



TO: Denver City Council Land Use, Transportation, and Infrastructure Committee
FROM: Jeff Hirt, AICP, Senior City Planner
DATE: February 9, 2017
RE: Denver Zoning Code – Text Amendment #11 to revise the vehicle parking exemption for Pre-Existing Small Zone Lots

I. Summary and Purpose

A. Text Amendment

Councilman Albus Brooks is sponsoring this text amendment to the Denver Zoning Code to modify the Pre-Existing Small Zone Lot parking exemption.

History of the Exemption

The Pre-Existing Small Zone Lot vehicle parking exemption in Section 10.4.5.1.A of the Denver Zoning Code (DZC) was originally created in 2006 in Former Chapter 59 as part of the first Main Street zoning effort, predating the 2010 DZC update. The exemption originally only applied to small lots (6,250 SF or smaller) with Main Street (MS) zoning, and the majority of Pre-Existing Small Lots were mapped with the MS-1 zone district under Former Chapter 59, allowing a maximum height of three stories.

The Pre-Existing Small Zone Lot parking exemption was intended to promote the reuse of existing buildings and to promote new development and redevelopment of existing small lots without the lots being assembled into larger developments. The exemption helped to achieve these goals by providing more flexibility for challenging access and parking conditions on small lots. In 2010, the Pre-Existing Small Zone Lot parking exemption was expanded into the new DZC for many of the same reasons, but with broader applicability to all Mixed Use Commercial Zone Districts. While Pre-Existing Small Zone Lots only make up about 0.5% of the City’s land area, the primary reason for extending the applicability was the recognition that all small zone lots have the same challenges, not just those in Main Street zone districts. The DZC today reflects this:

A. Pre-Existing Small Zone Lots
In all Mixed Use Commercial Zone Districts, buildings on zone lots which are equal to or smaller than 6,250 square feet in area on June 25, 2010, shall be exempt from providing parking otherwise required by this Division.

In 2014, Councilwoman Jeanne Robb initiated a Small Lot Parking exploration process that included numerous small group meetings and one large focus group session with stakeholders. The proposal that emerged from that process from Councilwoman Robb was for a Pre-Existing Small Zone Lot vehicle parking exemption only for the first three floors of any building, consistent with the original application of the small lot parking exemption to lots with a largely three-story entitlement in Former Chapter 59’s MS-1 zoning. That proposal did not advance beyond the final 2015 focus group.

2016 Process

Moratorium

In August 2016, City Council enacted a moratorium prohibiting the use of the Pre-Existing Small Zone Lot parking exemption, with some exceptions, for a period of seven months (see Attachment 2). The reasons for the moratorium cited included:

- Concerns from property owners about the potential for small lots to experience unanticipated maximized developments because of the parking exemption;
- A need for re-evaluation of the exemption to ensure achievement of City-wide goals and policies; and
- Increased interest in maximizing the development capacity of these small zone lots warranted a re-evaluation of the current Denver Zoning Code provisions, including Section 10.4.5.1.A, to ensure achievement of City-wide goals and policies.

The moratorium allows applications for the small lot parking exemption in some cases during the seven-month period. Applications for projects that have ten or fewer residential dwelling units and nonresidential or mixed-use development that does not exceed two stories or 35' in height can be accepted during the moratorium that is set to expire on March 31, 2017.

Steering Committee

About a month after City Council enacted the moratorium, Councilman Brooks formed a steering committee to evaluate the Pre-Existing Small Lot parking exemption. The committee consisted of 13 members that included representatives from design, architecture, affordable housing, historic preservation, development communities, and neighborhood stakeholders.

Over the course of late 2016, this committee met five times, starting in September. The committee first agreed on an issue statement, guiding principles, and procedures. Many of the issues and opportunities were similar to those identified during the exemption's original development, 2010 expansion in the DZC, and 2014-2015 evaluation of the exemption by Councilwoman Robb. In general, the committee agreed that small lots should be preserved as a context-defining characteristic, continue to be challenging to redevelop, and that the text amendment should balance the desire to encourage redevelopment on these small lots while addressing relevant impacts, such as on-street parking supply.

Attachment 3 contains a more detailed summary of the committee's process.

Proposal

The text amendment proposed by Councilman Brooks has several components that reflect the priorities identified by the committee, including the decision to calibrate the exemption by proximity to high-quality transit.

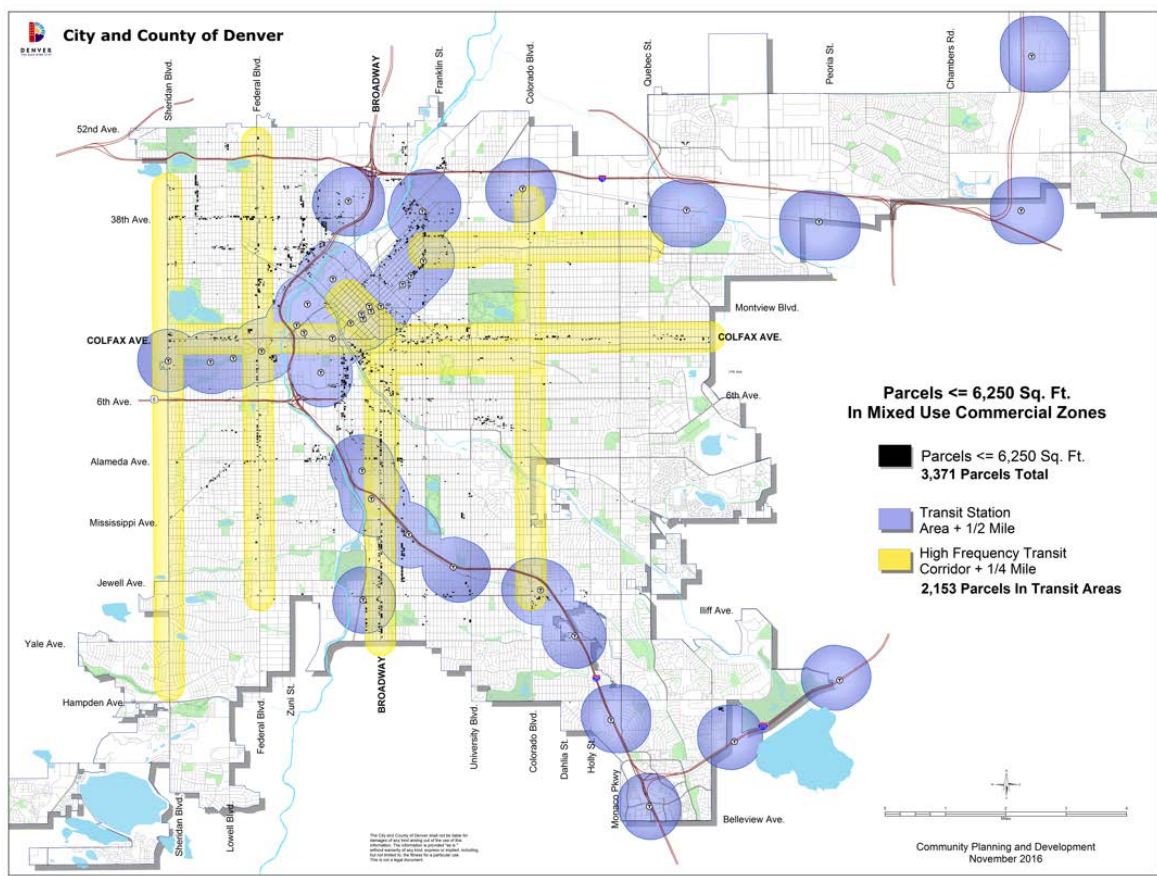
Under the draft text amendment, on Pre-Existing Small Zone Lots zoned Mixed Use Commercial:

- Existing buildings receive a full exemption from minimum parking requirements.
- The first three stories of any building receive a full exemption from minimum parking requirements if the zone lots are within ½ mile of a rail transit station, or ¼ mile from a defined High Frequency Transit Corridor*.
- The first two stories of any building receive a full exemption from minimum parking requirements if the lots are not within ½ mile of a rail transit station, or ¼ mile from a defined High Frequency Transit corridor.

- The remaining floors that are either above or below the two or three story threshold, as applicable based on location of the zone lot, must provide parking for the uses contained in those floors.
- The parking exceptions currently available in the DZC are also available for any required parking, with up to a 100% reduction allowed using any combination of currently available exceptions (e.g., car share, bicycle facilities, providing affordable housing etc.), which exceeds the current 50% maximum reduction allowed.

*High frequency transit corridors have the highest level of bus transit service throughout the day, seven days a week. Specifically, these corridors have ≤ 15-minute headway at least 23 hours a day.

Map of High Frequency Transit Corridors and Rail Transit Stations where the Three-Story Parking Exemption for Proximity to Transit Will Apply



Assessor's Parcels 6,250 square feet or smaller (not Zone Lots) are shown on the map for reference, but do not indicate all Zone Lots eligible for the Pre-Existing Small Zone Lot Parking Exemption.

II. Public Process

Below is a summary of the public process in 2016-2017 for this text amendment to date.

August 22, 2016

City Council enacts moratorium on the use of the Pre-Existing Small Zone Lot parking exemption with expiration on March 31, 2017

September 15, 2016	Councilman Brooks convenes Small Lot Parking Steering Committee meeting #1 to develop an issue summary, guiding principles, and committee decision making procedures
October 12, 2016	Small Lot Parking Committee meeting #2 to agree on guiding principles and develop framework for text amendment
Nov-Dec, 2016	Small Lot Parking Committee meetings #3, #4, #5 to refine options and inform Councilman Brooks' preferred option
December 3, 2016	Inter-Neighborhood Cooperation (INC) Zoning and Planning Committee discussion and presentation from Councilman Brooks, CPD
January 3, 2017	Public review draft of the amendment to the Pre-Existing Small Zone Lot Parking Exemption posted on the CPD Text Amendments website, and notice provided to Registered Neighborhood Organizations and City Council.
January 17, 2017	Notice of the Planning Board public hearing sent to Registered Neighborhood Organizations and City Council
February 1, 2017	Planning Board voted 8-1 to approve the text amendment as proposed in the staff report, with the condition that City Council not further reduce the parking exemption. This condition originated from discussion of a possible alternative to reduce the number of floors exempt from parking requirements.
January 30, 2017	Email notice was sent for the February 14, 2017, Land Use, Transportation & Infrastructure Committee meeting to all RNOs and City Councilmembers.
February 14, 2017	Land Use, Transportation & Infrastructure Committee meeting.

As of the date of this staff report, CPD has received 14 public comment emails, four of which are position statements from registered neighborhood organizations. Attachment 4 includes all of these emails.

One RNO statement (Curtis Park) does not explicitly support or oppose the text amendment, but does express concerns that the proposed text amendment does not “ensure the preservation of small commercial buildings or incentivize commercial/mixed use development” on commercial corridors. The West Washington Park RNO statement opposes the text amendment because it “does not satisfactorily address the parking issues expected from small lot development”, and recommends extending the moratorium to search for a better solution. The Cole Neighborhood Association provided a brief statement of opposition. The Uptown on the Hill RNO statement is in support of keeping the small lot parking exemption in its current form (prior to enacting the moratorium).

The 10 public comments that are not RNO position statements express a range of opinions, including:

- Seven that are explicitly in support of the proposed text amendment, citing a variety of reasons, including support for the compromise nature of the proposal while their individual preference may be to keep the existing (pre-moratorium) full parking exemption.
- One comment is neutral and includes some clarifying questions and identification of data needs and broader parking policy discussions.

- Two comments are in opposition to the proposed text amendment; indicating a preference instead to extend the small lot parking moratorium and search for a better solution to address potential impacts.

At the February 1 Planning Board public hearing, 18 people spoke with diverse opinions. The comments ranged from support for retaining the pre-moratorium full parking exemption, support for the current proposal because it represents a compromise, to opposition of the proposal for a variety of reasons.

III. Criteria and CPD Staff Evaluation

The criteria for review of a proposed text amendment are found in Section 12.4.11.4 of the DZC. CPD analyzed the proposed text amendment for compliance with the review criteria stated below and finds that the proposed text amendment satisfies each of the criteria.

12.4.11.4.A. Consistency With Adopted Plans

The Text Amendment is consistent with the following of the City’s adopted plans:

- Comprehensive Plan 2000
- Blueprint Denver (2002)

Comprehensive Plan 2000

Providing parking exemptions for Pre-Existing Small Zone Lots is consistent with the guidance of Comprehensive Plan 2000 as highlighted below:

Comprehensive Plan 2000 Policy Excerpts	How the Text Amendment is Consistent
<p>Infill and Neighborhood Character</p> <ul style="list-style-type: none"> • <u>Neighborhoods Strategy 3-B</u> Encourage quality infill development that is consistent with the character of the surrounding neighborhood (page 60) • <u>Design Excellence Strategy 1-B</u> Promote standards and incentives that enhance the character of the city, including the preservation of significant historic features (page 98) 	<p>Providing parking exemption that recognize the challenges to providing on-site parking on Pre-Existing Small Zone Lots encourages infill development.</p> <p>The original (and proposed) exemption was calibrated by a common, small lot pattern. This small lot pattern is a significant historic feature of many of Denver’s oldest neighborhoods that are referenced in numerous adopted plans as a priority to maintain and enhance. By calibrating the exemption at the Pre-Existing Small Zone Lot scale, it prioritizes maintenance and enhancement of this lot pattern. If minimum parking requirements are the same for Pre-Existing Small Zone Lots than for all other types and sizes of lots, lot assembly will become more common to ensure more space is available for required parking. This may result in redevelopment that is inconsistent with this historic pattern of distinct small lots and the related, modulated scale of buildings.</p>
<p>Promoting Public Transit Environment and Community Strategy 4-D: Promote convenient public transit (page 41)</p>	<p>By calibrating the parking exemption by proximity to transit, it will better enable the choice to live or work on a small zone lot near transit with minimal reliance on a vehicle as redevelopment occurs.</p>

Comprehensive Plan 2000 Policy Excerpts	How the Text Amendment is Consistent
<p>Encouraging Transit Oriented Development Land Use and Transportation Strategy 4-A: Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure (page 41)</p> <p>Environmental Sustainability Strategy 2-F: Conserve land by promoting infill development where services and infrastructure are already in place (page 39-40)</p>	<p>By calibrating the parking exemption by proximity to transit, the text amendment:</p> <ul style="list-style-type: none"> • Makes effective use of existing transportation infrastructure; • Encourages transit oriented development and recognizes that properties close to high-quality, high-frequency transit generally have less demand for parking; and • Promotes infill development where services and infrastructure already exists by reducing the requirement for on-site parking on small zone lots with little or no room to accommodate it.
<p>Encouraging Reuse of Existing Buildings Design Excellence Strategy 1-C: Preserve Denver’s architectural and design legacies while allowing new ones to evolve (page 98)</p> <p>Stewardship of Resources Strategies Strategy 2-E: Promote efforts to adapt existing buildings for new uses, rather than destroying them (page 39)</p>	<p>The proposed text amendment allows parking exemptions for the use and reuse of existing buildings. DZC Section 10.4.5.1.C currently allows parking exemptions for Historic Structures, but the vast majority of existing buildings in Denver are not designated as historic structures or within Landmark Districts. By explicitly providing the exemption for existing buildings, it will encourage the adaptation of existing buildings where provision of parking to meet current DZC standards is often a significant barrier.</p>

Blueprint Denver (2002)

The proposed text amendment is consistent with goals and recommendations found in Blueprint Denver – 2002, including:

Blueprint Denver Policy Excerpt	How the Text Amendment is Consistent
<p><i>Reduced parking minimums and parking maximums should be implemented only where there is frequent transit service (page 107)</i></p>	<p>Blueprint Denver recognizes that parking demand may be different near high-frequency transit service throughout. The text amendment recognizes this distinction by exempting small lots near high-frequency transit service from providing parking.</p>
<p>Areas of Change <i>These areas may have not realized their full development potential (page 19)</i></p> <p><i>In some parts of Areas of Change, especially those with existing or planned high-quality transit access, minimum parking requirements also could be modified to encourage the creation of pedestrian- and transit-friendly centers and main streets (page 76)</i></p> <p><i>Areas of Change are parts of the city where most people agree that development or redevelopment would be beneficial (page 127)</i></p>	<p>The majority of Pre-Existing Small Zone Lots are in Areas of Change. The text amendment provides parking exemptions for Pre-Existing Small Zone Lots in proximity to high-quality transit access. The text amendment also specifies that only those lots that are Mixed Use Commercial are eligible for the exemption, which is in line with the concept of encouraging the creation of pedestrian- and transit-friendly centers and Main Streets.</p> <p>Providing an exemption that recognizes the challenges to providing on-site parking on Pre-Existing Small Zone Lots encourages redevelopment in parts of the city where it may be beneficial.</p>

12.4.11.4.B. Public Health, Safety and General Welfare

This text amendment furthers the public health, safety, and general welfare of the city by accommodating redevelopment on some of the most challenging lots in the city to redevelop and by implementing the City’s adopted land use and transportation plans through regulatory changes.

12.4.11.4.C. Uniformity of District Regulations and Restrictions

This text amendment will result in new regulations that will be uniform across all Mixed Use Commercial zone districts.

IV. Planning Board Recommendation

On February 1, 2017, the Denver Planning Board held a public hearing on the text amendment. Planning Board recommended approval 8-1, with the condition that the Planning Board requests that City Council not further reduce the parking exemption from the Planning Board review draft.

V. CPD Recommendation

Staff recommends that the Land Use, Transportation & Infrastructure Committee move the text amendment to the full City Council.

VI. Attachments

1. Public Review Draft of redlined text amendment
2. CB 16-0498 Moratorium
3. Small Lot Parking Steering Committee Summary
4. Public Comments



Denver Zoning Code Text Amendment #11
Pre-Existing Small Zone Lots Parking Exemption Amendment
REDLINE OF PUBLIC REVIEW DRAFT 1/3/2017

This document contains the redlined draft for the proposed text amendment to amend the Pre-Existing Small Zone Lots Parking Exemption.

1. Text in red underline is proposed new language.
2. Text in ~~red strikethrough~~ is proposed deleted language.
3. While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.

Please visit www.DenverGov.org/TextAmendments to:

- Learn more about Text Amendments
- Download a summary of this amendment
- Sign up for email newsletters

Please send any questions or comments to PlanningServices@denvergov.org.

WRITTEN COMMENTS WILL BE DISPERSED AS FOLLOWS:

Written comments received by 5 p.m. 9 days prior to the Planning Board Public Hearing will be attached to the staff report that is provided to the Board. Written comments received after that time and prior to 12 p.m. (noon) on the day before the Hearing will be emailed regularly to the Board; hard copies of these comments also will be distributed to the Board at the Hearing. Written comments received after 12 p.m. (noon) on the day before the Hearing will not be distributed to the Board; to ensure these comments are considered by the Board, please submit them to the Board during the Hearing.

ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT AT THE PLANNING BOARD HEARING AND AT THE PUBLIC HEARING BEFORE CITY COUNCIL.

SECTION 10.4.5 VEHICLE PARKING EXCEPTIONS

10.4.5.1 Vehicle Parking Exemptions

The following uses and circumstances are exempt from providing the minimum amount of vehicle parking otherwise required by this Code, but only to the extent specified in this Section.

A. Pre-Existing Small Zone Lots

1. Intent
Encourage the preservation of pre-existing Small Zone Lots through exempted vehicle parking requirements to facilitate the reuse of existing buildings and/or the redevelopment of Small Zone Lots.
2. Applicability
 - a. ~~In a~~ All Mixed Use Commercial Zone Districts; and;
 - b. Where the subject Zone Lot is currently equal to or smaller than 6,250 square feet and was equal to or smaller than 6,250 square feet on June 25, 2010 ("Small Zone Lot") buildings on zone lots which are equal to or smaller than 6,250 square feet in area on June 25, 2010, shall be exempt from providing parking otherwise required by this Division.
3. Exemption Allowed
 - a. Reuse of Existing Buildings on Small Zone Lots
 - i. If a building (1) is located on a Small Zone Lot and (2) existed on [date of adoption], then the Gross Floor Area of all uses in such building shall be exempt from providing vehicle parking.
 - ii. The Gross Floor Area of uses housed in any additions or expansions to buildings that existed on [date of adoption] shall be required to provide vehicle parking for the Gross Floor Area of any Stories that exceed the number of Stories exempted from providing vehicle parking under this Section 10.4.5.1.A.
 - b. Small Zone Lots Located within Proximity to Transit Service
 - i. The Gross Floor Area of uses housed in the lowest three Stories entirely above the base plane of a new building constructed on a Small Zone Lot located within 1/2 mile of the outer boundary of a Rail Transit Station Platform or located within 1/4 mile from a High-Frequency Transit Corridor shall be exempt from providing vehicle parking. The Zoning Administrator shall determine whether a Small Zone Lot is within proximity to transit service as specified in Section 13.1.9.
 - c. All Other Small Zone Lots
 - i. The Gross Floor Area of uses housed in the lowest two Stories entirely above the base plane of a new building constructed on any other Small Zone Lot shall be exempt from providing vehicle parking.
 - d. Vehicle Parking Exceptions for Required Vehicle Parking on Small Zone Lots
 - i. All exceptions to minimum vehicle parking requirements set forth in Section 10.4.5 are available to any required minimum vehicle parking not exempted as described in this Section 10.4.5.1.A.
 - ii. The total number of vehicle parking spaces required may be reduced by up to 100% under any one or combination of the vehicle parking reductions provided in accordance with Section 10.4.5.3.

4. Maximum Reduction Allowed

- a. The total number of vehicle parking spaces required on a zone lot shall not be reduced by more than 50% under any one or combination of this subsection's permitted reductions, with the following exceptions:
 - i. ~~except as provided in Vehicle parking reductions for small lots in the C-CCN zone districts provided in Section 10.4.5.3.C, and except that~~
 - ii. ~~reduced parking approved as part of a~~ General Development Plan shall not result in more than a 75% reduction in the required parking for the entire GDP area~~.~~
 - iii. Vehicle parking reductions for Pre-Existing Small Zone Lots provided in Section 10.4.5.1.A.
- b. Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection's permitted reductions.
 - i. For example, a Zone Lot in a G-MS-5 zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable housing units is a 75% reduction from the 1 vehicle parking space per unit requirement in the G-MS-5 zone district, but alternative minimum vehicle parking ratios do not count towards the maximum percentage of vehicle parking spaces that may be reduced for the entire Zone Lot through Section 10.4.5.3.A.4. Therefore, the minimum vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

5. Informational Notice Required for Certain Reduction Requests

A request for greater than a 25% reduction in the required amount of parking shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, with the following exceptions:

- a. Vehicle parking reductions requested as part of a General Development Plan
- b. Alternative vehicle parking ratios
- c. Vehicle parking reductions for small lots in the C-CCN zone districts under Section 10.4.5.3.C.

6. Withdrawal from Participation in Plans or Programs

Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.3, may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division 10.4 and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.

SECTION 13.1.7 FENCE AND WALL HEIGHT MEASUREMENT

Fence and wall height shall be measured from the base of the fence or wall at the higher of the finished grade at the inside or outside of the fence or wall, to the topmost point of the fence or wall.

SECTION 13.1.8 MEASUREMENT OF MOTOR VEHICLE OR TRAILER LENGTH

When measuring the permitted length of a motor vehicle, including but not limited to recreational vehicles, trailers, buses, or trucks, the following rule of measurement shall apply: The distance measured from the front-most to the rear-most portion of the vehicle (e.g., to the front and rear bumper), except, however, when extensions or projections are added beyond the front-most or rear-most portion of the vehicle, then the measurement shall include such extensions or projections.

SECTION 13.1.9 MEASUREMENT OF SEPARATION OR DISTANCE

13.1.9.1 Measurement of Separation or Distance Between Uses

- A. When measuring a required separation between uses, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.
- B. Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the zone lot occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

13.1.9.2 Measurement of Separation or Distance Between a Use and Zone District

- A. When measuring a required separation between a use and a zone district, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.
- B. Only when a significant part of the primary use requiring separation is operated outside of a completely enclosed structure shall the separation be measured from the nearest point of the zone lot occupied by the primary use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.
- C. In the case of an outdoor accessory use requiring separation from a zone district (for example, an accessory outdoor eating or serving area), distance shall be measured from the nearest point of the outdoor accessory use to the nearest point of the zone district boundary from which the separation is to be effected or established.

13.1.9.3 Measurement of Distance from a High Frequency Transit Corridor and a Zone Lot

- A. When measuring distance between a High Frequency Transit Corridor and a Zone Lot for which Section 10.4 applies, distance shall be determined from the centerline of the right of way of the High Frequency Transit Corridor to the nearest point of the Zone Lot.

H

Habitable Room: A room in a dwelling unit designed to be used for living, sleeping, eating or cooking, excluding bathrooms, toilet compartments, closets, halls, storage and similar space.

Habitable Space: A story that has at least 4 feet between the ground level and the ceiling joists and which has enough area to provide a room with net floor-to-ceiling distance of 7 feet over half the area of the room. A “habitable space” may or may not constitute a habitable room.

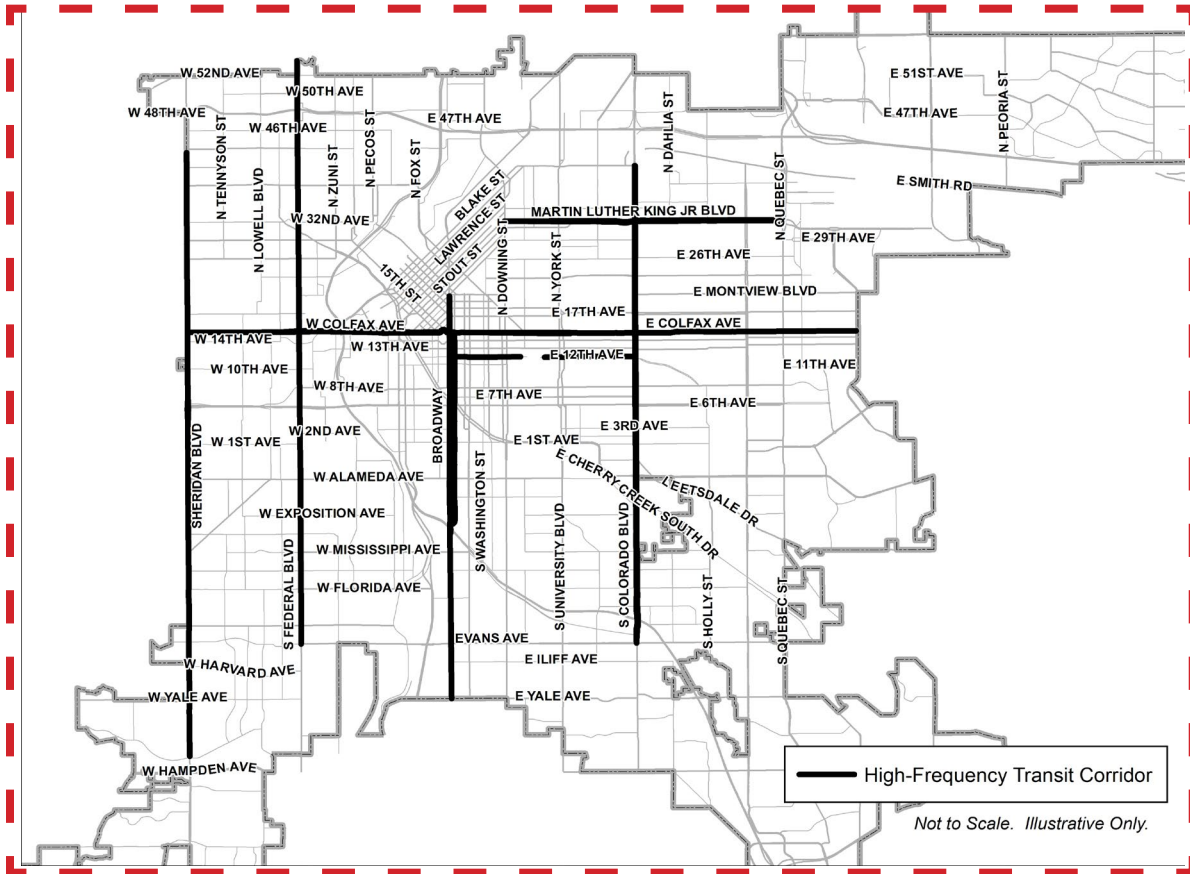
Habitable Story: See definition of “Story, Habitable,” below.

Hazardous Materials: See definition of “Toxic and/or Hazardous Materials” below.

High-Frequency Transit Corridor: Corridors with high-frequency bus service defined by the centerline of the right of way for named or numbered Streets specified below. For purposes of this Code, the lengths of High-Frequency Transit Corridors terminate at the point of intersection with the centerline of the right of way of the intersecting named or numbered Streets defined below, the City boundary, or a City Park, as applicable. See Figure 13.3-1

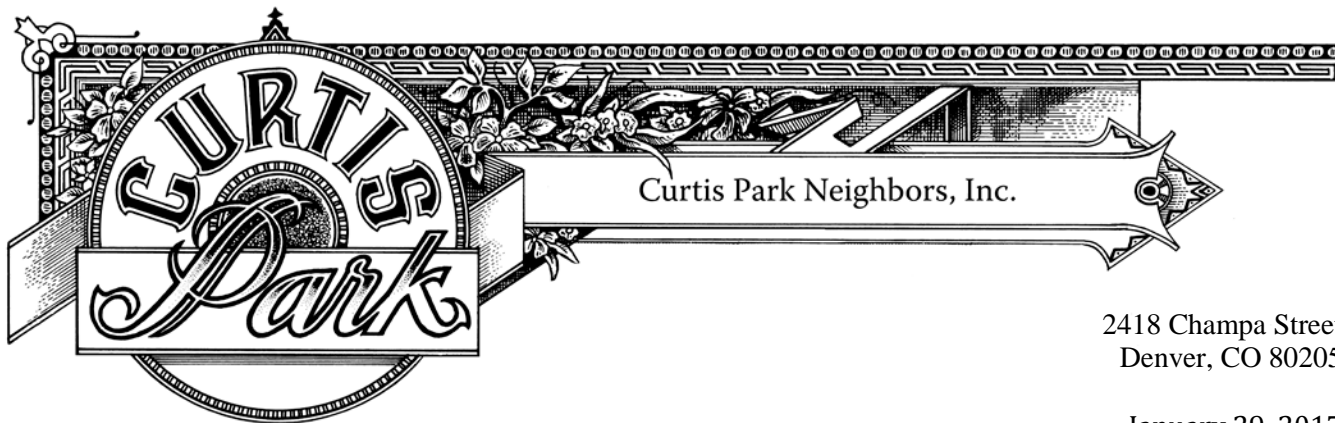
1. North and South Sheridan Boulevard from the intersection of West 44th Avenue (northernmost point) to the intersection of West Dartmouth Avenue (southernmost point)
2. North and South Federal Boulevard from the intersection of the City boundary at North Columbine Road (northernmost point) to the intersection of West Evans Avenue (southernmost point)
3. East and West Colfax Avenue from the intersection of the City boundary (westernmost point) to the intersection of the City boundary (easternmost point)
4. North and South Broadway from the intersection of East 20th Avenue (northernmost point) to the intersection of the City boundary (southernmost point)
5. North and South Lincoln Street from the intersection of East Colfax Avenue (northernmost point) to the intersection of East Ohio Avenue (southernmost point)
6. North and South Colorado Boulevard from the intersection of East 40th Avenue (northernmost point) to the intersection of East Evans Avenue (southernmost point)
7. Westbound East Martin Luther King Boulevard from the intersection of North Downing Street (westernmost point) to the intersection of northbound North Quebec Street (easternmost point)
8. East 12th Avenue from the intersection of North Broadway (westernmost point) to the intersection of the westernmost boundary of Cheesman Park (easternmost point) and East 12th Avenue from the intersection of the easternmost boundary of Cheesman Park to North Colorado Boulevard (easternmost point)

Figure 13.3-1



High-Rise Building: Any building or structure having any portion of a story used for human occupancy more than 75 feet above the lowest level of fire department vehicle access.

Historic Structure: Designated structures for preservation or contributing structures in districts designated for preservation under the provisions of D.R.M.C., Chapter 30.



2418 Champa Street
Denver, CO 80205

January 29, 2017

To: Planning Board

Re: Denver Zoning Code Text Amendment #11
Pre-Existing Small Zone Lots Parking Exemption Amendment

Curtis Park Neighbors would like to express our concern that the amendment proposed to address the small lot parking exemption in the zoning code does not, in its current form, ensure the preservation of small commercial buildings or incentivize commercial / mixed use development on our cities commercial corridors.

The justification for allowing a parking exemption is so that buildings on small lots (less than 6250sqft), on our commercial corridors, may retain their usefulness as commercial structures without having to be compiled into developments large enough to building substantial parking garages. Something not economically or physically possible on lots smaller than 6250sqft.

These small commercial buildings serve a vital function in creating a mixed use, walk-able community. Fine-grained commercial space ensures a variety of uses that can serve the needs of neighbors living above or near these businesses. Because they create a walk-able community, it makes sense that they should be exempt from providing parking.

The current amendment does not tie the allowance of the parking exemption to either the preservation of small existing commercial buildings or to the preservation of commercial uses on our commercial corridors. As written, the exemption could apply to large single use residential buildings on our commercial corridors. Such buildings destroy neighborhood fabric and encourage the use of cars by forcing people to drive to services that could have been located in the small commercial buildings these single used buildings replace.

For this reason we urge the re-examination of the exemption to ensure safeguards that require mixed-use development and promote the preservation of existing small commercial buildings.

Sincerely,

John Hayden, Curtis Park Neighbors President / haydenpryor@msn.com



January 20, 2016

The West Washington Park Neighborhood Association (WWPNA) Board of Directors voted by email on January 3, 2017, with twelve of 13 members responding, 12-0-0 on the following motion:

“That the West Washington Park Neighborhood Association opposes the small lot parking exemption amendment and urges Denver City Council to remove it from the 2016 text amendment bundle, extend the moratorium on permits for small lots with parking exemptions, and search for a better solution to this issue.”

Of course, City Council has removed the amendment from the 2016 text amendment bundle, but the issue remains: The Text Amendment #11, “Pre-existing Small Zoned Lots Parking Exemption Amendment.” as proposed by Councilman Brooks does not satisfactorily address the parking issues that are expected from small lot development, whether within or outside of high-frequency transit corridors.

We urge the Planning Board to recommend that the proposed Text Amendment 11 is not put forward for consideration, as it does not go far enough to protect existing residents and business from over-congested street parking that exists today throughout the city and will be exacerbated without additional protections against dense small lot multi-unit construction.

West Washington Park Neighborhood Association, (WWPNA) is a Registered Neighborhood Organization. Our boundaries are Speer Boulevard on the north, I-25 on the south, Downing Street on the east and Broadway on the west and include approximately 9400 total residences and businesses. Our membership is voluntary and requires an annual dues payment of \$15 per household (\$8.00 if over 65).

Nicholas Amrhein, President

West Washington Park Neighborhood Association



*Creating a Neighborhood
Masterpiece with
residents & businesses*

January 23, 2017

Dear Planning Board,

Upon careful consideration by the Uptown on the Hill board members, we respectfully and strongly urge City Council to keep the parking exemption for the “small lots” that are 6,250 square feet or fewer. There has been little to no development of these lots to the scale that is currently proposed in the 1500 block of Humboldt Street. Therefore, there is very little Denver area data to thoughtfully change to the current policy.

However, it is quite clear that changing the current policy will inhibit development, dramatically constricting the amount of housing that can be built which further exacerbates the housing shortage and does nothing to reduce the costly rental and home sale prices in the metro region. This is not the vision of the City of Denver, nor is it the vision of Uptown on the Hill registered neighborhood organization.

One plank of our Uptown on the Hill mission is “to consider the social, economic, and environmental well-being for current and future generations.” The housing shortage and resulting increased cost of home renting and buying drives people to live further from the urban core. The further from the urban core, the more people are reliant on driving a personal car. That increases vehicle miles traveled, less demand for public transit, greater risk to bicyclists and pedestrians, more pollution and greater carbon emissions that contribute to climate change.

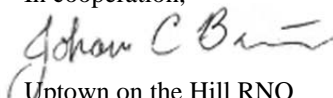
Such a decision is a “triple-lose.” We lose because fewer people live in our communities reducing the customer base for our local mom-and-pop businesses. We lose because the housing prices are increased to pay for parking. We lose because the environmental costs from automobile use negatively contributes to our collective impact on climate change.

Increasing housing costs and greenhouse gas emissions is not the kind of contribution Uptown on the Hill wants to make. It also goes counter to what the Mayor and City Council have worked so hard to build. Voting to increase parking requirements goes against the national trend to eliminate requirements. Voting to extend the moratorium delays housing construction at a time when we desperately need more housing. Choosing free parking on the public right of way prioritizes cars over people.

Choosing to do away with the parking exemption is premature. It eliminates our ability to test a market-based solution to increase our housing stock and incentivize public transit use. By prohibiting the development of these small lots, we lose the ability to see how they would work. We lose the ability to make future decision based on data and observed dynamics within the community. Rather, if we decide to require more parking, we are making decisions out of fear, not fact.

You will always have the opportunity to refine your decision in the future based upon real world information. In the meantime, Uptown on the Hill RNO respectfully and strongly urges City Council to keep the parking exemption for the “small lots” that are 6,250 square feet or fewer.

In cooperation,


Uptown on the Hill RNO
Johan Barrios, president

From: [Cole Neighborhood Association CNA](#)
To: [Planning Services - CPD](#)
Cc: board@coledenver.com
Subject: PROPOSED DENVER ZONING CODE TEXT AMENDMENT #11 Pre-Existing Small Zone Lots Parking Exemption Amendment
Date: Wednesday, January 25, 2017 11:59:09 AM

Hello,

Name of organization: Cole Neighborhood Association (CNA)
Boundaries of the organization: Downing St, Martin Luther King, Jr. Ave, York St, 40th Ave
Who we represent: Membership is open to anyone interested in the organization and living within the boundaries of the Cole neighborhood as defined by the City and County of Denver department of Community Planning and Development
Time and date of meeting where we decided this position: Thursday January 1, 2017 at 6:30 PM
Type of meeting: CNA Board
Number of members present: 4
Process for reaching decision: discussion among board members. No time to discuss with full membership as the meeting is before our next general meeting.
Vote: 4 in favor, 0 opposed

The Cole Neighborhood Association (CNA) is opposed to Text Amendment #11: Pre-Existing Small Zone Lots Parking Exemption Amendment. While we agree with the intent of the amendment, we are not convinced this is the correct solution. We would like to see an alternative developed which includes feedback and suggestions from RNOs.

--

Sincerely,
Jeff Allen, President
Cole Neighborhood Association Executive Board

*Connect with us on [Facebook](#) or [Nextdoor](#)!
Our monthly meetings are held the 2nd Thursday of each month at [Jake's](#) on 3800 Walnut @ 6:30PM.*

30 January 2017

OPINION ON SMALL LOT MORATORIUM LANGUAGE for PLANNING BOARD CONSIDERATION

My name is Bob Hickman. I'm an Architect and serve on the moratorium steering committee as a neighbor representative.

There are some 3,371 small lots that are fully exempt from providing parking under the existing zoning language. The moratorium was created to allow time to craft a solution for the following problem.

THE PROBLEM

1. Providing parking can be difficult for these lots. It was determined that 5 spaces per lot could be reasonably provided by a developer.
2. The existing full parking exemption means that parking not provided on site has to be absorbed by street parking which can cause negative impacts on neighborhoods.

So, the committee was charged with finding a solution that balances developer parking constraints on these small lots and the associated impact of increased neighborhood street parking.

Councilman Brooks stated several times during our meetings that we were NOT here to solve affordable housing or transportation issues.

CONSENSUS DECISION MAKING

Councilman Brooks stressed that the committee would work on consensus decision making. There are 13 members on the committee. 4, possibly five, members did not agree with the proposed text language. Four are neighborhood representatives. We did not reach consensus.

THE PROPOSED LANGUAGE

- Favors the developer at the expense of the neighborhoods. It's out of balance.
- Proximity to transit is favored more than necessary
CPD told us the current parking reduction allowed for projects in transit areas is only used 25% of the time in urban areas and much less elsewhere.

The language allows "double dipping" with no data presented to justify this solution. By double dipping, I mean a Project in the transit area benefits from the zoning parking reduction and an additional floor exempt from parking. Questions were asked about anticipated reduction in car ownership for these projects but no data was presented. The only information we did receive was from one of the committee members who presented parking ratio information for some projects built in proximity to transit.

Turntable Studios - .8 spaces per unit, 145 spaces. Management reported, "It's always full. It only works because there is readily available on-street parking in the area. Some tenant complaints."

Lamar Station Crossing - 1.05 spaces per unit. Management reported..Lot is full during peak parking hours and said, "We are worried. We need more parking."

The Denizen- Alameda Station- 1.01 spaces per unit. Management says... Parking is always full. Just raised parking prices because we don't have enough parking. 691 sq. ft. average unit size.

Griffis at Lowry- 150 units, 248 spaces - 1.65 spaces/unit. 90 surface spaces are tandem in front of garages. They lose tenants all the time over parking.

It appears that people living near transit may indeed use it but they still own a car. An Oregon study indicated that 60% of people living in micro-units near transit owned cars.

- The text language leaves far too many projects totally exempt from parking. 40% of all lots are totally exempt from providing parking. That's a total of 1,354 lots with a 100% parking reduction. An additional 24% would receive an automatic 60% parking reduction. An this is before additional reductions a project might be eligible for. From another point of view, 60% of all small lots would be, in some way, impacted by the text language. 60% success is not an acceptable solution. We can and should do better.
- 443 of the small lots are either MS2 or MX2. These two story zoned lots are fully exempt from parking. These lots tend to border or are imbedded in single family areas and their impact will likely be felt more by these neighborhoods.
- The language does not address the particular fabric of the neighborhoods where the small lots are found. There may be areas that would find such parking exempt projects to be very desirable. There may be areas that would like to see development but not at the fully exempt or mostly exempt price tag. And, there are areas where these developments would further exacerbate the already difficult street parking available and be found undesirable.
- The language provides no incentives for a developer to provide first floor retail/ restaurant uses which are currently exempt from providing parking if the use is under a certain square footage. These true, mixed use buildings are the historic fabric of our main streets.
- The language does not address side by side lots or multiple projects on the same block. I did a count of these lots generally found in the Golden Triangle, Curtis Park,

Uptown and Colfax and counted over 80 potential side by side developments. The side by side lots were the core of the moratorium effort. The solution may be difficult but it's not a good solution until this situation is addressed.

WHERE ARE WE

The current language in the code is all about a PARKING EXEMPTION. It was created to facilitate development of small lots since providing parking can be challenging. The moratorium was created realizing that this comes at a price, negative neighborhood impact.

It is possible to arrive at a solution that impacts all lots not just 60% of them.

It is possible to arrive at a solution that informs neighbors of these projects and affords them the opportunity to respond. Zoning has what is called a ZPIN. When a developer is asking for more than a 25% parking reduction the ZPIN process kicks in. Notices are sent to the impacted neighborhoods for their feedback, the developer presents the parking plan with the final decision by the zoning administrator. A ZPIN, or similar procedure could be the solution or part of the solution.

It is possible to find a solution that requires or gives incentives for a developer to actively participate in parking reductions and positive actions to promote RTD use, subsidy for car rental, car share and alternative transport, allowing bike share as one of the parking reductions for housing, and others. The parking exemption is not an entitlement. A developer needs to be an active participant in the solution.

It IS POSSIBLE to arrive at a good answer here, but the process needs more time and a more concerted effort to truly arrive at a decision that all feel satisfies the basic problem.

Let me offer some interesting statistics and thoughts on car ownership.

What US cities are leading the way in % of car free households?

As you might expect, NYC leads the way with 56% car free households Washington DC, Boston, Philadelphia, San Francisco, Baltimore, Chicago and Detroit follow (with Detroit at 26% car free). Fort Worth ranks 50th at 16.32%. Denver is not in the top 50. (we are about 10%, meaning 90% of households have a car).

We must remember that the automobile is deeply embedded in US culture. This car culture, it's industry and support industries are huge and cannot be changed overnight. It's going to take time perhaps a long time.

We are moving, albeit slowly, towards less reliance on the single owned, private automobile, but let's not pretend what we are not.

We will get there with a good plan that is yet to be developed and it won't be with this text language or any other moratorium language. I am fully committed to continued efforts on this moratorium issue and hope to be a part of it.

FOOTNOTE: The D Line projects at 31st and Stout have been significantly downsized and are providing off site parking. The developer reported his projects are in full compliance with current parking without any exemption. Barry Hirshfeld reported he has a 5 year lease on 42 parking spaces a block away from the Humboldt projects.

POSSIBLE AMENDMENT TO THE TEXT LANGUAGE

Change the exemption in the transit shed to two stories rather than three.

Change the exemption outside the transit shed to one story rather than two.

Add a ZPIN review (or similar) to all projects seeking a parking exemption.

Add that a TMP process (or similar) for all developments, not just small lots, be undertaken by CPD under the direction of the City Council.

RATIONALE AND SOME STATISTICS

The existing exemption impacts 60% of the 3,371 small lots. Impacts means that those projects would be required to provide some parking. The amended language would impact 94%.

If all lots were developed, the proposed text language would mean some 60,725 spaces would have to be absorbed by street parking, assuming 7 spaces required per floor. The amended language would reduce that number to 38,465 spaces absorbed by street parking.

Of the 3,371 small lots.....

13% are two story

48% are three story

24% are 5 story

85% are 2, 3, or 5 story

63% of the lots are in the transit shed

61% are 2 and 3 story. These lots tend to be located adjacent to single family areas or imbedded in them.

ZPIN - Under purpose in Article 12, Zoning permit with informational notice is intended for specific types of development.....that are consistent with the intent of the zone district.....but which have potential for adverse off-site impacts. ZPIN is required when a

project seeks greater than a 25% parking reduction. If it's reasonable for that, it's certainly reasonable for these projects where the parking reduction is significantly more. ZPIN also helps mitigate side by side and/or multi projects on the same block.

TMP process for all development, not just small lots, can be a much better solution in the long run. The wheels need to be put in motion for this ASAP.

There are likely other solutions that address more of the various issues I've described.

I urge you to vote no today and recommend this small lot text language go back to the steering committee for more needed work.

Thank you for considering my opinion.

bob hickman
303-941-1280

From: [Paul Davidson](#)
To: [Hirt, Jeffrey J. - CPD Planning Services](#)
Cc: [Planningboard - CPD](#); [Brooks, Albus - City Council District 9](#); [John Hayden](#)
Subject: Opposition Statement from a Small Zone Lot Steering Committee Member
Date: Monday, January 30, 2017 12:14:11 PM

Jeff,

I was not able to tell who is the coordinator for the Planning Board meeting packets. You are listed on the text amendment page so I'm cc'ing you and the general Planning Board email.

Please accept the following written comment for the February 1st Planning Board meeting regarding the small zone lot parking exemption text amendment.

Many thanks!

Paul Davidson

3109 Stout Street
Denver, CO 80205

January 30, 2017

Denver Planning Board

Re: Denver Zoning Code Text Amendment #11
Pre-Existing Small Zone Lots Parking Exemption Amendment
Opposition Statement from Small Zone Lot Steering Committee Member

Dear Denver Planning Board Members,

I am writing to detail my reasons for **opposing** this amendment to the Small Zone Lot Parking Amendment for the following reasons:

1. In today's residential market, this amendment allows and encourages forms that violate the small zone lot exemption's original purpose of incentivizing small developments and the retention of existing buildings.
2. In practice, the amendment is being used for large, residential-only developments in mixed-use areas, threatening the fabric of some of Denver's most unique commercial corridors, such

as Tennyson, Old South Pearl Street, and Welton Street, and the loss of the walkable mixed-use/Main Street style corridors that are a primary goal of Blueprint Denver.

3. The amendment fails to incentivise the retention of existing structures.
4. The process for community input on the amendment dismissed concerns of neighbors and neighborhood impacts and provided very little time, or opportunity, for additional community input and ideas.

I was a member of the 15-person committee that studied the small zone lot issue and an early member of a consortium of neighborhoods that worked with Councilman Albus Brooks on enacting the moratorium. I've thought about the small zone lot parking exemption a great deal and hope my perspective can help you in your deliberations.

A Quick History of Good Intentions

The small lot exemption originated on East Colfax in 2006, with the intent to 1) incentivize *small* developments, maintaining the fine-grained character of the area, and 2) to allow flexibility for the retention of existing structures, keeping the historic and cultural fabric of the area intact.

In 2010, the exemption was extended to all mixed-use lots, which number in the thousands. Between 2010 and 2016, only one mixed-use development utilized this exemption, the Avanti building in LoHi, with 9 residential units and a ground floor restaurant.

Ultimately, this exemption's purpose is to incentivise small, mixed-use development and the retention of existing buildings.

Unintended Consequences of Scale and Use

The extension of this exemption to all mixed-use zones citywide, coupled with the high demand for housing in Denver, is creating unintended consequences that alter the fabric of our historic commercial districts, run counter to the goals of Main Street zoning, and place an undue burden on the surrounding properties.

Developers are using the exemption to build ultra-high density residential building forms, with units as small as 320sf. Of note, because small zone lots tend to occur in blocks, it is common to see this exemption utilized for adjacent lots, multiplying the number of available units, but also multiplying the off-site impacts of these developments.

For example, last year, Zoning Administrators approved twin building permits of 5 stories with 54 units each on two adjacent MS-5 lots. We've also seen proposals for 29 and 27-unit buildings on CMX-3 zoned lots.

In the case of the 54-unit buildings, 2 commercial buildings were demolished...one from the 30's. On Old South Pearl Street, a single family home, built in 1911 is being demolished and replaced with a 17-unit building utilizing this exemption. The profitability of these larger-scale developments demonstrably encourages the demolition of existing structures.

My hope here is to illustrate that, with today's high demand for housing, this exemption is being used to demolish desirable existing structures with historic character to build LARGE, RESIDENTIAL ONLY projects. Also, because this amendment exempts only the first two, or three floors, the incentive to place ground floor retail and commercial is removed from consideration.

A Missed Opportunity

Following months of building overwhelming support from RNO's city-wide, and a unanimous vote by City Council to establish the moratorium and convene a steering committee to study the issue, we finally had the opportunity to address these issues...issues that we outlined on Day 1 for the committee.

Unfortunately, the proposed text amendment you are considering addresses none of them.

Neighbors Concerns Dismissed

The flawed approach of this amendment and our failure as a committee to reach a consensus is, in my opinion, a direct result of not enough time spent discussing the final amendment.

What you see in front of you is a rushed combination of three considered approaches, the result of only 20-minutes of committee discussion in meeting 3. The committee was promised time to discuss the final "preferred alternative" at our 4th meeting. However at the end of that meeting, Councilman Brooks dismissed concerns voiced by neighbors and decided to move forward with the alternative as written prior to the discussion. This is not the best thinking we had to offer.

It also doesn't represent a consensus among stakeholders. In the final tally, 5 members of the 15-member committee did not support the amendment. This is surprising because we established, at the first committee meeting the following committee procedure as quoted from our 2nd meeting packet:

The committee generally agreed that a consensus-based approach to decision-making is preferable. More specifically, consensus means agreement on a preferred alternative for a text amendment, with the caveat that the outcome will not satisfy every committee members concerns. Put another way, is the outcome "something you can live with"?

The committee also generally agreed that if a few individual committee members have divergent opinions, the group will commit to taking the necessary time to recognize and understand them. The committee is amenable to separate, focused conversations if there are unresolved issues as long as the dialogue maintains transparency and a commitment to sharing all pertinent information to the entire committee at their meetings.

Next Steps for the Small Lot

I urge the Planning Board to oppose the small lot exemption amendment in its current form. We can do better.

Sincerely,

Paul Davidson

Hirt, Jeffrey J. - CPD Planning Services

From: RCS Design <rcsdesign@me.com>
Sent: Thursday, January 12, 2017 4:13 PM
To: Hirt, Jeffrey J. - CPD Planning Services
Subject: Comments to Small Lot Parking Exemption Text Amendment Draft

Hello Jeffery,

Unfortunately AIADenver is without its Urban Design Committee to weigh in on this matter. However, as an architect and concerned citizen the following are my comments on the Small Lot Parking Steering Committee (SLPSC) info:

- Presentation
- 20161215 Meeting Packet
- Text/Map Amendment Summary
- Public Review Draft

Presentation

- Page 2 - Item #2 - Depending on the project design, including 3 stories in the exemption criteria pose a parking density issues for certain neighborhoods. With new design paradimes, the total number of units in a project needs to be considered.
- Page 2 - Item #4 - There should not be a 100% reduction for required parking base on the reduction criteria. Perhaps a % of the total parking count prior to application of the reduction criteria.

Meeting Packet

- Page 2 - Regardless of the policy intent there needs to be a realistic context survey of past projects that fit this category. How many residents within these projects own cars? The answer to this will be a guide for the foreseeable future of the impact to on-street parking for projects of this type that receive this exemption.
- Page 2 - Not in favor of expanding the exemption to larger projects. The reality is that cars will not be significantly reduced/eliminated in the mid-term. Accommodation must be made for project parking so that existing adjoining neighborhoods are not severely impacted. Consideration should be given to strategically placed City-built parking garages, with the structures being designed so that adaptive reuse can easily take place at a future time.
- Page 2 - Alternatives noted for car replacement only address a small percentage of the car-owning public and are either insufficient, or impractical at certain times of the year, to handle the real demographic.

Text/Map Amendment Summary

- Page 7 - No issue taken with exemption for existing buildings.
- Page 7 - Determination of a past project benchmark establishing a car count (as noted above) needs to be applied

to any new project meeting the location criteria.

Public Review Draft

- Page 2 - No issue taken with 10.4.5.1 A1 thru 3.
- Page 3 - Issue is taken with 10.4.5.1 A4 based on lack of substantiating supporting data, as noted above.
- Page 3 - No issue taken with 10.4.5.1 A5 & 6.
- Page 4 - No issue to any text on this page.
- Page 5 - No issue to any text on this page.
- Page 6 - No issue to any text on this page.

If you have any follow up, del free to contact me.

Regards,

Robert

Robert Charles Schmid, AIA, NCARB
RCS Design / Planning / Consulting

PO Box 12207

Denver, CO 80212

V - 303-809-2315

F - 303-433-6692

E - rcsdesign@me.com

W - rcsdpc.com

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From: [Christopher Harlan](#)
To: [Planningboard - CPD](#); [Hirt, Jeffrey J. - CPD Planning Services](#)
Cc: [Brooks, Albus - City Council District 9](#); [Kashmann, Paul J. - City Council](#); [Susman, Mary Beth - City Council](#); [New, Wayne C. - City Council](#); [Espinoza, Rafael G. - City Council](#); [Clark, Jolon M. - City Council](#); [Flynn, Kevin J. - City Council](#); [Lopez, Paul D. - CC City Council Elected](#); [Black, Kendra A. - City Council](#); [Herndon, Christopher J. - CC City Council Elected](#); [Gilmore, Stacie M. - City Council](#); [kniechatlarge](#); [Ortega, Deborah L. - City Council](#)
Subject: Small lot parking exemption
Date: Monday, January 23, 2017 4:42:04 PM

January 23, 2017

Dear Planning Board and City Council,

I respectfully and strongly urge the Planning Board to accept and adopt the compromise agreement reached by the *Small Lot Moratorium committee* that addressed the "small lots" that are 6,250 square feet or fewer. The committee spent over ten hours of thoughtful deliberation and included a wide-range of perspectives. Existing law allows for 100% exemption on all small lots. The committee recommendation requires parking on small lots that are greater than two or three stories depending in their proximity to transit. That is a compromise -- and, it is very similar to the decision that former City Councilwoman Robb came to after her exploration. The Planning Board should allow no further parking requirements.

In fact, I would prefer that the existing 100% exemption stayed as is. We have dreadfully little data to demonstrate the impact the exemption would have. However, it is quite clear that changing the current policy will inhibit development, dramatically constricting the amount of housing that can be built which further exacerbates the housing shortage and does nothing to reduce the costly rental and home sale prices in the metro region. This is not the vision of the City of Denver, nor is it the direction I feel the city should go.

Denver City Council, the Mayor's Office, and various government agencies have been working hard to address affordable housing in Denver. Requiring parking, at first glance, may not seem like it impacts housing, but it does. Requiring parking is a cost to development. It reduces the number of units that can be built and the cost of the parking will increase the rental cost of a unit by 15%. The housing shortage and resulting increased cost of home renting and buying drives people to live further from the urban core. The further from the urban core, the more people are reliant on driving a personal car. That increases vehicle miles traveled, less demand for public transit, greater risk to bicyclists and pedestrians, more pollution and greater carbon emissions that contribute to climate change.

Deciding to increase parking requirements is a "triple-lose" proposition. We lose because fewer people live in our communities reducing the customer base for our local mom-and-pop businesses. We lose because the housing prices are increased to pay for parking. We lose because the environmental costs from automobile use negatively contributes to our collective impact on climate change.

The impact on affordable housing from increasing parking minimums also goes counter to what the Mayor and City Council have worked so hard to build. Voting to increase parking requirements goes against the national trend to eliminate requirements. Voting to extend the moratorium delays housing construction at a time when we desperately need more housing. Choosing free parking on the public right of way prioritizes cars over people.

I understand the need for compromise. But, I would rather that we do not eliminate our ability to test a market-based solution to increase our housing stock and incentivize public transit use. By prohibiting the development of these small lots, we lose the ability to see how they would work. We lose the ability to make future decision based on data and observed dynamics within the community. Rather, if we decide to require more parking, we are making decisions out of fear, not fact.

You will always have the opportunity to refine your decision in the future based upon real

world information. In the meantime, I strongly urge the Planning Board to accept and adopt the compromise agreement reached by the *Small Lot Moratorium committee* for the "small lots" that are 6,250 square feet or fewer.

Regards,

Christopher Harlan
2023 Vine Street
Denver, CO 80205
Resident of City Council District 9

From: [Frank Locantore](#)
To: [Planningboard - CPD](#); [Hirt, Jeffrey J. - CPD Planning Services](#)
Cc: [Brooks, Albus - City Council District 9](#); [Kashmann, Paul J. - City Council](#); [Susman, Mary Beth - City Council](#); [New, Wayne C. - City Council](#); [Espinoza, Rafael G. - City Council](#); [Clark, Jolon M. - City Council](#); [Flynn, Kevin J. - City Council](#); [Lopez, Paul D. - CC City Council Elected](#); [Herndon, Christopher J. - CC City Council Elected](#); [Gilmore, Stacie M. - City Council](#); [kniechatlarge](#); [Ortega, Deborah L. - City Council](#); [Black, Kendra A. - City Council](#)
Subject: Support letter for small lot compromise
Date: Monday, January 23, 2017 8:04:01 AM

January 23, 2017

Dear Planning Board and City Council,

I respectfully and strongly urge the Planning Board to accept and adopt the compromise agreement reached by the *Small Lot Moratorium committee* that addressed the “small lots” that are 6,250 square feet or fewer. The committee spent over ten hours of thoughtful deliberation and included a wide-range of perspectives. Existing law allows for 100% exemption on all small lots. The committee recommendation requires parking on small lots that are greater than two or three stories depending in their proximity to transit. That is a compromise -- and, it is very similar to the decision that former City Councilwoman Robb came to after her exploration. The Planning Board should allow no further parking requirements.

In fact, I would prefer that the existing 100% exemption stayed as is. We have dreadfully little data to demonstrate the impact the exemption would have. However, it is quite clear that changing the current policy will inhibit development, dramatically constricting the amount of housing that can be built which further exacerbates the housing shortage and does nothing to reduce the costly rental and home sale prices in the metro region. This is not the vision of the City of Denver, nor is it the direction I feel the city should go.

Denver City Council, the Mayor’s Office, and various government agencies have been working hard to address affordable housing in Denver. Requiring parking, at first glance, may not seem like it impacts housing, but it does. Requiring parking is a cost to development. It reduces the number of units that can be built and the cost of the parking will increase the rental cost of a unit by 15%. The housing shortage and resulting increased cost of home renting and buying drives people to live further from the urban core. The further from the urban core, the more people are reliant on driving a personal car. That increases vehicle miles traveled, less demand for public transit, greater risk to bicyclists and pedestrians, more pollution and greater carbon emissions that contribute to climate change.

Deciding to increase parking requirements is a “triple-lose” proposition. We lose because fewer people live in our communities reducing the customer base for our local mom-and-pop businesses. We lose because the housing prices are increased to pay for parking. We lose because the environmental costs from automobile use negatively contributes to our collective impact on climate change.

The impact on affordable housing from increasing parking minimums also goes counter to what the Mayor and City Council have worked so hard to build. Voting to increase parking requirements goes against the national trend to eliminate requirements. Voting to extend the moratorium delays housing construction at a time when we desperately need more housing. Choosing free parking on the public right of way prioritizes cars over people.

I understand the need for compromise. But, I would rather that we do not eliminate our ability to test a market-based solution to increase our housing stock and incentivize public transit use. By prohibiting the development of these small lots, we lose the ability to see how they would work. We lose the ability to make future decision based on data and observed dynamics within the community. Rather, if we decide to require more parking, we are making decisions out of fear, not fact.

You will always have the opportunity to refine your decision in the future based upon real world information. In the meantime, I strongly urge the Planning Board to accept and adopt the compromise agreement reached by the *Small Lot Moratorium committee* for the “small lots” that are 6,250 square feet or fewer.

Sincerely,



Frank Locantore
2145 E. 16th Ave.
Denver, CO 80206
Resident of City Council District 9
frankiloc@gmail.com

From: [John Riecke](#)
To: [Planningboard - CPD](#)
Cc: [Hirt, Jeffrey J. - CPD Planning Services](#); [Susman, Mary Beth - City Council](#); [New, Wayne C. - City Council](#); [Clark, Jolon M. - City Council](#); [Espinoza, Rafael G. - City Council](#); [Kashmann, Paul J. - City Council](#); [Kniech, Robin L. - City Council](#); [Deborah Ortega - Councilwoman At Large](#)
Subject: Small Lot Parking Moratorium
Date: Sunday, January 22, 2017 4:48:33 PM

January 23, 2017

To Whom it may Concern:

I respectfully and strongly urge you to accept and adopt the *compromise agreement* reached by the Small Lot Moratorium committee that addressed the “small lots” that are 6,250 square feet or fewer. The committee engaged in hours of thoughtful deliberation and participants included a wide-range of perspectives. Existing law allows for 100% exemption on all small lots. The committee recommendation requires parking on small lots that are greater than two or three stories depending in their proximity to transit. That is a compromise - - and, it is very similar to the decision that former City Councilwoman Robb came to after her exploration. The Planning Board should allow no further parking requirements.

Ideally, I would prefer that the existing 100% exemption stayed as is. We have dreadfully little data to demonstrate the impact the exemption would have. However, it is quite clear that changing the current policy will inhibit development, dramatically constricting the amount of housing that can be built which further exacerbates the housing shortage and does nothing to reduce the costly rental and home sale prices in the metro region. This is not the vision of the City of Denver, nor is it the direction I feel the city should go.

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Deciding to increase parking requirements is a “triple-lose” proposition. We lose because fewer people live in our communities reducing the customer base for our local mom-and-pop businesses. We lose because the housing prices are increased to pay for parking. We lose because the environmental costs from automobile use negatively contributes to our collective impact on climate change.

The impact on affordable housing from increasing parking minimums also goes counter to what the Mayor and City Council have worked so hard to build. Voting to increase parking requirements goes against the national trend to eliminate requirements. Voting to extend the moratorium delays housing construction at a time when we desperately need more housing. Choosing free parking on the public right of way prioritizes cars over people.

I would rather that we do not eliminate our ability to test a market-based solution to increase

our housing stock and incentivize public transit use. By prohibiting the development of these small lots, we lose the ability to see how they would work. We lose the ability to make future decision based on data and observed dynamics within the community. Rather, if we decide to require more parking, we are making decisions out of fear, not fact.

You will always have the opportunity to refine your decision in the future based upon real world information. In the meantime, I strongly urge you to accept and adopt the *compromise agreement* reached by the Small Lot Moratorium committee for the “small lots” that are 6,250 square feet or fewer.

Sincerely,

John Riecke
945 Washington St

"However beautiful the strategy, you should occasionally look at the results."

"However beautiful the strategy, you should occasionally look at the results."

From: [Ken Schroepfel](#)
To: [Planningboard - CPD](#); [Hirt, Jeffrey J. - CPD Planning Services](#)
Cc: [Brooks, Albus - City Council District 9](#); [Kashmann, Paul J. - City Council](#); [Susman, Mary Beth - City Council](#); [New, Wayne C. - City Council](#); [Espinoza, Rafael G. - City Council](#); [Clark, Jolon M. - City Council](#); [Flynn, Kevin J. - City Council](#); [Lopez, Paul D. - CC City Council Elected](#); [Black, Kendra A. - City Council](#); [Herndon, Christopher J. - CC City Council Elected](#); [Gilmore, Stacie M. - City Council](#); [kniechatlarge](#); [Ortega, Deborah L. - City Council](#)
Subject: Support for the recommendation of the Small Lot Moratorium Committee
Date: Monday, January 23, 2017 1:00:27 PM

Dear Planning Board and City Council,

I strongly urge the Denver Planning Board to approve the compromise agreement presented by the Small Lot Moratorium Committee regarding the parking requirements for small lots. The fact that the Committee's recommendation would require some parking on small lots, as opposed to the existing law that allows for a 100% parking exemption, represents a significant compromise. Do not let the vocal pro-parking advocates lead you to believe their concerns were not heard. They were, and the recommendation from the Committee that would require some parking on currently exempted lots is the evidence.

I believe that the existing 100% exemption should stay in place. Adding any parking requirement for small lot development is, frankly, a step in the wrong direction. However, the Committee spent many hours of time working on this, as well as many hours spent by CPD staff devising a reasonable compromise, so I am willing to support the Committee's recommendation at this time. But the fact remains that Denver has a housing crisis and an automobile addiction, and requiring parking to be included in any residential development simply makes any new housing—small lot or large lot—more expensive.

Two other points I want to emphasize:

1. Don't let the pro-parking advocates convince you that City Council's approval of the moratorium was a "mandate" to increase the parking requirements on small lot development. It wasn't. According to Council's Moratorium Ordinance, the purpose of the moratorium was for "...a re-evaluation of the current Denver Zoning Code provisions, including Section 26 10.4.5.1.A, to ensure achievement of city-wide goals and policies" and to give the city time to "permit review and evaluation of parking exemptions for certain developments on small zone lots, which furthers the public health, safety and general welfare." That was exactly what happened through the work of the Committee. They did exactly what Council stated in the ordinance they wanted to do—the entire purpose for the moratorium.
2. I have reviewed the Denver Comprehensive Plan 2000, the city's highest-level planning document that lays out the city's vision and goals, and nowhere in this document did I find any reference to increasing parking requirements in the neighborhoods, or any language that suggests that providing opportunities for residents to store their private automobiles on the public right-of-way is a right or even a priority of the city. It isn't. What I did find in the Comp Plan 2000 is this:

GOAL: Anticipate and meet the expanding mobility needs of residents, businesses and

visitors.

OVERVIEW: Roadway congestion, traffic on neighborhood streets, and the search for that perfect parking space add up to lost time, lost money and lost patience. All diminish the quality of life. **The root of the problem is a society focused far too much on accommodating automobiles.** We do not provide a range of convenient mobility choices for citizens from neighborhood pedestrian connections to crosstown transit. Denver must address mobility in multiple ways: providing more choices, **encouraging those that reduce impact on the urban environment**, and cooperating with metropolitan jurisdictions and quasi-governmental agencies on mobility plans and projects. Perhaps the most difficult challenge is to **get people and organizations to think in new ways about how they get from place to place.**

Objective 9: Parking Management, Strategy 9-D

For areas near transit stations, evaluate parking management strategies, such as **reducing parking requirements** and granting neighborhood parking permits.

Objective 1: Support Housing Development, Strategy 1-C

Review current land-use planning, design and infrastructure requirements such as street widths, lot sizes, setbacks, **parking ratios** and utility standards. **Consider changing requirements that add unnecessarily to the cost of development or discourage housing.**

If we are serious about achieving the goals set out in the Denver Comprehensive Plan 2000, we must not let the pro-parking advocates get their way. We are no longer the Denver of the 1980s when it was cheap and easy to get around by car and park directly in front of our destination. Times have changed. If Buffalo, New York can remove all parking requirements in their zoning code, certainly progressive Denver can look beyond the selfish appeals of pro-parking advocates and make enlightened, future-looking decisions.

Please support the recommendation of the Small Lot Moratorium Committee and then let's get working on removing ALL parking requirements from ALL development through the City and County of Denver while providing a world-class intra-city transit system and pedestrian environment.

Respectfully,

Ken Schroepfel

From: [Kati Woock](#)
To: [Planningboard - CPD](#); [Hirt, Jeffrey J. - CPD Planning Services](#)
Subject: Letter in support of small lot compromise
Date: Monday, January 23, 2017 9:51:34 AM

January 23, 2017

Dear Planning Board,

I respectfully urge the Planning Board to accept and adopt the compromise agreement reached by the *Small Lot Moratorium committee* that addressed the “small lots” that are 6,250 square feet or fewer. The committee spent over ten hours of thoughtful deliberation and included a wide-range of perspectives. Existing law allows for 100% exemption on all small lots. The committee recommendation requires parking on small lots that are greater than two or three stories depending in their proximity to transit. That is a compromise -- and, it is very similar to the decision that former City Councilwoman Robb came to after her exploration. The Planning Board should allow no further parking requirements.

In truth, I would prefer that the existing 100% exemption stayed as is. We have very little data to demonstrate the impact the exemption would have. However, it is quite clear that changing the current policy will inhibit development, dramatically constricting the amount of housing that can be built which further exacerbates the housing shortage and does nothing to reduce the costly rental and home sale prices in the metro region. This is not the vision of the City of Denver, nor is it the direction I feel the city should go.

Denver City Council, the Mayor’s Office, and various government agencies have been working hard to address affordable housing in Denver. Requiring parking, at first glance, may not seem like it impacts housing, but it does. Requiring parking is a cost to development. It reduces the number of units that can be built and the cost of the parking will increase the rental cost of a unit by 15%. The housing shortage and resulting increased cost of home renting and buying drives people to live further from the urban core. The further from the urban core, the more people are reliant on driving a personal car. That increases vehicle miles traveled, less demand for public transit, greater risk to bicyclists and pedestrians, more pollution and greater carbon emissions that contribute to climate change.

Deciding to increase parking requirements is a “triple-lose” proposition. We lose because fewer people live in our communities reducing the customer base for our local mom-and-pop businesses. We lose because the housing prices are increased to pay for parking. We lose because the environmental costs from automobile use negatively contributes to our collective impact on climate change.

The impact on affordable housing from increasing parking minimums also goes counter to what the Mayor and City Council have worked so hard to build. Voting to increase parking requirements goes against the national trend to eliminate requirements. Voting to extend the moratorium delays housing construction at a time when we desperately need more housing. Choosing free parking on the public right of way prioritizes cars over people.

I understand the need for compromise. But, I would rather that we do not eliminate our ability

to test a market-based solution to increase our housing stock and incentivize public transit use. By prohibiting the development of these small lots, we lose the ability to see how they would work. We lose the ability to make future decision based on data and observed dynamics within the community. Rather, if we decide to require more parking, we are making decisions out of fear, not fact.

You will always have the opportunity to refine your decision in the future based upon real world information. In the meantime, I strongly urge the Planning Board to accept and adopt the compromise agreement reached by the *Small Lot Moratorium committee* for the “small lots” that are 6,250 square feet or fewer.

Sincerely,

Kati Woock
1280 Humboldt St #34
Denver, CO 80218
Resident of City Council District 10

From: [Dmitrii Zavorotny](#)
To: [Planningboard - CPD](#)
Cc: [Hirt, Jeffrey J. - CPD Planning Services](#)
Subject: Small lot parking exemption
Date: Sunday, January 22, 2017 7:21:54 PM

Dear Denver Planning Board,

I am writing to strongly urge the Planning Board to accept and adopt the compromise agreement reached by the Small Lot Moratorium committee led by Councilman Brooks. The committee spent a dozen or so hours discussing the matter of parking exemptions on lots that are 6,250 square feet or fewer and provided for a wide array of perspectives on the topic.

A significant concession was made to placate those individuals that I felt were “yelling the loudest”, but not necessarily those representing the majority of Denver or the overall greater good. While existing law would allow for 100% parking exemptions on all small lots, the new law would favor transit corridors (like Colfax) and rail transit stations, with significant reduction in exemptions outside of these areas. While I personally believe that we should have moved in the opposite direction and strengthened Denver’s resolve to promote a more sustainable policy – one that provides for both affordable housing and affordable (car-free) living, I understand that compromises are necessary to move forward. Denver has been doing wonderful things like setting up an affordable housing fund and creating a comprehensive transportation plan with Denver Moves, so I commend Councilman Brooks’ and the committee’s efforts despite my desire to have Denver take a lesson from the city of Buffalo and used this as an opportunity to set the stage for removing all parking requirements across the city.

Requiring developers to provide parking, whether the market demands it or not, impacts the neighborhood in several negative ways. First, it eliminates crucial developable space in already tight lots, reducing density needed to sustain local businesses and services. Second, it promotes a less friendly pedestrian environment by inducing private vehicle traffic and reducing foot traffic. Third, it is a large expense, running from \$8,000 (surface parking) to \$30,000 (structured underground parking), which developers have no choice but to pass down to the owner or renter. We are facing an unprecedented housing shortage and we are only making it worse by keeping the moratorium in place while making new housing projects less viable to the developer and less affordable to the consumer. Ultimately, this becomes a regional issue when potential Denver residents are forced to move farther from the core and contribute to the local traffic congestion and automobile pollution problems.

I believe that the eventual goal of the opposition is to reject the proposal, call for the moratorium to stay in place indefinitely, and work to turn a fair compromise into something that eliminates parking exemptions completely. This would be a disaster for the city. We also cannot be paralyzed by indecision. We must move forward and we must begin to tackle other challenges to the city, such as providing comprehensive multimodal transportation. In the meantime, we can watch and study impacts of this compromise to see how it can be revised in the future.

Sincerely,

Dmitrii Zavorotny
9076 E. 37th Ave.
Denver, CO 80238
720-771-6211

Russell Koff
2999 Lawrence St. #203
Denver, CO 80205
303-718-6808

January 23, 2017

Dear Members of the Planning Board,

I am writing to strongly request that the Planning Board adopt the compromise agreement reached by the “Small Lot Moratorium Committee” regarding parking exemptions on small lots. The committee has worked hard over countless meetings to come to this compromise agreement, and although it is not perfect, I believe that our city cannot afford to debate this issue any longer while small lots across Denver stand empty and housing prices continue to rise.


Although I support the board’s adoption of the compromise, I believe that maintaining the existing 100% parking exemption on small lots would truly be in the best interest of Denver, as it would support needed development on lots that have been neglected or abandoned for years. Developing these lots (which is often not viable when parking minimums are attached to them) enriches our neighborhoods, increases the housing supply, and supports the growth of our transit network. We also do not have any data to support the notion that developing these small lots without parking would make a noticeable impact on the on-street parking supply of neighborhoods.

Moreover, maintaining the parking exemption on small lots serves as a meaningful signal of the type of progressive, transit-oriented city that so many of us Denver have been working to create for years. At a time when many cities around the country are eliminating parking requirements altogether or implementing parking maximums on new developments, it would be a shame to see Denver move in the opposite direction. Denver’s leaders should be focused on how the city can foster healthy, safe, transit-rich, affordable, and vibrant neighborhoods—not on how we can maximize convenience for car commuters.

Again, the small lot parking compromise effort is not perfect, but I urge the Planning Board to adopt it so that needed development on small lots can go forward, and so that city leaders can continue working to create better neighborhoods for the city’s current and future residents.

Thank you for your consideration.

Sincerely,



Russell Koff
Resident of City Council District 9

CC: Councilman Albus Brooks
Councilman Paul Kashmann
Councilwoman Mary Beth Susman
Councilman Wayne New
Councilman Rafael Espinoza
Councilman Jolon Clark
Councilman Kevin Flynn
Councilman Paul Lopez
Councilwoman Kendra Black
Councilman Christopher Herndon
Councilwoman Stacie Gilmore
Councilwoman Robin Kniech
Councilwoman Deborah Ortega