Community Development Director to determine the impacts of the passing of these Bills on the land use requirements of the Land Development Code previously analyzed.)

Lastly, please reach out to Lacey Dean at 719-520-7943 or laceydean2@elpasoco.com if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lacey Dean", with a stylized, cursive script.

Lacey Dean, Associate Planner

El Paso County Planning and Community Development Department

Meggan Herington, AICP, Executive Director
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Board of County Commissioners
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Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

Date: October 21, 2024
To: Staff and Users of the El Paso County Land Development Code
From: Meggan Herington, AICP, Executive Director
Re: Interpretation of the Land Development Code related to Residential Occupancy Limits and the Occupancy of Group Homes

This memo is intended to clarify the interpretation of the El Paso County Land Development Code related to the following Sections:

- 1.15 - Definitions of Specific Terms and Phrases
- Chapter 5 - Use and Dimensional Standards, Table 5-1, Principal Uses
 - ⁴ Use may be an allowed use or special use depending on size and other criteria. See specific use criteria.
- 5.2.17 - Child Care Centers, Family Care Homes, and Group Homes
- Table 5-3 - Use Table and Occupancy Limits for Family Care Home, Group Home and Child Care Facilities in Forestry, Agricultural, and Residential Zone Districts

Two recent pieces of State legislation impact residential occupancy limits and occupancy of group homes as currently regulated within the El Paso County Land Development Code.

House Bill HB24-1007 prohibits residential occupancy limits. This bill prohibits local governments from enacting or enforcing residential occupancy limits based on familial relationships. Local governments may still limit residential occupancy based on “demonstrated health and safety standards,” such as the International Building Code, fire code, Colorado Department of Public Health & Environment wastewater and water quality standards, or affordable housing program guidelines. The bill applies to all Colorado municipalities regardless of population and all Colorado counties regardless of population and went into effect on July 1, 2024.

Senate Bill SB 24-048 includes several sections, with sections 6 and 7 impacting local county zoning and land use. The bill renames a sober living home or sober living facility (group home) as a recovery residence and provides direction on the number of occupants living in a group home or recovery residence. Current law establishes the requirements a facility must meet before operating as a recovery residence and charges the Behavioral health Administration in the State Department of Human Services with the enforcement of recovery residences operating unlawfully. This bill went into effect June 5, 2024.

Specific Sections of State Statute amended by this bill include:

SECTION 6. Amends Colorado Revised Statutes, § 27-80-129, paragraphs (1)(b)(l) introductory portion, (3), and (4) to, among other things, rename a sober living facility or sober living home as a recovery residence.

SECTION 7. In Colorado Revised Statutes, § 30-28-115, add (2)(b.7) as follows:
30-28-115. Public welfare to be promoted – legislative declaration - construction. (2) (b.7)

The General Assembly finds and declares that it is the policy of the State to encourage, promote, and assist persons who are in recovery from substance use and disorders to live in residential neighborhoods. Further, the General Assembly declares that the use of recovery residences, as defined in Section 27-80-129 (1)(B), by persons in recovery from substance use disorders is a matter of statewide concern and that recovery residences are a

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residential use of property for zoning purposes **and subject only to the regulations of like dwellings in the same zone** (emphasis added).

Therefore, the El Paso County Planning and Community Development Department can no longer enforce the following sections of the Land Development Code:

1.15 – Definitions of Specific Terms or Phrases

Family - An individual, or 2 or more persons related by blood, marriage, adoption, or as guardian and ward, or a group of not more than 5 persons, excluding servants, who are not so related, living together in a dwelling unit. A family shall not include more than 1 person required to register as a sex offender pursuant to Section 16-22-103, C.R.S., as amended, unless related by blood, marriage or adoption, or in foster care.

Impact: The Planning and Community Development Department will no longer apply the following portion of the definition of family:

related by blood, marriage, adoption, or as guardian and ward, or a group of not more than 5 persons, excluding servants, who are not so related,

This includes application to the definition of family as it relates to allowances for group homes.

Chapter 5 - Use and Dimensional Standards, Table 5-1, Principal Uses

- ⁴ Use may be an allowed use or special use depending on size and other criteria. See specific use criteria.

This table lists allowed and special uses in each of the zone districts. The use of “Group Home” is a listed use with notation number 4 as referenced above.

Impact: Group homes continue to be an allowed use in all agricultural and residential zone districts, but notation number 4 will no longer apply.

5.2.17 - Child Care Centers, Family Care Homes, and Group Homes

(A) Separation Requirements. No family care homes, child care centers, or group homes, excluding group homes for disabled persons, shall be located on an adjacent lot or parcel or within 500 linear feet along the same road from the lot or parcel boundary lines as another family care home, child care center, or applicable group home except for those facilities that: **(1) qualify as a single-family dwelling and have an occupancy in the family care home, child care center, or group home of fewer than 6;** or (2) where the family care home, child care center, or group home is located within a commercial zone district.

Impact: There is no longer an enforceable separation in agricultural or residential zone districts for family care homes, or group homes where 24-hour care or permanent living is part of the function.

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Table 5-3 - Use Table and Occupancy Limits for Family Care Home, Group Home and Child Care Facilities in Forestry, Agricultural, and Residential Zone Districts

Use Type	Allowed Use (Max. Occupancy/Enrollment)	Special Use (Occupancy/Enrollment)
Family Care Home		
Family Foster ²	8	NA
Day Care Home ²	12	NA
Adult Day Care	8	9-12
Specialized Group Facility ²	8	9-12
Child Care Center¹		
Large Day Care Center ²	NA	13 or more
Small Day Care Center ²	NA	12 or fewer
Nursery ²	NA	As Limited by State
Day Camp ²	NA	As Limited by State
Center for Developmentally Disabled ²	8	9 or more
Crisis Center ²	8	9 or more
Residential Camp ²	NA	5 or more
Trip Camp ²	NA	5 or more
Day Treatment Center ²	8	9 or more
Residential Child Care Facility ²	8	9 or more
Group Homes		
Persons with Mental Illness ²	8 ³	9 or more ³
Developmentally Disabled ²	8 ³	9 or more ³
Aged (Assisted Living Residence) ²	8 ³	9 or more ³
Group Home for Disabled Persons	8 ³	9 or more ³
Notes: ¹ <u>Child care</u> centers are allowed as an accessory use when operated in the same building as a religious institution. ² As defined by State law and rules and regulations. ³ Family members that reside within the group home but are not themselves disabled and are not required for the care or supervision of any disabled resident shall be counted toward the maximum occupancy/enrollment limits. The enrollment or occupancy numbers in this table do not include additional necessary persons required for the care and supervision of the enrollees or occupants. Enrollment or occupancy numbers may be affected by licensing or building code requirements.		

This table lists allowed and special uses is each of the zone districts specifically based on occupancy limits.

Impact: The current Land Development Code establishes the number of residents for group homes and establishes a threshold for when a Special Use approval is required. Until the Code update is complete in 2026, staff will not apply the Special Use requirement nor the maximum occupancy limit for uses that allow 24-hour care and any use listed that is a permanent living arrangement.

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OTHER CODES AND REGULATIONS THAT ARE APPLICABLE

While not falling under County zoning authority, occupancy limits may still be applied by other means. For example, recovery residences that require certification through Colorado Department of Health and Environment's (CDPHE) Behavioral Health Administration are inspected and reviewed by the Colorado Association for Recovery Residences (CARR) to ensure premises, place, facility or building meets minimum standards established by the National Alliance for Recovery Residences (NARR). Links to these resources are listed below. El Paso County expects all recovery residences to follow State required certification procedures and requirements.

- The certifying body is the Colorado Association for Recovery Residences ("CARR"). <https://carrcolorado.org/>.
- CARR ensures premises, place, facility, or building meets minimum standards applying minimum standards established by the National Alliance for Recovery Residences (NARR) <https://narronline.org/>.
- NARR standards are located here: <https://narronline.org/wp-content/uploads/2024/05/NARR-Standard-3.0.pdf>.

The Pikes Peak Regional Building Department (PPRBD) is responsible for enforcement of building codes within the City of Colorado Springs, Unincorporated El Paso County, Fountain, Monument, Manitou, Palmer Lake, Green Mountain Falls, and Woodland Park. PPRBD does not have jurisdiction on state or federal owned property. These jurisdictions have adopted the Pikes Peak Regional Building Code (PPRBC) which adopts the International family of codes by reference.

The International Building Code (IBC) requires all building or tenant spaces be assigned an "occupancy classification" based upon the use(s) of the space. The IBC uses this occupancy classification to address requirements specific to the intended use. If the new use falls within a different occupancy classification, the building or tenant space will require a new Certificate of Occupancy. It is highly suggested that a licensed design professional (Architect or Engineer) familiar with building codes be consulted. The process of changing the occupancy classification of an existing building is not always a difficult process but can be very frustrating when it is not anticipated.

HOW TO FILE A COMPLAINT RELATED TO A RESIDENTIAL RECOVERY RESIDENCE

State Legislation approved in 2024 prevents El Paso County from enforcing rules related to occupancy and function of the residence. In filing a grievance related to a recovery facility within a neighborhood, we encourage you to reach out to your State representative. The link below is to the State website application that allows you to find state Senator and Representative in the Colorado State Legislature. To use the search, enter your address information in the search bar located on the left side of the screen and click the search button. You may also click anywhere on the map to bring up legislative member information for that area, including contact information.

<https://leg.colorado.gov/FindMyLegislator>

Complaints related to occupancy and function of the recovery residences should be sent to Colorado Agency for Recovery Residences (CARR.) It is the policy of the CARR to ensure Certified Residences and stakeholder grievances are handled respectfully, appropriately, and professionally. The Formal Grievance Procedure should be used to resolve interpersonal conflict between individuals and to report issues with existing CARR policy that a Certified Residence believes should be examined prior to the next scheduled annual policy review meeting. The Formal Grievance Procedure should not be used for retribution or personal/agency gain. The Formal Grievance Procedure includes but is not limited to the investigation, validation, and recommendation of the Ethics Committee as to the standing of the Certified Residence and sanctions and/or disqualification of their certification to the CARR Board, when necessary.

<https://carrcolorado.org/file-a-grievance/>