



# Budget & Policy Committee Meeting

Advancing Equity in Rezoning – Work Session with Planning Board

June 10, 2021

# Agenda

|               |                                  |
|---------------|----------------------------------|
| 9:00 – 9:05   | Welcome and Introductory Remarks |
| 9:05 – 9:25   | Staff Presentation               |
| 9:25 – 10:45  | Discussion                       |
| 10:45 - 11:00 | Next Steps                       |

# Primary Purpose of Today

- Follow-up to March 2020 Special Policy Committee Meeting
- Listening session for City Council and Planning Board to share key issues that will inform an upcoming zoning code amendment to create more equitable outcomes from rezonings

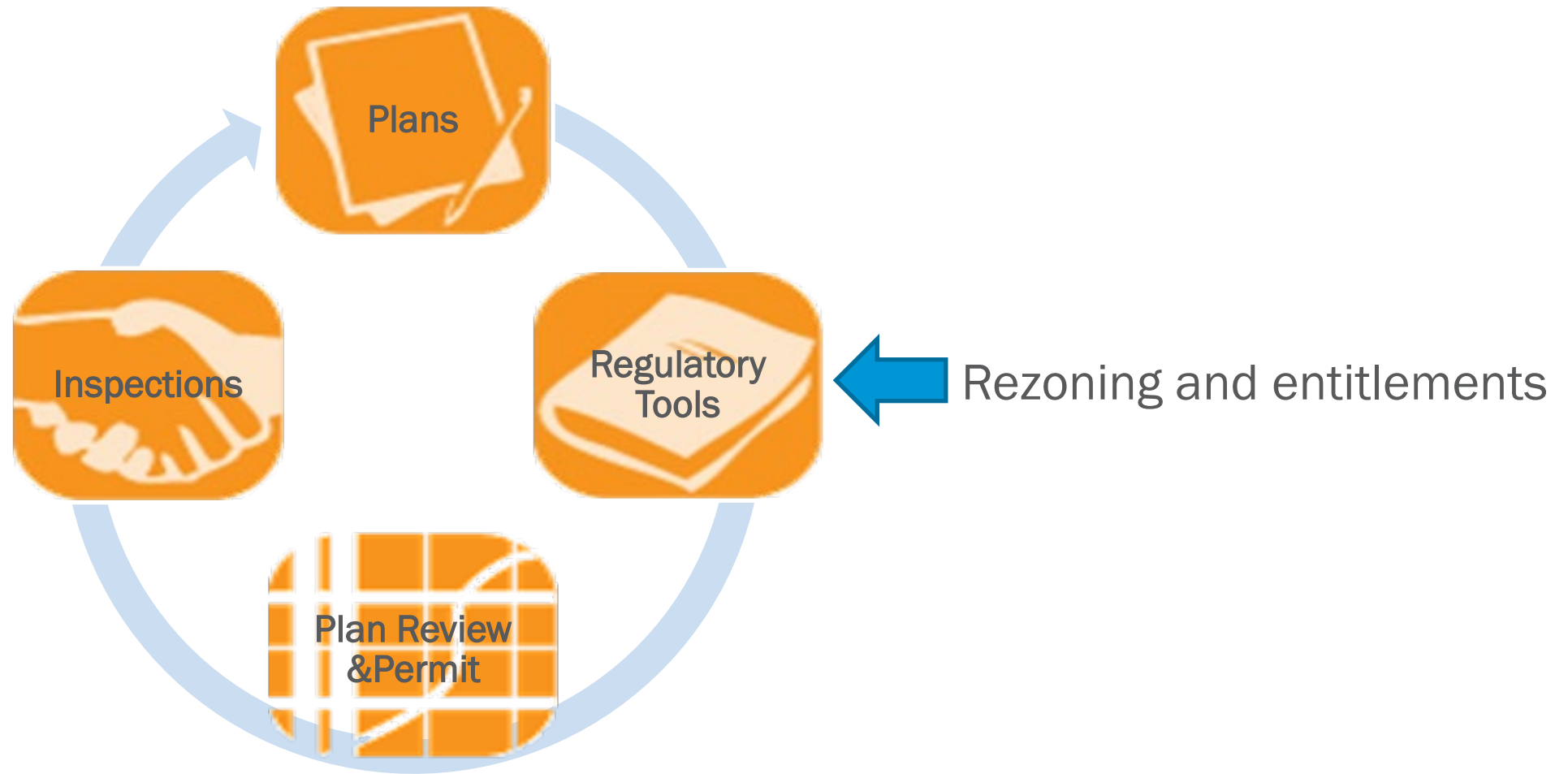


# Follow-Up from March 2020 Special Policy Committee

# Topics Discussed

- Rezoning criteria
- Concerns with existing rezoning process and criteria
  - Current process enables too many speculative rezonings
  - Need to better address city goals for equity and climate
- Peer city approaches to rezoning and equity

# Rezoning is a Regulatory Tool



# Rezoning and the entitlement process



# Peer City Research: Themes

- Legislative, proactive rezonings to implement plans are more common
- Most cities use other tools besides rezoning criteria to advance equitable development outcomes
- No city had an equity criterion
- Equity and impacts are typically addressed through required studies



# Improvements Made

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## Rezoning Application

The application was revised to include new questions, including:

- How the proposed rezoning advances equity and climate goals from Blueprint Denver and Comprehensive Plan 2040
- Whether the applicant contacted the council district office

| DENVER<br>THE MILE HIGH CITY   |  | COMMUNITY PLANNING & DEVELOPMENT<br><b>REZONING GUIDE</b><br>Rezoning Application Page 2 of 4 |
|--|--|---|
| <b>REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)</b>   |  |   |
| General Review Criteria<br>DZC Sec. 12.4.10.7.A<br><br>Check box to affirm and include sections in the review criteria narrative attachment  | <input type="checkbox"/> <b>Consistency with Adopted Plans:</b> The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.<br><br>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its own subsection.<br><br><b>1. Denver Comprehensive Plan 2040</b><br>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.<br><br><b>2. Blueprint Denver</b><br>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i> .<br><br><b>3. Neighborhood/ Small Area Plan and Other Plans</b> (List all from pre-application meeting, if applicable):<br><div></div> |   |
| General Review Criteria:<br>DZC Sec. 12.4.10.7. B & C<br><br>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment. | <input type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.<br><br><input type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.<br><br>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.   |   |
| Review Criteria for Non-Legislative Rezoning:<br>DZC Sec. 12.4.10.8  | <b>Justifying Circumstances - One of the following circumstances exists:</b><br><input type="checkbox"/> The existing zoning of the land was the result of an error;<br><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;<br><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;<br><input type="checkbox"/> 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:<br>a. Changed or changing conditions in a particular area, or in the city generally; or,<br>b. A City adopted plan; or   |   |

# Improvements Made

## Encourage Concept Plan Review

CPD encourages applicants to complete a concept review meeting (first phase of Site Development Plan) prior to submitting a rezoning application

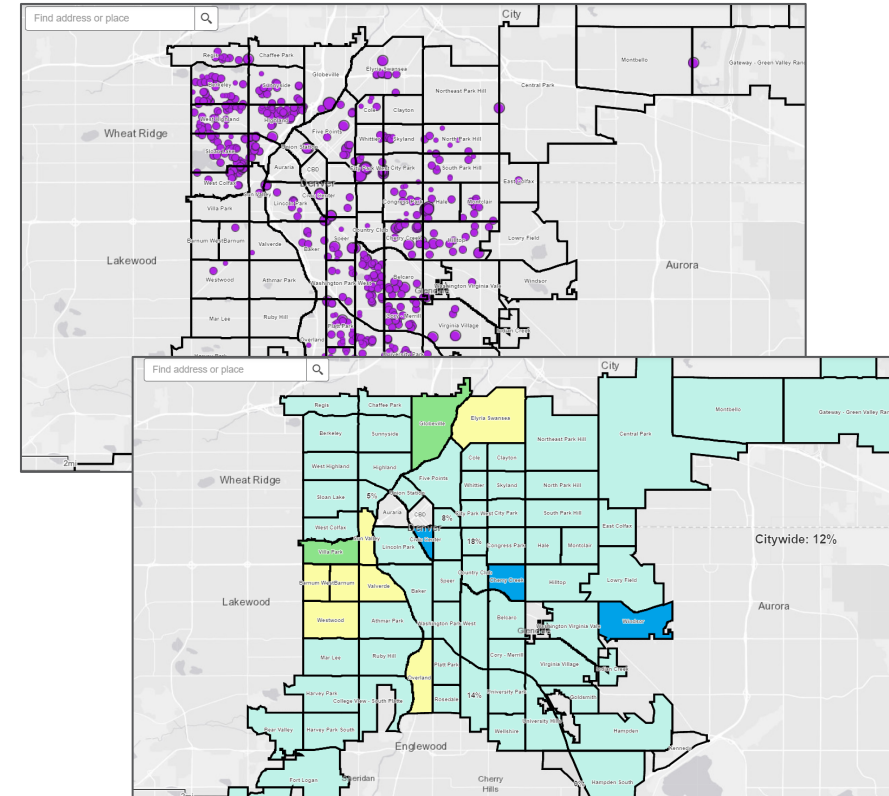
- Recommended at time of pre-application
- Added a question to rezoning application to confirm if they had a concept review meeting



# Improvements Underway

## Equity analysis for rezoning improvements:

- Adding more data from tracking [vulnerability to displacement online mapping tool](#)
  - New data not included in Blueprint equity indicators, such as residential demolitions and changes in property tax
- Improving integration into presentations and documents such as LDR framework
- Expanding from 5+ acre threshold to also include NEST neighborhoods



# Upcoming Code Amendment

# Issues to Address

- Improve community engagement and access to the rezoning process
- Improve how equity impacts are evaluated as part of the rezoning process
- Clearer requirements for the applicant to commit to equitable development
- Modernize rezoning criteria



# Achieving Equitable Outcomes

Through this project, we aim to better address...

- Inclusive public engagement in the rezoning process
- Impacts of proposed rezonings on surrounding residents
- How rezonings could lead to equitable development

EQUITABLE, AFFORDABLE, AND INCLUSIVE IN ACTION

## What does equity mean for Denver?

**EQUITY DEFINED**  
Equity is when everyone, regardless of who they are or where they come from, has the opportunity to thrive. Where there is equity, a person's identity does not determine their outcome. Equitable, inclusive communities are places of value that provide access to resources and opportunities for all people to improve the quality of their life. As a city, we advance equity by serving individuals, families and communities in a manner that reduces or eliminates persistent institutional biases and barriers based on race, ability, gender identity and sexual orientation, age and other factors.

**WHAT DOES INEQUITY LOOK LIKE?**  
In Denver, many neighborhoods do not have access to basic amenities and opportunities including parks, a clean environment, affordable transportation options and quality education. Residents in these areas tend to have more health problems and lower incomes as a result of fewer opportunities.

These inequities conflict with our values of fairness and providing everyone an opportunity to succeed. They mean that residents are not able to access the resources needed to improve their quality of life. They are less likely to build wealth and stability, making them more vulnerable to involuntary displacement (when they can no longer afford to stay in their community). Many of these residents live in neighborhoods that were historically marginalized and are now experiencing reinvestment and gentrification, so the threat of involuntary displacement is high. Due to these patterns, Denver's values of diversity and rich cultural experiences are threatened.

**EQUITY IS ABOUT PROCESS AND OUTCOMES**  
It takes accountability to achieve equity. It is necessary for all citizens and communities to fully participate in and influence public decision-making in order to achieve equitable outcomes. Engaging community members who are most directly affected by inequity is the most effective way to advance planning for shared growth.

**EQUITABLE DEVELOPMENT**  
Equitable development is an approach to meeting the needs of underserved communities through policies and programs that reduce disparities, while fostering places that are healthy and vibrant. Truly equitable development leads to greater choice and opportunities and improves everyone's quality of life.

### EQUITY VERSUS EQUALITY

Equality means treating every person the same. Equity means giving everyone access to opportunities for what they need. Equity acknowledges that treating each person or place exactly the same may not result in fair opportunities to succeed. The diagram below illustrates this concept. With equality, everyone receives the same bicycle. The result is that many people do not have what they need to succeed. An equitable approach recognizes the unique needs of different people and gives each person an option to reach their full potential.

The diagram illustrates the difference between equality and equity using the metaphor of people watching over a fence. In the 'EQUALITY' section, four people of different heights are each given a bicycle to watch over the fence. The shortest person cannot see over the fence, the person of average height can just see, and the tallest person can see easily. In the 'EQUITY' section, the bicycles are redistributed: the tallest person gives theirs to the person of average height, who gives theirs to the shortest person. Now everyone can see over the fence. The source is cited as Robert Wood Johnson Foundation.

Source: Robert Wood Johnson Foundation

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# Equity in Rezoning – Potential Scope

- Rezoning process
- Rezoning criteria
- Equity analysis for rezoning
- Clearer requirements for applicants to advance equitable development
- Rezoning fees



# Equity in Rezoning – Timeline and Process

- Public launch, including steering committee, in fall 2021
- Anticipated 18- to 20-month process
- Citywide community outreach
- Final changes will follow the public adoption process for Denver Zoning Code Text Amendments

# Planning Board and City Council Involvement

- Planning Board and City Council representation on steering committee
- Info item updates to Planning Board, LUTI Committee and/or Budget & Policy Committee
- Partner with CPD to host and advertise community meetings, focus groups, surveys, and other opportunities for public input

# Discussion for Today

1. What goals should this project achieve?
2. What items should the project not address?
3. What key issues or topics should CPD consider as we scope and plan for this project? For example:
  - Items to add?
  - What research should be explored?

# Next Steps

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- Late summer: CPD one-on-one briefings with councilmembers
- Fall: public launch
- Late 2021: another work session with City Council and Planning Board?