



Proposed Denver Zoning Code Text Amendment #7

Airport Influence Overlay District Revisions

03/16/16

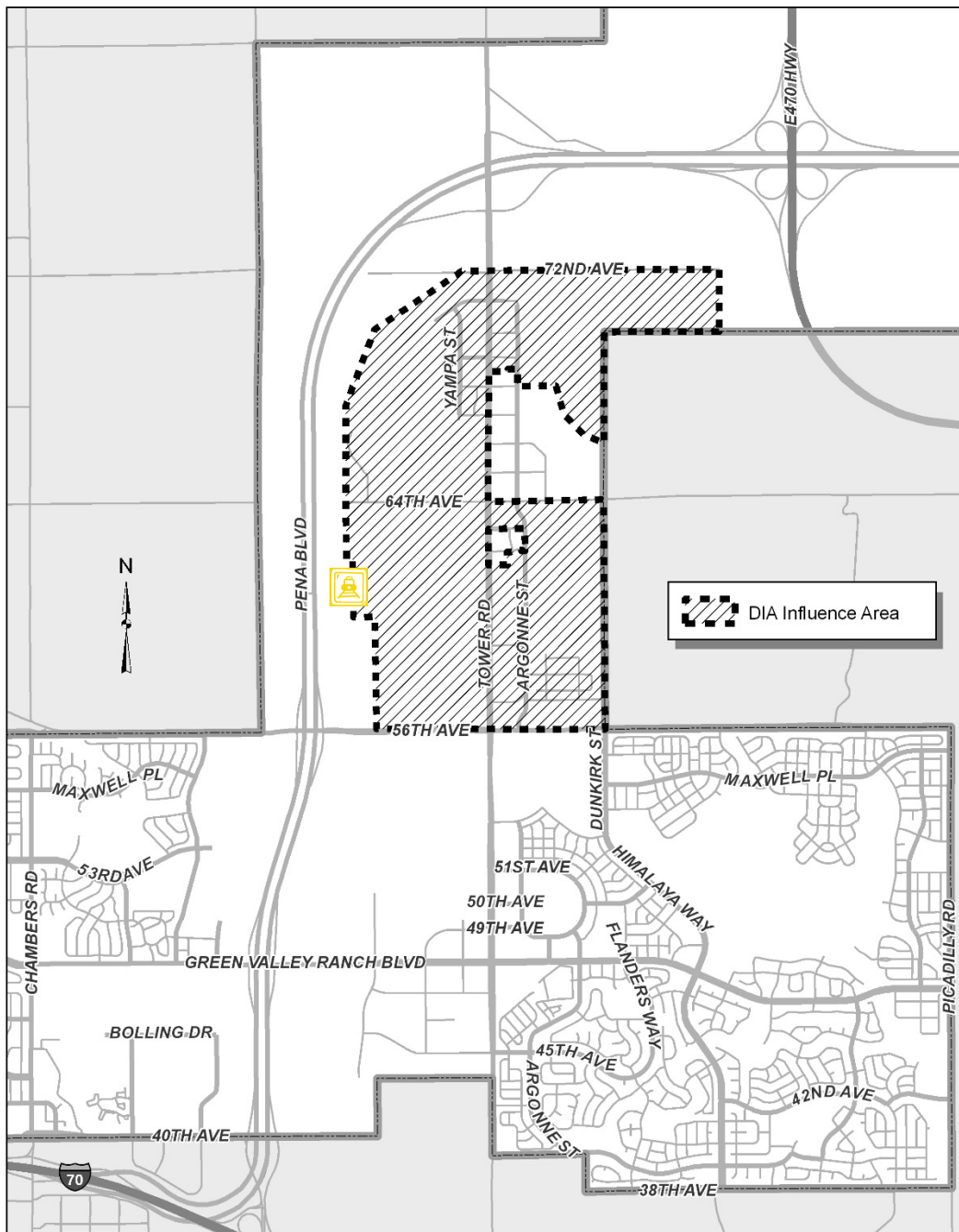
Neighborhoods & Planning Committee

- Create more opportunities for housing to promote transit-oriented development near 61st & Peña Station
- Continue reasonable protections for residential development in this area, consistent with current zoning waivers and conditions

- Sponsored by Councilmember Stacie Gilmore, District 11

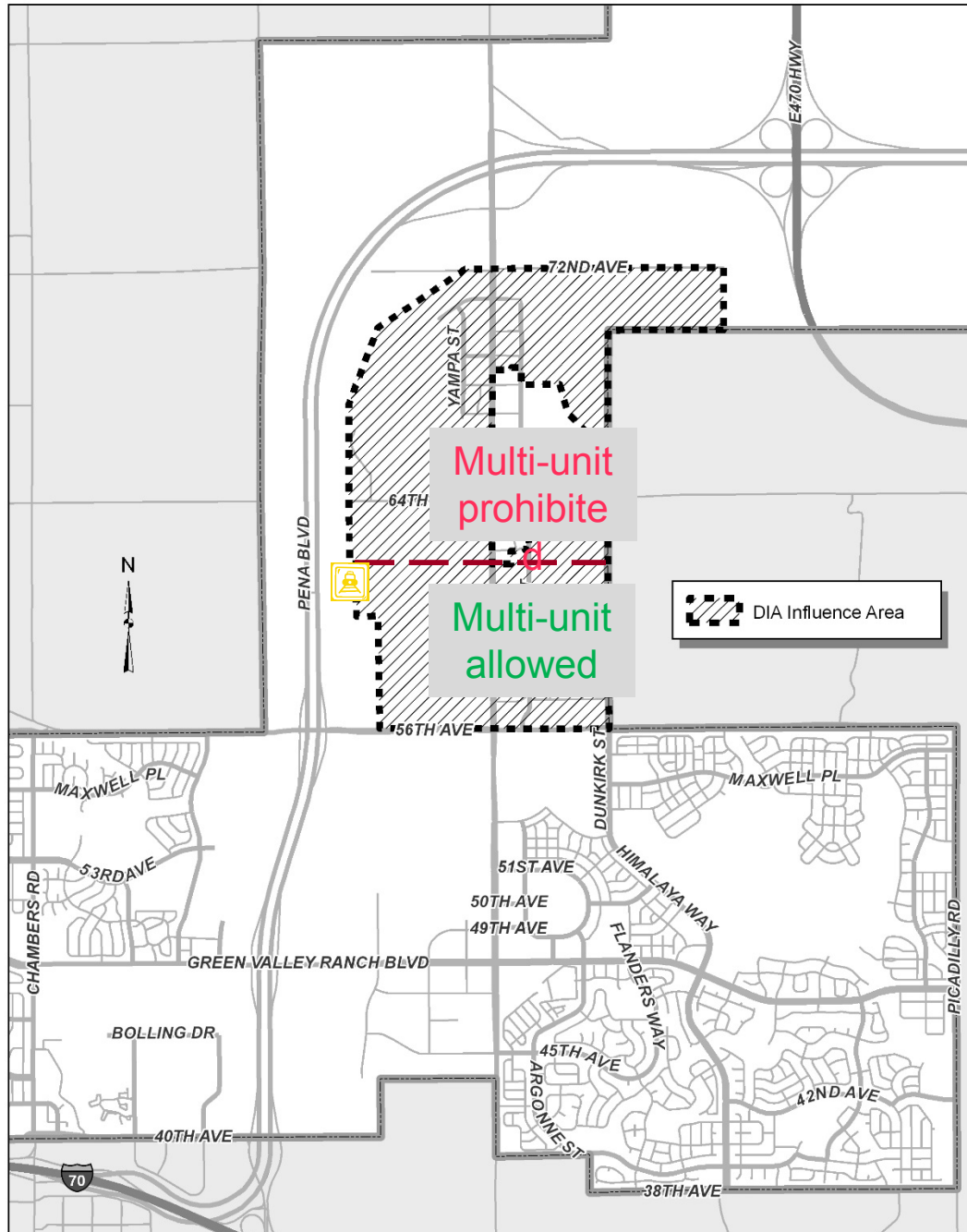
September 5, 2015	CPD presented summary of amendments to INC-ZAP.
January 1, 2016	Draft posted to CPD website - Email notice to all RNOs and councilmembers.
January 11, 2016	Council District Town Hall
January 12, 2016	City meeting with property owners
January 16, 2016	Public Notification sent for Planning Board Public hearing. Notice emailed to all RNOs and councilmembers and signs were posted throughout subject map amendment area.
January 1, 2016	Public Notification sent for Neighborhoods and Planning Committee meeting. Notice emailed to all RNOs and councilmembers.
January 2, 2016	Planning Board public hearing
January 16, 2016	Neighborhoods and Planning Committee meeting
January 25, 2016	City Council public hearing (notice will be sent 21 days prior)

Denver International Airport Influence Area



Location of A Dist

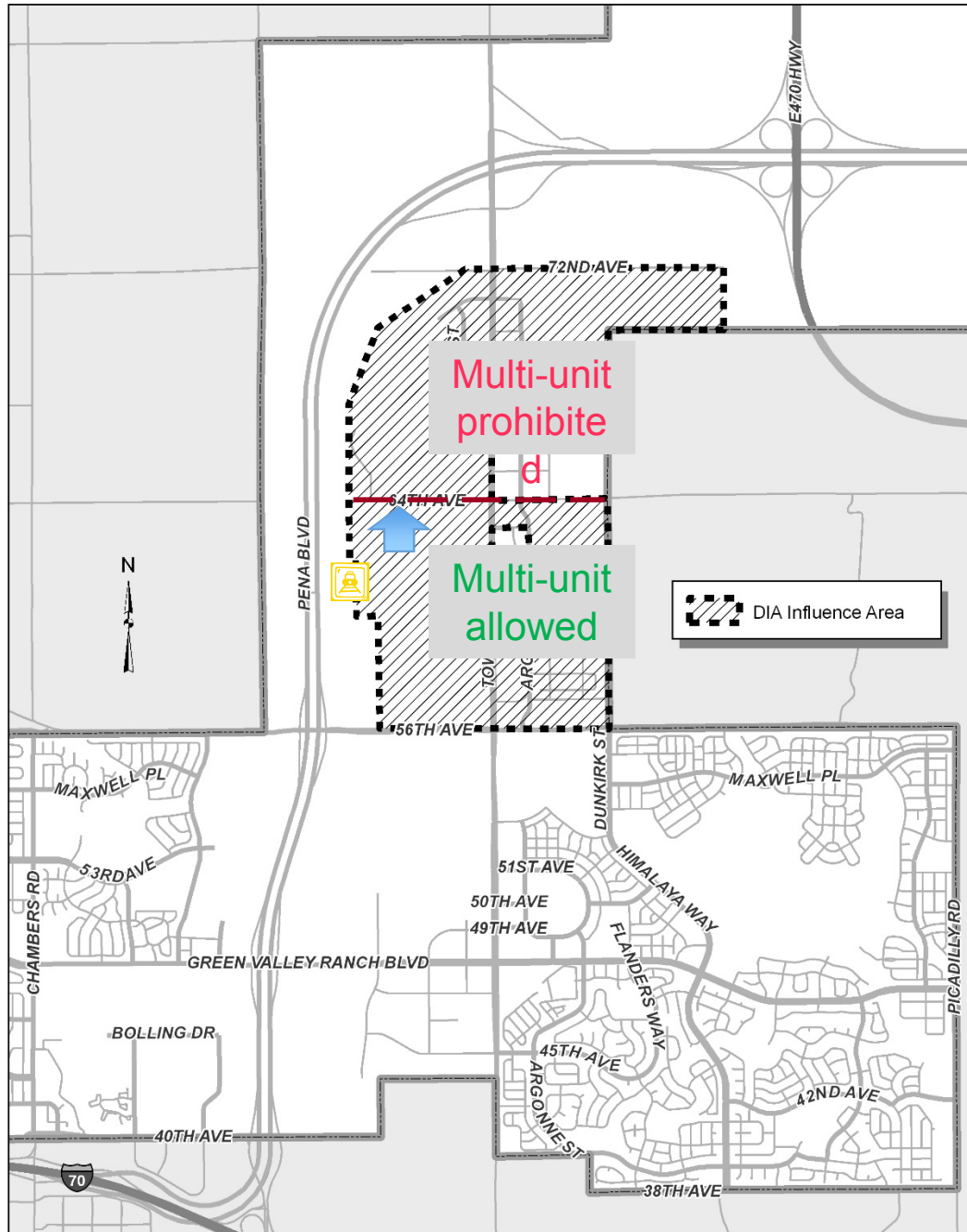
- Located north of 56th Avenue, east of Pena Blvd.
- Currently of no effect because properties retain Former Chapter 59 zoning
- Applies when properties rezone into the Denver Zoning Code



Summary

Current Dist

- Single-unit residential is prohibited in entire AIO district
- Multi-unit residential and similar uses are prohibited north of 62nd Avenue
- Avigation easements are required



Proposed Tax Amendment

- Single-unit residential is prohibited (no change)
- Multi-unit residential would be allowed between 62nd & 64th Avenues, adding 2 blocks north
- Avigation easements are required

- Cross-reference to D.R.M.C. Chapter 5, Airport and Aircraft
 - Amendment to require noise disclosure statement signing when property is sold
 - Consistent with current zoning
- Cross-reference to Building Code
 - Amendment proposed to require noise mitigation construction techniques consistent with national best practices in proximity to an airport
 - Consistent with current zoning

DZC Map Amendment Review Criteria:

1. Consistency with Adopted Plans

- Comprehensive Plan 2000
- Blueprint Denver: A Land Use and Transportation Plan
- 61st & Peña Station Area Plan (2014)
- Gateway Concept Plan (1990)

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

Conserve land by:

- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
- Creating more density at transit nodes.

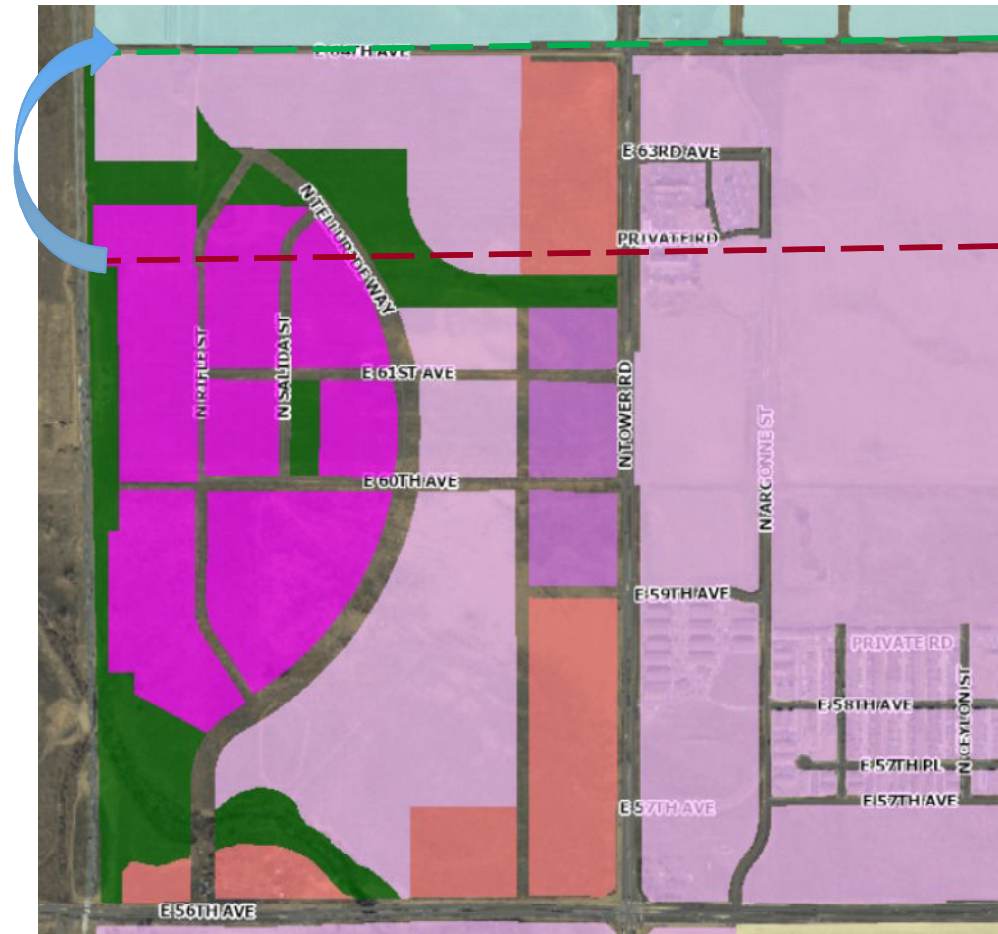
Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

Ensure that land-use policies and decisions support a variety of mobility choices including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

e proposed text amendment is consistent.

Land Use Concepts

- In the area where multi-unit residential would be allowed between 62nd and 64th: Mixed use, Open Space, Commercial Corridor, and TOD
- North of 64th where AIO still prohibits all residential: Employment
- South of 56th where AIO does not apply: Single Family Residential and Mixed Use



entire Area is Area of Change

overlay “zoning can apply to areas where there are similar objectives but where the base zoning varies”

the proposed text amendment is consistent with Blueprint Denver

To fully capitalize on the location efficiency of the rail station, development near the station area should strive to be built at commercial intensities and residential densities that **support transit use.**”

Land use types in the station area should generally allow for a mix of uses. Mixed-use areas may have a sizable employment base as well as **higher density housing.**”

Studies have shown that residents living near rail stations are 5 to 6 times more likely to commute by rail. Additional research indicates that areas within a quarter-mile of a station that have strong transit ridership typically have a combination of **minimum residential densities** of around 30 units per acre or more.”

Encourage a **diversity of housing** sizes and types that will attract a mix of family, single residents, single-family households, and empty nesters. Support a diversity of unit sizes, configurations and price points, and include housing opportunities that are priced to attract people who work in the area, at DIA and at other transit-oriented employment destinations.”

Next amendment is consistent with these Station Area Plan recommendations.

The Gateway area should be a QUIET place to live. Residential development should only be allowed outside and away from airport noise impact areas.” Importantly, no residential development will be permitted north of 65th Avenue... This area is generally not appropriate for residential development because it will be open to a broader array of businesses (including many with high truck usage), and because it may be subject to noise from the new airport.”

The Gateway Office is very cognizant of the serious problems caused in the past by noise at Stapleton International Airport, where complaints have been heard from people living in Montbello and other areas some distance away.”

Measuring the possible impacts of noise is a complicated task that depends on noise levels, frequency, duration, time of day and year, and the person being affected. For the reasons noted above, the plan does not allow residential development north of 65th Avenue... The history of older airports often includes creeping encroachment by incompatible residential uses. That must be actively discouraged around the new airport, which has been carefully sited to avoid such problems.”

text amendment is consistent with these plan recommendations.

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Staff recommends that Neighborhoods & Planning Committee move Denver Zoning Code Text Amendment #7, to revise the Airport Influence Overlay (AIO) Zone District to the City Council.

Purpose of Building Code Amendment

- Building Code amendment (separate from zoning) to require noise mitigation construction techniques consistent with national best practices in proximity to an airport
 - Consistent with current zoning waivers and conditions
- Continue reasonable protections for residential and school development in this area, consistent with current zoning waivers and conditions
- Language based on an average 45 dB on interior spaces within a building and then developed construction methods to meet that need
- These requirements will live in a new section within Chapter 1 of the Denver Building Code Administrative Provisions

How the proposed standards were developed

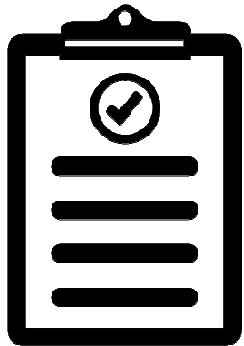
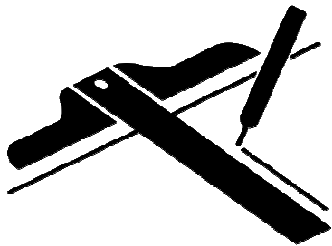


- Reviewed other jurisdictions both locally and nationally
- Proposed language follows the Aurora model who deals with three different airports and has been in use for some time
- Used Denver International Airport's (DEN) acoustical consultant HMMH to provide feedback on proposed language

What must comply with noise mitigation requirements?



- Applies to any new or remodeled multi-unit dwelling or school/educational use within the AIO.
- Applies only to the building envelope (exterior façade elements) of a building, not to any interior walls.
- The code will provide two (2) design methods to achieve acceptable interior decibel levels within multi-unit dwellings and school/educational uses within the AIO.



- **Prescriptive Method** defines minimum construction requirements for building envelope using a specific Sound Transmission Class (STC) Rating and Outside Inside Transmission Class (OITC rating). STC/OITC is a rating of how well a building partition attenuates airborne sound.
- This method is a “check list” approach and the building department enforces the aircraft noise reduction requirements by reviewing the architect or engineer’s specifications and drawings at plan review.

FAÇADE ELEMENT	MINIMUM REQUIREMENT
Exterior walls	Minimum STC rating of 32 and OITC rating of 25
Structural	2" by 6" wood or metal studs (minimum)
Insulation	R-19 Batt insulation or full cavity fill blown cellulose
Interior applications	1 layer of 1/2" gypsum (minimum)
Exterior applications	5/8" OSB or plywood sheathing and exterior finish material to meet applicable codes
Basements	Basements are excluded, as long as basement windows and sliding glass doors have minimum STC ratings of 32 and OITC 25.
Exterior floors and cantilevered floors	Normal construction, except for full joist fill insulation
Roofs and exterior ceilings	Minimum attic insulation shall be R-38. Joist type vaulted roof/ceiling structures are allowed, coffered ceilings are acceptable. Truss type vaulted ceilings are allowed and shall have a minimum truss depth of 14".
Skylights	Minimum STC rating of 32 and OITC rating of 25



- Uses calculations for a building envelope to determine the required interior decibel rating standard or Outside to Inside Transmission Loss (OITL) Rating Method.
- This method requires an acoustical professional that is an engineer, an Institute of Noise Control Engineering (INCE) Member or a Board Certified INCE member to follow the design specifications and construction techniques described in the building code to calculate an acceptable OITL rating and will be required to submit calculations with the building plans.



- Denver does not adopt or enforce the International Property Maintenance Code (IPMC)
- A reference to the IPMC in the 2015 International Building Code Section 102.6 still exists and was not included in the 2016 Denver Building and Fire Code amendments approved on 3/7/16
- Request to include a new amendment to remove the IPMC from Section 102.6 and its subsections – consistent with its removal in other International Building Code and International Existing Building Code sections



Section 102.6 Existing Structures is replaced in its entirety with the following:

[A] 102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *International Existing Building Code* or the *International Fire Code*.

[A] 102.6.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *International Building Code* or *International Residential Code*, as applicable, for new construction or with any current permit for such occupancy.

[A] 102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *International Fire Code* or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.



- Staff recommends approval of the building code amendment to create a new section in Chapter 1 of the Denver Building and Fire Code for Aircraft Noise Reduction, and to include a new amendment to remove reference to the International Property Maintenance Code in International Building Code Section 102.6