• Thank you so much for being here today! My name is Sarah Cawrse, and as a reminder, I work for the Community Planning and Development department in the City and County of Denver and I’m the project manager for the Advancing Equity in Rezoning project. We are all here for the third task force meeting for this project!
• I’m going to give a recap on the completed progress of the project, upcoming progress, and an overview of what will be discussed at the meeting today.
• Moving ahead into previous progress for phase 2 of the project.
• At the second Task Force meeting, we discussed the city’s work related to equity, as well as the Task Force roles.
• Today, at the third Task Force meeting, we will discuss Denver's Rezoning Trends and the Draft Issues and Goals.
• Coming up, the first Community Meeting will be on April 5th.
• At that meeting, we will give an overview of the project, discuss what we have heard so far, make attendees aware of other ways to stay engaged, and receive feedback on the draft issues and goals.
• So, what we discuss today will get fine-tuned and presented at the Community Meeting for additional feedback.
Schedule

- Kick off project
- Analyze & identify the problem
- Evaluate alternatives
- Identify preferred approach
- Develop the tools
- Review & public adoption
- Implement updated rules

UPCOMING

- March 23rd - Task Force Meeting #3
- April 5th - Community Meeting #1
- Focus Group Meetings
  - April 12, 13, & 19

Interested participants should fill out the online interest form:
www.denvergov.org/equityinrezoning

- Lastly, we are still looking for people to sign up for three different focus groups.
- If you know of anyone, please forward them the flier that was sent and have them fill out the interest form online.
That was a summary of the project’s progress. So, what will we cover today at this meeting?
1. We will start with introductions.
2. My colleague Rob will present the rezoning trends in Denver and there will be an opportunity for questions.
3. Then we will review the draft issues to address and goals to achieve so far with opportunity for discussion and questions.
4. Towards the end of the meeting there will be time for public comment.
We will review the rezoning trends, including the number or rezonings, types of rezonings, where they occur, and have time for questions.
• This graph shows the number of rezonings that have been approved between 2000 and 2021.
• There were 83 approved rezonings in 2000 with somewhat of a decline in rezonings.
• In 2010 there were only 11 rezonings.
• The dip in the middle of the timeline aligns with the adoption of the Denver Zoning Code in 2010.
• The number of rezonings that were approved prior to the adoption of the Denver Zoning Code is generally higher than the number of rezonings afterward, but current trends show that we are approaching pre-DZC rezoning numbers, since there were 71 rezonings in 2021.
• If we look more closely at the period after the adoption of the DZC we will see an upward trend since 2010.
• When the DZC was adopted, the majority of the city was rezoned.
• Over time, changing conditions and development pressures appear to be resulting in more rezonings.
• 71 Rezonings were approved in 2021.
Advancing Equity in Rezoning
Task Force Meeting #3

Rezoning Trends

The total number of rezonings has increased since 2010, when the Denver Zoning Code (DZC) was adopted. If ADU rezonings were taken out, the trend is much different.

- If we pull out the ADU rezonings (the green line) and look at them separately, we see that they make up the majority of rezonings in 2021.
- For example, in 2021 there were 39 ADU rezonings and 32 other rezonings.
- We also see that the number of all other types of rezonings (blue line) have not been increasing over time and have generally ranged between 20-40 rezonings a year.
Rezoning Trends

This graph compares the number of pre-application reviews completed annually to the number of approved rezonings.

- The green line represents pre-application reviews, with 281 reviews done in 2021.
- The blue line represents approved rezonings, with 71 approved rezonings in 2021.
- In summary, about 25% of preapplications in 2021 went through the entire rezoning process and were approved.
- Pre-application review is considered the first step of the rezoning process, and most pre-application reviews do not result in a rezoning.
- The number of preapplications received are trending upward.
- When comparing the number of rezoning approvals and pre-application reviews, it is important to remember that the rezoning approval often occurs during the year following the pre-application review.
- For reference only, here are the percentages of preapplications that turned into a rezoning: (2015: 16%) (2016: 27%) (2017: 16%) (2018: 16%) (2019: 18%) (2020: 23%) (2021: 25%)
2021 Rezoning Trends

- ADU (53% of approved rezonings)
- Change in height
- Change in use (e.g., residential to mixed use, industrial to residential)
- Former Chapter 59 (old code) to Denver Zoning Code
- PUD established (custom zoning)
- Reduction in lot size

If we look at the types of rezonings that were approved in 2021, we again see Accessory Dwelling Units at the top of the list.

Aside from ADUs, rezonings were proposed for a variety of different purposes including changes in height, changes in use, rezonings from the Former Chapter 59 zoning code to the Denver Zoning Code, establishing Planned Unit Developments, or PUDs, and reductions in minimum lot size requirements.
This map shows the Legislative rezonings. They include councilmember sponsored neighborhood rezonings to allow for the construction of accessory dwelling units, the establishment of design and incentive overlay districts that help promote adopted plan goals, or rezonings of larger areas to respond to changing conditions or community needs aligned with plan goals.
• This map shows the distribution of applicant-driven rezonings throughout the city.
• These are the rezonings primarily from private landowners and developers, but also certain rezonings where a city department or manager is the applicant.
• Approved applicant driven rezonings are generally distributed throughout the city with higher concentrations in certain areas.
• Many of the small, individual property rezonings scattered across the city are specifically requested to allow for the construction of accessory dwelling units (ADUs).
• We will be sharing high resolution versions, as well as updated versions of these maps.
Rezoning Trends

- The number of rezonings has increased since 2010
- There have been a variety of types of rezonings
- The trends provide valuable insights for this project
- Rezonings play a key role in implementing Denver’s adopted plans

- In general, the number of rezonings have been increasing since the adoption of the Denver Zoning Code.
- There are a variety of purposes for which rezonings are proposed, with ADU rezonings making up the majority of approved rezonings last year.
- Understanding the types of rezonings and location trends gives us insight into what is happening.
- The applicant-driven rezoning process is an important step to implement Denver’s citywide and neighborhood plans.
Questions?
• Let’s discuss the draft issue identification.
• I’ll reiterate this throughout the presentation that this is only a draft of issues that have been raised in feedback so far, and they will be updated to incorporate additional feedback.
Feedback Received So Far on Draft Issues & Goals

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<thead>
<tr>
<th>Winter 21/22</th>
<th>Spring 2022</th>
<th>Summer 2022</th>
<th>Fall 2022</th>
<th>Winter 2022/23</th>
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<tr>
<td><strong>1.</strong> Kick off project</td>
<td><strong>3.</strong> Evaluate alternatives</td>
<td><strong>5.</strong> Develop the tools</td>
<td><strong>7.</strong> Implement updated rules</td>
<td><strong>• Task Force Meeting #1</strong></td>
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<td><strong>2.</strong> Analyze &amp; identify the problem</td>
<td><strong>4.</strong> Identify preferred approach</td>
<td><strong>6.</strong> Review &amp; public adoption</td>
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<td><strong>• Task Force Orientation</strong></td>
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<td><strong>• General Public Comment</strong></td>
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- We have heard a lot of feedback over the last couple months from Task Force meetings, focus groups, and general public comments.
- We have gone through it all and done our best to provide a summary of the feedback.
I also want you to keep in mind that there will be additional opportunities for feedback to be received around the draft issues and goals. This includes the feedback we get today as well as from the community meeting. And we will have other opportunities for feedback from Planning Board or City Council, as well as general public comments.
Before we dive into the issues, I want to remind everyone of the project purpose.

- It’s to evaluate the existing rezoning process and criteria to understand how they may be modernized and better advance *Blueprint Denver’s* equity concepts.
There are three main areas that our project can have an impact.

Our project can provide updates to the rezoning process requirements and materials, the rezoning review criteria, and address concerns regarding equitable outcomes.
• If you attended or watched the Task Force Orientation, you may recognize the steps of the rezoning process on the left.
• I’m going to give some quick examples of some specifics that our project can have an impact on, which are identified in the green text on the right.
• When we discuss the draft issues and goals today, I want you to keep in mind the parameters of the project.
### General Theme #1: Public Awareness

#### Noticing Requirements

Noticing requirements are not tailored to ensure equitable access to information about proposed rezonings, particularly for residents and businesses who may be vulnerable to displacement. Notices use technical language that is not easily understood.

#### Technical Process

Denver residents find the rezoning review criteria and process difficult to understand and engage with.

#### Language Access

There is inadequate language access (translation or interpretation) throughout the process.

#### Notifications to RNOs

Notifications to RNOs do not necessarily reach a diverse range of people because RNOs vary in their levels of representation and involvement throughout the city.

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DRAFT – Will be updated to incorporate additional feedback

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• I’ll be going through the main themes of feedback we have heard, and the more specific issues associated with those themes.
Insufficient rules for public engagement (aside from public noticing emails, signs, and postcards) may not lead to equitable opportunities to participate that are tailored to the scale of the rezoning and impact on the community.

Public input on rezonings can sometimes differ from guidance in adopted plans, which is based on multi-year engagement with a broad range of community members. This can lead to inequitable outcomes when public input for a particular rezoning is prioritized over community-driven guidance from adopted plans in the decision-making process.

Public hearings are a poor format for improving rezoning outcomes because they can be inaccessible, confusing, and poorly timed relative to when decisions must be made.

General Theme #2: CONSIDERATION OF PUBLIC INPUT
General Theme #3: PROCESS FOR APPLICANTS

- **Same Process for All**: The process is too complex and lengthy for some rezonings, such as those that are small or involve a minor change in use.
- **Unclear Application**: The application and process are unclear to people who are inexperienced with rezoning, creating a barrier for first-time applicants.
- **Difficult Process**: Applicants who have rezoning requests that further the goals of neighborhood and citywide adopted plans may choose not to rezone due to the time, expense, and unpredictability of results.

*Draft – Will be updated to incorporate additional feedback*
The review criteria do not specifically identify how public input should be considered.

Public Input

Review criteria do not clearly consider equity impacts among other plan guidance.

Consideration of Equity

The 3rd criterion, Public Health, Safety and General Welfare, is vague and not clearly distinct from the 1st criterion, Consistency with Adopted Plans.

Unclear Criteria

**General Theme #4:**

**REVIEW CRITERIA**

*DRAFT – Will be updated to incorporate additional feedback*
General Theme #5: **EQUITABLE OUTCOMES**

- **Equity Analysis**: Tools to evaluate equity in the area around a rezoning, such as an equity analysis, are not required for most rezonings.

- **Unclear Impacts**: Specific development proposals are not approved in the rezoning process, making it difficult to understand specific outcomes and impacts for a neighborhood.

- **Agreements**: Some applicants negotiate private agreements concurrent with a rezoning, and those agreements may not include an equity lens since they are done privately and are not officially part of the rezoning process.

- **Lack of Commitments**: The process for applicants to commit to certain outcomes at the time of rezoning, such as on-site community-serving amenities, is inconsistent and unpredictable.

- **Fees**: The rezoning fee schedule is inequitable.

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DRAFT – Will be updated to incorporate additional feedback.
• Let’s discuss the draft goals.
• Our team went through the feedback related to issues and concerns that we have heard so far and developed some initial goals and objectives that the project should achieve.
GOAL

1. A rezoning process that it is transparent, equitable, and accessible for all

OBJECTIVES

A. Customize rezoning materials and notifications to address the language needs of the community, improve public awareness and input opportunities, and adapt to the scale and impact of the rezoning.

B. Ensure community engagement is tailored to the scale and potential impact of the rezoning.

C. Identify how community feedback should be evaluated and used in the decision-making process, including how it should be considered in the context of adopted plan guidance.

D. Reduce barriers for applicants with smaller rezonings that clearly further plan goals.

• At the first Task Force meeting we discussed three initial goals that set the framework for the project.
• The original goals are listed at the top of the slide. Beneath it, we developed what we are calling objectives for that goal.
• Today, we want to focus on discussing the objectives.
GOAL
2. Rezoning review criteria that inform better decisions and achieve citywide goals, including goals related to equity

OBJECTIVES

A. Update the review criteria so that they are clear and understandable to an audience unfamiliar with rezoning.

B. Ensure that the review criteria contribute to achieving the city’s goals.

DRAFT – Will be updated to incorporate additional feedback
GOAL

3. Rezoning requirements that respond to the varied equity impacts of rezonings

OBJECTIVES

A. Create a process for evaluating and understanding the equity impacts of all rezonings.
B. Update the equity analysis tools and how they are used in the rezoning process.
C. Create a consistent and predictable process for applicants to commit to certain outcomes at the time of rezoning to address their equity impacts.
Discussion
**NEXT STEPS:**

- Reach out with additional ideas for issues and goals
- Anticipating three Focus Group Meetings in April
- April 5\(^{th}\), 5:30-7:00pm – Community Meeting #1
- April 27\(^{th}\), 3:00-5:00pm – Task Force Meeting #4

Please visit the project webpage for updates and other opportunities for engagement:

[www.denvergov.org/equityinrezoning](http://www.denvergov.org/equityinrezoning)