



Proposed Denver Revised Municipal Code Zoning Text Amendment

Chapter 59 – Partial Rezoning for Former Chapter 59 PUDs

08/05/2019

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The proposed zoning text amendment is sponsored by the Community Planning and Development Executive Director.

Purpose of Text Amendment

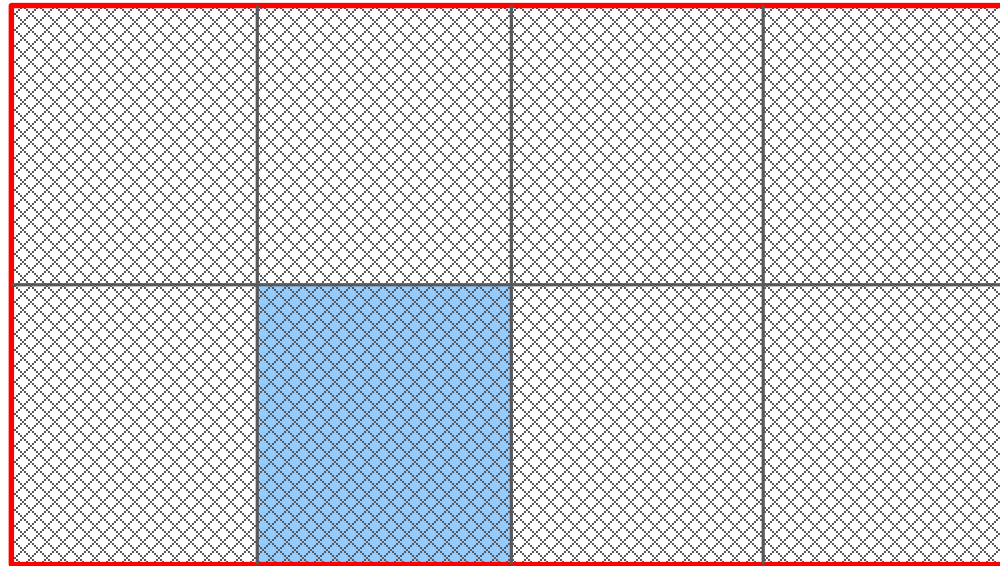
- Revises the DRMC to change who may submit an application to partially rezone a Former Chapter (FC) 59 Planned Unit Development (PUD) to a district in the Denver Zoning Code (DZC)
- Goal is to encourage the rezoning of FC59 PUDs to the DZC by simplifying the requirements for who can submit an application

Summary of Current and Proposed Requirements

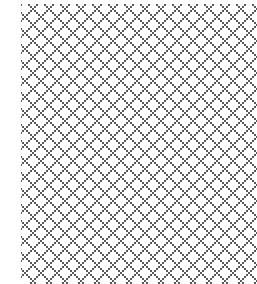
	Existing Requirement	Proposed Requirement
Who May Submit an Application	Application must be filed by 100% of property owners within the entire PUD, including portion not being rezoned (unless PUD expressly states otherwise)	Application must be filed only by those property owners within the portion being rezoned to a district in the DZC

- Applies only to applications for portions of FC59 PUDs rezoning to a district in the DZC
- The existing signatures requirement presents an unnecessary hurdle that doesn't exist for other FC59 zone districts, including those with waivers, conditions, or PBGs. Removing it would level the playing field for all property owners still in FC59.

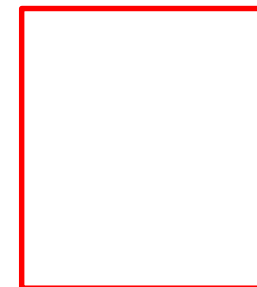
Illustration of Existing Requirement



Area to be
rezoned out of
PUD

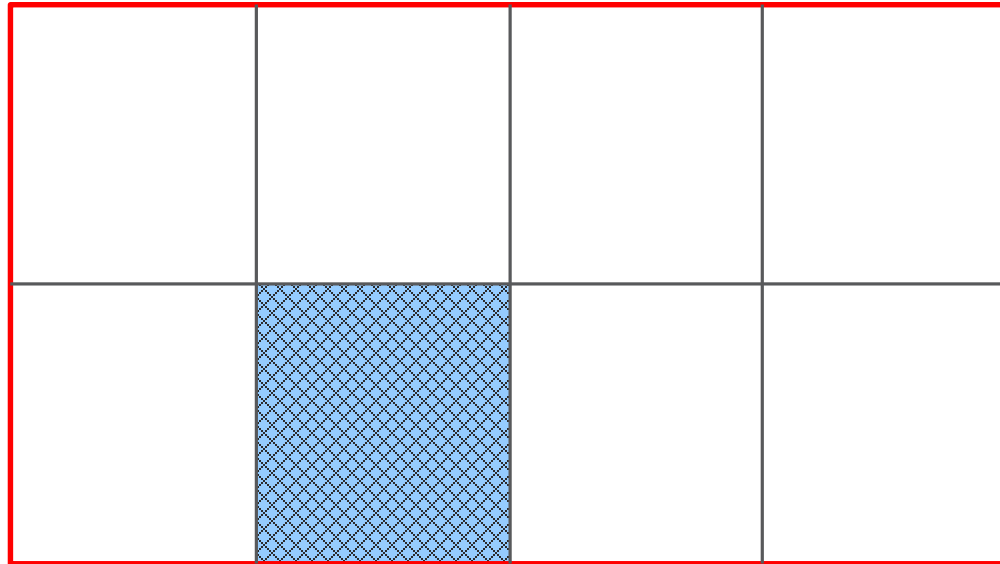


Property owner
signatures required

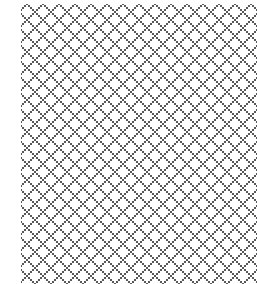


PUD Boundary

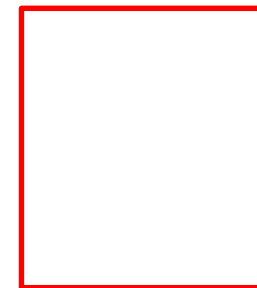
Illustration of Proposed Requirement



Area to be
rezoned out of
PUD

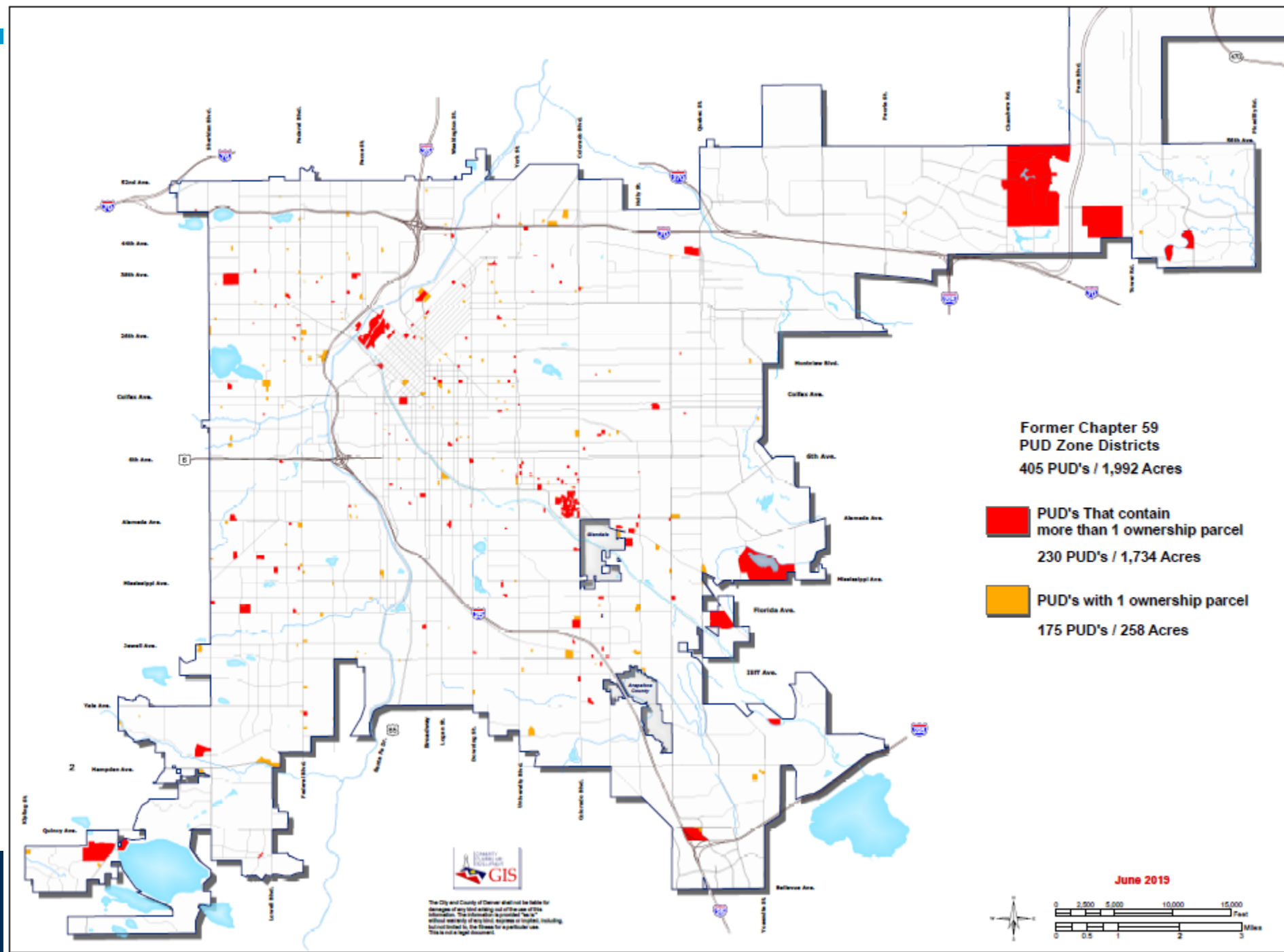


Property owner
signatures required



PUD Boundary

FC59 PUD Map



Public Process

<i>January 7, 2019</i>	Summary and redline draft of text amendments posted to website for public review and email notice sent to all Registered Neighborhood Organizations (RNOs) and City Councilmembers
<i>January 17, 2019</i>	Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers of scheduled Planning Board public hearing, with link to updated summary and summary of all items
<i>January 23, 2019</i>	Televised Planning Board Informational Item
<i>January 26, 2019</i>	CPD attends Inter Neighborhood Cooperation (INC) Zoning and Planning Committee for briefing on Partial Former Chapter 59 PUD rezonings
<i>January 30, 2019</i>	Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers of the postponed Planning Board hearing to allow additional opportunity for community input
<i>February 20, 2019</i>	CPD attends Montbello Neighborhood Improvement Association Meeting for briefing on Partial Former Chapter 59 PUD rezonings
<i>May 21, 2019</i>	Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers of scheduled Planning Board public hearing, with link to updated summary and summary of all items
<i>May 28, 2019</i>	Planning Board staff report and updated redline draft posted to website
<i>June 5, 2019</i>	Planning Board voted 10 to 0 to recommend approval to Denver City Council

Public Process

<i>June 25, 2019</i>	Land Use, Transportation, and Infrastructure Committee of the Denver City Council moved the bill forward for consideration by full City Council
<i>August 5, 2019</i>	City Council public hearing

- Additional notices to RNOs and City Councilmembers before LUTI Committee and Public Hearing

Public Process

- Three public comment emails and motion from the Inter-Neighborhood Cooperation
 - One comment from a private citizen in opposition concerned the proposed amendment would facilitate piecemeal rezoning of Former Chapter 59 PUD properties into the Denver Zoning Code
 - One comment from an RNO concerned PUD agreements that were negotiated with the RNO in good faith will be eliminated
 - One comment from a private citizen in support of the amendment
 - Motion from INC in opposition

Rezoning Criteria

- Consistent with the City's Adopted Plans and Policies
 - Comprehensive Plan 2040
 - Amendment improves equitable access to city resources (Equitable, Affordable and Inclusive Goal 1, Strategy D).
 - Amendment adopts a strategy to ensure city plans and processes incorporate equity (Equitable, Affordable and Inclusive Goal 6, Strategy A).
 - Amendment promotes infill development where infrastructure and services are already in place (Environmentally Resilient Goal 8, Strategy A).
 - Blueprint Denver 2019
 - Amendment incentivizes owners to come out of the former chapter 59 zoning code and rezone into the DZC (Land Use & Built Form Policy 3 A).

Rezoning Criteria

- Furthers the Public Health, Safety and General Welfare
 - Amendment provides equal opportunity for all property owners with Former Chapter 59 zoning to apply to rezone to a DZC district

Rezoning Criteria

- Results in Regulations that are Uniform with Each Zone District
 - Amendment will result in uniform regulations for submitting an application to rezone for each zone district

Staff Recommendation

Based on the review criteria for text amendment stated in the Denver Zoning Code, Section 12.4.11 (Text Amendment), staff recommends the Denver City Council approve the partial rezonings of Former Chapter 59 PUDs amendment to the Denver Revised Municipal Code.