
Advancing Equity in Rezoning Info Item

Denver Zoning Code Text Amendment

12/03/2024

Land Use, Transportation and Infrastructure Committee
Presenter: Brandon Shaver, Senior City Planner

Agenda



Project Background/Intent



AEIR Text Amendment



Updates to Standard Operating Procedures



Public Process



Agenda



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Project Intent

The AEIR Text Amendment to the Denver Zoning Code will make the rezoning process more accessible, transparent, and equitable.

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AEIR Proposed Text Amendment



Revise the Rezoning Review Criteria



Require Posted Notice Upon Receipt of Application



Include Tenants and Occupants in Written Notices



Focus on Properties Within the City Boundary



Important
Updates to
Standard
Operating
Procedures



Revise the Review Criteria

12.4.10.7 General Review Criteria Applicable to All Zone Map Amendments

- Consistency with Adopted Plans or Unanticipated Community Need
- Uniformity of District Regulations and Restrictions
- Public Health, Safety and General Welfare

CURRENT

12.4.10.8 Additional Review Criteria for Non-Legislative Rezoning

- Justifying Circumstances
- Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

12.4.10.7 General Review Criteria Applicable to All Zone Map Amendments

- Consistency with Adopted Plans
 - Exception to Consistency with Adopted Plans (for extraordinary community need)
- Public Interest
- Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

PROPOSED



Posted Notice of Application

Proposed Additional Sign Posting

Complete Application Submitted



- Posted for 15 days following submittal

Current Sign Posting Requirements

Planning Board



- Posted 15 days prior to hearing

City Council

- Posted 21 days prior to hearing



Include Tenants and Occupants in Written Notices

In Denver:

~ 50.6% of homes are rented

~ 49.4% are owned

iv. The owners and tenants (if the latter is different from owners) of any real property within the City and County of Denver, located in whole or in part within, or within 200 feet of, the proposed official map amendment (rezoning).



Focus on Properties Within the City Boundary

Align Denver Zoning Code with 2023 voter-approved City Charter Change

Clarify that only property owners within 200 feet of a proposed rezoning and within the City and County of Denver can sign a protest petition.

Update extent of written notices provided by CPD

Provide written notices to tenants and property owners within 200 feet of a proposed rezoning and located within the City and County of Denver.

Maintain current practice for encouraged engagement

For rezonings near other jurisdictions, CPD staff will continue to encourage applicants to engage with communities outside city boundaries. These communities will remain welcome to participate in the process, provide testimony and submit comments.

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Updates to Standard Operating Procedures



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Proposed Standard Operating Procedures



Require Community Outreach at Pre-application Phase

Update Posted, Mailed, and Emailed Notice Materials

Create Guides for Applicants and Community Members

Expand Staff Analysis, Presentations, and Reports with a Focus on Equity and Climate

Refine and Update Equity Analysis Pilot

Develop Templates for Voluntary Commitments to Equitable Outcomes

Agenda



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Updates to Standard Operating Procedures



Public Process



Public Process

- Planning Board Info Item: 10/2/2024
- Planning Board Notice: 11/19/2024
- LUTI Info Item: 12/3/2024
- Planning Board Public Hearing: 12/4/2024
- LUTI Action Item: 12/17/2024*
- City Council Public Hearing: 2/3/2025*

* Anticipated dates are confirmed during the legislative review process

Public Comments

- Open Houses
- Task Force Meetings
- Public Review Draft
- 3 comments received through the webform and email

Related Ongoing/Upcoming Efforts

NEW: Address equity through an Unlocking Housing Choices (e.g. missing middle) project that includes affordability

- CPD 2025 work program to prioritize starting a missing middle housing project. This project aims to implement adopted plan recommendations like:
 - Allowing missing middle housing types, like duplexes and small multi-unit developments, in appropriate locations in low-density residential zone districts
 - Incentivizing adaptation of existing structures to create missing middle housing
 - Creating onsite affordable housing requirements for projects fewer than 10 units

Continue proactive legislative rezonings following the adoption of area plans

- Harness the extensive outreach and engagement conducted during the NPI planning process to implement the neighborhood changes recommended by the plans, such as rezoning for less auto-oriented commercial development