



TO: Denver City Council
FROM: Denver Planning Board
DATE: April 19, 2023
RE: ADUs in Denver Text Amendment: Documentation of Deliberations

Documentation of Deliberations

The Denver Planning Board held a public hearing on the proposed Denver Zoning Code text amendment for ADUs in Denver on April 5. The Board unanimously recommended City Council adopt the proposed text amendments.

This memo documents Planning Board's considerable discussion concerning the on-going requirement in single-unit (SU) zone districts that either the primary residence or the ADU must be owner-occupied. The Board had several questions and concerns related to both keeping this requirement in and deleting this requirement from the Denver Zoning Code, including:

- Whether retaining the owner-occupancy requirement could result in the future de-commissioning of ADUs if homes with ADUs are sold to new owners who do not plan to live on the property, reducing Denver's housing stock at a time when housing is in short supply.
- Whether continued inclusion of an owner-occupancy requirement in the Denver Zoning Code contribute to on-going bias against residents who rent their homes, or cause the Denver Zoning Code to be an outsized factor in Denver residents' personal financial decisions.
- Conversely, some board member discussion explored whether the removal of the owner-occupancy requirement could invite or incentivize institutional and speculative exploitation in vulnerable neighborhoods.

There was general support for CPD Planning Services and City Council continuing to examine both best practice and documented outcomes related to this requirement.