### Draft Schedule

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Date/Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultant Feasibility Testing on Incentive Height Overlay</td>
<td>Underway through July 2017</td>
</tr>
<tr>
<td>Planning Board Info Item</td>
<td>July 19</td>
</tr>
<tr>
<td>City Council Committee Info Item</td>
<td>Early August</td>
</tr>
<tr>
<td>Zoning Text Amendment Language for Review</td>
<td>Late August</td>
</tr>
<tr>
<td>Zoning Map Amendment Boundaries for Review</td>
<td>Late August</td>
</tr>
<tr>
<td>Planning Board Public Hearing</td>
<td>October</td>
</tr>
<tr>
<td>City Council Public Adoption Hearing*</td>
<td>December</td>
</tr>
</tbody>
</table>

*Projects may proceed through Site Development Plan approval process prior to adoption, but final approval of projects using incentives cannot occur prior to adoption*
Incentive Height Overlay

• Capture the value of increased height
• Relate to citywide linkage fee program
  • Require multiples of citywide affordable housing fee/build alternative requirements only for stories above the base height
Incentive Height Overlay

Future Building Height Map
Adopted by City Council Fall 2016
• Base Height – Standard linkage fee
• Incentive Height - Additional requirements apply to incentive stories (note that affordable housing fee/unit requirements are never lower than citywide requirements)
  • Residential
    • Additional 4x citywide unit requirement
    • No fee option
  • Commercial
    • Additional 4x citywide fee or unit requirement
    • Option to provide community-serving uses
• Zoning code text and map amendments sponsored by Council President Brooks
• Base zone district (C-MX-8, I-MX-8, etc.) allows 8 stories (sample scenario 1)
  • Scenario 1 only develops to the maximum 8-story height allowed by the base zone district
  • When building to the base zone district height, no special requirements apply (citywide linkage fee formulas are used)

• Zoning overlay allows 16 story ‘incentive height’ (used in sample scenario 2)
  • Sample scenario 2 used the incentive to develop to the maximum 16 story height allowed by the overlay
  • Normal citywide affordable housing requirements apply to all stories
  • Additional requirements (4 times the citywide formula) apply to stories above the base height (‘incentive’ stories 9-16)
### 8 Story Residential Project

Total floor area (stories 1-8): 240,000sf

Note: the height incentive (to develop above the 8-story base height) is not used in this scenario.

<table>
<thead>
<tr>
<th>Fee Option</th>
<th>Citywide Fee: $1.50^1 \times 240,000^2 = $360,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Fee (same as citywide): = $360,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unit Option</th>
<th>Citywide Req.: 0.0168^3 \times (240,000^2/1,000) = 4 units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Requirement (same as citywide) = 4 units</td>
</tr>
</tbody>
</table>

### 8 Story Commercial Project

Total floor area (stories 1-8): 240,000sf

Note: the height incentive (to develop above the 5-story base height) is not used in this scenario.

<table>
<thead>
<tr>
<th>Fee Option</th>
<th>Citywide Fee: $1.70^4 \times 240,000^2 = $408,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Fee: (same as citywide) = $408,500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unit Option</th>
<th>Citywide Req.: 0.0228^5 \times (240,000^2/1,000) = 5 units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Requirement (same as citywide) = 5 units</td>
</tr>
</tbody>
</table>

| Community Use Option | No community-serving use option. Only commercial development using incentive height has option for community-serving uses (see next slide). |

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**Footnotes:**

1. Citywide linkage fee for residential
2. Square footage of the 8-story building
3. Citywide linkage fee residential ‘build alternative’ formula (unit fractions above .5 rounded to next whole unit)
4. Citywide linkage fee for commercial
5. Citywide linkage fee commercial ‘build alternative’ formula (unit fractions above .5 rounded to next whole unit)
16 Story Residential Project
Base floor area (stories 1-8): 240,000sf
‘Incentive’ floor area (stories 9-16): 240,000sf
Total floor area (stories 1-16): 480,000sf

1. Citywide linkage fee residential ‘build alternative’ formula
2. Square footage of the entire 16-story building
3. Citywide linkage fee residential ‘build alternative’ formula multiplied by 4 (applied to ‘incentive stories’)
4. Square footage contained in the ‘incentive stories’ (stories 9-16)
5. Citywide linkage fee for commercial

16 Story Commercial Project
Base floor area (stories 1-8): 240,000sf
‘Incentive’ floor area (stories 9-16): 240,000sf
Total floor area (stories 1-16): 480,000sf

A. Fee Option
- No fee option for residential development.
- Development using incentive height would have to built units on site or within height incentive area.

B. Unit Option
- Citywide Req.: 0.0168\(^1\) \times \frac{480,000}{1,000} = 8 units
- Incentive Req.: 0.0672\(^3\) \times \frac{240,000}{1,000} = 16 units
- Total Requirement (citywide + incentive) = 24 units

B. Unit Option
- Citywide Fee: $1.70\(^5\) \times 480,000 = $816,000
- Incentive Fee: $6.80\(^6\) \times 240,000 = $1,632,000
- Total Fee: (citywide + incentive) = $2,448,000

C. Community Use Option
- Pay normal $816,000\(^9\) citywide fee and negotiate community benefits agreement (CBA) to provide community-serving uses in lieu of paying $1,632,000\(^10\) incentive fee (CBA should provide approx. same value as waived incentive fee)

Footnotes:
1. Citywide linkage fee residential ‘build alternative’ formula
2. Square footage of the entire 16-story building
3. Citywide linkage fee residential ‘build alternative’ formula multiplied by 4 (applied to ‘incentive stories’)
4. Square footage contained in the ‘incentive stories’ (stories 9-16)
5. Citywide linkage fee for commercial
6. Citywide linkage fee for commercial multiplied by 4
7. Citywide linkage fee commercial ‘build alternative’ formula
8. Citywide linkage fee commercial ‘build alternative’ formula multiplied by four (applied to ‘incentive stories’)
9. Citywide linkage fee for the entire 16-story building
10. Additional fee generated by the ‘incentive stories’ (stories 9-16)
• Units must be affordable to households earning below 80% Area Median Income
• Affordable units under the “Develop to Base Height” scenario must be onsite or within ¼ mile of original development
• Affordable units under the “Develop to Incentive Height” scenario must be provided within the incentive height overlay area
• Option to partner with another builder to provide units offsite
• Mix and size of affordable units must match market rate units
• Plan to provide affordable units can cover more than one parcel, BUT must cover specific parcels, outline the specific number of units provided, and include timeline for development of those units
Agreement with Denver Office of Economic Development (OED)

Considered as a “Pilot” Program

Meets Special Incentive Requirements Only
- Can meet incentive requirements generated only by non-residential uses above the base height
- Citywide affordable housing linkage fee will apply to all floors of building as it would elsewhere in the city

Voluntary
- Option to pay fee or build units to meet incentive requirements instead

Meaningful
- Promotes uses that meet specific community needs, such as:
  - Art studios and maker spaces
  - Community services, such as child care or community kitchens
  - Non-profit space
- Intended to *generate* community-serving uses rather than recognize those that might otherwise be provided
- Must provide similar value to fee or units that would have otherwise been required
• Legislative Rezoning to Apply Overlay
  • Will apply to all properties in the height amendment area

• Proposed Legislative Rezoning to Synch Base Zone Districts to Plan Guidance Where Needed

• Legislative Rezoning Will Occur at Same Time as Text Amendments to Apply Overlay
  • Anticipated adoption in late 2017
1. Existing Zoning Matches Base Height or is Taller
   • Ready to go (no rezoning needed)
2. Existing Zoning is Lower Than Plan Base Height
3. Existing Zoning is Not a Standard Height-based District
   • Will propose legislative rezoning (with ‘opt out’ possibility)
   • Review potential use issues
Base Zoning Height vs. Plan-Recommended Base Height

- Green: Base Zoning Height ≥ Plan Base Height
- Yellow: Base Zoning Height < Plan Base Height
- Red: No Standard Height-Based District

Map date: 7/8/2017
Map created by Denver Community Planning and Development GIS.
RiNo Design Overlay

38th & Blake/River North
Height Incentive and Enhanced Design Zoning Overlay Boundaries

North Platte River
Brighton Blvd.
38th Street

Incentive Height Overlay
Enhanced Design Overlay

(For illustrative purposes only, subject to change)

April 2017
RiNo Design Overlay
Adjusts Base Zone District Standards

• Siting
  • Build-to/Setbacks
  • Parking Location, Access & Landscaping
• Design Elements
  • Volumetric Mass Reduction
  • First Floor Height
  • Structured Parking Design
• Street Level Activation
  • Transparency
  • Pedestrian Access
  • Street Level Active Uses
• Minimum Parking Requirements
• Applies Only to Large Zone Lots
  • Zone lot > 150’ in width or 18,750 sf
  • 3 standard platted lots

• Uses % Reductions Based on Gross Zone Lot Area
  • Different than an upper-story setback
  • % of volume must be reduced

• Mass Reduction Must Face Public Realm
  • Primary or Side Street
  • River
  • Private Open Space
Floors 1-8
- 10% reduction

Floors 9-max.
- 30% reduction

Open Space Alternative
- Provide 15%-20% Private Open Space at Street Level in lieu of mass reduction
- Open to the public
- Open to the sky
- Fully visible from a Primary Street
Applies Only to Large Zone Lots
- Zone lot > 150’ in width or 18,750 sf
- 3 standard platted lots
- Uses Not Allowed on 50% of Primary Street Frontage
  - Parking
  - Industrial
  - Residential
• **Setbacks/Build-to**
  • Min. 7’ setback for residential
  • Increased build-to range

• **Street Level Height**
  • Min. 14’

• **Structured Parking Design**
  • Must be screened or wrapped above street level

• **Surface Parking Location/Design**
  • Not between building and primary or side street
  • Heightened landscaping

• **Vehicular Parking Minimums**
  • No min. parking requirement within ½ mile of transit