



**TO:** Denver City Council  
**FROM:** Steve Nalley, Senior City Planner  
**DATE:** July 6, 2015  
**RE:** Denver Zoning Code – Map Amendment for rezoning from U-TU-B; U-TU-B2; U-RH-2.5 to U-TU-B, DO-4; U-TU-B2, DO-4; U-RH-2.5, DO-4. (Case# 2015I-00060)

**I. CPD Recommendation**

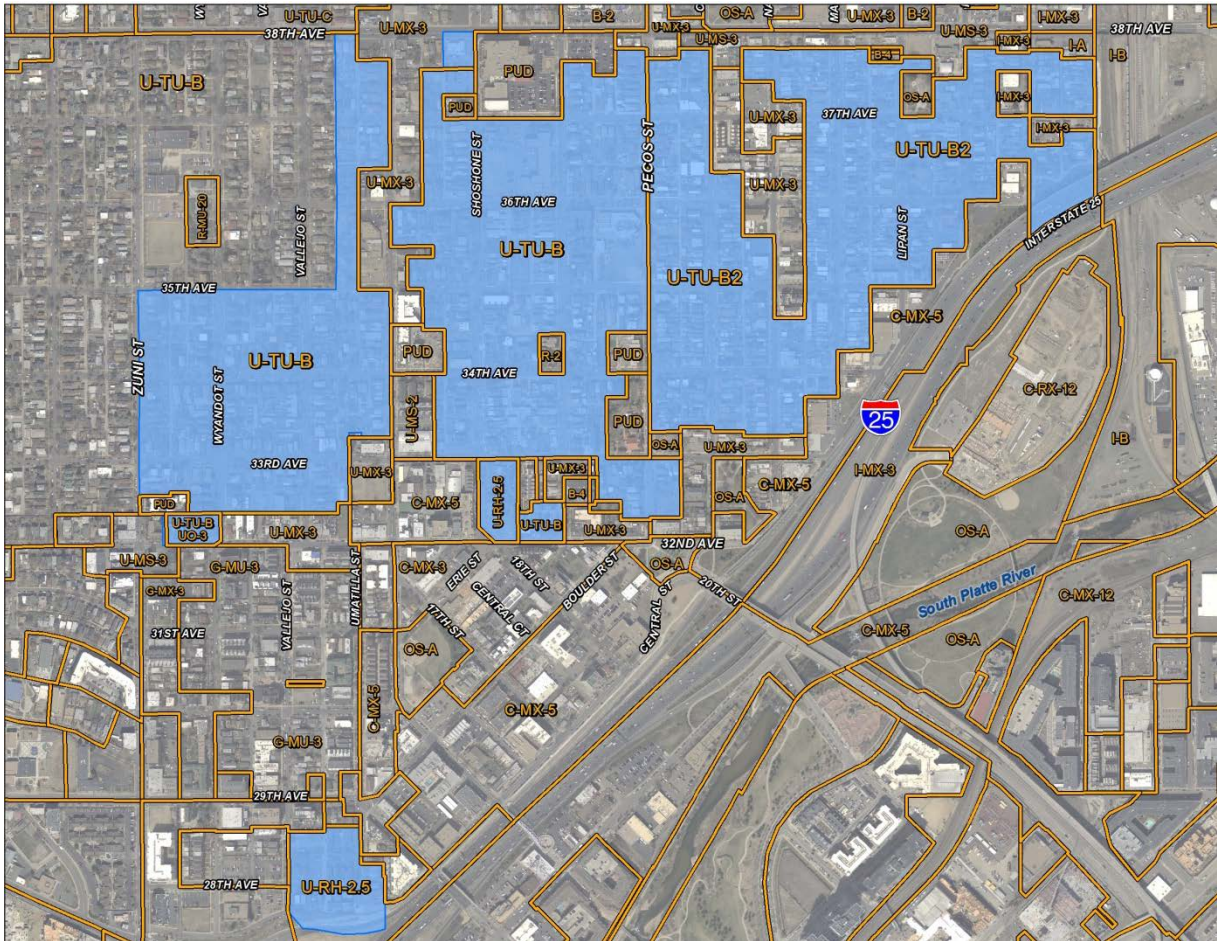
Based on the review criteria for a map amendment stated in the Denver Zoning Code (DZC), Section 12.4.10 (Map Amendment), CPD staff recommends that City Council approve the Side Interior Setback Design Overlay, DO-4 Denver Zoning Code Map Amendment for rezoning from U-TU-B; U-TU-B2; U-RH-2.5 to the proposed U-TU-B, DO-4; U-TU-B2, DO-4; U-RH-2.5, DO-4 within the Highland Neighborhood. The text of the DO-4 is subject to change until the final approval by City Council (see staff report case number 2015I-00070).

**II. Summary and Purpose**

The Highland Neighborhood generally developed in the late 1800’s and has a dense residential development pattern with narrow setbacks. Councilwoman Judy Montero initiated this Map Amendment to map the proposed DO-4 overlay district by rezoning from U-TU-B; U-TU-B2; U-RH-2.5 to the proposed U-TU-B, DO-4; U-TU-B2, DO-4; U-RH-2.5, DO-4 within the Highland Neighborhood to better align the zoning standards with the unique narrow setback design feature that exists in the neighborhood. If City Council approves this map amendment, the DO-4 overlay district will ensure that development within the Highland Neighborhood where DO-4 applies will be consistent with the late 1800’s building form pattern. These standards will implement the Highland Neighborhood Plan (1986), Comprehensive Plan 2000, and Blueprint Denver (2002), promote the public health, safety and welfare, provide uniform standards for conservation of the distinctive features, identity and character of the Highland Neighborhood. (see the map below)

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**Map of the proposed map amendment - (shaded in blue)**



### III. Public Process

Below is a summary of the public process for this amendment.

|                          |   |
|--------------------------|---|
| <b>October 2013</b>      | Highland United Neighbors, Inc (HUNI) submitted an initial proposal to CPD. The proposal contained problem statements, photos, graphics, maps, and proposed overlay language. |
| <b>2013-2015</b>         | Additional discussions took place with HUNI, CPD and Judy Montero’s office.   |
| <b>November 11, 2014</b> | HUNI hosted a public meeting in the Highland neighborhood to present and seek input on zoning overlays.   |
| <b>December 11, 2014</b> | HUNI hosted a follow-up public meeting in the Highland neighborhood to seek additional input on zoning overlays.  |
| <b>January 9, 2015</b>   | Denver City Councilwoman Judy Montero initiated the proposed amendment.   |
| <b>January -March</b>    | CPD drafted proposed overlay language.  |
| <b>February 10, 2015</b> | CPD attended the HUNI PCD meeting to discuss the amendment.   |

- February 28, 2015** CPD presented a summary of the amendment to Inter-Neighborhood Cooperation Zoning and Planning committee.
- March 30, 2015** Draft of the amendment posted to CPD website for public and City agency review; email notice was sent to all Registered Neighborhood Organizations (RNOs) noticing the scheduled Planning Board public hearing, with link to updated draft and summary.
- April 14, 2015** CPD attended the HUNI PCD meeting to discuss comments on the amendment.
- April 14, 2015** Public Notification sent for April 29, 2015 Planning Board public hearing. Notice emailed to all RNOs and signs were posted throughout subject amendment area.
- April 29, 2015** Planning Board public hearing Planning Board unanimously recommended approval of this map amendment.
- May 13, 2015** Neighborhoods and Planning Committee
- June 1, 2015** City Council First Reading
- June 8, 2015** City Council amended bill for proposed text amendment and postponed public hearing on proposed text amendment until July 6, 2015.
- July 6, 2015** City Council Public Hearing

## IV. Existing Context

The area to be rezoned contains multiple properties located throughout the Highland neighborhood. The area to be rezoned is composed of primarily residential land use, including single family, two unit and multifamily dwellings. The rezoning area is currently zoned U-TU-B, U-TU-B2, and U-RH-2.5.

|              | Existing Zoning  | Existing Land Use                                       | Blueprint Denver  |
|--------------|--|---|---|
| <b>Site</b>  | U-TU-B; U-TU-B2; U-RH-2.5                              | Medium to low density residential                       | Area of Stability<br>Single Family Residential/Single Family Duplex                       |
| <b>North</b> | Various – reference map on page 2 of this staff report | Medium to low density residential                       | Area of Stability and Area of Change<br>Single Family Residential and neighborhood Center |
| <b>South</b> | Various – reference map on page 2 of this staff report | Multiple uses including office, retail, and residential | Area of Change and Area of Stability<br>Mixed Use, Single Family Duplex                   |
| <b>East</b>  | Various – reference map on page 2 of this staff report | Multiple uses including office, retail, and residential | Area of Change and Area of Stability<br>Mixed Use, Single Family Duplex                   |
| <b>West</b>  | Various – reference map on page 2 of this staff report | Medium to low density residential                       | Area of Change and Area of Stability<br>Mixed Use, Single Family Duplex                   |

## V. Criteria for Review and CPD Staff Evaluation

Design Overlay Districts are considered zoning text amendments and map amendments and are subject to the review criteria found in Section 12.4.11 and 12.4.10 respectively. Accordingly, CPD analyzed the proposed Side Interior Setback Design Overlay, DO-4 Denver Zoning Code text amendment and map amendment for compliance with the review criteria. The review criteria compliance for a map amendment is detailed below. The review criteria compliance for a text amendment is detailed in a separate staff report, case number 2015I-00070.

### 1. The proposed Map Amendment is Consistent with the City's Adopted Plans

The Map Amendment is consistent with the City's following adopted plans:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Highland Neighborhood Plan (1986)

#### **Denver Comprehensive Plan 2000**

Denver's planning foundation is built on the acknowledgement that the combination of new development and traditional Denver form must blend to provide attractive, appropriately scaled urban places. Highland, one of Denver's most popular and desirable neighborhoods, is experiencing intense development pressure. Altering zoning standards to better recognize the existing character of the neighborhood is consistent with the guidance of Comp Plan 2000, highlighted below:

"Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses." (pg. 60)

"Sustaining excellent urban design requires Denver to use its best legacies to guide the future. While new development need not conform to precise historical or architectural particulars, it must reflect the fine qualities of design and use of materials inherent in Denver's unique natural setting and urban character. This applies to Downtown, smaller commercial areas, residential neighborhoods, commercial and industrial corridors, and both new construction and rehabilitation. It also applies to infrastructure — streets, bridges and drainage ways — as well as to both public and private buildings." (pg. 89)

"Promote standards and incentives for design that enhance the quality and character of the city, including the preservation of significant historic structures and features." (pg. 98)

"Identify community design and development issues, and target specific concerns with appropriate controls and incentives." (pg. 98)

"Ensure that the Zoning Code reinforces quality urban design." (pg. 99)

## **Blueprint Denver – 2002**

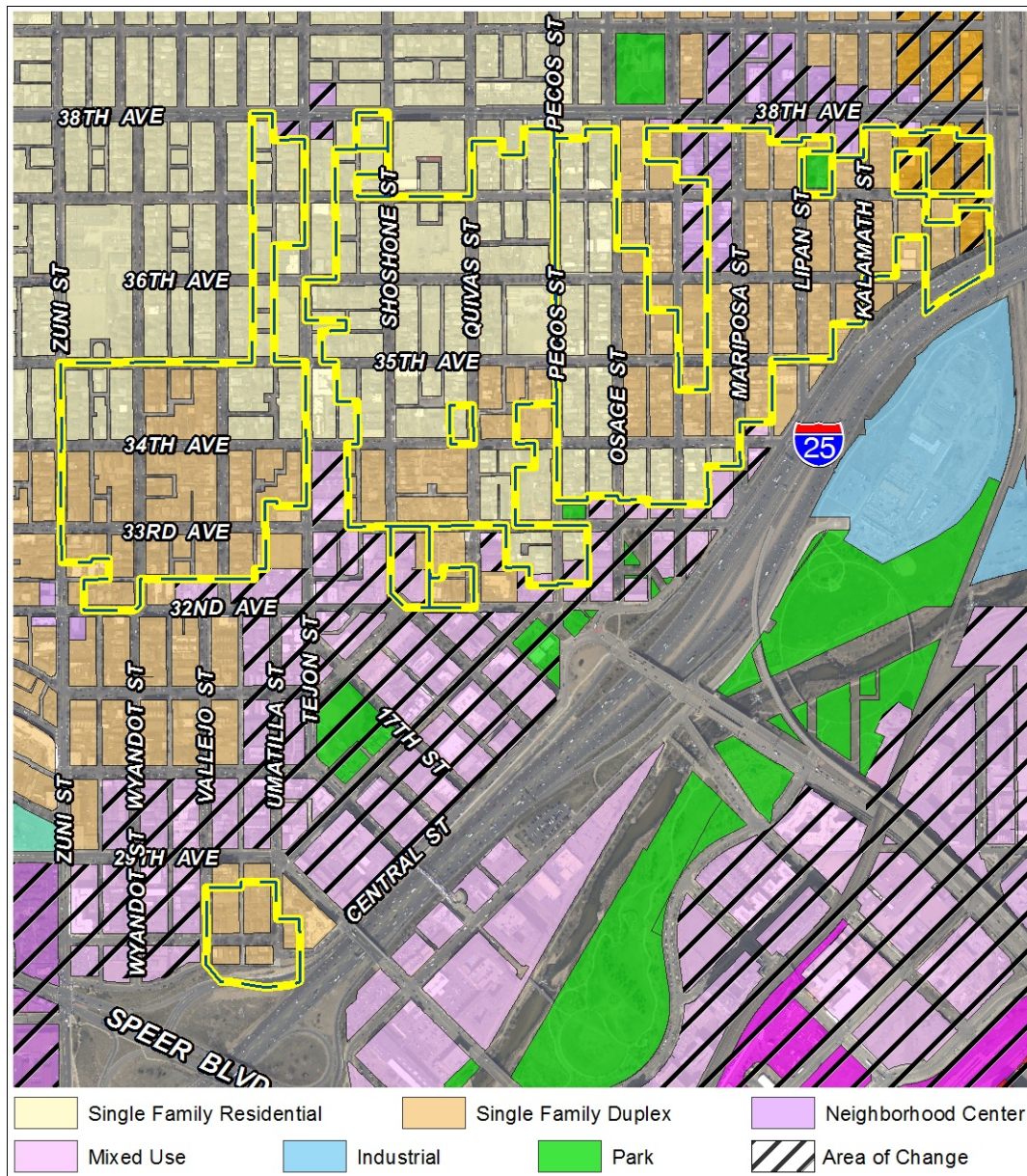
The majority of the proposed map amendment area is designated as Single Family Residential and Single Family Duplex. The majority of the area to be rezoned is designated as an Area of Stability.

The goal for Areas of Stability is to “identify and maintain the character of an area while accommodating some new development and redevelopment.” (pg. 120) The proposed DO-4 overlay district map amendment alters the underlying zoning to better maintain the character of the Highland Neighborhood.

“Neighborhoods of single family houses represent the majority of Denver’s residential areas, particularly those developed after 1900 and especially those built after 1940. Single-family homes are the predominant residential type.” (pg. 42) “Single family duplex residential areas are moderately dense areas that are primarily residential but with some complementary, small-scale commercial uses. However, the employment-base is minor compared to the housing base. There is a mixture of housing types, including single-family houses, duplexes, townhouses and small apartment buildings.” (pg. 41) The proposed DO-4 overlay district map amendment does not change the allowed uses or housing types of the underlying zone district, but instead requires the housing types to be more consistent with the defining character of the area.

Blueprint Denver also recognizes the need for overlay zone districts stating “this type of zoning can apply to areas where there are similar objectives but where the base zoning varies or where additional standards are needed to reinforce a certain character.” (pg. 125) The proposed DO-4 overlay district map amendment introduces additional standards that address narrower setbacks that recognize and reinforce the established character specific to the Highland Neighborhood.

**Blueprint Denver Map**



**Highland neighborhood Plan – 1986**

The Highland Neighborhood Plan is “intended to promote patterns of land use, urban design, circulation and services which encourage and contribute to the economic, social, and physical health, safety and welfare of the people who live and work in the neighborhood.” (pg. 1) The Highland neighborhood has changed drastically since the adoption of the plan. Many of the strategies and recommendations of the plan have been implemented. A major focus of the plan is to heighten the sense of neighborhood pride, revitalize the housing stock and maintain and stabilize the character of the neighborhood. The

proposed DO-4 overlay district map amendment further implements the strategies the Highland neighborhood plan by acknowledging and reinforcing the development patterns that are part of the neighborhood's distinct character.

**2. The proposed Map Amendment Results in Regulations that are Uniform Across the District**

This map amendment will result in uniform regulations applicable to all new buildings within land mapped DO-4.

**3. The proposed Map Amendment Furthers the Public Health, Safety and Welfare**

This map amendment furthers the public health, safety, and general welfare of Denver residents as they provide for context-sensitive and character reinforcing standards that further stabilize the established neighborhood.

## **VI. CPD Recommendation**

Based on the review criteria for a map amendment stated in the Denver Zoning Code (DZC), Section 12.4.10 (Map Amendment), CPD staff recommends that City Council approve the Side Interior Setback Design Overlay, DO-4 Denver Zoning Code Map Amendment for rezoning from U-TU-B; U-TU-B2; U-RH-2.5 to the proposed U-TU-B, DO-4; U-TU-B2, DO-4; U-RH-2.5, DO-4 within the Highland Neighborhood. The text of the DO-4 is subject to change until the final approval by City Council (see staff report case number 2015I-00070).

## **VII. Attachments**

1. Proposed map of the Side Interior Setback Design Overlay (DO-4) Map Amendment.

