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# Bungalow Conservation Overlay

## **Text Amendment:**

Create Conservation Overlay 6 (CO-6)

## **Map Amendment #2020I-00099:**

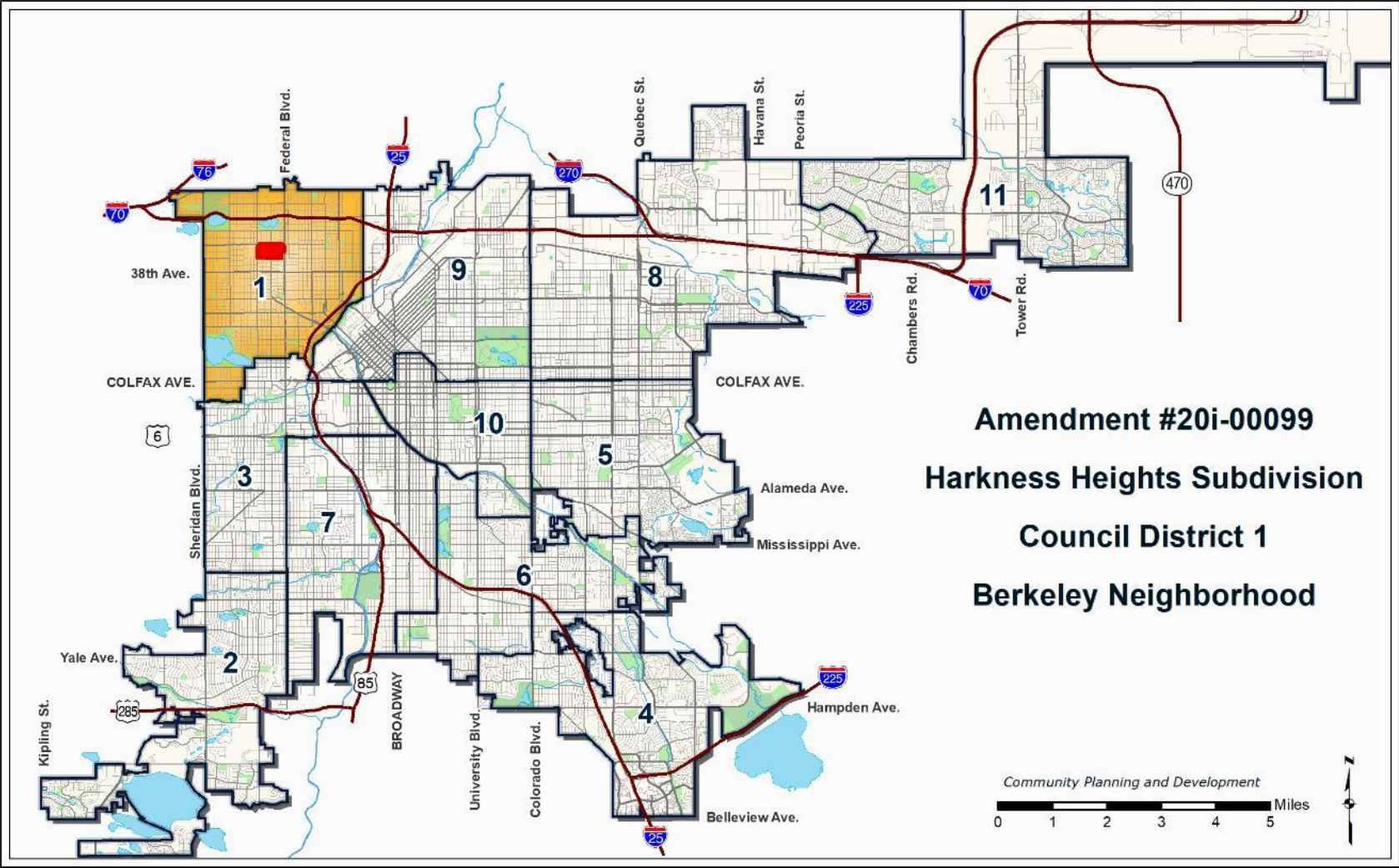
from U-SU-C and U-SU-C1 to U-SU-C CO-6 and U-SU-C1 CO-6

Date: 02/16/2021

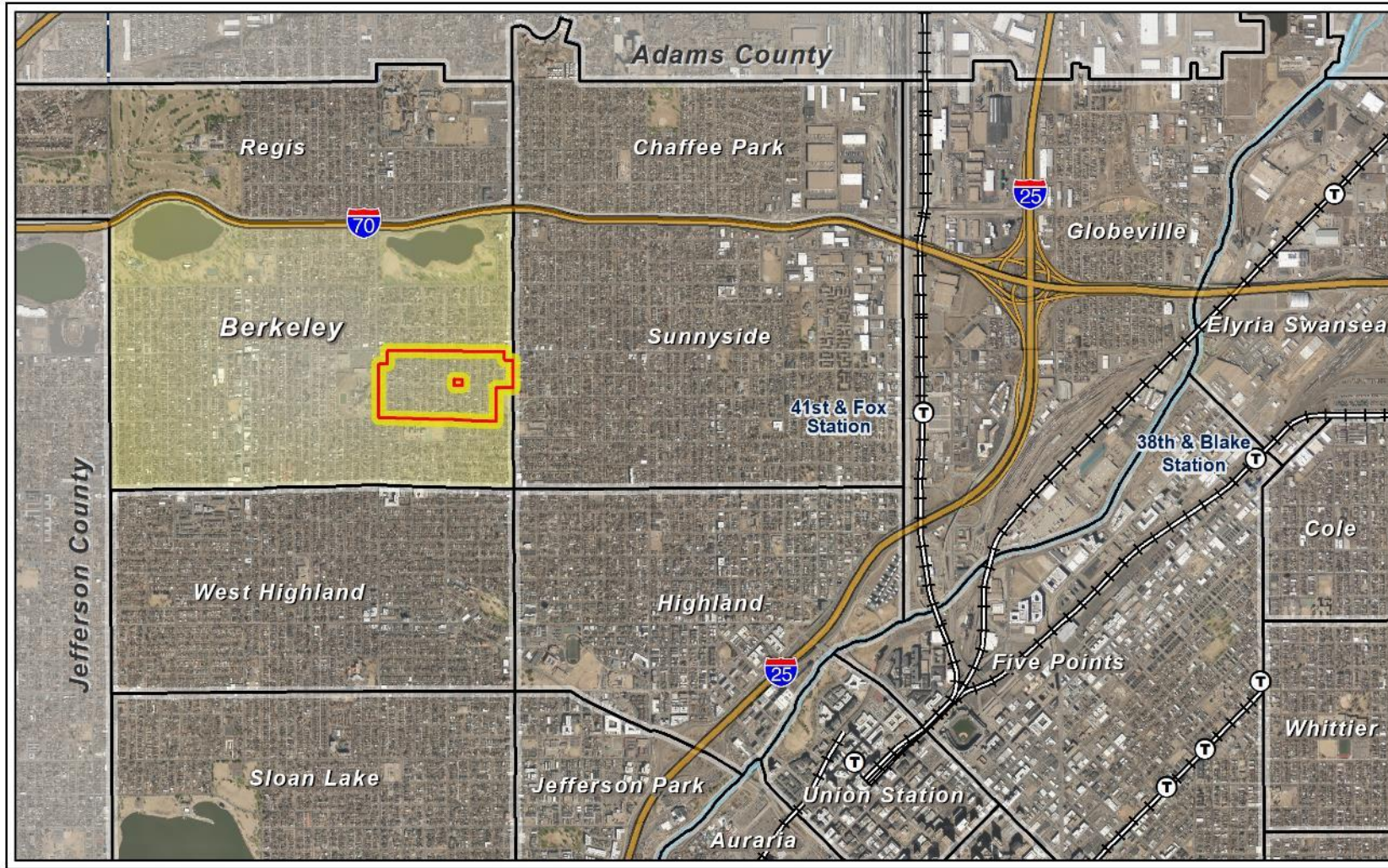
# Text and Map Amendment Purpose

- **Sponsor:** Councilwoman Amanda Sandoval
- **Purpose:** To maintain physical neighborhood character and promote visual compatibility
- **Text Amendment**
  - Create Bungalow Conservation Overlay (CO-6)
  - Make associated amendments in Articles 11 and 13
  - Make minor amendments to the Potter Highlands Conservation Overlay (CO-4) for consistency and clarity.
- **Map Amendment**
  - Rezone multiple properties in Harkness Heights from U-SU-C and U-SU-C1 to U-SU-C CO-6 and U-SU-C1 CO-6

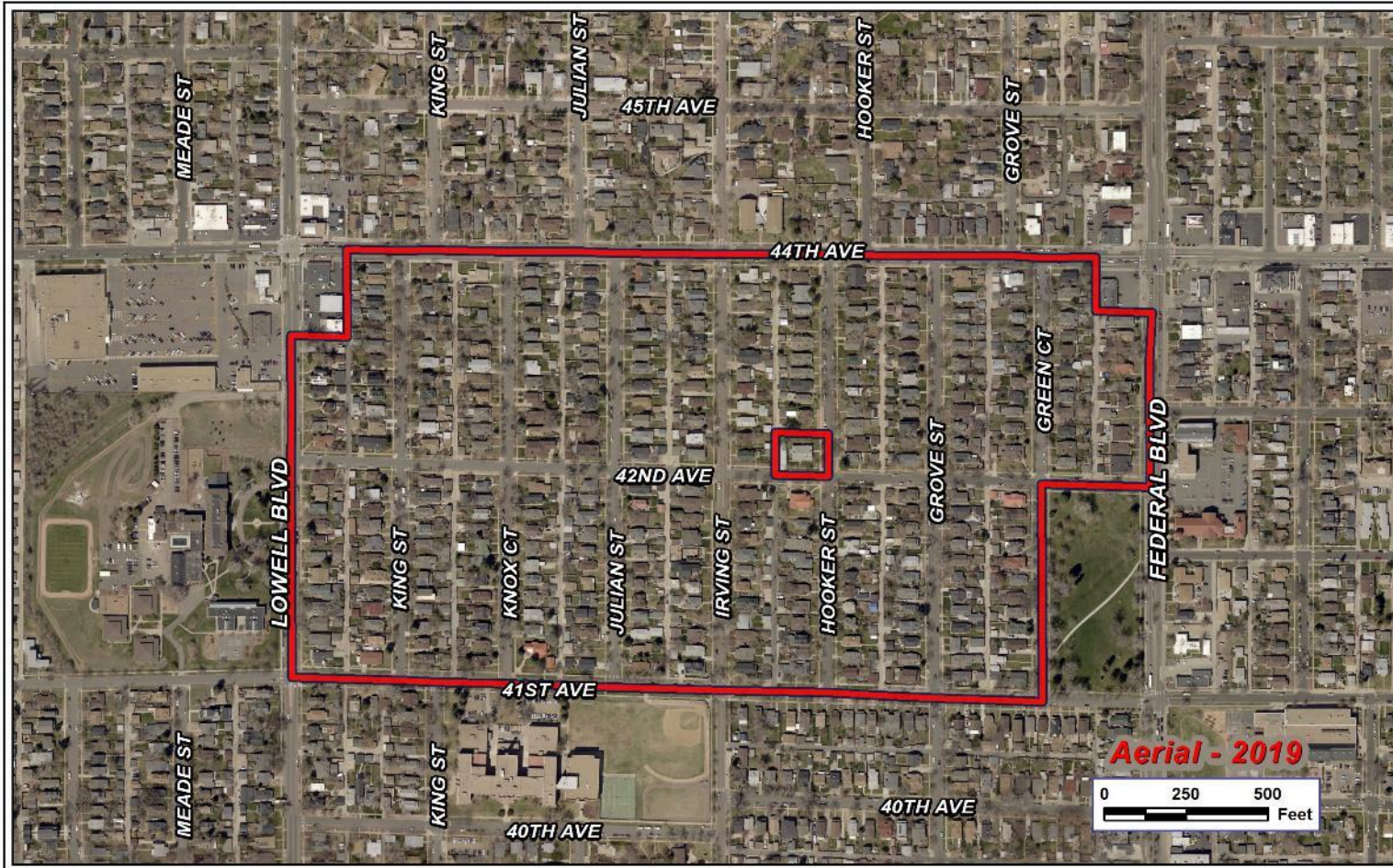
# Council District 1



# Berkeley Neighborhood



# Request: C0-6



- 354 properties
- Approximately 73 acres

# Text Amendment



# Conservation Overlay – Purpose and Criteria per DZC Section 9.4.3

## PURPOSE (DZC 9.4.3.1)

The Conservation Overlay District is intended to provide a **vehicle to initiate** and implement programs for the revitalization or **conservation of specific areas** within Denver possessing **distinctive features, identity, or character** worthy of retention and enhancement.

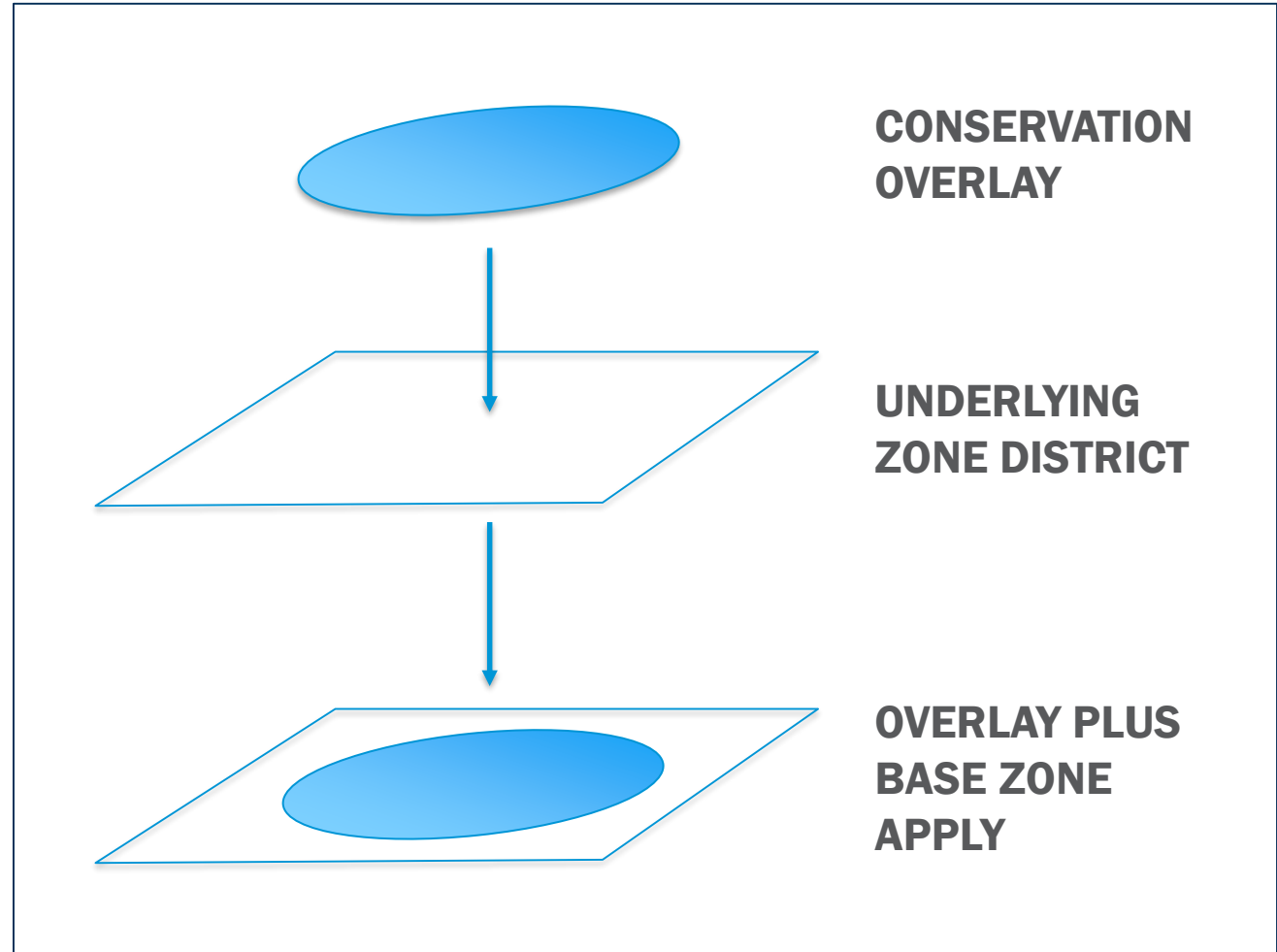
## CRITERIA FOR APPROVAL (DZC 9.4.3.2.C)

- The **district contains distinctive building features**, such as period of construction, style, size, scale, detailing, mass, color and material
- The district contains **distinctive site planning features**



# Conservation Overlay – How it works

- May add or modify the zoning standards of the underlying zone district
- Baseline regulations stay in place
- Where there's a difference, overlay applies
- **Cannot** modify permitted uses allowed in the zone district





# Bungalow Conservation Overlay (CO-6)

- Text amendment would create new conservation overlay (CO-6)
- Generic name leaves opening for broader application

CONSERVATION OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Hilltop Heritage Conservation Overlay District	CO-1
Curtis Park Conservation Overlay District	CO-2
Scottish Village Conservation Overlay District	CO-3
Potter Highlands Conservation Overlay District	CO-4
Krisana Park Conservation Overlay District	CO-5
<b><u>Bungalow Conservation Overlay District</u></b>	<b><u>CO-6</u></b>

# Plan Support: Blueprint Denver

## Land Use and Built Form (Page 99)

- Policy 2, Strategy B: **Use conservation overlays** in areas where the key goal is to conserve distinctive features in order **to enhance and retain existing character.** Although these overlays can be area-specific, they can also be used for multiple areas of the city where common conservation outcomes are desired.



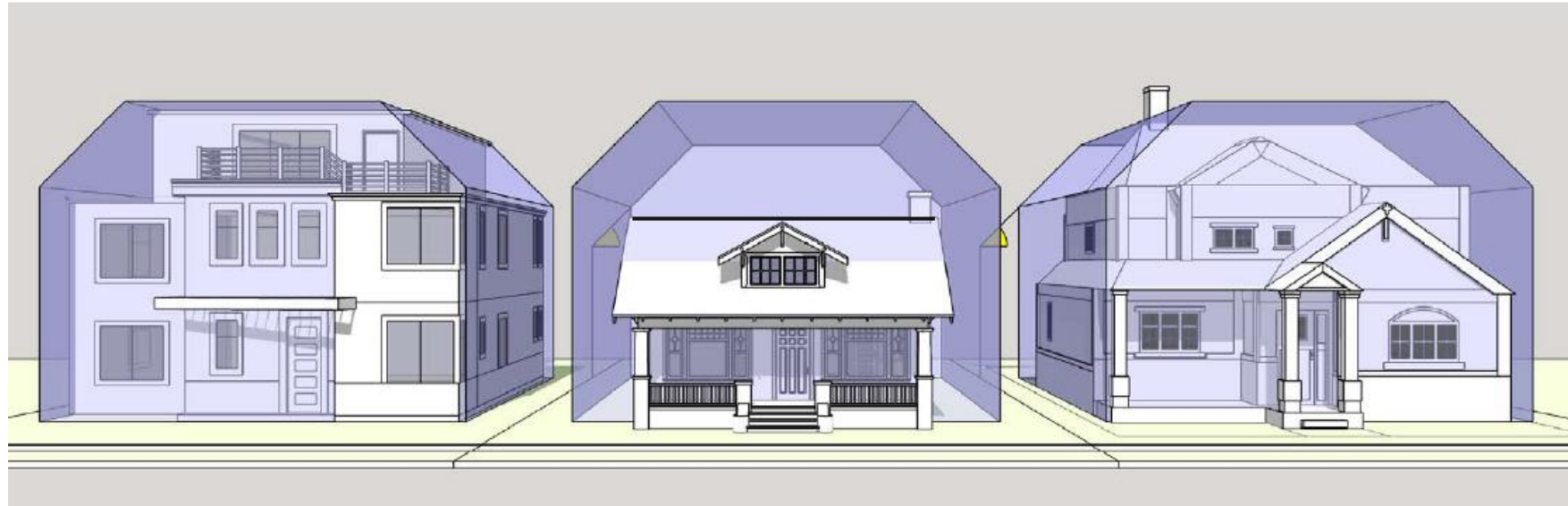
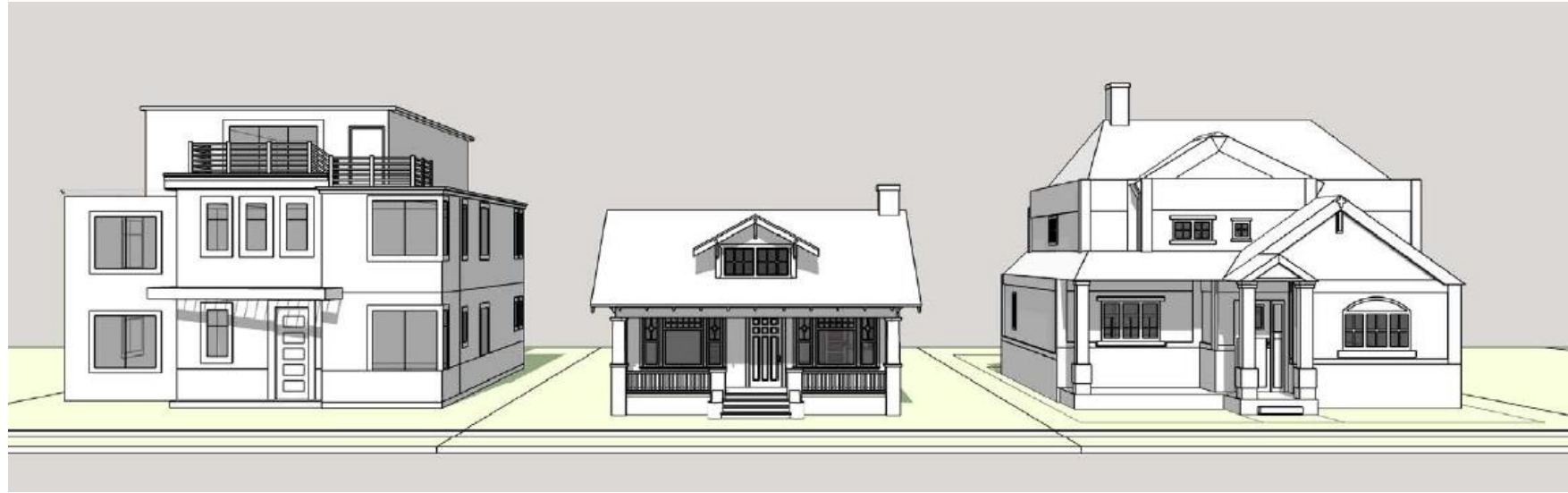
# Key Neighborhood Characteristics

- 1- to 2-story
- Pitched roofs
- Modest footprints/home sizes
- Rhythm of traditional front porches
- Raised foundations/basements
- Generous side setbacks



# Compatibility Concerns

- Scale and massing
- Siting/building width
- Street relationship/rhythm
- Impact of upper level outdoor spaces



# Conservation Overlay Objectives

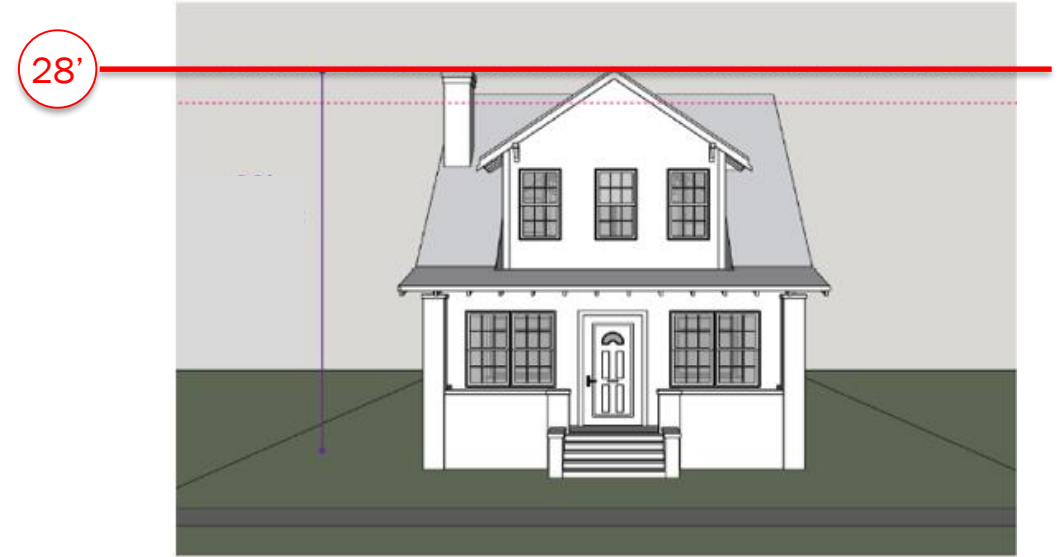
- Ensure development is compatible in scale and massing with existing context
- Reflect prevailing side setback patterns
- Maintain a rhythm of one-story elements along the street
- Mitigate impacts of upper level outdoor space on adjacent properties
- Maintain design flexibility



# Conservation Overlay Elements

## SCALE and MASSING

- Building Height in Feet (front 65% of lot)
  - Sloped Roofs: 30'-35' to 28'
  - Low-Slope Roofs: 30'-35' to 22'
  
- Building Height in Stories (front 65% of lot)
  - All Roof Types: 2.5 to 2



Pitched Roof: greater than 3/12 pitch



Low- Sloped Roof: 3/12 pitch or less

# Conservation Overlay Elements

## SCALE and MASSING

Upper surface of floor (street level)

- Minimum: 12”
- Maximum: 36”

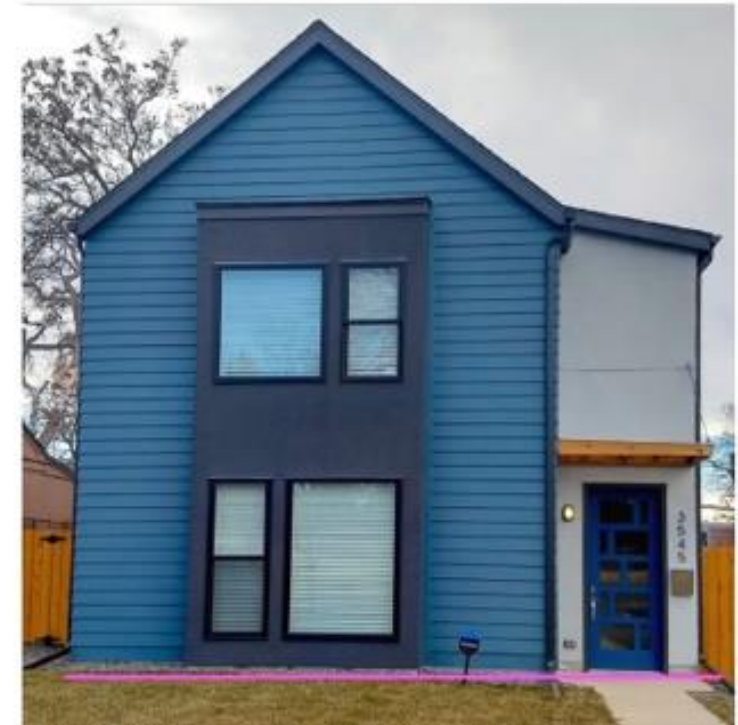
*(Unless otherwise required by DOTI)*



Allowed



Allowed



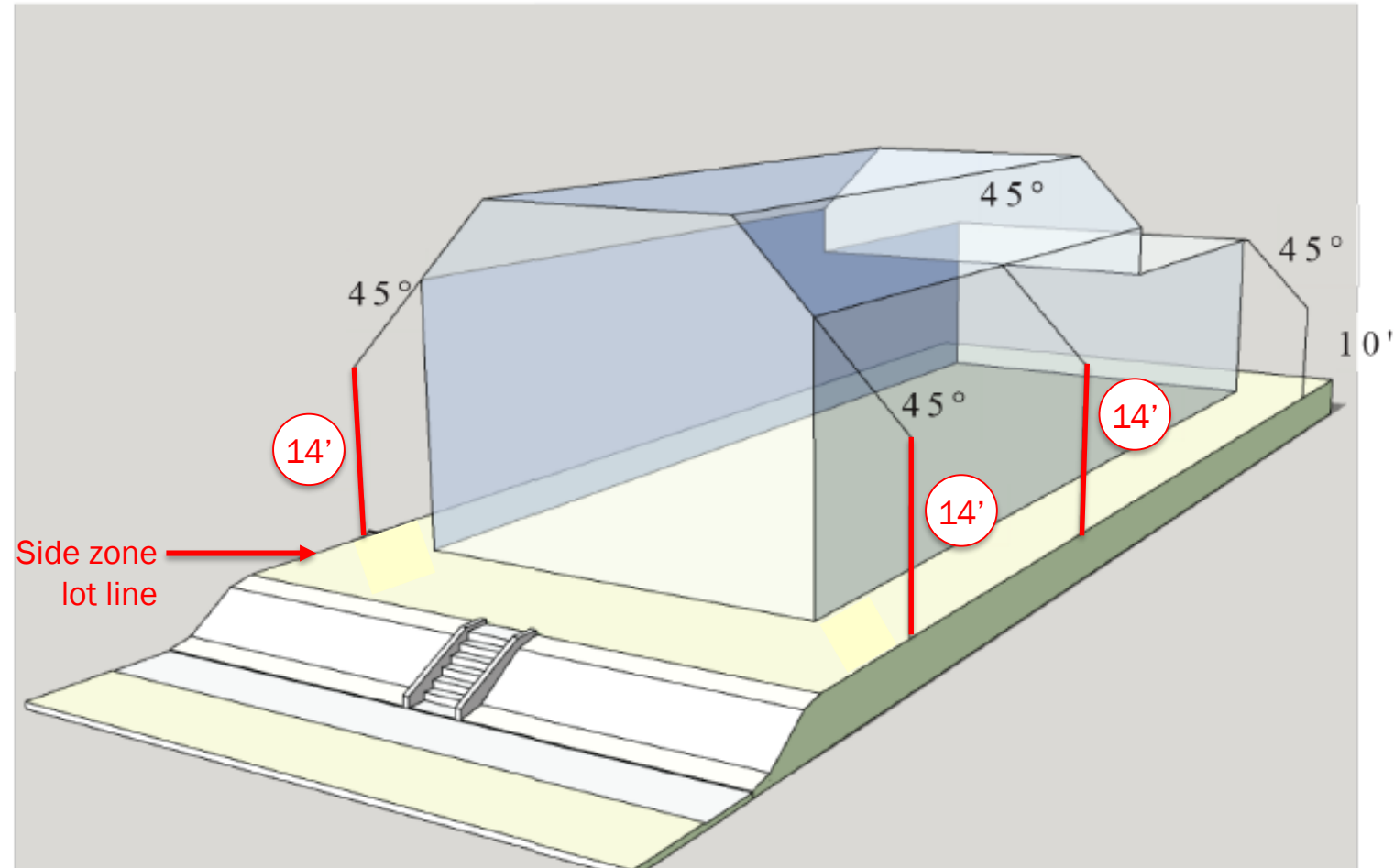
Not Allowed

# Conservation Overlay Elements

## SCALE and MASSING

### Bulk Plane

- Reduce Vertical Height at side zone lot line to 14'
- Existing code: 17'



Bulk Plane (proposed dimensions)



# Conservation Overlay Elements

## SCALE and MASSING

### Gross Floor Area Maximum (Primary Structure)

- Max of 3,000 sf for lots 7,500 sf or less
- Additional 40 sf for each additional 100 sf of lot area above 7,500 sf
- Applies to above grade floor area

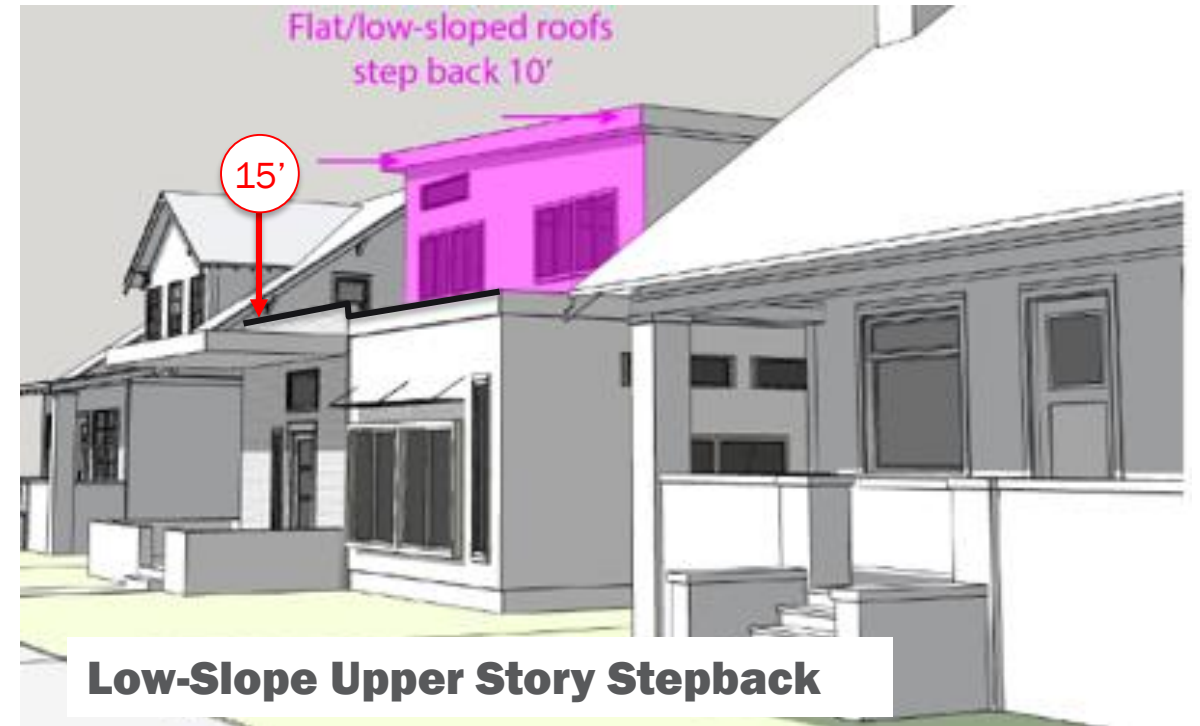


# Conservation Overlay Elements

## SCALE and MASSING

### Low-Slope Upper Story Stepback (minimum): 10'

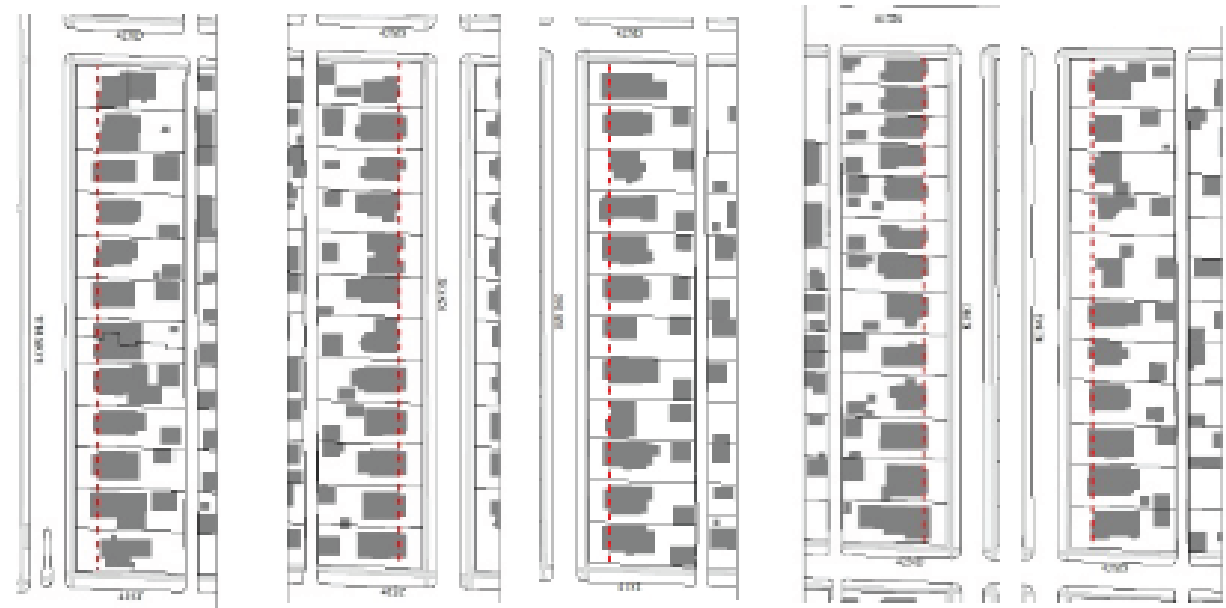
- Applies to any portion of a building with Low-Slope roof greater than 15' in height
- Applies to Primary Street facing wall



# Conservation Overlay Elements

## TRADITIONAL SITING

- Increase minimum interior side setbacks
- Require a larger setback from the southern side zone lot line



# Conservation Overlay Elements

## STREET RELATIONSHIP

### Front Porches – Design Standards

- Area (min): 120 square feet
- Depth (min): 6 feet
- Height (max): 18 feet
- Must be enclosed with wall/other element
- Must be covered roof
- Cannot be under a story



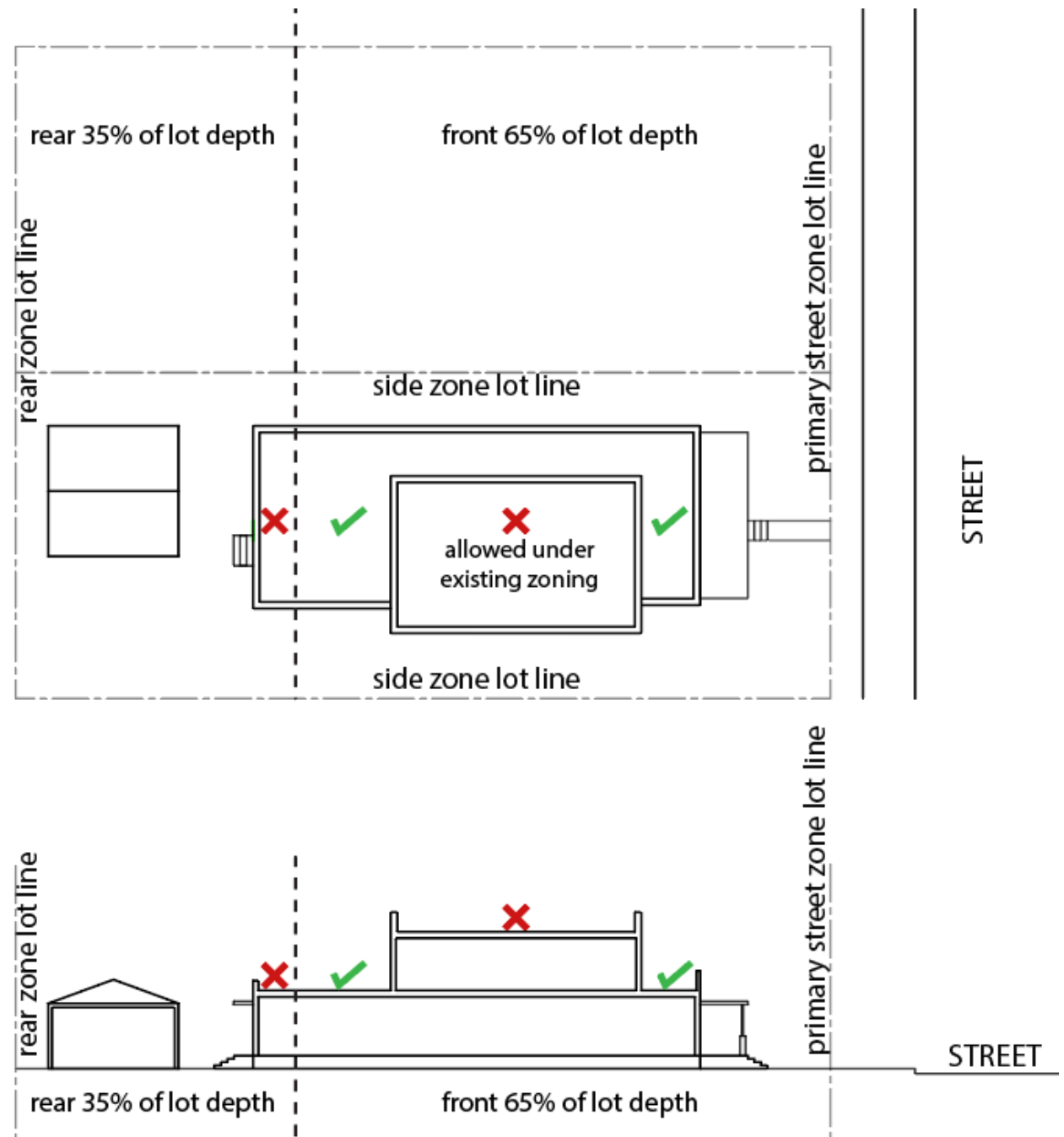
# Conservation Overlay Elements

## OUTDOOR SPACE IMPACTS

### Rooftop and/or Second Story Decks

Overlay prohibits:

- on or above the second story
- projecting from the building above the street level



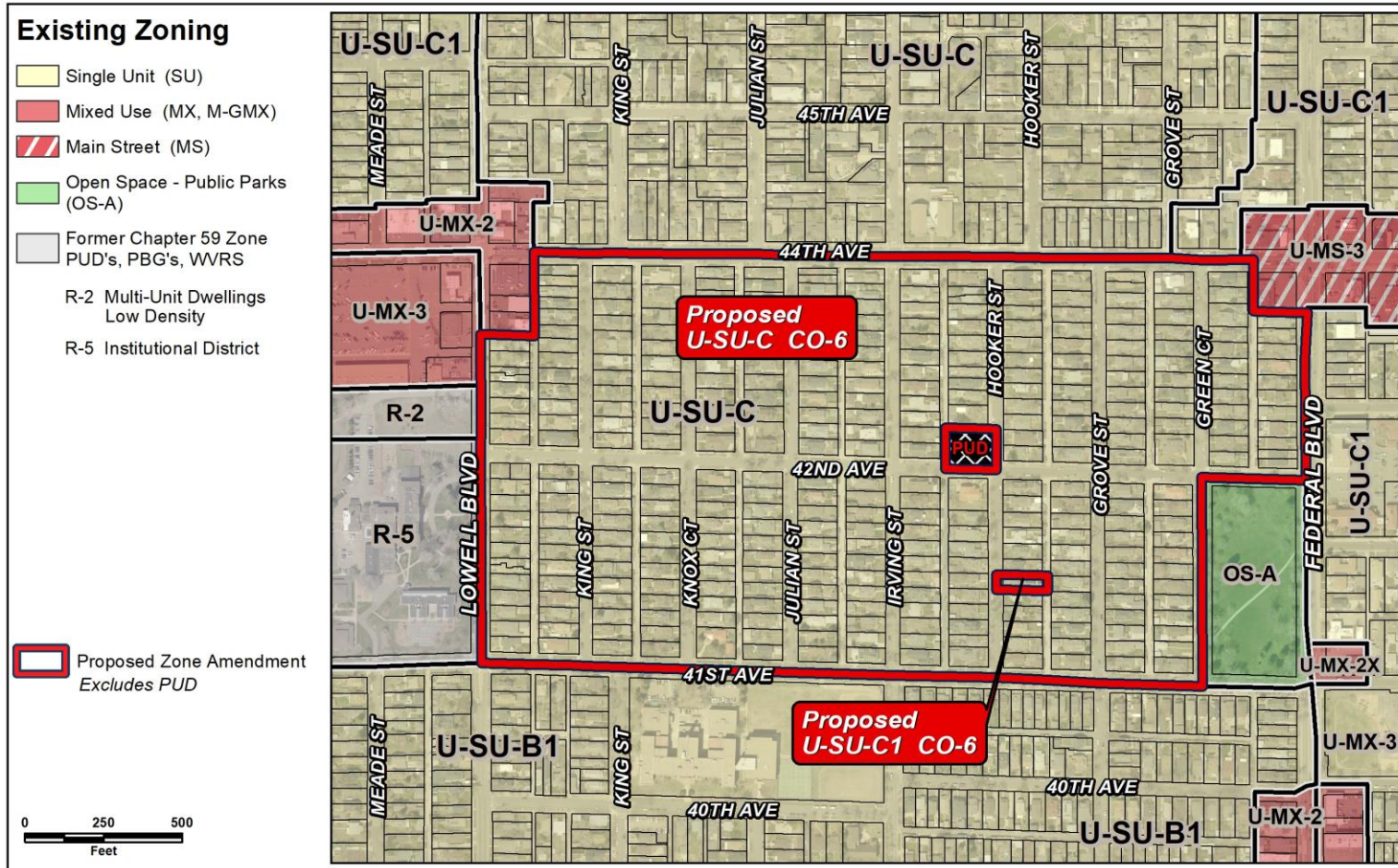
# Rezoning/Map Amendment



# Existing Context Overview

- Zoning
- Land Use
- Building Form/Scale

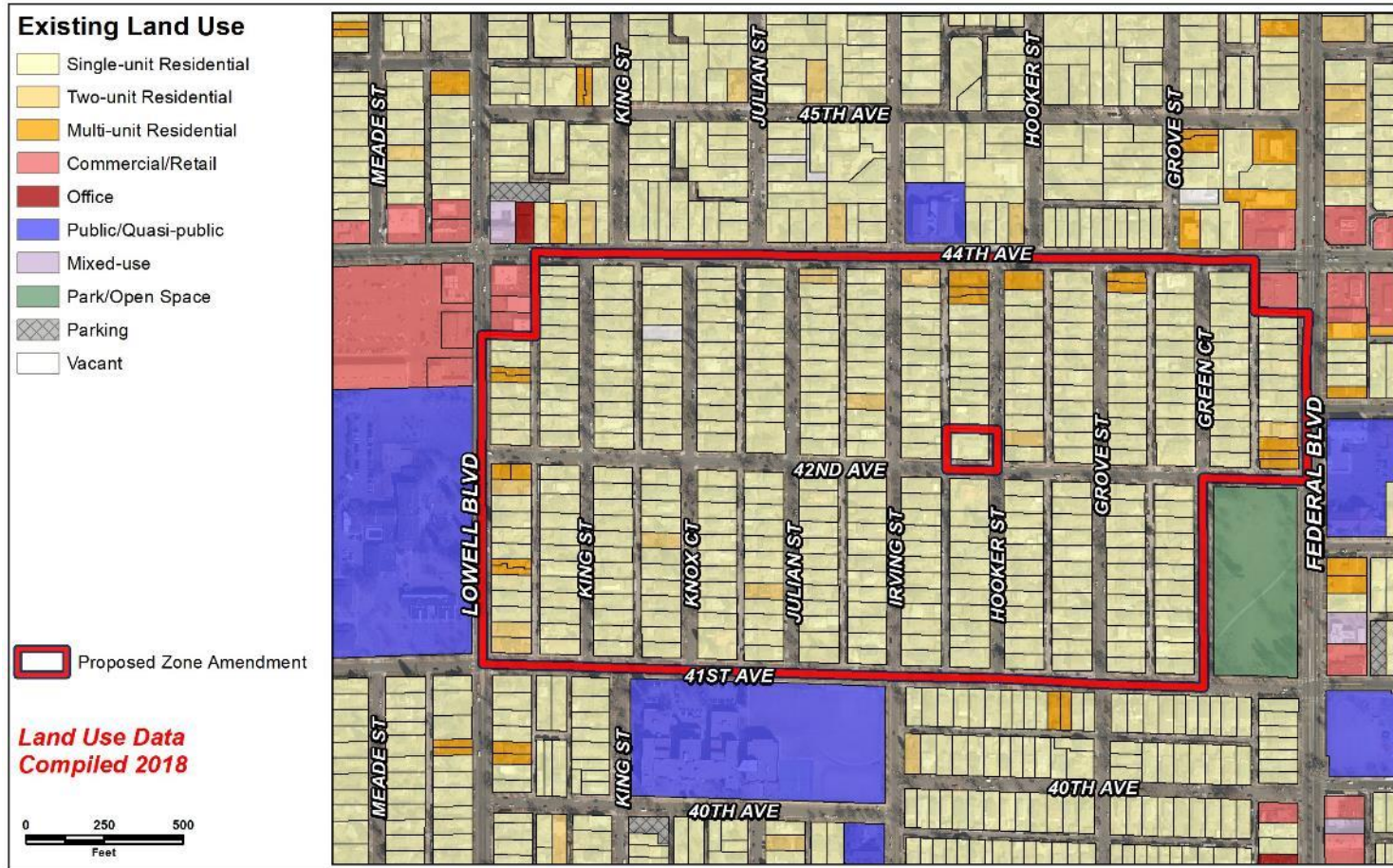
# Existing Zoning



- **Rezoning Area:**  
U-SU-C and U-SU-C1
- **Surrounding:**  
U-SU-C1, OS-A, U-MS-3, U-MX-2, R-2, R-5, U-SU-B1



# Existing Land Use

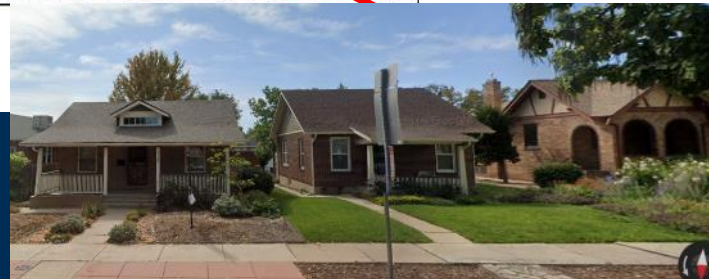
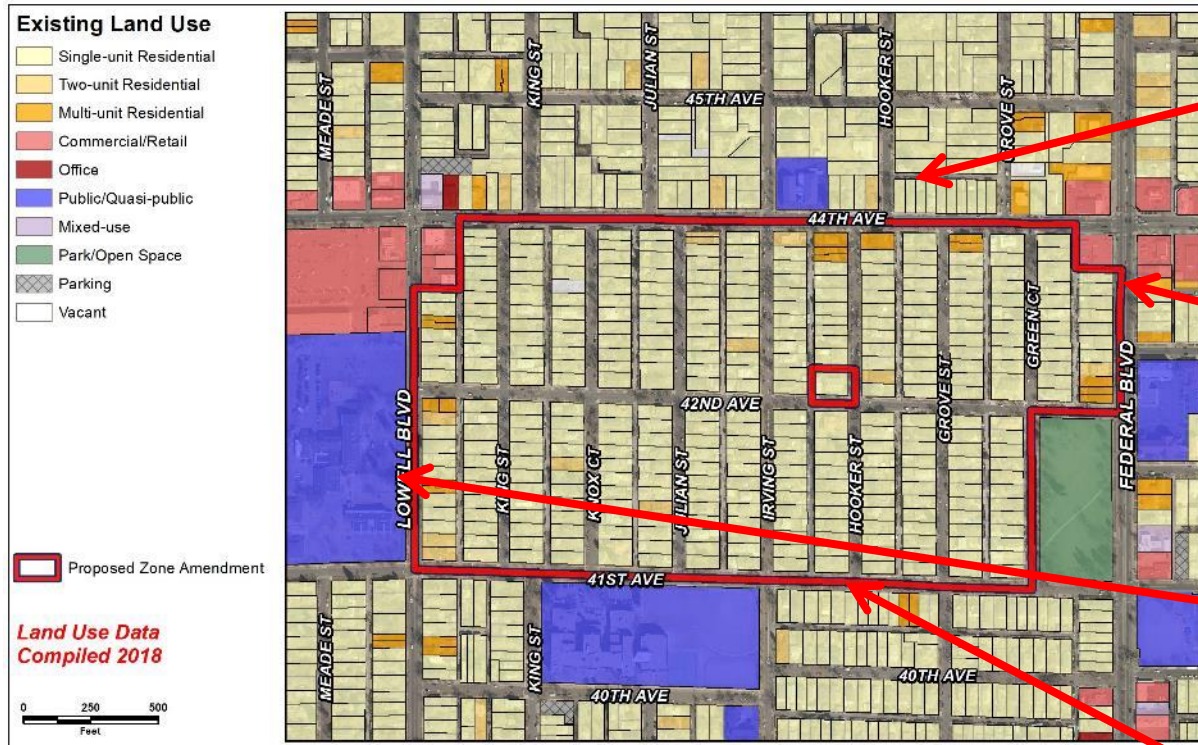


- **Rezoning Area:**  
Single-unit residential,  
two-unit residential,  
multi-unit residential
- **Surrounding:**  
commercial/retail,  
public/quasi-public,  
park/open space, single-  
unit residential

# Existing Context – Built Form/Scale



# Existing Context – Built Form/Scale



# Public Outreach

## Public Outreach Highlights

- Numerous overlay Task Force meetings
- Neighborhood survey
- Property owner mailers and flyers: Winter 2019 and 2020
- 4 Town halls:
  - Winter 2019 (2)
  - Winter 2020 (2)
- INC Meeting: 11/28/2020

## Public Comments

- RNOs: Harkness Heights Neighborhood Association submitted a letter of support
- Members of the public
  - 21 letters in support
  - 2 letters in opposition

# Process

- Informational Notice: 12/9/2020
- Planning Board Notice Posted: 1/19/2021
- Planning Board Public Hearing: 2/3/2021
- **LUTI Committee (tentative): 2/16/2021**
- City Council Public Hearing (tentative): 3/30/2021

# Review Criteria

## Conservation Overlay Criteria

1. District Contains Distinct Building Features
2. District Contains Distinct Siting Features

## Text and Map Amendment Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare

# Review Criteria

## Denver Zoning Code Review Criteria

1. Conservation Overlay Criteria
2. Consistency with Adopted Plans
3. Uniformity of District Regulations
4. Further Public Health, Safety and Welfare

# Conservation Overlay Criteria

## Distinctive Building Features

- 1 and 2-story buildings
- Pitched roof forms
- Projecting front porches
- Raised street level elevations

## Distinctive Siting Features

- Generous side setbacks
- Larger side setback from south/smaller side setback from north





# Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver 2019*

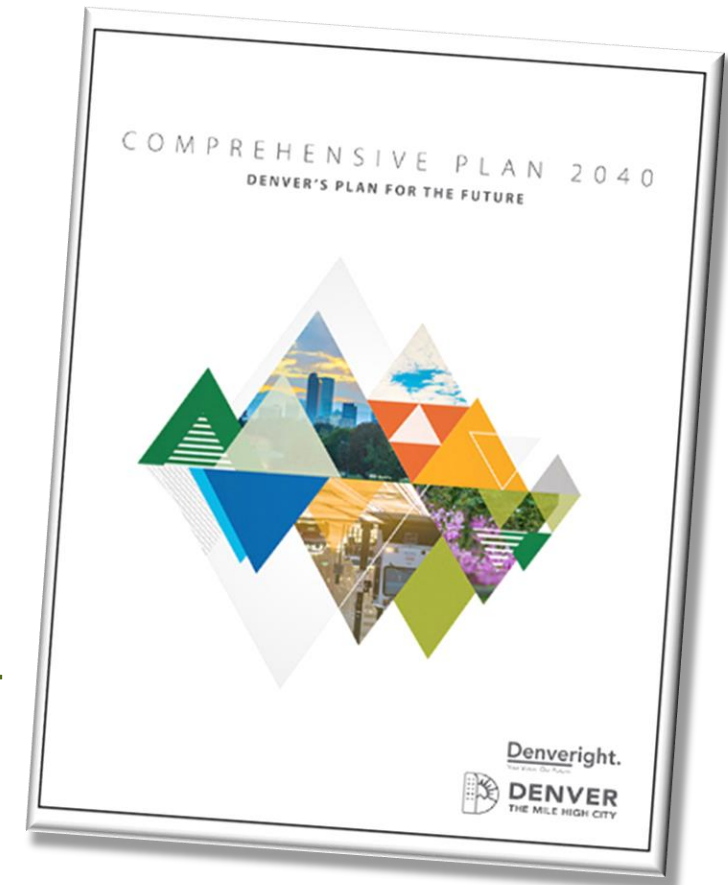
### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare

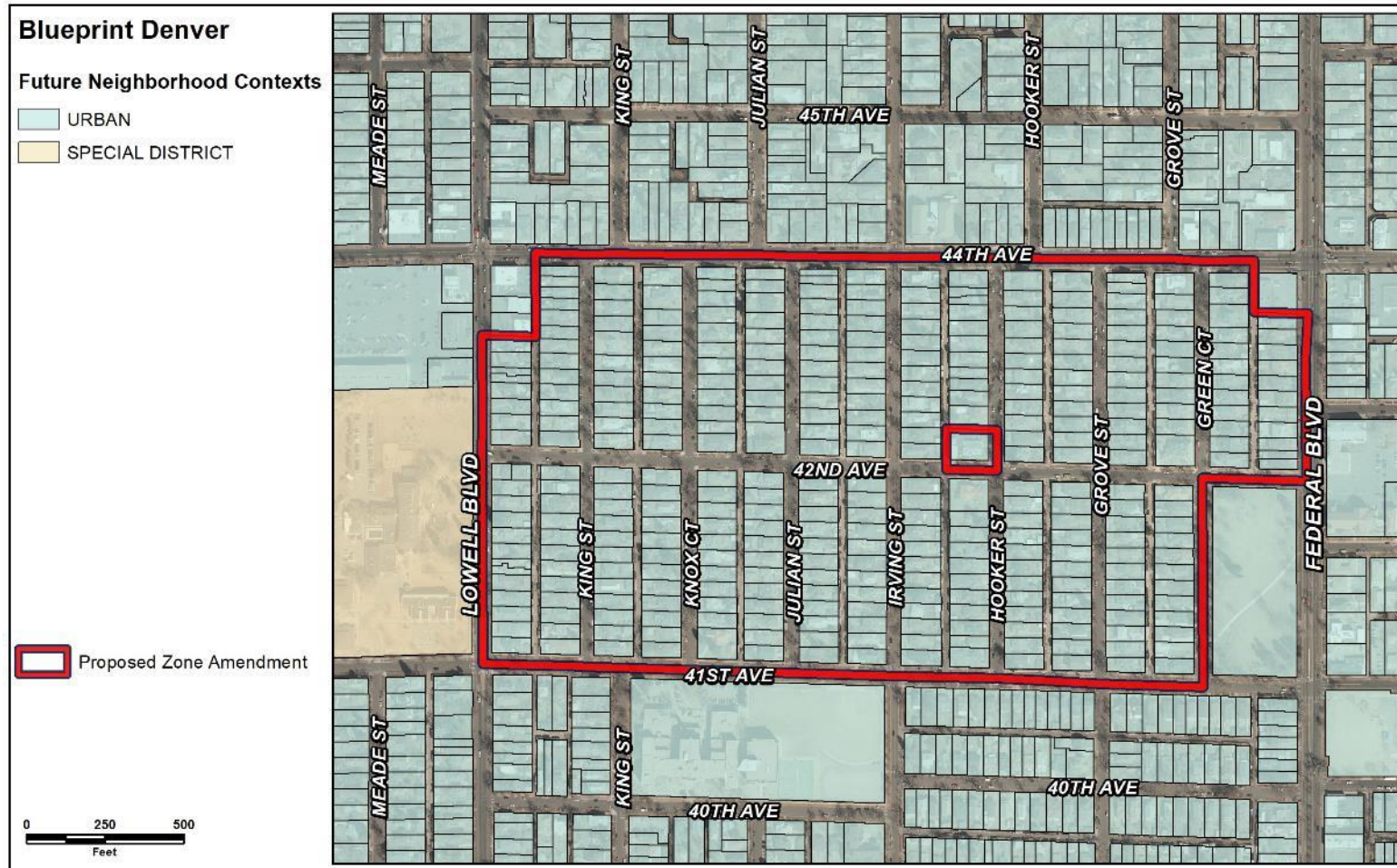
# Review Criteria: Consistency with Adopted Plans

## *Comprehensive Plan 2040*

- Equitable, Affordable and Inclusive Goal 4, Strategy C – Incentivize the reuse of existing smaller and affordable homes (p. 29).
- Strong and Authentic Neighborhoods Goal 2, Strategy B – Establish a scalable, predictable and adaptable approach to improve design quality across the city (p. 34).
- Environmentally Resilient Goal 7, Strategy C – Prioritize the use of existing buildings and explore incentives to salvage or reuse materials from demolished structures (p. 54).



# Consistency with Adopted Plans: Blueprint Denver 2019



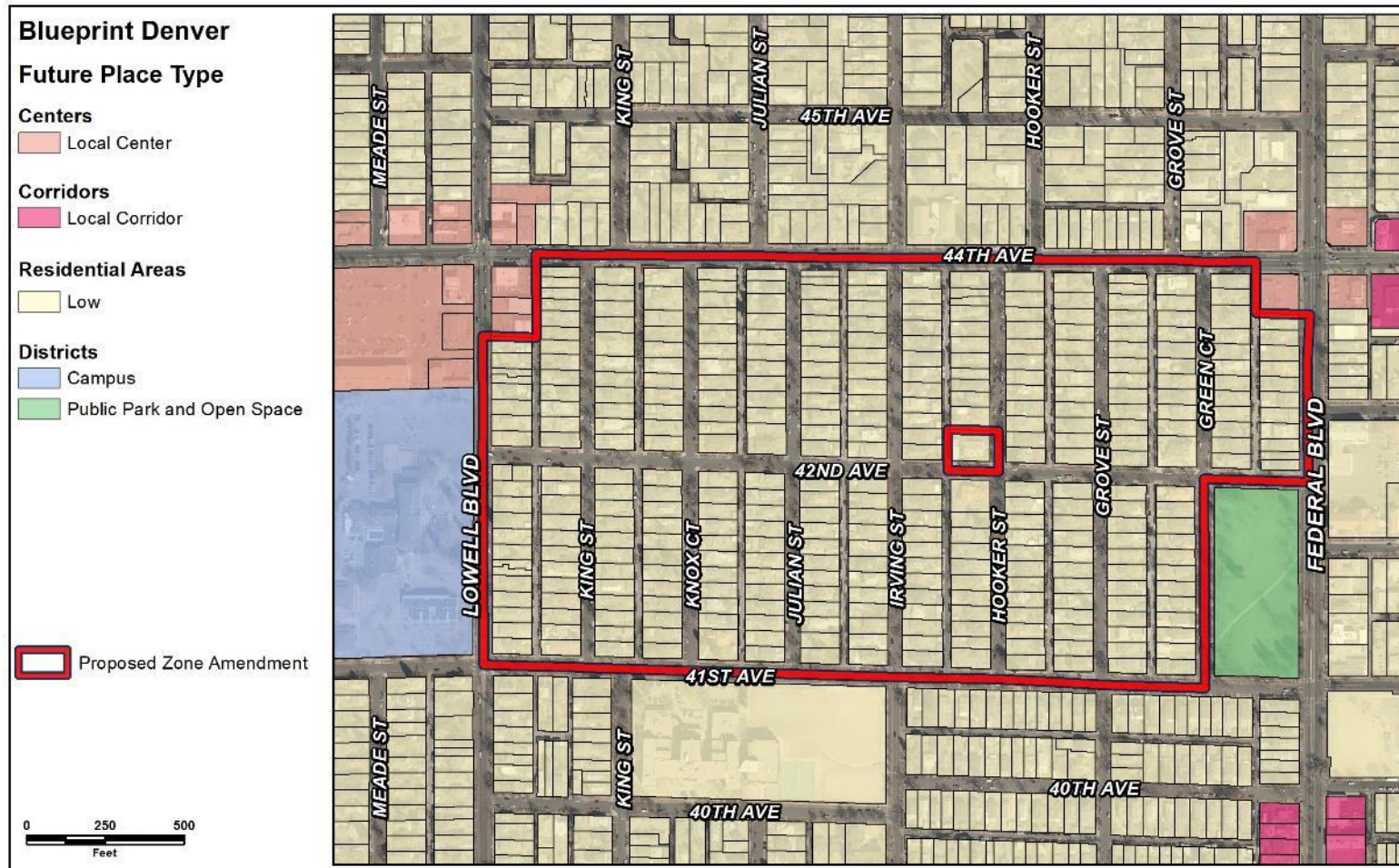
## Context: Urban

- Residential areas generally are single-unit and two-unit uses, with some low-scale multi-unit embedded throughout
- Regular blocks with alley access

## Text/map amendment

- Will not change permitted uses
- *consistent*

# Consistency with Adopted Plans: Blueprint Denver 2019



## Future Place Type: Low Residential

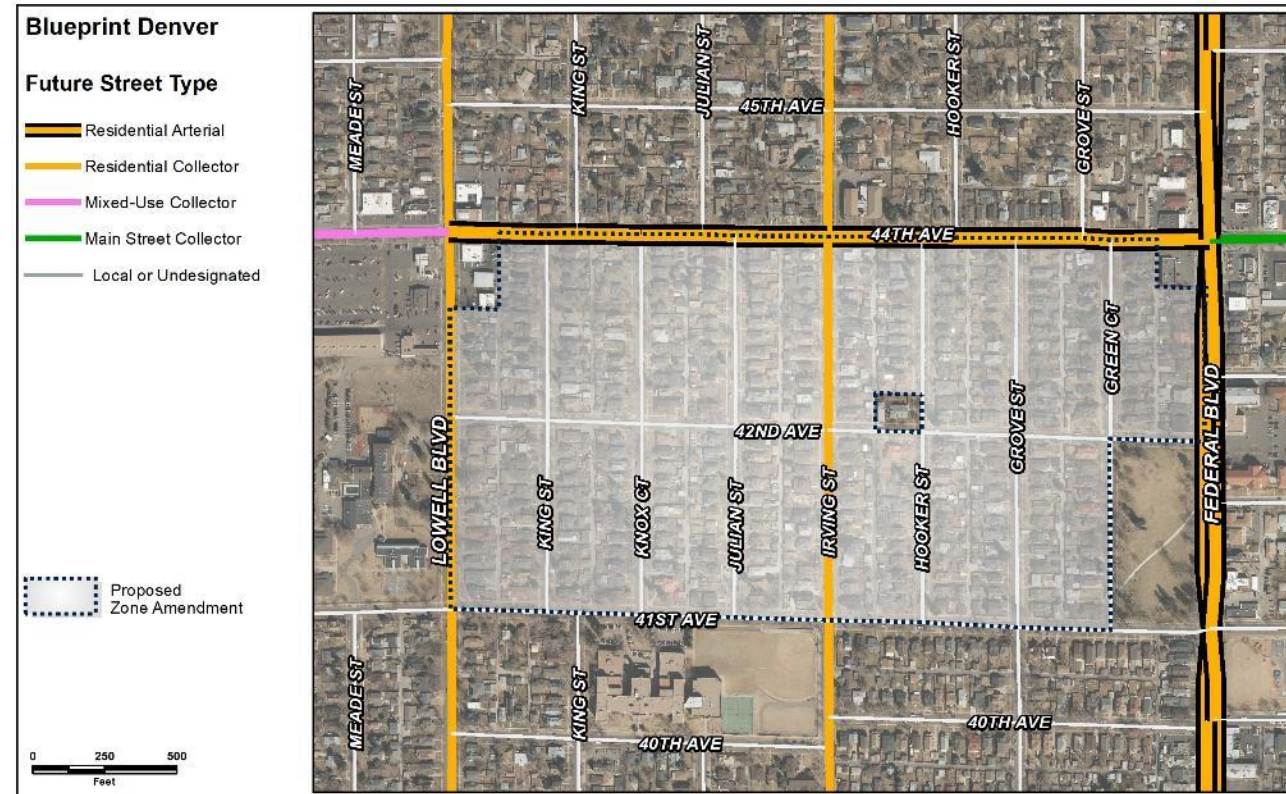
- Predominantly single- and two-unit uses

## Text and Map Amendment:

- *Consistent*; No change to permitted uses

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

# Consistency with Adopted Plans: Blueprint Denver 2019



## Future Street Types

- Federal Blvd: Residential Arterial
- 44<sup>th</sup> Ave: Residential Arterial
- Irving St: Residential Collector
- Lowell Blvd: Residential Collector
- Other streets: Local undesignated

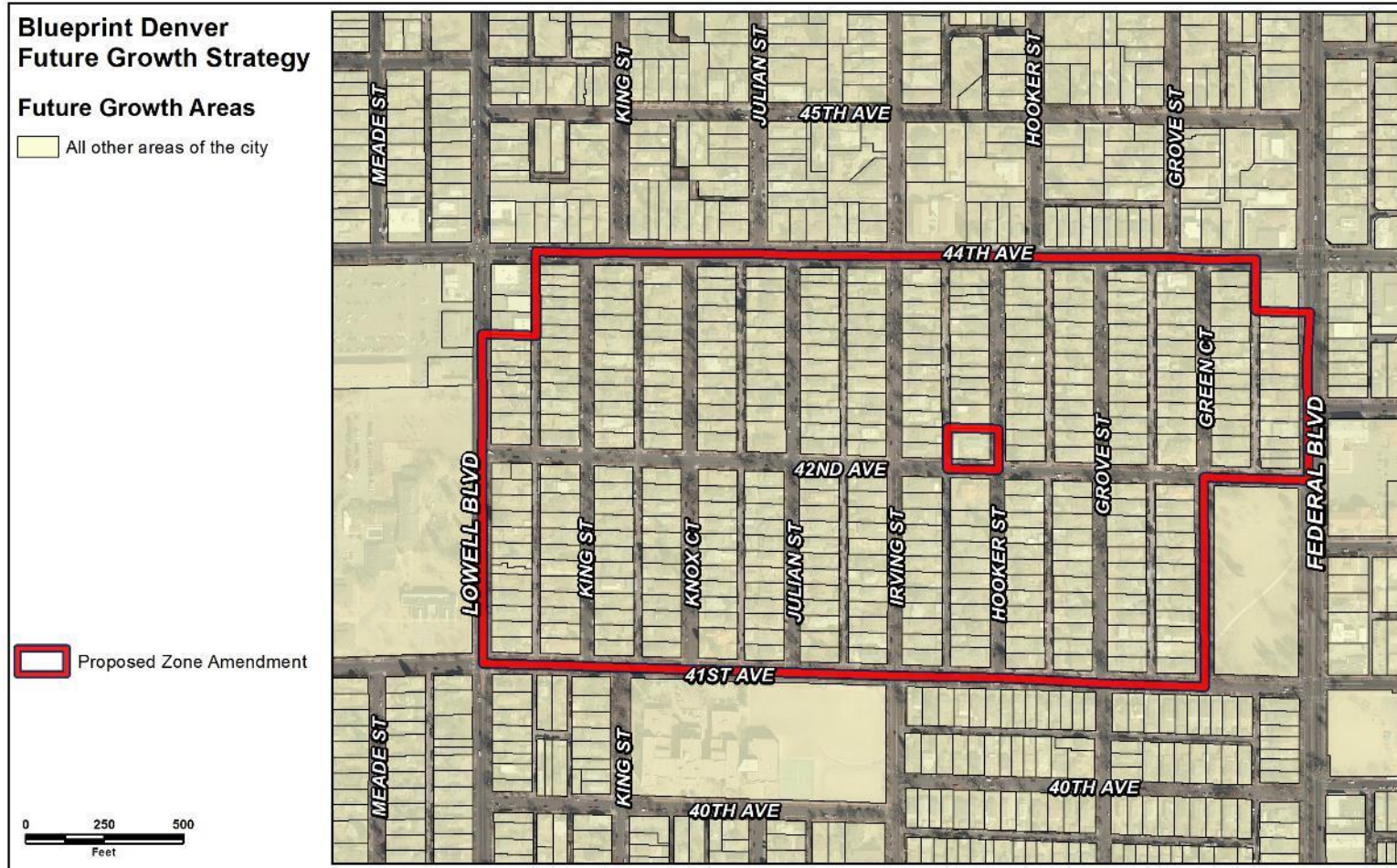
## Objective

- Primarily residential uses with modest front setbacks varying by neighborhood

## Text/map amendment

- **Consistent;** no change to allowed uses or front setbacks

# Consistency with Plans: Blueprint Denver 2019



## Growth Areas Strategy: “All other areas of the city”

- 10% jobs by 2040
- 20% housing by 2040

## Text/map amendment:

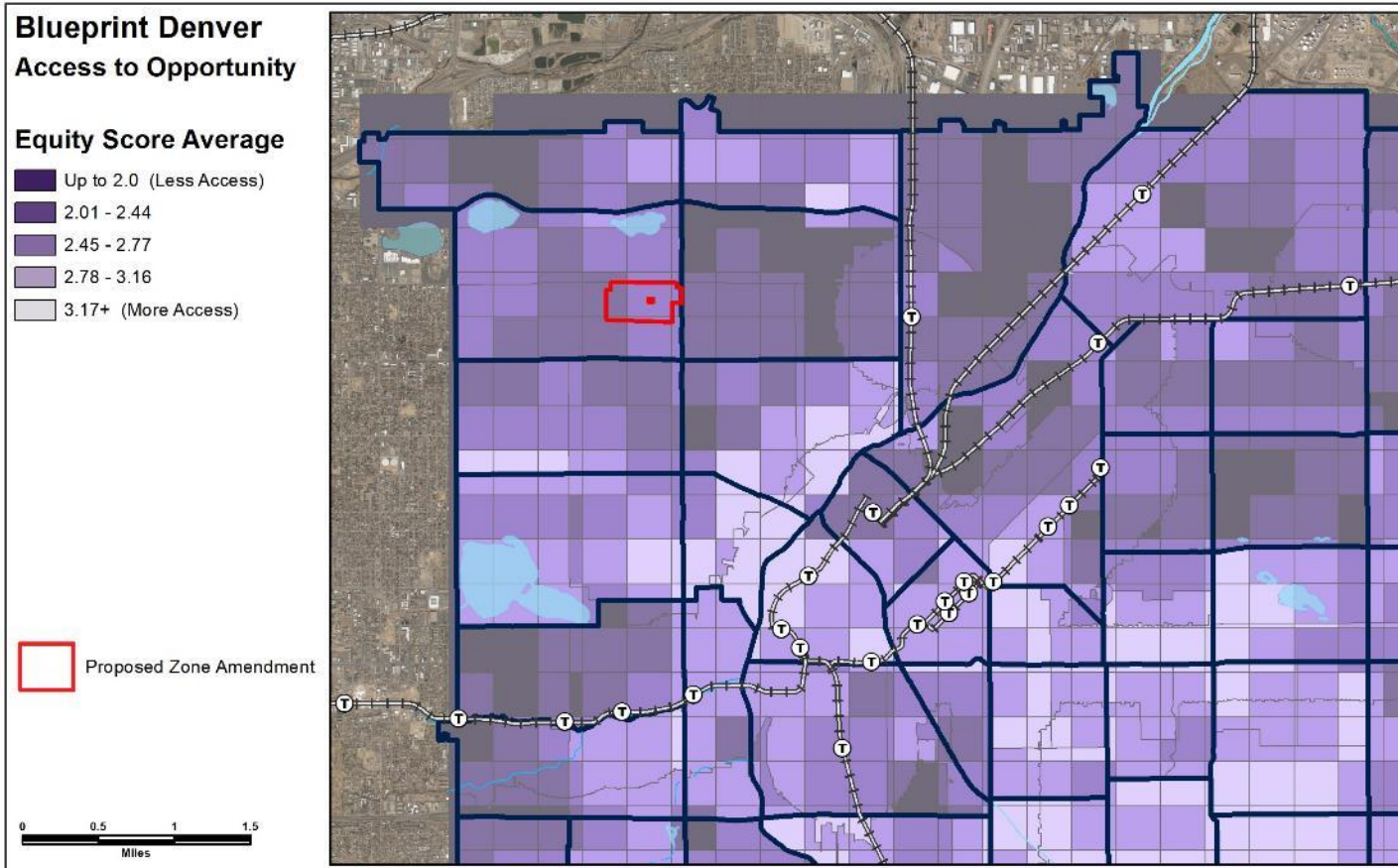
- *Consistent*; Will continue to accommodate a small amount of growth

# Consistency with Adopted Plans: Blueprint Denver 2019

## Additional Policies

- Land Use & Built Form, Design Quality & Preservation, Policy 2, Strategy B
  - *Retain unique character through use of conservation overlays*
- Land Use & Built Form, General, Policy 11, Strategies A, B, and C
  - *Support large-scale legislative rezonings and text amendments supported by robust outreach*

# Consistency with Adopted Plans: Blueprint Denver 2019



## Access to Opportunity

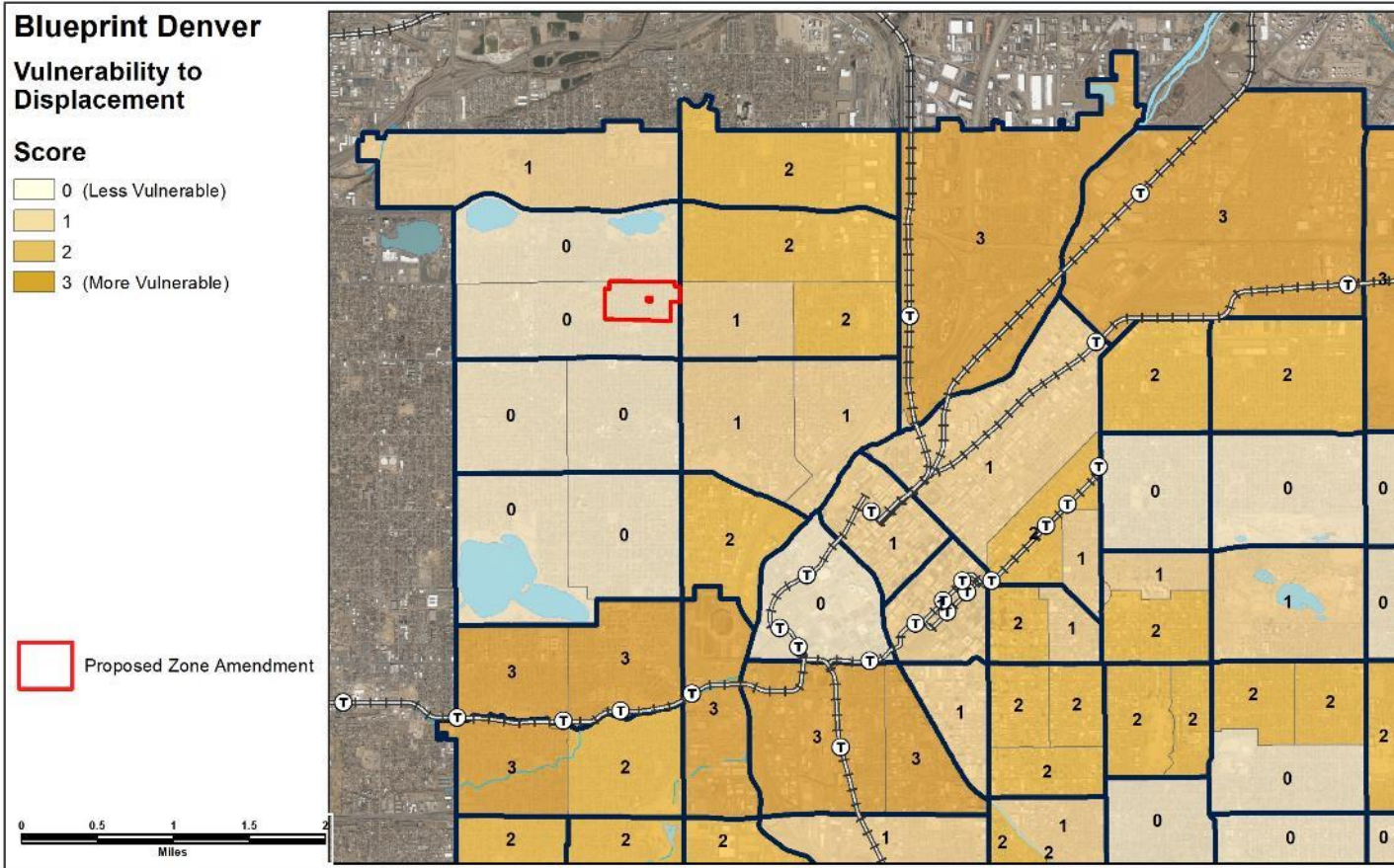
- Average Access
  - Equity Index
  - Proximity to Transit
  - Access to Centers and Corridors

### *Text/map amendment:*

- *No impact*
- no change to permitted uses or transit service



# Consistency with Adopted Plans: Blueprint Denver 2019



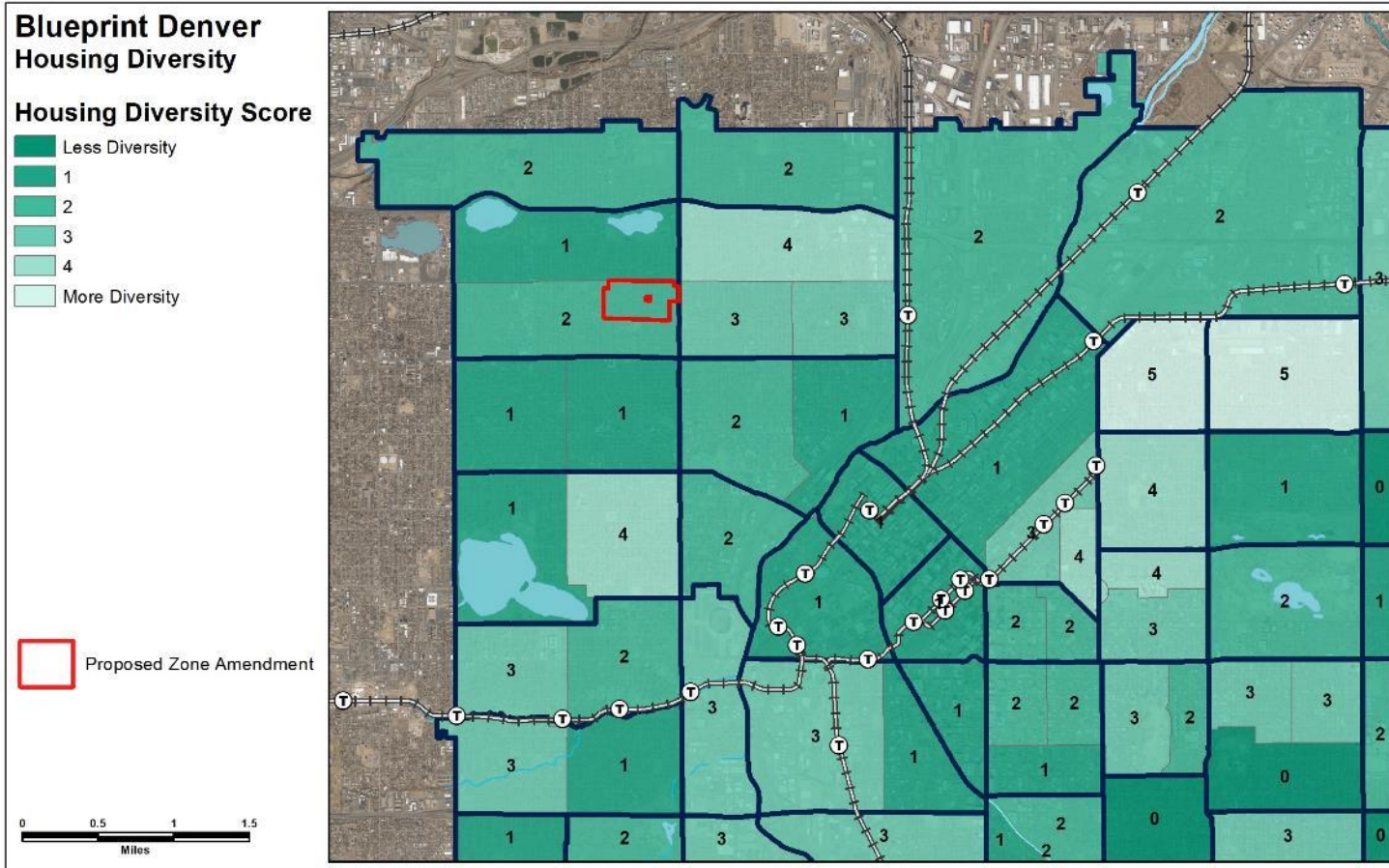
## Vulnerability to Involuntary Displacement

- Not Vulnerable
  - Median household income
  - Percent of renters
  - Educational attainment

## Text/map amendment

- *No impact*; no change to permitted uses or development potential

# Consistency with Adopted Plans: Blueprint Denver 2019



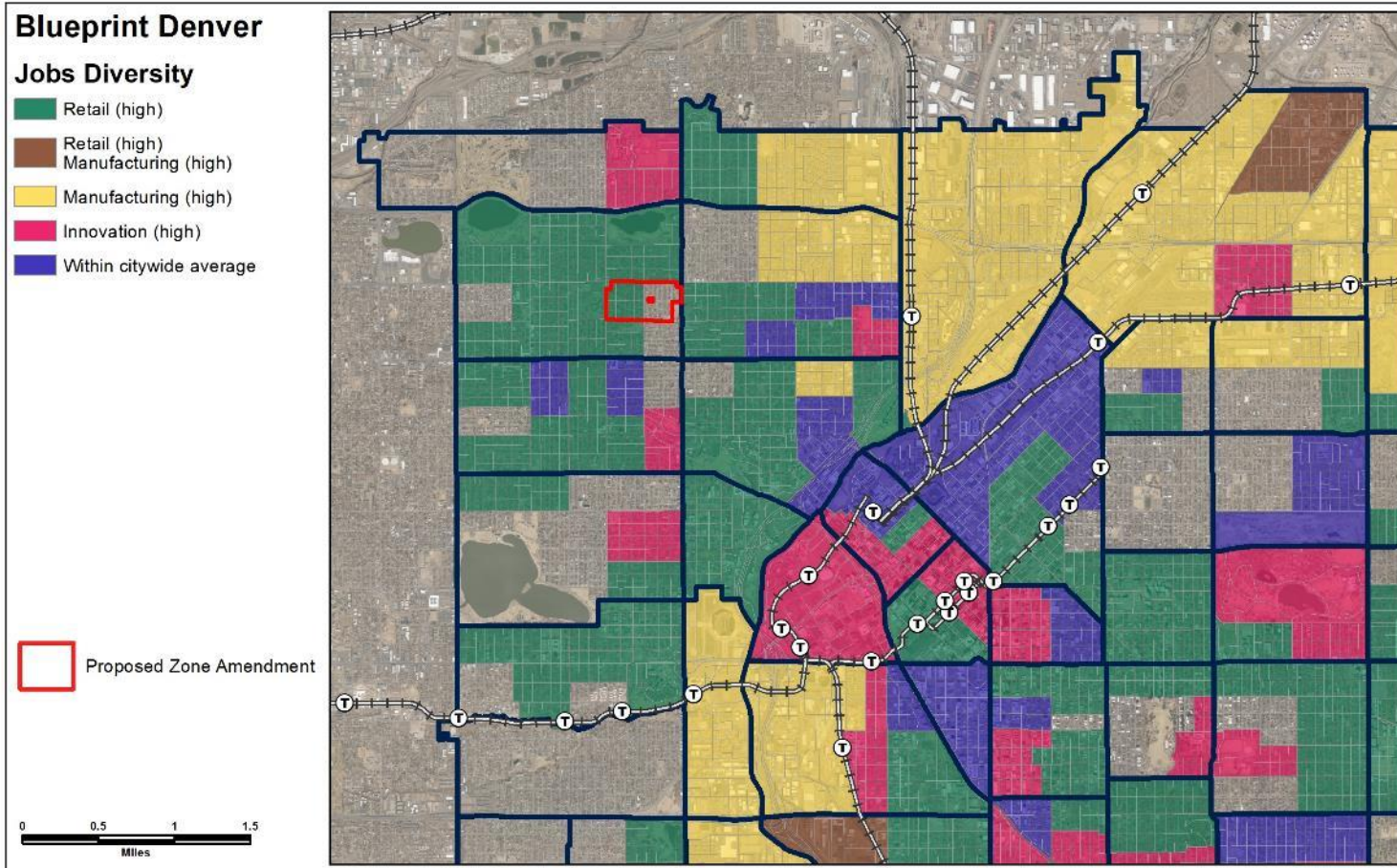
## Housing Diversity

- Less Diversity
  - Missing middle
  - Home size
  - Ownership vs. rental
  - Housing costs
  - Affordable units

## Text/map amendment:

- *No impact* on most; *minor impact* on home size diversity
- No change to number of dwelling units allowed on a lot
- Limitations on square footage

# Consistency with Adopted Plans: Blueprint Denver 2019



## Jobs Diversity

- More retail

## Text/map amendment

- *No impact*; no change to permitted uses

# Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

- Comprehensive Plan 2040
- Blueprint Denver: A Land Use and Transportation Plan (2019)

### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare

# CPD Recommendation

1. Staff recommends that the Land Use, Transportation and Infrastructure committee move the Denver Zoning Code Text Amendment establishing the Bungalow Conservation Overlay (CO-6) and associated amendments forward for consideration by the full City Council, finding that the applicable review criteria have been met, with the following condition:
  - That the LUTI Review Draft be edited for clarity, correctness, illustrative graphics, section references, and other non-substantive matters as well as any other changes to the LUTI Review Draft made necessary by such edits.
2. Staff recommends that the Land Use, Transportation and Infrastructure committee move map amendment #2020I-00099, rezoning U-SU-C and U-SU-C1 zoned properties in the rezoning area to apply the CO-6 overlay zone district forward for consideration by the full City Council, finding that the applicable review criteria have been met.