



Proposed Amendments to Ordinance 0424 and 0426, Series of 2022

City Council – May 13, 2024

Agenda

- EHA Background
- Proposed Ordinance Amendments
- Current Grace Period Volume & Distribution
- Staffing & Review Timeframe Trends
- Update on Status of Grace Period Projects
- Review Strategies
- Extension Proposal and Methodology
- Staff Recommendation and Questions

EHA Background

- Ordinance approved on 6.8.22 and went into effect 7.1.22
- Requires the following compliance depending on project type:
 - Projects with 10+ residential units to provide affordable housing on-site or pay a fee-in-lieu
 - Non-residential projects and residential projects with up to 9 units subject to increased linkage fees

Grace Period Eligibility Dates

- Submitted concept prior to June 30, 2022
- SDP approval by May 17, 2024 or August 31st (if 4th+ review required)
- SDP approval by September 13, 2024 or December 31st (if 4th+ review required) if the project is subject to LDR or Subdivision

Proposed Amendments

- Requires amendments to two ordinances – Ordinance No. 0424, Series of 2022 (zoning ordinance) and Ordinance No. 0426, Series of 2022 (Denver Revised Municipal Code ordinance)
 1. Bill 24-0455

Amends section 4 of Ordinance No. 0426, Series 2022 to extend the deadlines by which an applicant must obtain approval of a site development plan in order to be exempt from the requirements in Ord. 22-0426, changed the final date of report that Community Planning and Development must provide to City Council and added a requirement for applicants to resubmit their site development plans 90 days from the date of consolidated comments.
 2. Bill 24-0456

Amends section 2 of Ordinance No. 0424, series 2022 to extend the deadlines by which an applicant must obtain approval of a site development plan in order to be exempt from the requirements in Ord. 22-0424.

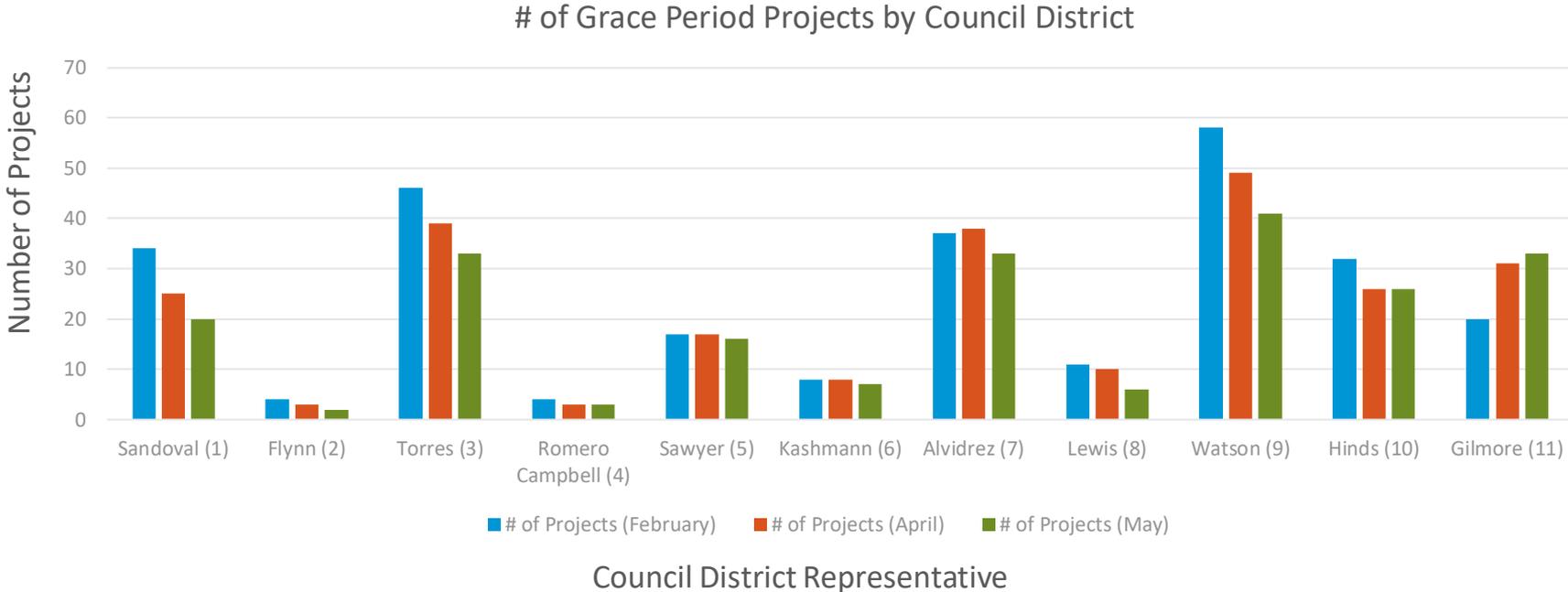
Grace Period Volume



June 30th deadline



Distribution of Remaining Grace Period Projects



Staffing

Filled 11 vacancies in 2023.

Currently have 1 vacant position:

- **Intake-** 3 positions, 2 filled
 - **Associate-** 4 positions
 - **Senior (Project Coordinator)-** 6 positions
 - **Urban Design Architect-** 1 position
 - **Supervisor-** 2 positions
- SDND team also includes staff for these programs: Adaptive Reuse, LDR, and AHRT

Review Timeframes

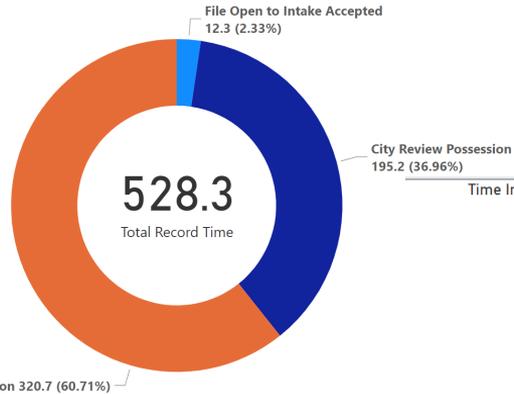
Median Days Late by Month & Year



Time in Process (Active Projects)

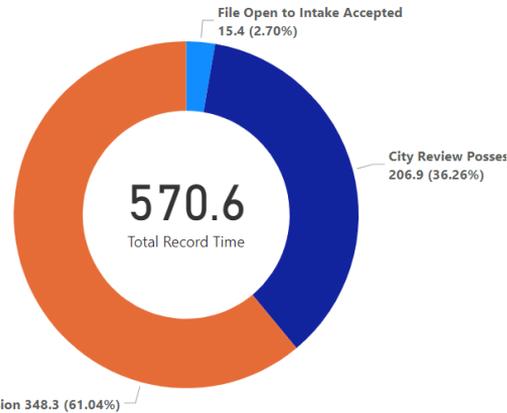
February

Time In Process (Days) for Intake, City Possession, and Customer Possession



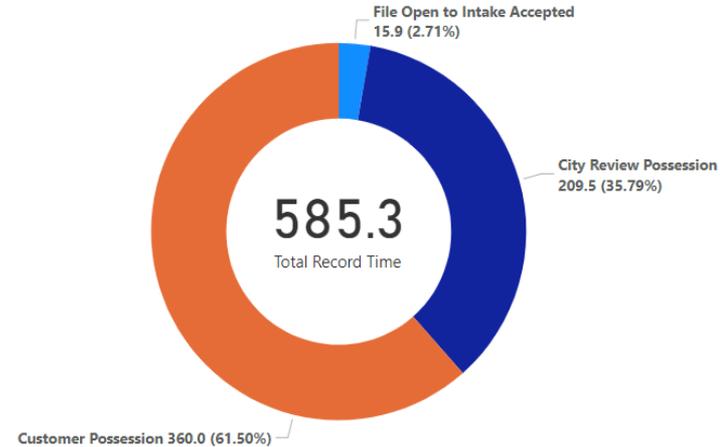
April

Time In Process (Days) for Intake, City Possession, and Customer Possession



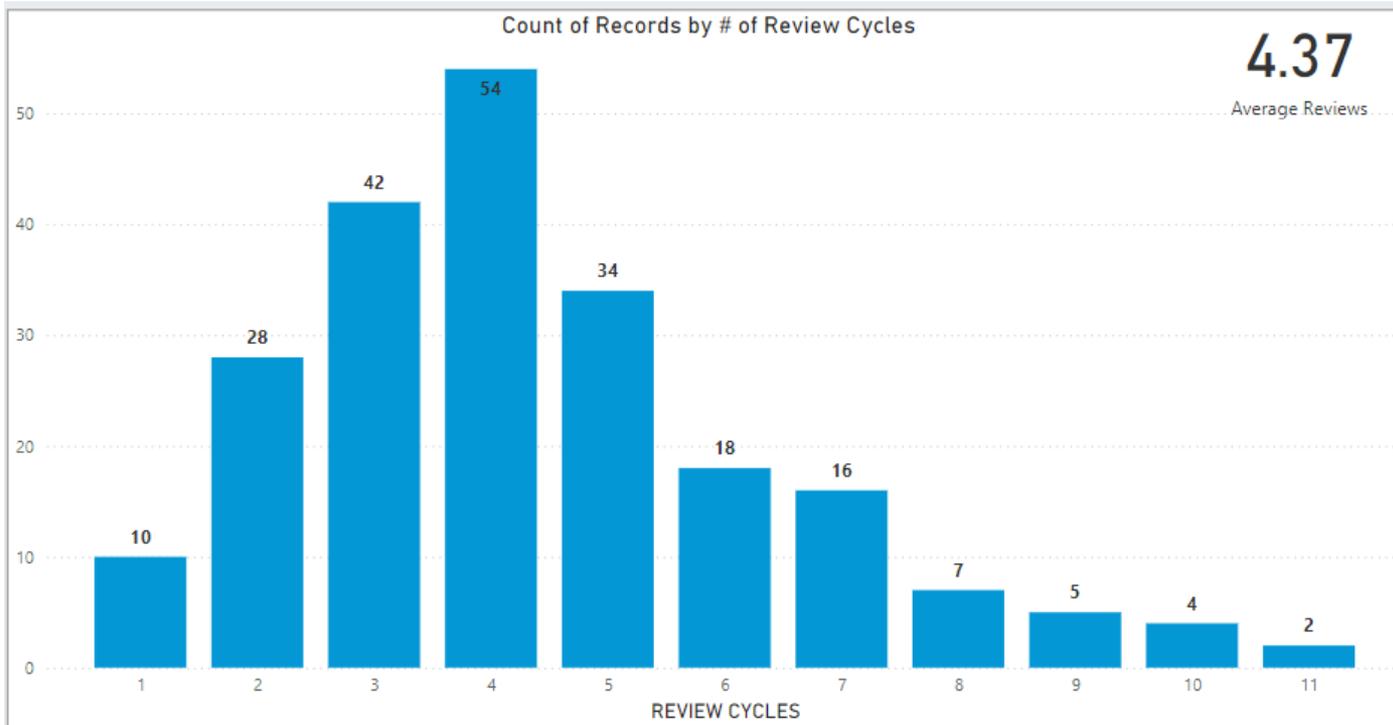
May

Time In Process (Days) for Intake, City Possession, and Customer Possession



Status of Grace Period Projects

May snapshot (220 projects)



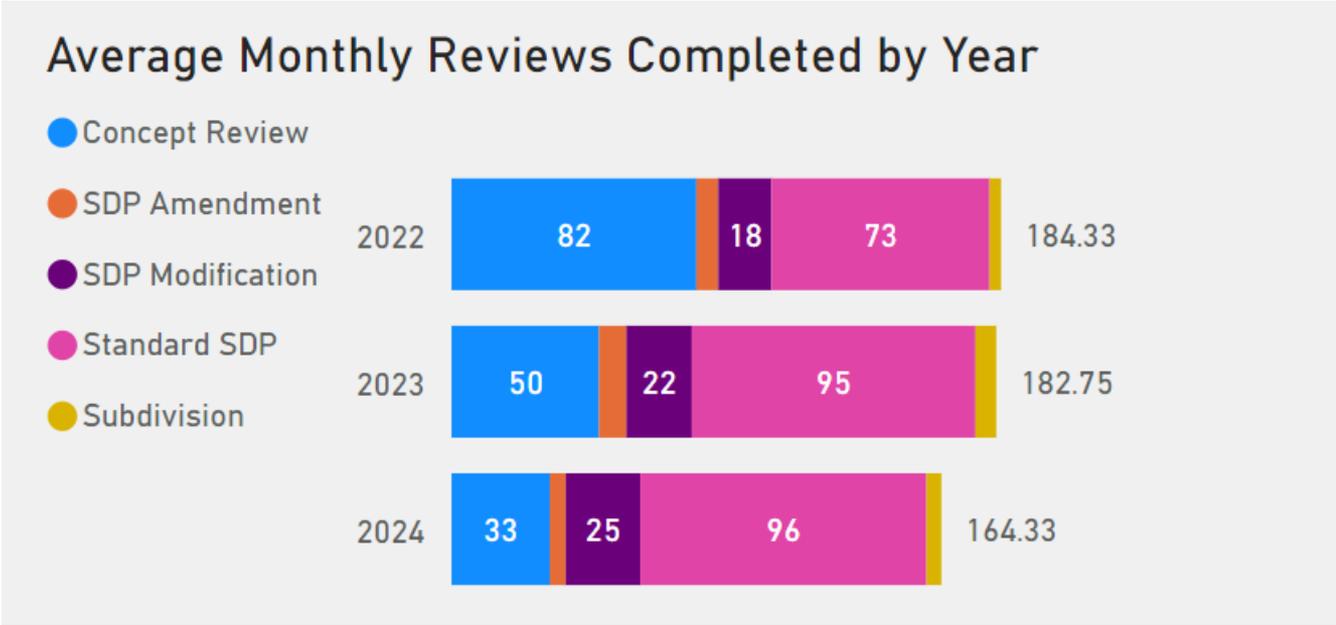
Review Strategies

- Re-balanced workload in summer 2023 by consolidating geographic review areas.
- Monthly “focus” weeks with grace period prioritized reviews
- Administrator coordination on “high review” cycle projects
- Regular outreach emails to active projects

Grace Period Extension

- Single deadline of **April 18, 2025**
 - Typical number of review cycles,
 - Amount of time individual reviews are currently taking,
 - Amount of time projects typically spend in our customers hands
- In order to reduce the overall time projects are not in an active review, the ordinance includes a requirement that all pre-EHA projects receive a notice at 60 days after consolidated comments are sent and projects will be closed at day 90 if no resubmittal is received.

Methodology



Staff Recommendation and Questions

- Staff recommendation – approval of 24-0455 and 24-0456 as presented
- Review criteria for 24-0456
 - Consistency with Adopted Plans
 - Uniformity of District Regulations
 - Further Public Health, Safety and Welfare
- Questions?