Citywide Accessory Dwelling Units

Text & Map Amendments

Date: 11.18.2024

Presenter: Justin Montgomery, AICP



Presentation Agenda



• Requests



Citywide ADUs





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



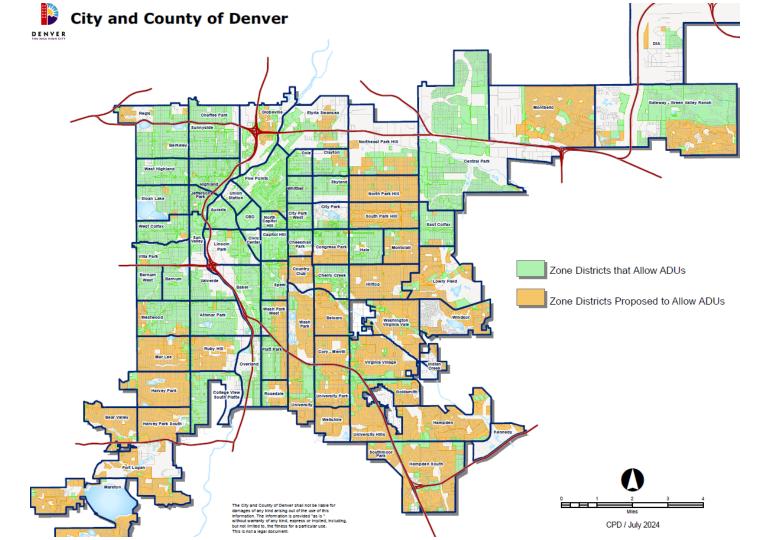
Review Criteria













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
S-SU-A1	Single Unit A1	E-SU-A1	Single Unit A1	U-SU-A1	Single Unit A1
S-SU-D	Single Unit D	E-SU-B	Single Unit B	U-SU-A2	Single Unit A2
S-SU-D1	Single Unit D1	E-SU-B1	Single Unit B1	U-SU-B	Single Unit B
S-SU-Fx	Single Unit Fx	E-SU-D	Single Unit D	U-SU-B1	Single Unit B1
S-SU-F	Single Unit F	E-SU-Dx	Single Unit Dx	U-SU-B2	Single Unit B2
S-SU-F 1 A	Single Unit F1A	E-SU-D1	Single Unit D1	U-SU-C	Single Unit C
S-SU-F1A	Single Unit F1A	E-SU-D1x	Single Unit D1x	U-SU-C1	Single Unit C1
S-SU-F1x	Single Unit F1x	E-SU-G	Single Unit G	U-SU-C2	Single Unit C2
S-SU-Ix	Single Unit Ix	E-SU-G1	Single Unit G1	U-SU-E	Single Unit E
S-SU-I	Single Unit I	E-TU-B	Two Unit B	U-SU-E1	Single Unit E1
S-SU-I1	Single Unit I1	E-TU-C	Two Unit C	U-SU-H	Single Unit H
S-SU-I1x	Single Unit 11x	E-RH-2.5	Row House 2.5	U-SU-H1	Single Unit H1

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

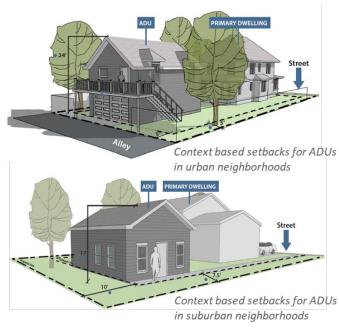
 Greater allowances in URBAN neighborhoods with flexibility where ADUs most easily fit in



• 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.







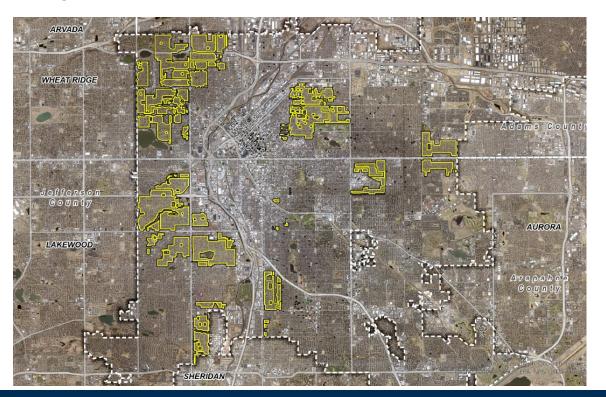
Citywide ADUs - DRMC Amendment

- 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 Pre-Application Application Review & Referral **Planning Board** Ordinance Request 3-4 LUTI months **Mayor Council** Bill Filing First Reading 10. City Council hearing





Agenda



Requests



Citywide ADUs



• Process



Review Criteria







- 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



Proposed Zoning Code Change to Allow ADUs Cambio propuesto en el código de zonificación para permitir ADU

partnership with City Council members, is proposing an update to zoning regulations that would allow accessory dwelling units (ADUs) on all single-unit residential properties in the city. This proposal would change zoning regulations that apply to your property.

A draft of the zoning code proposal will be available for the public to review in the coming days. To learn more about ADUs and additional requirements that may apply to build them, read the draft, submit comments or questions, and find information about public meetings, visit denvergov.org/citywideadus.



The City and County of Denver does not regulate homeowners associations (HOAs), or consider HOA regulations when reviewing permit applications. If you live in a metro district, homeowners association, or similar, additional your district or association about regulations that apply to ADUs.

Denver's Department of Community Planning and Development, in El Departamento de Planificación y Desarrollo Comunitario de Denver, en asociación con miembros del Concejo Municipal, está proponiendo una actualización de las regulaciones de zonificación que permitiría unidades de vivienda accesorias (ADU) en todas las propiedades residenciales de una sola unidad en la ciudad. Esta propuesta cambiaría las regulaciones de zonificación que se aplican a su propiedad.

> Un borrador de la propuesta del código de zonificación estará disponible para que el público lo revise en los próximos días. Para obtener más información sobre las ADU y los requisitos adicionales que pueden aplicarse para construirlas, leer el borrador, enviar comentarios o preguntas y encontrar información sobre reuniones públicas, visite denvergov.org/citywideadus.

La Ciudad y Condado de Denver no regulan las asociaciones de propietarios de viviendas (HOA) ni consideran las regulaciones de las HOA al revisar las solicitudes de permisos. Si vive en un distrito metropolitano, una asociación de propietarios o similar, es posible rules on ADUs may apply. Check with que se apliquen reglas adicionales sobre las ADU. Consulte con su distrito o asociación sobre las regulaciones que se aplican a las ADU.

- 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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• Citywide ADUs



Process



Review Criteria







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.

Improving Access to Opportunity

creating more equitable access to quality-of-life amenities, health and quality education.

Reducing Vulnerability to Displacement

stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents. Expanding Housing and Jobs Diversity

providing a better and more inclusive range of housing and employment options in all neighborhoods.





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.

