



Proposed Denver Zoning Code Text Amendment to Correct Detached ADU Max. Footprint Error in E-SU- zone districts

October, 2021

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The proposed zoning text amendment is sponsored by the Department of Community Planning and Development (CPD)

Purpose of Text Amendment

- Correct an error introduced in the 2021 Bundle of Denver Zoning Code Text Amendments that inadvertently reduced the maximum building footprint for detached accessory dwelling units on zone lots greater than 6,000 square feet in size in the following zone districts:
 - E-SU-B1
 - E-SU-D1
 - E-SU-D1x
 - E-SU-G1
- The proposed amendment would have no impact on any other zone district or building form

Why should we correct this error?

- Some residents have been unable to obtain permits for accessory dwelling units in impacted zone districts ...and had no warning that this inadvertent rule change would occur
- The error was an unintentional result of adding columns to the Denver Zoning Code Article 4 Urban Edge detached accessory dwelling unit building form table in final drafting for the 2021 Bundle of Text Amendments (adopted 6/28/21)

Background: Article 4 Detached ADU Form Table on March 31, 2021

	E-SU-B1, E-SU-D1, E-SU-D1x, E-SU-G1 By Zone Lot Size			E-TU-B, E-TU-C, E-RH-2.5, E-MU-2.5
	6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf	
DESIGN ELEMENTS				
BUILDING CONFIGURATION				
Building Footprint (max)	650 sf	864 sf	1,000 sf	1,000 sf
Habitable Space (max)	650 sf	864 sf	1,000 sf	na
E Overall Structure Length (max)	36'	36'	36'	36'
Rooftop and/or Second Story Decks	Not allowed - See Section 4.3.5.2			
USES	E-SU-B1; E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-RH-2.5; E-MU-2.5			
	Accessory Uses Only Accessory to a Primary Single Unit Dwelling Use, including accessory dwelling unit where permitted.			
	See Division 4.4 for permitted Accessory Uses			

864 sf allowed on lots > 6,000 up to 7,000 sf.

1,000 sf allowed on lots > 7,000 sf.

This is consistent with other detached accessory dwelling unit form tables in the code.

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

Background: Article 4 Detached ADU Form Table in the Bundle Public Review Draft on February 26, 2021

DESIGN ELEMENTS	E-SU-B1, E-SU-D1, E-SU-D1x, E-SU-G1 By Zone Lot Size			E-TU-B, E-TU-C, E-RH-2.5, E-MU-2.5
	6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf	
BUILDING CONFIGURATION				
Building Footprint (max)	650 sf	650 sf	864 sf	1,000 sf
Habitable Space (max)	650 sf	650 sf	864 sf	na
Overall Structure Length (max)	36'	36'	36'	36'
Rooftop and/or Second Story Decks	Not allowed - See Section 4.3.5.2			
USES	E-SU-B1; E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-RH-2.5; E-MU-2.5			
	Accessory Uses Accessory to Primary Residential Uses Only Accessory to a Primary Single-Unit Dwelling Use, including accessory dwelling unit where permitted. See Division 4.4 for permitted Accessory Uses Accessory to Primary Residential Uses			

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

864650 sf allowed on lots > 6,000 up to 7,000 sf.

~~1,000~~864 sf allowed on lots > 7,000 sf.

This is now inconsistent with other detached accessory building form tables in the code.

This change not shown in markup - It was a drafting error.

Background: Article 4 Detached ADU Form Table in the in the Post-Bundle Code on July 1, 2021

DESIGN ELEMENTS	E-SU-B1, E-SU-D1, E-SU-D1x, E-SU-G1 By Zone Lot Size			E-TU-B, E-TU-C, E-RH-2.5, E-MU-2.5
	6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf	
BUILDING CONFIGURATION				
Building Footprint (max)	650 sf	650 sf	864 sf	1,000 sf
Overall Structure Length (max)	36'	36'	36'	36'
Rooftop and/or Second Story Decks	Not allowed - See Section 4.3.5.2			
USES	E-SU-B1; E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-RH-2.5; E-MU-2.5			
	Uses Accessory to Primary Residential Uses Only See Division 4.4 for permitted Uses Accessory to Primary Residential Uses			

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

With Bundle adoption on 6/28/21 (effective 7/1/21), the building footprint error was adopted into the code.

This is now inconsistent with other detached accessory dwelling unit form tables in the code.

Article 4 Detached ADU Form Table as Proposed for Correction in this Text Amendment

	E-SU-B1, E-SU-D1, E-SU-D1x, E-SU-G1 By Zone Lot Size			E-TU-B, E-TU-C, E-RH-2.5, E-MU-2.5
	6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf	
DESIGN ELEMENTS				
BUILDING CONFIGURATION				
Building Footprint (max)	650 sf	650864 sf	8641,000 sf	1,000 sf
Overall Structure Length (max)	36'	36'	36'	36'
Rooftop and/or Second Story Decks	Not allowed - See Section 4.3.5.2			
USES	E-SU-B1; E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-RH-2.5; E-MU-2.5			
	Uses Accessory to Primary Residential Uses Only See Division 4.4 for permitted Uses Accessory to Primary Residential Uses			

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

This proposed text amendment resets maximum building footprint to the pre-Bundle allowances.

This will make the maximum building footprint consistent with other detached accessory dwelling unit building form tables in the code.

Text Amendment Process

1. Public Review Redline Draft posted to CPD website – 10/7/21
4. City Council Land Use, Transportation, and Infrastructure (LUTI) Committee meeting – 11/09/21 (tentative)
 - Note that this amendment will use a process described in Denver Zoning Code Section 12.4.11 that allows an amendment that will ‘correct an error or mistake in fact in the Code language’ to begin the adoption process at LUTI
 - LUTI draft of text amendment and staff report
 - Notification to RNOs 15 days prior to meeting
5. City Council First Reading – 11/22/21 (tentative)
6. City Council Public Hearing – 12/20/21 (tentative)
 - Notification to RNOs 21 days prior to public hearing
 - City Council draft of text amendment and staff report
 - Public hearing and decision by City Council

For More Information

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Visit our website at www.DenverGov.org/TextAmendments