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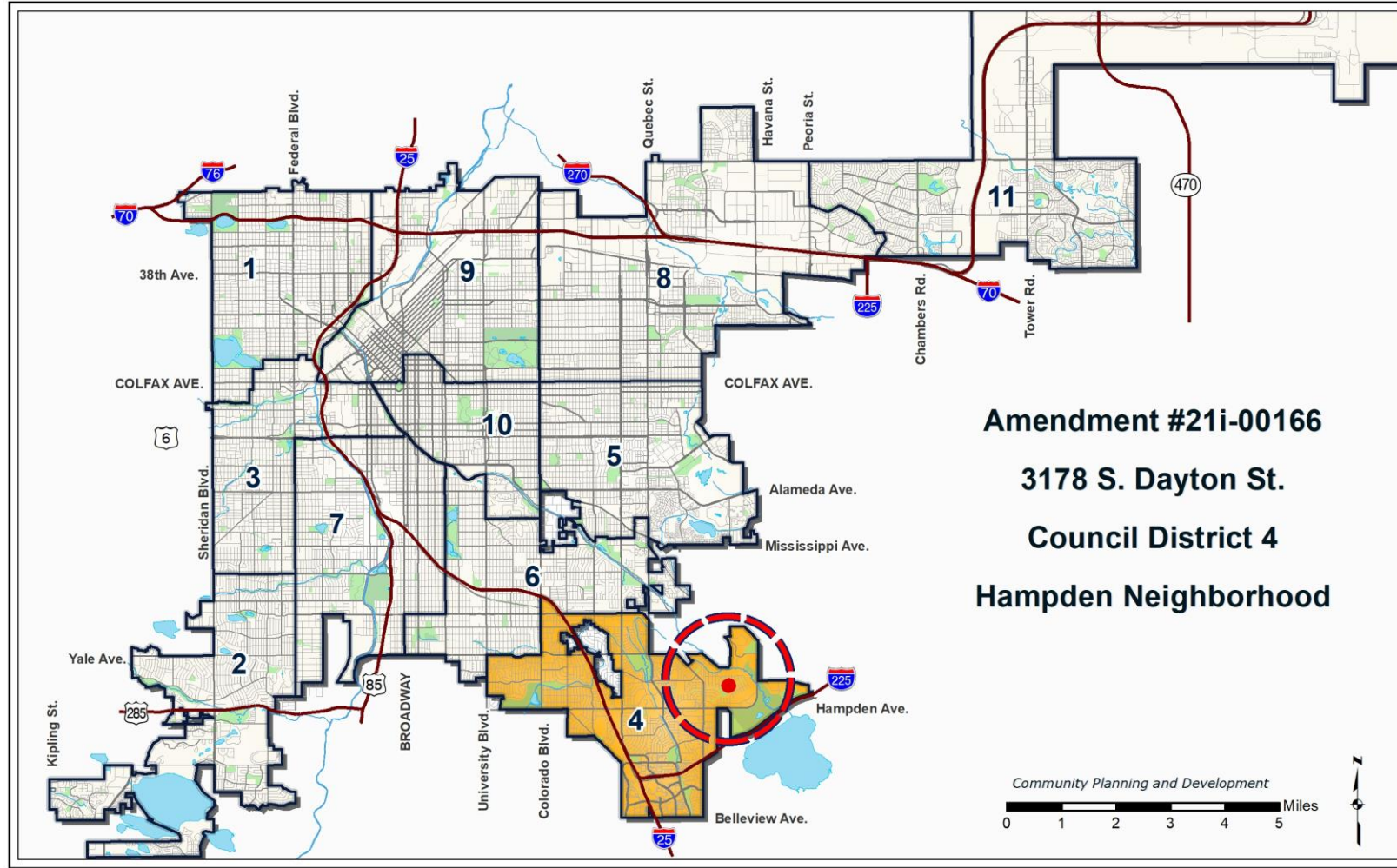
# 3178 S. Dayton Ct.

2021I-00166

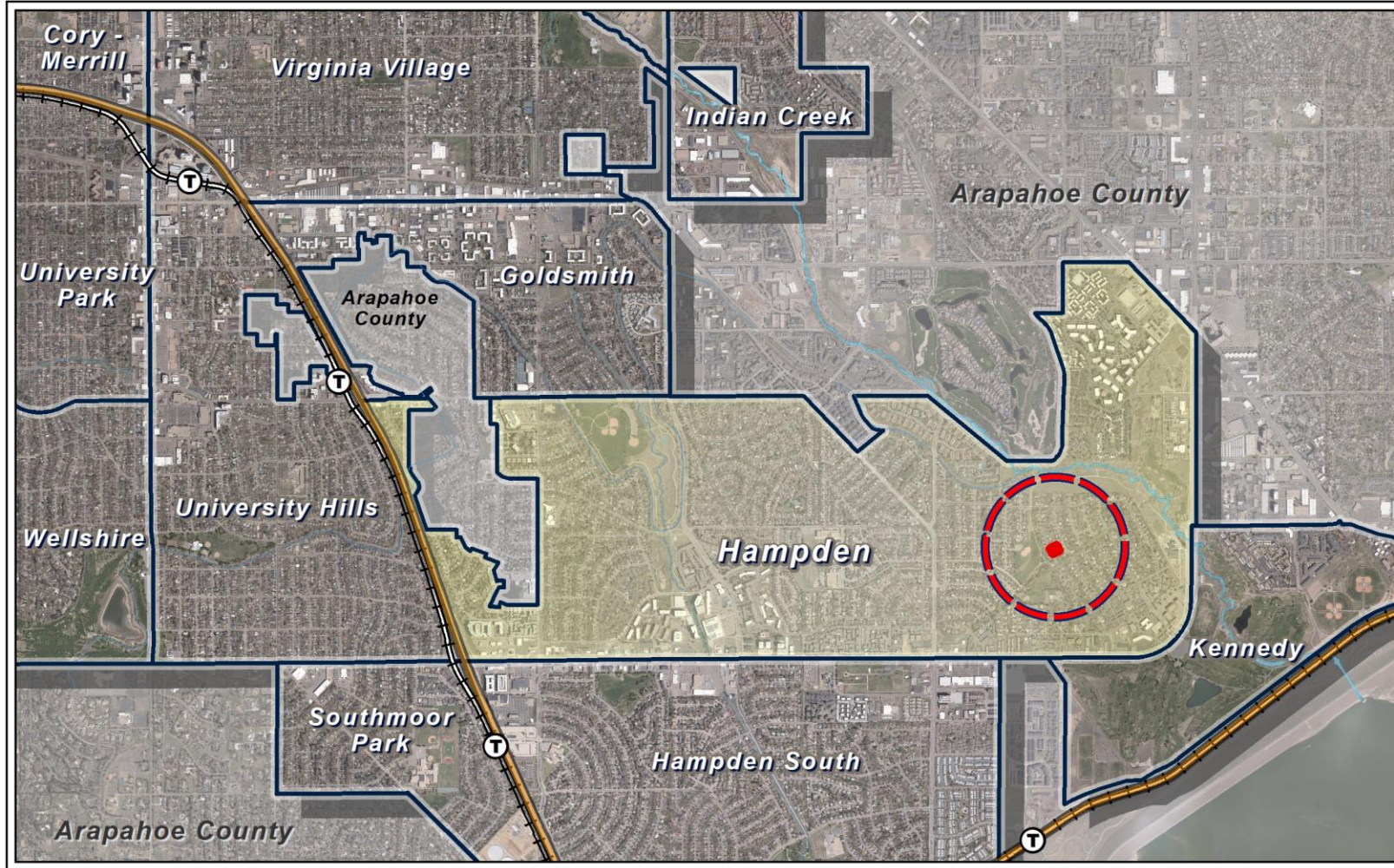
Request: S-SU-F to S-SU-F with Waivers

City Council: 2/28/2022

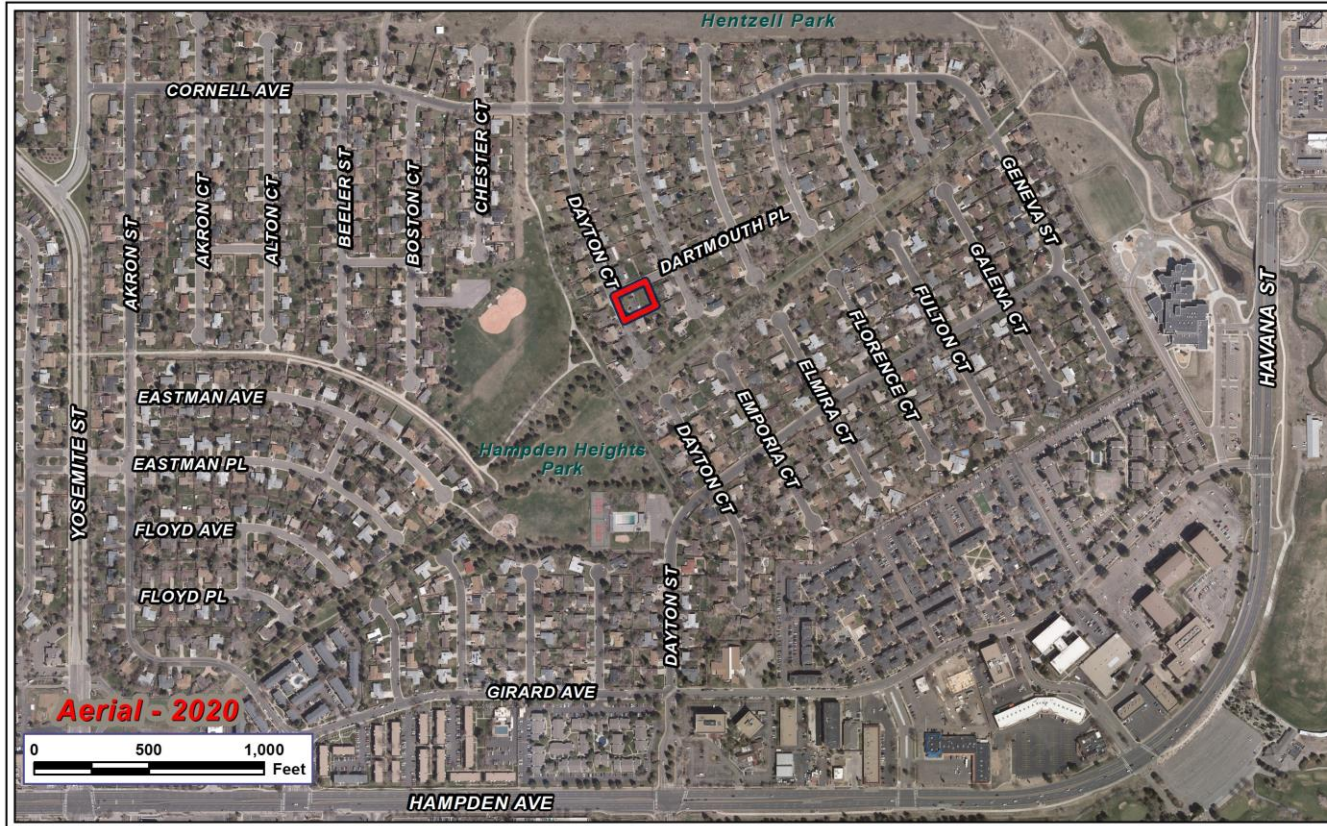
# Council District 4: Kendra Black



# Hampden Neighborhood

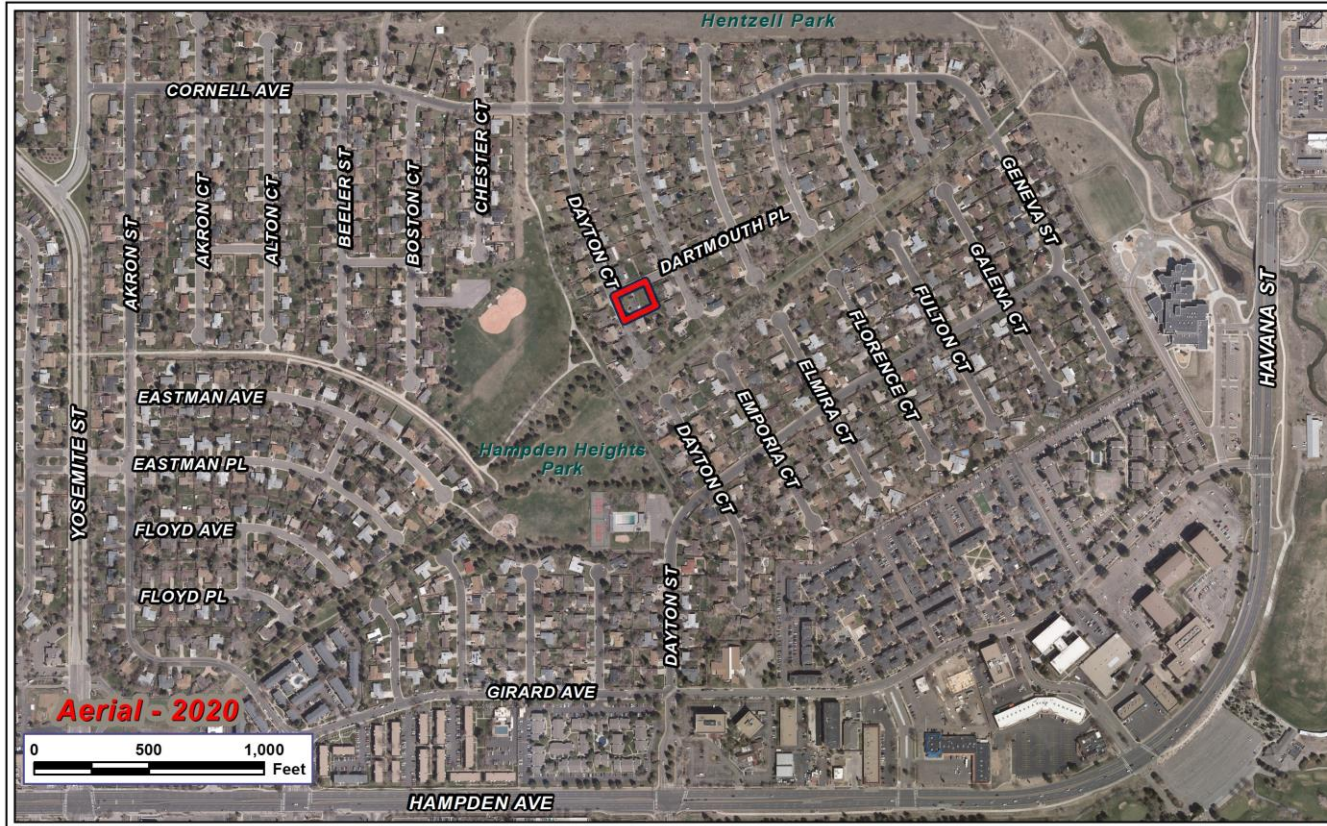


# Request: S-SU-F w/waivers



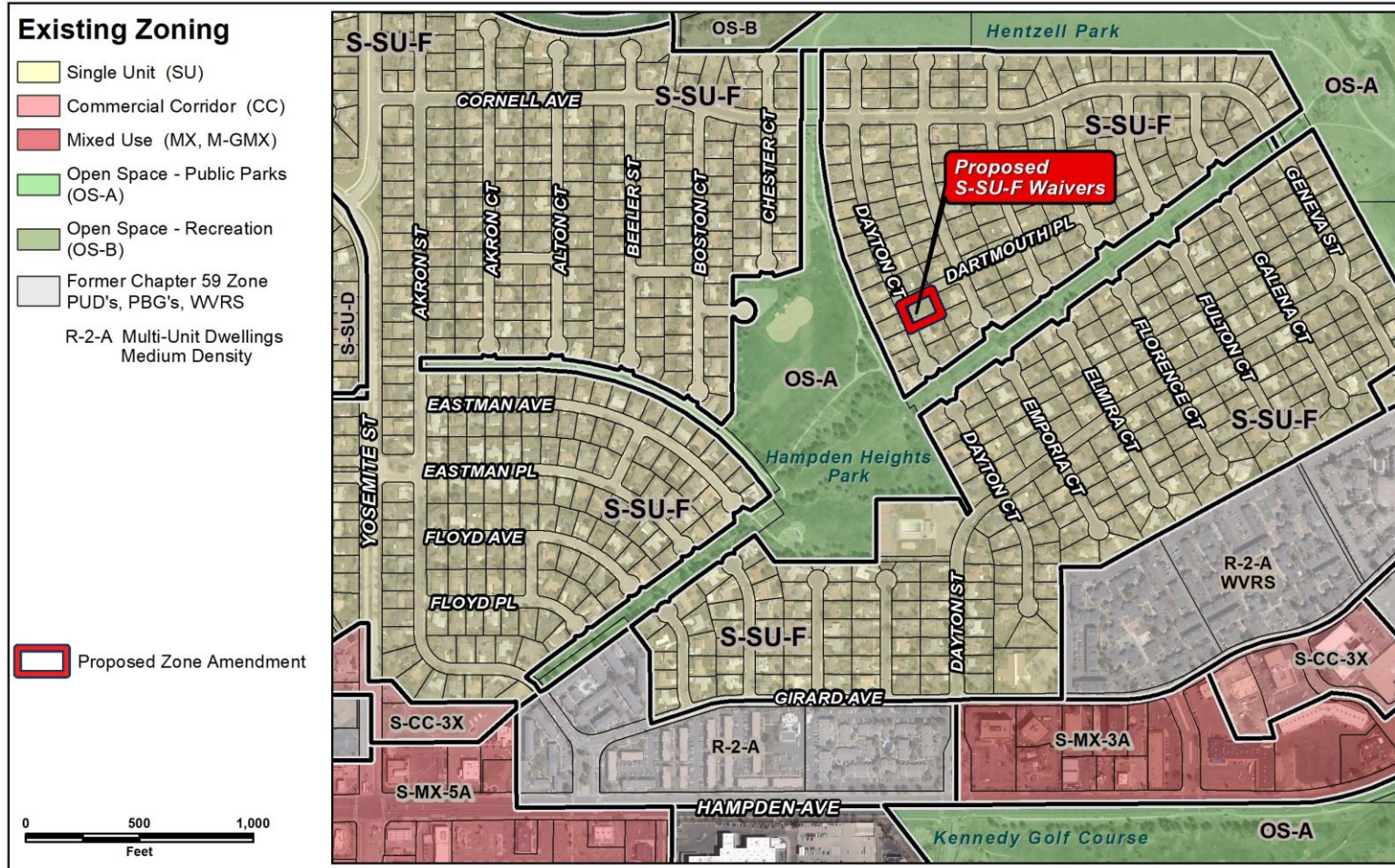
- Location
  - Approx. 11,900 square feet or 0.27 acres
  - Single-unit residential
- Proposal
  - Rezoning from S-SU-F to S-SU-F w/waivers
    - Allows Suburban House Accessory Dwelling Unit
    - Max. building height 30-35 feet, 24 Feet
    - Min. lot size of 8,500ft<sup>2</sup>

# Request: S-SU-F w/waivers



- Per Section 12.4.10.4, applicant has proposed waivers to
  - Allow ADU use
  - Allow detached ADU building form
  - Waive minimum zone lot depth of 150'

# Existing Zoning



- Current Zoning: S-SU-F
  - Allows Suburban House building form
  - Max. building height 30-35 feet
  - Min. lot size of 8,500ft<sup>2</sup>

# Existing Land Use



**Land Use:** Single-Unit Residential

**Surrounding Land Uses:**

- Single-Unit Residential
- Park/Open Space

# Existing Building Form/Scale



Subject Property





# Process

- Informational Notice: 10/19/2021
- Planning Board Notice: 12/21/2021
- Planning Board Public Hearing (unanimously recommended approval): 1/5/2022
- LUTI Committee: 1/18/2022
- City Council Public Hearing: 2/28/2022
- Public Comment
  - No public comment

# Review Criteria

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver: A Land Use and Transportation Plan (2019)*

### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare

### 4. Justifying Circumstances

### 5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Consistency with Adopted Plans: Comprehensive Plan 2040

## Equity

- Equitable, Affordable and Inclusive Goal 2, Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

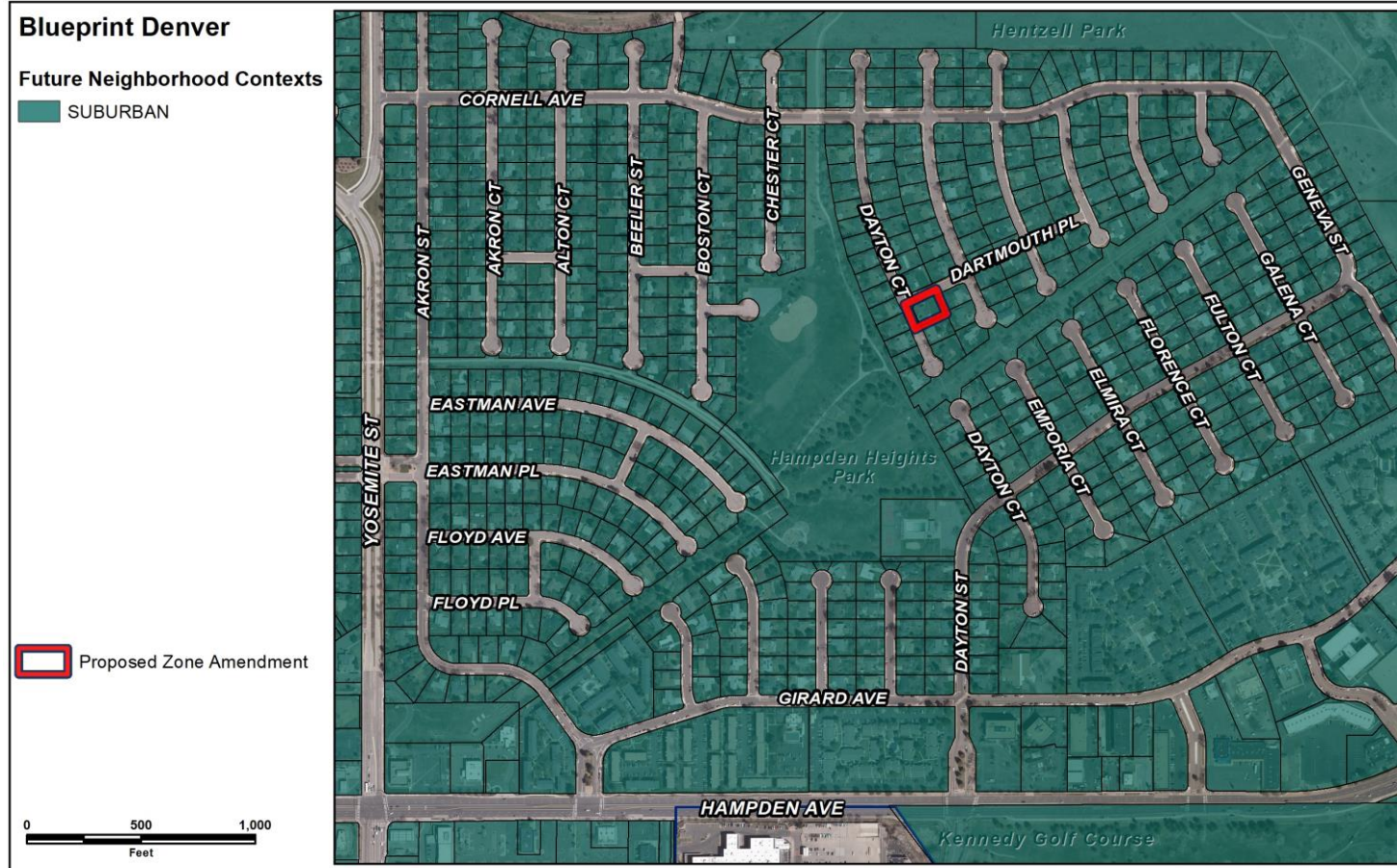


## Climate

- Environmentally Resilient Goal 8, Strategy A: Promote infill development where infrastructure and services are already in place (p. 54).

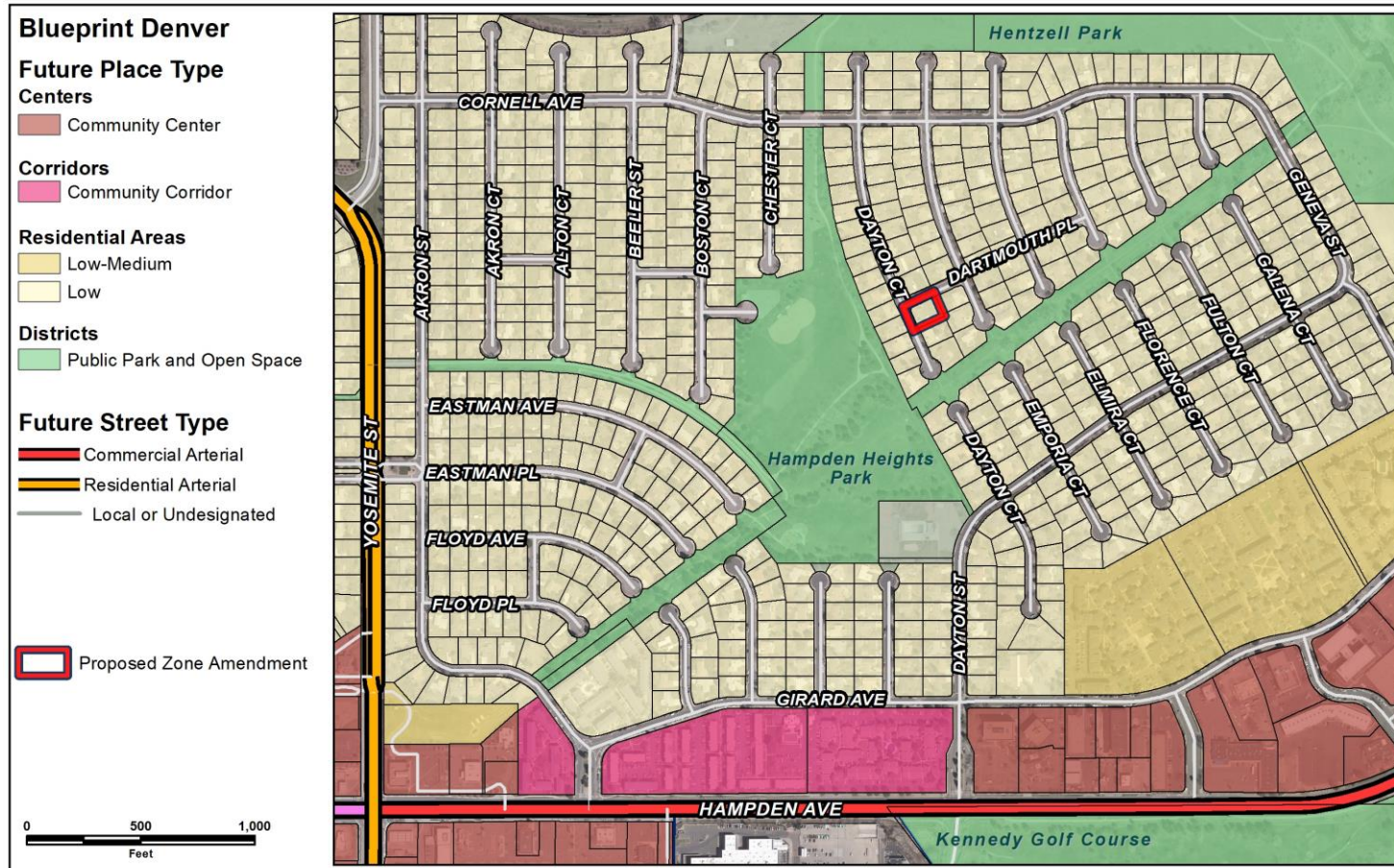


# Consistency with Adopted Plans: Blueprint Denver 2019



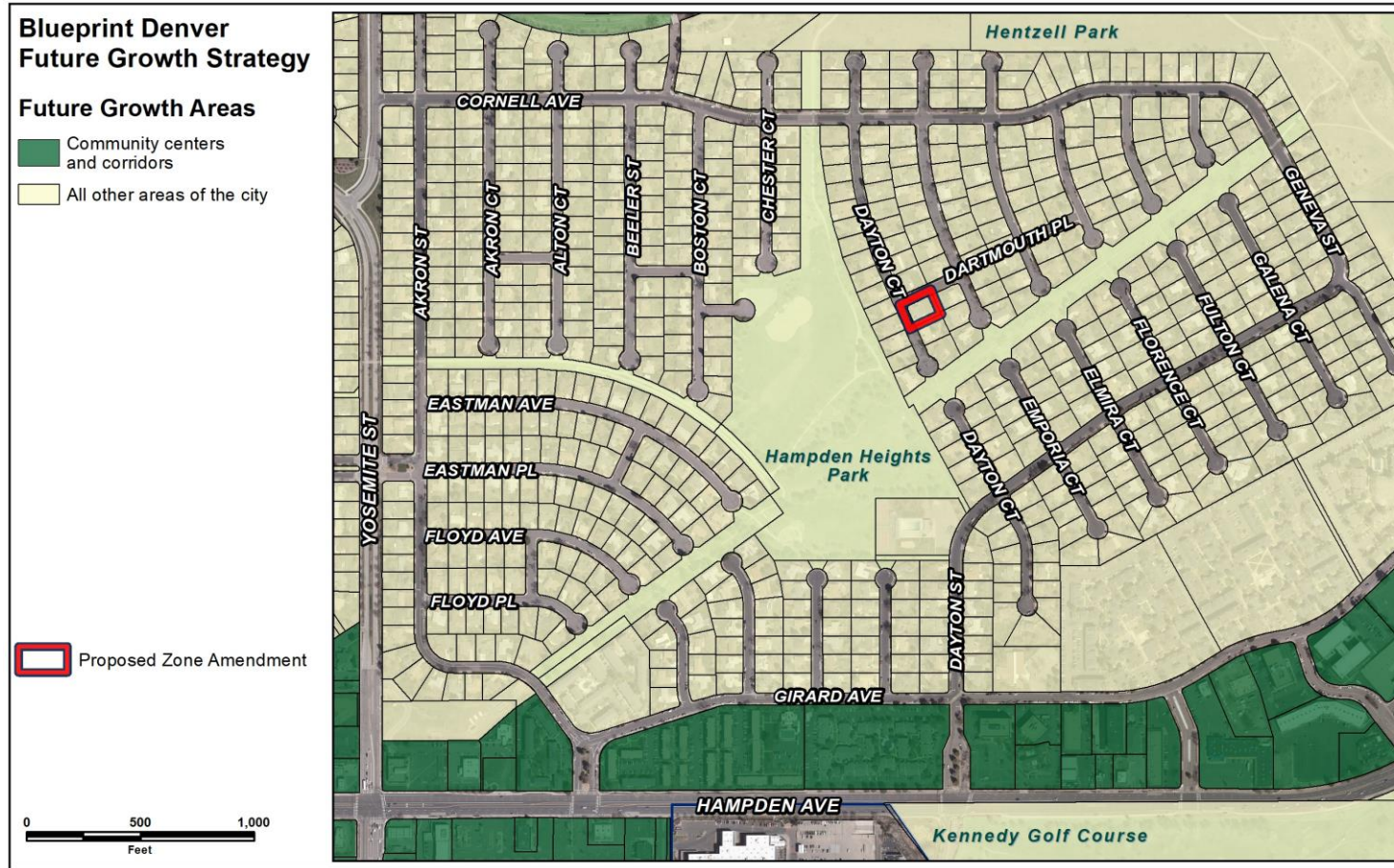
- Suburban (S-) Neighborhood Context
  - Range of uses including single-unit, multi-unit, commercial corridors, and office parks
  - Block patterns are generally irregular with curvilinear streets

# Consistency with Adopted Plans: Blueprint Denver 2019



- **Low Residential**
  - Predominantly single-unit use on larger lots
  - Accessory dwelling units are appropriate
- **Future Street Type**
  - S. Dayton Ct: Local
  - Dartmouth Pl: Local

# Consistency with Adopted Plans: Blueprint Denver



- Growth Areas Strategy:  
All other areas of the city
  - 10% jobs by 2040
  - 20% housing by 2040

# Consistency with Adopted Plans: Blueprint Denver

**Land Use & Built Form, Housing Policy 4: Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.**

Strategy E: A citywide approach to enable ADUs is preferred. Until a holistic approach is in place, individual rezoning to enable ADUs in all residential areas, especially where proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, rezonings should be small in area in order to minimize impact to the surrounding residential area.

**Land Use & Built Form, Housing Policy 5: Remove barriers to constructing accessory dwelling units and create context-sensitive form standards**



# Consistency with Adopted Plans: Blueprint Denver

- Custom Zoning
  - Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances
  - Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area
- CPD Waiver Policy
  - CPD policy is to use waivers in situations where the waivers help to solve an issue CPD is committed to resolve through a future text amendment
  - Blueprint Denver recommends removing barriers to ADUs through a text amendment. Until changes are made, it's appropriate to consider individual rezonings for ADUs.
  - The Suburban context has limited ADU district options so this waiver is a bridge to a district that will be created with the ADUs in Denver project.

# Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

### 2. Uniformity of District Regulations

- Proposed rezoning will result in uniform application of zone district building form, use and design regulations

### 3. Further Public Health, Safety and Welfare

- Implements Blueprint Denver
- Provides a new type of housing unit in a largely single-unit residential area

### 4. Justifying Circumstances

### 5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Review Criteria

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
  - Changed or Changing Conditions:
    - Blueprint Denver (2019)
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Review Criteria

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

5. Consistency with Neighborhood Context, Zone District Purpose and Intent

- Suburban Neighborhood Context primarily consists of a variety of uses with single-unit uses separate from multi-unit and commercial uses
- Residential Districts are intended to
  - Promote and protect residential neighborhoods within the character of the Suburban Neighborhood context
  - The building form standards, design standards, and uses work together to promote desirable residential areas
- S-SU-F is a single-unit district allowing suburban house with a minimum zone lot area of 8,500 square feet. The waivers will allow for an Accessory Dwelling Unit.

# CPD Recommendation

CPD recommends approval, based on finding all review criteria have been met

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent