



TO: Land Use, Transportation, & Infrastructure Committee of the Denver City Council
FROM: Libbie Adams, AICP, Associate City Planner
DATE: June 20, 2019
RE: Denver Revised Municipal Code — Partial Rezoning for Former Chapter 59
Planned Unit Developments

Staff Report and Recommendation

Based on the review criteria for text amendments stated in the Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends the committee move the bill forward for consideration by full City Council. A redline of the proposed amendment is available on the Community Planning & Development (CPD) website at www.denvergov.org/textamendments and is also included as a supplement to this staff report. The proposed text amendment to the Denver Revised Municipal Code is sponsored by CPD.

Based on the review criteria for text amendments stated in the Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends the committee move the bill regarding the Partial Rezoning for Former Chapter 59 Planned Unit Developments (PUDs) Text Amendment to the Denver Revised Municipal Code forward for consideration by full City Council.

I. Summary and Purpose

The proposed Partial Rezoning for Former Chapter 59 Planned Unit Developments amendment will simplify the requirements for who can submit an application to rezone a Former Chapter 59 PUD to a DZC zone district. Currently, it is not permissible to apply to rezone a portion of a Former Chapter 59 PUD to a DZC district unless the PUD was adopted on or before June 1, 2002, and its terms explicitly state that it may be amended by a metes and bounds parcel, subarea, or platted lot (Former Chapter 59 Section 59-516(b)). Most Former Chapter 59 PUDs do not have such a statement allowing partial rezonings. When a PUD does not include such a statement, the rezoning (including a PUD amendment) must include the entire land area of the PUD and consent, in the form of signatures on an application, from all property owners in such PUD (Former Chapter 59 Section 59-515(a)) (see Figure I.1).

This proposed amendment, if approved, would allow a partial rezoning of a Former Chapter 59 PUD if the application would rezone the area to the DZC (see Figure 1.2). It would require consent from only those property owners within the portion being rezoned to a district in the DZC to apply. The rezoning review process including public hearings, notification requirements and review criteria would follow the official map amendment process described in the Denver Zoning Code, Section 12.4.10.

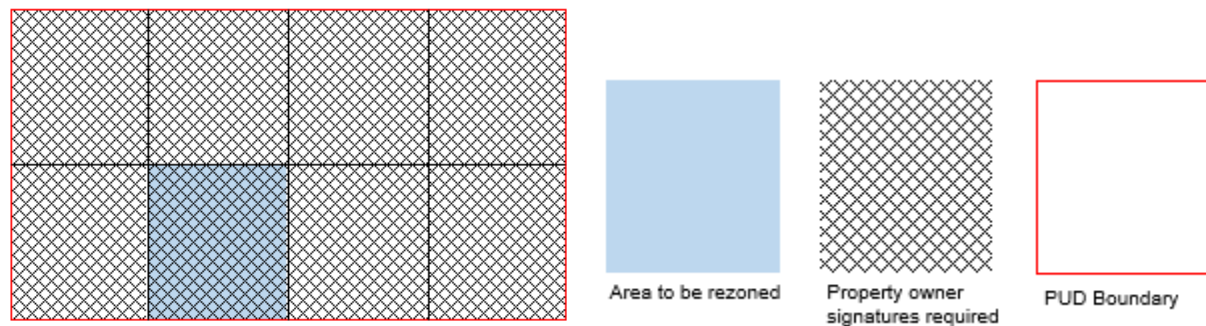


Figure I.1 Illustration of Existing Requirement



Figure I.2 Illustration of Proposed Requirement

II. Criteria for Review and CPD Analysis

Although the proposed amendment does not amend the DZC, CPD analyzed the proposed text amendment for compliance with the review criteria for a text amendment found in Section 12.4.11.4 of the DZC, and finds the proposed text amendment satisfies each of the criteria. The DZC review criteria are based on legal criteria in Denver’s Charter for zoning amendments.

A. Text Amendment is Consistent with Adopted Plans

The Text Amendment is consistent with the following City adopted plans:

Denver Comprehensive Plan 2040:

Equitable, Affordable and Inclusive

- Goal 1, Strategy D: “Improve equitable access to city resources and city meetings through proactive and transparent communications, easy-to-access information and materials available in more than one language” (p. 28).
- Goal 6, Strategy A: “Adopt strategies to ensure that city plans and processes... incorporate equity” (p. 30).

Environmentally Resilient

- Goal 8, Strategy A: “Promote infill development where infrastructure and services are already in place” (p. 54).

The Partial Rezoning for Former Chapter 59 Planned Unit Developments Text Amendment is consistent with the Comprehensive Plan as the proposed amendment language promotes equal access for property owners with Former Chapter 59 zoning to apply for a rezoning into the Denver Zoning Code. The text amendment will promote infill development by eliminating a barrier that inhibits the development of Former Chapter 59 PUD properties. This is especially true of the many Former Chapter 59 PUDs that were designed for a specific project that never was developed, where the old zoning precludes any other development.

Blueprint Denver (2019):

Blueprint Denver recommends rezoning all properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, “including continuing to incentivize owners to come out of the old code” (p. 73). This proposed text amendment will encourage owners to rezone from the Former Chapter 59 code to the Denver Zoning Code by simplifying the requirements to apply to rezone a property in a Former Chapter 59 PUD.

B. Text Amendment Furthers Public Health, Safety, and General Welfare

This text amendment furthers the general public health, safety, and welfare of Denver residents, land owners and businesses by providing an equal opportunity for all property owners with Former Chapter 59 zoning to apply to rezone to a DZC district. The requirement for consent from all property owners within a Former Chapter 59 PUD to apply for a rezoning does not exist for other Former Chapter 59 districts, those with waivers and conditions and site specific development plans such as Planned Building Groups. The requirement for consent from all property owners within a zone district also does not apply to any other zone district. Additionally, under the proposed amendment, properties would be subject to the rezoning process in the DZC, which includes more frequent and more extensive notification requirements to property owners and Registered Neighborhood Organizations than the process in the Former Chapter 59 Code. Further, such rezonings would be subject to the review criteria of the DZC, which can include consideration of community need and consistency with the neighborhood context among others, which are not rezoning review criteria in the Former Chapter 59 Code.

C. Text Amendment Results in Regulations that are Uniform within Each Zone District

The application requirements to partially rezone a former chapter 59 PUD to a DZC district are uniform throughout Denver. Moreover, the proposed text amendment will result in uniform application requirements for all properties in the Former Chapter 59 Zoning Code proposing to rezone to a DZC district.

III. Public Outreach and Comments

Below is a summary of the public outreach for this amendment:

<i>January 7, 2019:</i>	Summary and redline draft of text amendments posted to website for public review and email notice sent to all Registered Neighborhood Organizations (RNOs) and City Councilmembers.
<i>January 17, 2019:</i>	Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers of scheduled Planning Board public hearing, with link to updated summary and summary of all items.
<i>January 23, 2019:</i>	Televised Planning Board Informational Item.
<i>January 26, 2019:</i>	CPD attends Inter-Neighborhood Cooperation (INC) Zoning and Planning Committee for briefing on Partial Former Chapter 59 PUD rezonings.
<i>January 30, 2019:</i>	Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers of the postponed Planning Board hearing to allow additional opportunity for community input.
<i>February 20, 2019:</i>	CPD attends Montebello Neighborhood Improvement Association meeting for briefing on Partial Former Chapter 59 PUD rezonings.
<i>May 21, 2019:</i>	Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers of scheduled Planning Board public hearing, with link to updated summary and summary of all items.
<i>May 28, 2019:</i>	Planning Board staff report and updated redline draft posted to website.
<i>June 5, 2019:</i>	Planning Board voted 10 to 0 at the public hearing to recommend approval to City Council with the following conditions: 1. The Planning Board Review Draft be edited for clarity, correctness, illustrative graphics, section references, and other non-substantive matters as well as any other changes to the Planning Board Review Draft made necessary by such edits. 2. DRMC Sections 59-2(b) and & (j) be revised if the proposed changes to DRMC Sec. 59-2 contemplated by the Large Development Review text amendment are not approved by city council.
<i>June 25, 2019:</i>	Land Use, Transportation, and Infrastructure Committee (LUTI) of the Denver City Council Meeting.

As of the date of this staff report, CPD has received three public comment emails and a motion from the Inter-Neighborhood Cooperation related to this Text Amendment.

- One comment and the motion were in opposition to this amendment because it would facilitate piecemeal rezoning of Former Chapter 59 PUD properties into the Denver Zoning Code.
- One comment from the Country Club Historic Neighborhood Registered Neighborhood Organization in opposition because it could eliminate any agreements between the neighborhood and developer.
- One comment from a private citizen in support of the amendment.

ATTACHMENTS

- A. Redlined Draft of Proposed Denver Revised Municipal Code Partial Rezoning of Former Chapter 59 Planned Unit Developments
- B. Public Comment Received to Date



Denver Revised Municipal Code Text Amendment
PARTIAL REZONING FOR FORMER CHAPTER 59 PLANNED UNIT DEVELOPMENTS
TEXT AMENDMENT
LUTI REVIEW REDLINE DRAFT - 6/20/19

This document contains the redlined draft of a proposed text amendment to simplify the requirement for who can submit an application to rezone a portion of a Former Chapter 59 PUD to a zone district in the Denver Zoning Code by requiring the consent of only those property owners within the portion being rezoned.

Redline Document Conventions

- Text in red underline is proposed new language.
- Text in ~~red strikethrough~~ is proposed deleted language.
- Text in ~~blue strikethrough~~ is being moved from one section/location to another.
- Text in blue, no strikethrough, has been moved from another section/location.

Visit www.denvergov.org/textamendments to learn more about this proposed text amendment. Please send any questions or comments to Libbie Adams, Associate City Planner (libbie.adams@denvergov.org).

WRITTEN COMMENTS WILL BE DISPERSED AS FOLLOWS:

Written comments received by 5 p.m. 9 days prior to the Planning Board Public Hearing will be attached to the staff report that is provided to the Board. Written comments received after that time and prior to 12 p.m. (noon) on the day before the Hearing will be emailed regularly to the Board; hard copies of these comments also will be distributed to the Board at the Hearing. Written comments received after 12 p.m. (noon) on the day before the Hearing will not be distributed to the Board; to ensure these comments are considered by the Board, please submit them to the Board during the Hearing.

ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT AT THE PLANNING BOARD HEARING AND AT THE PUBLIC HEARING BEFORE CITY COUNCIL.

DRMC TEXT AMENDMENT FOR PARTIAL FC59 PUD REZONINGS
LUTI REVIEW DRAFT – JUNE 20, 2019

Chapter 59 - ZONING^{[11](#)}

Sec. 59-1. - Zoning code.

The zoning code as filed with the Denver City Clerk on 16th day of April 2018, at City Clerk Filing No. 2010-0512-T is hereby adopted as the official zoning code for the City and County of Denver ("Denver Zoning Code"). The Denver Zoning Code and all amendments thereto shall be maintained in and kept current by the department of community planning and development and shall be available to the public.

(Ord. No. 333-10, eff. 6-25-10; Ord. No. 113-14, eff. 4-7-14; Ord. No. 298-15, § 1, 6-29-15; Ord. No. 311-17, § 1, eff. 5-5-17; Ord. No 323-18, § 1, 5-21-18)

Sec. 59-2. - Former chapter 59.

- (a) Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk on 20th day of May 2010, at City Clerk Filing No. 10-512, ("Former Chapter 59"), shall remain in full force and effect for any land not rezoned to zone districts in the Denver Zoning Code. No changes shall be enacted to the provisions of the former chapter 59 after June 25, 2010.
- (b) For lands retaining their zoning designation under the former chapter 59, including land zoned planned unit development (PUD), land zoned with waivers and conditions and land subject to a planned building group site plan, all provisions of the former chapter 59, including procedures, shall apply, except as explicitly stated in Sections 59-2-(j) and 59-3-(b) below.
- (c) For purposes of applying the limitations on bulk planes and building heights in section 59-96 of the former chapter 59, the "protected districts" identified therein shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.
- (d) For purposes of applying the "L1" limitation on "eating place" primary uses applicable in the R-4-X, B-2, B-3, B-A-2, B-A-4, CCN, I-0, I-1, and I-2 zone districts in former chapter 59, the residential districts identified in the L1 limitation shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.
- (e) For purposes of applying the "exception to use enclosure requirement" for mixed use zone districts (C-MU, R-MU, and T-MU zones) in section 59-302(4)b.1, and 2 of the former chapter 59, the residential districts identified therein shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.
- (f) For purposes of applying the restrictions on the siting of outdoor animal runs within twenty (20) feet of a habitable residential structure stated in section 59-2(16) of the former chapter 59, the residential zone districts identified therein shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.
- (g) For purposes of applying the five-foot side setback for structures that are not single-unit or two-unit dwellings, and which have ground floor commercial or which are four (4) or more stories in height, as required in the mixed use zoning districts in section 59-312(3) of the former chapter 59, the residential zone districts identified therein shall also include all SU and TU zone districts as established on the official zoning map under the Denver Zoning Code.
- (h) For purposes of applying various zoning protections to residentially zoned properties, the terms "residential district(s)," "residential zone district(s)," "residential zone(s)," "residentially zoned lot," and "residentially zoned zone lot" used throughout former chapter 59 shall also include the zone districts defined as a "residential zone district or residential district" in section 13-3 of the Denver Zoning Code.
- (i) Gardens shall be allowed as an accessory use common, customary and incidental to a primary residential use, and shall comply with all limitations generally applicable to accessory uses stated in former chapter 59, sections 59-87 and 59-88. In addition, marijuana grown as part of a garden

DRMC TEXT AMENDMENT FOR PARTIAL FC59 PUD REZONINGS
LUTI REVIEW DRAFT – JUNE 20, 2019

accessory to a primary residential use shall comply with all applicable limitations found in the Denver Zoning Code, including, but not limited to, section 11.8 (Uses accessory to primary residential uses—Limitations).

- (j) Any portion of a General Development Plan approved under former chapter 59 may be repealed in accordance with Section 12.4.12 of the Denver Zoning Code.

(Ord. No. 333-10, eff. 6-25-10; Ord. No. 22-14, § 1, 1-13-14; Ord. No. 493-14, § 1, 9-15-14)

Sec. 59-3. - Rezoning.

- (a) Any land rezoned after June 25, 2010, shall not be rezoned to zone districts in the former chapter 59, except that:
- (1) Land retaining PUD zoning under the former chapter 59 may be rezoned to new PUD under the former chapter 59;
 - (2) Land retaining a zoning designation with waivers and conditions under the former chapter 59 may be rezoned under the former chapter 59, but only to the extent that the waivers and/or conditions may be eliminated or modified. The underlying zone district may not be changed to another zone district under the former chapter 59.
- (b) An application to rezone only a portion of land in a PUD zone district under the former chapter 59 to a zone district in the Denver Zoning Code need only be filed and signed by all owners or authorized representatives of the owners of the property within the subarea(s), platted lot(s), or metes and bounds parcel(s) of land proposed to be rezoned, and does not require all owners or authorized agents of the owners of property within the entirety of the land retaining such PUD zoning under the former chapter 59 to file and sign the application. The executive director of community planning & development, city council, or any individual member of the city council may also initiate an application under this subsection (b) so long as the proposed zone district is not a PUD district or a zone district with waivers and/or conditions. Any application submitted under this subsection (b) must utilize the procedures in the Denver Zoning Code.
- (c) Except as explicitly stated in [subsections] 59-3(a) and (b), any land that remains zoned to zone districts in the former chapter 59 after June 25, 2010, if rezoned after June 25, 2010, may only be rezoned to zone districts in the Denver Zoning Code utilizing the procedures of the Denver Zoning Code.

(Ord. No. 333-10, eff. 6-25-10)

Sec. 59-4. - Official map.

- (a) The digital maps created and maintained by the department of community planning and development and published by Technology Services' Geographic Information Systems Office delineating the boundaries of the various zone districts, together with all matters and things shown on such maps, are hereby adopted and approved, incorporated herein and made a part hereof and collectively shall constitute the official zoning map of the City and County of Denver ("official map"). The official map may be amended from time to time as provided in the Denver City Charter and the former chapter 59 or the Denver Zoning Code, as applicable. All amendments to the official map shall be maintained in and kept current by the department of community planning and development and made available to the public.
- (b) All land located within the City and County of Denver shown on the official map as being zoned to a zone district in the Denver Zoning Code is hereby rezoned as designated on the official map. All land within the City and County of Denver not being rezoned to a zone district in the Denver Zoning Code

From: [Christine O'Connor](#)
To: [Adams, Libbie - CPD CE0371 City Planner Associate](#)
Subject: Re: [EXTERNAL] Text Amendment -- Chapter 59 Planned Unit Developments
Date: Tuesday, January 22, 2019 10:04:06 AM

Thank you Libbie.

I don't know how to proceed on this because it is really a big picture issue about how rezoning is facilitated piecemeal rather than through the planning process. And it seems designed to benefit PUD owner/developers by allowing them a way around the existing PUD application process. I have a feeling there are specific instances driving this.

I meant to reply last week, but I cannot meet with Kyle Dalton on the 23rd. Is he going to be the Planner presenting at INC ZAP on Saturday?

Thanks,
Christine

303 906-6627

> On Jan 18, 2019, at 7:56 AM, Adams, Libbie - CPD CE0371 City Planner Associate

<Libbie.Adams@denvergov.org> wrote:

>

> Hi Christine,

>

> Here are some maps that may help with searching for property owner information. You may need to use the map I sent you and cross reference it the Real Property map to find specific information on each property. Here is the link where you can find additional maps: <https://www.denvergov.org/maps>.

>

> Let me know if you have any further questions.

>

> Thanks,

>

> Libbie

>

> -----Original Message-----

> From: Christine O'Connor [mailto:mitz_4@mac.com]

> Sent: Thursday, January 17, 2019 6:03 PM

> To: Adams, Libbie - CPD CE0371 City Planner Associate <Libbie.Adams@denvergov.org>

> Subject: Re: [EXTERNAL] Text Amendment -- Chapter 59 Planned Unit Developments

>

> Thank you Libbie. Nice map but because it is a png I can't figure out how to expand or get information on the red areas (the way you can click on Zoning Map).

>

> Can you tell me how to obtain the information on accessing information on each one of these PUDs? And PBGs? I know INC requested that in its 2014 Platform but I don't know how to access it. I would like to look up ownership information on each PUD. Isn't City staff able to click on these PUDs and obtain information about each one?

>

> Thank you again!

> Christine

>

>> On Jan 16, 2019, at 3:12 PM, Adams, Libbie - CPD CE0371 City Planner Associate

<Libbie.Adams@denvergov.org> wrote:

>>

>> Hi Christine,

>>

>> I received the map from a member of our GIS team. This map shows all of the former chapter 59 PUDs, which

would be subject to the new proposed regulations.

>>

>> Hope you're having a great day so far.

>>

>> Sincerely,

>>

>> Libbie Adams

>>

>> -----Original Message-----

>> From: Christine O'Connor [mailto:mitz_4@mac.com]

>> Sent: Tuesday, January 15, 2019 3:36 PM

>> To: Adams, Libbie - CPD CE0371 City Planner Associate <Libbie.Adams@denvergov.org>

>> Subject: [EXTERNAL] Text Amendment -- Chapter 59 Planned Unit Developments

>>

>> Libbie,

>>

>> Thank you for calling me back yesterday. I have some follow up requests:

>>

>> 1) Please link me to a map that shows all PUDs in Denver so that I can see where they are located.

>>

>> 2) Please give me the owner name and address of the specific PUD at issue in Montbello that led to CPD initiating this text amendment

>>

>> 3) Please let me know if CPD has addressed this with Montbello RNOs and the City Council member (Herndon I believe?)

>>

>> 4) Please list all the other community members and stakeholders with whom this issue was discussed prior to creating a text amendment? Who was it discussed with in INC? Was it presented at INC's Zoning & Planning Subcommittee and, if so, on what date?

>>

>> As I mentioned on the phone, in my opinion, rezoning through text amendment is a poor substitute for completing the promised legislative rezoning of neighborhoods removed from the legislative rezoning process in 2009.

>>

>> I would like to arrange a meeting with you and whoever else from CPD was involved in creating this draft. I would like to do it ASAP as the Jan. 23 briefing before Planning Board is coming up fast. If possible, I would like to have some other community members involved as well.

>>

>> Thank you,

>> Christine O'Connor

>> 303 906-6627

>> <Former_CH59_PUDs_Jan2019.png>

>



The following motion was passed at the Inter-Neighborhood Delegate Meeting held February 9, 2019

Denver Revised Municipal Code Amendment (DRMC) for partial rezoning of former chapter 59 Planned Unit Developments

Purpose of Text Amendment:

Revises the DRMC to change who may submit an application to partially rezone a Former Chapter (FC) 59 Planned Unit Development (PUD) to a district in the Denver Zoning Code (DZC)

Existing Requirement:

Consent from 100% property owners within the entire PUD, including portion not being rezoned (unless PUD expressly states otherwise)

Proposed Requirement:

Consent from only those property owners within the portion being rezoned to a district in the DZC.

MOTION PASSED

The Zoning and Planning Committee recommends that INC oppose the Text Amendment to the Denver Revised Municipal Charter regarding the partial rezoning of Planned Unit Developments in the Former Chapter 59 zoning code (before 2010) to the current Denver Zoning Code.

George Mayl, President INC

Denver INC
P.O. Box 300684
Denver, CO 80218
president@denverinc.org

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to rezoning@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2974.

Application Number	Partial Rezoning for Former Chapter 59 PUDs
Location	Denver
Registered Neighborhood Organization Name	Country Club Historic Neighborhood
Registered Contact Name	Diane Woodworth-Jordan
Contact Address	191 University Blvd, #514, Denver CO 80206
Contact E-Mail Address	dianewoodworth_jordan@hotmail.com
Date Submitted	06/04/19

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization was held on June 3, 2019, with 7 Exec Committ members in attendance.

With a total of 7 Exec Committee members voting,

0 voted to support (or to not oppose) the application;

7 voted to oppose the application; and

0 voted to abstain on the issue.

It is therefore resolved, with a total of 7 members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

oppose Application # Rezoning for Chapter 59 PU.

Comments:	The Country Club Neighborhood Organization (CCHN) is opposed to the proposed text amendment in the Partial Rezoning for Former Chapter 59 Planned Urban Development because we believe that allowing PUD parcels to be modified within subareas for revised zoning undermines the intent with which these properties were originally zoned. PUD agreements were negotiated in good faith as an entirety for the developments within or adjacent to our community and this proposed text eliminates these good faith agreements.
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Rezoning Applications may be viewed and/or downloaded for review at:
www.denvergov.org/Rezoning

From: [Barbara Metzger](#)
To: [Adams, Libbie - CPD City Planner Associate](#); [Joel Noble](#); [Frank Schultz](#); [John Tredennick](#); [Horn, Melissa A. - CC Senior City Council Aide](#)
Subject: [EXTERNAL] Unable to attend Plg Bd today - surprised to read INC is against this text amendment
Date: Wednesday, June 5, 2019 9:43:19 AM

Good morning,

Apologies for the challenged "copy and paste".

This text amendment is one of those situations where a citizen assumes the common sense decision will be supported and takes no action. I did not send in a letter of support and did not contact my RNO, Cherry Creek East Association, to request this text amendment notification be a board meeting agenda item with a vote in support.

This morning, I checked to see if the PUD Text Amendment was still on today's agenda, and then read the comments from the email from Christine O'Connor and the follow up letter from INC. I then found the minutes from the INC Zoning Committee, below, and still could find no relevant/specific arguments for their position against the text amendment. Honestly, I was shocked to read of their non-support.

Bob and I are residents of 242 South Monroe, a duplex, one of eight (8) parcels (four (4) duplexes) in PUD 467. The developer, Fay Palmer, did not create an HOA with construction completion in 2000/2001, and consequently, there has been no accountability to city/good maintenance guidelines for owners within the PUD. We purchased our property in 2004. The easy argument is to suggest we create an HOA. Four of the eight parcels are presently owned as rental property. Getting buy in on an HOA from owners who make the choice not to shovel snow, cut their lawns (private and ROW) nor maintain the property would be daunting. Getting buy in from the six other owners to re-zone the PUD would be just as daunting. This text amendment would allow us and our common wall owner to support the existing zoning of G-RH-3 and eliminate inclusion in an outdated and non-functioning zoning district.

The City's recommendations are based on what Denver citizens through City Council have approved as equitable and inclusive plans to better allow for all property owners to access the same zoning/re-zoning opportunities.

I will be viewing today's Live broadcast on Channel 8 this afternoon, and as I understand the Comment section at denvergov.org, will be able to submit a response to LUTI and City Council based on today's meeting.

Thanks for reading and reviewing this.

Sincerely,

Barbara H Metzger
242 S Monroe
720.278.3546

INC ZONING AND PLANNING COMMITTEE MINUTES – JANUARY 26, 2019

February 22, 2019



Committee Co-Chairs Charles Nadler and Ean Tafoya convened the meeting. The following items were discussed.

1. Libbie Adams and Kyle Dalton of the Community Planning and Development Department presented to the committee a **proposed text amendment to the Zoning Code regarding who may apply to re-zone a portion of an existing Planned Unit Development**. They anticipate that the final hearing before City Council will be on April 8. Currently, all property-owners within a PUD must apply to rezone any portion of a PUD. The proposal is to require consent from only those property-owners within the portion being rezoned. Some committee members felt that the new process would disenfranchise the other

property owners inside a PUD. Currently, there are approximately 500 PUDs in the city. Since 2010 the city has been trying to reduce and/or simplify PUDs, many of which are outdated. Many are very large, such as near the airport and Green Valley Ranch. Those with questions may contact Libbie.Adams@denvergov.org. A motion was made and seconded that the committee should recommend to the INC Delegation that INC should oppose the text amendment and that more outreach to registered neighborhood organizations was needed. The motion passed by a vote of 24 in favor, 0 opposed and 3 abstentions (including Joel Noble, who is a member of the Planning Board).