

# INTRODUCTION TO REGULATING PLAN PROCEDURE

Denver Zoning Code Section 12.4.13

# Introduction to Regulating Plan Procedure



- Intent
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# Intent



- Applies building forms, heights, and land uses allowed in a zone district to specific streets frontages and specific blocks and/or zone lots
- Designates Primary Streets and Side Streets in advance of site development
- Increases predictability and certainty of future development
- A binding plan that narrows the broad flexibility otherwise allowed in the zone district

# When Required



- Mandatory – 2 cases:
  - ▣ In M-GMX zone district, unless the property is within a GDP with the same level of detail
  - ▣ Prior to site development subject to a GDP if the GDP does not include designation of Primary Streets
- Optional in all other cases:
  - ▣ May be used to fill gap between an adopted plan and current rezoning options or design guidelines

# Timing



- When required, a regulating plan shall be approved before approval of the following:
  - Special Exception Review
  - Variances
  - Site Development Plan Review
  - Zoning Permit

# Initiation



- May be initiated by any one or combination of the following:
  - ▣ The owner(s) of the subject property
  - ▣ The owner's authorized agent
  - ▣ The Manager of CPD

# Application



- Two parts:
  1. Regulating Plan
  2. Project Report

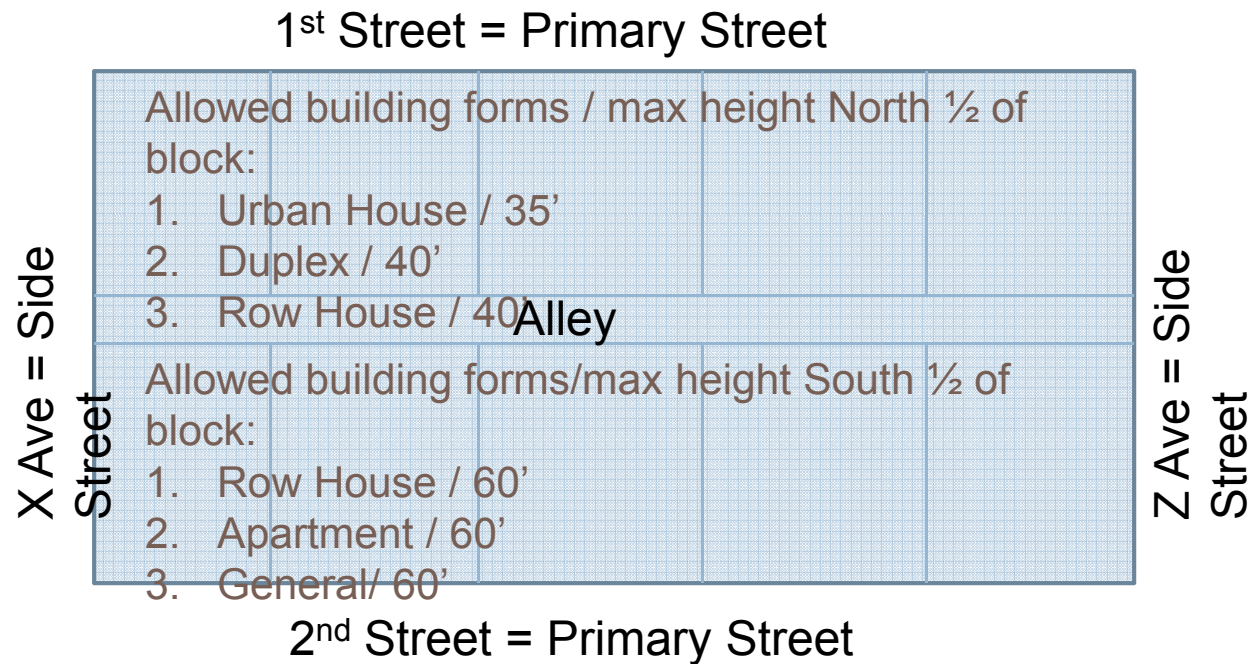
# Application – Part 1. Regulating Plan Contents

- Boundaries
- Size and layout of blocks
- Streets, alleys, drives
- ❖ Designation of Primary Streets and Side Streets
- Publicly accessible open spaces
- ❖ Assignment of building form standards chosen from any of the building form standards allowed in the zone district
- ❖ Land uses
- Location of affordable housing units
- Supplemental building form standards to achieve urban design objectives, provided such standards do not conflict with otherwise applicable building form standards



# Simple Example of a Regulating Plan

N ↑



**Zone District: M-MX-5**

# Application – Part 2. Project Report Contents

- Serves as background; not part of the recorded approval
- Describes how the regulating plan is consistent with and implements any approved plan for the area
- Describes proposed development program:
  - ▣ Land use concepts
  - ▣ Tabulation of acreages and density of each building type
  - ▣ Estimated sequence and timing
- Describes proposed transitions at the edge of the regulating plan area to promote compatibility with adjacent land uses, where applicable

# Review Criteria



1. The proposed mix and location of building forms, building heights, and land uses are **consistent with applicable plans** adopted by the city
2. The regulating plan provides a plan that will **enable the predictable development** of building forms and heights, and the predictable establishment of land uses within the plan's area
3. Design of the mix of building types, heights, and land uses will **respect existing adjacent neighborhood context, where applicable, and creates an appropriate transition** at the edges of the regulating plan

# Approval & Appeals



- Final Approval Authority: Manager of CPD
- Appeals: to the Board of Adjustment

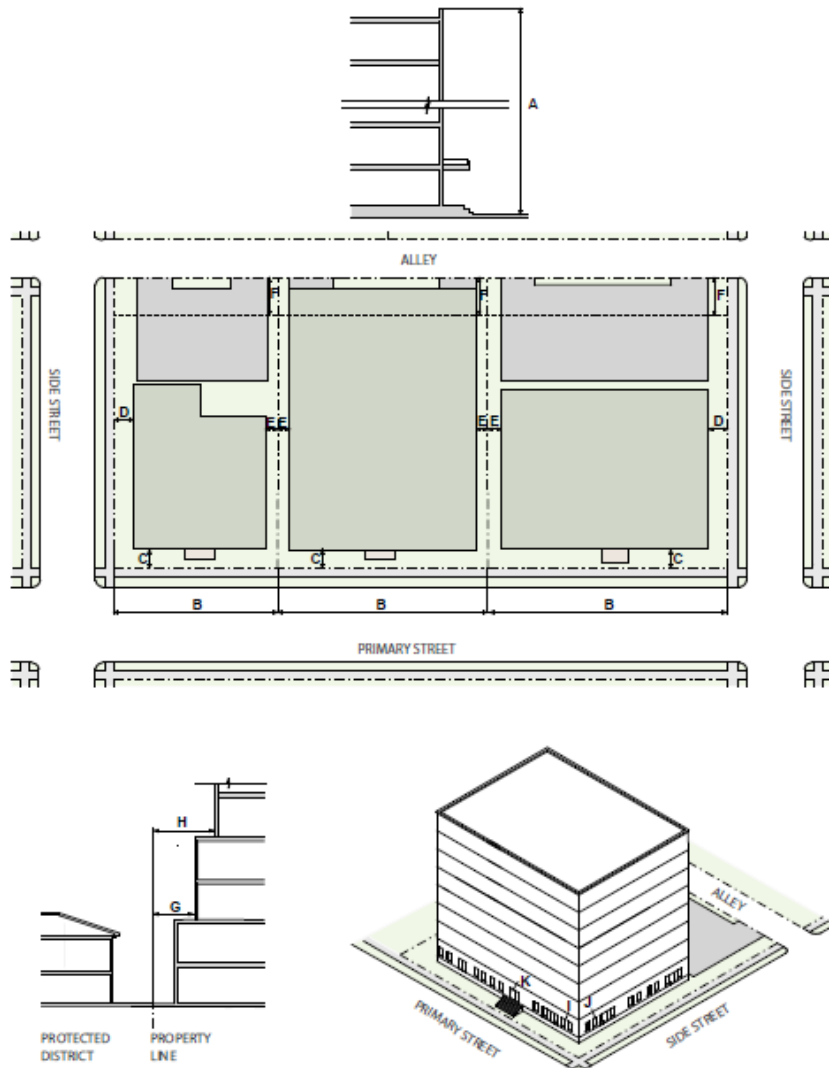
# Format



- CPD has worked collaboratively with the applicant to develop a template for a regulating plan that can be applied to future sites
- The regulating plan format parallels the Denver Zoning Code building form standard format
- Terminology is consistent with Denver Zoning Code rules of measurement and definitions
- Includes numeric standards and illustrations

G. General

Not to Scale. Illustrative Only.



GENERAL

HEIGHT

	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
A Stories (max)	3	5	8	12	16	20
A Feet (max)	45'	70'	110'	150'	200'	250'
Feet, within 175' of Protected District (max)	na	na	75'	75'	75'	75'

SITING

	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
ONE LOT						

C-RX: Second Story and Above; Residential or Lodging Accommodations Uses Only; Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max  
C-MX: na

Use Restrictions

REQUIRED BUILD-TO

B Primary Street (% within min/max)	70% 0'/10'	70% 0'/10'	70% 0'/10'	70% 0'/10'	70% 0'/10'	70% 0'/10'
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SETBACKS

C Primary Street (min)	0'	0'	0'	0'	0'	0'
D Side Street (min)	0'	0'	0'	0'	0'	0'
E Side Interior (min)	0'	0'	0'	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
F Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'

PARKING

Surface Parking between building and Primary Street/Side Street

Not Allowed/Not Allowed

Surface Parking Screening Required

See Article 10, Division 10.5

Vehicle Access

Shall be determined as part of Site Development Plan Review

DESIGN ELEMENTS

	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
BUILDING CONFIGURATION						

G Upper Story Setback Above 27', adjacent to Protected District; Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
H Upper Story Setback Above 51', adjacent to Protected District; Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'

GROUND STORY ACTIVATION

I Transparency, Primary Street (min)	40%	40%	40%	40%	40%	40%
J Transparency, Side Street (min)	25%	25%	25%	25%	25%	25%
K Pedestrian Access, Primary Street	Entrance					

# Regulating Plan Follows DZC Format

200, 234 COLUMBINE ST. AND 2600 E. 3RD AVE.  
DENVER, CO  
REGULATING PLAN

**LEGAL DESCRIPTION**

Parcel "A",  
Plat 177-3 and the South 57 of Plat 4,  
Block 82 Harman's Subdivision,  
City and County of Denver, State of Colorado.

Parcel "B",  
Plat 177-3 and the North 57 of Plat 4,  
Block 82 Harman's Subdivision,  
City and County of Denver, State of Colorado,  
Except the 181 square foot parcel encumbered by  
Ordinance 188 Series of 1987.

**SUBJECT PROPERTY**

**OWNER'S SIGNATURES**

WESTERN DEVELOPMENT GROUP, LLC  
BY \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF COLORADO  
CITY AND COUNTY OF DENVER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_ A.D. BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL,  
MY COMMISSION EXPIRES \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATION**

STATE OF COLORADO YES  
CITY AND COUNTY OF DENVER  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ A.M. \_\_\_\_\_ P.M. \_\_\_\_\_ 2012  
RECEIVED BY \_\_\_\_\_

CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER  
BY \_\_\_\_\_ DEPUTY CLERK AND RECORDER  
FEE \_\_\_\_\_

**APPROVALS**

APPROVED BY \_\_\_\_\_ MANAGER OF COMMUNITY PLANNING AND DEVELOPMENT DATE \_\_\_\_\_

**GENERAL NOTES**

- ALL SETBACKS ARE MEASURED FROM THE PROPERTY LINE, UNLESS OTHERWISE NOTED.
- DESIGN ELEMENTS AND SETBACKS SHALL COMPLY WITH ARTICLES 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 OF THE DENVER ZONING CODE FOR CASAS AND GARDEN DISTRICTS.
- ONLY THE GENERAL BUILDING FORM WILL BE USED.
- STREET FACING GROUND FLOOR USES SHALL BE LIMITED TO RETAIL SALES AND SERVICES AND THOSE USES REASONABLY NECESSARY TO ACCESS OTHER USES ON UPPER AND LOWER STOREYS.

**COVER SHEET**  
08.20.2012  
SHEET 01 OF 04

200, 234 COLUMBINE ST. AND 2600 E. 3RD AVE.  
DENVER, CO  
REGULATING PLAN

**HEIGHT**

MAXIMUM BUILDING HEIGHT: 2 STOREYS (H1)	MAXIMUM BUILDING HEIGHT: 5 STOREYS (H5)
MAXIMUM BUILDING HEIGHT: 3 STOREYS (H3)	MAXIMUM BUILDING HEIGHT: 7 STOREYS (H7)
MAXIMUM BUILDING HEIGHT: 4 STOREYS (H4)	MAXIMUM BUILDING HEIGHT: 8 STOREYS (H8)

**HEIGHT**  
08.20.2012  
SHEET 2 OF 04

200, 234 COLUMBINE ST. AND 2600 E. 3RD AVE.  
DENVER, CO  
REGULATING PLAN

**SITING**

NOTES:  
1. REQUIRED BUILD-TO ALONG 2ND AND 3RD AVE. (5' MIN. MIN./MAX.) 70% BETWEEN 5' / 15'  
2. REQUIRED BUILD-TO ALONG COLUMBINE STREET. (5' MIN. MIN./MAX.) 70% BETWEEN 0' / 10'

**SITING**  
08.20.2012  
SHEET 03 OF 04

200, 234 COLUMBINE ST. AND 2600 E. 3RD AVE.  
DENVER, CO  
REGULATING PLAN

**DESIGN ELEMENTS**

UPPER STORY SETBACK (MIN.) OF 1' REQUIRED ABOVE 3'	PUBLICLY ACCESSIBLE W/O-BLOCK CONNECTION FROM COLUMBINE STREET TO ALLEY LOCATED MIN. 100' FROM 2ND AVE PROPERTY LINE
UPPER STORY SETBACK (MIN.) OF 5' REQUIRED ABOVE 10'	
UPPER STORY SETBACK (MIN.) 40' REQUIRED ABOVE 31' OF A MINIMUM WIDTH OF 20'	
UPPER STORY SETBACK (MIN.) OF 1' REQUIRED ABOVE 3'	
UPPER STORY SETBACK (MIN.) OF 10' REQUIRED ABOVE 10'	

**DESIGN ELEMENTS**  
08.23.2012  
SHEET 04 OF 04

# Questions?

