



Regulatory Tools for Neighborhood Character

Historic Landmark Preservation and Zoning

Potential Tools

- Historic District
- Map Amendment (Rezoning)
- Conservation Overlay
- **Design Overlay**
- Others

Note: This presentation is a summary. For complete details refer to the Denver Revised Municipal Code, Denver Zoning Code, and adopted Rules and Regulations.

Summary

Historic District

Establishes a design review process to preserve the historic character of a neighborhood

Map Amdmt (Rezoning)

Changes the fundamental rules and procedures that apply to construction and use of property

Conservation Overlay

Establishes specific zoning tools that **encourage conservation of the existing distinctive features, identity, or character of a neighborhood**

Design Overlay

Establishes specific zoning tools that **implement design recommendations in multiple locations or can reinforce the desired character for newly developing or redeveloping areas**

What Can Each Tool Do?

Historic District

- Properties are designated “as is”
- Designated properties are subject to design review under *Design Guidelines for Denver Landmark Structures and Districts*
- Discourages demolition
- Makes property eligible for State tax credits

Map Amdmt (Rezoning)

- Changes the permitted uses in the zone district
- Changes the standards that apply to construction including building form and site design

Conservation Overlay

- Modify building form and design standards
- Include new restrictions on building form, site design, materials and architectural style (note: materials and arch. style not currently used)
- **Modify limitations on permitted uses**

Design Overlay

- Modify building form and design standards
- Include new restrictions and standards
- **Have multiple Design Overlays**

What Can Each Tool Not Do?

Historic District

- Change the permitted uses in the underlying zone district
- Implement zoning requirements, such as a specific height limit
- Require design review for work on interiors, exterior paint colors, or general maintenance

Map Amdmt (Rezoning)

- Prevent demolition
- Approve a site-specific development plan

Conservation Overlay

- Change the permitted uses in the underlying zone district
- Add new review procedures or review bodies (like boards or commissions)
- Prevent demolition
- **Have multiple Conservation Overlays**

Design Overlay

- Change the permitted uses in the underlying zone district
- Add new review procedures or review bodies (like boards or commissions)
- Prevent demolition
- **Modify limitations on permitted uses**

Examples

Historic District

About 6,600 buildings (~4% of all structures) in Denver are designated as historic (districts and individual buildings)

- **The Lower Downtown Historic District** protects and perpetuates structures that represent the founding of Denver, the development of the city, and its growth as the commercial center of the state
- **The Curtis Park Historic District** preserves one of the city's oldest residential neighborhoods and reflects the wide range of social and economic backgrounds of those that historically resided in the area, represented by the diverse size and types of homes in the neighborhood

Examples

Map Amdmt (Rezoning)

In recent years, approx. 200 properties request pre-app reviews and City Council approves approx. 40-50 rezonings annually

- Rezoning to change **allowed uses**, such as from a Multi-Unit zone district to a Single-Unit zone district or vice versa
- Rezoning to change **allowed height**, such as from a 3 story zone district to a 5 story zone district or vice versa
- **Overlays** are also rezonings

Examples

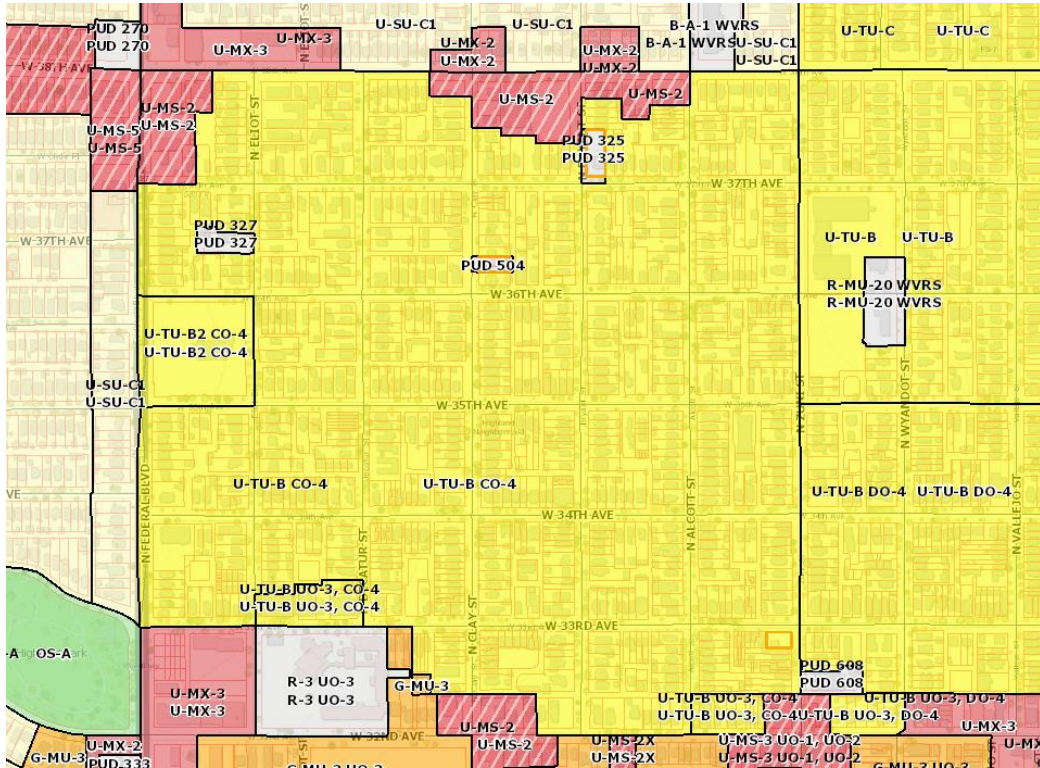
Conservation Overlay

Approximately 2,400 properties are located in Conservation Overlay districts

- **Curtis Park (CO-2)** maintains and protects a historic pattern of larger detached accessory structures
- **Potter Highlands (CO-4)** maintains and protects 5-foot side setbacks, shorter bulk planes with allowances for taller dormers, shorter heights for flat-roofed buildings, and the absence of rooftop decks
- Others include Hilltop Heritage, Scottish Village, and Krisana Park

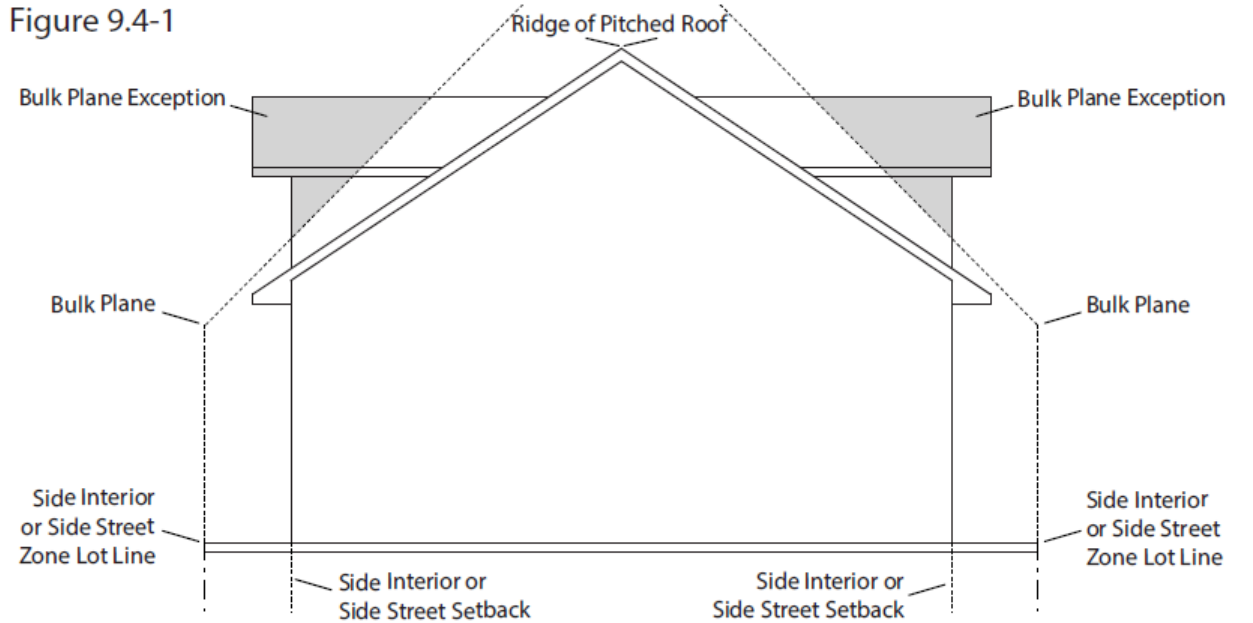
Examples

- Potter Highlands (CO-4)



- Encourage conservation of the existing distinctive features, identity, or character of a neighborhood

Figure 9.4-1



Examples

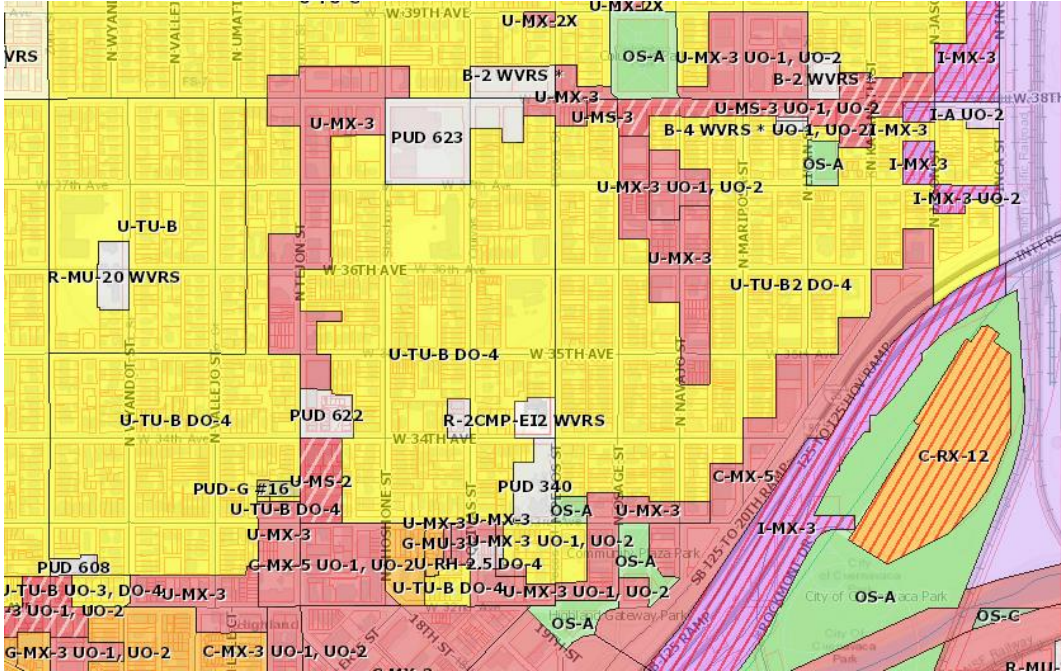
Design Overlay

Approximately 1,350 properties are located in Design Overlay districts

- **Side Interior Setback (DO-4)** is mapped in areas of Highlands to modify setbacks on some narrow lots where appropriate
- **South Sloan's Lake (DO-5)** provides design guidance on building height to create a transition from new higher-intensity development to surrounding lower-intensity residential neighborhoods
- Others include Uptown, Washington Street, Lafayette Street, Peña Station Next, and forthcoming 38th/Blake Station Area (DO-7)

Examples

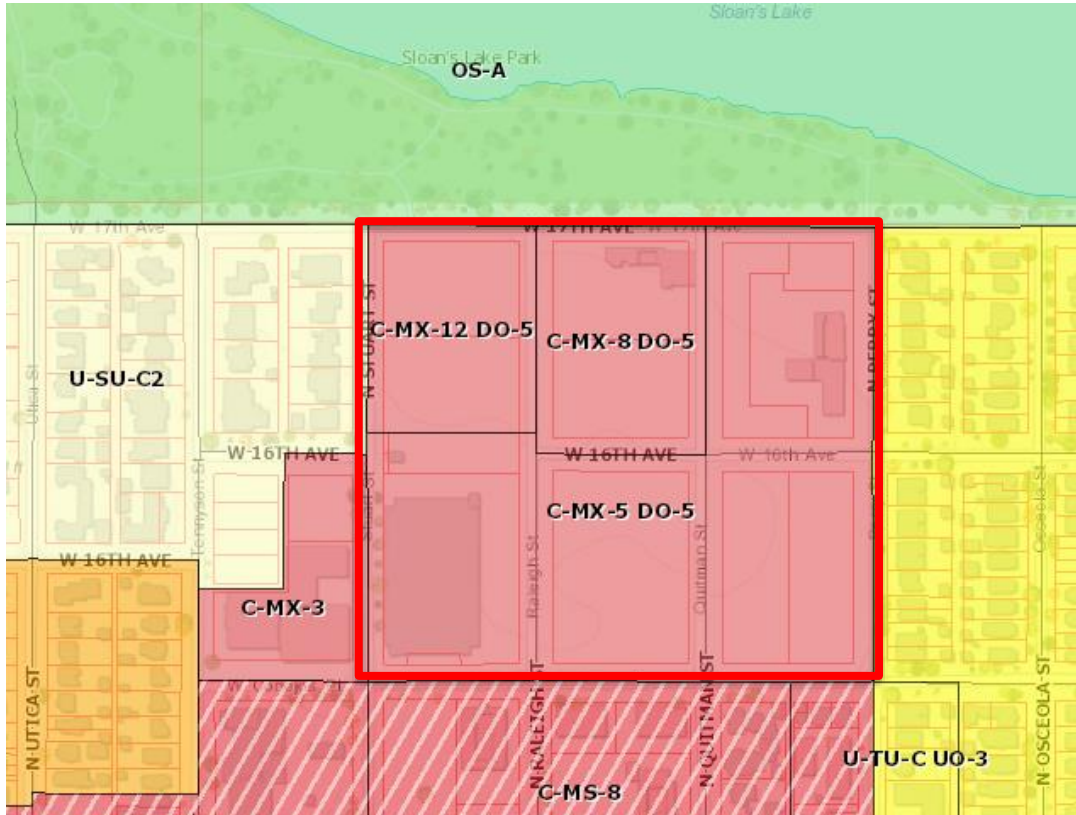
- Side Interior Setback (DO-4)



- **Apply more generic design standards to multiple locations**
- Base Zoning = U-TU which requires combined side setback of 10' (minimum 3') for lots 30'-40' wide
- DO-4 modifies setbacks to 3' minimum for Urban House, Duplex, and Tandem House building forms
- Applied to several locations

Examples

- South Sloan's Lake (DO-5)



- Establish specific tools to implement design enhancements for newly developing or redeveloping areas
- Base Zoning = C-MX-5, -8, and -12
- Establishes new building height restrictions to step down buildings adjacent to lower intensity residential



Review Criteria / Eligibility

Historic District

- Maintain its historic and physical integrity

AND

- Meet two of the following three designation criteria:
 1. History
 2. Architecture
 3. Geography

AND

- Relate to a historic context or theme

Map Amdmt (Rezoning)

- Be consistent with adopted plans
 - Uniformity of regulations
 - Health, safety, welfare
- AND (in most cases)

- Be justified by a circumstance such as a physical feature or a change in the area
- Be consistent with the intent of the neighborhood context and zone district

Conservation Overlay

- Be consistent with adopted plans
- Uniformity of regulations
- Health, safety, welfare

AND

- **Contain distinctive building features; and/or**
- **Contain distinctive site planning and natural features**

Design Overlay

- Be consistent with adopted plans
- Uniformity of regulations
- Health, safety, welfare

Who Can Initiate the Formal Process?

	Historic District	Map Amendment (Rezoning)	Conservation Overlay	Design Overlay
City Council	✓	✓	✓	✓
Executive Director of CPD	✓	✓	✓	✓
Other City agencies	✓		✓	✓
Property owner(s) within the area	✓	✓ must own 51%+ of the area		
3 persons who live or own a business in Denver	✓			

General Timelines

Historic District

- Approx. 4 months to adoption after application submittal
- Prior to application submittal, typically involves more than a year of researching and writing, as well as neighborhood outreach, before the public designation process begins

Map Amdmt (Rezoning)

- Approx. 4 to 6 months after application submittal

Conservation Overlay

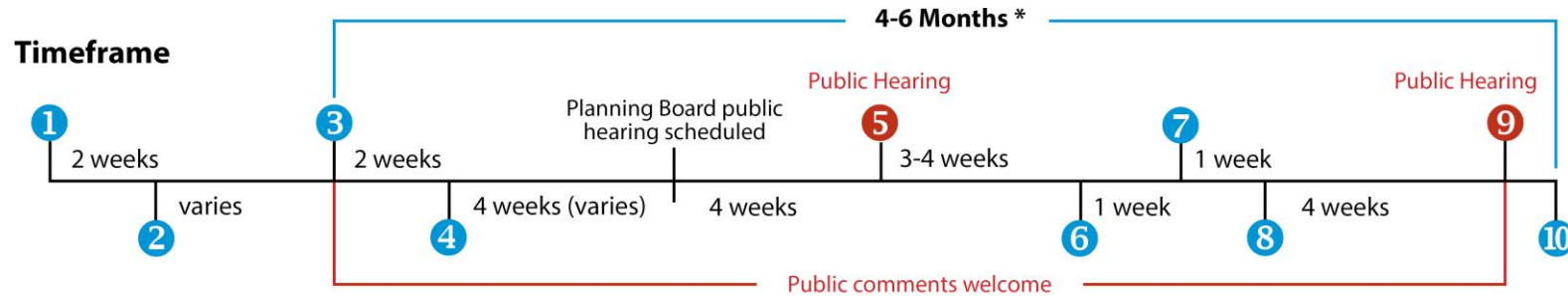
- Approx. 6 months to adoption once Councilmember formally initiates
- Most conservation overlays require more than a year of research, planning, neighborhood meetings, and community feedback before the adoption process begins

Design Overlay

- Same as Conservation Overlay

Overlay/Rezoning Process and Timing

An overview of a typical rezoning process.



** This is a typical timeframe estimate. Unique circumstances and/or rezoning complexity will adjust the timeframe.*

- 1) Pre-Application Review
- 2) Defining the Problem, Developing Alternatives, Testing and Public Outreach (RNOs, Council, Others), Refining Preferred Solutions
- 3) Submit a Complete Application
- 4) City and agency review/drafting
- 5) Planning Board Public Hearing
- 6) Land Use, Transportation, & Infrastructure Committee Meeting
- 7) Mayor-Council Meeting
- 8) City Council First Reading
- 9) City Council Public Hearing & Vote
- 10) Mayor Signature and Publication

Developing the Overlay

1. Understand Your Existing (or Desired) Neighborhood Character

- Document the existing distinctive characteristics you wish to preserve (**CONSERVATION**)
OR
- Identify design enhancements to promote in the future (**DESIGN**)
- Define the problems you wish to solve and the location(s) where they exist

2. Develop Potential Solutions and Evaluate with Community >>> Preferred Direction

- Describe clear alternatives to address the most critical concerns/issues
- Test alternatives to understand any unintended consequences and applicability
- Gather public feedback on options
- Prepare application with preferred direction and refined solutions

3. Agency Drafting and Review

4. Text Amendment Adoption Process (Planning Board and City Council)

Recap

Historic District

Preserves Existing
Historic Character

Map Amdmt (Rezoning)

Establishes New Use
and Design Rules

Conservation Overlay

Promotes
EXISTING
Design Character in
New Development

= **CONTINUATION** of
Something Desired

= **SITE SPECIFIC**

= **ALLOWED ONLY ONE**

Design Overlay

Promotes
NEW or IMPROVED
Design Character in
New Development

= **CREATION** of
Something Desired

= **NOT NECESSARILY**
SITE SPECIFIC

= **ALLOWED MULTIPLE**