

Project: Advancing Equity in Rezoning
Subject: Task Force Meeting #7 Notes
Meeting Date: Wednesday, August 24th, 2022
Meeting Time: 3:00pm - 5:00pm
Meeting Location: Virtual Zoom Meeting

Meeting Notes

Meeting Objectives:

- Discuss potential ideas to address rezoning review criteria concerns

Welcome, Introductions and Agenda Review

- Staff and Consultant Team introductions
- Task Force members introduced themselves by name and organization

CPD Updates

- Project updates by Brandon Shaver
- Issue Identification Report coming soon

Follow Up and Today's Meeting Goals and Objectives

- Updates by Rox White & Brandon Shaver
- Reminded Task Force of 2 meetings in September: 9.14 and 9.28
- Reminder of an additional meeting scheduled for December 14, 2022

Presentation on Denver's Rezoning Review Criteria

- Review of history and purpose of rezoning review criteria
- Discussion on criteria material covered:
 - Many small area and neighborhood plans are outdated – plans are adopted by City Council and are considered in review criteria, but CPD is working to ensure all neighborhoods in the city are covered by plans through the Neighborhood Planning Initiative
 - Criteria #2 and #3 – Uniformity of District Regulations and Public Health, Safety and Welfare are in both the Denver Zoning Code and the City Charter
 - Public Health, Safety and Welfare language gives the city its' police power but can be seen as vague, ambiguous and inequitable
 - Rezoning review criteria can be changed without changing the charter (requires a vote of Denverites), but any proposed changes would be reviewed carefully within the legal framework granted by the charter
 - A variety of criteria have been used by City Council to deny rezonings
 - CPD staff, the Planning Board and City Council use the same five review criteria when evaluating a rezoning request
 - Approximately 20% of the city is regulated by the former Chapter 59 zoning code
 - The rezoning of Planned Unit Developments (PUDs) adopted prior to the Denver Zoning Code in 2010 is an appropriate justifying circumstance (Denver Zoning Code Section 12.4.10.8.A.4.c)

Scenario Review and Discussion

- Review of similar scenario from previous Task Force meeting but focused on rezoning review criteria
- Discussion on scenario:
 - Creating current neighborhood and small area plans through an inclusive and equitable process should be a priority
 - Many communities lack current neighborhood and small area plans which allows inequities to persist
 - Intentional identification of and engagement with formal and informal community leaders is needed in the planning process
 - RNOs may not have the ability or necessary resources to engage with the community appropriately or actively support city efforts
 - Guidance from a current plan is extremely helpful when directing growth and change to an area
 - Important to implement plans after they are adopted, otherwise they quickly become dated and the current community may not have been involved in the planning process
 - Important to understand how current plans are considered when there is opposition from community members
 - Difficult to evaluate a rezoning against the criteria if the plan guidance is antiquated and inequitable
 - Plans should anticipate the future direction of the community and take displacement into account
 - Public Health, Safety and Welfare criterion lacks clarity and guidance on interpretation would be helpful
 - Public Health, Safety and Welfare criterion seems subjective and is unable to measure disparate impacts
 - Clear consideration of community engagement is lacking in the rezoning review criteria
 - Private agreements with the community can offer more predictability but hard to understand the process and who was involved in creating them
 - CPD should consider being more engaged in the creation of private agreements even though they are not enforced by the city
 - RNOs could play a more intentional role in how private agreements are created with the community to ensure equitable involvement
 - Equity should be better integrated into the review criteria to avoid differing interpretations
 - Community members should be educated on how to voice concerns (in their preferred language) as they relate to the review criteria
 - More quantifiable measurements and metrics, including displacement, should be incorporated into the evaluation of a rezoning request
 - Blueprint Denver equity concepts, goals and recommendations focused on equity are confusing because they cannot be applied to small-scale rezonings
 - Important to remove barriers to rezoning where the proposed rezoning is a community priority
 - A preference policy should be included in projects with a focus on affordable housing – HOST recently proposed a prioritization policy

Public Comment – N/A

Closing Statements

- Additional Task Force Meeting is Wednesday, September 14th from 3:00-5:00pm focused on Equitable Outcomes and preview of Issue Identification Report
- 2nd September Task Force Meeting on Wednesday September 28, 2022 from 3:00-5:00pm

Attendees:

Task Force Members:

Flor Alvidrez, Alfonso Espino, Claudia Folska, Brendan Greene, Steve Harley, Kate Hilberg, Brittany Katalenas, Maggie Lea, Monica Martinez, Lindsay Miller, Joel Noble, Bruce O'Donnell, Caitlin Quander, Lou Raders, Amanda Sandoval, Shara Smith, Robin Wood-Mason

Project Team:

Brandon Shaver, Liz Weigle, Andrew Webb, Rob Haigh

Consultant Team:

Rox White, Sabrina White, Yvonne Miranda

Observers:

Ben Wells, Craig Magtutu