

City and County of Denver, Community Planning & Development
Advancing Equity in Rezoning project

Focus Group Session 4 Notes – Challenges and Barriers as an Applicant

April 13, 2022 4:30pm – 6:00pm

Virtual Zoom Meeting

Discussion Questions:

- What are your general experiences with rezonings? Both successes and challenges.
- What were the biggest barriers you experienced navigating the rezoning process?
- What were the challenges you faced working with the various entities, including city staff and the community?
- What issues would you like to see the project address?
- What goals would you like to see the project achieve?

Discussion Notes:

- Pre-application meeting was helpful and informative
- DHA has had successful rezonings in the recent past but it has been very long and slow
- Expediting certain projects or groups in disenfranchised communities
- Complicated process that requires legal expertise
- Our city plans are a strong point of the current process. Ensuring plans are up to date is important.
- Great customer service: staff skills, responsiveness, and customer support is good.
- Neighborhoods that have been zoned as a blanket cause confusion amongst community members. Consistency in zoning is important.
- The process for public comment allows a small group of people to submit a large amount of letters in support/opposition.
- How is feedback evaluated and weighted as we have experienced one or a few people providing opposition
- There is unpredictability in rezoning due to the public process; however, that risk and volatility causes an increase in housing cost.
 - Consultants to navigate rezoning, taking a risk that an application may not pass, etc. All increase housing cost.
 - Rezoning is also very unique, and there is always the need to look at cases on their own. This needs to be preserved and the process shouldn't be overly standardized.
- When you have to check the box of community engagement, there can be overlap between city requirements and the organizations preexisting community engagement strategy.
- DHA avoids project locations due to the cost of rezoning.

- Cost of rezoning is high even for smaller developers
- Explore tying cost of rezoning to approval of a project – this could reduce fear of trying to get a rezoning.
- Consultants, lawyers, outreach required are taxing and discouraging
- Should RNOs be weighted depending on membership size, neighborhood size, etc. To not overly represent people in the RNO?
- Affordability requirements: de facto affordability requirements have been in place for several years. Moving this to be explicit, or not, would clarify the rezoning criteria.
 - The scope of this project is to move away from one-off approvals and move to consistency.
- Clarity on role and power of RNOs is needed. Approval shouldn't be held up by forces with no approval authority.
- Legal protestors: why can only homeowners participate in protest? Why was the distance set where it was?
- One rezoning was centered around a group living home. Group living is split between planning and development services. Clarification around where group living lives, and how it interfaces with rezoning, would be appreciated.
- PUD rezoning – it took several meetings to learn that you can't rezone PUDs anymore. Guidance and clarity around that would be beneficial.
- A hierarchy of neighborhood/city plans, which takes precedent, comp plans, etc. Do rezonings in the City look to newer comp plans, or older neighborhood plans?
- What happens when neighborhood plans contradict city plans?
- The City should be open and receptive to new engagement ideas, community partnerships, and ways to advance projects that are novel. We should be mindful of making things too standardized.
- Equity and affordability are not met when linkage fee is an option
- Developers should be incentivized to create affordable housing
- What is win-win in creating more affordable housing for communities and affordability for developers
- Affordability and sustainability are linked. Allowing for affordable units being placed in larger developments, and adding energy efficiency requirements, are things that should be considered.
 - Design requirements sometimes do not consider things like solar usage, the use of which should be built into the process.
 - Sustainability needs to be part of equity
- Process should be user friendly
- Standardizing the ADU application process would be good, as this is a common rezoning request that doesn't change often across projects.

- A one-pager of how to navigate a nonstandard rezoning process could also be helpful.
- The criteria for planning board is incredibly technical, and city council adds on more qualitative questions. Does city council need to approve every ADU?
- Has there been discussion of adjusting the review criteria?
 - CPD response: The review criteria are meant to be non-specific to allow for city council and planning board flexibility in approval.
 - CPD response: Justifying circumstance allows for arguments for/against a rezoning to be made. This could be clarified to give more predictability.
- Looking at housing need and supply should inform rezoning decisions.
 - Increasing housing stock is an immediate need that must be addressed.
 - Potential rezoning criteria: how is this application effecting Denver's housing supply?
- Incentives are a great way to get developers to deliver things that the City needs.
 - Structures that need significant maintenance (which are not sustainable) often go up because sustainable building is not incentivized.
- Developers often move faster than the city can change zoning delegations.
 - The Knox & 12th area is an example of an area that affordable housing could be made; however, developers are moving quicker and eliminating the possibility of mixed use affordable development. The city being quicker in response to opportunity is essential.