

# Citywide Accessory Dwelling Units

## Text & Map Amendments

Date: 11.18.2024

Presenter: Justin Montgomery, AICP

# Presentation Agenda



- Requests



- Citywide ADUs



- Process



- Review Criteria





# Requests

- 1) Text Amendment to the Denver Zoning Code to allow Accessory Dwelling Units (ADUs) in all zone districts that allow residential.
- 2) Denver Revised Municipal Code (DRMC) Amendment to allow ADUs in Former Chapter 59 zone districts.
- 3) Map Amendment to rezone properties located within zone districts proposed to be deleted by the DZC text amendment.

# Agenda



- Requests



- Citywide ADUs



- Process

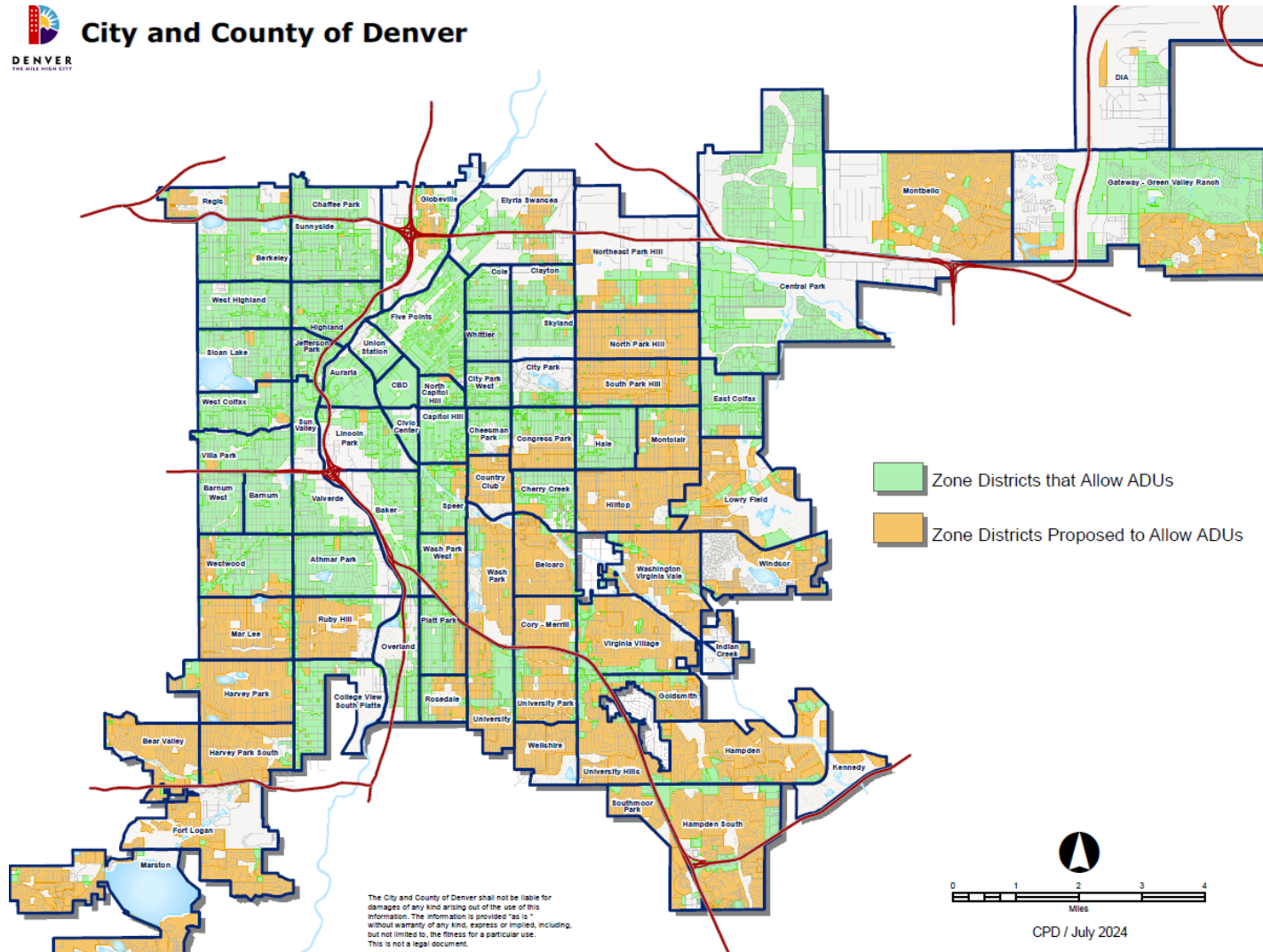


- Review Criteria





# City and County of Denver



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SUBURBAN NEIGHBORHOOD CONTEXT		URBAN EDGE NEIGHBORHOOD CONTEXT		URBAN NEIGHBORHOOD CONTEXT	
S-SU-A	Single Unit A	E-SU-A	Single Unit A	U-SU-A	Single Unit A
<del>S-SU-A1</del>	<del>Single Unit A1</del>	<del>E-SU-A1</del>	<del>Single Unit A1</del>	<del>U-SU-A1</del>	<del>Single Unit A1</del>
S-SU-D	Single Unit D	E-SU-B	Single Unit B	U-SU-A2	Single Unit A2
<del>S-SU-D1</del>	<del>Single Unit D1</del>	<del>E-SU-B1</del>	<del>Single Unit B1</del>	U-SU-B	Single Unit B
S-SU-Fx	Single Unit Fx	E-SU-D	Single Unit D	<del>U-SU-B1</del>	<del>Single Unit B1</del>
S-SU-F	Single Unit F	E-SU-Dx	Single Unit Dx	U-SU-B2	Single Unit B2
<del>S-SU-F1A</del>	<del>Single Unit F1A</del>	<del>E-SU-D1</del>	<del>Single Unit D1</del>	U-SU-C	Single Unit C
<del>S-SU-F1A</del>	<del>Single Unit F1A</del>	<del>E-SU-D1x</del>	<del>Single Unit D1x</del>	<del>U-SU-C1</del>	<del>Single Unit C1</del>
<del>S-SU-F1x</del>	<del>Single Unit F1x</del>	E-SU-G	Single Unit G	U-SU-C2	Single Unit C2
S-SU-Ix	Single Unit Ix	<del>E-SU-G1</del>	<del>Single Unit G1</del>	U-SU-E	Single Unit E
S-SU-I	Single Unit I	E-TU-B	Two Unit B	<del>U-SU-E1</del>	<del>Single Unit E1</del>
<del>S-SU-H</del>	<del>Single Unit H</del>	E-TU-C	Two Unit C	U-SU-H	Single Unit H
<del>S-SU-Hx</del>	<del>Single Unit Hx</del>	E-RH-2.5	Row House 2.5	<del>U-SU-H1</del>	<del>Single Unit H1</del>

The proposed text Amendment will remove 16 obsolete zone districts from the code



# Citywide ADUs

- This amendment includes provisions that make it easier for homeowners within Site Development Plans to add ADUs to previously approved plans







# Current ADU Zoning Standards

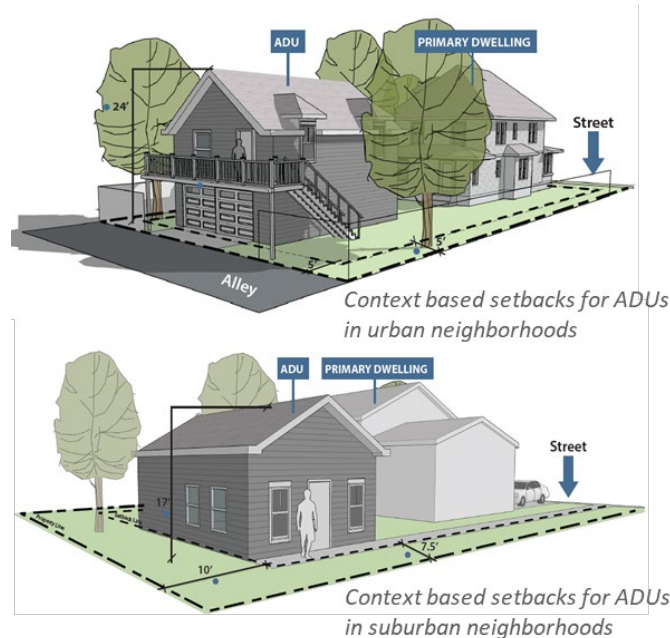
- Greater allowances in **URBAN** neighborhoods with flexibility where ADUs most easily fit in



- Allowances for **URBAN EDGE** neighborhoods that recognize the unique balance of Urban and Suburban conditions



- Sensitive location and form standards in **SUBURBAN** neighborhoods







# State ADU Law (HB24-1152)

- Colorado cities must allow ADUs where single-unit homes are allowed
- No 'restrictive' design standards for ADUs
- HOAs can no longer prohibit ADUs
- Only at the time of permit can the city require the primary unit or ADU be owner occupied



# Citywide ADUs

- State Law: Only at the time of permit can the city require the primary unit or ADU be owner occupied
- The proposed amendment adjusts Denver's rules for single-unit zone districts to match state law. An owner could keep their ADU even if they no longer live on the property.





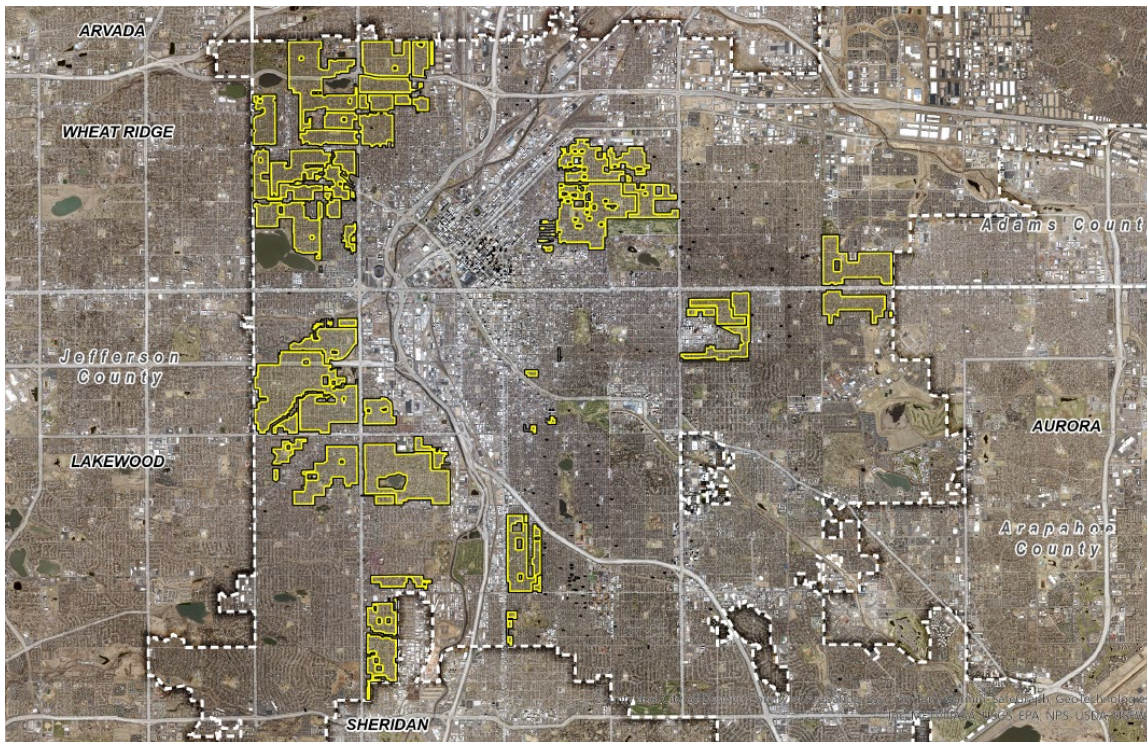
# Citywide ADUs – DRMC Amendment

- Residential properties with Former Chapter 59 zoning are proposed to allow ADUs
- Bridge amendment specifies the zoning standards to apply





# Citywide ADUs – Map Amendment



Proposed by city council sponsors to follow the Charter process.

Rezones the zone districts proposed for deletion.



# Citywide ADUs – Map Amendment

## Denver Zoning Code Rezoning Process

1. Pre-Application
2. Application
3. Review & Referral
4. Planning Board
5. Ordinance Request
6. LUT
7. Mayor Council
8. Bill Filing
9. First Reading
10. City Council hearing

**3-4  
months**

## Charter Rezoning Process

*Must be initiated by a City Council Member*

1. Ordinance Request
2. LUT
3. Mayor Council
4. Bill Filing
5. First Reading
6. City Council hearing

**2 months**



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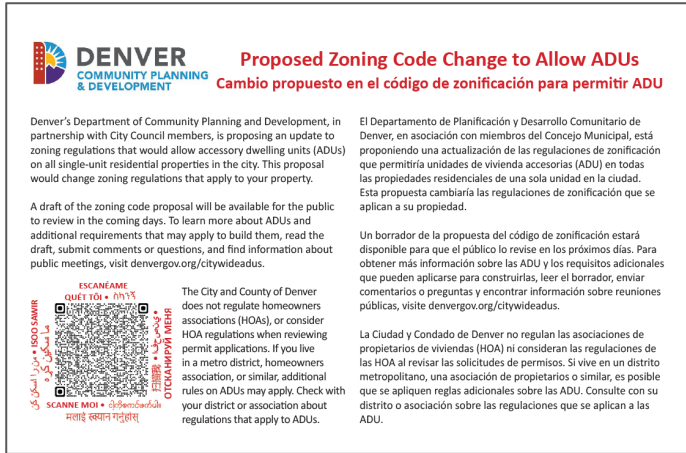


# »»» Process

- Notice of Text Amendment Public Review & Proposed DRMC Amendment: **7/26/2024**
- Informational Mailers Sent: **7/26/2024**
- Planning Board Info Item: **8/7/2024**
- Planning Board Notice: **8/20/2024**
- Planning Board Public Hearing: **9/4/2024**
- Sponsors Proposed Map Amendment: **9/26/2024**
- LUTI Committee: **10/8/2024**
- City Council Public Hearing: **11/18/2024**



## Public Comments



- All RNOs received written notice
- Property owners obtaining ADU entitlement mailed postcard
- Two virtual town halls in August
- 732 comments received through the webform and email

# Planning Board

- Planning Board held a hearing on this item on 9/4/2024.
- The board voted unanimously to recommend approval.

# Agenda



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# Denver Zoning Code Review Criteria

- A. Consistency with Adopted Plans
- B. Further Public Health, Safety and Welfare
- C. Uniformity of District Regulations and Restrictions



# Denver Zoning Code Review Criteria

## A. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*

## B. Further Public Health, Safety and Welfare

## C. Uniformity of District Regulations and Restrictions



# Comprehensive Plan 2040



## Equitable, Affordable and Inclusive

Goal 2, Strategy B “Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options.” (p. 28)

Goal 3, Strategy B “Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.” (p. 28)

Goal 8, Strategy D “Expand the supply of housing accessible to seniors and people with disabilities, including more housing choices for seniors to age in place” (p. 30).



## Strong and Authentic Neighborhoods

Goal 3, Strategy E to “Support the stewardship and reuse of existing buildings.” (p. 34)





# Blueprint Denver

## Blueprint Denver Contains Three Major Equity Concepts

Integrating these concepts into planning and implementation will help to create a more equitable Denver.







# Blueprint Denver

**Land Use and Built Form: General, Policy 11:** “Implement plan recommendations through city led legislative rezonings and text amendments.”

**Strategy B:** “Text amendments and large legislative rezonings should be guided by the equity concepts and maps in Chapter 2.” (p.79)

**Land Use and Built Form: Housing, Policy 4:** “Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.” (p. 84)



# Denver Zoning Code Review Criteria

## A. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*

## B. Further Public Health, Safety and Welfare

## C. Uniformity of District Regulations and Restrictions



# CPD Recommendation

Based on the criteria for review in the Denver Zoning Code, CPD recommends approval of the Citywide ADUs Text Amendment & Map Amendment proposal #2024I-00151

CPD also recommends approval of the proposed DRMC amendment.