434 S High Street

2023i-00069

Request: U-SU-C to U-SU-C1

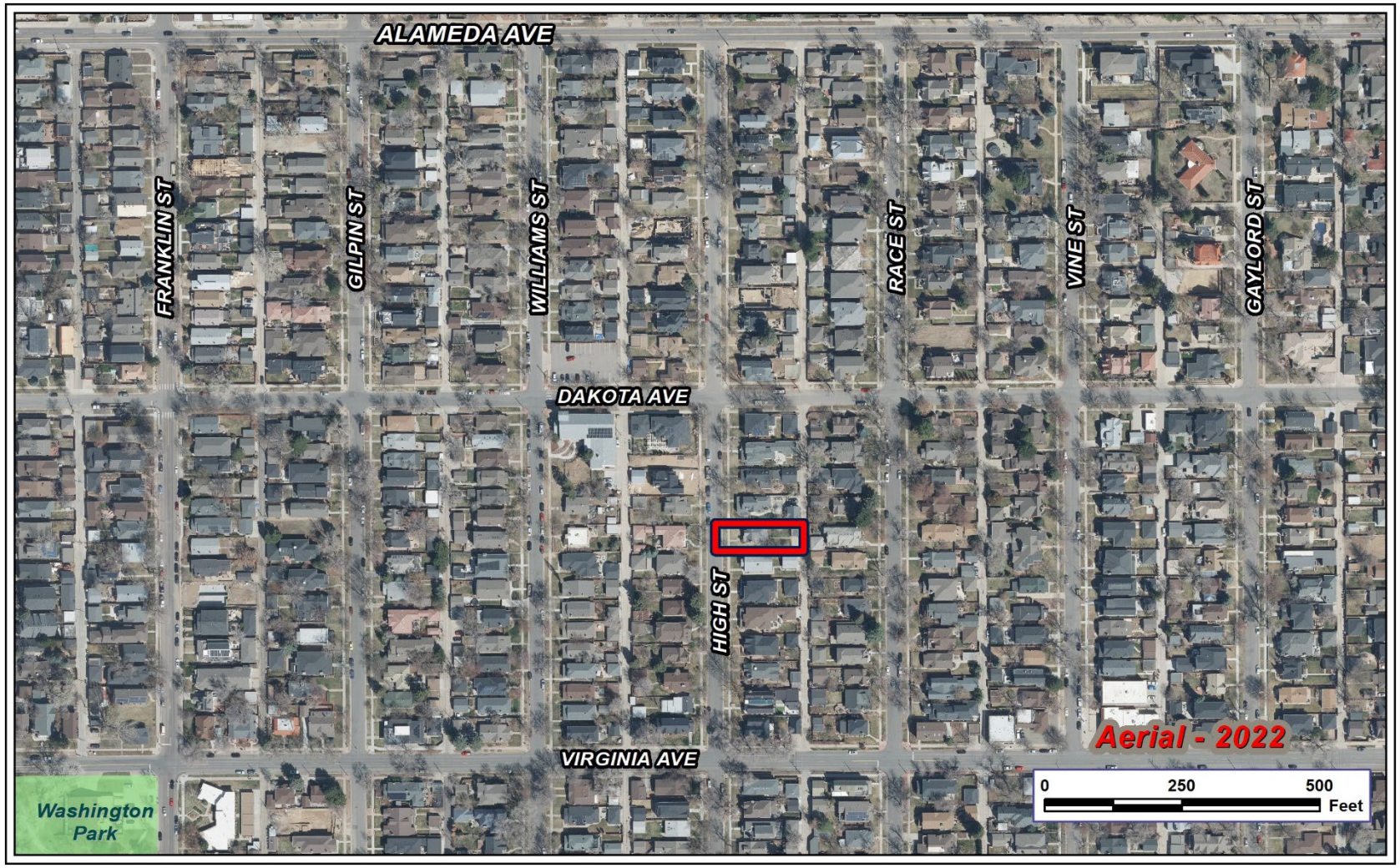
CC Hearing: 1.8.2024

Case Manager: Fritz Clauson, AICP

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

Request



- Property:
  - 6,240 sq ft
  - Single-unit home and detached garage
- Rezone from U-SU-C to U-SU-C1
- Requesting rezoning to allow Accessory Dwelling Unit

Presentation Agenda

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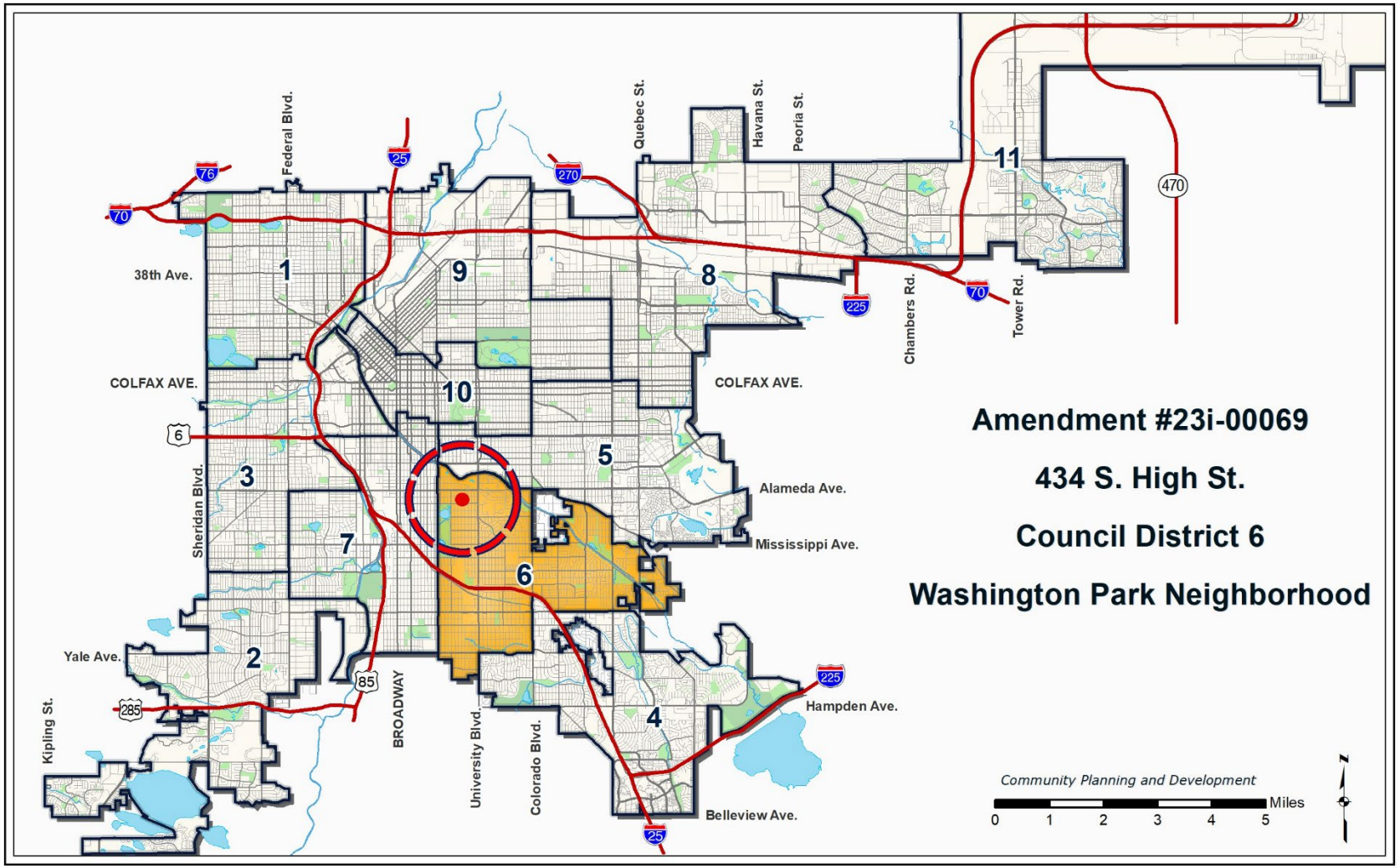
Location

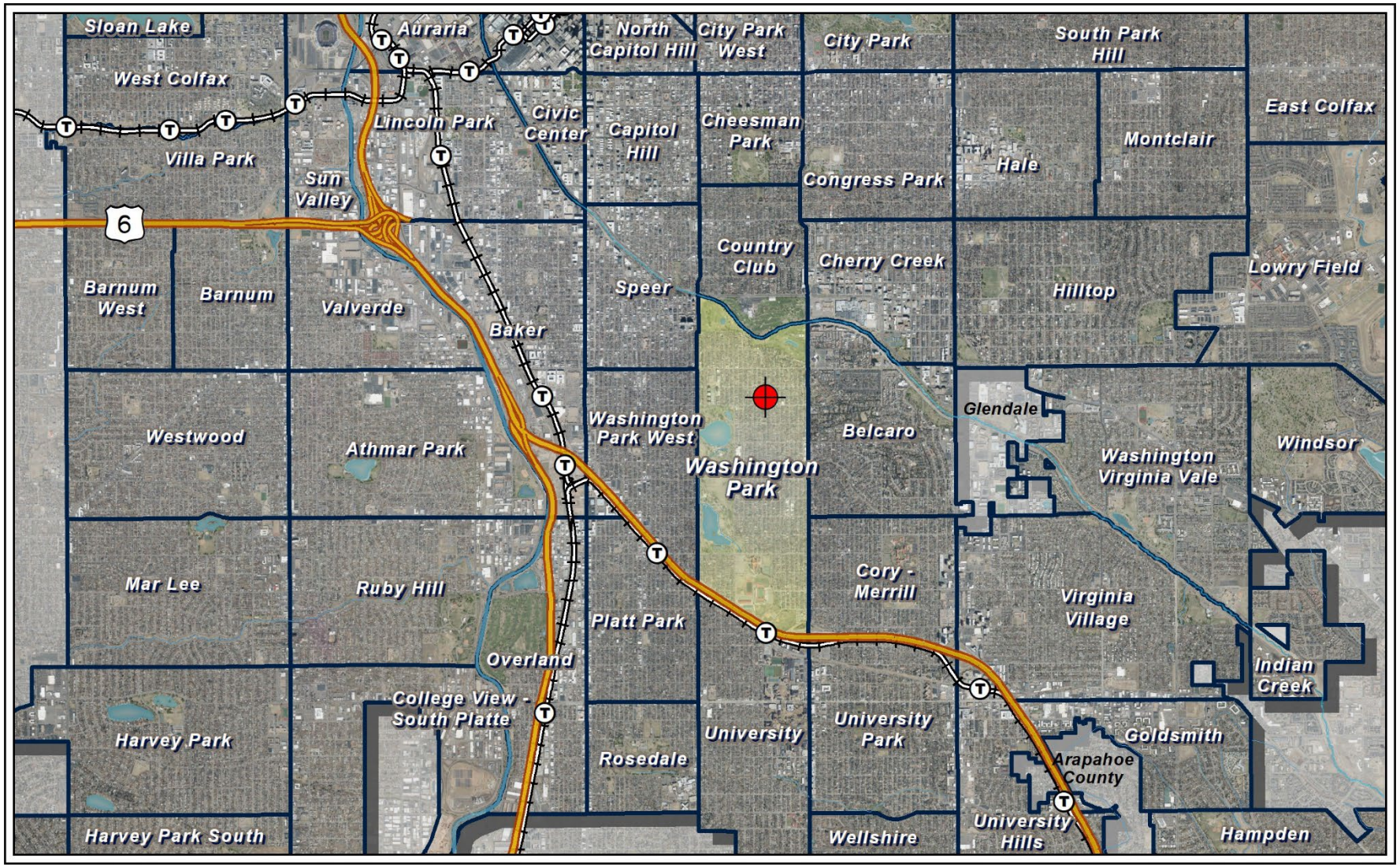
Council District 6

- Councilmember Paul Kashmann

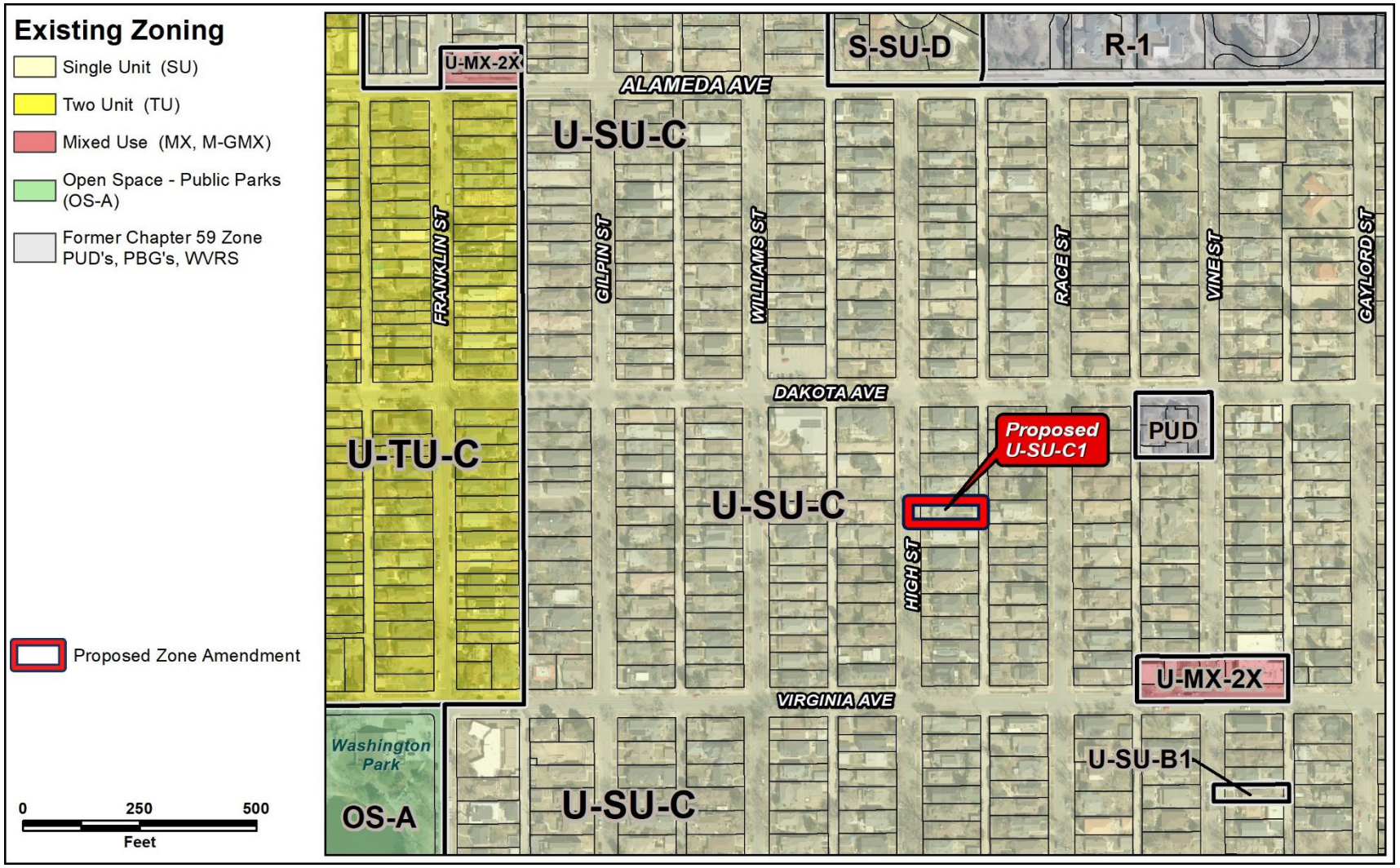


Location

Statistical Neighborhood: **Washington Park**



Existing Zoning – U-SU-C



- U-SU-C

  Proximity to:
  - S-SU-D
  - U-MX-2X
  - U-TU-C
  - OS-A
  - U-SU-B1
  - PUD

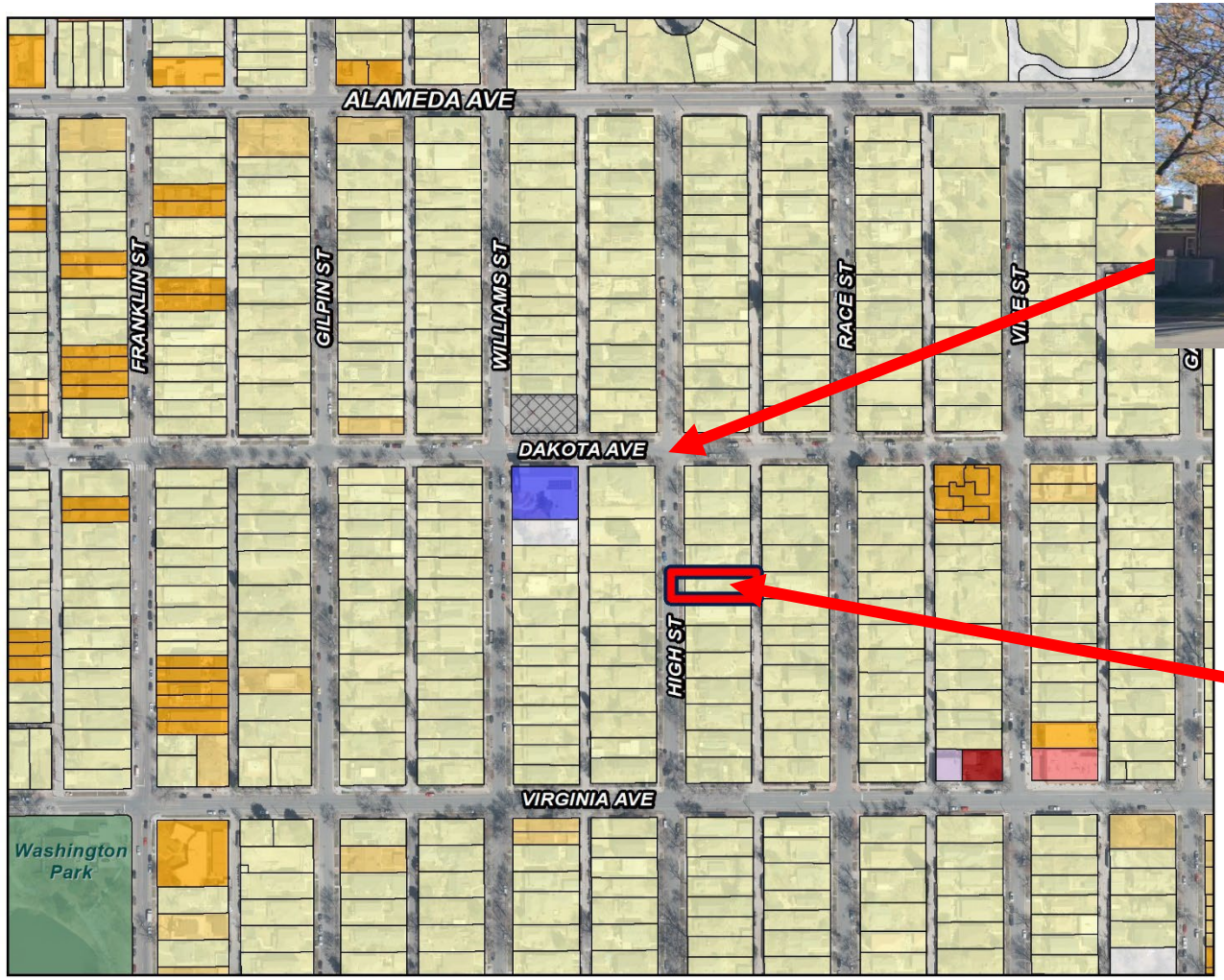
Existing Context – Land Use

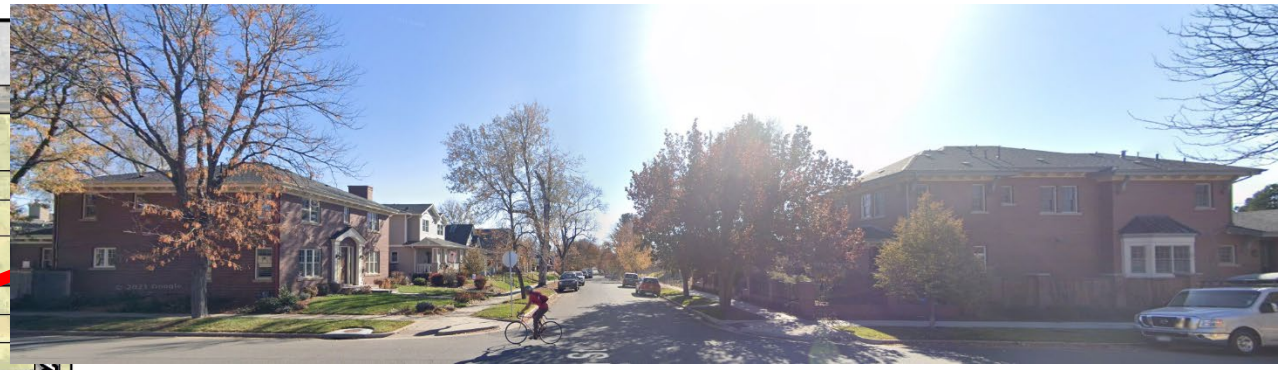
Single-unit Residential

Adjacent to:

- Single-unit Residential
- Multi-unit Residential
- Two-unit Residential

Existing Context – Building Form/Scale





Agenda

- Request
- Location and Context
- Process
- Review Criteria

Process

- Informational Notice: 09/21/2023
- Planning Board Notice: 10/15/2023
- Planning Board Public Hearing: 11/15/2023, **approved**
- LUTI Committee: 12/5/2023
- **City Council Public Hearing: 1/8/2023**

- Public Comment: Two comments (opposed)

Denver Zoning Code Map Amendment 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

See DZC 12.4.10.7, 12.4.10.8

Review Criteria

1. Consistency with Adopted Plans
   - *Comprehensive Plan 2040*
   - *Blueprint Denver*
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: Consistency with Adopted Plans

Comprehensive Plan 2040

Example:

- *Equitable, Affordable and Inclusive Goal 1 Strategy A – Increase development of housing units close to transit and mixed use developments*
- *Equitable, Affordable and Inclusive Goal 2 Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families*
- *Environmentally Resilient Goal 8, Strategy A- Promote infill development where infrastructure and services are already in place* (p.54).
- *Environmentally Resilient Goal 8, Strategy B- Encourage mixed-use communities where residents can live, work and play in their own neighborhoods* (p. 54).

Consistency with Adopted Plans: Blueprint Denver

Recommendations

Land Use & Built Form:
Housing

04

Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.

GOALS: 1

Accessory dwelling units (ADUs) can add variety to the housing stock in low density residential neighborhoods without significantly changing the existing character. As Denver allows ADUs throughout the city, it is important to understand impacts in areas vulnerable to displacement.

E. A citywide approach to enable ADUs is preferred. Until a holistic approach is in place, individual rezonings 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 impacts to the surrounding residential area.

Consistency with Adopted Plans: Blueprint Denver

Neighborhood Context: Urban

- Small multi-unit residential and mixed-use areas are typically embedded in 1-unit and 2-unit residential areas.
- Block patterns are generally regular with a mix of alley access. Buildings are lower scale and closer to the street.

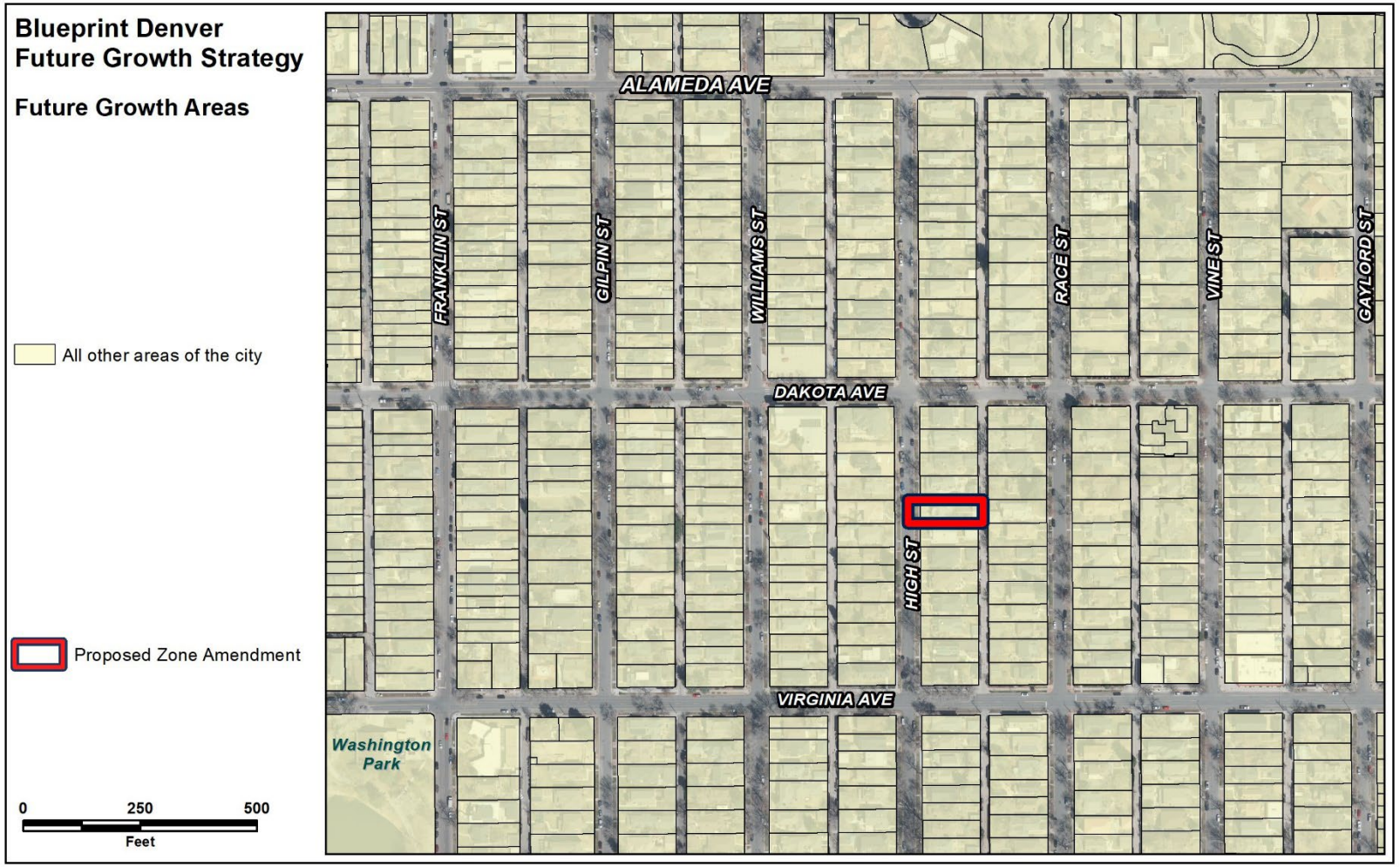
Consistency with Adopted Plans: *Blueprint Denver*

Future Place: Low Residential

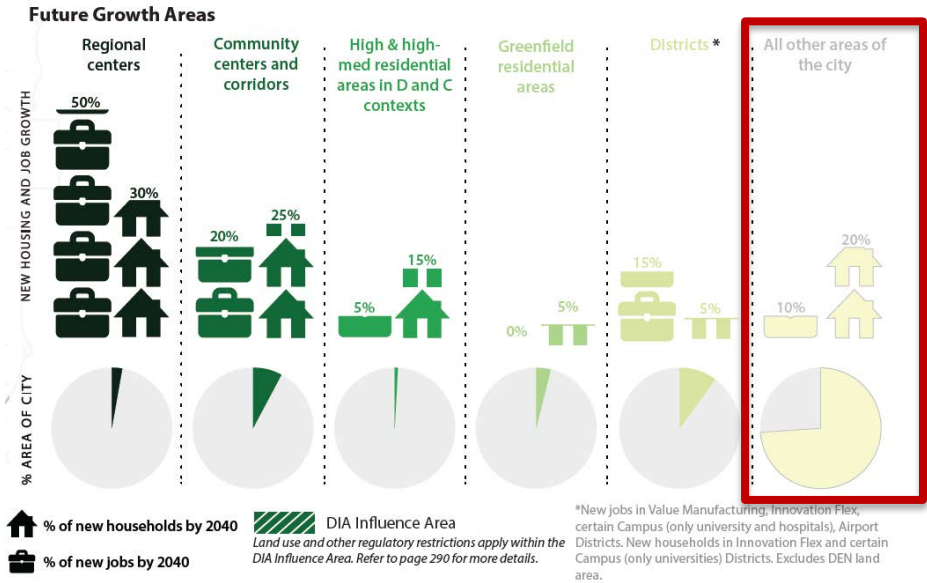
- Predominately single- and two-unit uses on smaller lots.
- Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible.

Future Street Type: Local

Consistency with Adopted Plans: Blueprint Denver



Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.



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

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
   - Comprehensive Plan 2040
   - Blueprint Denver: A Land Use and Transportation Plan (2019)
   - Small Area Plans
   - Others, as applicable: e.g., General Development Plan
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
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances

Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

a. Changed or changing conditions in a particular area, or in the city generally; or,
b. A City adopted plan; or
c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

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

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

Review Criteria: Consistency with Neighborhood Context, Purpose and Intent Statement

DIVISION 5.1 NEIGHBORHOOD CONTEXT DESCRIPTION

SECTION 5.1.1 GENERAL CHARACTER
The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House building form. Multi-unit building forms typically include the Row House building form embedded with other residential form types. Commercial buildings are typically the Shop front and General building forms that may contain a mixture of uses within the same building. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets.

SECTION 5.1.2 STREET, BLOCK AND ACCESS PATTERNS
The Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and primarily include detached sidewalks (though attached sidewalks are also found), tree lawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.

SECTION 5.1.3 BUILDING PLACEMENT AND LOCATION
Residential buildings typically have consistent, moderate front setbacks, shallow side setbacks and consistent orientation. Commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

SECTION 5.1.4 BUILDING HEIGHT
The Urban Neighborhood Context is characterized by low scale buildings except for some mid- rise commercial and mixed use structures, particularly at nodes or along arterial streets.

SECTION 5.1.5 MOBILITY
There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system.

5.2.2.1 General Purpose

A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. The standards of the two unit and row house districts promote existing and future patterns of lower scale multi unit building forms that address the street in the same manner as an urban house building form.

C. These standards recognize common residential characteristics within the Urban Neighborhood Context but accommodate variation by providing eleven Residential Zone Districts.

D. The regulations provide a consistent framework to property owners, developers, and neighborhood residents to reinforce desired development patterns, encourage affordable housing, and accommodate reinvestment in residential districts.

H. Single Unit C1 (U-SU-C1)
U-SU-C1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-C but allowing a detached accessory dwelling unit building form in the rear yard.

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