



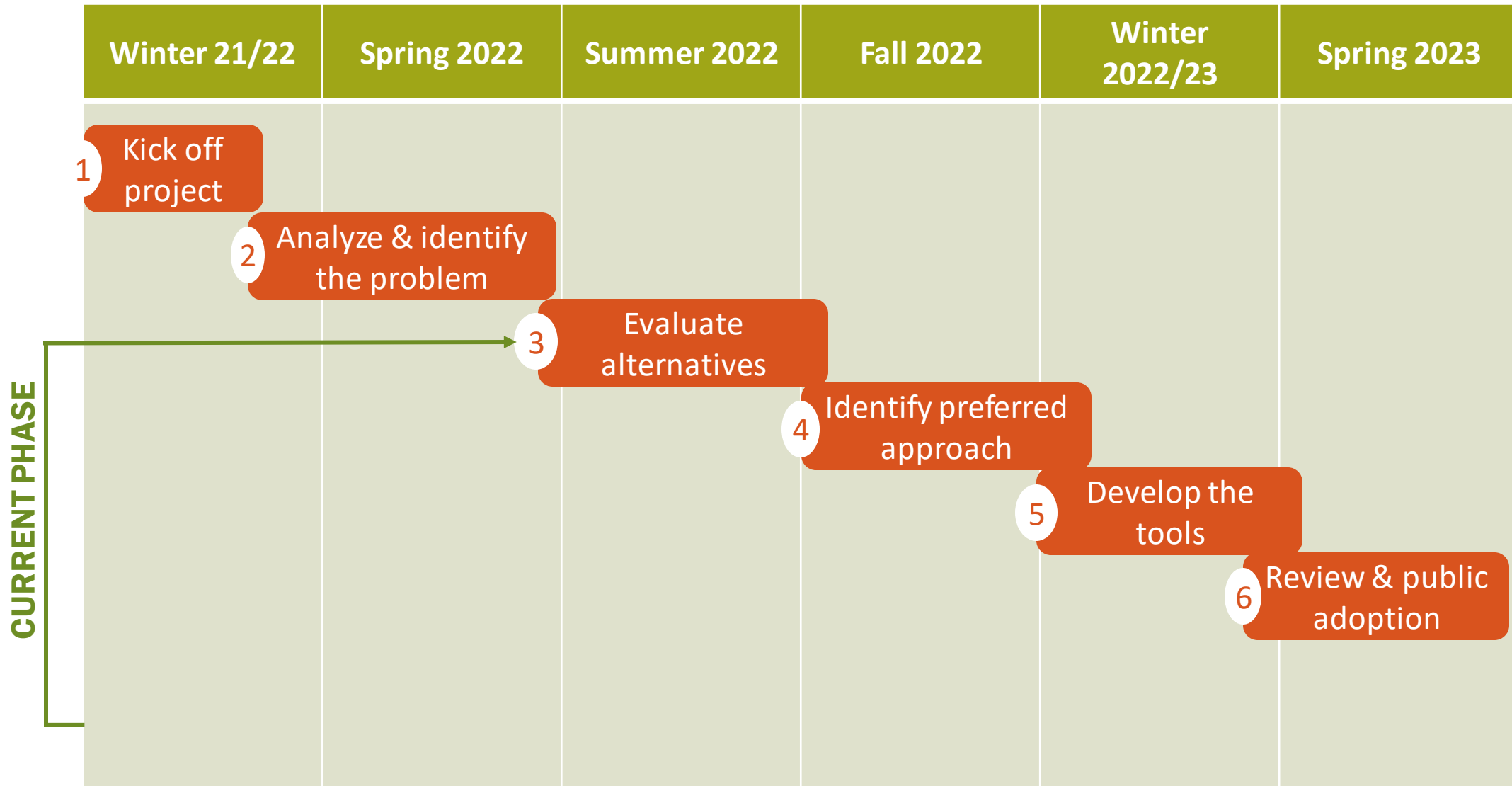
DENVER

**COMMUNITY PLANNING
& DEVELOPMENT**

Task Force Meeting
**Advancing Equity in Rezoning
Project**

July 27, 2022

AEIR Process – Schedule Adjustments



GOALS & OBJECTIVES FOR THIS MEETING



1. Review next steps on feedback from the last task force meeting
2. Review Denver's current methods of public input:
 - **When** public input is submitted
 - **How** public input is submitted
 - **How** public input is considered
3. Engage in a scenario discussion regarding public input
4. Identify areas of opportunity

Follow-up from last meeting

- Evaluating alternatives for public awareness (noticing)
 - **How:** Increase accessibility to information (QR codes, etc.); multilingual notices; simplified language
 - **When:** Expand ability to register to receive rezoning notices; consider neighborhood meetings beyond RNOs; and improve engagement at pre-application stage
 - **Who:** Prioritize engagement of underrepresented groups; notice tenants; consider historic inequities of neighborhoods
- Identifying case studies for future meetings
- Reviewing best practices from peer cities (Ex: Lakewood, Aurora)

Topic Discussions

Previous Discussions:

- Public Awareness

Today:

- Public Input
- **Upcoming Meetings:**
 - Applicant Process
 - Equitable Outcomes
 - Review Criteria



Public Input

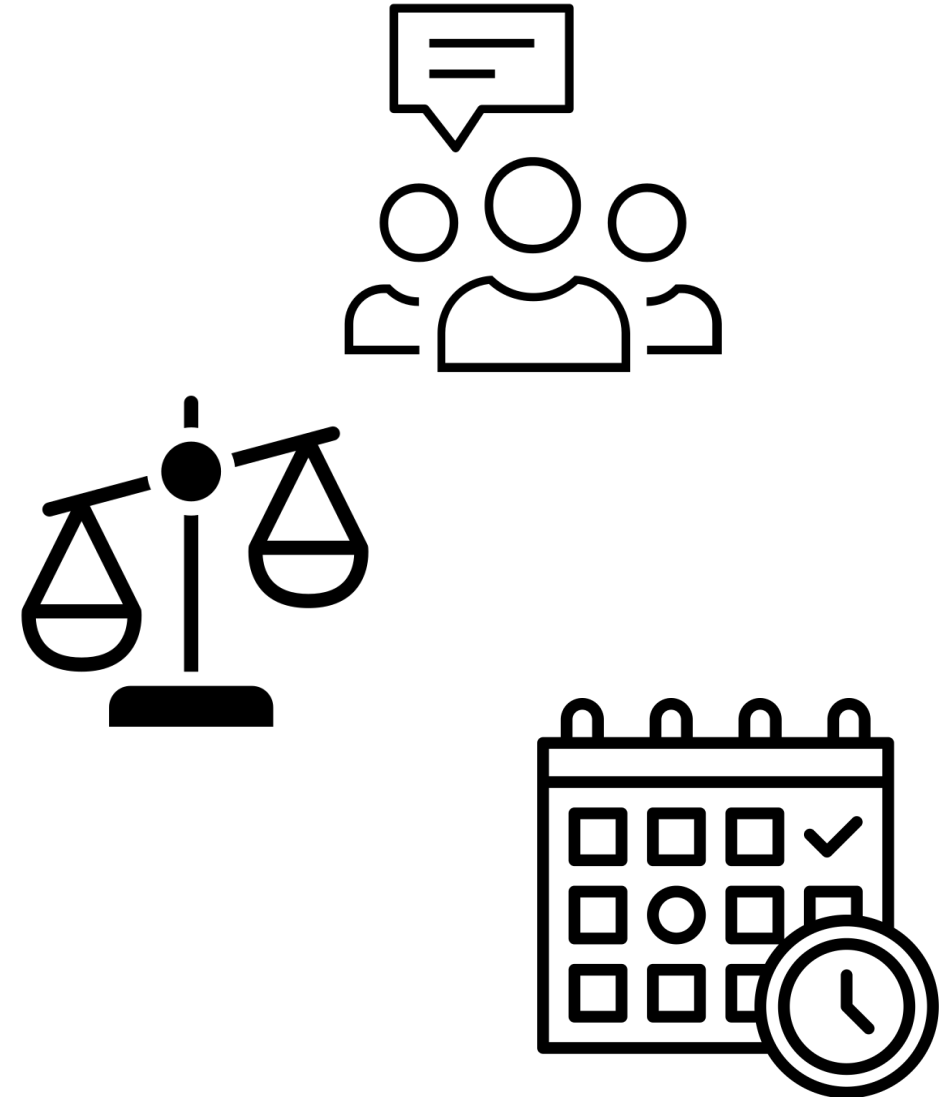
What is Public Input?

- When public input is submitted
- How public input is submitted
- How public input is considered
- How is the public assured their comments are considered

Issues Related to Public Input

Consideration of Public Input:

- Public engagement requirements for rezonings are insufficient or unclear.
- The role of public input in the decision-making process for rezonings is unclear.
- The timing and format of public hearings for rezonings are inequitable and inaccessible to some stakeholders.



Feedback On Public Input from Previous Discussions

Consider a requirement for community engagement, tailored to the type/location

Consider neighborhood/community meetings, in addition to RNOs

Prioritize engagement of and input from underrepresented groups

Provide clear engagement requirements to applicants

Clarify how to submit feedback on a rezoning proposal

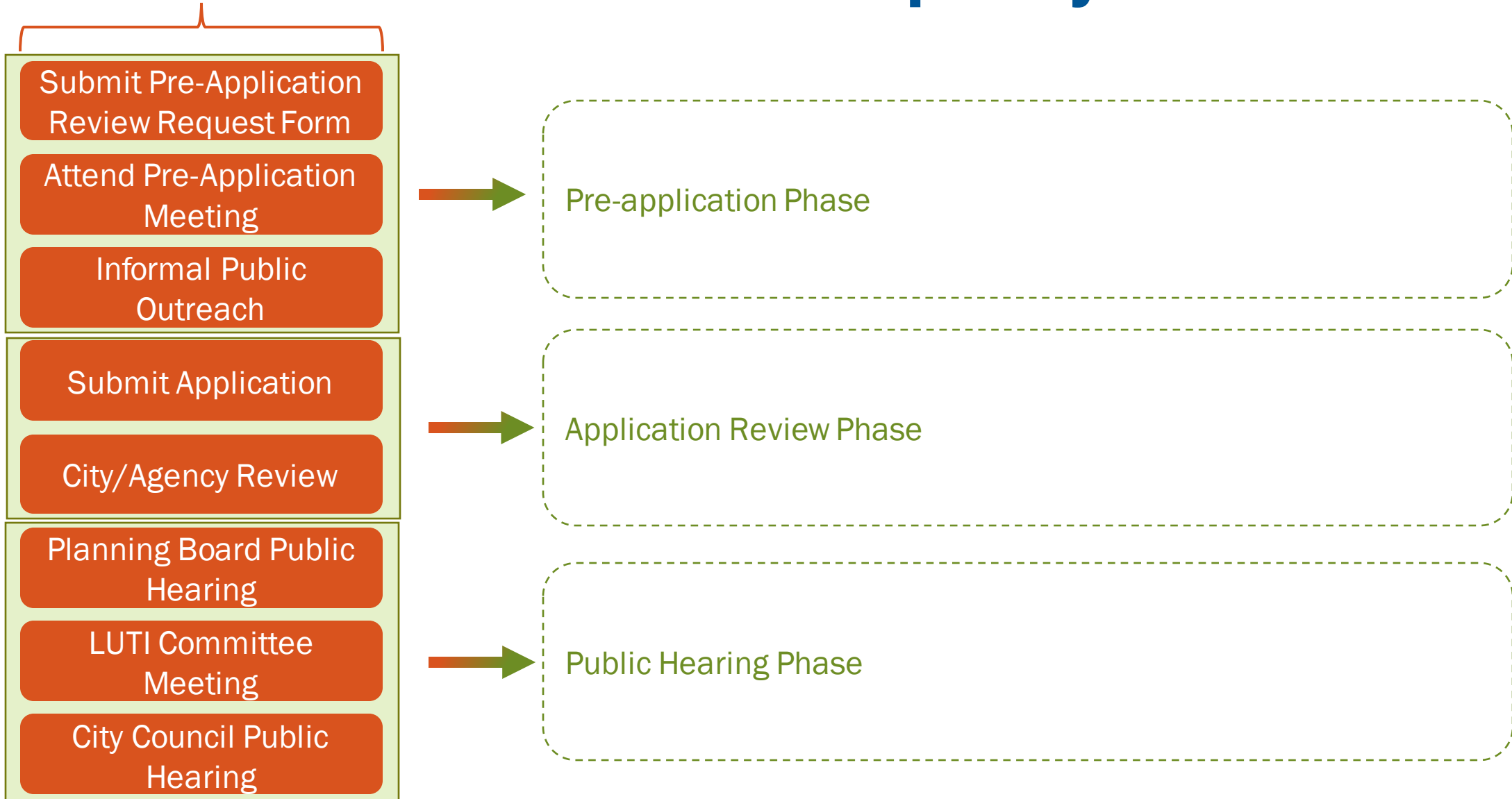
Clarify and improve how public input influences the review and decision-making process

Improve the community's understanding of how public input is considered

Improve flexibility and opportunities to provide public input prior to and during the public hearings

Steps of the Rezoning Process

Public Input by Phase



Steps of the Rezoning Process

Public Input by Phase

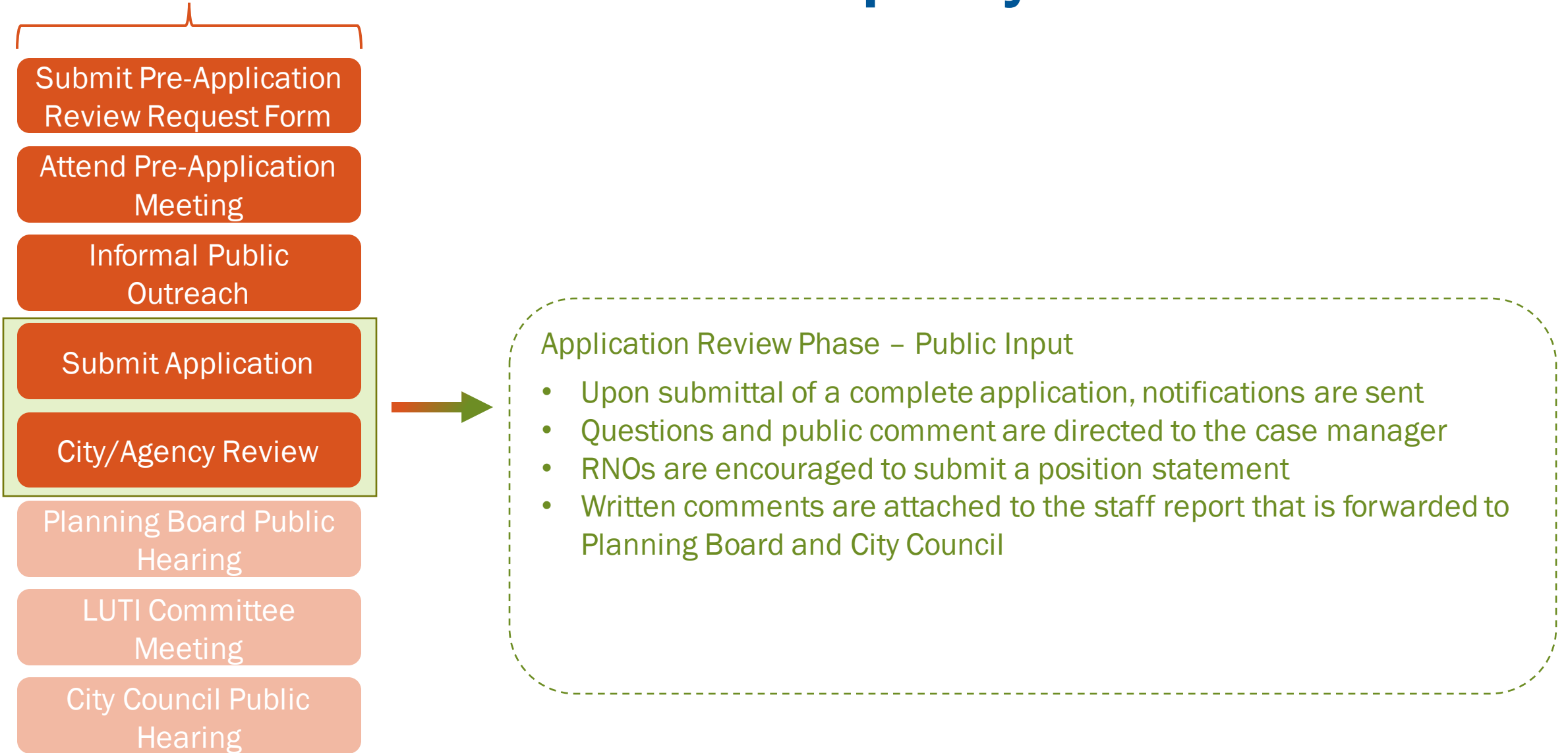


Pre-application Phase – Public Input

- Informal outreach to surrounding properties, RNOs, and City Council by applicants. (This is not required by code)
- Public input can be used by the applicant to consider modifications to the formal application prior to submittal
- For some applications, informal public outreach continues throughout the application process and up until the public hearing

Steps of the Rezoning Process

Public Input by Phase



Steps of the Rezoning Process



Public Hearing Phase – Public Input

- Notifications are sent and posted prior to public hearings
- Written comments made prior to the hearings are forwarded as an attachment to the staff report
- Members of the public can attend the public hearings and comment on the rezoning application during the meetings

Denver Zoning Code Review Criteria:

Public comments are considered as they relate to the 5 review criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Questions and Discussion on Public Input



Scenarios & Potential Solutions Discussion

Questions for discussion

- How can opportunities for public input be improved?
- When in the process is it most important for public input to be received?
- How should public input be considered in reviewing the application?
- How should engagement vary based on the type and/or location of the rezoning?
- How can equity be advanced in each of the scenarios?

Scenario 1 : ADU Rezoning

Mr. A would like to rezone his property to allow for an accessory dwelling unit in his backyard, which he would like to use to generate rental income and eventually for his aging parents to move into.

Mr. A has never participated in a zoning process before and is not familiar with the steps. At the pre-application meeting, planning staff recommends he do some informal outreach with neighbors before he submits an application. Mr. A goes to his local neighborhood organization meeting and talks to some of his neighbors. Some neighbors are supportive, while others do not want to see ADUs built in the neighborhood.

Mr. A moves forward with the application and includes two letters of support. At the Planning Board public hearing, 10 neighbors come to speak in opposition. After questions and discussion, the Planning Board votes to recommended approval based on the Denver Zoning Code review criteria. The neighbors who participated in the hearing are frustrated because it's not clear how their comments were considered.

Questions for discussion

- How can opportunities for public input be improved?
- When in the process is it most important for public input to be received?
- How should public input be considered in reviewing the application?
- How should engagement vary based on the type and/or location of the rezoning?
- How can equity be advanced in each of the scenarios?

Scenario 2: Rezoning in a Neighborhood Vulnerable to Displacement

Development One has purchased a building near a light rail station. Currently, a small, neighborhood-serving nonprofit organization rents space in the building. The site is within a NEST neighborhood and the area is considered vulnerable for displacement according to Blueprint Denver's equity concepts.

Development One proposes to rezone from a 2-story to an 8-story zone district in order to redevelop the property with retail and residential uses.

Before applying, Development One reaches out to the registered neighborhood organization to share the proposed rezoning. This results in a neighborhood agreement about building design, hours of operation of businesses in the new building, and a letter of support for the rezoning.

After submitting the application and fifteen days prior to the Planning Board public hearing, a sign is posted on the existing building. This is the first time the tenant is made aware of the rezoning. The tenant submits a letter of concern that they will lose their leased space, but they are not able to attend the public hearing.

At the public hearing, Planning Board recommends approval but encourages the applicant to work with the tenant. Prior to the application being presented to City Council, the applicant reaches an agreement with the existing nonprofit to lease space in the new building.

Feedback on Today's Meeting

NEXT STEPS:

September 14 as a TF Meeting Date calendared if agreed upon.

Input and recommendations will go back to CPD for further exploration.

August 24th 3:00 – 5:00 pm.

Please visit the project webpage for updates and other opportunities for engagement:

www.denvergov.org/equityinrezoning



THANK YOU!