

Project: Advancing Equity in Rezoning
Subject: Task Force Meeting #10
Meeting Date: Wednesday, June 28, 2023
Meeting Time: 3:00pm - 5:00pm
Meeting Location: Virtual Zoom Meeting

Meeting Notes

Meeting Objectives:

- Update the Task Force on project progress
- Get feedback on Strategy #1 (tailor rezoning process based on size, location, and impact)

Welcome, Introductions and Agenda Review

- Meeting participants introduced themselves by sharing their name, organization, and their favorite season.
- Elizabeth Suarez, meeting facilitator, presented the meeting agenda

CPD Presentation

- Brandon Shaver presented the project timeline, history, and recent updates
- Rob Haigh presented proposed draft approaches for discussion for Strategy #1: Tailored Approaches to Rezoning Applications. This included 4 potential rezoning types and highlighted key differences from the current process as summarized below. Please see the task force presentation for more details.
 1. Enhanced Equity Considerations – rezoning cases in this category would require community engagement, identify equity considerations, incur increased fees commensurate with additional requirements, increase notification buffer and include a concurrent commitment informed by the equity analysis and community input
 2. Legislative, City-led – rezonings cases in this category would include coordinated engagement with the neighborhood/small area planning process, opportunities to better align the adoption of the rezoning with the related planning process as appropriate, pairing the rezoning with other plan implementation strategies and/or City efforts that improve equity, and would not have any fees associated
 3. Process Relief – rezoning cases in this category (mainly map errors and projects that clearly advance equity goals) would incur reduced fees, have shortened review and notification periods, potentially not require a Planning Board public hearing and begin the public process at the Land Use, Transportation and Infrastructure Committee of City Council
 4. Standard Periodic – rezoning cases in this category would include individual applications that are added to the queue for periodic processing, applications that are either considered as a group or for individual action (depending on the request).

Task Force Discussion

- The Task Force discussed the proposed rezoning types and potential process changes. Comments suggested that the Task Force generally agreed with the idea of tailoring the rezoning process based on

rezoning types. However, they wanted to discuss further details of the process improvements and how rezonings would be categorized into each type at future meetings. More detailed notes follow below.

- Rezoning types comments
 - Process Relief
 - Would like to better understand what types of rezonings could be considered in the Process Relief category.
 - Need more detail and examples related to Process Relief category and recommend staff consider a different name as many applicants might think their application deserves relief.
 - Would like to keep the types of rezonings in the process relief category small. It bypasses a big part of the process by bypassing Planning Board and City Council will not benefit from a Public Hearing that assesses the rezoning on the merits of the rezoning criteria.
 - Enhanced Equity Considerations
 - The criteria for inclusion of rezonings in the Enhanced Equity Considerations category needs additional discussion.
 - There are areas of the city, such as Northwest Denver, that do not have NEST neighborhoods but still face equity barriers.
 - There are multiple ways you could define “vulnerable” so this needs more discussion. Consider what other criteria in addition to NEST neighborhoods would be appropriate.
 - Standard Periodic
 - The batched rezonings work very well in Seattle, and it would be more predictable for the workload of City Council and Planning Board.
 - Be cautious with the batched rezonings. Would like to unlock the efficiency that this would offer staff but worry that it will create large a burden on how public hearings are conducted.
 - Would like to better understand how batching would work. How would staff present them and how would Planning Board review work?
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 - Legislative
 - For legislative/city-led rezonings, more specificity about the process is needed. Only a small portion of folks are involved or know about neighborhood plans, so relying on that outreach alone is not enough. Standards that set a higher bar for outreach to property owners and the public are needed.
 - More details are needed regarding the coordination between neighborhood plans and rezoning as related to legislative rezonings to ensure it doesn’t cause confusion for community members
 - Nothing the City does has as deep of outreach as neighborhood plans and implementing as much of the plan as possible right after adoption is a good idea. However, legislative rezonings will need more outreach to the property owners who will be affected and who may not have been involved in the planning process.
 - The approach of a tailored process for different types of rezonings is consistent with prior meetings and direction from the Task Force. It is the details that we need to discuss and understand.
 - Older, but still recent, neighborhood plans should also be considered for legislative rezonings. These would need to be assessed by councilmembers to ensure the neighborhood still feels the plan is relevant, but in general we should be considering the plans we completed a few years ago.
 - Consider whether the legislative rezoning approach should vary when there isn’t a recent neighborhood plan or when the proposal departs form the plans.

- General Comments
 - Would like to see and better understand the details for each type of rezoning. Not enough information currently.
 - The Task Force has been immersed into a complex structure of rezoning types and asking them to agree/disagree on the spot is difficult. Would like more time to think about it and discuss further.
 - Categorizing rezonings in buckets and having different processes for different types is a good idea
 - The approach of a tailored process for different types of rezonings is consistent with prior meetings and direction from the Task Force. It is the details that we need to discuss and understand.
 - Confirm whether only the Enhanced Equity Considerations category recommends enhanced noticing requirements. Staff clarified that under the proposed approach, noticing would continue as it does currently for the remaining 3 categories, with the additional inclusion of renters and business tenants.
 - Ensure that any metrics used properly represent communities of color. Concern that available data points often do not properly measure outcomes in these communities. Need ensure that we are also relying on community and community organizations to create indicators.
 - Would like to see the city to add more layers of data to the Blueprint Denver metrics. If the changes proposed by this project go forward, we should add data points to track them.
 - The project team needs to think about how to measure this work and its effects on equity. We talk a lot about equity, but do not how we will measure it.
 - Need to look at how other City initiatives intersect with the proposed updates to the rezoning process. For example, would affordable housing incentive heights still apply with changes that come out of AEIR. Staff responded that the AEIR project is not proposing any changes to mandatory affordable housing and the allowed incentive heights in the Denver Zoning Code.
 - Consider how we may need to phase implementation of AEIR. For example, if it will take time to achieve more legislative rezonings, we may need to make the “standard periodic” more frequent or keep our current system (considering rezonings at every Planning Board / City Council meeting) in the interim.

Jamboard Summary

Task Force members provided written feedback using Jamboards during the meeting. Below is a summary of the written input.

- Question 1 – Do you agree with the approach of tailoring the rezoning process for different types of rezonings? Explain.
 - Future meetings are needed to talk through appropriate amount of outreach for each type
 - This is a good approach and aligns with previous task force discussions
 - More detail is needed for notification requirements and community engagement
 - Legislative/City-led and Enhanced Equity Considerations categories need more detail
 - Good approach but needs to include a path for individual rezonings
- Question 2 – Do you suggest any modifications for the proposed tailored rezoning types or their suggested processes?
 - Supportive of legislative rezoning following the adoption of neighborhood plans
 - Consider increasing the noticing radius
 - Ensure the rezoning criteria work with the requirements to achieve equity
 - Better define community engagement plan requirements and use more than NEST neighborhoods
 - Retain Planning Board public hearing for process relief type
 - Better describe how commitments would be made for Enhanced Equity Considerations cases
 - Pre-record staff report and applicant presentations
- Question 3 – Is there anything confusing or missing from the proposed rezoning types?
 - Better define “vulnerable” neighborhoods

- Create tools to capture the experiences and voices of all involved in the rezoning process
- Provide more detail for the batching concept and be careful not to further slow down the process
- Unclear which category ADU, PUD and Former Chapter 59 rezonings would fall into
- Process relief category needs more detail
- Difficult to understand how legislative rezoning coincides with neighborhood planning process

Public Comment

- No members of the public provided comments.

Closing Statements

- Next Task Force Meeting is scheduled for Wednesday, August 23rd from 3:00-5:00pm

Attendees:

Task Force Members:

CM Sandoval, CM Gilmore, Anna DeWitt, Brendan Greene, Brittany Katalenas, Caitlin Quander, Joel Noble, Kate Hilberg, Lindsay Miller, Lou Raders, Maggie Lea, Mayra Gonzales, Robin Wood-Mason, Steve Harley, Trina Griego (alternate for Shara Smith)

Project Team:

Brandon Shaver, Liz Weigle, Andrew Webb, Rob Haigh, Joe Green

Also in attendance:

Don Elliott, Emma Eckenhausen, Gretchen Armijo, Myles Tangalin