



DGC Committee Hearing Meeting Minutes # 1

February 3, 2022

2 p.m. – 5 p.m.

City and County of Denver ([via Zoom](#))

1. Roll Call and Introductions: 17/21 Quorum Achieved

Name of Committee Member		In Attendance?
Cheryl Hoffman		Cannot attend 1st code hearing
Christy Collins		X
Courtney Anderson		X
Don Larsen		
Eric Browning		X
Daniel Krausz		X
Josh Radoff		X
Paul Hutton		
Adam Meltzer		X
Jason Crowell		X
Chris Gorham		X
Travis Hendrix		X
Tom Hootman		(will be late)
Eric Entlich		X
Jonathan Fertig		X
Jeff Tejral	Non-Voting	X
Austin Krcmarik		X
Renee Azerbegi		X
Laura London		X
Darcie O’Conner Chinnis		X
Keith Fox		X
Scott Rank		X
Stephen Sanderson	Non-Voting	
Antonio Nevarra		X

2. Discussion and voting on **DGC**

a. [#17](#) Ecological impact statement (only commercial)

- Support (Committee)

Daniel: Process is mentioned here, which makes sense. Tying to terms

in code, but typically codes don't mention process. Here it makes sense.

- Adam: Roadmap with LEED: Site Assessment worksheet. President for documentation threshold and job aides with LEED.

- Opposition (Committee)

- Travis: Added research paper requirement, delays schedule. Hydrology and topo already provided through geotechnical report. Already liability with architect license, need consultants on vegetation/ animal habitat, and research will be required. Suggest project threshold of 25,000 SF (aligned with green roof ordinance), scope issue for smaller project types, Concern with residential application at a later date. Seems like a paper pushing activity.

- Christy: May not apply to all projects. City is ok with additional documentation.

- Josh: Cynical on process, prefer outcome based. Thinks this may be more busy work rather than effective.
- Renee: Struggle with time commitment with this. No specific outcomes. Time and cost impact.

- Christy: Not reasonable for small project, don't select it.

- Committee Questions/Comments

- Jason: Statement only, not an approval. Needs to be a significant information, understand the project impact on local and Denver area.
- Eric B: Mandatory? Applicable to all building types that affect site (not repairs to inside of building enclosure). Mandatory for all projects pursuing to DGC compliance path pilot program, comparable to LEED Platinum.
- Travis: coming from architects' office at predesign phase, reviewed by City staff, how will this be validated? Updated statement can be provided in early SDP process, early submittal to capture impact and decisions.
- Daniel: When would this be mandatory? What scope does this apply

to? We think it should be optional for all project types.

- Christy: Leave it open for all project types. Mandatory vs not is decided by City, may come to committee. But needs to be evaluated when all proposals are considered.
- Adam: This link as part of this section is old and needs to be updated to Sustainable Sites v2.:
<https://digital.library.unt.edu/ark:/67531/metadc31157/>
- Laura: Approval process of narrative statement. If people will have to hire consultant, uncertainty don't know exactly what is appropriate, may deter project teams to select this option.
 - Would want to see thoughtful understanding of these areas. Looking for well-researched information.
- Jonathan: Leaving out residential is a missed opportunity.
- Christy: Not voting on mandatory vs elective at this time
- Support (Rebuttal)
 - Name: Comment
- Opposition (Rebuttal)
 - Name: Comment
- Motion: Motion to Modify (Eric Browning)
 - Scope: Edit sentence to new buildings 1,000 SF or greater, or additional that are adding more than 50%. (Reference IBC for everything just not single family or dual family dwelling unit). Strike mandatory.
 - Travis: more than 50% of existing building for additions, subject to code. Reasonable and understandable overlay (reference code)
 - Adam: Add multifamily (does commercial include MF)? Yes
 - Christy: Missed opportunity for small projects.
 - Opinion:
 - Daniel: add complexity for different scopes. Not what projects needs to understand this project. Tremendous opportunity for smaller library and civic projects.

- Jonathan: Reduce commercial threshold below 25,000 SF
- Courtney: Identify smaller threshold to impact smaller to 15,000 SF.
- Josh: Motion to Table, discuss ways to do this without process, but outcomes.
- Adam: Optional, consider that in voting
- Jason/ Christy to address: Mandatory (for pilot) for incentivized, for all commercial projects nothing will be mandatory.
- Daniel/ Christy to address: Vote as written, mandatory section in DGC or not? Yes, however preliminary designations but needs to be equivalent to LEED Platinum.
- Jonathan: propose “remove commercial” and lower to 1,000 SF (not to catch ADU) and 50% of existing SF for additions. Eric to accept.**
- Christopher: Remove “Mandatory”. Eric to accept.**
- Jason: Why does it have to say mandatory when it may not be?
 - Christy: Can remove mandatory.
- Daniel: if this is a big hurdle, this will discourage projects if this is a show stopper. Level of comfort to remove mandatory.
- Daniel: Remove changes to 50% for SF for an addition.
- Jason: additions less than 1,000 SF and more than 50%?

Vote: Motion to modify 5 votes yes, 9 opposed, X abstain

- Motion: Motion to Approve as-is, with modifications,
 - Daniel: As written (originally), remove mandatory.
 - Vote: Motion to Approve with modifications: Passed (11 votes yes, 4 vote no, 2 abstained) - PASSES**
- Motion: Motion to approve as written on screen:
 - Vote: Motion to Approve with modifications: Passed (12 votes yes, 4 vote no, 1 abstained)**

b. [#26](#) Only Walkable Turfgrass

- Committee questions/comments
 - Scott Rank: How are tree lawn handled in definition?
 - Considered a walkable surface, tree lawn adjacent to

sidewalk is a functional area, but open to changing.

- Jeff Tejral: Define walkable because it's very subjective. Who is walking? How often? Specify turf types. For example, warm season and adapted may use low water, and lose opportunity. Don't exempt pavers because they shouldn't be irrigated.
 - Kristen Salinas: need to put drought resistant species in pavers, but tried not to specify species.
- Travis Hendrix: For all Chapter 5 amendments, in 101.4, if you apply through another path, then this Chapter 5 stuff would not apply?
 - Christy Collins: This is technically true but if following a DGC Pilot pathway, then they don't need to comply with all Mandatory measures.
 - TH: Projects that are pursuing, for example, Net Zero, Chapter 5 has many good measures that should be required.
- Daniel Krausz: Agree it's unclear in general what some of the plants are and which plant list to refer to. Are there defined terms and standards the way we do in other codes?
 - Why are lawns exempted for some types and not others? Larger commercial, multifamily?
 - Eric Browning: walkable turf grass in residential is far more subjective to what is functional. In a commercial building, a one acre turfgrass next to a parking lot would be difficult to say is functional, where a lawn in a residence is more likely to be used and less likely to be supported by residents.
 - Daniel: may need to clarify residential definition to include multifamily.
 - Christy: There is a separate proposal for water and land use. Can make sure that those definitions get incorporated.
 - Kristen: landscape requirements is coming next. But no species list for that proposal either.
 - Daniel: will there be alignment across proposals for

definitions?

- Christy: Yes although there aren't plant lists at this time.

Austin Krmarik: where do walkways end and non walkable begin? What does self-sustaining ecology mean. This proposal has a long way to go to be able to vote on it.

Renee Azerbegi: functional versus non functional should be the title. Define these better. Did Nevada bill include tree lawn grass areas? Could be a water saver. Don't know if that will work in residential area.

- Kristen: office parks and street medians is where savings came from.

- Christy: right of way excluded because there is an ongoing conversations around what should be mandatory. Not opposed to it, cautious to include it at this time.

Josh Radoff: Be clear about more than water savings. Ecological health too. Broaden idea of functional areas. Some water use intensive landscapes that don't want to be overly restrictive. Allow deliberate designs that may use more water but for good reason.

Austin: Modify – give designers ability to water per square foot. This is already in existing code.

- Support

Name: Comment

- Opposition

Name: Comment

- Committee Questions/Comments

Name: Comment

- Support (Rebuttal)

Name: Comment

- Opposition (Rebuttal)

Name: Comment

- Motion: Motion to Modify or Table
 - Daniel: modify to provide definition for turfgrass, drought tolerant, native, functional area. Coordinated with other sections in DGC and by a subcommittee of this group comprised of experts in this area? Change title to Only Functional Turfgrass
 - Eric Second
 - Vote: Motion to modify X votes yes)**
- Motion: Motion to Approve as-is, with modifications,
 - Vote: Motion to Approve with modifications: Passed (16 votes yes, X vote no, X abstained)**
- Subcommittee
 - Christy
 - Austin
 - Jeff
 - Courtney

c. [#28](#) Landscaping Requirements

- Comments & Questions:
 - Jeff Tejral: Min landscape area – is that how much will be dedicated to planting are on a site?
 - KS: Yes
 - Tree measure needs to be 4.5 feet not inches
 - Minimum plant areas showed challenges in Aurora. Modify to get rid of them. Larger size and survivability is intent. Caused problems in industry.
 - Trees and shrub equivalency should move to a subcommittee to define these.
 - Twenty species req, to aspirational but difficult on small sites. Depends on landscape area and where it's located. Survivability may be difficult in roadsides with a lot of salt, or downtown with much shade.
 - Jonathan Fertig: on large projects with small non-building area,

coming up with an area may be too small.

- Travis Hendrix: agree with Jeff. Minimum landscape areas – 25% of SFR, how does this overlap with Zoning? What is net area? Is it within setbacks? Needs clarification
 - Gallons restrictions?
- Daniel: is it coordinated with the DGC? Same things in Chapter 501.3.3.2 and 501.3.3.3, and Chapter 6 – water use. Multiple sections that should be included in big picture discussion. Maybe this should replace what's there or work with it differently.
- Austin: needs a site min square footage for percentages to apply. Zero lot lines, easements will make this impossible. Ammend to say hydrozoning that is a defined term.
- Christy: Some of these overlaps may have moved to mandatory regulations. Regarding lot lines, a project could not pursue this one.
 - Species number could be adjusted to consider a subcomm discuss exceptions with specific parameters.
- Jason: Don't see the need of the language to say Mandatory. Can we remove this language?
- Travis: Don't want people to think they have to tear out existing landscaping unnecessarily with renovations.
- Daniel: 501.3.3.4 says major renovations, but in next section, it's not in options. Unclear what to provide.

- Support

- Name: Comment

- Opposition

- Name: Comment

- Committee Questions/Comments

- Name: Comment

- Support (Rebuttal)

- Name: Comment

- Opposition (Rebuttal)

- Name: Comment
 - Motion: Motion to Modify or Table
 - Adam: pass as is.
 - Jeff: should also go to subcomm to make sure definitions are correct
 - Austin second to move with subcomm
 - Vote: Motion to modify X votes yes)**
 - Motion: Motion to Approve as-is, with modifications,
 - Vote: Motion to Approve with modifications: Passed (14 votes yes, 2 vote no, 1 abstained)**
 - Subcommittee:
 - Jeff
 - Austin
- d. [#32](#) Tree Preservation in Primary and Side Street Setbacks
- Comments & Questions
 - Jeff: tree trunk diameter greater than 6". We can go lower. More work, but will result in more established trees.
 - Kristen: from Muni code.
 - Jeff: stretch to 4-5"
 - Travis: trunk location or canopy within setback? Adaptive reuse, if its' in a side setback then it will interrupt
 - Replacement provision needed
 - Christopher: from property management standpoint with exception that a tree impinges on repair of plumbing line, need clarification of what constitutes relocation? Within certain feet?
 - Eric Entlich: If there 6 trees along street, would this prevent me from building a project?
 - Kristen: City to clarify, but would preclude building the project.
 - Christy: sometimes logistical plans can be modified to accommodate.

- Eric: If I need to take down trees to safely access the site, why would this be in this code?
- Christy: Want to see teams being more selective about which trees should be taken out. Teams don't have to choose this one.
- Daniel: Trunk vs Canopy and trees in conflict with construction. Should that be allowed to be removed?
 - Travis: example is a pop top, but there is a tree impinging on project. The trunk is in the 5' setback. Could they meet this?
 - Also need to consider plantings within 5' of structure for defensibility.
 - Daniel: this would be an exception?
 - Travis: yes
- Josh: last few measures are deep details. Struggling with being clear about what is part of "Pilot" of DGC vs additional measures where there is a menu of selecting a few. Not having a sense of what all the menu items might be, hard to know how to vote. Would like to see a full range of what might be included for next meeting.
- Kevin: will ask if there is a visual we can put together for another time?

- Support

- Name: Comment

- Opposition

- Name: Comment

- Committee Questions/Comments

- Name: Comment

- Support (Rebuttal)

- Name: Comment

- Opposition (Rebuttal)

- Name: Comment

- Motion: Motion to Modify or Table

- Daniel: approve with modification of exception of where a certain percentage of canopy is on buildable area of the lot.
 - Travis: add exception to meet urban interface code. Would affect side setback.
 - Adam: explain urban interface?
 - Travis: side setback is 5', so must have combustible material removed in that area.
 - Eric: only about 1% are in areas affected by the fire zones. Not currently a code city and county adopts. But can use as a reference.
 - Antonio: on 302.1, not going after enforcement of trees per say.
 - Adam: for canopy issue, don't need to take whole tree down
 - Jonathan: only prunable area where tree would still survive.
 - Daniel: subcomm will come up with percentage
 - Second: Christy

15 voting members

Vote: Motion to modify 13 votes yes)

- Motion: Motion to Approve as-is, with modifications,

Courtney makes motion

- Second: Eric

Vote: Motion to Approve with modifications: Passed (13 votes yes, 3 vote no, X abstained)

- Sub

Adam

Daniel

e. [#52](#) Rock Mulch Allowances

- Support

Name: Comment

- Opposition

Name: Comment

- Committee Questions/Comments
 - Name: Comment
- Support (Rebuttal)
 - Name: Comment
- Opposition (Rebuttal)
 - Name: Comment
- Motion: Motion to Modify or Table
 - Describe modifications
 - Vote: Motion to modify X votes yes)**
- Motion: Motion to Approve as-is, with modifications,
 - Vote: Motion to Approve with modifications: Passed (X votes yes, X vote no, X abstained)**

f. [#38](#) Bird safe glazing

- Support
 - Name: Comment
- Opposition
 - Name: Comment
- Committee Questions/Comments
 - Name: Comment
- Support (Rebuttal)
 - Name: Comment
- Opposition (Rebuttal)
 - Name: Comment
- Motion: Motion to Modify or Table
 - Describe modifications
 - Vote: Motion to modify X votes yes)**
- Motion: Motion to Approve as-is, with modifications,
 - Vote: Motion to Approve with modifications: Passed (X votes yes, X vote no, X abstained)**

g. [#43](#) Declining species support

- h. [#45](#) Define allowable pesticides, fertilizers, herbicides, organic choices
- i. [#P1](#) Restoration and Maintenance of Honeybee Populations
- j. [#140](#) Passive solar on individual lots
- k. [#66](#) Greywater systems in city facilities

Please note that this agenda includes additional proposals for the DGC in case there is additional time within the code hearing.

Register for Denver Code Hearings through the following link:

https://carrier.zoom.us/webinar/register/WN_pCeas4sATwuPSmruqBkw1Q

A confirmation email will be sent from Zoom with the option to “add to calendar” for the hearings.