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

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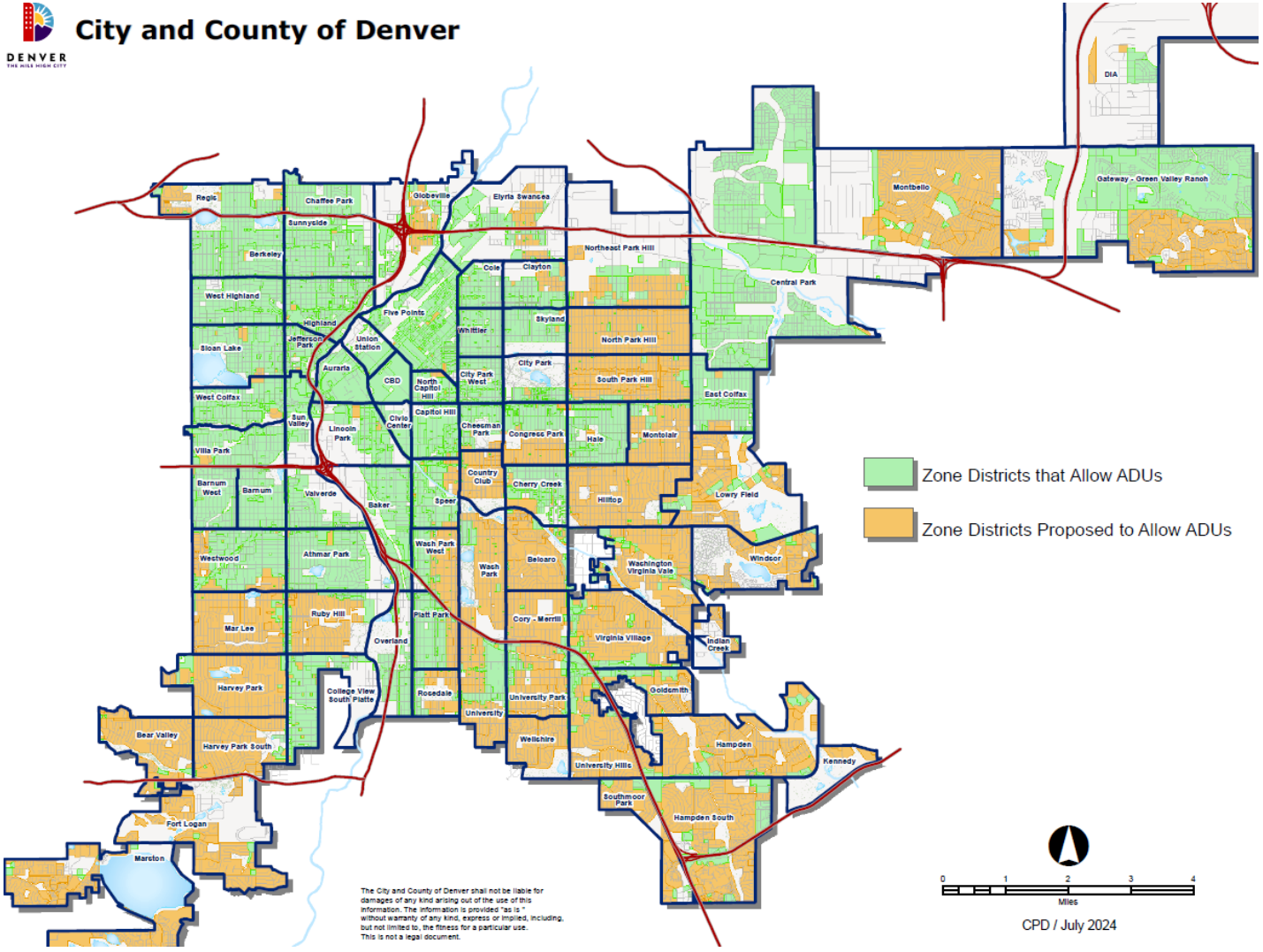
City and County of Denver
DENVER
THE MILE HIGH CITY
Zone Districts that Allow ADUs
Zone Districts Proposed to Allow ADUs
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CPD / July 2024

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 F~~1~~A	~~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 I1x~~	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

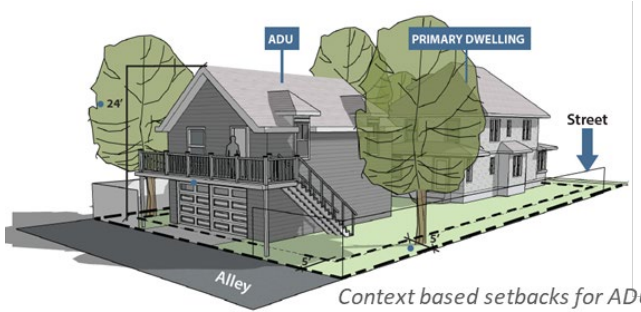
- This amendment includes provisions that make it easier for homeowners within Site Development Plans to add ADUs to previously approved plans

Current ADU Zoning Standards

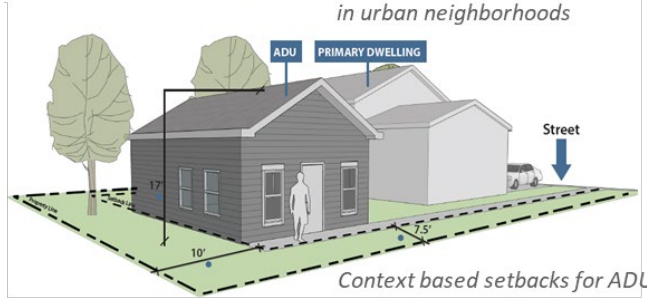
- Greater allowances in **URBAN** neighborhoods with flexibility where ADUs most easily fit in

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

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



Context based setbacks for ADUs in urban neighborhoods



Context based setbacks for ADUs 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

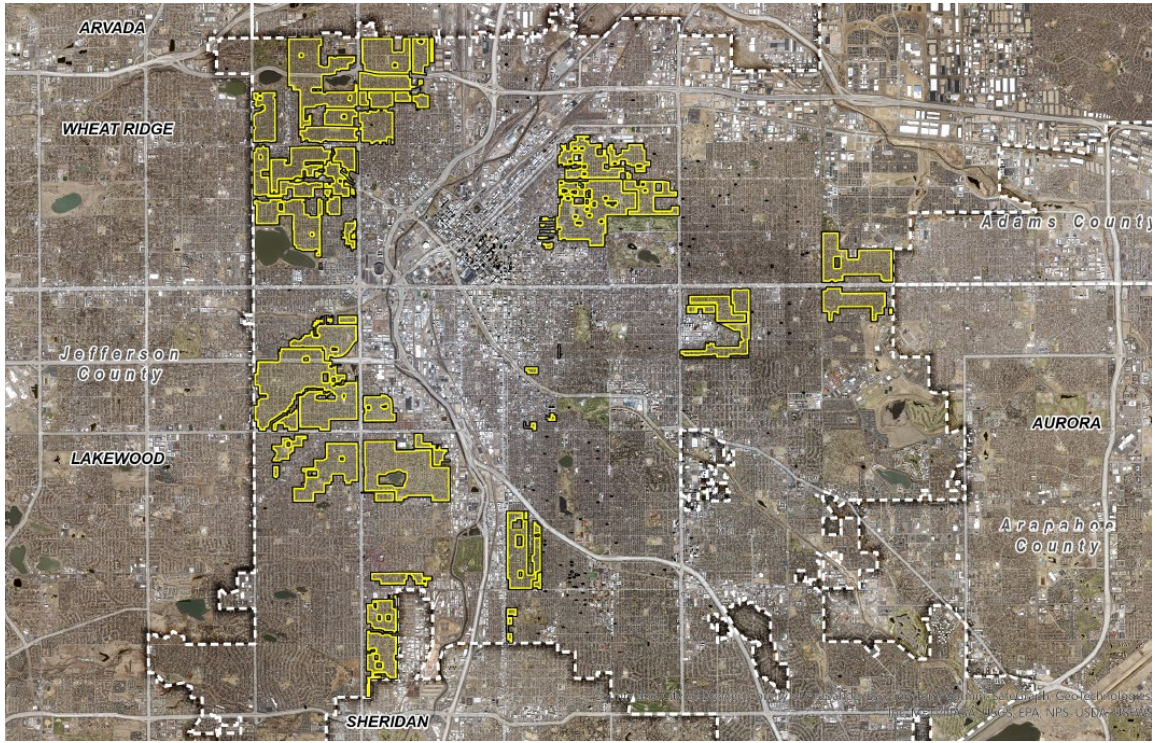
- The proposed amendment adjusts Denver's rules for single-unit zone districts to match state law. An owner could keep their ADU even if they no longer live on the property.

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. LUTI
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. LUTI
3. Mayor Council
4. Bill Filing
5. First Reading
6. City Council hearing

2 months

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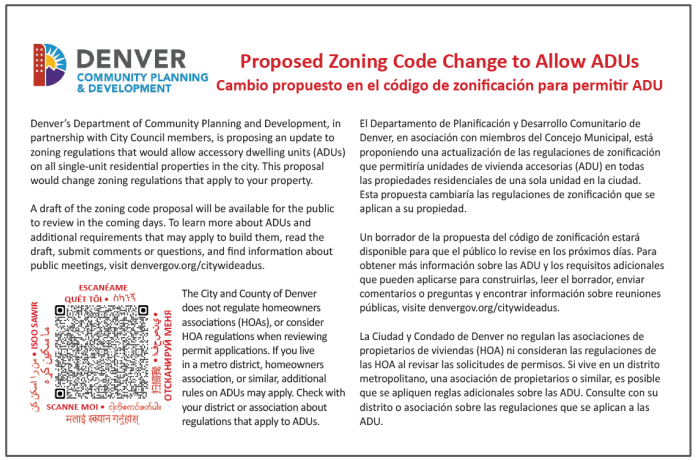
Process

- 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



DENVER
COMMUNITY PLANNING & DEVELOPMENT

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

Denver's Department of Community Planning and Development, in 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.

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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 rules on ADUs may apply. Check with your district or association about regulations that apply to ADUs.

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 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.

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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.