

CCD Land Vacation Matrix

DRAFT – 7/12/16

SCOPE

The scope of this Document is to establish a predictable and replicable method for Private Developers to provide consideration to the City of Denver for Vacation of City-owned Right-of-Way (ROW) property.

In order for a Developer to be assured that Denver City Council will approve a Vacation of ROW property, the Developer must exchange good and valuable consideration for the Vacation. The amount and type of this consideration should be calculable in advance by the Party requesting the Vacation.

The method of calculation should be compiled into a simple matrix, and should be predictable and replicable without interpretation needed from outside parties. It should be comprised of a few factors in order to determine the consideration due for the Vacation.

These factors should include:

1. The Size of the Vacation requested (*Land Value Factor*)
2. The Zoning of Vacated Area (*Zoning Factor*)
3. The Value of Improvements to the City (*Improvement Offsets*)

#1 - LAND VALUE FACTOR

The size of a lot under consideration for Vacation is significant for determining its value. Small parcels that do not meet the criteria for an independent zone lot have less intrinsic value; the only use for these is to increase the size of an adjoining lot (i.e., they cannot be developed on their own). Traditionally, the City of Denver has vacated ½ of the width of these lots to the owners of lots adjoining the vacated property.

For example: An Alley (proposed to be Vacated) separates a street-facing lot (Lot A) from an independent carriage lot (Lot B), each owned by separate parties. The City agencies agree to Vacate the alley. ½ of the alley width is vacated to Lot A and ½ of the alley width is vacated to Lot B.

Vacated area of 0 sf to 2999 sf

Land areas vacated that are less than 3000 sf are smaller than the minimum zone lot size that could be developed as stand-alone lots, and therefore a lower Land Value Factor should apply to such cases.

Vacated area of 3000 sf to 5599 sf

Larger land areas which meet the criteria of a stand-alone zone lot have more value than smaller parcels as they are large enough to support small stand-alone development. A medium Land Value Factor should apply to these cases.

Vacated area of 5500 sf and Larger

Land areas larger than 5500 sf could be developed as a larger stand-alone property or combined with existing lots. This increase in development opportunity warrants a higher Land Value Factor.

*****Setback Exception*****

Any Vacated area that has a required setback, and would therefore severely limit development potential, should be excluded from consideration calculation.

#2 ZONING FACTOR

Certain Zone Districts allow increased density to a site, and therefore are more valuable. Given this fact, a Zoning should be factored into the equation establishing the value of land to be Vacated.

3-story or less Zoning – should be the baseline calculation. Most Single-Family and Duplex zoning allows up to 3 stories.

For example: U-MX-2, E-SU-D, and G-MU-3 and are 3-story or less districts – a Zoning Factor of 1 should apply

5-story Zoning – should be valued higher than 3-story Zoning by a factor of 2.

For example: U-MX-5, C-MX-5, and G-MU-5 and are 5-story or less districts and a factor of 2 should be applied

8-story Zoning and greater- should be valued at a factor specified by the number of the allowable stories that could be constructed.

For example: C-MS-8, a factor of 8 should apply, C-CC-12, a factor of 12 should apply

#3 IMPROVEMENT OFFSETS

During most development projects, Developers are required to make improvements to City-owned land through several means. The cost of these improvements should be taken into account when determining Consideration paid to the City for Vacation.

Dedications – Many projects are required to give land to the City, usually in order to widen a public alley or other ROW in order to assist the city in complying with current CCD Standards. This area to be Dedicated is usually determined during the Site Development Plan (SDP) process. These Dedications are vetted by Denver Zoning, Transportation, Wastewater, Public Works, Solid Waste, Xcel Energy, Denver Water, CenturyLink and Comcast Cable.

Improvements – Under the current process, many development projects require developers to make improvements to land owned by the City (i.e., fully re-paving adjacent public alleys). These improvements should be quantified using a standard and replicable calculation, and should be deducted from the consideration paid by developers to the City for the Vacated land.

	Zoning Factor	3-Story	5-Story	6+ Story
Vacated Land (sf)				
0 – 2999		\$ 3.50 per sf	\$ 5.50 per sf	\$ (# story) per sf
3000 - 5499		\$ 5.00 per sf	\$ 7.50 per sf	\$ (# x 1.5) per sf*
5500+		\$ 6.50 per sf	\$ 9.50 per sf	\$ (# x 3) per sf

CALCULATION OF CONSIDERATION

The Consideration that the City of Denver should receive from vacating land to a private party should be calculated as follows:

Step 1: Calculate Land Area (in square feet): _____ sf

Step 2: Subtract any Area with Setbacks: minus _____ sf

VACATED LAND AREA SUBTOTAL = _____ sf

Step 3: Multiply by applicable number from matrix: x _____

CONSIDERATION SUBTOTAL = \$ _____

Step 4: Calculate Area Dedicated to City: _____ sf

Step 5: Multiply by same number used in Step 3: x _____

DEDICATION DEDUCTION = \$ _____

Step 6: Estimate VALUE OF IMPROVEMENTS = \$ _____

Step 7: Subtract DEDICATION DEDUCTION and VALUE OF IMPROVEMENTS from CONSIDERATION SUBTOTAL:

CONSIDERATION SUBTOTAL: \$ _____

DEDICATION DEDUCTION: minus \$ _____

VALUE OF IMPROVEMENTS: minus \$ _____

TOTAL CONSIDERATION: = \$ _____

