

Denver City Council
201 W. Colfax Ave.
Dept. 205
Denver, CO 80202

September 24, 2009

Dear City Council Members,

AIA Denver would like to extend its support regarding the adoption of a form-based zoning code to you and the Denver Community Planning and Development department. The current zoning code is in need of revisions, and AIA Denver commends this multi-year effort by the City of Denver. As you know, the zoning code is very complex, and AIA Denver is happy to offer its resources as a means to support your efforts. We understand that City Council is discussing both delaying the implementation of the code until at least next February and implementing an overlap period during which either code can be used. AIA Denver supports both of the delay of the release of the new code and a grace period, which will allow for additional and detailed review by the entire development community.

Over the past two months, at the direction of the AIA Denver Board of Directors, a zoning task force composed of AIA Denver members, the AIA Denver Housing Committee and the AIA Denver Urban Design Committee has performed a significant review of the new zoning code. Due to the constrained review period and limits on their time, this task force has not been able to complete as thorough a review as desired. Still, the task force found many details within the code that merit additional discussion. In general, AIA Denver is concerned that it would be unrealistic to adopt a completely new, 600-page long, complex zoning code having given the development community only three months to review its many effects on design and development throughout the city. We also feel the expectation that the new zoning code can be adopted immediately, without a grace period, is unrealistic, as it is clear, based on our review, that the new code will significantly change the design and development of projects of all types.

While this is the culmination of a nearly four-year effort by the City of Denver and the Community Planning and Development Department, and the political realities will likely require near-term action, AIA Denver believes a process must be developed that will allow time for projects to adjust to, and for the development community to provide additional review of, the new code. To achieve these goals, AIA Denver has two proposals, which will help to ensure a well-functioning zoning code:

1. Enact a nine- to 12- month period, with a pre-determined beginning and end, where both zoning codes could be applied to any project. This grace period would allow architects and developers the opportunity to determine how the new code would impact the design, development and financing of their current projects. In the current economic climate, it is important that the implementation of a new code not inadvertently stifle development in Denver by causing financially unsupportable changes to projects that could otherwise move forward.
2. Extend the current review period. While there has been a tremendous community outreach by the Community Planning and Development department to date, it was only recently that the entire draft code and draft zoning maps were made available for detailed review. The Denver design and development community needs more time to work with the Community Planning and Development Department to review the details and effects of the entire zoning code. This review process would allow the professionals who would be using the zoning code a chance to more thoroughly review the details, similar to the way the community meetings allowed the citizens the chance to review the zoning maps. It also would provide the City a clean way to amend the code's inevitable oversights and inaccuracies.

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AIA Denver hopes that our support and proposals will help the City of Denver and the Community Planning and Development Department achieve its well-founded goal of revising the City's zoning code. If we can help the city review the new zoning code in other ways not listed above, or provide any other assistance, please let us know.

Sincerely,

A handwritten signature in purple ink, appearing to read "Steve Carr", with a long horizontal flourish extending to the right.

Steve Carr, AIA
AIA Denver 2009 President