



Amendment to Interim Zoning Ordinance – COVID Temporary Uses in FC59 Zones

Sponsored by Councilwoman Amanda Sandoval
LUTI Committee Meeting
May 25, 2021

What is this ordinance?

What does it do?

- Amends previously adopted interim zoning ordinance (Ord #2020-0961) that supported city's response to COVID pandemic:
 - COVID-related temporary uses were allowed across the entire city and not just on lands zoned under Denver Zoning Code (DZC applies to only 75% of city's total assessor parcels)
 - Expiration tied to end of state and city emergency public health orders
- Amendment extends the authorization to assist city's recovery from COVID's negative impacts on local businesses and housing stability
- Extension until December 31, 2023

What kinds of emergency uses were allowed?

- Temporary managed campsites for homeless persons
- Temporary expansion of outdoor patios/spaces for restaurants and bars



Were these temporary uses successful?

Yes!

- **Temporary outdoor expansion** program assisted 142 Denver restaurants/bars to increase their capacity by expanding outdoor seating onto private property (yellow dots on map to right)

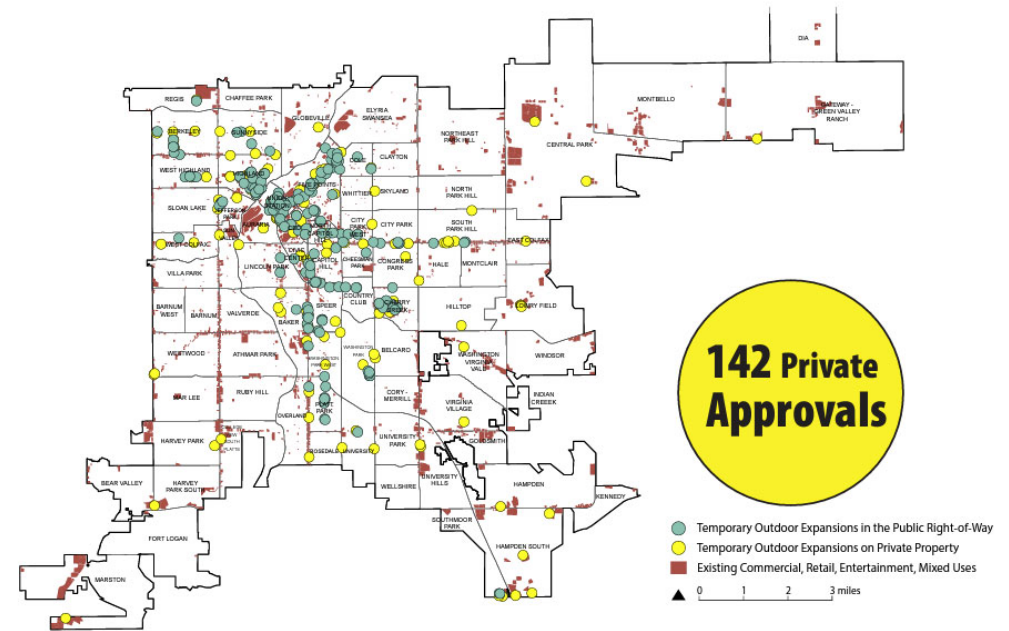


Figure 1-2: Temporary Outdoor Modifications Occupying the Public Right-of-Way and On Private Property
Sources: Department of Transportation and Infrastructure (October 2020); Department of Excise and License (November 2020)

Were these temporary uses successful?

Yes!

- 2 temporary managed campsites established in Capital Hill – permits expire in May/June 2021 (sites were zoned under both DZC and FC59)
- 1 new campsite planned on property zoned under FC59
- 52 housing units and supportive services provided during height of pandemic



Why do we need to extend the time frame for these temporary uses?

- Emergency public health orders are ending, but impacts from COVID-19 pandemic are still with us
- Economic impacts from extended business closures and revenue lost during the pandemic
 - The citywide temporary outdoor patio expansion program will continue through October 31, 2022
- 60% increase in number of persons sheltered by City between March 2020 and March 2021
 - “The effect of COVID-19 on the City and County of Denver has been overwhelming, especially for people with the fewest resources. The economic impact of public health-related business closures has left thousands with reduced income, leading to an increase in the number of people experiencing homelessness and housing instability.”

~Denver Dept of Housing and Stability, *COVID-19 Response Report*, March 2021

CPD Recommendation

Staff recommends that the LUTI City Council Committee forward this amendment to the previously adopted interim zoning ordinance (Ord. #2020-0961), based on a finding that all review criteria have been met.