This document contains the redlined draft of a proposed text amendment and rules and regulations to revamp the General Development Plan process into the Large Development Review process, including the following:

- Pages from the Denver Zoning Code affected by the redline
- Pages from Section 59-2 of the Denver Revised Municipal Code affected by the redline
- Large Development Review and Infrastructure Master Plan Rules and Regulations

*Please note that this is the same public review draft document that was previously sent out for public comment on 1/17/19*.

These changes will be heard by the Denver Planning Board on April 3 and will continue to Denver City Council. A revised Planning Board draft will be released one week prior to the Planning Board hearing.

**Redline Document Conventions**

For the text amendment draft, the redline conventions are as follows:

- Text in **red underline** is proposed new language.
- Text in **red strikethrough** is proposed deleted language.
- Only pages with changes relevant to this text amendment are included in the review file. You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.
- Drafting notes been added to provide additional explanations in some places.

**Will this impact your project?**

- Any project that is consistent with an approved development agreement with infrastructure master plan (IMP) requirement, an approved site development plan (SDP), or approved general development plan (GDP) is exempt. Projects that require amendments to these will be reviewed under the new process.
- **New Projects**: All project concepts for large developments proposed after the effective date of the amendment (anticipated to be in June 2019) will be reviewed under the new process. All new projects over 5 acres will need to include open space.
- **Projects in Progress**: Projects that have already begun the SDP concept phase for the entire development area must submit a formal SDP with fees paid by October 1, 2019, to remain exempt from these changes.
  - **Inactive Projects**: Any project that was released from concept before October 1, 2018, that has not yet submitted a formal SDP may be re-evaluated under the new review process and open space requirements.
  - **Rezoning applications** that are submitted with all applicable fees paid by the effective date of the amendment (anticipated to be in June 2019) will be exempt from completing the new large development review process at time of rezoning. However, please be aware that these changes may apply to projects if they proceed to submitting a subdivision application or an SDP.
  - Likewise, **subdivision applications** that are submitted with all applicable fees paid by the effective date of the amendment will be exempt from completing the new large development review process at time of subdivision, but would go through the new review at time of SDP.
More Information
Visit www.denvergov.org/textamendments to learn more about this proposed text amendment. Please send any questions or comments to Jeff Hirt, Senior City Planner (jeffrey.hirt@denvergov.org).

WRITTEN COMMENTS WILL BE DISPERSED AS FOLLOWS:
Written comments received by 5 p.m. 9 days prior to the Planning Board Public Hearing will be attached to the staff report that is provided to the Board. Written comments received after that time and prior to 12 p.m. (noon) on the day before the Hearing will be emailed regularly to the Board; hard copies of these comments also will be distributed to the Board at the Hearing. Written comments received after 12 p.m. (noon) on the day before the Hearing will not be distributed to the Board; to ensure these comments are considered by the Board, please submit them to the Board during the Hearing.

ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT AT THE PLANNING BOARD HEARING AND AT THE PUBLIC HEARING BEFORE CITY COUNCIL.
# Contents

## ARTICLE 10. GENERAL DESIGN STANDARDS

<table>
<thead>
<tr>
<th>DIVISION</th>
<th>DESCRIPTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1</td>
<td>REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS</td>
<td>10.1-1</td>
</tr>
<tr>
<td>10.2</td>
<td>GENERAL SITE DESIGN AND FACILITY STANDARDS</td>
<td>10.2-1</td>
</tr>
<tr>
<td>10.2.1</td>
<td>Intent</td>
<td>10.2-1</td>
</tr>
<tr>
<td>10.2.2</td>
<td>Applicability</td>
<td>10.2-1</td>
</tr>
<tr>
<td>10.2.3</td>
<td>General Site Design and Facility Standards</td>
<td>10.2-1</td>
</tr>
<tr>
<td>10.3</td>
<td>MULTIPLE BUILDINGS ON A SINGLE ZONE LOT</td>
<td>10.3-1</td>
</tr>
<tr>
<td>10.3.1</td>
<td>Intent</td>
<td>10.3-1</td>
</tr>
<tr>
<td>10.3.2</td>
<td>Applicability</td>
<td>10.3-1</td>
</tr>
<tr>
<td>10.3.3</td>
<td>Exception to Compliance with Building Form Standards</td>
<td>10.3-1</td>
</tr>
<tr>
<td>10.3.4</td>
<td>Pedestrian Access &amp; Circulation</td>
<td>10.3-2</td>
</tr>
<tr>
<td>10.3.5</td>
<td>Minimum Spacing Between Buildings</td>
<td>10.3-4</td>
</tr>
<tr>
<td>10.3.6</td>
<td>Accessibility by Emergency Vehicles</td>
<td>10.3-4</td>
</tr>
<tr>
<td>10.4</td>
<td>PARKING AND LOADING</td>
<td>10.4-1</td>
</tr>
<tr>
<td>10.4.1</td>
<td>Intent</td>
<td>10.4-1</td>
</tr>
<tr>
<td>10.4.2</td>
<td>General Applicability</td>
<td>10.4-1</td>
</tr>
<tr>
<td>10.4.3</td>
<td>Bicycle Parking</td>
<td>10.4-3</td>
</tr>
<tr>
<td>10.4.4</td>
<td>Minimum and Maximum Vehicle Parking</td>
<td>10.4-4</td>
</tr>
<tr>
<td>10.4.5</td>
<td>Vehicle Parking Exceptions</td>
<td>10.4-7</td>
</tr>
<tr>
<td>10.4.6</td>
<td>Vehicle Parking Design</td>
<td>10.4-15</td>
</tr>
<tr>
<td>10.4.7</td>
<td>Use and Maintenance of Parking Areas</td>
<td>10.4-22</td>
</tr>
<tr>
<td>10.4.8</td>
<td>Loading</td>
<td>10.4-23</td>
</tr>
<tr>
<td>10.4.9</td>
<td>Parking Categories</td>
<td>10.4-25</td>
</tr>
<tr>
<td>10.5</td>
<td>LANDSCAPING, FENCES, WALLS AND SCREENING</td>
<td>10.5-1</td>
</tr>
<tr>
<td>10.5.1</td>
<td>Intent</td>
<td>10.5-1</td>
</tr>
<tr>
<td>10.5.2</td>
<td>General Standards</td>
<td>10.5-1</td>
</tr>
<tr>
<td>10.5.3</td>
<td>Tree Preservation - Residential Zone Districts</td>
<td>10.5-2</td>
</tr>
<tr>
<td>10.5.4</td>
<td>Landscaping Standards</td>
<td>10.5-2</td>
</tr>
<tr>
<td>10.5.5</td>
<td>Fences and Walls</td>
<td>10.5-10</td>
</tr>
<tr>
<td>10.5.6</td>
<td>Retaining Wall Requirements</td>
<td>10.5-13</td>
</tr>
<tr>
<td>10.5.7</td>
<td>Screening Requirements</td>
<td>10.5-14</td>
</tr>
<tr>
<td>10.6</td>
<td>SITE GRADING STANDARDS</td>
<td>10.6-1</td>
</tr>
<tr>
<td>10.6.1</td>
<td>Intent</td>
<td>10.6-1</td>
</tr>
<tr>
<td>10.6.2</td>
<td>Applicability</td>
<td>10.6-1</td>
</tr>
<tr>
<td>10.6.3</td>
<td>Reference to General Drainage Standard</td>
<td>10.6-1</td>
</tr>
<tr>
<td>10.6.4</td>
<td>Qualified Professional Certification Required for Exceptions</td>
<td>10.6-1</td>
</tr>
<tr>
<td>10.6.5</td>
<td>Primary Street Setback Area Grading Standards</td>
<td>10.6-1</td>
</tr>
<tr>
<td>10.6.6</td>
<td>Side Interior Setback Area Grading Standards</td>
<td>10.6-2</td>
</tr>
<tr>
<td>10.7</td>
<td>OUTDOOR LIGHTING</td>
<td>10.7-1</td>
</tr>
<tr>
<td>10.7.1</td>
<td>Intent</td>
<td>10.7-1</td>
</tr>
<tr>
<td>10.7.2</td>
<td>Applicability</td>
<td>10.7-1</td>
</tr>
<tr>
<td>10.7.3</td>
<td>Light Sources</td>
<td>10.7-1</td>
</tr>
<tr>
<td>10.7.4</td>
<td>Design Standards</td>
<td>10.7-2</td>
</tr>
<tr>
<td>10.8</td>
<td>RESERVED OPEN SPACE STANDARDS RESERVED</td>
<td>10.8-1</td>
</tr>
<tr>
<td>10.8.1</td>
<td>Open Space in Large Developments</td>
<td>10.8-1</td>
</tr>
</tbody>
</table>
### 10.4.5.3 Vehicle Parking Reductions

A. General Provisions Applicable to All Vehicle Parking Reduction Allowances

1. **Calculation**
   
   In determining the total number of required vehicle parking spaces that may be reduced through any one or combination of this Section’s permitted reductions, calculations shall be based on the minimum number of required vehicle parking spaces using the ratio contained in the applicable Use and Parking Table, and not based an alternative minimum vehicle parking ratio pursuant to Section 10.4.5.2.

2. **Reductions Not Applicable to Accessible Parking**
   
   The number of required accessible parking spaces shall not be reduced, and the number of required accessible parking spaces shall be calculated based on the minimum number of vehicle parking spaces required not including any reduction.

3. **No Combination with Alternative Minimum Vehicle Parking Ratios**
   
   A vehicle parking reduction permitted in accordance with Section 10.4.5.3 shall not be taken in combination with use of an alternative minimum vehicle parking ratio provided in Section 10.4.5.2.
   
   a. For example: A Zone Lot in a Main Street zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

4. **Maximum Reduction Allowed**
   
   a. The total number of vehicle parking spaces required on a zone lot shall not be reduced by more than 50% under any one or combination of this subsection’s permitted reductions, with the following exceptions:
   
   i. Vehicle parking reductions for small lots in the C-CCN zone districts provided in Section 10.4.5.3.C.
   
   ii. A General Development Plan shall not result in more than a 75% reduction in the required parking for the entire GDP area.
   
   iii. Vehicle parking reductions for Pre-Existing Small Zone Lots provided in Section 10.4.5.1.A.
b. Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection’s permitted reductions.
   i. For example, a Zone Lot in a G-MS-5 zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable housing units is a 75% reduction from the 1 vehicle parking space per unit requirement in the G-MS-5 zone district, but alternative minimum vehicle parking ratios do not count towards the maximum percentage of vehicle parking spaces that may be reduced for the entire Zone Lot through Section 10.4.5.3.A.4. Therefore, the minimum vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

5. Informational Notice Required for Certain Reduction Requests
   A request for greater than a 25% reduction in the required amount of parking shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, with the following exceptions:
   a. Vehicle parking reductions requested as part of a General Development Plan
   b. Alternative vehicle parking ratios
   c. Vehicle parking reductions for small lots in the C-CCN zone districts under Section 10.4.5.3.C.

6. Withdrawal from Participation in Plans or Programs
   a. Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.3, may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division 10.4 and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.
   b. The Zoning Administrator may allow withdrawal from a special parking arrangement authorized by this Section 10.4.5.3 to result in a permanent deficiency of the required amount of parking spaces that was otherwise allowed as part of the special parking arrangement if:
      i. The owner(s) demonstrate that best efforts, as determined by the Zoning Administrator, were made to maintain and continue the authorized special parking arrangement; or,
      ii. By no fault of the owner(s), the justification or factual basis for the reduction no longer applies or exists. Example, the relocation of a Multi-Modal Transportation stop, where the subject property is no longer within the requisite proximity to receive a parking reduction.

B. Reductions Allowed
   The Zoning Administrator shall allow an applicant to apply reductions to the minimum number of required vehicle parking spaces upon finding that the additional requirements and special review process stated in the following table have been met:
DIVISION 10.8  RESERVED OPEN SPACE STANDARDS

SECTION 10.8.1  OPEN SPACE IN LARGE DEVELOPMENTS

10.8.1.1 Purpose
To provide publicly accessible, usable open space in large developments that provides a community benefit.

10.8.1.2 Applicability
This section shall apply to all Development in all zone districts where the total gross land area for the Development is either greater than five acres or three or more Blocks.

10.8.1.3 Minimum Amount Required
A minimum of 10% of the Net Development Area as defined in Section 13.1.6.5.A, Open Space in Large Developments rules of measurement, shall be provided as open space in accordance with this section. See Section 13.1.6.5, Open Space in Large Developments rules of measurement.

10.8.1.4 Design Standards
The required open space in large developments shall comply with the following standards.

A. The required open space shall be provided in one (1) or more contiguous areas abutting a Primary or Side Street, and which space is at least 15 feet wide and 30 feet deep from the Zone Lot Line. See Section 13.1.6.5, Open Space in Large Developments rules of measurement.

B. For large developments under 10 acres and subject to this section, public park land that is existing in the proposed large development boundaries or required to be dedicated to the city by the Department of Parks and Recreation may count towards the minimum open space requirements for large developments, provided that the area meets the minimum design standards of this section and any applicable adopted Department of Parks and Recreation design standards for public park land.

C. For large developments over 10 acres and subject to this section, public park land that is existing in the proposed large development boundaries or required to be dedicated to the city by the Department of Parks and Recreation may not count towards the minimum open space requirements for large developments.

Drafting Note: the purpose of this subsection is to provide flexibility for smaller sites where the Department of Parks and Recreation may require additional land area for public parks in accordance with adopted policies or rules and regulations. Under this construction, the DPR-required land dedication would count whether it is dedicated to and built by the city, or if the developer chooses to construct it themselves and dedicate it to the city.

D. The required open space shall remain publicly accessible and usable in accordance with the following standards:

1. Shall not be covered by an Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies. The required open space may also include tables, chairs, benches, sculptures and similar elements.

2. Shall be fully visible from a Primary Street or Side Street.

3. Shall be subject to a perpetual easement granted to the City and the general public.

4. Shall remain open to the public at all times, or until a reasonable curfew, and shall not be permanently enclosed by railings, fences, gates, or walls.

5. The required open space may include, but is not limited to, any of the following specific types of publicly accessible open space:
a. A courtyard, enhanced streetscape, or pedestrian area with connections to transit facilities, plazas, or streets; or

b. Areas landscaped with 100% live planting material in accordance with Section 10.5.4.6 Landscaping Material Standards

_Drafting Note: under this construction, an enhanced streetscape strip of land that is, for example, 10’ wide and 100’ long would not qualify because it would not meet the definition of the minimum contiguous area size of 15’ x 30’._

10.8.1.5 **Open Space in Large Developments Exceptions**

Large development with required open space shall be exempt from providing the minimum open space set forth in this section in the following circumstances:

A. When the proposed development is located in an approved General Development Plan; and

B. When the proposed Development is located in an approved Large Development Review, Infrastructure Master Plan, Subdivision under D.R.M.C. Chapter 50, or other regulatory tool that has established minimum open space that is consistent with the minimum amount and design standards set forth in this section. In these cases, the proposed Development shall be consistent with the open space requirements set forth in the applicable regulatory approval that addresses the Development site.
C. Process to Establish Comprehensive Sign Plan

1. Plan Submittal
The following items and evidence shall be submitted to the Zoning Administrator to explain a proposed comprehensive sign plan for a facility:
   a. A site plan or improvement survey of the facility drawn to scale showing existing and proposed buildings, Off-Street Parking Areas, landscaped areas, drainage swales, detention ponds, adjoining streets and alleys. A comprehensive sign plan may be a component of a Large Development Review or Infrastructure Master Plan general development plan;
   b. Scaled drawings showing the elevations of existing and proposed buildings and structures that may support proposed signage.
   c. Design descriptions of all signs including allowable sign shapes, size of typography, lighting, exposed structures, colors, and materials, and any information on the frequency of changeable graphics.
   d. All information on sign location shall also be provided: wall elevations drawn to scale showing locations of wall, window, projecting and roof signs, and site plans drawn to scale showing allowable locations and heights of ground signs;
   e. Calculations of sign area and number.

2. Notice
The Zoning Administrator shall see that the notices are placed on the property by the applicant no later than 15 days after receipt of the complete application for the proposed plan. The Zoning Administrator shall also send notice of the proposed plan to the neighborhood organizations which are registered pursuant to the provisions of Article III, Chapter 12 of the Revised Municipal Code and whose boundaries are within 3,000 feet of the boundary line of the zone lot of the large facility. The Zoning Administrator shall also send notices to the city council members in whose district the large facility is located and to the at large council members. Such notice shall require that written comments be submitted to the Zoning Administrator by those persons having a concern with respect to the proposal within 30 days of the date of notification. If the facility site falls within a district designated for preservation or the area of a structure designated for preservation pursuant to the provisions of D.R.M.C., Chapter 30 (Landmark Preservation), the Zoning Administrator shall notify the landmark approving authority regarding the proposal. Such notice shall require that the landmark approving authority provide a written recommendation, based on adopted standards, policies, and guidelines, to the Planning Board and Zoning Administrator, as set forth in D.R.M.C., Chapter 30 (Landmark Preservation).

3. Forwarding of a Proposed Comprehensive Sign Plan
The Zoning Administrator shall consider the concerns expressed by members of the public, neighborhood organizations and council members, and shall evaluate the proposed plan according to the criteria listed below and shall send the proposed plan and a recommendation for approval, denial or approval with conditions to the planning board.

4. Criteria for Review
The criteria for reviewing proposed comprehensive sign plans are as follows:
   a. The sign plan shall exhibit design excellence, inventiveness and sensitivity to the context.
   b. Signs shall not be oriented or illuminated so that they adversely affect the surrounding area, particularly existing nearby residential uses or structures. Examples of adverse effects are glare from intense illumination, and large signs or structures which visually dominate and area.
DIVISION 12.2  REVIEW AND DECISION MAKING BODIES

Division 12.2 states the roles and responsibilities of all bodies with respect to administering and enforcing this Code.

SECTION 12.2.1  CITY COUNCIL

12.2.1.1 General Authority
The City Council may exercise powers described by the charter, ordinances, and rules and regulations.

12.2.1.2 Authority for Final Action
The City Council is responsible for final action regarding:
A. Official Map Amendments (Rezoning)
B. Text Amendments

SECTION 12.2.2  PLANNING BOARD

12.2.2.1 General Authority
The Planning Board may exercise the powers described by D.R.M.C. Sec. 12-45, Powers and Duties of the Planning Board, and as described in this Code.

12.2.2.2 Authority for Final Action
The Planning Board is responsible for final action regarding:
A. District Sign Plans in the Downtown Theater zone district.
B. Site development plan applications for certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) zone districts, as specified in Article 9, Division 2 (Campus Context) of this Code.

12.2.2.3 Review Authority
The Planning Board shall review and make recommendations to the authority responsible for final action shown in Section 12.2.9, Summary Table of Authority and Notice, regarding:
A. Official Map Amendments (Rezoning)
B. Text Amendments
C. General Development Plans (GDPs)
D. Comprehensive Sign Plans for Large Facilities

SECTION 12.2.3  MANAGER OF COMMUNITY PLANNING & DEVELOPMENT

12.2.3.1 Short Title
The Manager of Community Planning and Development shall be known as “Manager” for the purposes of this Code.

12.2.3.2 General Authority
The Manager may exercise powers described by the Charter and D.R.M.C., Section 12-17, General Powers and Duties, and other ordinances, rules and regulations. In addition, the Manager shall:
A. Maintain the Official Map showing the current zoning classification of all land in the city;
B. Record with the Denver County Clerk and Recorder and file with the Denver City Clerk all matters and documents required by this Code to be recorded or filed;
SECTION 12.2.5 DEVELOPMENT REVIEW COMMITTEE

12.2.5.1 Creation
The Development Review Committee (“DRC”) shall consist of the Manager, the manager of Public Works, the Zoning Administrator, the chief of the Fire Department, and the manager of Parks and Recreation, or their designated representatives, provided that additional agencies may participate at the discretion of the Manager.

12.2.5.2 Authority for Final Action
The Development Review Committee is responsible for final action regarding:

A. Site Development Plan Review
B. Minor Deviations and Repeals of General Development Plans
C. Large Development Review

12.2.5.3 Review Authority
The Development Review Committee shall review and make recommendations to the Zoning Administrator regarding:

A. Zoning Permit Review, as the Zoning Administrator may determine on a case-by-case basis.

SECTION 12.2.6 BOARD OF ADJUSTMENT

12.2.6.1 Authority for Final Action
The Board of Adjustment is responsible for final action regarding:

A. Variances (see Section 12.4.7);
B. Appeals from Administrative Decisions (see Section 12.4.8); and
C. Zoning Permit with Special Exception Review (see Section 12.4.9).

12.2.6.2 Creation; Alternates

A. Consistent with the City Charter, there shall be and hereby is created a Board of Adjustment consisting of 5 members. The members of the Board shall be appointed by the mayor for a term of 5 years. Any vacancy which occurs in the Board of Adjustment shall be filled by the mayor for the unexpired term of any member whose term became vacant.

B. A member of the Board of Adjustment may be removed only for cause upon written charges and after public hearing. Should a member of the Board of Adjustment fail to attend one-third of the meetings scheduled during any period of 12 consecutive months, that failure shall be deemed cause for removal upon written charges being made and after a public hearing.

C. The mayor may appoint for a term of between 1 to 5 years 2 alternate members of the Board of Adjustment in addition to the 5 members. When a member of the Board is recused or is absent, the alternate member first appointed by the mayor shall act with full authority. The alternate members shall thereafter rotate or substitute, one for the other, their service on the Board as the need arises. Except as to attendance, the provisions with regard to removal for cause and vacancies shall apply to such alternates.

D. The compensation of the members of the Board of Adjustment and the alternate members shall be fixed by City Council. No member of the Board of Adjustment or an alternate member shall be on the staff of the Board or be employed by Community Planning and Development.
### SECTION 12.2.9  SUMMARY TABLE OF AUTHORITY AND NOTICE

<table>
<thead>
<tr>
<th>REVIEW AND DECISION-MAKING AUTHORITY</th>
<th>TYPE OF PUBLIC NOTICE REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D</strong> = Decision-Making Authority</td>
<td><strong>=</strong> Notice Required</td>
</tr>
<tr>
<td><strong>R</strong> = Review and Recommendation Authority</td>
<td><strong>Blank Cell = Notice Not Required</strong></td>
</tr>
<tr>
<td>*<strong>=</strong> Public Hearing Required</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning Administrator</th>
<th>Manager</th>
<th>DRC</th>
<th>Board of Adjustment</th>
<th>Planning Board</th>
<th>City Council</th>
<th>Written and Posted Notice of Receipt of Application</th>
<th>Posted Notice of Final Administrative Decision</th>
<th>Written</th>
<th>Posted</th>
<th>Published</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Permit Review</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoning Permit Review with Informational Notice</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Development Plan Review</td>
<td>R</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone Lot Amendment</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Adjustment</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code Interpretation, Determination of Unlisted Use</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comprehensive Sign Plan</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Variance</td>
<td>R</td>
<td>D*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Refer to rules of Board of Adjustment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appeal of Administrative Decision</td>
<td>R</td>
<td>D*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Refer to rules of Board of Adjustment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Exception</td>
<td>R</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Refer to rules of Board of Adjustment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Official Map Amendment (Rezoning)</td>
<td>R</td>
<td>R*</td>
<td>D*</td>
<td></td>
<td></td>
<td></td>
<td>- Written Notice Only</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Text Amendment</td>
<td>R</td>
<td>R</td>
<td>R*</td>
<td>D*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Development Plan</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large Development Review</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repeals of an Approved General Development Plan</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulating Plan</td>
<td>R</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
DIVISION 12.3 REQUIREMENTS COMMON TO ALL ZONING PROCEDURES

Division 12.3 states those procedural steps or requirements that are generally common to all zoning procedures stated in this Article, unless otherwise stated in this Code. Division 12.4 states the procedural steps and requirements specific to each type of zoning application procedure, which will include references to the common requirements stated in this Division 12.3 as applicable.

SECTION 12.3.1 GENERAL

The following review procedures are common to all zoning procedures, unless otherwise stated in this Code, and shall apply to applications submitted under this Code. Additional details may be included in the specific procedures included in Division 12.4 of this Article.

SECTION 12.3.2 PRE-APPLICATION MEETING/CONCEPT PLAN REVIEW

12.3.2.1 Optional

Except as stated in Section 12.3.2.2 below, an applicant may schedule a pre-application meeting or concept plan review with the Manager to discuss the procedures, standards and regulations required for approval in accordance with this Code.

12.3.2.2 Mandatory

Before submitting an application for the following, an applicant shall schedule a pre-application meeting or concept plan review with the Manager to discuss the procedures, standards, and regulations required for approval in accordance with this Code.

A. Zoning Permit with Informational Notice
B. Site Development Plan
C. Zoning Permit with Special Exception Review
D. Official Map Amendment (Rezoning)
E. Text Amendment
F. Large Development Review (LDR) General Development Plan
G. Infrastructure Master Plan (IMP)

12.3.2.3 Effect of the Pre-Application Meeting or Concept Plan Review

Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, Manager and other staff opinions or comments made during a pre-application meeting or concept plan review are informational only and do not represent a commitment on behalf of the City regarding a final decision on the development proposal. However, at the pre-application meeting, the Manager may waive application submittal requirements or request that additional information be submitted.

12.3.2.4 Timely Application Submittal Required

Except as otherwise expressly stated in this Code or in any supplementary rules or regulations for administering this Article 12, if an application is not submitted within 180 days after a mandatory pre-application meeting or concept plan review, the Manager may require a new pre-application meeting or concept plan review.

SECTION 12.3.3 SUBMISSION OF APPLICATIONS

12.3.3.1 Authority to File Applications

The person having legal authority to take action according to the approval sought shall file an application for review or approval under this Code, and is hereinafter referred to as the "Applicant." That
B. In no case shall the Zoning Administrator grant an extension if, since the date of the original approval, the subject property’s zoning designation has changed or the applicant proposes an amendment to the approved application, plan or permit with the request for extension. See Section 12.3.7, Modification or Amendment of Applications, Plans and Permits, below.

C. All requests for extensions shall be submitted to Community Planning and Development in writing at least 30 days before the expiration of the approval period. An extension request shall include:

1. Payment of any required fee for the extension review; and
2. A narrative stating the reasons for the applicant's or owner's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes to the Comprehensive Plan or this Code that have occurred since the original approval date and that affect the subject development, and the anticipated time schedule for completing the development.

D. Additional review of the application, permit or plan may result in additional conditions placed on the extended approval, application, permit or plan, as applicable.

E. If the extension is denied, the applicant may re-submit a new application, subject to the fees, standards, and regulations in effect at the time of re-submittal, for the same project.

SECTION 12.3.7 MODIFICATION OR AMENDMENT OF APPLICATIONS, PLANS AND PERMITS

12.3.7.1 Modifications to Pending or Approved Applications, Plans or Permits

This Section 12.3.7.1 shall not apply to modifications to LDRs, IMPs, or GDPs; instead see Section 12.4.12.17.

The following types of minor modifications, changes, removal, or release of either (1) the Code standards applicable to a pending application; or (2) the Code provisions applicable to, or the conditions attached to, an approved application, plan or permit, shall be treated as "modifications" rather than "amendments," and may be approved administratively by the Zoning Administrator according to this Section.

A. Modifications to Regulating Plans, Site Development Plans or Zoning Permits

1. Modifications to a pending or approved regulating plan, site development plan or zoning permit application that are expressly permitted as “administrative adjustments” under Section 12.4.5 (Administrative Adjustments) of this Code, may be approved by the Zoning Administrator according to the procedures and criteria in Section 12.4.5.

2. The Zoning Administrator may allow minor changes to an approved regulating plan, site development plan or zoning permit provided such minor changes do not constitute an "amendment" under Section 12.3.7.2.B, "Amendments to Approved Regulating Plans, Site Development Plans and Zoning Permits," below.

3. All modifications to an approved regulating plan, site development plan or zoning permit shall be submitted to the Zoning Administrator as "redline" edits to the previously approved plan or permit documents. After approval, the Zoning Administrator shall record a modified regulating plan or site development plan in the records of the Denver County Clerk and Recorder's Office, and shall register a modified zoning permit in the records of Community Planning and Development.

B. Other Modifications to Approved Applications, Plans, or Permits

Changes, modifications, removal, or release of all or some of the provisions of an approved application, plan or permit, which do not otherwise qualify as "modifications" under Section
12.3.7.1 Above, or as an "amendment" under Section 12.3.7.2, Amendment to Approved Applications, Plans and Permits, below, may be approved by the Manager, using the same review process and criteria applicable to Administrative Adjustments stated in Section 12.4.5 of this Code.

12.3.7.2 Amendments to Approved Applications, Plans and Permits

This Section 12.3.7.2 shall not apply to amendments to LDRs, IMPs, or GDPs. See Section 12.4.127.

A. Procedure for Amendments

1. An "amendment" to an approved application, plan or permit shall be reviewed according to the same procedures and subject to the same limitations and requirements, including the payment of fees, as if it were a new application, including, where applicable, review at a public hearing before the Planning Board.

2. Unless otherwise allowed by this Code, each application for amendment shall include the entire land area of the original approved application, plan or permit, and may be initiated by the owner(s) or agent of the owner(s) of the property to which the amendment applies.

3. The Manager shall record all amendments to a site development plan approved according to this Section in the records of the Denver County Clerk and Recorder’s Office.

B. Amendments to Approved Regulating Plans, Site Development Plans and Zoning Permits

1. All changes to all or some of the provisions of an approved regulating plan, site development plan or zoning permit, including but not limited to a site development plan in a PUD District (but excluding a PUD District Plan amendment which requires City Council approval), which do not qualify as a "modification" under Section 12.3.7.1 above, shall be considered amendments subject to this Section 12.3.7.2.

2. In addition, any of the following changes to an approved regulating plan, site development plan or zoning permit, including but not limited to a site development plan in a PUD District (but excluding a PUD District Plan amendment which requires City Council approval), shall be considered amendments subject to this Section 12.3.7.2:
   a. An increase in overall project density;
   b. An increase in the maximum height of any building by more than 5 feet or 5 percent, whichever is less;
   c. An increase in the floor area ratio (FAR) by greater than 10 percent as calculated on a total project basis;
   d. A change to the permitted uses or mix of uses if the proposed uses are more intensive than the approved uses, as determined by the Zoning Administrator according to the criteria in Section 12.4.6 (Code Interpretations and Determination of Unlisted Uses);
   e. A change to the location of permitted land uses that would substantially change the development's character or impacts on surrounding property, as determined by the Zoning Administrator;
   f. A reduction in required minimum setbacks from zone lot lines;
   g. An increase in required build-to location from zone lot lines;
   h. An increase in permitted building coverage, including coverage by surface parking;
   i. A reduction by more than 5 percent in the land area designated for landscaping;
   j. A reduction in the ratio of parking or loading spaces to overall gross floor area or dwelling units;
   k. A change in the permitted number, size or lighting of signs;
l. Changing the vehicle access from and through public rights-of-way; provided, however, that curb cut locations may shift unless specifically established by the approved plan or permit;

m. Changing or negating a condition of approval; or

n. Modifying any other element of an approved application, plan or permit, including but not limited to architectural concepts, building elevations, facade treatments, and exterior building materials, which would substantially change its character or impacts on surrounding property, as determined by the Manager.

SECTION 12.3.8 WITHDRAWAL OF RECORDED SITE DEVELOPMENT PLANS, LARGE DEVELOPMENT REVIEWS, AND GENERAL DEVELOPMENT PLANS

Pursuant to the same procedure and subject to the same limitations and requirements by which such Site Development Plans, Large Development Reviews (LDRs), or General Development Plans (GDPs) were approved and recorded, all Site Development Plans, LDRs, and GDPs recorded under this Code may be withdrawn, either partially or completely, if all land and structures remaining under such site development plans can be made to comply with all regulations established by this Code. Upon approval of an application to withdraw, the Manager shall record in the real property records of the Denver County Clerk and Recorder an appropriate certificate of such withdrawal.
the provisions of this Code, is prohibited by D.R.M.C., Chapter 6 Licenses, due to proximity to a school. See Section 1.1.3.3.A, Conflicting Provisions.

12.4.1.5 Review Criteria
The Zoning Administrator shall use the following criteria in making a decision on an application for zoning permit review:

A. The zoning permit is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, all zoning permits shall be consistent with a previously approved Large Development Review, Infrastructure Master Plan, General Development Plan, Regulating Plan, or Site Development Plan.

B. The zoning permit complies with all applicable regulations in this Code.

12.4.1.6 Requirements and Limitations After Zoning Permit Issuance

A. Expiration

1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.

2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing a permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land except as otherwise restricted by this Code.

3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

B. Modification and Rescission
The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

C. Modifications and Amendments to an Approved Zoning Permit
Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

SECTION 12.4.2 ZONING PERMIT REVIEW WITH INFORMATIONAL NOTICE

12.4.2.1 Purpose
The purpose of the zoning permit review with informational notice process is to ensure compliance with the standards and provisions of this Code, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Zoning permit review with informational notice is intended for specific types of development or establishment of specific permitted uses that are consistent with the intent of the zone district and generally compatible with surrounding building forms and uses, but which have the potential for adverse off-site impacts. Zoning permit review with informational notice provides an opportunity for potentially affected parties to be notified of the city’s receipt of the application, the process for making comments, the final decision, and appeal opportunities.

12.4.2.2 Applicability
Zoning permit review with informational notice is required for the following types of development:
A. The zoning permit is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, all zoning permits shall be consistent with a previously approved Large Development Review, Infrastructure Master Plan, General Development Plan, Regulating Plan, or Site Development Plan.

B. The zoning permit complies with all applicable regulations in this Code.

C. The proposal will not substantially or permanently injure the appropriate use of adjacent conforming properties, taking into consideration all proposals for mitigation of such impacts.

D. Additional Review Criteria for Homeless Shelters
   In addition to the review criteria above, the Zoning Administrator shall approve a zoning permit for a homeless shelter only if the Zoning Administrator finds the proposed shelter will not substantially or permanently injure the appropriate use of conforming residential properties located within 500 feet of the proposed use. Evidence of such injury shall clearly establish the anticipated specific problems attributed to residents of the proposed shelter for the homeless while in or around the shelter as distinct from the general problems attributed to persons using or passing through the subject area.

12.4.2.6 Requirements and Limitations After Zoning Permit Issuance

A. Expiration
   1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.
   2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing a permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land.
   3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

B. Modification and Rescission
   The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

C. Modifications and Amendments to an Approved Zoning Permit
   Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

SECTION 12.4.3 SITE DEVELOPMENT PLAN REVIEW

12.4.3.1 Purpose
   The purpose of the site development plan review process is to ensure compliance with the standards and provisions of this Code and other applicable city standards, rules and regulations, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Site development plan review is generally reserved for development with the potential for significant on-site and off-site impacts necessitating inter-departmental and inter-agency referral, review, and, in some cases, approval prior to final action by Community Planning and Development. After the City's approval of a site development plan, Community Planning and Development is authorized to issue requisite zoning permits under this Code.
12.4.3.2 Applicability

A. Site development plan review is required for the following (see Article 13, Division 13.3, for definition of the term "development" as used below):

1. Development in all zone districts except the following types of residential development:
   a. Development of a single-unit or two-unit dwelling use in the Urban Center, Downtown, or Industrial Contexts; or
   b. Development of a suburban house, urban house, tandem house, or duplex building form on a single zone lot.
   c. Development of a Detached Accessory Dwelling Unit building form.

2. Creation of or development on a flag lot.

3. Development subject to an approved General Development Plan (GDP), Large Development Review (LDR), or Infrastructure Master Plan (IMP).

4. Development within a PUD District; however, development within a PUD District subject to an approved Detailed PUD District Plan under Section 9.6.1.3, Requirement for a PUD District Plan, is exempt from this requirement for site development plan review.

5. Development on a Parkway designated according to Chapter 49 of the D.R.M.C.

6. Establishment of a primary, accessory, or temporary use permitted in a zone district under Articles 3 through 9, Article 11, or any other provision of this Code, where such provision explicitly requires site development plan review and approval prior to establishment of the use.

7. Requests for shared parking or participation in an off-site car-sharing program to meet minimum parking requirements, as specified in Article 10, Section 10.4.5.4, Shared Vehicle Parking, and Section 10.4.5.3.B, Off-Site Car Sharing Program.

B. The Zoning Administrator may require site development plan review for any development not listed in subsection A. above, where the proposed development requires approval by a city agency or department other than Community Planning and Development.

C. No development shall occur on property subject to these requirements until a site development plan has been approved and requisite zoning and building permits issued, unless the Zoning Administrator expressly allows an exception.

12.4.3.3 Review Process

A. Initiation
The owner(s) of the subject property or the owner’s or owners’ authorized agent may initiate an application for site development plan review.

B. Pre-Application Concept Plan Review

1. A pre-application concept plan review is mandatory before submittal of a formal site development plan application. During the concept plan review, the DRC will confirm the applicability of site development plan review to the proposed development activity and the specific procedure steps and submittal requirements the applicant will follow. See also Section 12.3.2, Pre-Application Meeting/ Concept Plan Review.

2. During the concept plan review, the DRC may waive an otherwise mandatory requirement for site development plan review if the DRC finds that the nature and complexity of the proposed development, and the development’s compliance with this Code, can be fully addressed through the zoning permit review procedure in Section 12.4.1.
3. The DRC shall determine at the Site Development Plan review pre-application meeting whether a Large Development Review (LDR) or Infrastructure Master Plan (IMP) process is applicable to the proposed development activity in accordance with Section 12.4.12. If the DRC determines a LDR or IMP is required by Section 12.4.12, the applicant shall be advised that the Site Development Plan application will not be approved until a LDR or IMP, as applicable, is approved according to Section 12.4.12.

C. Application and Fees

1. Submittal in Writing
   All applications for site development plan review shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

2. Concurrent Applications
   Concurrent applications may be allowed according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall a building permit, as applicable, be issued until the site development plan is approved and all zoning permits issued according to this Article, unless the Zoning Administrator allows an exception in writing.

D. Public Notice Requirements
   Informational Notice shall be provided according to Section 12.3.4.5, Informational Notice-General Provisions, for the following types of site development plan review applications only:

   1. Site development plans where multiple primary buildings will be sited on the same zone lot in a Residential Zone District, but not including development of a tandem house building form on a single zone lot. For such site development plans, written informational notice shall be given only for receipt of the application.

   2. Certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) zone districts, as specified in Article 9, Section 9.2.3.2.3, Construction Subject to Review and Final Decision by Planning Board.

E. Review, Referral and Decision by Development Review Committee

   1. The DRC shall refer the site development plan application to other affected or interested agencies for review and comment.

      a. For proposed development in the DIA Influence Area Overlay District, the DRC shall refer the site development plan application to the Department of Aviation for review. The DRC shall not approve a site development plan in the DIA Influence Area Overlay District until the Manager of the Department of Aviation, or designee, has found that the proposed development complies with the DIA Influence Area Overlay District standards in Article 9 of this Code. The Manager of Aviation shall comment within 14 days from the referral of the complete application. Non-response by the Manager of Aviation within the 14-day time period, or any extension agreed to by the DRC, shall be deemed a recommendation of approval.

   2. If required by Section 12.4.3.3.F, Review and Final Decision by Planning Board, the DRC shall forward the site development plan application, together with the DRC's recommendation, to the Planning Board for the Planning Board's review and final decision on the site development plan application.

   3. The DRC shall consider the relevant comments of all interested parties, the actions taken by other agencies on the site development plan, as applicable, the recommendation by the Planning Board, as applicable, and the review criteria stated below, in approving, approving with conditions, or denying a site development plan application.
4. The DRC may attach conditions to the site development plan approval reasonably necessary to protect the health, safety and welfare of the community and to minimize adverse impacts on adjacent properties, as authorized by this Code.

### 12.4.3.4 Review Criteria

The following criteria shall be considered in making a decision on an application for site development plan review:

A. The site development plan has been reviewed and approved by the DRC, where such approval is authorized and required by the D.R.M.C. The DRC or Planning Board shall not approve a site development plan until all DRC departments have approved the site development plan pursuant to their charter or D.R.M.C. authority.

B. The site development plan is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, the site development plan shall be consistent with a previously approved Large Development Review, Infrastructure Master Plan, General Development Plan, or Regulating Plan.

C. The site development plan complies with all applicable regulations in this Code.

D. **Additional Review Criteria for Certain Construction in the CMP-H and CMP-H2 Districts**

   The following additional criteria shall be considered in making a decision on an application for site development plan review submitted to permit certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) zone districts, as specified in Article 9, Section 9.2.3.3, Construction Subject to Review and Final Decision by Planning Board:

1. Whether the project is generally compatible with the Comprehensive Plan, including any neighborhood plans, and with the campus facility’s plans for future development;

2. Whether there has been demonstrated neighborhood involvement in reviewing the project and its potential impacts, including meetings with applicable RNOs, and whether neighborhood concerns have been appropriately addressed;

3. Whether the project has a significant adverse impact on historically designated or architecturally significant buildings as determined by Community Planning and Development; and

4. Whether the construction project is consistent with the Campus zone district in which it is proposed to be located.

5. Consideration for the growth needs and viability of healthcare districts in CMP-H and CMP-H2 zone districts.

### 12.4.3.5 Appeal

Section 12.4.8, Appeal of Administrative Decision, shall apply.

### 12.4.3.6 Requirements and Limitations After Site Development Plan Approval

A. **Recordation of Approved Site Development Plans**

   Community Planning and Development shall register a copy of the approved site development plan among its records and shall record the approved site development plan in the real property records of the Denver County Clerk and Recorder.

B. **Effect of Approval**

   1. A site development plan approved according to this Section shall regulate the future use and development of the subject property.

   2. Approval of a site development plan means a proposed development complies with the standards and provisions of this Code and, consequently, the City may issue zoning per-
12.4.9.3 Review Criteria
No application for a zoning permit with special exception review shall be approved by the Board of Adjustment unless the Board finds that all of the following conditions are met or can be met through conditions placed on approval of the application:

A. The special exception is consistent with the Comprehensive Plan;
B. The proposed special exception shall be consistent with the purposes and objectives of the zone district in which it is located;
C. If located within a LDR, IMP, or GDP area, the special exception shall be consistent with the LDR, IMP, or GDP;
D. The special exception is in compliance with all applicable regulations in this Code, including but not limited to, any specific use limitations stated in Articles 3 through 9, and in Article 11, Use Limitations and Definitions;
E. The establishment, maintenance, and operation of the special exception will not be detrimental to or endanger the public health, safety, or general welfare of the community;
F. The use and enjoyment of other existing uses on the surrounding property will not be substantially impaired by the establishment, maintenance, and operation of the special exception;
G. The establishment of the special exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
H. The aggregate impacts of similar special exceptions shall not result in harmful external effects or environmental impacts; and
I. Any potential adverse impacts from the proposed special exception can and will be adequately mitigated.

12.4.9.4 Requirements and Limitations After Zoning Permit Issuance

A. Expiration and Extensions
1. Except as otherwise allowed in subsection A.2. below, a zoning permit with special exception review shall expire 12 months from the date of the Board of Adjustment’s decision unless the special exception use begins operating, or a valid building permit is issued. Upon a showing of good cause, the Zoning Administrator may extend the permit for the special exception for additional time periods not to exceed a total of 12 additional months.

2. If a zoning permit with special exception review is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

B. Limit on Reapplication for Denied Special Exceptions
No application for a zoning permit with special exception review denied by the Board of Adjustment shall be considered for a period of 1 year from the date of the original denial unless the Zoning Administrator determines that the application contains substantial changes that address the reasons for denial of the application.

SECTION 12.4.10 OFFICIAL MAP AMENDMENT (REZONING)

12.4.10.1 Applicability
An official map amendment may be required to correct an error in the map or, because of changed or changing conditions in a particular area or in the city generally, to rezone an area to implement
and process provisions required by the Charter for an official map amendment (rezoning).

2. By Other Parties
   Other than City Council or an individual City Council member, only the following parties may initiate an official map amendment:
   a. The Manager.
   b. All official map amendment applications for a PUD District, or for a zone district with waivers and/or conditions under Section 12.4.10.6, shall be initiated by all the owners of the entire land area subject to the rezoning application, or their representatives authorized in writing to do so.
   c. For official map amendment applications for other than a PUD District or zone district with waivers and/or conditions, an application for an official map amendment may be initiated by either:
      i. All of the owners of the entire land area subject to the application for an official map amendment or their representatives authorized in writing to do so; or
      ii. One or more of the owners of the real property subject to the application for amendment, or their representatives authorized in writing to do so, accompanied by a petition requesting the amendment and which petition, at the time of submittal, contains the signatures of the owner or owners of 51 percent or more of the total area of the zone lots subject to the application for amendment.

B. Pre-Application Meeting
   1. A pre-application meeting is mandatory for an official map amendment (Rezoning). See Section 12.3.2, Pre-Application Meeting/Concept Plan Review.
   2. The Manager shall determine at the pre-application meeting whether a General Development Plan (GDP) is required under Section 12.4.12. If the Manager determines a GDP is required by Section 12.4.12, the applicant shall be advised that an official map amendment application will not be approved until a GDP is approved according to Section 12.4.12.

C. Application and Fees - General
   1. All applications for official map amendments shall be filed in writing with the Manager. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications. This provision does not apply to map amendments initiated by the Manager.

D. Review and Referral by Manager
   All applications for official map amendments shall be subject to the following review process:
   1. Referral and Examination of Application
      Upon receipt of a complete application, the Manager shall transmit copies of the application to other agencies that might be affected by the proposed application. If considered necessary, any such agency may require the applicant to furnish additional information of a pertinent and reasonable nature. Any such agency may transmit comments and recommendations concerning the application to the Manager. Any agency wishing to comment shall do so within 21 days from the referral of the complete application. Non-response by a reviewing agency within the 21-day time period, or any extension agreed to by the Manager, shall be deemed a recommendation of approval by such agency.
2. The Council committee shall direct any further action on the proposed text amendment under this Section and, when deemed ready for hearing, shall forward the proposal to the City Council.

G. Public Hearing and Final Decision by City Council

1. The Manager shall submit the complete proposal with such supporting material as designated by the Council committee to the City Council for Council action.

2. The City Council shall notice and hold a public hearing on the proposed text amendment according to Section 12.3.4, Public Notice Requirements. The City Council shall consider the recommendations of the Planning Board and Manager, comments received, and the review criteria below, in approving or denying a text amendment.

12.4.11.4 Review Criteria

A. Consistency With Adopted Plans
All text amendments shall be consistent with the City’s adopted plans, or the proposed text amendment is necessary to provide for a community need that was not anticipated at the time of the adoption of the Comprehensive Plan.

B. Public Health, Safety and General Welfare
All text amendments shall further the public health, safety and general welfare of the City.

C. Uniformity of District Regulations and Restrictions
A text amendment to this Code shall result in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.

12.4.11.5 Appeal
A decision by the City Council on a text amendment may be appealed to District Court.

SECTION 12.4.12 LARGE DEVELOPMENT REVIEW GENERAL DEVELOPMENT PLAN

12.4.12.1 Intent

A. General Intent
A GDP establishes a framework for future land use and development and resulting public infrastructure. The intent of the Large Development Review (LDR) process is to implement adopted plans that provide clear guidance for future land use and development and resulting public infrastructure, open space, and public parks on sites that are large or otherwise require a more coordinated development review process than other regulatory processes in this Article 12. The LDR GDP provides an opportunity to identify issues and the development's relationship with significant public infrastructure improvements such as major multi-modal facilities and connections thereto, major utility facilities, and publicly accessible parks and open spaces. An approved LDR GDP provides a framework master plan for coordinating development, infrastructure improvements, and regulatory decisions as development proceeds within the subject area. An approved GDP also constitutes a master plan that is a prerequisite to zoning within the Master Plan neighborhood context, as described in Division 9.7, Master Planned Context, of this Code.

B. Intent of the LDR GDP Review Process
The review process for a LDR GDP is intended to:

1. Provide for the coordinated assessment of general land development proposals by the City and other interested public agencies;
2. Ensure that the development in the LDR area GDP is consistent with adopted plans the Comprehensive Plan; and

3. Ensure through appropriate timing and requirements for subsequent regulatory steps, submittals, and approvals, that development in the LDR area will implement adopted plan policies related to infrastructure, open space, and public parks, as applicable. Identify subsequent regulatory steps, submittals, and approvals in order to determine the appropriate type and level of detail that may be needed in addition to the basic submittal requirements for the GDP;

4. Provide for the notification and appropriate input from the public on the proposed GDP;

5. Identify the type and scope of any required technical studies, plans and documents necessary to achieve the intent of a GDP and coordinate review of such studies, plans, and documents.

12.4.12.2 Applicability When Required

A. Mandatory GDP The Manager shall determine if the Large Development Review process is required in accordance with this section for the proposed development, and the boundaries of the LDR area, based on the following factors: Preparation of a GDP is mandatory when the Manager determines (1) the specific circumstances warrant a coordinated master framework plan to guide future development; and (2) land use, development, and infrastructure issues related to future development cannot be adequately resolved through other regulatory processes, such as subdivision or site development plan review. In determining whether circumstances warrant preparation of a GDP, all relevant factors shall be considered, including but not limited to the following:

1. Adopted Plan Recommendation
   An adopted plan citywide land use, or small area plan, adopted by City Council as a supplement to the Comprehensive Plan, recommends preparation of a LDR, Infrastructure Master Plan (IMP), or General Development Plan (GDP) for all or portions of the plan area.

2. Large-Scale Development
   The Manager determines that the gross area of either the LDR area, the subject land of a proposed LDR GDP area, area of a proposed official map amendment (rezoning), Site Development Plan, or Subdivision under D.R.M.C., Chapter 50 either (a) is more than 5 10 acres or will result in three or more Blocks, (b) is anticipated to be developed in phases; or (c) is owned by more than one person or entity.

3. Infrastructure Network or System Improvements
   Future development in the LDR GDP area anticipates any of the following infrastructure improvements:
   a. Establishing, extending, expanding, or otherwise changing the arterial or collector street grid; or
   b. Establishing, extending, expanding, or otherwise changing an existing regional stormwater system; or
   c. Establishing, extending, expanding, or otherwise changing publicly accessible park and open space.

4. General Development Plan Amendments
   The plan requires a GDP amendment in accordance with Section 12.4.12.19, Amendments, Repeals, and Minor Deviations to an Approved General Development Plan.
5. Development Adjacent to Major River or Trail Corridors

Development within 100 feet from the Cherry Creek corridor or the South Platte River corridor, where publicly accessible open space, pedestrian connections, or bike connections to such corridors is anticipated.

B. The Manager may determine that no LDR is required if one or more of the factors are present in Section 12.4.12.2.A above if the land use, development, and infrastructure issues related to future development in the LDR area can adequately be resolved in accordance with an adopted plan or General Development Plan through other regulatory processes.

C. The Manager, in consultation with the Department of Public Works, may determine that a LDR is required for the proposed development where none of the factors are present in Section 12.4.12.2.A, but where an adopted plan clearly identifies specific changes to the infrastructure, open space, or public parks in the proposed development area.

The Manager shall inform the applicant in writing when preparation of a LDR GDP is mandatory.

D. Optional LDR GDP

An owner may elect to submit a LDR GDP for the property in order to establish a coordinated framework master plan for the property.

12.4.12.3 Timing of LDR GDP Review

When preparation of a LDR GDP is mandatory, the LDR GDP shall be approved before final approval of the following, unless the Manager agrees to concurrent processing of such applications according to Section 12.3.3.9, Concurrent Applications.

A. Official Map Amendment

B. Subdivision under D.R.M.C., Chapter 50.

C. Infrastructure Master Plan under Section 12.4.12.21.

12.4.12.4 Initiation

A. A LDR GDP may be initiated by any one or combination of the following parties:

1. The owner or owners of the entire subject property;

2. The owner(s)’s authorized agent(s);

3. The Manager;

4. The manager of Parks and Recreation; or

5. The manager of Public Works.

B. The Manager shall be an applicant or co-applicant whenever a GDP includes a Secondary Area and/or when the owner or owners of the entire subject property are not applicants.

12.4.12.5 Minimum Open Space Requirements for a GDP

Drafting Note: GDP open space standards are carried forward into the new LDR process, but relocated to DZC Article 10 to be generally applicable to all large developments.

All applications for a General Development Plan shall comply with the following open space standards:

---

[See Drafting Note below that addresses the approach that GDP "major" amendments are subject to the LDR process.]
A. **Minimum Amount Required**

A minimum of 10% of the total GDP area (including the Primary Area plus any Secondary Areas) shall be included in the GDP as open space.

B. **Design Criteria**

1. The required open space shall be provided in one (1) or more areas.
2. The required open space shall remain publicly accessible and usable.
3. The required open space shall result in one or more of the following public benefits:
   a. Enhanced connections to transit facilities, plazas, or streets;
   b. Enhanced pedestrian environments; and/or
   c. Enhances or creates public spaces.

### 12.4.12.6 Development Review Committee – Final Approval Authority

The Development Review Committee (“DRC”) shall have the authority to approve, approve with conditions, or deny a LDR GDP application, after consideration of the recommendation from the Planning Board.

### 12.4.12.7 Pre-Application Meeting/Concept Plan Review

A. A pre-application meeting/conference is mandatory prior to the start of the LDR GDP review and preliminary GDP review required under this Section. See Section 12.3.2, Pre-Application Meeting/Concept Plan Review.

B. The DRC shall attend the pre-application conference, at which the applicant shall present the land use and development concept for the subject property and identify the existing or desired neighborhood context. The DRC, as part of the pre-application conference, shall identify the necessary regulatory processes applicable to development of the subject property, and on this basis confirm the need for and establish the contents of the GDP submittal.

C. If the DRC has sufficient information to assess the future land use and development proposal for infrastructure impacts, no later than 30 days following the pre-application meeting, the Manager shall inform the applicant if a LDR is required. If a LDR is required, the Manager shall inform the applicant of:

1. The boundaries of the LDR;
2. Whether an adopted plan provides clear and sufficient guidance for changes in land use, development, and infrastructure in the subject area;
3. The type and timing of necessary regulatory or planning processes applicable to development of the subject area, including but not limited to any Official Map Amendments, Subdivision of land under D.R.M.C Chapter 50, approval of an Infrastructure Master Plan, in accordance with Section 12.4.12.21, a comprehensive sign plan, approval of any urban design standards and guidelines, or approval of any planning processes that address community engagement;
4. Whether any land dedication will be required through a subsequent regulatory process in the LDR area for streets, trails, open space, public parks, schools and other public purposes; and
5. Whether any regulatory or planning actions will be required to ensure community benefits are achieved for the large development area identified in an adopted plan, including but not limited to an affordable housing plan or a schools plan.
12.4.12.8 Application and Fees

All LDR applications for concept review, preliminary, and final GDP review shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

[Drafting Note: no fees are proposed for the LDR tool at this time; however fees are proposed for the IMP tool to mirror the current GDP process fees]

12.4.12.9 Concept GDP Review

Before a preliminary GDP application is submitted, the applicant shall submit a concept GDP for review. During this concept GDP review, the DRC and the applicant shall agree upon the parameters for the preliminary GDP submittal, including, at a minimum, the following:

A. GDP area boundaries, including designation of a Primary Area and one or more Secondary Areas, as applicable.
B. Required community outreach and public participation.
C. Technical studies required, as applicable.
D. General development concepts for the following elements, as applicable:
   1. Land use
   2. Building scale and density ranges anticipated
   3. Pedestrian environment
   4. Existing and future street network; as part of this element, the applicant may designate Primary Streets (as defined and regulated by this Code).
   5. Existing and future publicly accessible open space and parks

12.4.12.10 Preliminary GDP Review

A. Timing After Concept GDP Review

The applicant shall submit an application for preliminary GDP review within 180 days after completion of the concept GDP review. The Manager may approve up to one 180-day extension of this filing deadline upon a showing of good cause by the applicant. If the 180 day filing period expires, and is not otherwise extended, the applicant shall be required to submit a new application for concept GDP review and pay all required fees.

B. Submittal

The preliminary GDP application shall contain all items and elements required through the concept GDP review above.

C. Public Meeting, Notice, and Public Comment Period

1. Public Meeting and Public Notice

   Upon the Manager's determination that the application for preliminary GDP review is complete (see Section 12.2.3.8, Determination of Complete Applications), and at least 21 days prior to such meeting, the applicant shall schedule a public meeting to take place 21 to 45 days hence and send written notice of submittal of the preliminary GDP application and public meeting to:
   a. The City Council member(s) in whose district the GDP is located and the at-large Council member(s);
2. **Conduct of Public Meeting**
   At the public meeting, the applicant shall present the substantive content of the preliminary GDP application, record public comment, and submit a written report of such recorded comments to Community Planning and Development by no later than 7 days after the public meeting date. Such report shall be forwarded to the DRC for consideration.

3. **Public Comment Period**
   Members of the public and anyone receiving notice of the preliminary GDP application may provide written comments on the application to the Manager up to 15 days after the date of the public meeting. Such written comments shall be forwarded to the DRC for consideration during review of the preliminary GDP.

D. **Review and Referral by Manager**
   The Manager shall refer the GDP application to the DRC and to all affected or interested agencies and departments for review and comment. The Manager shall provide the applicant with a written compilation of all agency and department comments.

E. **Revisions by Applicant**
   The applicant shall respond in writing to all comments received and submit a revised GDP as necessary. Subsequent rounds of DRC review and applicant revisions may follow until the DRC determines the application is ready for final GDP review, as described below.

**12.4.12.11 Final GDP Review**

A. **Determination by DRC**
   When the DRC determines review of the preliminary GDP is complete, the preliminary GDP application is deemed to be the Final GDP application and ready for Planning Board recommendation and final DRC decision.

B. **Planning Board Review and Recommendation**
   1. When the Final GDP application is ready for Planning Board recommendation, the Manager shall schedule the GDP application for the Planning Board’s consideration at a public hearing. The Manager shall make a written recommendation to the Planning Board for its consideration.

   2. Written and posted notice of the Planning Board public hearing shall be provided according to Section 12.3.4, Public Notice Requirements, and such written notice shall also be sent to the following:
   a. All owners of land included in the boundaries of the Final GDP other than the applicant;
   b. Owners of real property located within 200 feet of the boundary of the Final GDP area, including any Secondary Area, as applicable;
   c. The City Council members in whose districts the Final GDP area is located, and the at-large Council persons;
d. Any neighboring municipality or county which is contiguous to any boundary of the Final GDP;
e. Denver Public Schools if the Final GDP anticipates residential development;
f. Any special district of which any part of the district’s boundaries is included in the GDP boundaries; and
g. All Registered Neighborhood Organizations whose boundaries include or are within 200 feet of the GDP boundary.

3. The Planning Board shall hold a public hearing on the Final GDP application and shall consider the recommendations of the Manager and the Managers of Parks and Recreation and Public Works, any comments received, and the review criteria below in making its recommendation to the DRC.

4. The Planning Board’s recommendation shall be forwarded to the DRC for action within 30 days after the public hearing is closed, unless the applicant requests an extension of such time.

C. DRC Final Decision
The DRC shall make all final decisions on a Final GDP after consideration of information received from the public hearing and otherwise and the recommendation by the Planning Board. The DRC shall approve, approve with conditions, or deny the Final GDP application based on the review criteria set forth below. The applicant shall revise the application as required, and submit a final GDP for execution and recording required herein.

12.4.12.12 Review, Referral and Decision by Development Review Committee
A. The DRC shall refer the LDR application to other affected or interested agencies for review and comment.
B. The DRC shall consider the relevant comments of all interested parties, the actions taken by other agencies on the LDR, as applicable, and the review criteria stated below, in approving, approving with conditions, or denying a LDR application.
C. The DRC may attach conditions to the LDR approval reasonably necessary to protect the health, safety and welfare of the community and to mitigate adverse impacts on surrounding properties, as authorized by this Code.

12.4.12.13 Review Criteria
The DRC shall approve a LDR Final GDP application only if the DRC finds that through the LDR or subsequent regulatory processes established in the LDR:
A. The proposed development Final GDP is consistent with adopted applicable city plans that have provided clear guidance for the LDR area;
B. The pedestrian, transit, and street pattern is appropriate to serve the LDR Final GDP area and provide connectivity to surrounding properties, as applicable, and promotes and accommodates multi-modal transportation;
C. The proposed development Final GDP contains an adequate master plan for provision of drainage, sewage, and water systems through subsequent regulatory process;
D. Unique natural resource features and sensitive areas can be adequately protected and accommodated through subsequent regulatory process;
E. The proposed development Final GDP contains an adequate master plan for the provision of publicly accessible and usable open space that enhances the connection to transit facilities, plazas or streets, and the pedestrian environment through subsequent regulatory process; and
F. The proposed development Final GDP provides an adequate master plan to ensure that all phases of development will occur in an orderly fashion, and that infrastructure improvements necessary to serve future development have been identified and will be provided concurrent with such development as further approved through subsequent regulatory processes.

12.4.12.14 Appeals
Section 12.4.8, Appeal of Administrative Decision, shall apply to final decisions of the DRC on a LDR, IMP, or GDP in accordance with this section. The final decision of the DRC on a GDP application may be appealed to the District Court.

12.4.12.15 Recordation of Approved LDRs Execution and Recording
Community Planning and Development shall register a copy of the approved LDR among its records and shall record the approved LDR in the real property records of the Denver County Clerk and Recorder.

A. The applicant shall submit an electronic file of the final approved GDP for recording, which shall include an electronic copy of the original GDP mylar cover sheet signed by the following parties:
   1. When the City is not an applicant, then by all owners of the subject property and by the managers of Community Planning and Development, Public Works, and Parks and Recreation.
   2. When the City is an applicant, then by all applicants and by the managers of Community Planning and Development, Public Works, and Parks and Recreation.

B. Following execution of the final GDP, the Manager shall record the electronic GDP in the records of the Denver County Clerk and Recorder’s Office.

12.4.12.16 Effect of Approved Large Development Reviews, Infrastructure Master Plans, and General Development Plans GDPs
In addition to Section 12.3.5, Effect of Approved Applications, Plans, and Permits, the following applies:

A. A recorded Large Development Review (LDR), Infrastructure Master Plan (IMP) approved in accordance with Section 12.4.12.21, or General Development Plan (GDP), including any subsequently recorded amendments, shall be in full force and effect until and unless such time as the LDR, IMP, or GDP is either superseded or rescinded.

B. The City Council may approve an official map amendment (rezoning) application for property located within an approved LDR, IMP, or GDP area, taking into consideration the approved LDR, IMP, or GDP.

C. The City may issue subdivision approvals, site development plan approvals, zoning permits, and may approve the construction, location, use, and operation of all land and structures for properties located within an approved LDR, IMP, or GDP area, only upon a finding that such subsequent zoning and building actions are consistent with the terms and conditions of the approved LDR, IMP, or GDP.

12.4.12.17 Vested Property Rights
Drafting Note: Since the LDR is not establishing development standards, but rather focused on subsequent regulatory or planning actions, the vested rights provisions formerly in the General Development plan section have been revised and relocated to the Infrastructure Master Plan Rules and Regulations.

A. Certain General Development Plans Eligible for Vested Rights
   1. A GDP initiated by an owner or owners of the subject property, or their authorized agents, and which by its express terms will not require one or more official map amendments.
Article 12. Zoning Procedures & Enforcement
Division 12.4 Zoning Application and Review Procedures

(rezoning) to implement the GDP, shall result in vested rights provided the GDP contains the specificity stated in Section 12.4.12.16.A.3 below.

2. A GDP approved prior to or concurrent with the City Council’s approval of one or more official map amendment (rezonings) to implement the GDP may be amended after approval of the official map amendment(s) to obtain vested rights, provided the GDP contains the specificity stated in Section 12.4.12.16.A.3 below. All GDP amendments seeking the addition of vested rights shall be processed according to the same procedure and criteria stated in Section 12.4.12.17, Amendments and Minor Deviations to an Approved GDP.

3. Any GDP eligible for vested rights according to this subsection may be afforded vested rights only if the GDP provides specificity regarding:
   a. The location and intensity of permitted land uses;
   b. Building scale (heights) anticipated, including building height transitions to adjacent properties, as applicable;
   c. The location and general specifications for a network of internal pedestrian walkways and connections to primary uses within the GDP area and to adjacent development or public amenities/facilities such as schools, parks, and open space;
   d. The location and functional classification of the future street network within the GDP area, as applicable;
   e. The designation of Primary Streets to guide future development in compliance with this Code;
   f. The location of future publicly accessible open space and parks; and
   g. The location of future public facilities, as applicable.

4. The vested rights in an approved GDP are directly proportional to the level of detail and specificity approved in the plan.

B. Vesting Period
Rights vested through approval of a General Development Plan shall remain vested until such time as the General Development Plan is either superseded or rescinded. Amendments to GDPs shall not affect vested rights unless expressly stated otherwise in the amendment.

12.4.12.18 Amendments, Repeals, and Minor Deviations to an Approved Large Development Review

Drafting Note: the amendments set forth in this section can be summarized as follows:
Major amendments to LDRs require the same process as original approval, including full DRC approval. Minor deviations to LDRs require the same process as original approval, but only with CPD Manager approval. This section also establishes that approved GDPs may continue in perpetuity, and that GDP “major” amendments become subject to the LDR process, but GDPs are allowed minor modifications using the current minor modification framework. This section also sets forth a new more streamlined procedure for repealing certain GDPs, which works in tandem with revisions to DRMC Section 59-2 to establish the authority to amend Ch. 59-approved GDPs using DZC procedures.

A. Amendments to an Approved LDR

1. Intent
In addition to Section 12.4.12.1, Intent, LDR amendment process is specifically intended to allow for LDRs to change over time as needed and to establish appropriate procedures for different types of amendments to LDRs.
2. **Applicability**
   Any of the following changes to an approved LDR, if applicable, shall be considered amendments subject to this Section 12.4.12.18.A. The DRC shall decide if the proposed change falls within any of the following:
   a. Modifying the sequencing and type of regulatory approvals or planning actions required following approval of the LDR;
   b. Significantly altering the location or amount of land area intended for publicly accessible open space or other public purposes required by this Code or by other City ordinances, rules, or regulations;
   c. Substantially moving or altering the vehicle access and circulation to or within the LDR area;
   d. Changing or negating any LDR condition of approval;
   e. Modifying any other element of the approved LDR that would substantially change the development’s character or its impacts on surrounding property, as determined by the Manager; or
   f. A repeal of a LDR.

B. **Procedure for LDR Amendments**
   An amendment to an approved LDR may be reviewed concurrently with other applications according to Section 12.3.3.9, Concurrent Applications. An amendment to or repeal of an approved LDR shall be reviewed according to the same procedures and subject to the same limitations and requirements as the original LDR approval, with the following exceptions:

1. **Initiation**
   In place of Section 12.4.12.4, a LDR amendment may be initiated by any one or combination of the following parties:
   a. One or more property owners or their authorized agent(s) within the area being amended;
   b. The Manager;
   c. The manager of Parks and Recreation; or
   d. The manager of Public Works.

2. **Review Criteria**
   In addition to the review criteria in Section 12.4.12.13, the DRC shall approve the LDR amendment only if the DRC finds the amendment will not result in any material adverse impacts on the remainder of the approved LDR, where such impacts are not otherwise substantially mitigated.

C. **Minor Deviations to Approved Large Development Reviews**
   The Manager may authorize minor deviations from a previously approved Large Development Review (LDR). Minor deviations are allowed provided such deviation does not constitute an “amendment” to a LDR under Section 12.4.12.18.A, Amendments. All minor deviations to a LDR shall be submitted as “redline” edits to the previously approved electronic LDR, which, after approval, shall be recorded by the Manager in the records of the Denver County Clerk and Recorder’s Office.

12.4.12.19 Amendments and Minor Deviations to an Approved [General Development Plan](#)
A. Amendments to an Approved GDP

1. Intent

The GDP amendment process is intended to allow for GDPs to change over time and establish appropriate procedures for different types of amendments to GDPs, as needed and to establish appropriate procedures, including initiation of amendments and communication to property owners and the general public.

2. Applicability

Any of the following changes to an approved GDP, if included in the GDP, shall be considered amendments subject to this Section 12.4.12.1.A. The DRC shall decide if the proposed change falls within any of the following:

a. Significantly modifying or reallocating the permitted height, mix of uses, or density of development;

b. Significantly altering the location or amount of land area intended for publicly accessible open space or other public purposes required by this Code or by other City ordinances, rules, or regulations;

c. Substantially moving or altering the vehicle access and circulation to or within the development;

d. Changing or negating a condition of approval; or

e. Modifying any other element of the approved GDP that would substantially change its character or impacts on surrounding property, as determined by the Manager; or

f. A repeal of a GDP not eligible for the process set forth in Section 12.4.12.20, Repeals of an Approved General Development Plan

3. Procedure for Amendments

An amendment to an approved GDP may be reviewed concurrently with other applications according to Section 12.3.3.9, Concurrent Applications. An amendment to an approved GDP under this Section 12.4.12.19 shall be reviewed in accordance with the Large Development Review process in Section 12.4.12.18.

An amendment to an approved GDP shall be reviewed according to the same procedures and subject to the same limitations and requirements contained in Section 12.4.12.1 and Sections 12.4.12.4 through 12.4.12.16, with the following exceptions:

a. Initiation—

   In place of Section 12.4.12.4, GDP amendment may be initiated by any one or combination of the following parties:

   i. One or more property owners or their authorized agent(s) within the area being amended;

   ii. The Manager;

   iii. The manager of Parks and Recreation; or

   iv. The manager of Public Works.
b. **Public Meeting and Public Notice**

In place of Section 12.4.12.10.C.1, upon the Manager’s determination that the application for preliminary review of the GDP amendment is complete (see Section 12.3.2.8, Determination of Complete Applications), and at least 21 days prior to such meeting, the applicant shall schedule a public meeting to take place 21 to 45 days hence and send written notice of submittal of the preliminary GDP amendment application and public meeting to:

i. The City Council member(s) in whose district the approved GDP is located and the at-large Council members;

ii. All property owners within the GDP area being amended who are not co-applicants for the GDP amendment;

iii. All property owners within 200 feet of the GDP area being amended;

iv. Denver Public Schools if the approved GDP anticipates residential development;

v. Any special district of which any part of the district’s boundaries is included in the approved GDP boundaries; and

vi. All Registered Neighborhood Organizations whose boundaries include or are within 200 feet of the approved GDP boundary.

c. **Planning Board Meeting Notice**

In place of Section 12.4.12.11.B.2, written and posted notice of the Planning Board public hearing shall be provided according to Section 12.3.4, Public Notice Requirements, and such written notice shall also be sent to the following:

i. All owners of land included in the boundaries of the GDP area being amended other than the applicant;

ii. Owners of real property located within 200 feet of the GDP area being amended;

iii. The City Council members in whose districts the approved GDP area is located, and the at-large Council persons;

iv. Any neighboring municipality or county which is contiguous to any boundary of the approved GDP;

v. Denver Public Schools if the approved GDP anticipates residential development;

vi. Any special district of which any part of the district’s boundaries is included in the approved GDP boundaries; and

vii. All Registered Neighborhood Organizations whose boundaries include or are within 200 feet of the approved GDP boundary.

d. **Review Criteria**

In addition to the review criteria in Section 12.4.12.12, the DRC shall approve the GDP amendment only if the DRC finds the amendment will not result in any material adverse effects on the remainder of the approved GDP.

---

**B. Minor Deviations to an Approved GDP**

The DRC may authorize minor deviations from a previously approved General Development Plan (GDP). Minor deviations are allowed provided such deviation does not constitute an “amendment” to a GDP under Section 12.4.12.197.A, Amendments and Minor Modifications to an Approved GDP. All minor deviations to a GDP approved by the DRC shall be submitted as “redline” edits to the previously approved electronic GDP, which, after approval, shall be recorded by the Manager in the records of the Denver County Clerk and Recorder’s Office.
12.4.12.20 Repeal of an Approved General Development Plan

A. Intent
   The GDP repeal process set forth in this section is intended to provide a flexible process for
   repeal of certain types of GDPs. This section is intended for those GDPs that may be repealed
   without a substantial reduction of any community benefits conferred through the GDP, and with
   no adverse impacts on infrastructure systems or property owners in the GDP area that cannot
   otherwise be substantially mitigated.

B. Applicability
   Any General Development Plan approved under this Code or Former Chapter 59 is eligible for
   the GDP repeal process in this Section 12.4.12.20, provided the request meets all of the applicable
   standards and notice requirements in this section. Any requests for GDP repeals not eligible
   for this process shall be subject to the Large Development Review amendment procedures in
   Section 12.4.12.18.

C. Procedure for Review of GDP Repeals
   1. Initiation
      A GDP repeal may be initiated by any one or combination of the following parties:
      a. One or more property owners or their authorized agent(s) within the area being
         repealed;
      b. The Manager;
      c. The manager of Parks and Recreation; or
      d. The manager of Public Works.

   2. Pre-Application Meeting
      A pre-application meeting is mandatory before submittal of an application for a GDP
      repeal in accordance with this section. See Section 12.3.2, Pre-Application Meeting/ Con-
      cept Plan Review.

   3. Public Notice Requirements
      a. Written Notice of Receipt of Application
         Written notice of the receipt of the GDP repeal application shall be required in ac-
         cordance with Section 12.3.4.5.A, except as follows:
         i. No later than 10 days after receipt of a complete application, Community
            Planning and Development shall cause written informational notice to be sent
            to the following parties:
            a) The city council members in whose district the subject property is
               located.
            a) The at-large city council members.
            b) Registered neighborhood organizations registered according to D.R.M.C.
               Section 12-94 whose boundaries encompass or are located within 200
               feet of the the area of the GDP proposed for a repeal.
            c) The owners of any real property located in whole or in part within, or
               within 200 feet of, the area of the GDP proposed for a repeal.
         iv. Such written notice shall describe the proposal, give directions for submitting
             comments to Community Planning and Development within 30 days from the
             date of the written notice, and state that any final decision to approve the ap-
             plication shall be posted in accordance with DZC Section 12.4.3.5.C.

      b. Posted Notice of Receipt of Application
         Posted notice of the receipt of the GDP repeal application shall be required in ac-
         cordance with Section 12.3.4.5.B.
c. **Posted Notice of Final Administrative Action**
   Posted notice of the final administrative action of the GDP repeal application shall be required in accordance with Section 12.3.4.5.C.

4. **Review and Referral by Development Review Committee**
   a. The DRC shall refer the GDP repeal application to other affected or interested agencies for review and comment.
   b. The DRC shall consider the relevant comments of all interested parties, the actions taken by other agencies on the general development plan, as applicable, and the review criteria stated below, in approving, approving with conditions, or denying repeal of a general development plan in accordance with this section. Relevant comments shall include but are not limited to comments that the GDP repeal will result in a negative impact on community benefits conferred through the GDP or adverse impacts that will not be substantially mitigated to property within or surrounding the proposed GDP repeal area.
   c. If the DRC deems any comments received during the public notice period as relevant, the GDP repeal process shall proceed according to the Large Development Review amendment process in Section 12.4.12.18.
   d. The DRC may attach conditions to the General Development Plan repeal approval that are reasonably necessary to protect the health, safety and welfare of the community and to substantially mitigate adverse impacts on adjacent properties, as authorized by this Code.

5. **Review Criteria**
   The DRC may approve the repeal of a GDP only upon finding that:
   a. The repeal will not result in adverse impacts that have not been substantially mitigated; and
   b. The repeal will not create a substantial reduction of any community benefits conferred through the GDP not conferred through other regulatory tools, including but not limited to:
      i. Vehicle, pedestrian, or bicycle connections; or
      ii. Coordinated stormwater, wastewater, or water infrastructure systems; or
      iii. Open space or parks systems serving the GDP area; or
      iv. A phasing plan that sets forth the timing and responsibility of development in the GDP area; or
      v. Other community benefits that the DRC determines would be negatively impacted with the GDP repeal.

12.4.12.21 **Large Development Review and Infrastructure Master Plan Rules and Regulations**
The Manager has the authority to adopt rules and regulations for review of large development proposals, including rules and regulations for an Infrastructure Master Plan (IMP) process that supplements the processes set forth for Large Development Review and generally this Article 12, including common decision making authority and requirements common to all zoning procedures.

SECTION 12.4.13 REGULATING PLAN

12.4.13.1 Intent

A. **General Intent of a Regulating Plan**
   A Regulating Plan is used to apply permitted building forms, building heights and land uses to specific street frontages and specific blocks and/or zone lots within a zone district.
One-tenth of 1 foot = 0.10

For a 75-foot width threshold at issue, 25 feet goes into 75 feet 3 times (75 divided by 25 = 3)

\[ 0.10 \times 3 = 0.30 \]

75 feet minus 0.30 feet = 74.7 feet, which is the minimum end-point of a survey measurement that will get applied as equivalent to 75 feet.

75 feet plus 0.30 feet = 75.3 feet, which is the maximum end-point of a survey measurement that will get applied as equivalent to 75 feet.

13.1.5.2 Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

A. General Provisions

1. Intent
   To provide a reference of measurement for standards related to form and building placement (e.g. Build-to, Setback).

2. General Requirements
   a. A primary street zone lot line or a side street zone lot line may abut a zone lot line abutting a private street if approved by the Zoning Administrator.
   b. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the zone district can be met.

3. Criteria for Zoning Administrator Determinations
   a. Where identified in the following sections, the Zoning Administrator shall designate a zone lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, based on an analysis, at a minimum, of:
      i. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
      ii. Block and lot shape;
      iii. The functional street classification of all abutting streets as adopted by the Public Works Department;
      iv. The future street classification of all abutting streets as adopted in Blueprint Denver;
      v. Guidance provided in any applicable Large Development Review, Infrastructure Master Plan, Site Development Plan, General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
      vi. In a Campus zone district, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.
   b. The Zoning Administrator shall have authority to designate a Zone Lot’s Primary Street Zone Lot Line(s) contrary to the results in Section 13.1.5.2 when:
      i. The Zone Lot contains a Historic Structure, and
      ii. The Zone Lot is located within a Residential Zone District, and
4. Once designated for a zone lot, a Primary Street designation cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the zone district can be met.

C. Criteria for Zoning Administrator Determinations
The Zoning Administrator shall designate a zone lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable Large Development Review, Infrastructure Master Plan, Site Development Plan, General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan.

2. If criteria 1 does not apply or does not provide guidance for all zone lot lines, then the following criteria shall be used:
   a. The Zoning Administrator may designate no more than:
      i. One Primary Street in the S-CC, S-MX, E-CC, and E-MX zone districts.
      ii. Two Primary Streets in the U-MX and G-MX zone districts.
      iii. Two Primary Streets in the C-MX zone districts, and any additional Primary Streets being designated Primary Street B.
   b. The Blueprint Denver Street Classification of all abutting streets, per the following table:

<table>
<thead>
<tr>
<th>Blueprint Denver Street Classifications</th>
<th>Zone District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map</td>
<td>All Main Street</td>
</tr>
<tr>
<td>Main (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Mixed Use (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Commercial (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Industrial (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Residential Arterial</td>
<td>*May be Primary or Side Street</td>
</tr>
<tr>
<td>Residential Collector and Local and Undesignated</td>
<td>**Side Street</td>
</tr>
</tbody>
</table>

   *The Zoning Administrator shall use Criteria 2c to determine the Primary and/or Side Street(s) Zone Lot Lines
   **If all streets meet this Classification, the Zoning Administrator shall designate no more than one Primary Street per Criteria 2c

c. Existing Conditions
   i. The same or similar use, building form and/or zone district occurring on the same and opposing face block frontage;
   ii. Frontage facing a public park;
   iii. Frontage facing a Parkway designated under D.R.M.C, Chapter 49; and
   iv. The functional street classification of all abutting streets as adopted by the Public Works Department.

D. Interior Zone Lots

1. The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear zone lot lines for all zone lots in the MS zone districts; See Figure 13.1-48.
13.1.5.6 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines in the DO-7 Overlay District

A. Intent
To provide a reference of measurement for standards related to form and building placement while promoting pedestrian-oriented frontages and an active riverfront experience with visual interest and variety in the DO-7 district.

B. General Requirements
The general requirements set forth for all CC, MX, and MS Zone Districts in Section 13.1.5.4.B General Requirements shall apply in addition to the requirements set forth in this Section 13.1.5.6.

C. Criteria for Zoning Administrator Determinations
For all Underlying Zone Districts, the Zoning Administrator shall designate a Zone Lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.4.C Criteria for Zoning Administrator Determinations, except that:

1. In lieu of the provisions set forth in Section 13.1.5.4.C.2.a, the Zoning Administrator may designate more than one Primary Street Zone Lot Line in any Underlying Zone District where:
   a. Guidance provided in any applicable Large Development Review, Infrastructure Master Plan, Site Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan, indicates the need for designation of multiple Primary Streets.

2. The Zoning Administrator shall designate Zone Lot Lines that Abut named streets (such as Wynkoop and Larimer streets) as Primary Street Zone Lot Lines, except that:
   a. Any Zone Lot Line that is Adjacent to 35th Street shall also be designated as a Primary Street Zone Lot Line in addition to the named street.
   b. Where a corner Zone Lot Abuts more than one named street, the Zoning Administrator may elect to designate only one of the named streets as a Primary Street based on an analysis of the Blueprint Denver Street Classification of each named street.

3. Any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River, shall be designated as a Primary Street Zone Lot Line. See Figure 13.1-56.

4. Any Zone Lot Line that Abuts a Public Park shall be designated as a Side Street Zone Lot Line.

D. Corner Zone Lot, Double Frontage Zone Lot, or Zone Lot with Frontage 3 or More Streets
In lieu of the provisions set forth in Sections 13.1.5.4.E-G, the Zoning Administrator shall designate a Zone Lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable according to the criteria set forth in Section 13.1.5.6.C. See Figure 13.1-56.
13.1.6.4 Open Space in Large Developments

A. Net Development Area

The required amount of open space in large developments shall be calculated as the percentage of the gross development area. The Net Development Area shall be the gross land area within
the boundaries of the proposed development less the area of existing and proposed public
rights-of-way and public parks or recreation facilities.

B. Contiguous Open Space Area

The width of the minimum contiguous open space requirement for large developments shall be
measured parallel to the Primary Street or Side Street Zone Lot Line. The depth of the minimum
contiguous open space requirement for large developments shall be measured as the horizontal
distance between the Primary Street or Side Street Zone Lot Line and the closest facade of the
exterior building wall facing the Primary Street or Side Street, measured perpendicular to the
Zone Lot Line. See Figure 13.1-76.

Drafting Note: this rule of measurement is taken from the Private Open Space rule of
measurement applicable to the Cherry Creek North zone district. The figure referenced is
contained in the Private Open Space section as well. They are the same dimensional re-
quirements, but we did not want to confuse the two terms as the Private Open Space rule of
measurement is closely calibrated for one zone district and building forms.

SECTION 13.1.7  FENCE AND WALL HEIGHT MEASUREMENT

Fence and wall height shall be measured from the base of the fence or wall at the higher of the finished grade
at the inside or outside of the fence or wall, or from the top-most point of the Retaining Wall on which it is
placed, to the topmost point of the fence or wall.

SECTION 13.1.8  RETAINING WALL HEIGHT MEASUREMENT

The height of a Retaining Wall shall be measured as the vertical distance from the lowest grade at the base of
the Retaining Wall to the top-most point where the wall no longer retains earth. Any vertical distance of wall
more than 6 inches above the top-most point is no longer a Retaining Wall but is a Fence and Wall as defined
in Article 13, and shall be measured according to the rule in Section 13.1.7.

Figure 13.1-116
Not to Scale. Illustrative Only.
Permitted Structure: See definition of “Structure, Permanent,” below.

Person: An individual including any receiver, guardian, personal representative, registered agent, fiduciary, or representative of any kind, and any corporation, partnership, firm, association, joint venture, or other legal entity.

Planned Unit Development (PUD): A zone district wherein an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, education, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in zone lot size, building form, bulk, use, density, lot coverage, open space, or other restriction to the existing zoning regulations of this Code. See Division 9.6, Planned Unit Development District, of this Code.

Plaza: An open area at ground level accessible to the public at all times, and which is unobstructed from its lowest level to the sky. Any portion of a plaza occupied by landscaping, statuary, pools and open recreation facilities shall be considered to be a part of the plaza. The term “plaza” shall not include off-street loading areas, driveways, off-street parking areas.

Porch, Front: A one or two-story structure providing access to the primary uses within a primary building. Front porch may be covered and must be unenclosed on the primary street-facing façade of the primary building.

Porch: A one or two-story structure attached to a building providing access to the building. A porch may be covered and must be at least 50% open on each side, except for sides abutting a facade or required fire wall. If a porch is not covered, it is distinguished from a patio by enclosure of the porch on all open sides by low walls or railings, except where pedestrian access is provided to access the porch.

Premises: A general term meaning part or all of any zone lot or part or all of any building or structure or group of buildings or structures located thereon.

Primary Area of GDP: Boundary of the area within a GDP either owned and/or represented by a private landowner(s) or applicant(s).

Primary Street: See Rule of Measurement, Division 13.1.


Processing: Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operation described as fabrication.

Professional Studio: See “Studio, Professional.”

Projecting Window: For purposes of a setback encroachment, shall include bay window, box window and bow window.

Property: Any land, building, or other structure, or part thereof.

Protected District: Any one of the following zone districts:

1. S-SU-A
2. S-SU-D
3. S-SU-F
**Screening:** A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

**Secondary Area of GDP:** Boundary of a designated area adjoining the primary area of the GDP, where development may not be imminent, but based on adopted City plans, can be expected to transition over time.

**Semi-Trailer:** Any vehicle of the trailer type so designed and used in conjunction with a truck-tractor that some part of its own weight and that of its own load rest upon or is carried by a truck-tractor.

**Setback:** See Rule of Measurement, Division 13.1.

**Setback Space or Area:** The area between a zone lot line and a required minimum setback line.

**Shielded:** The light emitted from the lighting fixture is projected below a horizontal plain running through the lowest point of the fixture where light is emitted. The lamp is not visible with a shielded light fixture, and no light is emitted from the sides of such a fixture.

**SIC:** Standard Industrial Classification as published by the U.S. Census Bureau, has been replaced by the NAICS.

**Side-by-Side Dwelling Units:** See "Dwelling Units, Side-by-Side," above.

**Side Zone Lot Line:** See “Zone Lot, Side”.

**Side Street:** See Rule of Measurement, Division 13.1.

**Sign:** A sign is any object or device or part thereof situated, outdoors or indoors, which is used to advertise or identify an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, motion illumination, or projected images. Signs do not include the following:

a. Flags of nations, or an organization of nations, states and cities, fraternal, religious and civic organizations;

b. Merchandise, pictures or models of products or services incorporated in a window display;

c. Time and temperature devices not related to a product;

d. National, state, religious, fraternal, professional and civic symbols or crests;

e. Works of art which in no way identify a product.

**Sign, Animated:** Any sign or part of a sign which changes physical position by any movement or rotation.

**Sign, Arcade:** A wall or projecting sign attached to the roof or wall of an arcade and totally within the outside limits of the structural surfaces which are delineating the arcade.

**Sign, Billboard:** See definition of “Outdoor General Advertising Device,” above.
Sec. 59-2. - Former chapter 59.

(a) Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk on 20th day of May 2010, at City Clerk Filing No. 10-512, ("Former Chapter 59"), shall remain in full force and effect for any land not rezoned to zone districts in the Denver Zoning Code. No changes shall be enacted to the provisions of the former chapter 59 after June 25, 2010.

(b) For lands retaining their zoning designation under the former chapter 59, including land zoned planned unit development (PUD), land zoned with waivers and conditions and land subject to a planned building group site plan, all provisions of the former chapter 59, including procedures, shall apply, except as explicitly stated in subsection 59-3(b) and as provided in Section 59-2(j) below.

(Drafting note: this combines a text amendment that is also in the public review draft stage as of the date of this draft addressing PUDs)

(c) For purposes of applying the limitations on bulk planes and building heights in section 59-96 of the former chapter 59, the "protected districts" identified therein shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.

(d) For purposes of applying the "L1" limitation on "eating place" primary uses applicable in the R-4-X, B-2, B-3, B-A-2, B-A-4, CCN, I-0, I-1, and I-2 zone districts in former chapter 59, the residential districts identified in the L1 limitation shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.

(e) For purposes of applying the "exception to use enclosure requirement" for mixed use zone districts (C-MU, R-MU, and T-MU zones) in section 59-302(4)b.1, and 2 of the former chapter 59, the residential districts identified therein shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.

(f) For purposes of applying the restrictions on the siting of outdoor animal runs within twenty (20) feet of a habitable residential structure stated in section 59-2(16) of the former chapter 59, the residential zone districts identified therein shall also include the zone districts defined as "protected districts" in section 13-3 of the Denver Zoning Code.

(g) For purposes of applying the five-foot side setback for structures that are not single-unit or two-unit dwellings, and which have ground floor commercial or which are four (4) or more stories in height, as required in the mixed use zoning districts in section 59-312(3) of the former chapter 59, the residential zone districts identified therein shall also include all SU and TU zone districts as established on the official zoning map under the Denver Zoning Code.

(h) For purposes of applying various zoning protections to residentially zoned properties, the terms "residential district(s)," "residential zone district(s)," "residential zone(s)," "residentially zoned lot," and "residentially zoned zone lot" used throughout former chapter 59 shall also include the zone districts defined as a "residential zone district or residential district" in section 13-3 of the Denver Zoning Code.

(i) Gardens shall be allowed as an accessory use common, customary and incidental to a primary residential use, and shall comply with all limitations generally applicable to accessory uses stated in former chapter 59, sections 59-87 and 59-88. In addition, marijuana grown as part of a garden accessory to a primary residential use shall comply with all applicable limitations found in the Denver Zoning Code, including, but not limited to, section 11.8 (Uses accessory to primary residential uses—Limitations).

(j) Any portion of a General Development Plan approved under former chapter 59 may be repealed in accordance with Section 12.4.12 of the Denver Zoning Code.

(Ord. No. 333-10, eff. 6-25-10; Ord. No. 22-14, § 1, 1-13-14; Ord. No. 493-14, § 1, 9-15-14)
Large Development Review and Infrastructure Master Plan Rules and Regulations

[date of adoption]
Section 1. Large Development Review Rules and Regulations................................. 4
  1.1 Purpose ......................................................................................................................... 4
  1.2 Timing of Large Development Review with Other Processes ................................. 4
    A. Timing of Official Map Amendments in LDR ................................................................. 4
    B. Timing and Components of Subdivision under D.R.M.C., Chapter 50 in LDR .......... 4
    C. Timing of Infrastructure Master Plan in LDR ................................................................. 4
    D. Timing of Urban Design Standards and Guidelines in LDR ........................................... 4
  1.3 Pre-Application Meeting ............................................................................................. 5
    A. LDR Boundaries .............................................................................................................. 5
    B. Factors to Consider for Adopted Plan Guidance ......................................................... 5
    C. Required Regulatory or Planning Actions ................................................................. Error! Bookmark not defined.
  1.4 Review, Referral, and Decision by Development Review Committee ..................... 6
  1.5 LDR Application ........................................................................................................... 6
  1.6 Components of the Approved and Recorded LDR ..................................................... 7

Section 2. Infrastructure Master Plan Rules and Regulations................................. 8
  2.1 Intent ............................................................................................................................ 8
  2.2 Applicability ................................................................................................................ 8
  2.3 Review Process ............................................................................................................ 9
    A. Initiation ......................................................................................................................... 9
    B. Pre-Application Concept Plan Review ....................................................................... 9
    C. Submission of Application ......................................................................................... 9
    D. IMP Submittal and Review ....................................................................................... 10
    E. Review, Referral, and Decision by Development Review Committee ....................... 11
  2.4 IMP Review Criteria .................................................................................................. 11
  2.5 IMP Appeals ................................................................................................................ 12
  2.6 Requirements and Limitations After IMP Approval .................................................. 12
    A. Recordation of Approved Infrastructure Master Plans .............................................. 12
    B. Effect of Approval ..................................................................................................... 12
  2.7 IMP Expiration ........................................................................................................... 13
  2.8 Vested Rights in Infrastructure Master Plans ............................................................ 13
  2.9 IMP Amendments, Repeals, and Minor Deviations .................................................. 14
  2.10 Infrastructure Master Plan Standards ....................................................................... 15
    A. General Intent ............................................................................................................ 15
    B. Zoning Standards ..................................................................................................... 16
    C. Environmental Standards ....................................................................................... 17
    D. Public Facilities Standards ...................................................................................... 17
    E. Transportation Standards ....................................................................................... 18
    F. Wastewater Standards ............................................................................................ 21
    G. Stormwater Standards ............................................................................................ 21
    H. Utilities Standards .................................................................................................. 22
Signature Page

Large Development Review and Infrastructure Master Plan Rules and Regulations

Adopted ______, 2019

Approved for Legality

City Attorney’s Office

Date

Approved and Adopted

Manager, Community Planning and Development

Date

Manager, Department of Public Works

Date

Manager, Department of Parks and Recreation

Date

Adopted and published as enabled by Former Chapter 59 Section 59-314(p) and Denver Zoning Code Section 12.4.12.21 and pursuant to Section 12-18, Section 39-2, and Section 2-91 of the Revised Municipal Code, as amended, of the City and County of Denver.
Section 1. Large Development Review Rules and Regulations

1.1 Purpose
The purpose of the Large Development Review (LDR) Rules and Regulations is to supplement Denver Zoning Code Section 12.4.12, Large Development Review. In the event of any conflict between these rules and regulations and the DZC or Denver Revised Municipal Code (D.R.M.C.), the standards in the DZC and D.R.M.C. shall control.

1.2 Timing of Large Development Review with Subsequent Regulatory or Planning Processes
When preparation of a LDR is mandatory, the Manager of Community Planning and Development shall consider the following when determining the type and sequencing of regulatory or planning approvals required that may be set forth in an approved LDR.

The Manager of Community Planning and Development shall decide if any regulatory or planning actions are required prior to or concurrent with approval of an LDR in accordance with the following:

A. Timing of Official Map Amendments in LDR
The Manager of Community Planning and Development may require approval of an official map amendment(s) (rezoning) following approval of an LDR, considering the need to:

1. Assess the range of possible land uses and intensities for the purposes of addressing infrastructure, open space, and public parks systems; and
2. Provide an opportunity for public input on the proposed change in land uses and development intensity.

B. Timing and Components of Subdivision under D.R.M.C., Chapter 50 in LDR
1. The Manager of Community Planning and Development may require approval of a Subdivision under D.R.M.C., Chapter 50, following approval of the LDR to establish areas for infrastructure, open space, and public parks, as applicable, at the beginning of the evolution of the large development area.
2. The Manager may require the subdivision following approval of the LDR be approved for the entire LDR area, and establish all proposed streets, open space in accordance with DZC Section 10.8.1, Open Space in Large Developments, public parks required by the Department of Parks and Recreation, and other infrastructure areas needed for purposes such as stormwater, water, or wastewater facilities.

C. Timing of Infrastructure Master Plan in LDR
The Manager of Community Planning and Development may require approval of an Infrastructure Master Plan (IMP) following approval of a LDR where an official map amendment (rezoning) or other regulatory approval is not necessary to evaluate the infrastructure, open space, or public parks systems, as applicable, in a coordinated manner for the LDR area.

D. Timing of Urban Design Standards and Guidelines in LDR
The Manager of Community Planning and Development may require approval of urban design standards and guidelines following or concurrent with approval of a LDR when the
LDR area is visible from an arterial or collector street or if the LDR area is identified for urban design improvements in an adopted plan.

E. **Timing of Planning Process**
   If the Manager of Community Planning and Development determines that there is not clear and sufficient adopted plan guidance in the LDR area, the Manager of Community Planning and Development shall inform the applicant of the required process for community input on the proposed development prior to LDR approval, which may include, but not be limited to a neighborhood or station area plan, plan amendment, or master plan to be adopted by city council. Any planning process established as part of a LDR shall address the need for multiple public meetings and communication to appropriate boards and commissions, including but not limited to Planning Board and City Council.

1.3 **Pre-Application Meeting**
The following standards shall apply in addition to those set forth in DZC Section 12.4.12.7, Pre-Application Meeting for LDRs:

A. **LDR Boundaries**
The Manager of Community Planning and Development shall decide the boundaries of the LDR area considering the area requested by the applicant and when land proximate to the LDR area:

1. Is under the same common ownership;
2. Is part of the same adopted plan or General Development Plan land use and infrastructure framework as the land in the LDR area;
3. Is appropriate or currently functioning:
   a. As open space, a public park, or a natural resource restoration area;
   b. As a pedestrian, bicycle, or vehicular connection;
   c. To coordinate infrastructure systems such as for water, wastewater, or stormwater;
   or
d. To provide some other community benefit in accordance with an adopted plan.

B. **Factors to Consider for Adopted Plan Guidance**
The Manager of Community Planning and Development shall decide if the area of the proposed large development has clear adopted plan guidance when the adopted plan provides a sufficient level of detail for the LDR area to establish land uses, streets, open space, public parks, and other infrastructure; and was adopted within 20 years from the date of the LDR request.
C. Additional Requirements at Time of Preapplication Meeting

1. Affordable Housing Plan
   The Manager of Community Planning and Development, in consultation with the Office of Economic Development, may determine that the location and type of proposed development, including the mix of residential and nonresidential uses, requires an affordable housing plan, in accordance with the following.
   a. The affordable housing plan may set forth how the future development will address the type and tenure of housing units, anticipated income levels, and a phasing plan establishing the timing and responsibility of the construction of affordable housing units.
   b. The affordable housing plan shall demonstrate how it promotes the goals of the City’s five-year housing plan as such plan exists at the time of execution of the affordable housing plan.

2. Schools Plan
   The Manager of Community Planning and Development, in consultation with Denver Public Schools, may determine that a public schools plan is required addressing public schools in the LDR area.

3. Public Park Land Requirements
   The Manager of the Department of Parks and Recreation (DPR) may determine that public park land is required in accordance with DPR adopted rules and regulations or adopted plan policies.

1.4 Review, Referral, and Decision by Development Review Committee
   1. The DRC shall refer the LDR application to other affected or interested agencies for review and comment including but not limited to:
      a. The Office of Economic Development – Affordable Housing;
      b. Department of Public Works – Transportation, Wastewater, Floodplain, Policy & Planning;
      c. Department of Parks and Recreation – Forestry, Natural Resources, Parks Planning;
      d. Department of Public Health and Environment;
      e. Denver Public Schools;
      f. Denver Water;
      g. Department of Community Planning and Development – Development Services, Planning Services;
      h. City Attorney’s Office; and
      i. Any special districts providing infrastructure service to the IMP area.

1.5 LDR Application
   The LDR application shall be in accordance with DZC Section 12.3.3, Submission of Applications, with the addition of the following items as determined by the Manager of Community Planning and Development.
A. Narrative of the proposed development addressing the estimated range of proposed land uses and intensities and proposed infrastructure changes;
B. Map and legal description of the proposed LDR area;
C. Map depicting the conceptual location of open space areas to meet the minimum requirements in DZC Section 10.8.1, Open Space in Large Developments;
D. Map depicting the conceptual location of proposed streets;
E. A phasing plan establishing the timing and responsibility for construction of public improvements, infrastructure, and open space, as applicable; and
F. Other items required by the Manager of Community Planning and Development, which may include, but are not limited to:
   1. An affordable housing plan; and
   2. Information depicting the timing of and responsibility for the construction and location of public park land that is required in accordance with adopted Denver Parks and Recreation rules and regulations, the Denver Zoning Code, or the Denver Revised Municipal Code.

1.6 Components of the Approved and Recorded LDR
The approved and recorded LDR may include the items listed in Section 1.5 LDR Application as determined by the Manager of Community Planning and Development. The approved and recorded LDR may also include, but is not limited to, the following additional items:

A. The type and timing of required regulatory processes applicable to development of the LDR area, including but not limited to any Official Map Amendments, Subdivision of land under D.R.M.C Chapter 50, approval of an Infrastructure Master Plan in accordance with Section 12.4.12.21, a comprehensive sign plan, and approval of any urban design standards and guidelines;
B. The type and timing of the regulatory process that will establish required streets, open space, public parks, or other infrastructure, as applicable; and
C. The type and timing of any planning processes needed prior to approval of any subsequent regulatory processes in the LDR area.
Section 2. Infrastructure Master Plan Rules and Regulations

[Drafting note: the IMP process set forth below is taken from a combination of the current site development plan process and the documentation of IMPs the city has already completed.]

2.1 Intent
The intent of the Infrastructure Master Plan (IMP) process is to:

A. Implement adopted plans by establishing conceptual, horizontal land use, development, and infrastructure systems for large development areas prior to final, site-specific planning and engineering design;

B. Implement regulatory processes and actions established through a Large Development Review (LDR), as applicable, including but not limited to official map amendments (rezonings) and subdivisions; and

C. Use existing development review processes established in DZC Article 12 to coordinate infrastructure, open space, and public parks systems, as applicable, both in and surrounding an LDR area, as applicable.

2.2 Applicability

A. The Manager of Community Planning and Development shall determine if Infrastructure Master Plan review is required based on the following factors that may be applicable to the proposed development:
   1. An approved LDR in accordance with Denver Zoning Code (DZC) Section 12.4.12 requires an IMP for the proposed development area;
   2. An adopted plan recommends preparation of an IMP for the proposed development area;
   3. The proposed development is in an approved General Development Plan;
   4. The Manager of Community Planning and Development determines that the gross area of the proposed development is more than 5 acres or will result in three or more Blocks; or
   5. The Manager of Community Planning and Development determines that the proposed development is of a scale and complexity where a coordinated process addressing horizontal development systems is necessary to achieve adopted plan implementation or consistency with a General Development Plan, as applicable.

B. The Manager of Community Planning and Development may determine that no IMP is required if one or more of the factors are present in Section A above if the land use, development, and infrastructure issues related to future development in the IMP area can adequately be resolved in accordance with an adopted plan or General Development Plan through other regulatory processes.
2.3 Review Process

A. Initiation
An IMP may be initiated by any one or combination of the following parties:
1. The owner or owners of the entire subject property;
2. The owner(s)’s authorized agent(s);
3. The Manager of Community Planning and Development;
4. The Manager of Parks and Recreation; or
5. The Manager of Public Works.

B. Pre-Application Concept Plan Review
A pre-application concept plan review is mandatory before submittal of a formal IMP application. During the concept plan review, the DRC will confirm the applicability of IMP review to the proposed development activity and the specific procedure steps and submittal requirements the applicant will follow. See also Denver Zoning Code (DZC) Section 12.3.2, Pre-Application Meeting/ Concept Plan Review.

C. Submission of Application
Submission of applications for an IMP shall be in accordance with DZC Section 12.3.3 Submission of Applications, with the following additional requirements:

1. Submittal in Writing
All applications for IMP review shall be filed in writing with the Department of Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See DZC Section 12.3.3, Submission of Applications.

[Drafting Note: the proposed fee schedule for an IMP would mirror that of the current General Development Plan fees set forth in the GDP Rules and Regulations, and be posted on the online fee schedule. Fees are $5,000 application fee + $750 per acre, up to $50,000]

2. Concurrent Applications
a. Concurrent applications with IMPs may be allowed according to DZC Section 12.3.3.9, Concurrent Applications, and shall be in accordance with any approved Large Development Review (LDR), as applicable;
b. In no instance may a Site Development Plan be approved in the proposed development area until the IMP is approved, unless the DRC allows an exception in writing;
c. No IMP shall be approved before a LDR is approved, unless the DRC finds that no LDR is necessary for the proposed development in accordance with DZC Section 12.4.12.2.B and allows an exception in writing.

3. Application Contents
The concept IMP application shall include a narrative, data, and maps that address the following at the discretion of the Manager of Community Planning and Development:
a. The boundary of the IMP area;
b. The land use concepts, including estimated square footages, number of dwelling units, and distribution of land uses across the IMP area;
c. All open space areas meeting the requirements in DZC Section 10.8.1, Open Space in Large Developments, as applicable, and any other aggregated open space areas required through the DZC or adopted rules and regulations;
d. The vehicular, pedestrian, and bicycle circulation concept, including both transportation connections internal to the IMP area and connecting to surrounding transportation systems;
e. Conceptual utility plans in accordance with preliminary engineering studies for water, wastewater, and stormwater infrastructure;
f. Any proposed right-of-way vacations and/or utility abandonments or relocation; and
g. A development phasing plan addressing the timing, responsibility, and financial commitments to complete construction of all public improvements, including but not limited to infrastructure such as streets, pedestrian and bicycle connections, open space, and public parks.

The DRC may request the following items in the concept IMP application:

- Conceptual street cross sections;
- Anticipated future parcel and zone lot configurations;
- A narrative addressing incorporation of existing structures into the IMP area and future development plans;
- The publicly-dedicated park land concept;
- The designation of Primary Streets in compliance per the Denver Zoning Code;
- The proposed building heights;
- A Traffic Impact Study;
- Erosion control plans;
- A comprehensive sign plan;
- An affordable housing plan in accordance with the approved LDR; and
- Environmental standards to be met and remediation needed prior to acceptance of any infrastructure or conveyance of land to the city.

D. IMP Submittal and Review

1. Submittal and Timing After Concept IMP

   The applicant shall submit a final IMP for review within 180 days after completion of the concept IMP review. The Manager of Community Planning and Development may approve up to one 180-day extension of this filing deadline upon a showing of good cause by the applicant. If the 180-day filing period expires, and is not otherwise extended, the applicant shall be required to submit a new application for concept IMP review and pay all required fees.

2. Submittal Requirements

   The final IMP application shall contain all items and elements required through the concept IMP review above.
E. Review, Referral, and Decision by Development Review Committee

1. The DRC shall refer the IMP application to other affected or interested agencies for review and comment of the IMP’s consistency with adopted plans and rules and regulations, including but not limited to:
   a. The Office of Economic Development – Affordable Housing;
   b. The Division of Real Estate;
   c. Department of Public Works – Transportation, Wastewater, Floodplain, Policy & Planning
   d. Department of Parks and Recreation – Forestry, Natural Resources, Parks Planning
   e. Department of Public Health and Environment;
   f. Denver Public Schools;
   g. Denver Water;
   h. Department of Community Planning and Development – Development Services, Planning Services
   i. City Attorney’s Office; and
   j. Any special districts providing infrastructure service to the IMP area.

2. The DRC shall consider the relevant comments of all interested parties, the actions taken by other agencies on the infrastructure master plan, as applicable, and the review criteria stated below, in approving, approving with conditions, or denying an IMP application.

3. The DRC may attach conditions to the IMP approval reasonably necessary to protect the health, safety and welfare of the community and to minimize adverse impacts on adjacent properties, as authorized by the Denver Zoning Code.

2.4 IMP Review Criteria

[Drafting note: these review criteria are taken from the current GDP review criteria, and have been used in recently approved IMPs]

The DRC shall approve an IMP only upon finding that the following review criteria have been met, as applicable:
A. The IMP is consistent with applicable adopted city plans;
B. The IMP meets all applicable standards in Section 2.9, IMP Standards.
C. The IMP is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, the IMP shall be consistent with a previously approved Large Development Review, General Development Plan, Regulating Plan, and any applicable Urban Design Standards and Guidelines;
D. The pedestrian, transit, and street pattern is appropriate to serve the IMP area and provide connectivity to surrounding properties and promotes and accommodates multi-modal transportation;
E. The IMP contains an adequate master plan for provision of drainage, wastewater, and water systems through the IMP or a subsequent regulatory process;
F. Unique natural resource features and sensitive areas can be adequately protected and accommodated through the IMP or a subsequent regulatory process, including the regulatory floodplain;
G. The IMP contains an adequate master plan for the provision of publicly accessible and usable open space or public parks;
H. The IMP enhances the connection to transit facilities, plazas or streets, and the pedestrian environment through the IMP or subsequent regulatory processes; and
I. The IMP provides an adequate master plan to ensure that all phases of development will occur in an orderly fashion, and that infrastructure improvements necessary to serve future development have been identified and will be provided concurrent with such development as further approved through subsequent regulatory processes.

2.5 IMP Appeals
Denver Zoning Code Section 12.4.8, Appeal of Administrative Decision, shall apply.

2.6 Requirements and Limitations After IMP Approval
A. Recordation of Approved Infrastructure Master Plans
Community Planning and Development shall register a copy of the approved IMP among its records and shall record the approved IMP in the real property records of the Denver County Clerk and Recorder.

B. Effect of Approval
DZC Section 12.3.5, Effect of Approved Applications, Plans, and Permits, applies with the addition of the following.
1. An IMP approved according to these rules and regulations shall regulate the future use and development of the subject property.

2. Approval of an IMP means a proposed development complies with the standards and provisions of the Denver Zoning Code and, consequently, the City may issue site development plans, zoning permits, and building permits to an applicant, assuming all other City standards and regulations have been satisfied, including those set forth in an approved Large Development Review.

3. After approval of the IMP and all requisite zoning permits, if the Zoning Administrator finds that development is not proceeding in accordance with the approved IMP, the Manager of Community Planning and Development, through its enforcement authority, may immediately issue an order stopping any or all work on the property that does not comply with such plans, until such time as any noncompliance is remedied. See Denver Zoning Code Division 12.11, Enforcement, Violations and Penalties.

2.7 IMP Expiration

An approved IMP shall expire if no site development plans, zoning permits, or building permits have been submitted within any 10 year time period after approval of the IMP, or as otherwise specified by the DRC in writing.

2.8 Vested Rights in Infrastructure Master Plans

A. Certain Infrastructure Master Plans Eligible for Vested Rights

1. An IMP initiated by an owner or owners of the subject property, or their authorized agents, and which by its express terms will not require one or more official map amendments (rezoning) to implement the IMP may result in vested rights concurrently with the approved IMP.

2. An IMP approved prior to or concurrent with the City Council’s approval of one or more official map amendment (rezonings) to implement the IMP may be amended after approval of the official map amendment(s) to obtain vested rights. All IMP amendments seeking the addition of vested rights shall be processed according to the same procedure and criteria stated in Section 2.9.A. Amendments and Repeals of Approved Infrastructure Master Plans below.

3. An IMP eligible for vested rights according to this subsection may be afforded vested rights only for the following items. In no case may the DRC confer vested rights that conflict with any standards set forth in the Denver Zoning Code or the Denver Revised Municipal Code at the time of approval of the IMP.

   a. The location and general specifications for a network of internal pedestrian walkways and connections to primary uses within the IMP area and to adjacent development or public amenities/facilities such as schools, parks, and open space;
   
   b. The location and functional classification of the future street network within the IMP area, as applicable;
   
   c. The designation of Primary Streets to guide future development in compliance with the Denver Zoning Code;
   
   d. The location of future publicly accessible open space and parks; and
   
   e. The location of future public facilities, as applicable.
4. The vested rights in an approved IMP are directly proportional to the level of detail and specificity approved in the plan.

B. Vesting Period in IMPs
Rights vested through approval of an IMP shall remain vested for three years or until such time as the IMP is either superseded or rescinded, whichever comes first, unless otherwise approved by City Council. Amendments to IMPs shall not affect vested rights unless expressly stated otherwise in the amendment.

2.9 IMP Amendments, Repeals, and Minor Deviations
[Drafting note: this section mirrors that of the current DZC section addressing amendments to GDPs. Under the proposed draft below, IMP amendments would be required to obtain full DRC approval and pay the full IMP fee; whereas minor deviations only must be approved by the Manager of Community Planning and Development and pay a lesser fee that matches that of the GDP amendments fee for a minor deviation - $100].

A. Amendments and Repeals of Approved Infrastructure Master Plans
1. Intent
In addition to Section 2.1, Intent, the amendment process is intended to allow for IMPs to change over time as needed and to establish appropriate procedures for different types of amendments to IMPs.

2. Applicability
Any of the following changes to an approved IMP, if included in the IMP, shall be considered amendments subject to this Section 2.9. The DRC shall decide if the proposed change falls within any of the following:
   a. Significantly modifying or reallocating the mix of uses or density of development such that the infrastructure planned within the IMP is no longer adequate;
   b. Significantly altering the location or amount of land area intended for publicly accessible open space, public parks, or other public purposes required by the Denver Zoning Code or by other City ordinances, rules, or regulations;
   c. Substantially moving or altering the vehicle access and circulation to or within the development;
   d. Changing or negating any IMP condition of approval;
   e. Change to any vested rights established through the IMP;
   f. A proposed repeal of the IMP; or
   g. Modifying any other element of the approved IMP that would substantially change its character or impacts on surrounding property, as determined by the Manager of Community Planning and Development.

3. Procedure for Amendments
An amendment to or repeal of an approved IMP may be reviewed concurrently with other applications according to Denver Zoning Code Section 12.3.3.9, Concurrent Applications. An amendment to or repeal of an approved IMP shall be reviewed according to the same procedures and subject to the same limitations and requirements as the original approval, with the following exceptions:
a. **Initiation**

In place of Section 2.3.A, the following applies.

i. One or more property owners or their authorized agent(s) within the area being amended;

ii. The Manager of Community Planning and Development;

iii. The Manager of Parks and Recreation; or

iv. The Manager of Public Works.

b. **Review Criteria**

In addition to the review criteria in Section 12.4.12.2, the DRC shall approve the IMP amendment only if the DRC finds the amendment will not result in any material adverse impacts on the remainder of the approved IMP, where such impacts are not otherwise substantially mitigated.

B. **Minor Deviations to Approved Infrastructure Master Plans**

The Manager of Community Development may authorize minor deviations from a previously approved IMP. Minor deviations are allowed provided such deviation does not constitute an "amendment" to an IMP under Section 2.9.A.2. Amendments and Repeals of Approved Infrastructure Master Plans. All minor deviations to an IMP approved by the DRC shall be submitted as "redline" edits to the previously approved electronic IMP, which, after approval, shall be recorded by the Manager of Community Development in the records of the Denver County Clerk and Recorder's Office.

2.10 **Infrastructure Master Plan Standards**

*Drafting Note: All standards were carried forward from the current jointly adopted GDP Rules and Regulations unless noted in red font*

A. **General Intent**

The intent of these IMP standards is to supplement standards contained in the Denver Zoning Code (DZC) and other City rules and regulations applicable to development in the IMP area to address the impacts of a large development area. Depending on the location, scale, and type of development, some standards may not be applicable as determined by the DRC. In the event of a conflict between these IMP standards and any standards in the DZC or Denver Revised Municipal Code (D.R.M.C.), the DZC and D.R.M.C. standards shall control.
B. Zoning Standards

1. Specific Intent
   a. To determine the preliminary location, intensity and density of land uses;
   b. To determine appropriate transitions between proposed uses and densities, especially at the periphery of the infrastructure master plan area;
   c. To demonstrate compatibility between uses, including such elements as type and location of use, open space, and buffering;
   d. To mitigate incompatible impacts and effects;
   e. To attain the land use, design, natural, social and economic goals and objectives for the area contained in adopted plans; and
   f. To ensure the appropriate type and location of infrastructure is constructed in the IMP area to adequately serve the proposed land uses and intensities.

2. Zoning Standards for IMPs
   a. Proposed land uses and intensities shown in the IMP for the purposes of coordinating infrastructure, open space, or public parks needs, as applicable, shall be in conformance with the relevant zone districts (including waivers and conditions), or that the means for reconciling any differences have been addressed.

   [Drafting Note: the standards in subsections b-e below would allow an IMP to vary from underlying zone district standards, provided they are more restrictive. The benefits of retaining this may be to calibrate intensities according to infrastructure constraints more than zoning would allow at a maximum buildout, or to address other issues that zoning may not adequately address].

   b. Where necessary to insure compatibility of buildings and uses with each other and with off-site properties, the DRC may specify modification of the development regulations, requirements and standards of the underlying DZC zone district, including but not limited to the following:
      i. Maximum densities;
      ii. Maximum building heights;
      iii. Maximum lot coverage; and
      iv. Greater setback/build-to requirements and/or building bulk planes.
   c. Modifications to any underlying DZC zone district may only be more restrictive than the applicable zone district, including waivers and conditions, but may not be less restrictive. Any modification of development standards shall produce an environment equal or superior to that produced by existing zoning standards.
   d. Modifications to maximum building heights shall only be for a lesser building height than allowed by the DZC. The DRC should consider the overall average building height across the IMP area in deciding any reductions in building height.
   e. Modifications to any underlying DZC zone district may include density changes at the periphery of the zone district or within the IMP area, height and bulk changes at the periphery of zone district or within the IMP area, setback changes, or any other building envelope standards needed to promote compatibility between the area subject to the IMP and the adjacent land uses.
C. Environmental Standards

1. Specific Intent
   To minimize the impacts of development and infrastructure to natural resource areas, ecologically sensitive areas, or areas otherwise not suitable for development due to environmental constraints.

2. Environmental Standards for IMPs
   a. Development shall preserve ecologically sensitive landscapes through methods such as designating permanent open space and through appropriate design and use of land.
   b. New roads shall not be constructed in areas designated natural or conservancy areas where a feasible alternative exists. Roads permitted in such areas shall be located, designed and constructed to ensure minimal environmental impacts.
   c. Roads shall not be constructed in 10-year flood areas, on steep or naturally unstable slopes, or in other hazardous areas except where no alternative is feasible.
   d. Roads shall be designed to minimize impacts on wildlife, significant wildlife habitat or migration routes.
   e. Drainage from roads and road construction shall be controlled using Best Management Practices (BMPs) so that the transport of pollutants and sediments into water bodies or onto adjacent properties will be avoided or minimized.
   f. Environmental impacts resulting from installation or maintenance of utilities shall be minimized. Areas disturbed during construction shall be replanted with native vegetation or other planting as approved in a Landscape Plan and maintained until firmly established. Clearing shall be confined to that necessary to allow installation and to prevent interference by vegetation once the system is in operation.
   g. Development shall address tree and natural resource requirements set forth in any policies, design standards, or plans adopted by the Department of Parks and Recreation or the Department of Public Works.

D. Public Facilities Standards

1. Specific Intent
   To integrate public facilities for different purposes together in the IMP area to promote efficient land use patterns.
2. Public Facilities Standards for IMPs
   a. The IMP shall situate public facilities where other public facilities may be located as an organizing feature.
   b. The IMP shall be consistent with the public facilities elements of adopted plans.
   c. Public facilities, such as recreation and community centers, libraries, and schools, should be sited adjacent to public parks, open space, and trails wherever possible to promote joint and community use.
   d. The IMP shall situate public facilities and appropriate open space to take advantage of available or planned multi-modal access.

E. Transportation Standards
   1. Specific Intent
      a. To determine the arterial, collector, and local street layout and subsequent right of way width requirements in the IMP area to implement adopted plans;
      b. To provide vehicular, pedestrian, and bicycle linkages with existing adjacent streets and future developments; and
      c. To ensure safe access to all properties for emergency services.

2. Transportation Standards for IMPs
   Transportation systems shown in the IMP shall be consistent with and reviewed under the applicable rules and regulations for transportation standards and policies adopted by the Department of Public Works. The following additional transportation standards apply to IMPs. In the event of a conflict between these standards and any Department of Public Works rules and regulations, adopted plans, the DZC, or the D.R.M.C.; the standards in the DPW rules and regulations, DZC, and D.R.M.C. shall control.
   a. Street, Alley, and Block Layout Standards
      i. The existing or proposed street system continues Denver’s traditional street patterns of arterials, collectors and local streets on a grid system and continues Denver’s physical character, including interconnected street networks, connectivity to existing roads, parkways, tree-lined streets and detached sidewalks.
      ii. The block and street layout for all development shall be compatible with existing and planned development of adjacent parcels.
      iii. The block sizes shall provide pedestrian scale to development.
b. **Multimodal Transportation and Transit Facilities**
   i. The IMP shall provide an interconnected transportation system that encourages multiple modes of transportation, disperses traffic, and provides streets that accommodate multiple transportation modes including vehicles, transit, bicycles and pedestrians.
   ii. Transit facilities in an IMP shall:
       (a) Be integrated with appropriate facilities for all modes of travel;
       (b) Provide safe, secure, convenient and comfortable locations to access transit; and
       (c) Be located adjacent to and accessible from activity centers and commercial areas.

c. **Street Design and Cross Sections**
   i. The design and construction of roads shall minimize the impacts on existing residences, local neighborhood streets, and historic structures.
   ii. All street cross-sections shall include public right-of-way for travel lanes, tree lawns or amenity zones, utility easements and sidewalks in dimensions as approved by the Department of Public Works. Additional right of way may be required for parking lanes, bicycle lanes, medians, or additional pedestrian or transit facilities.
   iii. Half-streets along a development boundary or within any part of a development may be approved by the Manager of Public Works. The full right of way and pavement width of all classes of streets shall be provided unless other arrangements are approved by the Manager of Public Works.
   iv. Utilities and transportation facilities in IMPs shall be installed in the same rights-of-way to the greatest extent possible.
   v. **Pavement Thickness Design** for streets in the IMP shall be consistent with and reviewed under the applicable rules and regulations and policies adopted by the Department of Public Works. The traffic and vehicle loading shall consider initial and minimum 20-year future traffic. Traffic projections and vehicle type classifications needed for design may be derived from a required Traffic Impact Study, or based on approved similar existing facilities that model the planned IMP.
   vi. The IMP may include variations from the standard street cross-sections with the approval of the Manager of Public Works where one or more of the following circumstances apply:
       (a) If a natural or human-made obstruction limits the available right of way;
       (b) If pedestrian, bicycle, transit or vehicular safety would be better served by a variation to the standard street cross-section;
       (c) If the anticipated development program would be better served by a variation to the standard street cross-section; or
       (d) If connections to the existing road network would be preserved or extended by a variation to the standard street cross-section.

d. **Private Streets**
The Managers of Public Works and Community Planning and Development may consider proposals to retain streets as private property when one or more of the following circumstances apply and if agreements between the applicant and the city are set forth for private repair and maintenance of the private street:

i. If the anticipated development program would be better served by private streets;

ii. Private streets have the same quality as public streets, such as sidewalks, tree lawns with street trees and buildings located to define the street;

iii. If connections, access and circulation for the IMP area will not be degraded; or

iv. If the street cross-section does not meet the requirements of the Department of Public Works street standards but does meet applicable standards for health, safety, welfare, convenience and design as required by the Department of Community Planning and Development.

e. Pedestrian and Bicycle System

i. Pedestrian and Bicycle Connectivity

(a) Pedestrian and bicycle traffic shall be separated from vehicular traffic for safety.

(b) The transportation system shall connect pedestrian and bicycle facilities to bicycle and pedestrian facilities surrounding the IMP area;

(c) The transportation system shall connect pedestrian and bicycle facilities to significant locations, such as public parks, transit, housing, trails, shopping, schools, and public facilities.

f. IMP Parkways and Boulevard Standards

Development in the IMP shall be consistent with and reviewed under D.R.M.C., Chapter 49, Article II for Parkways and Boulevards, and any policies, design standards, or plans adopted by the Department of Parks and Recreation and Department of Public Works. The following additional standards for parkways and boulevards apply to development in the IMP. In the event of a conflict between these standards and any Department of Public Works (DPW) or Department of Parks (DPR) and Recreation rules and regulations, adopted plans, the DZC, or the D.R.M.C.; the standards in the DPW and DPR rules and regulations, DZC, and D.R.M.C. shall control.
i. The Managers of the Departments of Parks and Recreation, Public Works, and Community Planning and Development may establish new parkways and boulevards that are designated by City Council through ordinance in the IMP area.

ii. Existing parkways and boulevards may be extended to newly-developing areas subject to the IMP as determined jointly by the Departments of Parks and Recreation, Public Works, and Community Planning and Development.

iii. New parkways and boulevards may be constructed in newly-developing areas subject to the IMP as determined jointly by the Departments of Parks and Recreation, Public Works, and Community Planning and Development.

F. Wastewater Standards

Wastewater systems shown in the IMP shall be consistent with and reviewed under the applicable rules and regulations and policies adopted by the Department of Public Works. The following additional wastewater standards apply to IMPs. In the event of a conflict between these standards and any Department of Public Works rules and regulations, adopted plans, or the D.R.M.C., the standards in the DPW rules and regulations and D.R.M.C. shall control.

1. All sanitary sewers shall be designed using the City’s most current Sanitary Sewer Design and Technical Criteria Manual and the City’s most current Sanitary Sewer Master Plan.

G. Stormwater Standards

Stormwater systems shown in the IMP shall be consistent with and reviewed under the applicable rules and regulations and policies adopted by the Department of Public Works. The following additional stormwater standards apply to IMPs. In the event of a conflict between these standards and any Department of Public Works rules and regulations, adopted plans, or the D.R.M.C., the standards in the DPW rules and regulations and D.R.M.C. shall control.

1. Specific Intent
   To protect new developments, as well adjacent and downstream properties including public Right-of-Way, from negative storm drainage impacts.

2. Stormwater Standards for IMPs
   a. On-site or regional detention basins or equivalent management facilities shall be provided within the IMP area to properly limit surface runoff.
   b. Where the development of a site could result in danger to persons, land or wildlife due to runoff during construction, the facilities for stormwater runoff control shall be constructed prior to any earth moving or drainage construction on the site.
   c. All stormwater management facilities shall be constructed within the area of the proposed development, except in the case of approved regional stormwater detention facilities.
   d. Stormwater facilities shall use multi-purpose facilities where appropriate, such as incorporating linear open space within riparian corridors and by integrating drainage facilities and features with natural waterways, recreation areas, trails and open space.
   e. Stormwater facilities shall minimize negative environmental impacts and maximize opportunities for water quality enhancements.
f. All stormwater runoff facilities shall be designed using Best Management Practices that result in safe, efficient, attractive, and environmentally sustainable facilities that meet or further the urban design goals of the development.

H. Utilities Standards

Utilities shown in the IMP shall be consistent with and reviewed under the applicable rules and regulations and policies adopted by the Department of Public Works. The following additional utility standards apply to IMPs. In the event of a conflict between these standards and any Department of Public Works rules and regulations, adopted plans, or the D.R.M.C., the standards in the DPW rules and regulations and D.R.M.C. shall control.

1. Specific Intent
   a. To ensure that adequate utilities will be available concurrent with development; and
   b. To provide for the appropriate location, layout, engineering and design of new utility facilities.

2. Utilities Standards for IMPs
   a. Utilities and transportation facilities shall be installed in the same rights-of-way to the greatest extent possible.
   b. Utilities located in the tree lawn, amenity zone or sidewalk area of the public right of way shall be located to avoid conflict with the root systems of street trees. Utility conduits shall be located as far from the tree lawn center line as possible.
   c. All utility systems and facilities, such as communication, water, gas and electrical systems, installed in any area of special flood hazard shall be designed, located and/or constructed to eliminate damage from flood waters.
   d. Storm drainage and sanitary sewer studies shall be submitted and approved for the entire development before construction of any one phase may be initiated. When developing in phases, the applicant shall be required to covenant that all storm drainage and sanitary sewer facilities and onsite grading will be constructed in accordance with approved storm drainage and sanitary sewer studies and/or plans for the entire development. No person(s) shall have the authority to redesign or alter the construction of any phase of the development without first obtaining written approval from the Manager of Public Works. When all phases of construction have been completed, inspected and accepted by the Manager of Public Works, the applicant may request, if applicable, termination of the covenant.
   e. New telephone, communications, electric, gas and other similar utility lines and services shall be placed underground except where this requirement conflicts with the requirements of public and private utility companies or other regulatory agencies. Transformers, switching boxes, terminal boxes, metering, roadway lighting, signal devices, gas regulators, compressor stations or other similar facilities necessarily appurtenant to underground facilities may be placed above ground, but should be placed so that they do not compromise sight distance from site access points and so that they are as unobtrusive as possible with respect to the character of the streetscape. To the extent possible, these facilities should be located in the rear yard or alley rather than the front yard.