



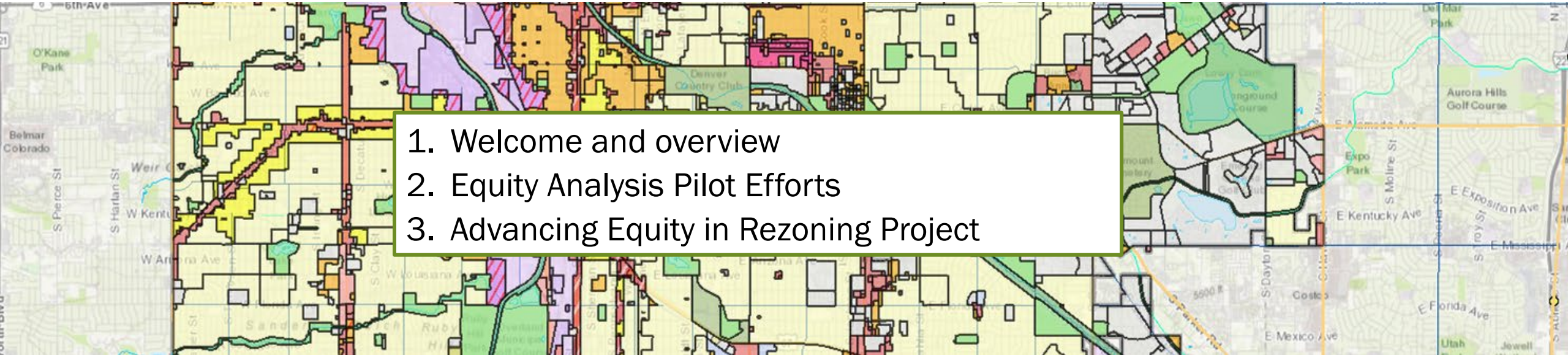
DENVER

**COMMUNITY PLANNING
& DEVELOPMENT**

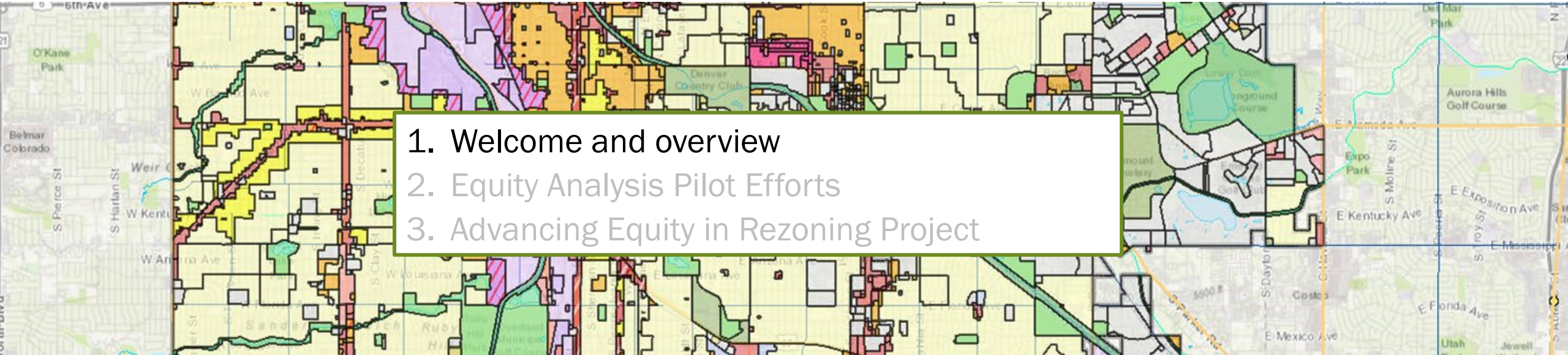
Denver City Council LUTI Committee
Advancing Equity in Rezoning

October 10, 2023

Agenda

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1. Welcome and overview
 2. Equity Analysis Pilot Efforts
 3. Advancing Equity in Rezoning Project

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Rezoning (Zoning Map Amendments)

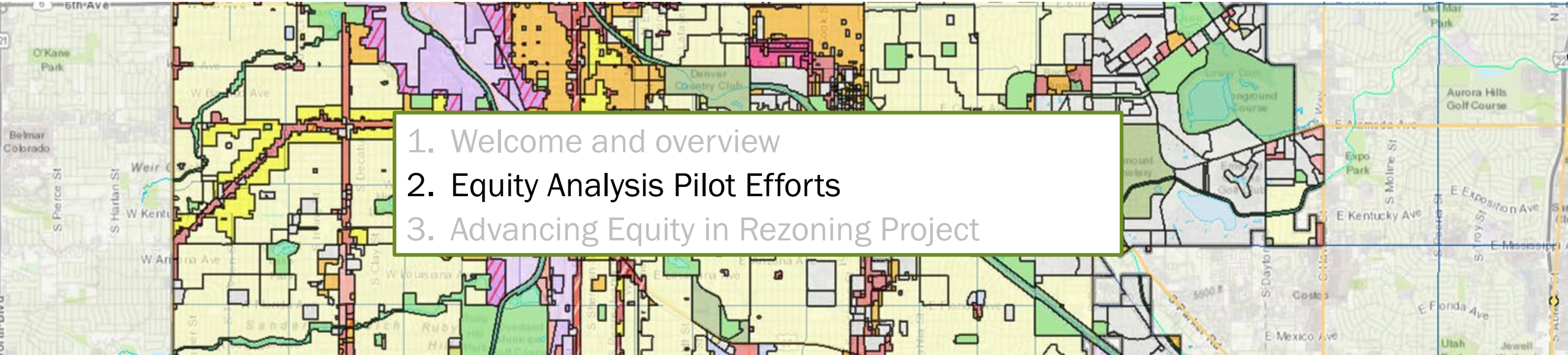
Rezoning is the process of changing the zone district of a property on the zoning map.

Rezoning changes the rules for development and land use. Rezoning does not approve a specific project.

The Denver Zoning Code provides review criteria that must be met to approve a rezoning.



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Equity Analysis pilot

Blueprint Denver Contains Three Major Equity Concepts

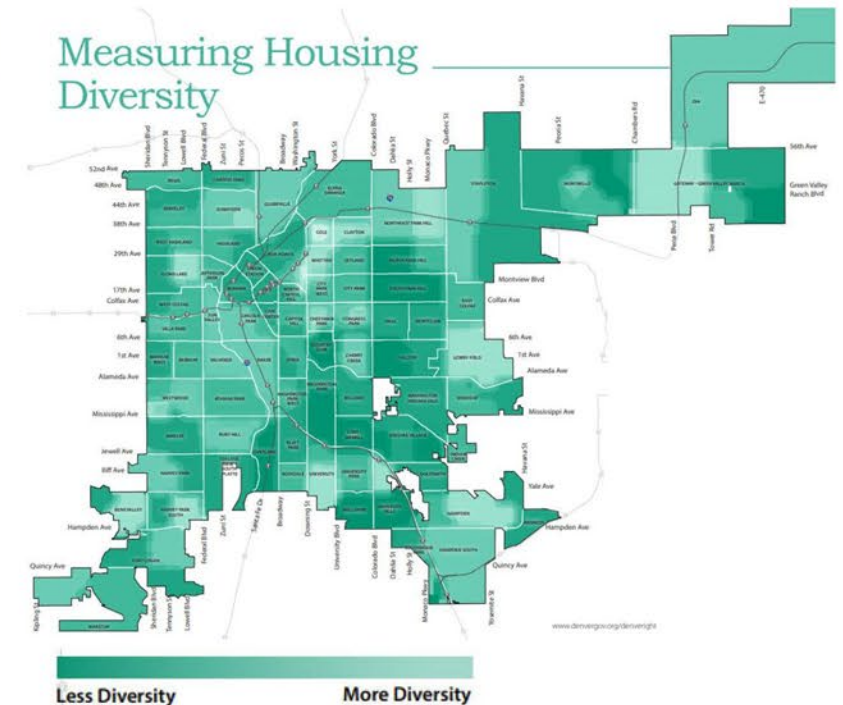
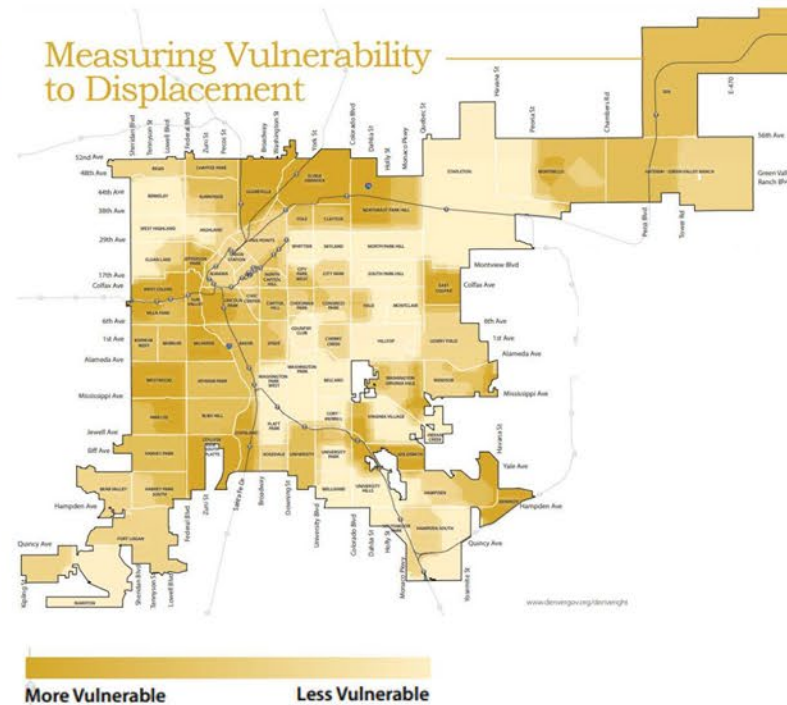
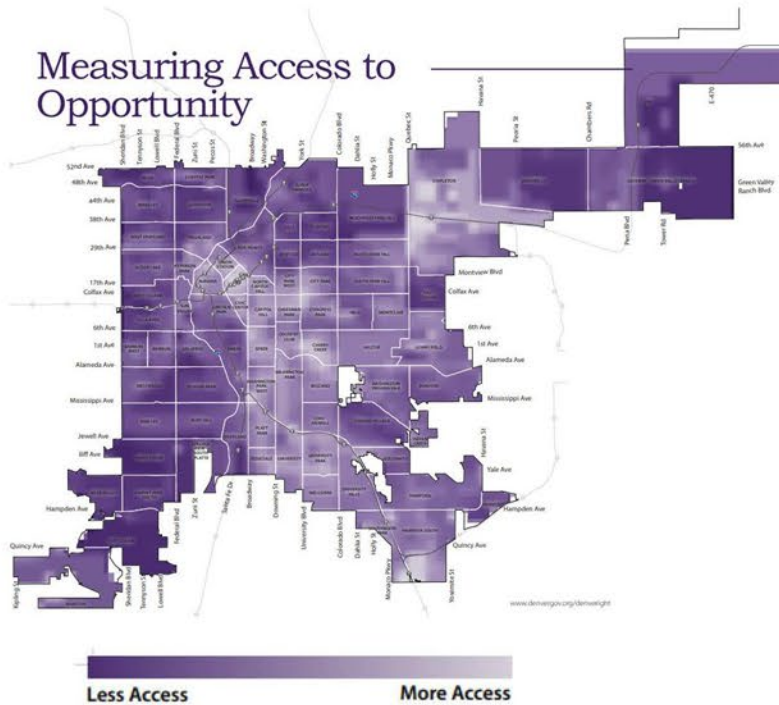
- Integrating these concepts into planning and implementation will help to create a more equitable Denver.



Equity Analysis pilot

How Are the Equity Concepts Measured?

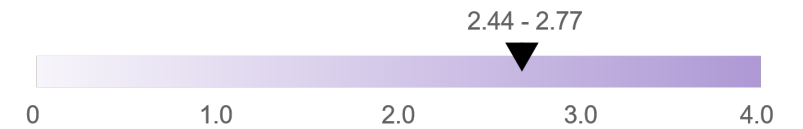
- Measurements range from parcel-level to census tract or neighborhood-wide.



Equity Analysis pilot

What Does an Analysis Tell Us?

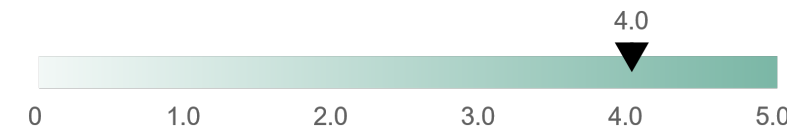
- How a site scores for the three concepts.
- What key issues or needs are present (i.e. low-scoring measures), combined with plan direction and community input.
- Potential options for improvements or actions to mitigate key issues or serve an identified need.
- Applicant is presented an equity brief and menu of strategies, and expected to provide responses



Access to Opportunities



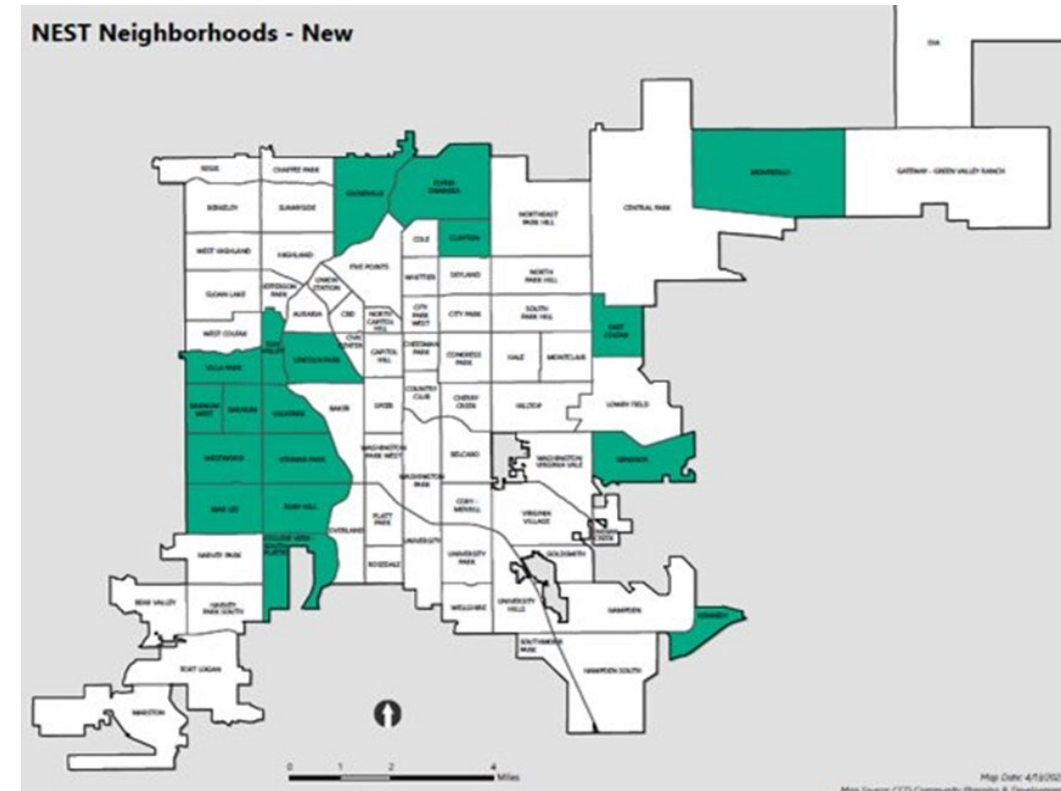
Vulnerability to Involuntary Displacement



Housing and Jobs Diversity

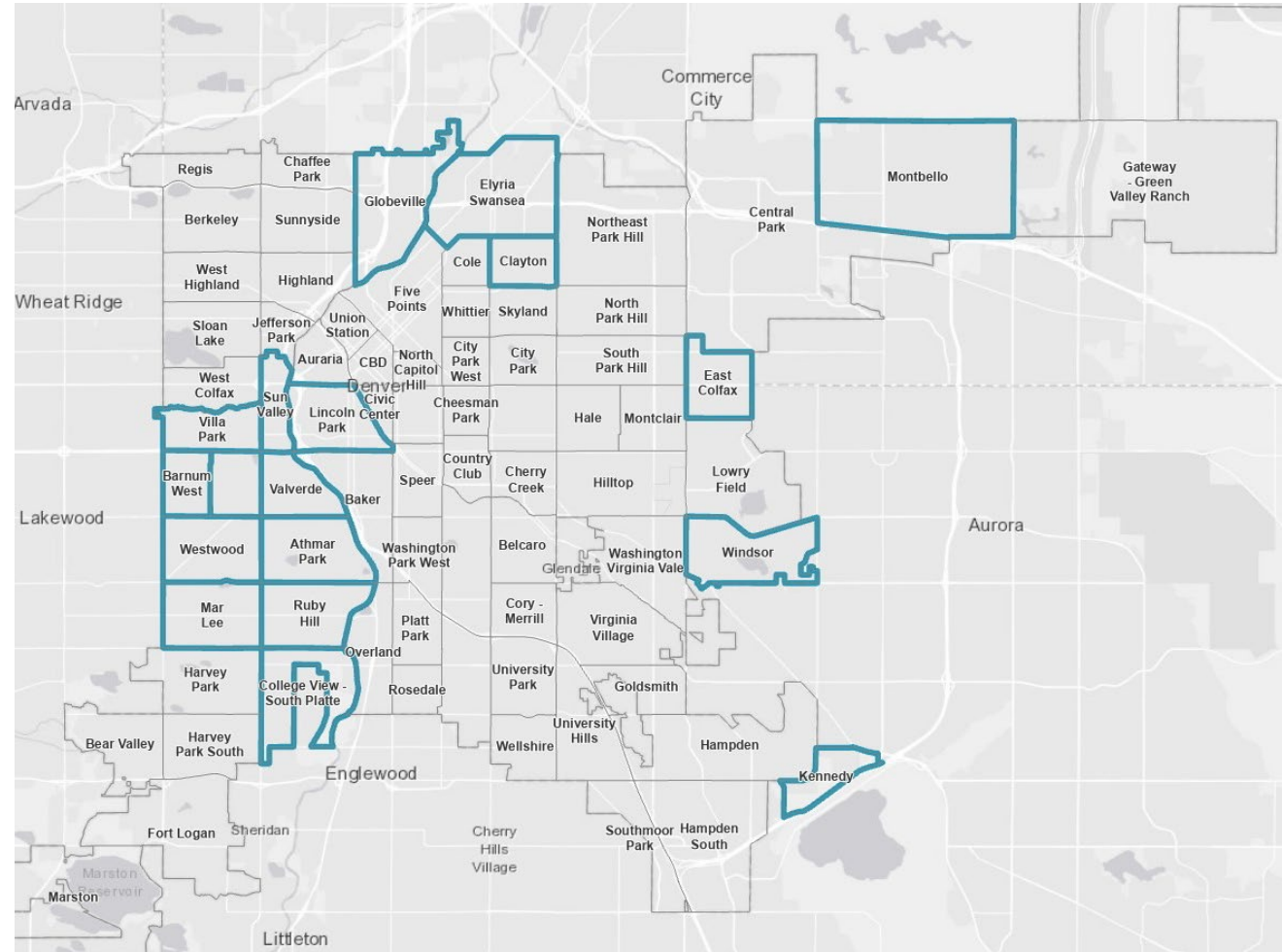
Equity Analysis pilot

- Since late fall 2019, CPD has piloted an equity analysis for all rezonings 5 acres or larger and for all LDRs
- Since 2021, CPD has piloted an equity analysis for smaller sites within NEST neighborhoods
 - Greater than 10,000 square feet
 - Rezoning to a zone district other than single-unit, two-unit, or row house



Collaboration with NEST

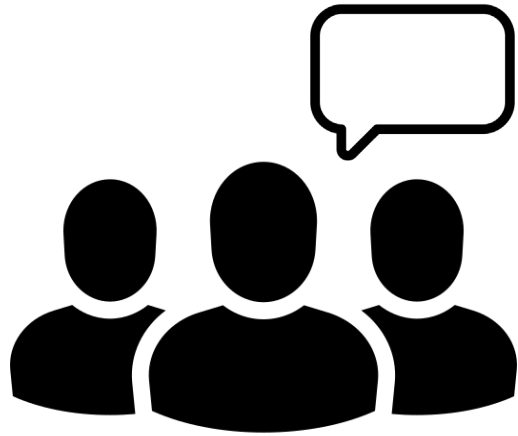
- NEST mitigates displacement and preserves the culture and character of Denver's neighborhoods by providing access to resources, elevation community voices, and supporting equitable growth.
- NEST assists CPD and landowners by connecting with external and internal partners including Community Serving Organizations specifically within the 18 NEST priority neighborhoods



Agenda

1. Welcome and overview
2. Equity Analysis Pilot Efforts
3. Advancing Equity in Rezoning Project
 - Project Background
 - Proposed Strategies
 - Discussion & Questions

Project Initiation: Why are we updating the rezoning process?



**Community
Feedback**

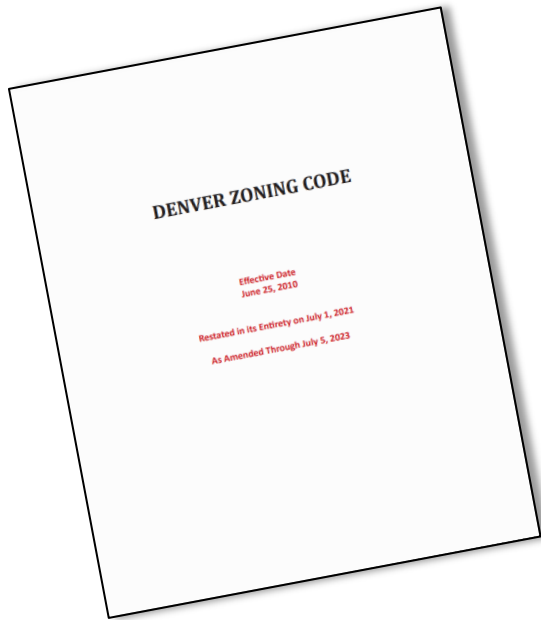


**Citywide Plan
Guidance**



**Concerns of
Disparate
Impacts**

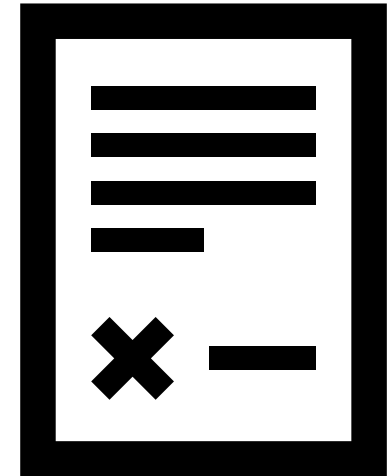
Where could these improvements be realized?



**Denver
Zoning Code**



**Rules and
Regulations**



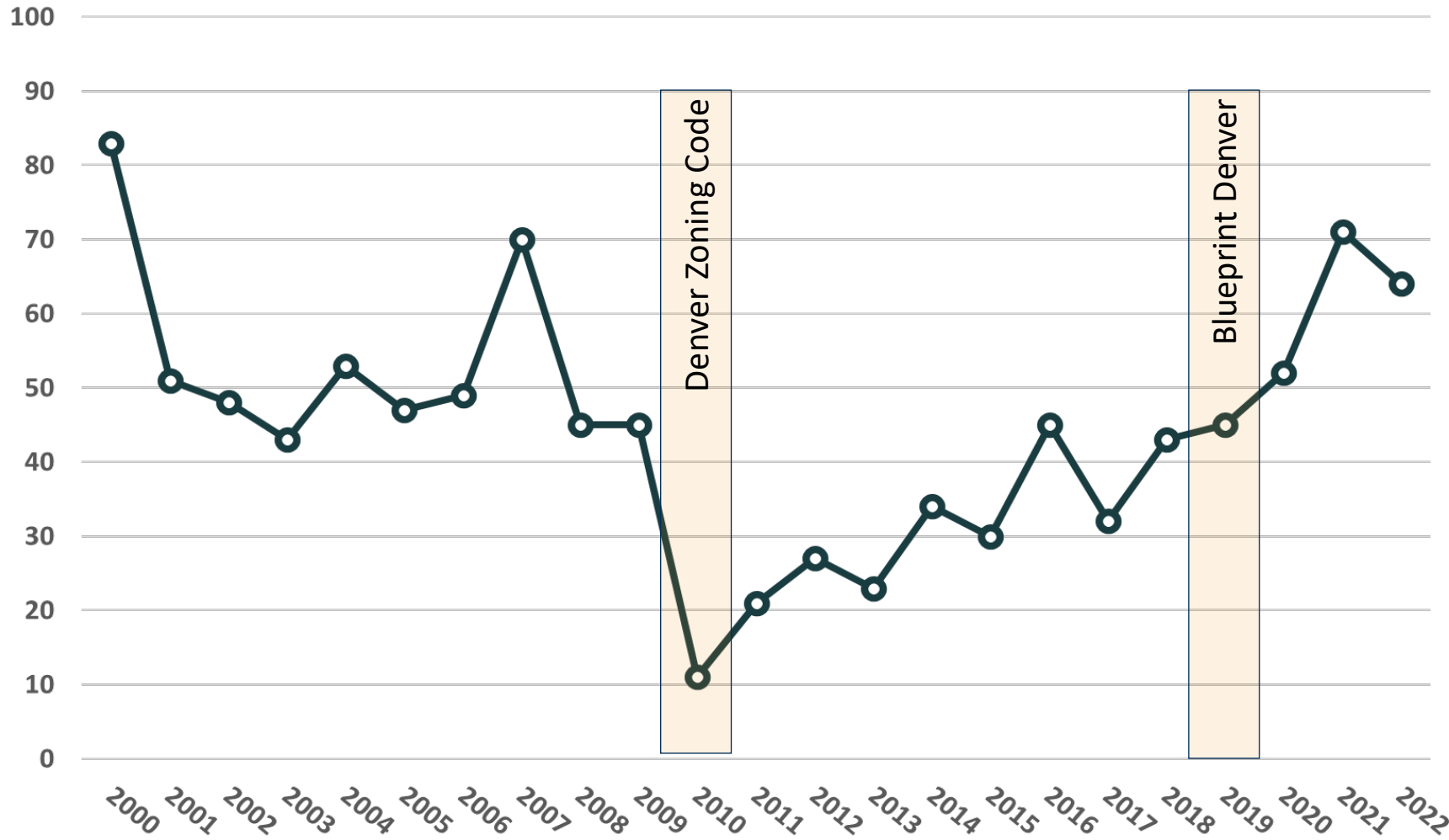
**Standard
Operating
Procedures**

Why Blueprint Denver Supports This Project

- “The city should consider adjustments to the applicant-driven rezoning process to better address important topics revealed by the equity concepts, including housing choice, affordability and mitigating involuntary displacement.”
- “This could include predictable and consistent process for applicants to commit to certain outcomes at the time of rezoning.”
- Land Use & Built Form Policy 4.F: “Create tools to increase access to the rezoning process, especially for underrepresented communities.”



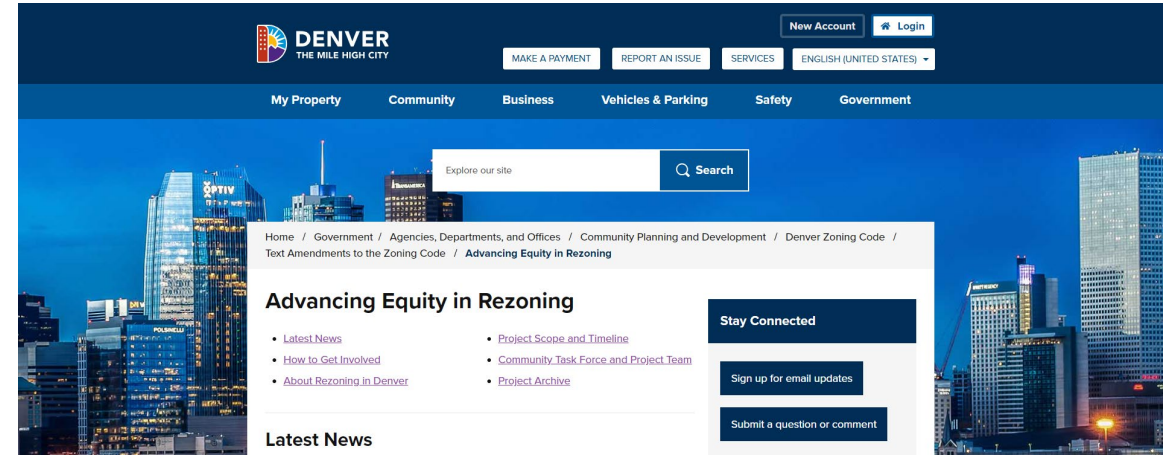
Rezoning Volume Has Been Rising



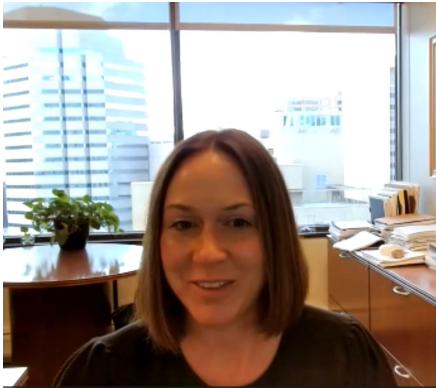
- Rezoning volume went down when most of the city was proactively rezoned in 2010.
- Since 2010, rezoning volume has increased.
- Rezoning volume increased after Blueprint Denver was adopted in 2019. It explicitly supports individual ADU rezonings until ADUs are allowed citywide.

Diverse Task Force Membership

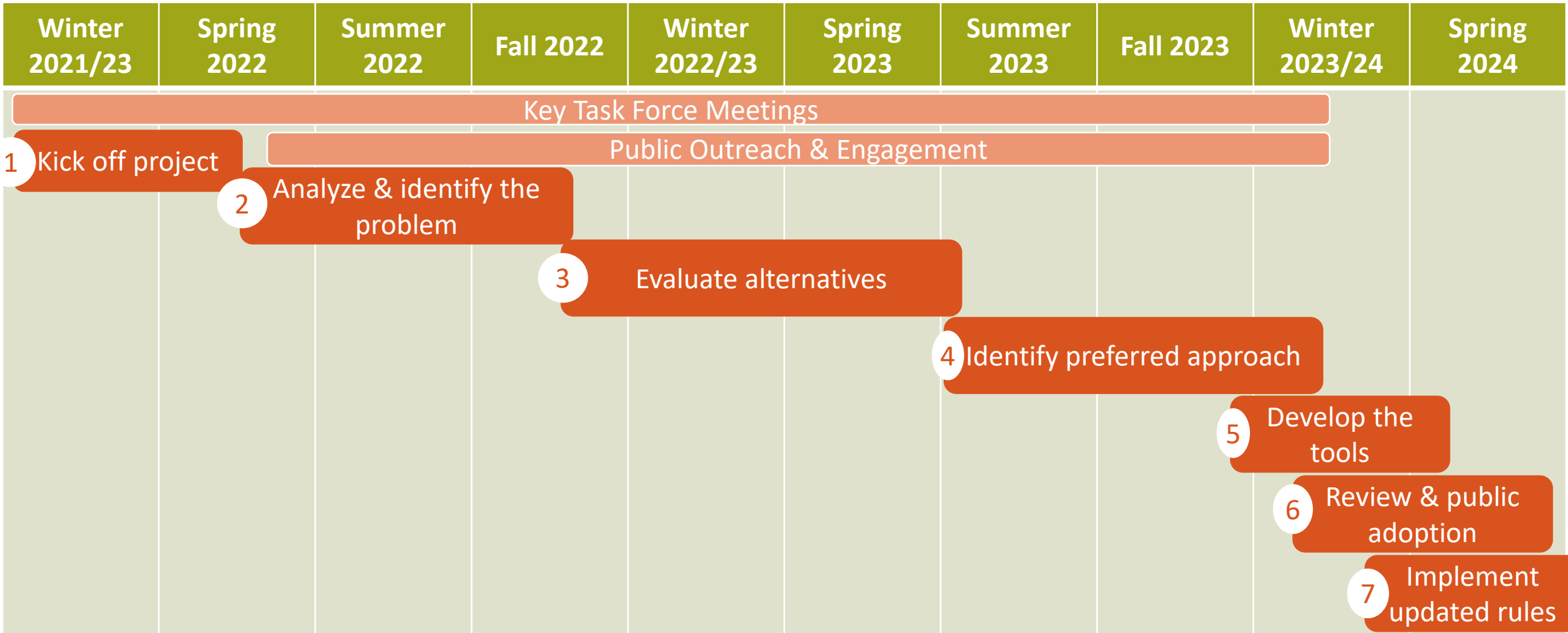
- 22 members including representation from Planning Board and City Council
- Selection criteria used to bring various equity lenses to the discussion



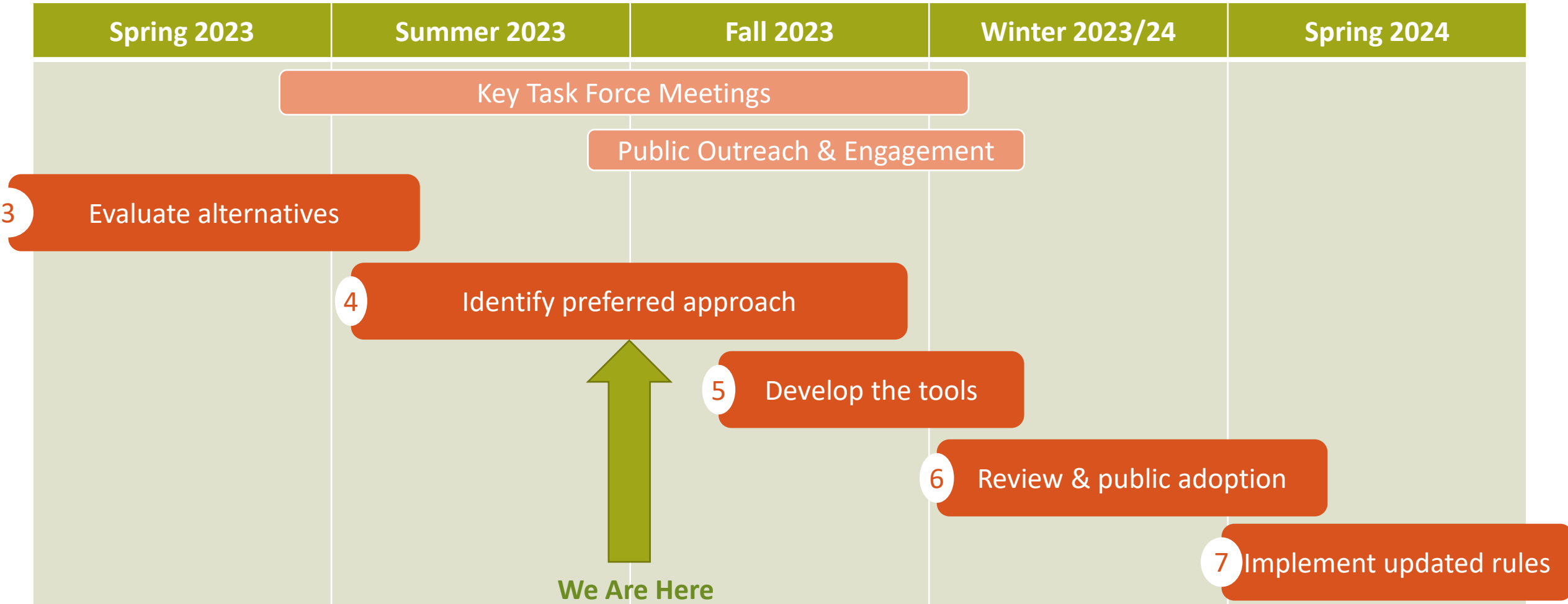
www.denvergov.org/equityinrezoning



Advancing Equity in Rezoning Project Schedule



Advancing Equity in Rezoning Project Schedule



ISSUE CATEGORIES IDENTIFIED BY COMMUNITY AND TASK FORCE



1. Public Awareness

- Who is notified and when, translation & interpretation of materials, extent of notification

2. Consideration of Public Input

- Public engagement requirements, role of public input, timing & format of public hearings

3. Process for Applicants

- Same process regardless of complexity/impact, process is not accessible/understandable, process and outcomes are unclear

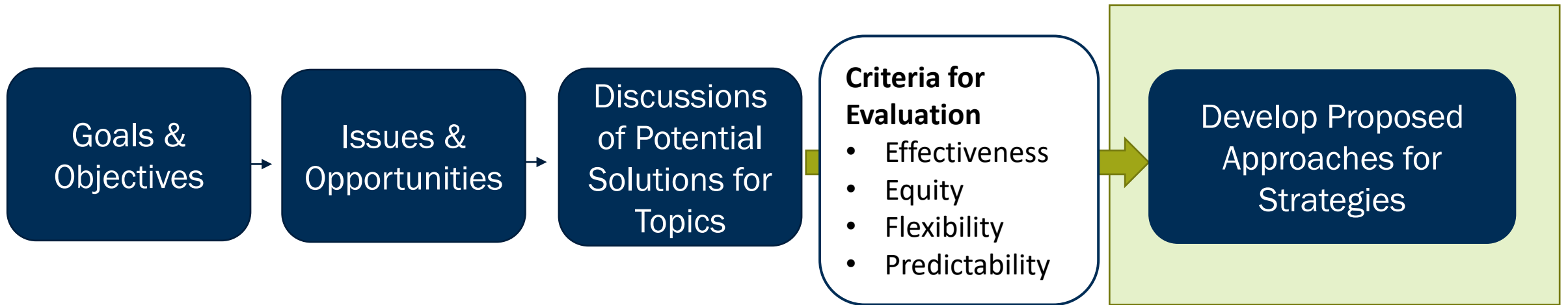
4. Review Criteria

- Equity impacts not explicit in review criteria, unclear/vague review criteria

5. Equitable Commitments

- Inconsistent use of equity analysis, unpredictable potential impacts, limited development agreement options, inequitable rezoning fees and requirements

How we arrived at the proposed strategies



Proposed Strategies

1. Tailor process requirements based on rezoning size, location, impact
2. Create accessible and clear opportunities for public engagement/involvement
3. Ensure commitments to equitable outcomes
4. Revise rezoning review criteria with equity and community engagement clearly considered

Proposed approach to tailoring rezoning process

1. Enhanced Equity Considerations



Applicant-driven rezonings in vulnerable areas and/or larger properties

Examples:
Large Development Reviews, rezonings with equity analyses

2. Legislative, City-led



Area plan rezonings and other proactive, city-led rezonings

Examples:
Neighborhood-wide ADU rezonings, NPI/small area plan implementation, FC59 rezonings

3. Process Relief



Map errors and rezonings that directly advance equity goals such as highly-affordable housing developments

Possible Examples:
AHRT and LIHTC funded projects, rezonings w/Community Land Trusts

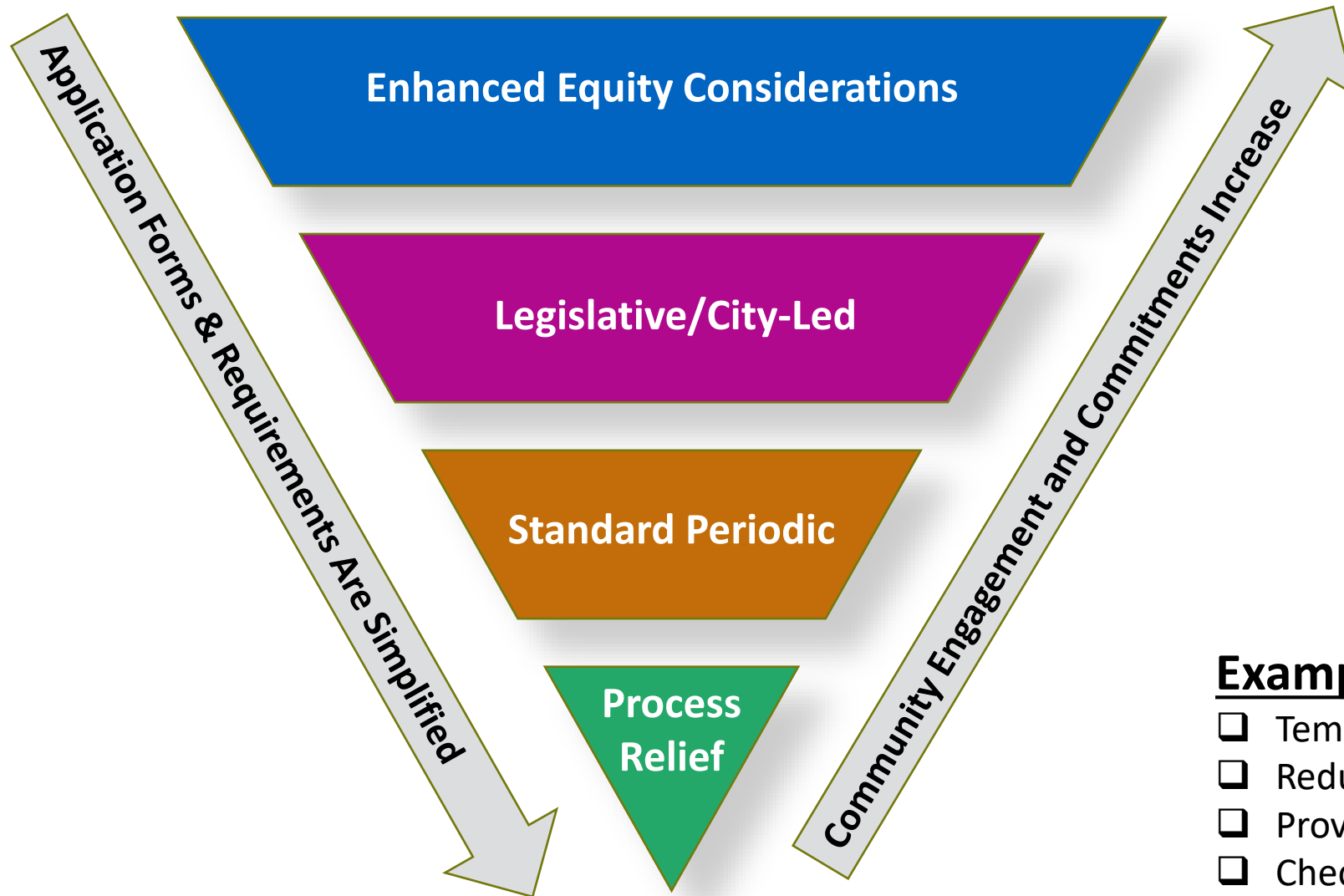
4. Standard Periodic



Applicant-driven rezonings processed on a regular basis (e.g., quarterly or biannually)

Examples:
All other standard rezonings, ADUs, PUDs

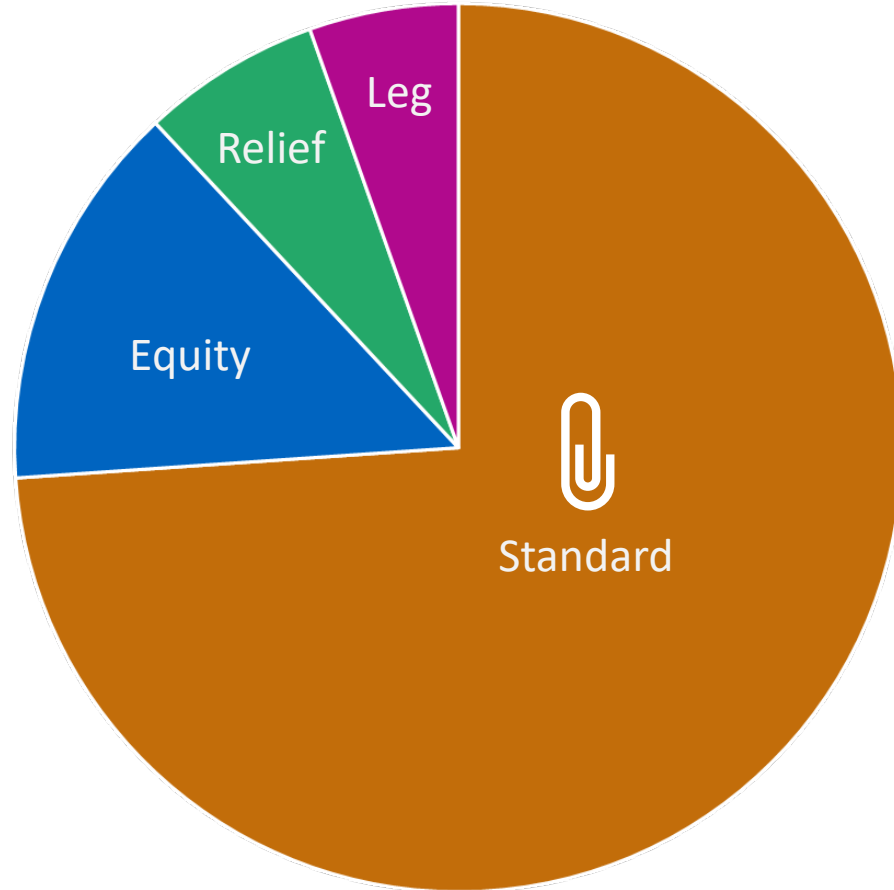
Some Rezonings Are Not As Difficult As Others



Examples of Simplifications

- Template narratives for applicants
- Reduced narratives for applicants
- Provide example applications for reference
- Checkboxes (similar to current ADU applications)

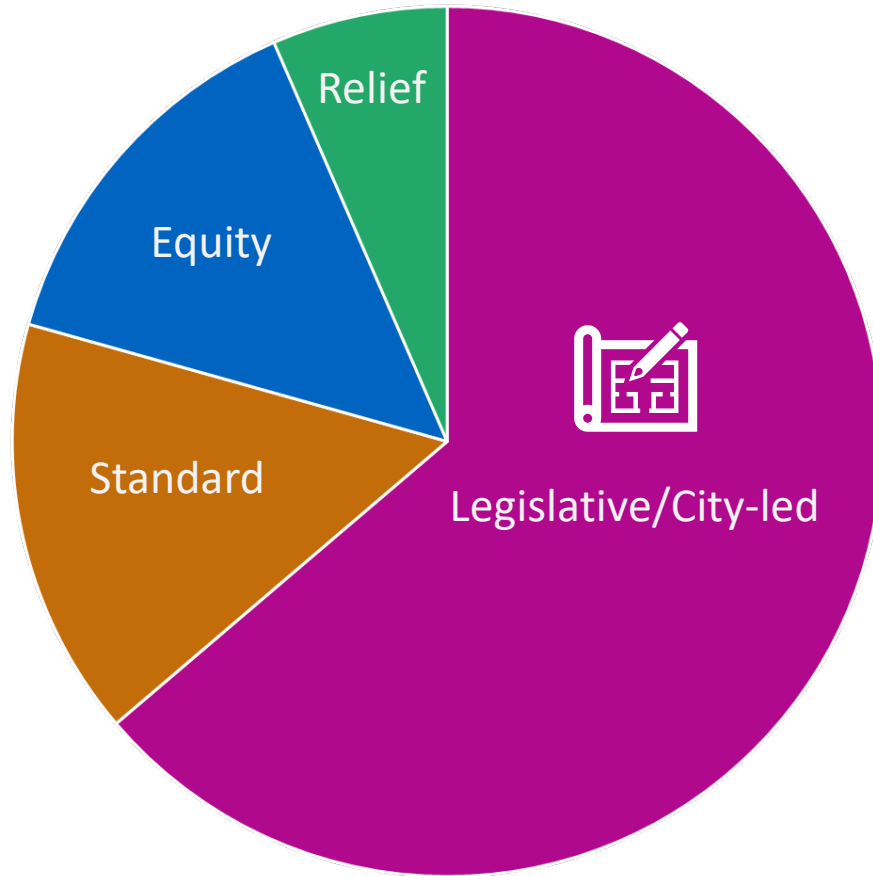
How would past rezonings fit into this structure?



What's Included

- **Enhanced Equity Considerations (draft criteria):**
 - Any rezoning over 5 acres, or
 - Any rezoning meeting all these criteria:
 - Over 10,000 sq ft
 - In a neighborhood vulnerable to displacement
 - Not requesting a SU, TU, or RH district
- **Legislative/City-led:**
 - Legislative rezonings since 2019.
- **Process Relief:**
 - Map Errors
 - 2022 Affordable Housing Review Team rezonings (used as a baseline to estimate past and future highly-affordable housing rezonings)
- **Standard Periodic:**
 - Remainder of rezonings since 2019 that do not fit in another category

How might future rezonings fit into this structure?



What's Included

Enhanced Equity Considerations:

- Same as previous slide

Legislative/City-led:

- In this scenario, all ADU and Former Chapter 59 Legislative Rezoning were added to the Legislative Rezoning category.

Process Relief:

- Same as previous slide

Standard Periodic:

- Same as previous slide

Proposed Strategies

1. Tailor process requirements based on rezoning size, location, impact
2. Create accessible and clear opportunities for public engagement/involvement
3. Ensure commitments to equitable outcomes
4. Revise rezoning review criteria with equity and community engagement clearly considered

Strategy 2: Create accessible and clear opportunities for public engagement/involvement

1



Reach more community members earlier in the process

2



Update notification materials and rezoning webpage

3



Encourage public engagement and participation

4



Other City efforts

Proposed Strategies

1. Tailor process requirements based on rezoning size, location, impact
2. Create accessible and clear opportunities for public engagement/involvement
3. Ensure commitments to equitable outcomes
4. Revise rezoning review criteria with equity and community engagement clearly considered

Strategy #3: Ensure Commitments to Equitable Outcomes

Summary

Issues identified:

- ✓ Higher impact rezonings should have more robust community engagement
- ✓ Equity analysis, adopted plan goals, and community input should inform potential commitments from applicants
- ✓ It is especially important for commitments to be negotiated, executed, monitored, and enforced by the City

Strategy #3: Ensure Commitments to Equitable Outcomes

Summary

Where we are headed:

- Coordinating with multiple agencies and departments to:
 - Explore potential commitments
 - Identify appropriate tools
 - Determine resources needed for administration and implementation
- Examples of commitments for enhanced equity consideration rezonings could include:
 - Below-market/affordable commercial space
 - Community-serving uses and tenant relocation assistance
 - Increased open space features/amenities
 - Mobility and access improvements

Proposed Strategies

1. Tailor process requirements based on rezoning size, location, impact
2. Create accessible and clear opportunities for public engagement/involvement
3. Ensure commitments to equitable outcomes
4. Revise rezoning review criteria with equity and community engagement clearly considered

Strategy #4: Revise Rezoning Review Criteria

Summary

Issues identified:

- ✓ The review criteria do not identify how public input is used
- ✓ The review criteria do not clearly consider equity impacts
- ✓ The review criteria are unclear or vague

Current review criteria:

1. Consistency with Adopted Plans
2. Regulations are Uniform
3. Furthers Public Health, Safety, Welfare
4. A Justifying Circumstance Exists
5. Consistency with Context and District Purpose and Intent

Strategy #4: Revise Rezoning Review Criteria

Summary

Where we are headed:

- Ensure equity recommendations in adopted plans are clearly considered when evaluating rezonings
- Revise rezoning review criteria to reduce confusion and focus on the most relevant considerations
- Develop guides with clear explanations and narratives for review criteria for use by both applicants and community members

Other considerations:

- The other strategies will also inform development of new review criteria.
- Improvements to notifications and engagement across all proposed rezoning types will help communities understand how the review criteria are used in decision making.

Highlights of potential project results

1. Could batch rezonings of individual properties on a periodic basis, rather than separate processes for every ADU rezoning
2. Could do more legislative rezonings after plan adoption when we can achieve efficiencies from reduced applicant-driven work
3. Could formalize securing commitments with rezoning, as first piloted through equity analysis and response system
4. Could increase expectations for community engagement and commitments in neighborhoods vulnerable to displacement and large rezonings

Discussion Questions for City Council Members

1. Should we “batch” some individual rezonings, such as ADU rezonings?
2. What elements would be important to include in a community engagement plan for rezonings with enhanced equity considerations?
3. We are just beginning to explore changes to the rezoning review criteria. What elements of the current review criteria work well? What would you change?