Denver Outdoor Places Program

Public Meeting #1
March 16, 2023
1. Para la interpretación, conéctese usando una tableta o computadora.
2. Vaya al ícono del globo terráqueo en la parte inferior derecha de su pantalla.
3. Seleccionar español.

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1. For interpretation, please connect using a tablet or computer.
2. Go to the globe icon in the bottom right of your screen.
3. Select Spanish.
Housekeeping For Virtual Meetings

- If you’re joining us by phone, press *9 to raise/lower your hand during Q&A.
- There is a Q&A chat box at the bottom of your screen. Please use it to submit questions at any time.
- All participants are on mute to minimize distractions. You may be invited to ask questions during our Q&A at the end of the meeting.
Agenda

- Introductions
- Project Background
- Program Overview
- Above Curb Patios
- Private Property Patios
- Below Curb Patios
- Q&A
Project Team

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Public Engagement Lead, NHN Consulting

Meredith Wenskoski
Urban Design Lead, Livable Cities Studio
Project Background
Background

- COVID forces food/beverage indoor capacity limits and closures
- City grants regulatory relief for patios in ROW and on private property through Temporary Outdoor Expansion (TOE) Program
- City temporary program and activations have been very well received
Background

- Stakeholder desire for permanent program
- Mayor directs City departments to create permanent program
Background

Some Key Issues:
- Accessibility
- Design quality
- Enforcement challenges
- Safety
- Neighborhood impacts
- Confusing review process

This Pedestrian Access Route in San Diego is blocked by a heating element
Draft Program Vision

Outdoor Places will be an efficient, accessible, and equitable program that allows the community to activate streets and private property with safe and vibrant spaces that contribute to Denver’s great neighborhoods.
Program Overview

Patio Types

- Below Curb (full street)
- Private Property
- Above Curb
- Below Curb (on-street parking)
2023 Project Scope

• Community and Stakeholder Engagement

• TOE Program Evaluation and Analysis, Peer Cities Research

• Program Development: Private Property and Below Curb

• Program Startup
Project Schedule

Above Curb
- Fall 2022: Stakeholder Working Group Meeting
- Winter 2023

Private Property
- Winter 2023: Council/Board Meetings
- Spring 2023: Community/Focus Group Engagement

Below Curb
- Summer 2023

Outdoor Places Program
Public Survey #1 (November 2022)

- 955 survey respondents
- Respondents visited patios Monthly (35%) or Weekly (31%) most often
- Overall effectiveness of patios: 93% answered “very positive” or “positive”
- 85% more likely to visit an establishment/street if it has an outdoor patio
What did you most like about outdoor patios? (743 responses)

- Enjoying the weather/people watching (“fresh air” mentioned often)
- Reducing exposure to COVID and other illnesses
- Feeling a deeper sense of community/engaging with the neighborhood
- Enjoying reduced traffic/reclaiming space from cars
- Dog-friendly spaces

What could be changed to improve outdoor patios? (686 responses)

- Providing better protection from vehicles (including noise and exhaust)
- Ensuring ADA accessibility
- Restricting cars (more full street closures)
- Creating better design to be more permanent
- Ensuring sidewalk/bike lane travel isn't hindered
Public Survey #1: Key Concerns

- Safety
- Pedestrian access
- ADA access
- Bike parking

- Coordination with Shared Streets
- Commercial uses in public spaces remain welcoming to all
- Activate neighborhoods

- Lighting/shade/landscaping/ weather protection

- Easy application process
- Willing to “pilot” ideas
Above Curb Patios
2022 | Above Curb Patios - Work to Date

• City developed this component during Fall 2022

• Maintaining sidewalk accessibility is a priority

• Transition emergency permit holders to Outdoor Places Spring 2023

• New applications opened end of February
Program Requirements (Above Curb Patios)

- Introduction/Definitions
- Intent
- Location Options
- Delineation
- Design Standards
- Management
- Neighborhood Impacts
- Required Reviews/Permits
- Review Process
- Submittal Requirements

(Current document is Above Curb only; other typologies to be added as program develops)
Patios on Private Property
Private Property Patio Objectives

• Economic Development & Business Support
  ▪ Create gathering space options for more business types
  ▪ Reduce regulatory barriers
  ▪ Streamline review process

• Placemaking and Neighborhood Integration
  ▪ Mitigate impacts on sensitive uses
  ▪ Activate the streets and public ways
  ▪ Encourage more social gathering areas
  ▪ Encourage design excellence

• Safety
  ▪ Mitigate conflicts between patio, vehicular, and pedestrian activities
Consider the range of patio typologies

Type 1: Not visible
Type 2: Internal
Type 3: Public oriented
Proposed Updates

• Allow patios accessory to all non-residential uses
• Allow non-contiguous patio placement
• Eliminate delineation requirements
• Allow internal patios more design flexibility
Proposed Updates

Current:
- Patios within 50 feet of Protected District require:
  - Zoning Board of Adjustment (BoA) approval (public hearing)
  - CPD Staff review
  - Notification of neighbors
- Few patios appear before BoA (20 cases in five years)
- Only 1 patio was denied by BoA (denial also recommended by CPD)
- BoA decisions are less restrictive than CPD recommendation

Proposed Updates: BoA
- Remove BoA requirement for patios within 50 feet of Protected District
- Require notification and CPD review/approval
- Applicants may appeal staff decision to BoA
Optional design review path for Private Property

Draft Design Guidelines include:

• Patio Location
• Patio Integration
• Delineating Elements
• Materials
• Landscape
• Integration of Art
• Detached Structures Covering a Patio
• Lighting
• Signage
• Surface Materials – off street parking area
• Reflective Materials – adjacent parking lots and drive lanes
Optional design review path for Private Property

Design Review

• Create Outdoor Place design guidelines (for private property)

• Elevate placemaking and enhancement of public / semi-public realm

• 3 ways to use design guidelines:
  1. **Voluntary** – Design resource but not required if applicant meets zoning.
  2. **Administrative flexibility** from zoning standards with design review. Must meet intent of zoning and design guidelines.
  3. **Parking Displacement** - If patio requests to displace parking.
Participation in Design Review

- Allow **administrative flexibility** from zoning standards with design review
- Must meet intent of zoning and design guidelines

Denver Art Museum had to seek a variance for a patio cover element. Under this proposal, flexibility could be granted administratively provided the patio undergoes design review and meets the intent of the zoning.
Participation in Design Review

- Allow some amount of existing required off-street parking to be displaced
- Allow up to 5 off-street parking spaces (for small establishments/lots) or a max percentage to be displaced, whichever is greater. Calibrate maximum percentage allowance to zone district, with greater percentage allowance in urban areas and less in suburban areas.
- Accessible parking cannot be displaced
- Landlord approval required for multi-tenant properties

Graphic shows maximum percentage allowance applied in different zone districts
Submit a comment: bit.ly/DenverOP

Outdoor Places Program - Comment Form

My progress: 0%

Tell us what you think!

We want to hear from you. Please share your question or comment about the Outdoor Places Program or permit applications in the text box below. Required
Below Curb Patios
Below Curb Examples

Full Street Closure

Curbside
Below Curb: Issues, Concerns and Opportunities

- Location
- Scale
- Design
- Safety
- Emergency Access
What’s Next?

• Begin discussions for Below Curb patios in spring 2023
  • Stakeholder Working Group
  • Focus Groups
  • Public Meeting #2
  • Draft rules published for review
  • Rules finalized
Q&A
Denver Outdoor Places Program

Denver’s Outdoor Places Program builds upon the success of temporary patio spaces used by local businesses during the pandemic. While the temporary outdoor dining program was created in May 2020 to help restaurants and bars safely expand their serving capacity during the height of the COVID-19 pandemic, the permanent program currently in development will allow these and other businesses to use private and public space for outdoor operations after the temporary program ends.

Temporary Outdoor Dining Program

Transition to the Outdoor Places Program

Help Create the Outdoor Places Program
Thanks!

Questions or Comments?

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