SUMMARY OF 2024 BUNDLE OF TEXT AMENDMENTS

The 2024 Bundle of Text Amendments is intended to clarify, simplify, and update the Denver Zoning Code. This document provides a summary of the proposed changes to each article of the Denver Zoning Code.

ARTICLES 1-2

- Assignment of Building Form
  - Allow Zoning Administrator to determine building form for accessory structures to prevent anticipated violations of the Denver Zoning Code.
- Building Connectors
  - Revise the building form assignment and standards for building connectors. Create a new building form table for building connectors, applicable in all zone districts.
- Building Form Assignment for Detached Accessory Structures
  - Detached accessory structures are assigned a new building form name.
- Article 2
  - No changes – n/a

ARTICLES 3-8: CHANGES APPLICABLE TO ALL CONTEXTS

- Create a new building form called Minor Detached Structures for structures generally less than 14 feet in height and 200 sf footprint, depending on its location on the zone lot. Structures meeting these standards do not require a zoning permit.
- Clean-up revisions to Detached Accessory Dwelling Unit building form, including updating District Specific Standards Summary.
- Building Coverage: Building coverage allowance is generally increased for single unit homes, and most specific exceptions / credits are removed.
- Build-to Exceptions
  - Consolidate Build-To exceptions and move them to the Rule of Measurement in Article 13 to reduce repetition:
    - Exception for Civic, Public, and Institutional uses
    - Exception for Primary Street Offset
    - Exception for Parkways
- Height Exceptions
  - Revise the table of height exceptions to create more general types and reduce the number of categories of exceptions. Add a description of how standards in the table are applied.
- Setback Exceptions
  - Remove duplicative setback exceptions and update other setback exceptions to clarify language. Remove ground-mounted mechanical equipment setback exception because it is covered under new Minor Detached Structure form standards and based on concerns raised by the Denver Department of Public Health and Environment.
- Use and Parking Tables
• Update all use and parking tables to reflect changes in two types of zoning permits: zoning permit and zoning permit with informational notice requirements for uses. (Still in progress.)
• Revise detached accessory structure building form tables to merge Detached Garage, Other Detached Accessory Structure, and Detached Accessory Structure forms into a new General Detached Structure building form.
• Update the description of rear setbacks in all building form tables to clarify the standard when there is or is not an alley abutting a rear zone lot line.

ARTICLE 8

• Clean-up revisions to sections affected by Expanding Housing Affordability text amendment.
• Remove minimum parking requirements from the Downtown-Lower Downtown (D-LD) zone district to put this downtown zone on par with the Downtown-Core zone district, which also does not require minimum parking.
• Clarify comprehensive sign plan (CSP) review process in downtown districts (still in progress).

ARTICLE 9

• Clean-up revisions to the bungalow conservation overlay (CO-6).
• Remove integrated façade design alternative for visible parking above street level in the DO-7 (River North Design Overlay District). This design alternative intended to make structured parking less visible, but in practice was very difficult to execute, so it is being removed.

ARTICLE 10

• Section 10.4.2.1, Vehicle and Bicycle Parking Required: Clarify parking requirements when a change of use occurs; add a provision that when a change of use increases the required off-street parking by more than 25%, the new parking and existing parking area must comply with Vehicle Parking Design Standards in Section 10.4.6. At the same time, staff is given discretion to reduce the total number of vehicle parking spaces from what is required if the new layout improves vehicle access, vehicle circulation, and pedestrian safety.
• Move procedures embedded in Article 10 to Article 12 (e.g., the process for approving a Comprehensive Sign Plan).
• Section 10.8.1.6, Design Standards for Open Space in Large Developments – there is a requirement that open space be visible from a public named or numbered street. Amendment allows this requirement to be met by visibility from a private street when the public is freely allowed to use the private street.
• Section 10.10.3.3. Signs Permitted in All Districts – Changes made to clarify applicability of Comprehensive Sign Plan (CSP) allowance; to specify sign types allowed in CSP; and to specify what flexibility to vary from standards is allowed (and not allowed) in a CSP; and to better cross-reference sign requirements with those in Downtown zone districts.
ARTICLE 11

• Clarify and reorganize the Outdoor Gathering Areas standards.
• Reorganize and clarify emergency suspension of zoning code standards/procedures for residential care uses.
• Creation of new standards to allow food trucks as an accessory use and simplify standards for temporary food trucks.

ARTICLE 12

• Clean up to the Modernizing Zoning Variances text amendment adopted in 2023: Clarify scope of administrative adjustments for landmark properties; grant express authority for Board of Adjustment (BOA) to grant variances from zone lot amendment criteria; clarify the neighborhood compatibility “justifying circumstances” criteria; return the required vote to approve a variance to 4 out of 5 BOA member votes instead of 3 out of 5 votes.
• Align the deadlines and procedure for Section 12.3.3.11, Inactive Applications, with similar building code procedure for closing inactive applications.
• Revise various zoning permit standards Section 12.4.1:
  o Refine zoning permit applicability provisions, such as exempting structures that meet the new Minor Detached Structure form standards and children’s play structures (including treehouses) from the requirement to get a zoning permit.
  o Add a zoning permit exemption for normal maintenance/repair and like-for-like replacement of a previously permitted fence or wall.
  o Delete the exemption for works of art (most should meet the new Minor Detached Structure form standards and be exempt).
  o Clarify that most otherwise exempt development will need a zoning permit if subject property is a Landmark property.
  o Add a rule for conflicting provisions when a structure meeting the Minor Detached Structure form is otherwise required to get a zoning permit (e.g., in-ground swimming pools will need a zoning permit).
• Add two new procedures in Division 12.4: (1) Request for delays of enforcement orders and (2) Comprehensive Sign Plan (move procedure requirements from Article 10).
• Section 12.3.7.1, Modifications to Pending or Approved Applications, Plans or Permits – Add a new provision that allows construction of an ADU as a modification instead of an amendment to a previously approved SDP (including FC59 PBG site plans applied to DZC-zoned lands).
• Section 12.3.7.2, Amendments to Approved Applications, Plans, and Permits – Create new process to allow amendments to a previously approved site development plan (including FC59 PBG site plans applied to DZC-zoned land) without requiring participation of 100% of the property owners subject to the plan. Also revise Sec. 12.3.7.2.B to delete and reduce the number and type of specific changes that automatically qualify as “amendments” to an approved plan or permit.
• Section 12.4.4.6, Zone Lot Amendments: Create new exceptions to allow staff approval of certain zone lot amendments when the existing zone lot is divided/split (not combined) and an existing structure falls out of full compliance with applicable zoning standards.
• Section 12.4.5, Administrative Adjustments: Revise administrative adjustments to resolve conflicts more easily between the Denver Zoning Code and the Denver Building & Fire Code.
• Section 12.4.5.6, Appeal: Appeals of a final decision on an administrative adjustment may be heard by the BOA only as an administrative appeal according to Section 12.4.8.
• Section 12.4.8, Appeal of Administrative Decision: Revise to state a 30-day timeframe for all zoning code appeals, with no exceptions (consistent with a proposed BOA rule change). Revise to give CPD staff no more than 21 days to prepare the administrative record and deliver it to the BOA.
• Section 12.4.16, Delays of Enforcement: This is a new procedure added to the Code that is separate from an Appeal or Variance. Review criteria combined and simplified for all types of delay in Sections 12.4.16.5 and 12.4.16.7.
• Section 12.10.4, Development on Carriage Lots: Revisions to: (a) remove requirement that development may only occur on a carriage lot if the carriage lot owner also has their primary residence on the surrounding block; (b) allow establishment of a single-unit dwelling unit primary use, provided the structure for the single unit dwelling complies with the Detached Accessory Dwelling Unit building form; (c) allow establishment of an Urban Garden primary use, provided the use is unenclosed; (d) added new use limits and development standards related to allowance of a new single-unit dwelling primary uses; (e) removed “personal to applicant” zoning permit limit; and (f) removed requirement for recording an agreement prior to zoning permit issuance.

ARTICLE 13

• Creation of new Rules of Measurement for calculating “% Open” standards in the code. Added related definitions of “open” and “unobstructed” in Article 13, Division 13.3.
• Revise, update, or remove certain rules of measurement.
  o Remove the rule of measurement provision allowing an exception from Height in Stories for Mezzanines from Section 13.1.3.3.B.4.
  o Remove the rule of measurement provision allowing an exception from Height in Stories for parking stories in a mixed-use structure from Section 13.1.3.3.B.5.
• Section 13.1.5.1.B.1.a., Measuring Zone Lot Width: Simplify the rule for measuring zone lot width by requiring the width to be measured 20 feet from the point where the side zone lot lines intersect with the primary street zone lot line (vs. measured at the minimum primary street setback).
• Add new definitions where necessary.