

## City of Denver, CPD Advancing Equity in Rezoning Task Force Orientation

January 26, 2022 3:00pm - 5:00pm

### Notes

#### 36 attendees; 20 TF members present

#### Welcome - Sarah Cawrse, Community Planning and Development (CPD)

- Thanked the group for attending the optional orientation. Noted that CPD will be pausing for questions throughout.
- Sarah reminded the group of the purpose of the meeting and introduced CPD staff: Sarah Cawrse, Liz Weigle, Andrew Webb, and Rob Haigh.

#### Introduction of Task Force Members - Rox White, SWR Facilitator

- Task Force members introduced themselves: name, organization, and why they're interested in the project.

#### Zoning Activity & Polling – Rob Haigh, CPD

- Initial polling to establish baseline – SWR
  - Polling guided CPD to focus on:
    - Rezoning steps
    - Rezoning criteria
    - Role of staff in rezoning
    - Role of RNO's in rezoning
    - Role of Planning Board in rezoning
- Rob Haigh shared a presentation on what Zoning is and how it works in Denver
  - Q: Is technology meeting the needs of people who are differently abled such as people who are blind?
    - A: Code is a living document that is constantly changing. More research needs to be done.
  - Q: How does code impact signage?
    - A: An entire section of the rezoning code is dedicated to signage. Electrical codes, building codes, and fire codes are not a part of the zoning code.
  - Q: What is the hierarchy in zoning between Blueprint Denver, area plans, and

small area plans?

- A: Generally speaking, Blueprint Denver establishes high-level policies for land use which are then further refined by area plans. In the next part of the presentation, Sarah will talk about how plans are considered in the rezoning process.
- Q: More Clarity of height requirements of zone districts?
  - A: Height limits do not include basements as a story.
- Q: What's the difference between Urban and Urban Center?
  - A: Urban Centers are more mixed use and condensed than urban neighborhood contexts.
- Q: Does the city typically change zone districts within city plans? Or do the zone districts typically stay the same unless a property owner applies to rezone the property? (I'm trying to understand how fluid/static zone districts are over time).
  - A: Since we adopted the Denver Zoning Code in 2010, all existing zone districts in the city stay the same unless a rezoning is initiated. Plans are used to identify if rezoning is appropriate.
- Q: Can a design aesthetic be incorporated into the zoning code? Most of the conversations about neighborhood buildouts is that new construction does not fit with current neighborhood design.
  - A: There are areas of the city that have design standards and guidelines. Those guidelines apply in addition to the zoning code. i.e. a historic district.
  - A: The zoning code has minimum requirements while also allowing for flexibility.

### **Rezoning Presentation - Sarah Cawrse, CPD**

Review Criteria to focus on:

1. Consistency with Adopted Plans
  2. Uniformity of District Regulations
  3. Public Health, Safety, and General Welfare
  4. Justifying Circumstances (only one needs to be met for rezoning)
  5. Consistency with neighborhood context, zone district purpose and intent
- Q: Do these criteria take affordability into account via the equity lens just discussed?
    - A: Affordable housing is one of the ways an applicant may respond to Blueprint Denver's equity criteria.
  - Q: How do community members know when an application has been filed?
    - A: Community members are notified once it becomes a complete application,

not at the time of pre-application.

- Q: Are applications public record?
  - A: Yes, they are public records, published at [www.denvergov.org/rezoning](http://www.denvergov.org/rezoning)
- Q: There need to be better communication for visually impaired or blind people. What are alternative communications to signage and postcards?
  - A: Something CPD will examine\*
- Q: Are these signages and meetings in any other language other than English?
  - A: Postcards are in English and Spanish, and meetings typically have translation upon request.
  - A: More languages could be integrated depending on need.
  - A: Signage and notices could use the languages spoken in the neighborhood of the rezoning based on the dominant populations.
- Q: What's a typical range of time — in months — that it takes from pre-application first discussion to final vote at City Council?
  - A: The pre-app stage varies, but for a straightforward rezoning (e.g. clear consistency with criteria, no custom zoning) it would typically be 5 to 7 months from initial discussion to final public hearing.
- Q: How can other-abled community members participate in public hearings remotely?
  - A: Another recommendation to continue to provide multiple options for attending public meetings such as remote/virtual meetings.
  - A: Since Covid, meetings are being hosted in a remote setting and can also be watched on Denver channel 8
    - Can watch on [Denver8.tv](http://Denver8.tv)
- Q: Can you give some details about the public comment process? How long it is? Any equity considerations? Thinking about power dynamics and inequity...for example, powerful groups with loud voices having a strong influence and less powerful groups having less influence or ability to attend a public hearing and express their opinions regarding a rezoning request.
  - A: Many rezoning applications are in the pre-app stage for months or even years as they work to build community support, etc.
- Q: Is NEST involved whenever a rezoning is requested in a vulnerable neighborhood?
  - A: NEST is informed of rezoning applications in vulnerable neighborhoods, and they typically get involved in requests that would increase entitlement (e.g. taller height, etc.). It is likely they would not get involved in a rezoning of a single property to allow an accessory dwelling unit, etc.
- Q: How can the application review process be more objective?
  - A: Adding objectivity to rezoning is something we can explore in this project.
- Q: Can you explain to those who are unaware, what NEST/NEST neighborhoods are? It's important because part of our work here is coming from issues that arise within these communities at a disproportionate rate compared to the rest of the city (where gentrification and heavy rezones are frequently occurring). Equity should be linked to

this. Having different/specific criteria in NEST neighborhoods can promote equity since the city has acknowledged they are at risk of displacement.

- A: This can be a follow-up topic for the next Task Force meeting

### **Repolling – SWR**

Poll reflected that Task Force members had increased understanding on zoning/rezoning post CPD presentations. Data on polling was shared on both initial understanding versus post orientation understanding. Data showed more information and clarification are needed on:

- Rezoning criteria
- Role of RNO's in rezoning
- Role of Planning Board in rezoning

### **Closing - Sarah Cawrse**

- Sarah thanked everyone and reminded the group that the review criteria are essential to rezoning. This is our chance to evaluate the criteria and make them more equitable.