



DENVER
INC

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Inter-Neighborhood Cooperation

February 11, 2014

Councilwoman Jeanne Robb, Chair
Land Use, Transportation & Infrastructure Committee
Denver, City Council
City and County of Denver
jeanne.robb@denvergov.org

Re: Resolutions on General Development Plan Ordinance Changes

Dear Councilwoman Robb:

Established in 1975, Inter-Neighborhood Cooperation (INC) is a city-wide association with current membership of 100 Registered Neighborhood Organizations. INC's mission is to advocate for Denver citizens by bringing together, informing and empowering Denver neighborhood organizations to actively engage in addressing City issues.

At its monthly delegate meeting on Saturday, February 8, 2014, upon the unanimous recommendations of the INC Parks and Recreation and Zoning and Planning Committees, and after discussion, INC delegates approved the attached the following three Resolutions with regard to General Development Plans (GDPs) advocating 1.) A Public Meeting Process for GDPs (43 in favor, 0 opposed, 2 not voting), 2.) Adequate Open Space for GDPs (41 in favor, 0 opposed, 1 abstaining, 4 not voting) and 3.) Appeal of GDPs to City Council (42 in favor, 0 opposed, 1 abstaining 2 not voting).

It is important to note that the INC Resolution of November 9, 2013 addressed to former CDP Manager Rocky Piro and copied to City Council regarding General Development Plan Open Space Requirements was focused on the inadequacy of using a calculation for open space based on a percentage of the GDP net area and, rather, advocated for a gross calculation. After further consideration, it is clear that neither a net or gross area figure takes into account the basic issue of the size, building or population density of developments. Given that what is most important here is what is reasonable open space based on these factors and it is our understanding that the text amendment calling for the use of a net calculation has been withdrawn, INC is asking to work with City Council in a collaborative process to develop a formula to determine just what amount of open space is appropriate. With a spirit of cooperation, INC is intent on being part of that process.

Thank you for your attention to this issue and diligence in maintaining the highest standards by pursuing the best practices in community planning and development.

Respectfully yours,



President, INC

Cc: Denver City Council
Mayor Michael B. Hancock
Ms. Diane Barrett, Acting Manager, Community Planning and Development
Denver Planning Board
Ms. Laurie Dannemiller, Manager, Parks and Recreation
Ms. Katie Fisher, Co-Chair INC Parks and Recreation Committee
Mr. Michael Henry, Chair, INC Zoning and Planning Committee
INC Executive Committee



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Resolution Advocating a Public Meeting Process for GDPs

Inter Neighborhood Cooperation (INC) has taken a strong position and is dedicated to a open and democratic processes in City land use decision making. Therefore INC resolves that:

Whereas, under the Denver Zoning Code's language for General Development Plans (GDPs), private applicants for GDPs control the public meeting process, and

Whereas, with the adoption of the 2010 Denver Zoning Code, GDPs have new status to guide future zoning decisions, which previously had been reserved for adopted plans such as the Comprehensive Plan and small-area or "neighborhood" plans which are developed with substantial community input,

Now therefore, INC advocates that clear language amendments to the Denver Zoning Code be made shifting control of the GDP public meeting process to the government through the Community Planning and Development department, that such meetings be conducted in the manner of public hearings where public comments can be made and heard by those in attendance and where an official record of such hearings are made publicly available in a timely manner.

Resolution on Advocating Adequate Open Space for GDPs

Inter Neighborhood Cooperation (INC) has taken a strong position on the importance of open space in all new development in Denver. Therefore, INC resolves that:

Whereas, a reasonable amount of open space is absolutely necessary in large, higher-density developments to ensure the long term health of our communities, and

Whereas open space, in various forms such as green space, plazas, esplanades and paseos, is essential to Denver's livability and its identity as a culture which honors our outdoor environment, and

Whereas, current Rules and Regulations for General Development Plans calls for publicly-accessible aggregated open space, which contributes to natural, recreational, aesthetic, historic and/or civic values and that it be of benefit to the neighborhood as well as the development, and

Whereas, in current Rules and Regulations for General Development Plans publicly-accessible aggregated open space may substitute for dedication of new parkland which may otherwise be required, and

Whereas, right-of-ways (streets, sideways, parkways) do not totally substitute for open space, and

Now, therefore, INC reaffirms its Resolution of November 9, 2013 on General Development Plan Open Space Requirements, and cites clear historical precedent for having GDP requirements for open space be adequate for the population and density of all new developments, whether 10 acres or less, and,

INC reaffirms its position that a 10% net area calculation for open space may not lead to the provision of adequate open space.

INC calls upon City Council to immediately implement a public process to develop language to amend the Denver Zoning Code which will provide a method of determining open space requirements based on the size and density of the developments.

The requirements will include public accessibility and guidelines that assure adequate sunlight, fresh air and gathering spaces for the new residents, the neighborhood and visitors.

Resolution Advocating Appeal of GDPs to City Council

Inter Neighborhood Cooperation (INC) has taken a strong position and is dedicated to open and democratic processes in City land use decision making. Therefore INC resolves that:

Whereas, with the adoption of the 2010 Denver Zoning Code, General Development Plans (GDPs) have new status to guide future zoning decisions, which previously had been reserved for adopted plans such as the Comprehensive Plan and small-area or “neighborhood” plans which are developed with substantial community input, and

Whereas, the new GDP process has significant influence over future zoning, and as such has shifted power from the Legislative City Council branch to the Mayoral Executive Branch, as the Mayor directs the GDP approval process through Community Planning and Development, the Denver Planning Board and the Development Review Committee and to a large degree determines land use, building height and open space, and

Whereas, appeals of GDPs recommended by the Mayor’s appointed boards does not ensure a democratically accountable process, and

Whereas, changing the process of appeals of the Development Review Committee from District Court to the Board of Adjustment for Zoning Appeals, further places power over GDPs in the hands of a Mayoral appointed Board, and

Whereas, the current GDP process with its new influence over future zoning decisions has the appearance of “backdoor zoning,” where key decisions are not made with appropriate public and legislative input and approval,

Now therefore, INC advocates that clear language amendments to the Denver Zoning Code should be made shifting appeals by proponents or opponents for all GDP approvals or amendments from the Development Review Committee to the Denver City Council after a full and open public hearing process.