

# Santa Fe & 8<sup>th</sup> Ave. Overlay and DO-8 updates & Mobile Home Unit Replacement

Text Amendment: Updates to DO-8 Active Centers and Corridors Design Overlay and Expand Replacement of Mobile Home Units in Nonconforming Mobile Home Parks

Map Amendment #2021I-00153: C-MS-8, UO-1, UO-2; C-MS-5, UO-1, UO-2; C-MS-5; U-MS-3, UO-1, UO-2 to C-MS-8, UO-1, UO-2, DO-8; C-MS-5, UO-1, UO-2, DO-8; C-MS-5, DO-8; U-MS-3, UO-1, UO-2, DO-8

Date: 01/24/2023

# Purpose of Text and Map Amendment

- Text Amendment sponsored by Councilmembers Torres, CdeBaca, and Clark
- Text Amendment: Update D0-8 Active Centers and Corridors Design Overlay and Expand Replacement of Mobile Home Units in Nonconforming Mobile Home Parks
- Map Amendment sponsored by Councilmembers Torres and Clark
- Map Amendment: Rezone main street property along Santa Fe Dr. between 3<sup>rd</sup> & 13<sup>th</sup> Aves. and 8<sup>th</sup> Ave. between Lipan and Galapago to include the D0-8

# Text Amendment

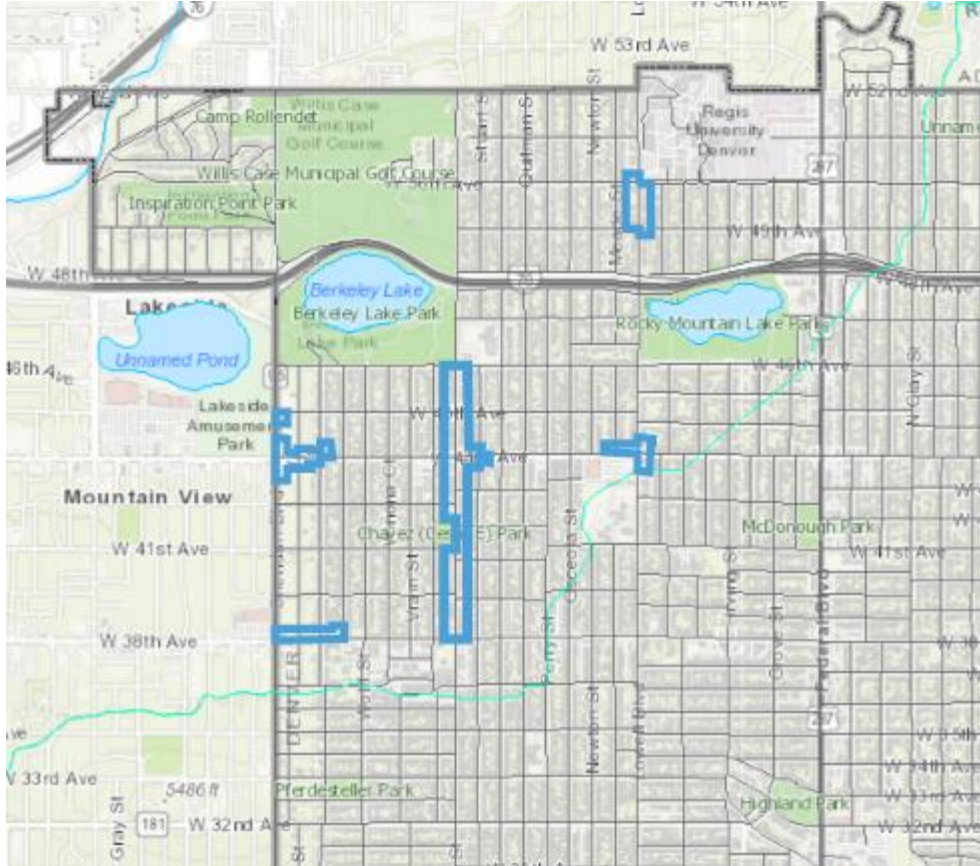
# Why this bundle of amendments?

- CPD often bundle multiple topics in a single text amendment
- The purpose is to improve efficiency and provide the fastest process for advancing these changes

# Background: Updates to D0-8

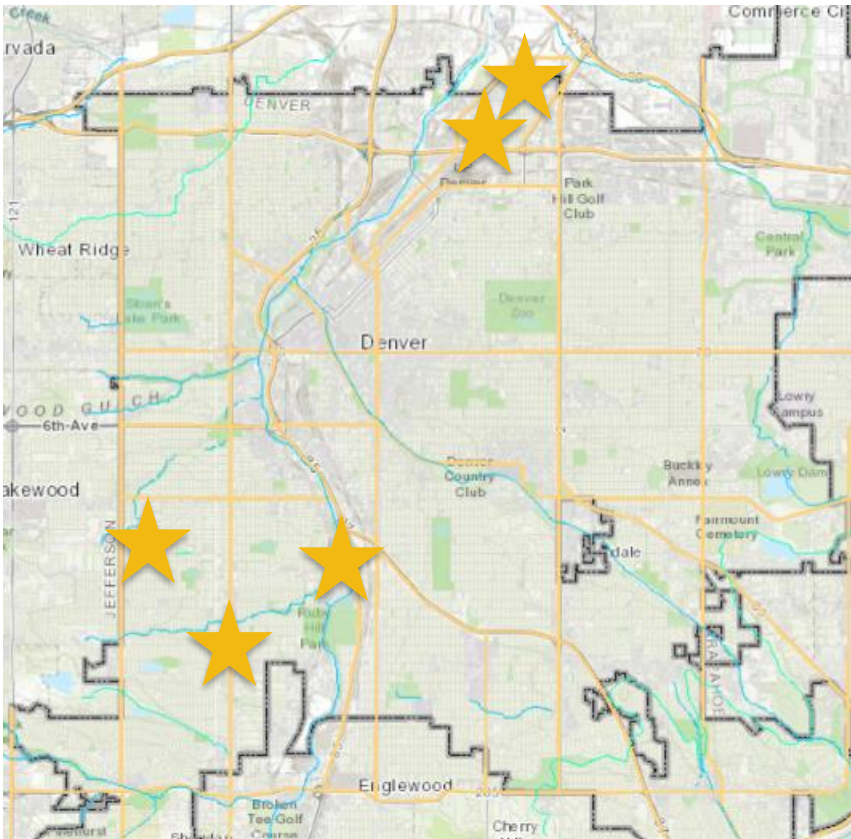
- The Urban Center and Suburban districts allow a reduction in the upper story setback for structures greater than 5 stories or 70 feet if the building is placed 0 feet from the primary street zone lot line
  - This currently does not apply to properties in the D0-8 because the D0-8 requires a 2-foot primary street setback
- Property owners of corner lots may determine the primary street zone lot line for properties that have an underlying zone district of MX, where as the Zoning Administrator determines the primary street zone lot line for properties with an underlying zone district of MS
  - For example, at 46<sup>th</sup> and Tennyson St., an applicant chose to make the primary street 46<sup>th</sup> Ave. instead of Tennyson, which under the D0-8 would require the elevated design standards, which were intended for a main street, such as Tennyson

# Request: Updates to D0-8



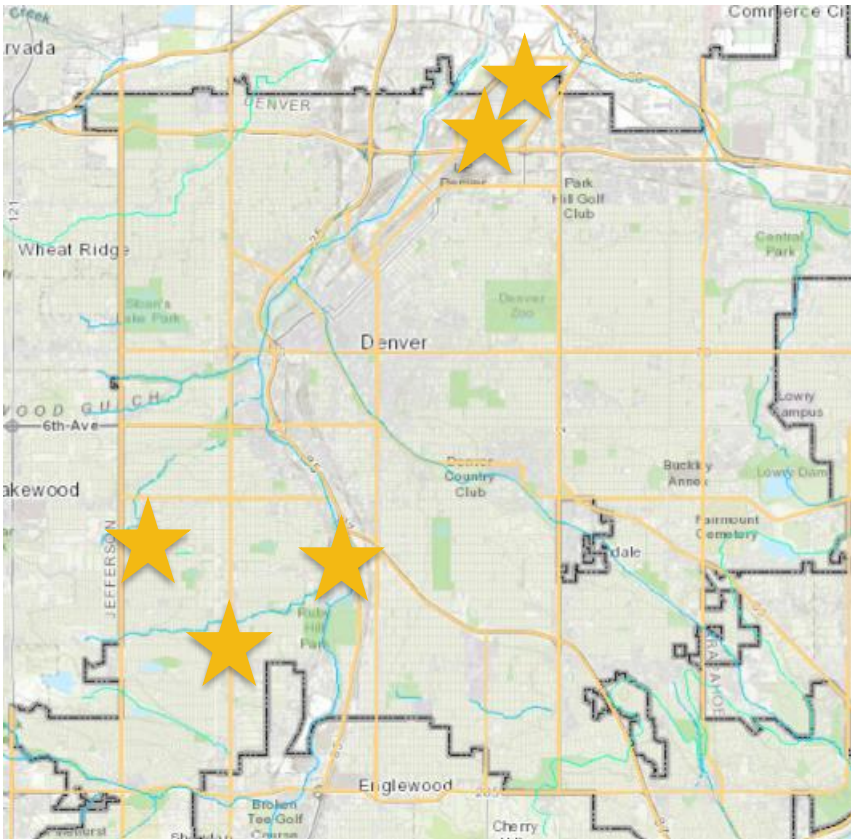
- Permits a reduction for the upper story setback from 20 feet to 15 feet in the Suburban and Urban Center contexts for buildings taller than 5 stories or 70 feet when structures are placed at the minimum primary street setback
- Authorizes the Zoning Administrator to determine which street is designated to be the primary street for a corner lot in the D0-8

# Background: Expand Replacement of Mobile Home Units



- Denver has 5 remaining mobile home parks located in districts 3, 7, and 9
- The DZC allows these parks to continue operation as nonconforming uses
- The code prohibits the replacement of mobile home units built before 1976 with new units certified by HUD
  - This regulation can result in the displacement of residents when they want to replace a unit that has become unsafe or unlivable

# Request: Expand Replacement of Mobile Home Units

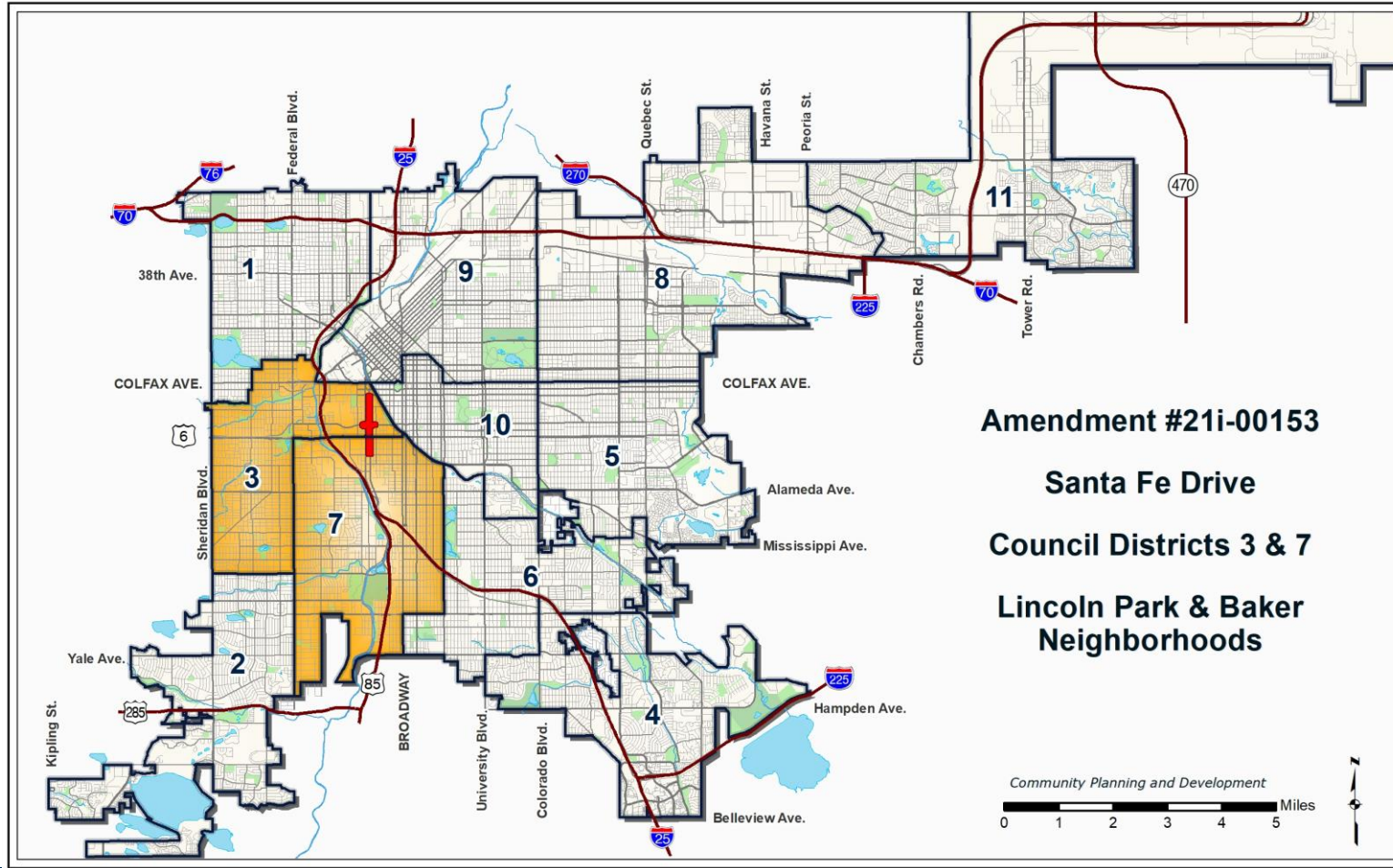


- The zoning code update will allow for older mobile homes to be replaced with newer units that meet federal manufactured home construction safety standards
- Allows a replacement structure up to 1 story
- Removes the requirement for building separation from the zoning code, instead relying on building and fire codes to set requirement
- Removes prohibition on permanent foundations and type of foundation will be determined by a soil analysis at the time of permitting



# Map Amendment / Rezoning

# Map Amendment 2021-00153: Council Districts 3 & 7



# Request: Apply DO-8 to portions of Santa Fe Dr. and 8<sup>th</sup> Ave.

- Approximately 270 properties
- Apply Design Overlay 8 to existing Urban Center – Main Street 5/8 stories and Urban – Main Street 3 stories, Use Overlay 1 and 2 zone districts
- Do-8 will apply more pedestrian-oriented street level design standards and ensure nonresidential uses continue in traditional neighborhood commercial areas
- Legislative rezoning intended to implement adopted plan guidance and neighborhood input
- No developer-driven redevelopment in connection with the legislative rezoning

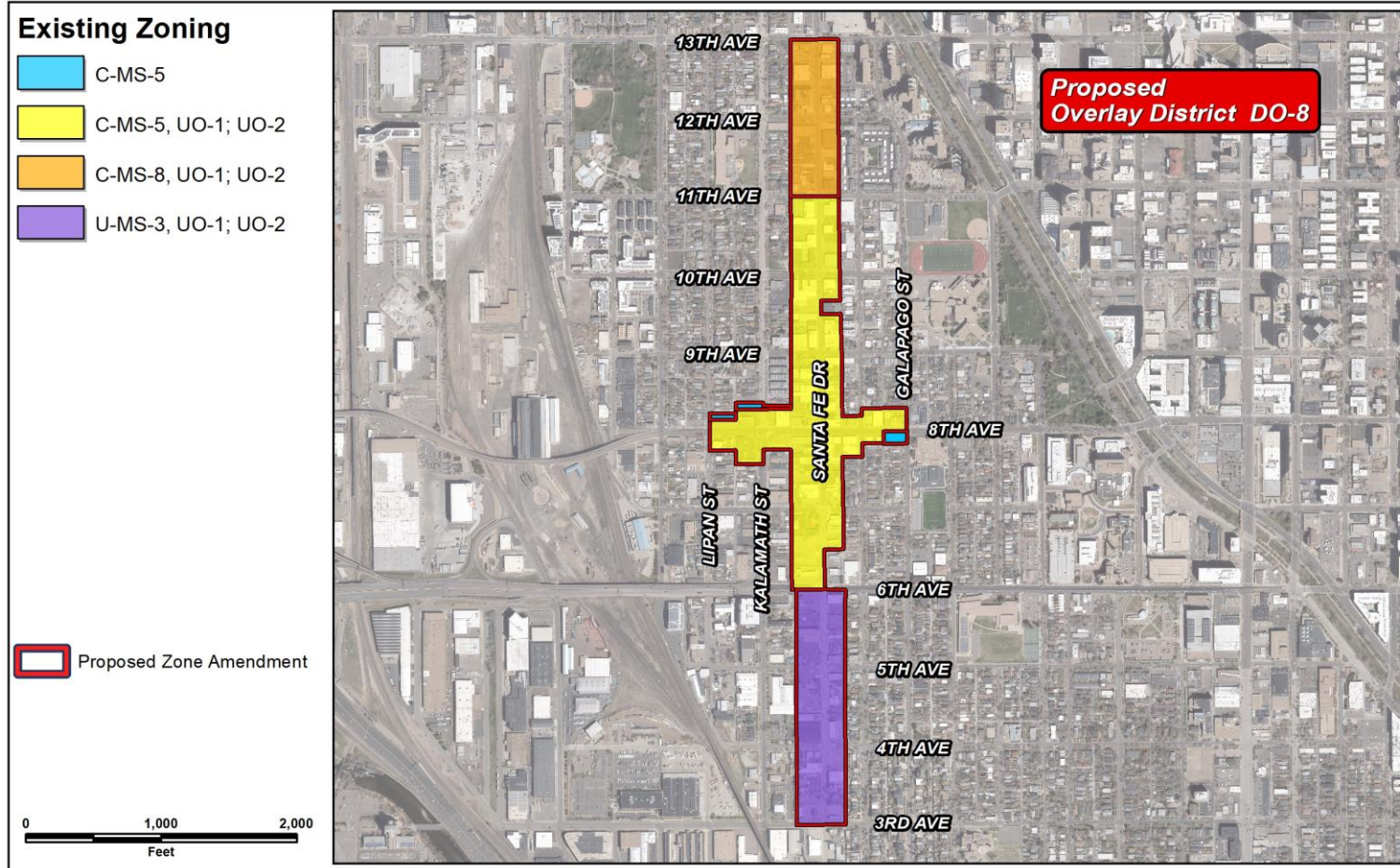


*Reminder: Approval of a rezoning is not approval of a proposed specific development project*

# Existing Context Overview

- Zoning
- View Planes
- Land Use
- Building Form/Scale

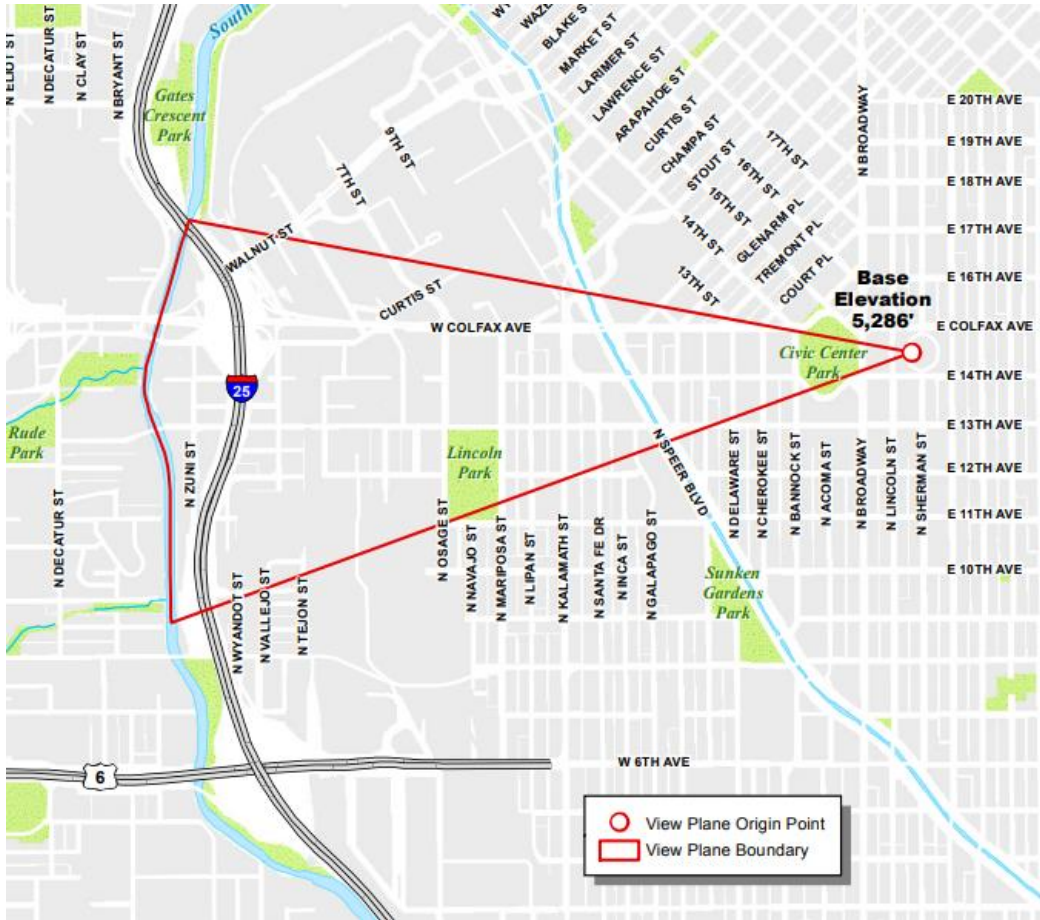
# Existing Zoning



## Current zoning:

- C-MS-8, UO-1, UO-2
- C-MS-5, UO-1, UO-2
- C-MS-5
- U-MS-3, UO-1, UO-2

# View Plane: State Capitol View Plane



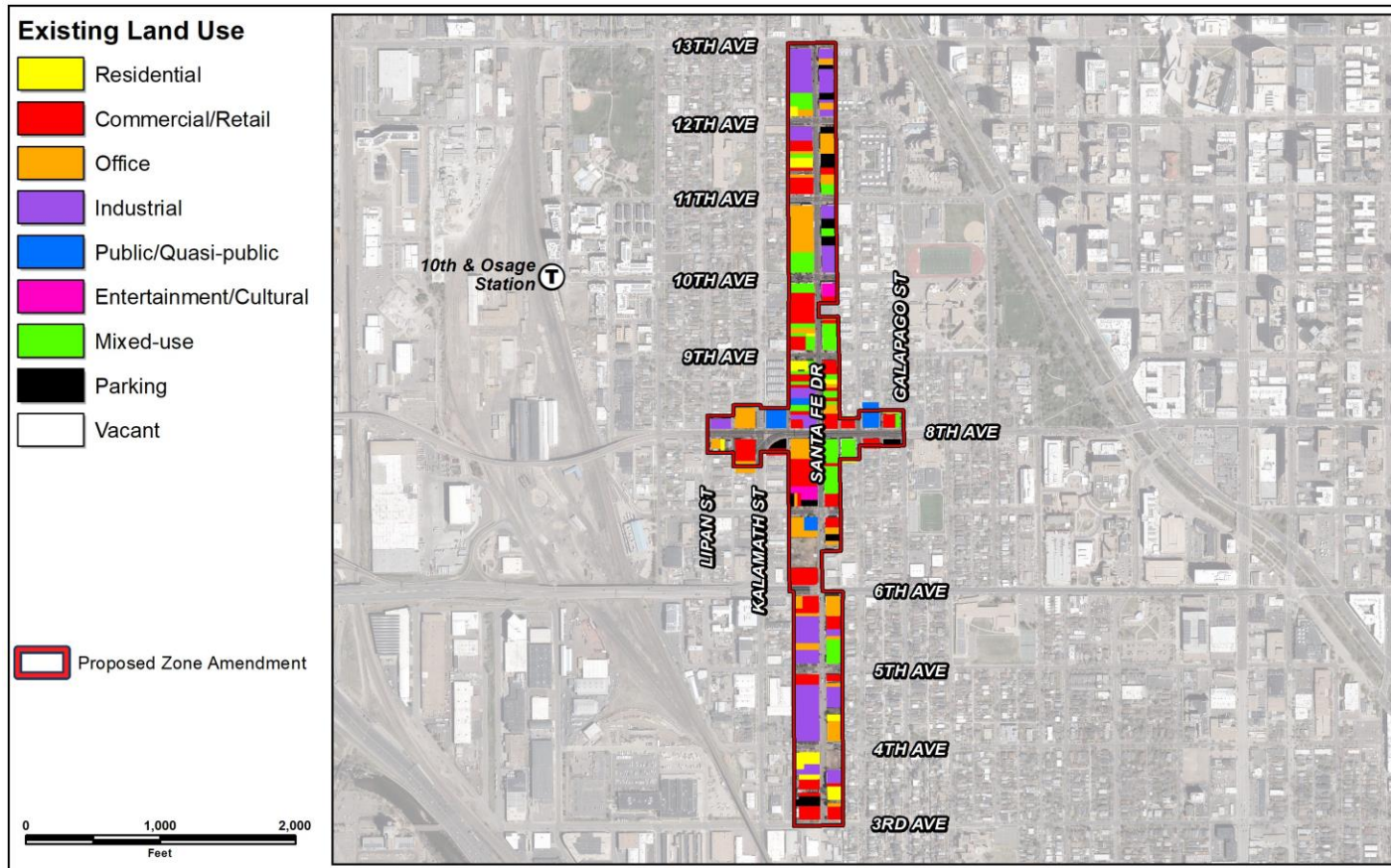
- Proposed zone districts would still comply with State Capitol View Plane restrictions

Max elevation the View Plane: 5,286feet

Building height maximum range:

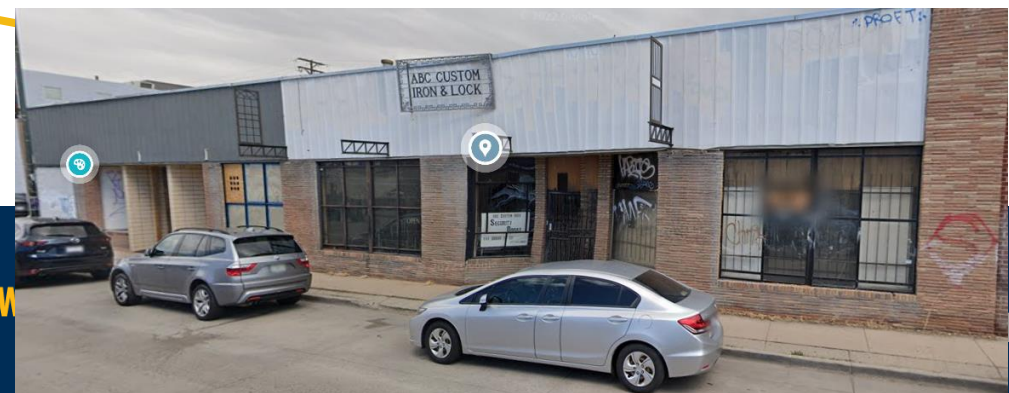
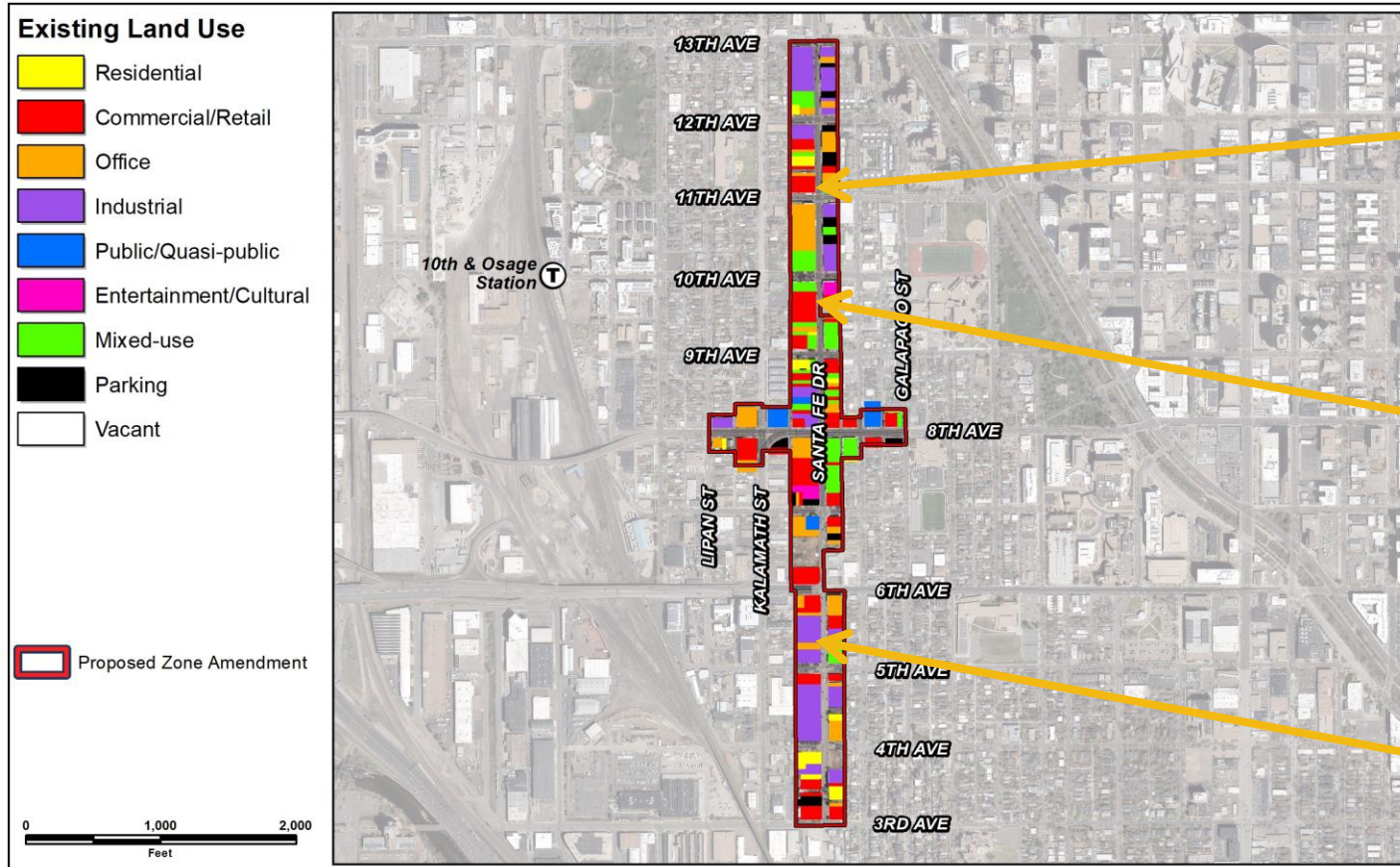
- Approximately 126 feet near 12<sup>th</sup> Ave. and Santa Fe Dr. to 128 feet at 13<sup>th</sup> Ave. and Santa Fe Dr.

# Existing Land Use



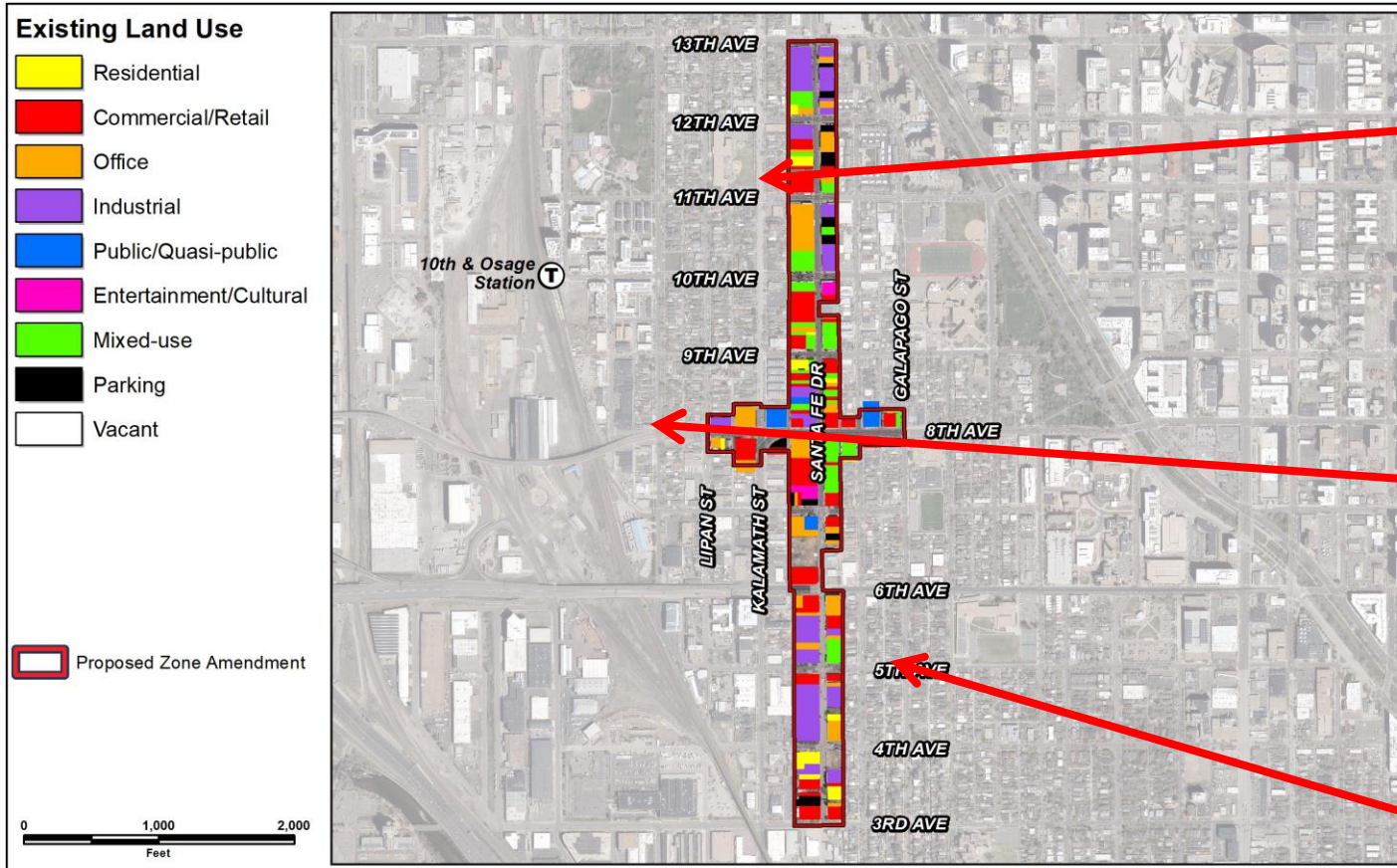
- Industrial
- Commercial/retail
- Office
- Mixed-use
- Residential
- Parking
- Vacant

# Existing Context – Built Form/Scale

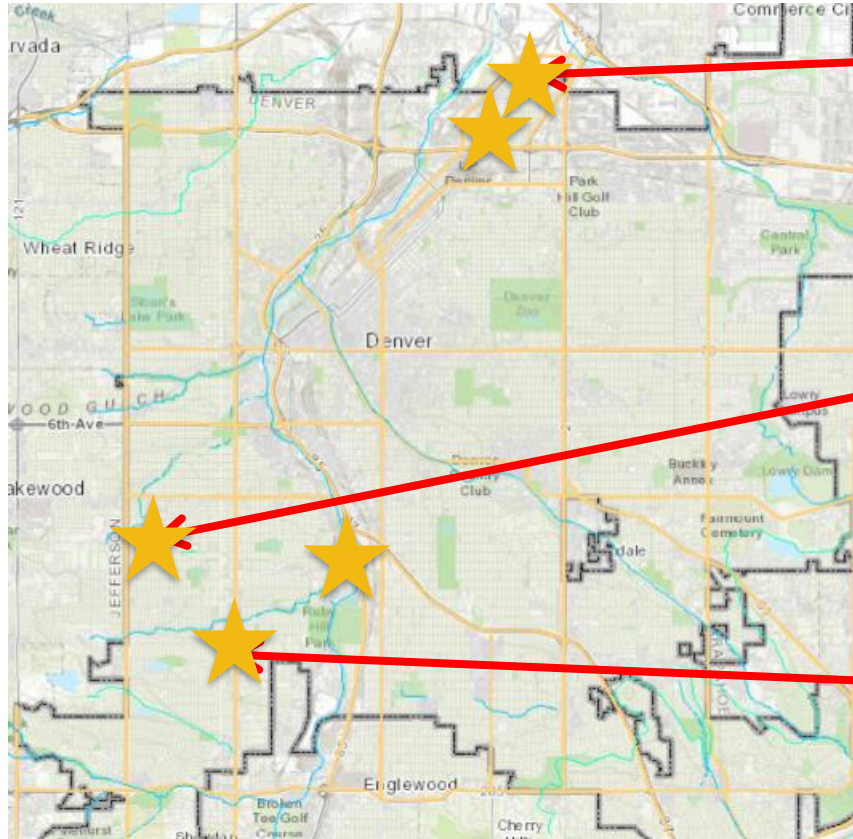




# Existing Context – Built Form/Scale



# Existing Context – Built Form/Scale, Mobile Home Parks



# Public Outreach

- La Alma Lincoln Park Neighborhood Planning Task Force formed: February 2017
- Critical Neighborhood Values survey: July-August 2018
- Task Force presentation to community: 10/17/2018
- Virtual public meeting: 4/6/2022, 4/20/2022
- Office hours: 4/13/2022, 4/21/2022
- Overlay town hall meeting: 5/28/2022

# Process

- Informational Notice: 11/28/22
- Planning Board Notice Posted: 12/20/22
- Planning Board Public Hearing (unanimously recommended approval): 1/4/23
- LUTI Committee: 1/24/23
- City Council Public Hearing (tentative): 3/6/23

# Public Comment

- RNOs: letters of support from La Alma/Lincoln Park Neighborhood Association, Santa Fe Business Improvement District, and Denver's Art District on Santa Fe submitted with application
- No letters from members of the public

# Review Criteria

## Denver Zoning Code Review Criteria for Legislative Rezoning and Text Amendment

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

# Review Criteria

## Denver Zoning Code Review Criteria

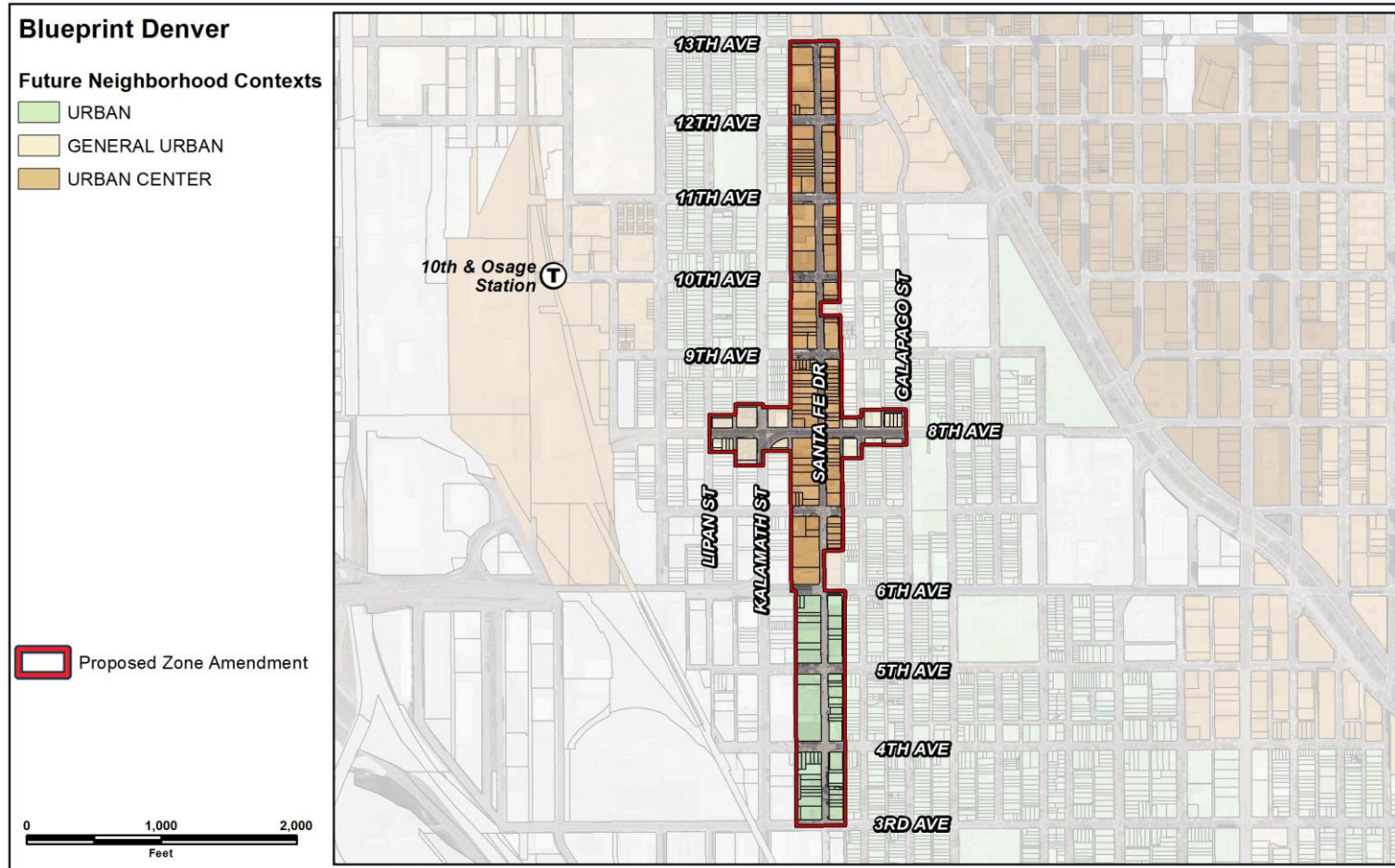
### 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*
- *La Alma/Lincoln Park Neighborhood Plan*
- *Baker Neighborhood Plan*

### 2. Uniformity of District Regulations

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

# Consistency with Adopted Plans: Blueprint Denver



## Urban Center Context

- Dense and vibrant areas with high intensity residential and significant employment areas

## General Urban Context

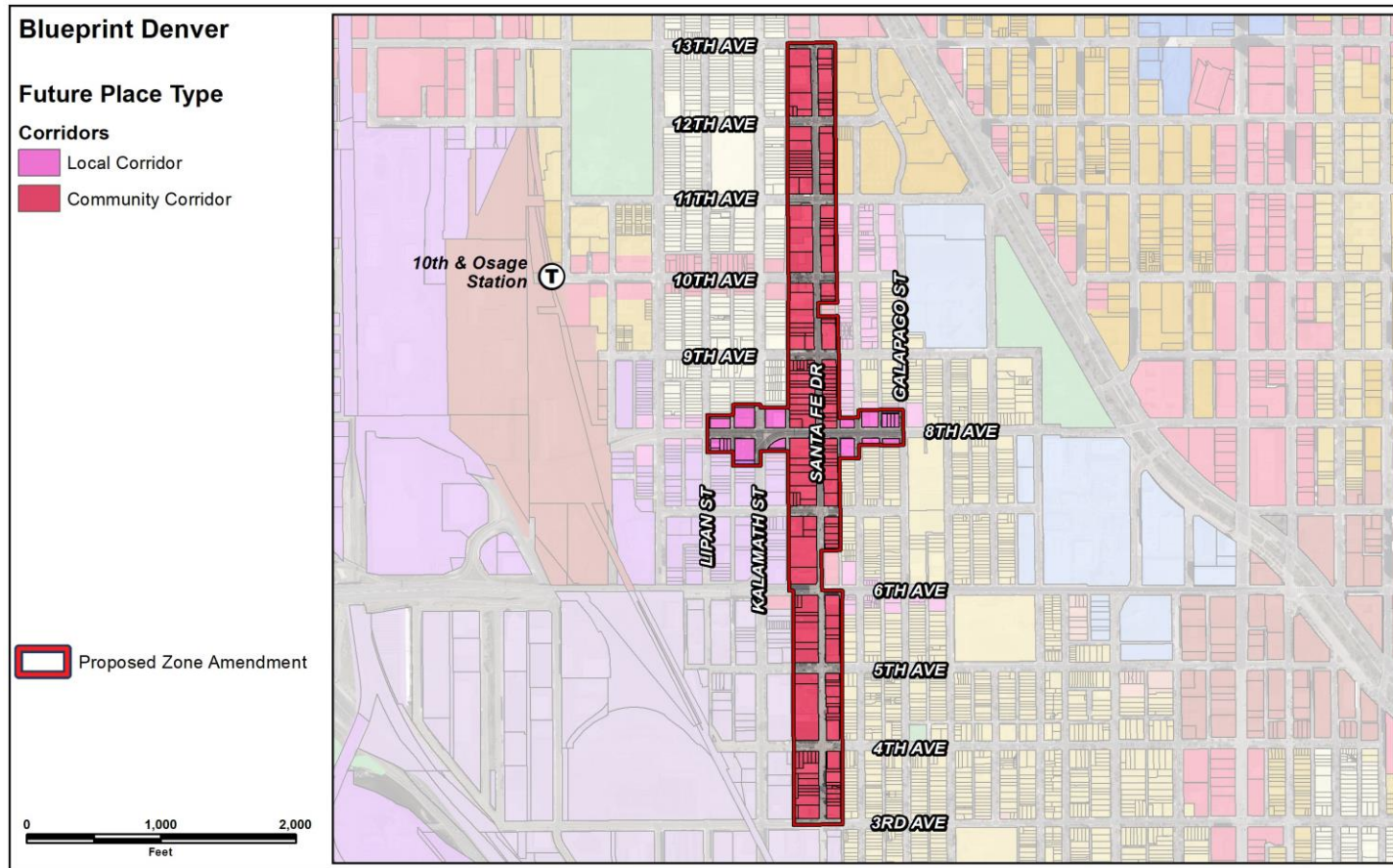
- Offers a mix of uses, with good street activation and connectivity

## Urban Context

- Access to neighboring areas and commercial nodes, with some small mixed-use nodes within the neighborhood



# Consistency with Adopted Plans: Blueprint Denver

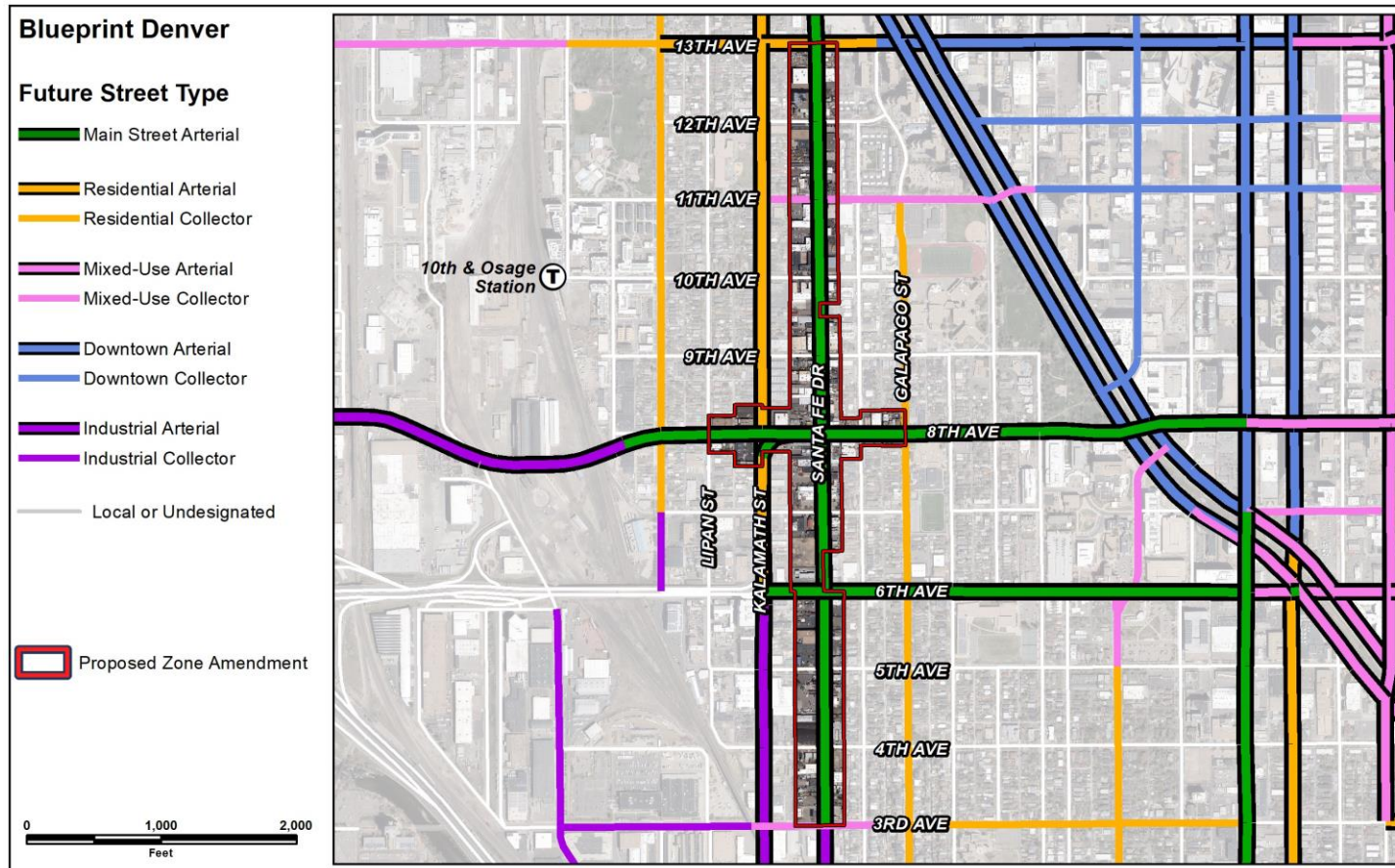


## Community Corridor & Local Corridor

- Mixed-use places of different scales oriented along a street
- Provide spaces for people to engage in social activities and entertainment, such as shopping and dining

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

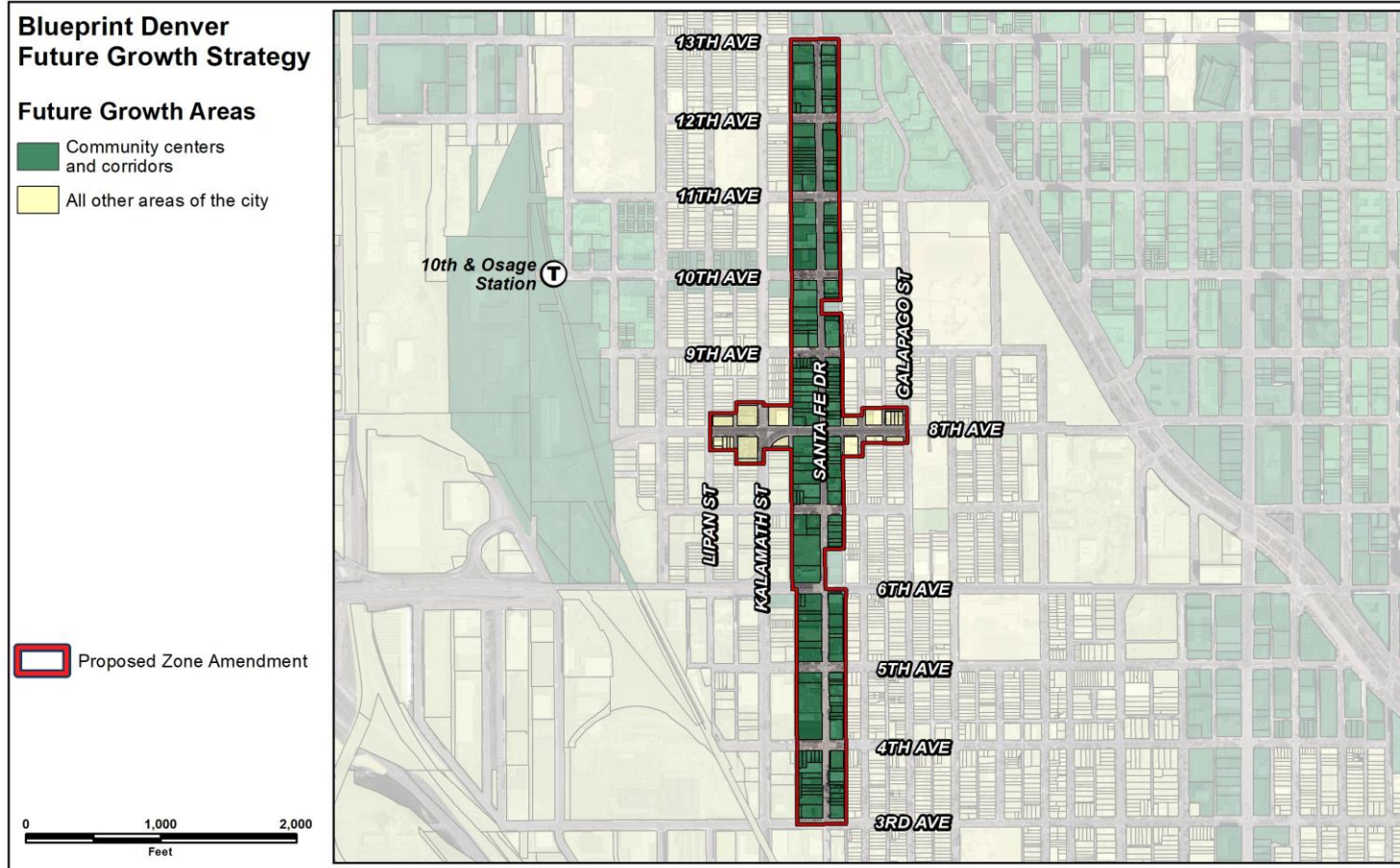


## Main Street Arterial

- Characterized by a mix of uses including retail, services and restaurants, as well as residential
- Buildings are pedestrian oriented, with little front setback, a continuous street wall, and high transparency
- Street level uses are highly activated, including café seating in the right-of-way

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 Plans: Blueprint Denver 2019



## Growth Area Strategies:

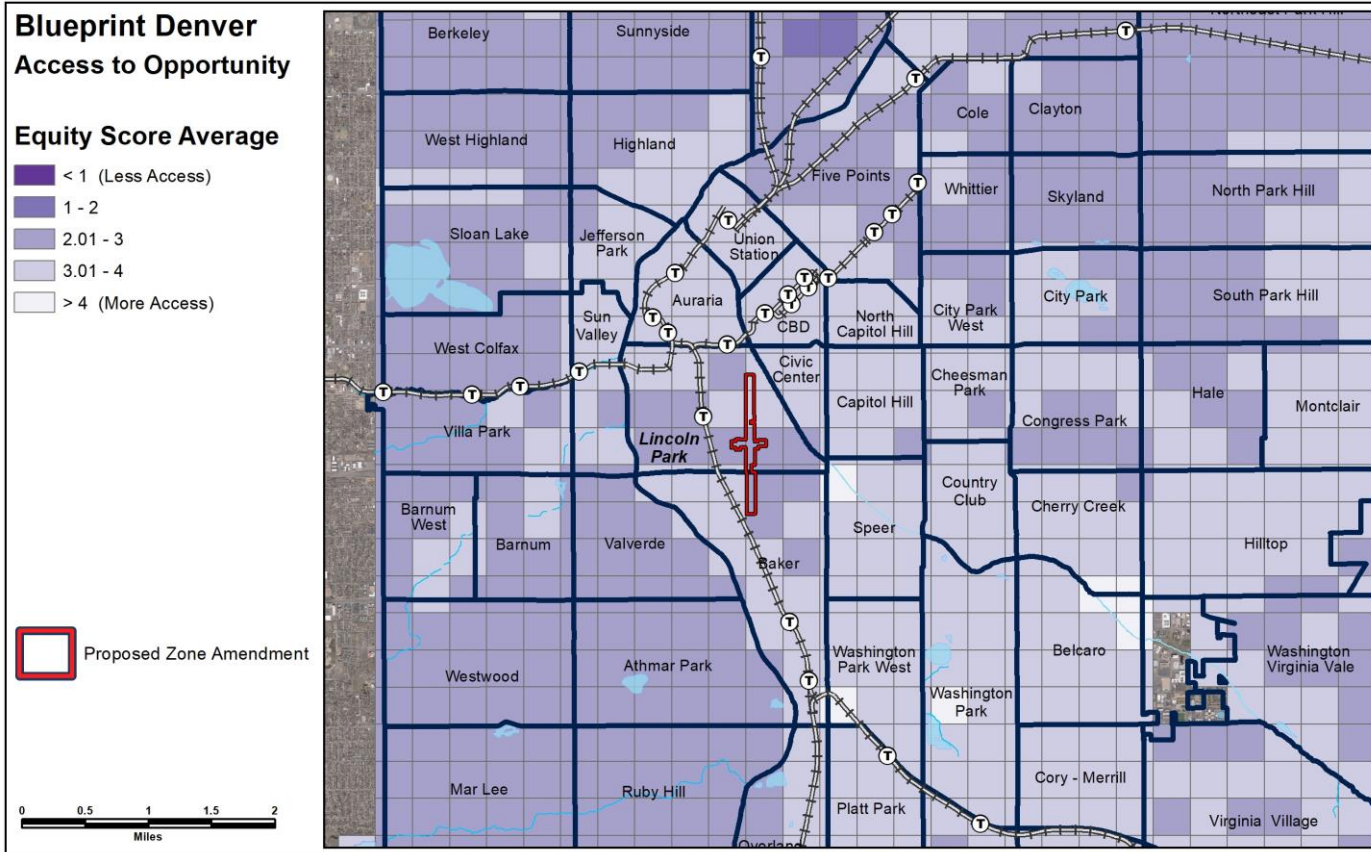
- Community Centers and Corridors
  - 20% jobs by 2040
  - 25% of housing by 2040
- All other areas of the city
  - 10% jobs by 2040
  - 20% housing by 2040

# Consistency with Adopted Plans: Blueprint Denver

## Additional Policies

- *Land Use & Built Form, Design Quality & Preservation, Policy 4: ensure an active pedestrian environment that provides a true mixed use character in centers and corridors.*
- *Land Use & Built Form, General, Policy 11: Implement plan recommendations through city-led legislative rezonings and text amendments.*
- *Land Use and Built Form, Housing, Policy 1: revise city regulations to respond to the demands of Denver's unique and modern housing needs.*

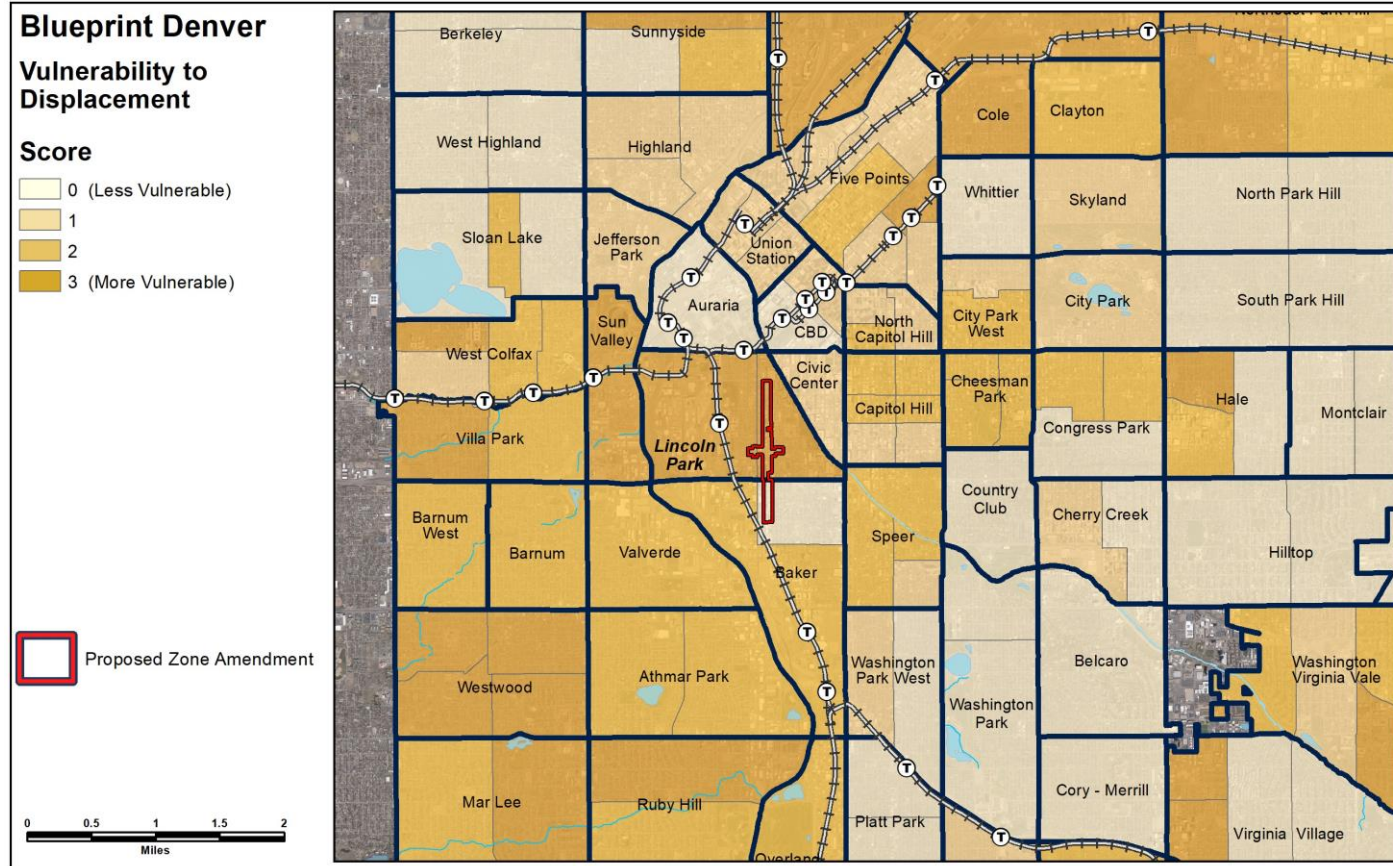
# Consistency with Adopted Plans: Blueprint Denver



## Access to Opportunity

- Less equitable (Lincoln Park)
  - Access to healthcare
  - Lower life expectancy
  - Childhood obesity
- Less equitable (Baker)
  - Access to transit
  - Access to centers and corridors
  - Childhood obesity

# Consistency with Adopted Plans: Blueprint Denver



## Vulnerability to Involuntary Displacement

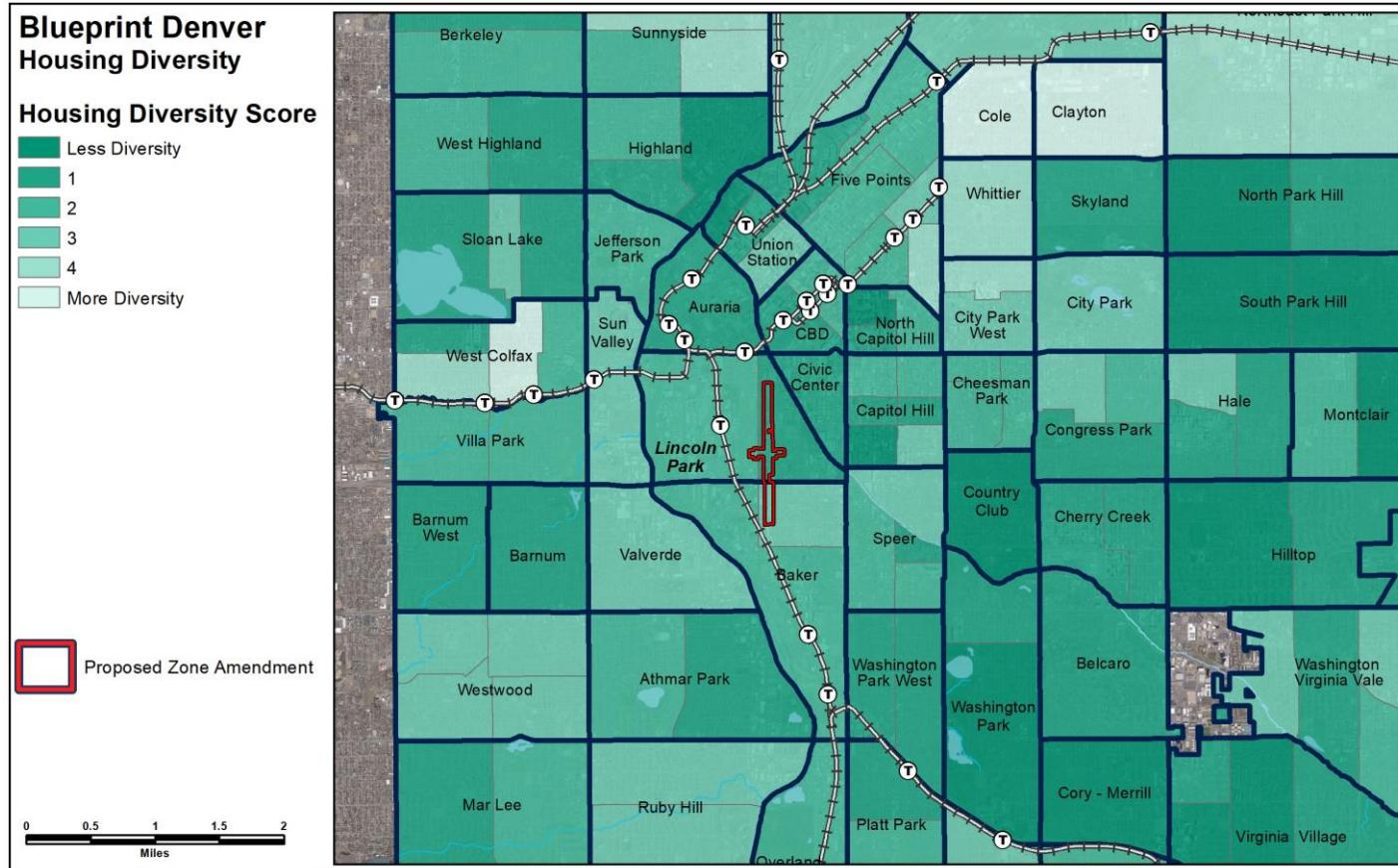
- More Vulnerable (Lincoln Park)
  - Median household income
  - Percent of renters
  - Educational attainment
- Less Vulnerable (Baker)

# Consistency with Adopted Plans: Blueprint Denver

## Vulnerability to Involuntary Displacement

- Santa Fe & 8<sup>th</sup> Ave Overlay and DO-8 Updates
  - No development proposed with rezoning
  - Expanding Housing Affordability requirements
  - HOST's prioritization policy
- Expanding Mobile Home Unit Replacement
  - Mobile home parks are source of unsubsidized, naturally occurring affordable housing
  - Allowing the replacement of an older unit with new one newer, safer unit will help prevent displacement

# Consistency with Adopted Plans: Blueprint Denver

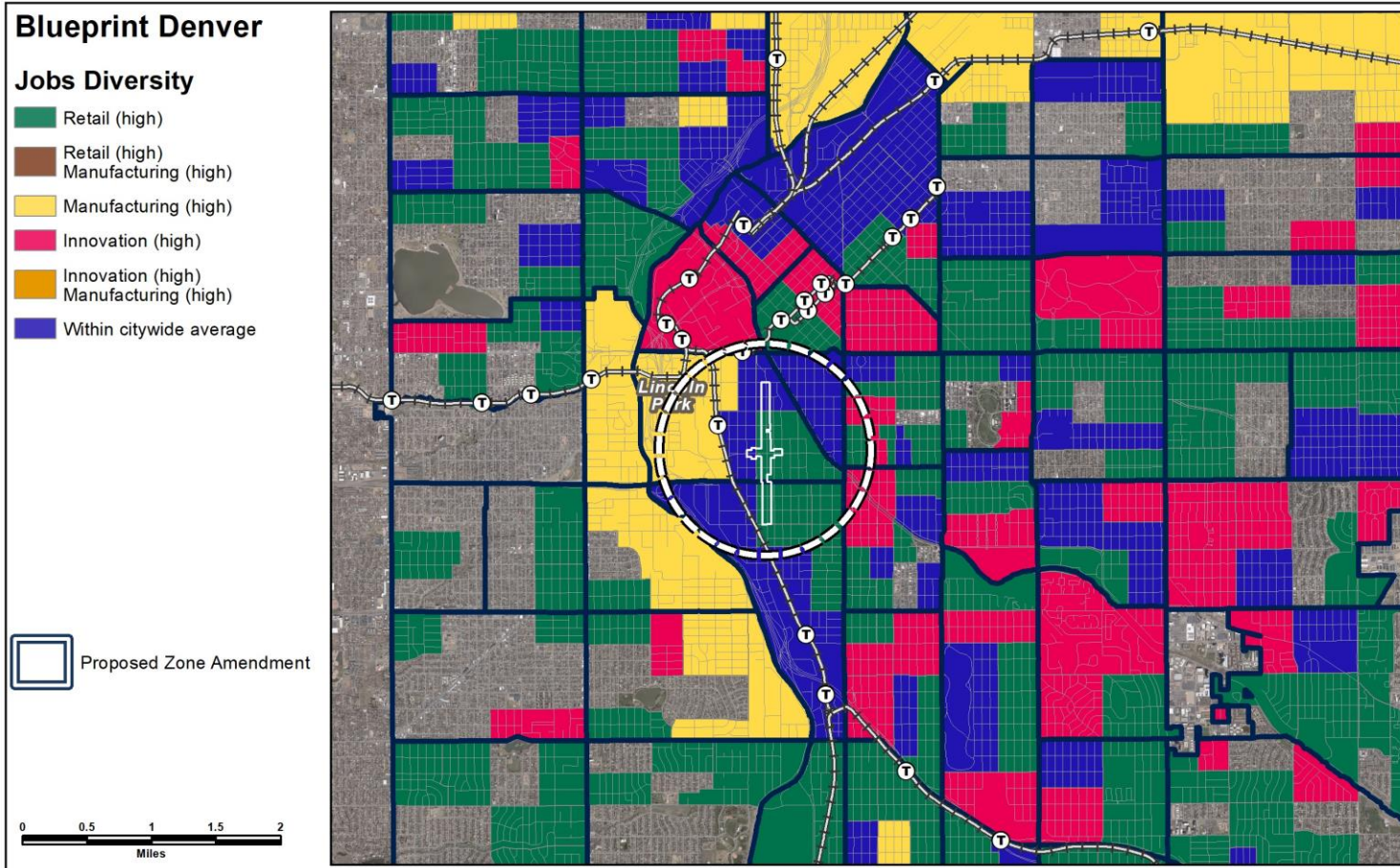


## Housing Diversity

- Less Diversity (Lincoln Park)
  - Missing middle
  - Home size
  - Ownership vs. rental
  - Housing costs
- More Diversity (Baker)
  - Income restricted units



# Consistency with Adopted Plans: Blueprint Denver



## Jobs Diversity

- North of 11<sup>th</sup> has a similar job mix as the city
- South section has emphasis on retail

# Consistency with Plans: La Alma/Lincoln Park Neighborhood Plan

## Main Street Character Area (Santa Fe and western portion of 8th)

- Appropriate mix of uses that support a diversity of businesses and allow more restaurants and shops to accommodate them
- The viability of multi-family residential, live-work, and commercial uses are maintained and enhanced
- Destination development along the corridors is expanded
- Zoning is established that promotes safe, active, and pedestrian-scaled commercial form and uses
- The retail corridor is spatially defined with thoughtful urban design that considers scale, vistas and landmarks.

# Consistency with Plans: La Alma/Lincoln Park Neighborhood Plan

## Residential Character Area (eastern portion of 8th)

- Neighborhood character is preserved
- Enhance the valued attributes of the residential area and quality of life for residents
- Maintain the current residential density
- Support a diverse population by providing support services such as childcare facilities, transit, and a variety of housing opportunities
- Home ownership opportunities are encouraged through job creation in adjoining areas

# Consistency with Plans: Baker Neighborhood Plan

## Commercial Corridor Subarea

- Develop a mix of land uses, which includes housing, office, commercial, destination and neighborhood-serving retail in subarea
- Create a stable, safe, attractive, well-lighted retail area with a mix of offices, neighborhood businesses, and destination businesses
- Maintain and enhance the viability of high-density residential and commercial 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

Strengthen design quality and preserving commercial nature of embedded local and community corridors. Encourage more pedestrian-oriented outcomes.

Allow residents living in nonconforming mobile home parks to replace their homes with newer, HUD compliant models, reducing the risk of displacement.

# CPD Recommendation

1. Staff recommends that the committee move the bill for the Denver Zoning Code Text Amendment forward to City Council with the following condition, finding that the applicable review criteria have been met:
  - That 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.
1. Staff recommends that the committee move the map amendment proposal #2021I-00153, rezoning of C-MS-8, UO-1, UO-2; C-MS-5; C-MS-5, UO-1, UO-2; and U-MS-3, UO-1, UO-2, to C-MS-8, UO-1, UO-2, DO-8; C-MS-5, DO-8; C-MS-5, UO-1, UO-2, DO-8; and U-MS-3, UO-1, UO-2, DO-8, forward to the full City Council finding that the applicable review criteria have been met.