

Overview of Conservation Overlay Districts

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Purpose

A conservation overlay district is a way to conserve or revitalize specific areas that have distinctive features, identity, or character worthy of retention and enhancement. A conservation overlay district takes effect through adoption of area-specific zoning standards that facilitate maintenance and protection of the area's character, and are also applicable to the development of vacant or underused lots. Buildings with a conservation overlay must meet the overlay's zoning standards as part of any exterior remodel, addition or new-build. The overlay may also be used to establish specific design guidelines that are more detailed than the standards of the Denver Zoning Code.

Process to Establish a Conservation Overlay

Who

Typically, a Denver City Council member initiates a request to establish a conservation overlay; a city agency or department may also request one. A private individual or group cannot initiate a conservation overlay.

How

A conservation overlay is both a text amendment to the Denver Zoning Code to create the overlay zone district, and a map amendment to the zoning map to apply the district to a geographic area. The public process ending in City Council adoption is typically six months, though most conservation overlays result from more than a year of planning, neighborhood meetings, and community feedback before the public adoption process begins. Typical steps include:

- Pre-application meeting
- Community outreach
- Submission of a formal request for the conservation overlay
- Staff drafting, review, and analysis
- Planning Board public hearing
- Denver City Council Committee public meeting
- Denver City Council public hearing

Public notices to registered neighborhood organizations and city councilmembers keep stakeholders informed four times during the conservation overlay adoption process. Posted signs in the affected area provide public notice of the two public hearings.

Review Criteria

A conservation overlay must meet one or both of the following criteria:

1. The district contains distinctive building features, such as period of construction, style, size, scale, detailing, mass, color and material; and/or
2. The district contains distinctive site planning and natural features, such as lot platting, building lot coverage, street layout, setbacks, alleyways, sidewalks, creek beds, parks and gardens.

It also must (1) be consistent with the City's adopted plans or provide for a community need that was not anticipated at the time of the adoption of city plans; (2) further the public health, safety, and general welfare; and (3) result in regulations and restrictions that are uniform for each kind of building throughout the district.

What It Does

A conservation overlay district may allow for the modification of any of the following existing zoning standards to enhance the area's identity and character.

- Limitations on permitted uses may be modified.
- Building form standards applicable to new development may be modified.
- New restrictions on building form and building or site design, including restrictions on building materials and architectural style, may be added.
- All other development and design standards applicable to new development may be modified.

What It Doesn't Do

- A conservation overlay doesn't change the permitted uses in the underlying zone district.
- A conservation overlay doesn't add new review procedures or review bodies (like boards or commissions).
- A conservation overlay doesn't prevent demolition.

Review Process

Once a conservation overlay is approved, it takes precedence over the underlying zone district. When zoning and/or building permits are requested, Development Services staff review plans for compliance with the adopted conservation overlay district zoning, and zoning inspectors ensure compliance.

Conservation Overlay District Examples

About 2,400 properties in Denver are located in a conservation overlay district. Some examples of areas that have conservation overlays:

- Curtis Park has a conservation overlay that maintains and protects a historic pattern of larger detached accessory structures.
- Potter Highlands has a conservation overlay that 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.

Conservation Overlays and Other Design Regulations

There are other regulations in Denver that facilitate the maintenance or protection of an area's specific features including historic landmark districts and design standards and guidelines. For additional information, visit www.denvergov.org/CPD.

For more details on conservation overlays, see the Denver Zoning Code at www.denvergov.org/zoning.