

Denver's pricey real estate has driven some in the creative community and others to find affordable, functional space in older buildings. In some cases, as part of repurposing these buildings, work has been done without permits and not up to the standards of international building and fire codes, putting occupants and the public at risk of fire and other hazards.

In an effort to improve safety for all people citywide, Denver Community Planning and Development (CPD) and the Denver Fire Department (DFD) have proposed a new Safe Occupancy Program, which Denver City Council will consider this summer. Designed with Denver's art spaces in mind, it also applies to most existing buildings.

Through the program, CPD and DFD will work with the owners and occupants of unpermitted spaces to navigate permitting and ensure that occupants can legally remain in place if there are no immediate life-safety hazards. If work is required to bring a space up to code, this program allows time to find creative, potentially more affordable solutions.

How does it work?

It's VOLUNTARY

1 There will be a two-year window for people to apply for the Safe Occupancy Program without facing penalties for work done in the past without permits. The first step is for city code officials to assess the safety of the space. Life-safety hazards must be addressed immediately, before continuing the program.

It's COLLABORATIVE

2 Participants will create a "compliance plan" tailored to their unique space, outlining steps for meeting codes and applying for permits. This may mean having an architect or other design professional on board. CPD and DFD will work collaboratively with applicants on reasonable, potentially more affordable ways to meet building and fire codes.

It OFFERS EXTENDED TIMELINES

3 Work can progress at a pace that makes sense for the owner and the city — helping make the project more affordable by distributing construction costs over a longer span. Each project's plan will outline an agreed-upon timeline. Routine, scheduled inspections will assess progress while work is ongoing.

It LETS YOU STAY IN YOUR SPACE

4 The program includes a conditional certificate of occupancy, which will legally allow people to continue occupying their space, provided life-safety hazards have been addressed. Occupancy is conditional based on progress under the compliance plan. The conditional certificate of occupancy is a first nationally to help address affordability for existing buildings.

Who can use this program?

- Most existing buildings can take advantage of this program, including galleries and showrooms; offices; retail; performance spaces with an occupancy of 300 people or less (but no restaurants or bars); residential spaces in buildings two stories or less and containing 16 or fewer units; and more.
- Aspects of this program already exist for new construction or those planning to occupy a new space. Therefore, buildings where unpermitted work has taken place *after* the program's effective date are not eligible.
- Applicants must voluntarily disclose unpermitted work. Work discovered in a city inspection is not eligible.

We want our existing buildings and creative spaces to thrive. This program aims to make it safer, easier and less expensive for the arts community and others to remain a vital part of Denver. This new program is not the only answer to our affordability crisis — it's one of many steps the city is taking to make spaces safer and more accessible for all.