



TO: Denver Planning Board
FROM: Andrew Webb, Principal Planner and Alisa Childress, Associate City Planner
DATE: December 9, 2024
RE: Council-Sponsored Denver Zoning Code Text Amendment: Gas Station Limitations

Staff Report and Recommendation

Based on the review criteria for text amendments set forth in the Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that Planning Board recommend approval of the Gas Station Limitations Text Amendment to the Denver Zoning Code.

Summary and Purpose

The proposed Gas Station Limitations text amendment was initiated by City Council sponsors Diana Romero Campbell (District 4), Amanda Sawyer (District 5), Paul Kashmann (District 6). This text amendment proposes new zoning regulations that would prioritize the implementation of Denver's adopted plans and policies for walkable, mixed-use, sustainable development with affordable housing on and near transit corridors by significantly limiting where new gas stations can be established.

A Planning Board review draft of the proposed text amendment is available on the [project webpage](#) and is included as an attachment to this staff report.

Background

This text amendment was requested by the sponsors to address concerns they've observed or heard from constituents about the proliferation and concentration of gas stations along key transit corridors, community and regional centers and in locations adjacent to low-intensity residential districts. In response to these concerns, the Council sponsors and their staff explored peer city approaches, developed initial proposals, and approached Denver Community Planning and Development to request that these be further refined into the proposed text amendments described in this staff report. According to the sponsors, limiting the establishment of new gas stations in these areas will preserve land for uses that more closely implement our plans for walkable, transit-oriented mixed-use development, such as housing and neighborhood-serving businesses.

Proposed Changes

The draft text amendment to the Denver Zoning Code would prohibit new gas stations:

- within ¼ mile of an existing gas station
- within ¼ mile of a rail transit station
- within 300-feet of low-intensity residential zone districts defined in the Zoning Code as Protected Districts, including single-unit (SU), two-unit (TU) and row house (RH).

This text amendment would not apply to gas stations that are not open to the public, such as non-retail fuel services for government fleets, transit vehicles or rental cars.

Additionally, the proposal includes:

- An exception to some of the above limitations for gas stations that are combined with commercial space that provides opportunities for the sale of groceries, home goods, or other products that could serve nearby residents.
- A prohibition on the expansion of fueling services for most existing gas stations, such as to add additional gas pumps, unless the expansion would add electric vehicle charging equipment.

The sponsoring Councilmembers propose that these changes would apply to new gas station developments that were not already submitted for City review by May 13, 2024.

Related Former Chapter 59 “Bridge” Amendment

The City Council sponsors plan to introduce an amendment to the DRMC Sec. 59-2 that would “bridge” these proposed Denver Zoning Code Use Limitations into areas of the city that have retained Former Chapter 59 zone districts.

Outreach and Public Process

Because this is a City Council-sponsored text amendment, the sponsoring councilmembers and their staff managed outreach and engagement. Community outreach for the Gas Station Limitations project included an informational mailer, outreach at community events, and an online comment/question form. Below is a complete list of meetings and outreach points:

Public Meetings

- Discussed project at various RNO and community meetings
- District 4 open house – October 16, 2024

Other Engagement Points

- Posted on council district social media accounts
- Sent information via council district newsletters
- Targeted stakeholder engagement including Energy Code stakeholders, the Colorado Wyoming Petroleum Marketers Association, 7/11, Quik Trip, Denver International Airport, Electric Era, Common Sense Institute, and affected property owners

Planning Board and City Council

- City Council Budget and Policy Committee update – May 13, 2024
- Planning Board info item – August 21, 2024

Written comments: Comments and questions were encouraged through an online form on the project’s webpage and were also provided via email. Staff received 61 comments and questions, prior to the cutoff time for this report (12/9/24 at 5pm) from the public on this project. Approximately 51% of the comments received expressed support for the text amendment, 15% were questions or expressed an unclear position, and 34% expressed opposition to the text amendment. The comments are attached to this staff report.

Community members who supported the proposed amendments agreed with the sponsors’ intent to reserve land on transit corridors and urban centers for housing and other non-auto-oriented uses, and some recommended further restrictions on gas station locations. Commenters who were opposed highlighted concerns about limiting property rights, and some suggested that the proposed limitations would reduce the likelihood that gas stations in close proximity would compete for customers by

lowering fuel prices. The Colorado Wyoming Petroleum Marketers Association, which represents some Denver retail fuel businesses, sent a letter praising the sponsors’ intent to preserve land for housing and staff’s outreach and collaboration with the fuel industry to find an approach that they could live with. The letter, which is attached to the staff report, acknowledged a similar trend in other cities to limit the concentration of gas stations, and urged support for the text amendments.

Informational Postcard: While not required by the Zoning Code for a text amendment, the City Council sponsors sent a courtesy mailed notice postcard to 18,201 owners of properties in Denver with commercial zoning that could potentially allow a gas station, letting them know that their future ability to construct a gas station may be affected by these proposed use limitations.

Text Amendment Adoption Process Timeline

- Text Amendment Initiated by request of City Council sponsors – May 2024
- Text Amendment Internal Agency Referral #1 – August 19, 2024
- Planning Board Information Item – August 21, 2024
- Courtesy mailed notice to commercial property owners – September 2024
- Text Amendment Internal Agency Referral #2 – October 14, 2024
- CPD written notice of the Planning Board public hearing sent to all members of City Council and registered neighborhood organizations. – November 7, 2024
- Planning Board Hearing Public Notification – December 2, 2024
- Planning Board Public Hearing – December 18, 2024
- LUTI Committee – January 7, 2025*
- Mayor Council – January 17, 2025*
- City Council First Reading – January 21, 2025*
- City Council Public Hearing – February 18, 2025*

* Anticipated dates are confirmed during the legislative review process and subject to change.

Criteria for Review and Staff Evaluation

The criteria for review of this rezoning application are found in DZC Section 12.4.11.4 and include:

1. Consistency with Adopted Plans
2. Public Health, Safety and General Welfare
3. Uniformity of District Regulations and Restrictions

1. Consistency with Adopted Plans

The following adopted plans are applicable to the proposed text amendment:

- Denver Comprehensive Plan 2040
- *Blueprint Denver* (2019)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element. Key goals from those strategies are summarized below, with analysis of how the proposed text amendment is consistent with each.

Strong and Authentic Neighborhoods

- Goal 1: Create a mix of complete neighborhoods
 - Strategy A: Build a network of well connected, vibrant, mixed-use centers and corridors.
 - Strategy C: Ensure neighborhoods are safe, accessible and well-connected for all modes.
 - Strategy D: Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.
- Goal 2: Enhance Denver’s neighborhoods through high-quality urban design (p. 34).
 - Strategy C: Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.
 - Strategy D: Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life. (p. 34)
- Goal 4: Ensure every neighborhood is economically strong and dynamic.
 - Strategy A: Grow and support neighborhood-serving businesses. (p. 34)

The Gas Station Limitations Text Amendment would support the city’s vision for strong, dynamic and well-designed neighborhoods by reducing an auto-oriented, high vehicle-traffic land use that break up the pedestrian realm and expose pedestrians and other sidewalk users to vehicle conflicts. Gas stations typically rely on formulaic designs and branding and do not contribute to community character or an engaging public realm. Encouraging other uses of land besides gas stations will discourage concentration of these uses along key corridors, improving walkability and providing more opportunity for uses and development that contribute to the public realm and high quality of life. Additionally, while most gas stations are associated with convenience stores, this amendment does provide an exception to proposed spacing and buffering limitations for gas stations associated with larger stores, which could provide opportunities for the sale of groceries, home goods or other products that could serve nearby residents.

Connected, Safe and Accessible Places

- Goal 1: Provide a safe transportation system that serves all users.
 - Strategy B: Build streets that are safe for everyone, especially for the most vulnerable, including the elderly, those with disabilities and children. (p. 40)
- Goal 3: Maximize the public right-of-way to create great places.
 - Strategy A. Create streets to foster economic activity, contribute to great urban design and accommodate green infrastructure, including street trees (p. 40)
- Goal 8: Strengthen multimodal connections in mixed-use centers and focus growth near transit
 - Strategy B. Promote transit-oriented development and encourage higher density development, including affordable housing, near transit to support ridership. (p. 42)

This proposed text amendment would support the Comprehensive Plan’s strategies for connected, safe and accessible places by reducing the potential for auto-oriented development. Land uses like gas stations are typically set back from the public right-of-way, resulting in uninviting pedestrian pathways set between busy roadways on one side and circulating on-site traffic on the other. Additionally, because they are typically served by multiple curb cut access points, gas stations invite opportunities for

vehicle conflicts with people who are using the sidewalk. Limiting the development of new gas stations will not preclude establishment of other auto-oriented uses. However, curtailing the expansion of this popular, franchised use type could reserve land for more transit-compatible residential and mixed-use development along Denver’s existing major corridors, including those already well-served by transit, and those slated for future bus rapid transit services, such as Colfax Ave and Federal Boulevard. Similarly, limiting the expansion of new gas stations within ¼ mile of Rail Transit Station Platforms could help preserve land in surrounding community and regional centers for more walkable, transit-serving uses that contribute to a sense of place.

Environmentally Resilient

- Goal 8: Clean our soils, conserve land and grow responsibly.
 - Strategy B: Encourage mixed-use communities where residents can live, work and play in their own neighborhoods. (p. 52)

By limiting the establishment of new gas stations in Denver, this proposed text amendment would make more land available along key corridors that could be developed with of a mix of uses including multi-unit and affordable housing that can help support existing and future transportation investments like bus rapid transit (BRT), rail and other services.

Healthy and Active

- Goal 3: Ensure access to affordable, nutritious and culturally-diverse foods in all neighborhoods.
 - Strategy A: Expand efforts to recruit and retain fresh-food retailers in low-income and underserved areas. (p. 56)

This proposed text amendment will limit the establishment of new gas stations in proximity to residential areas, and the concentration of such businesses at intersections or along corridors. However, it will also provide an exception to these use limitations for gas stations associated with a retail store that is 20,000 square feet or larger. Allowing this exception for larger stores could provide opportunities for the sale of groceries, home goods or other neighborhood-serving products within walking, rolling and bicycling distance of residential areas, including underserved, low-income neighborhoods.

Blueprint Denver (2019)

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city’s land use and transportation decisions. The proposed text amendment is also consistent with a variety of policies and strategies in *Blueprint Denver*.

Blueprint Denver recommends various regulatory changes to ensure that the Denver Zoning Code responds to the evolving needs of the city and encourages the proactive implementation of plan recommendations through city-led text amendments. Key policies under this category are listed below along with information about how the proposed text amendment is consistent with these policies.

Land Use and Built Form General Recommendations

- Policy 1: Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets.
 - Strategy A: Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas including: Regional centers and community centers, Community corridors where transit priority streets are planned, and High and medium-high residential areas in the downtown and urban center contexts. (p. 72)
- Policy 2: Incentivize or require efficient development of land, especially in transit-rich areas.
 - Strategy B: In transit-rich areas, including downtown, revise the zoning code to limit auto-oriented commercial uses that do not contribute positively to activating the public realm, such as mini-storage, drive-throughs and car washes. This may also apply to other desired mixed-use areas of the city, such as transit priority streets. (p. 72)

Most gas stations are located in centers and along corridors where underlying zoning allows high-density, mixed use development. By limiting the establishment of new gas stations in these areas where they are already concentrated, more land will be preserved for Blueprint’s envisioned higher-density development in areas served by high quality transit.

- Policy 8: Promote environmentally responsible and resource-efficient practices for the design, construction and demolition of buildings
 - Strategy B: Evaluate requiring electrical vehicle charging stations for new commercial/mixed use development

This proposed text amendment also supports Blueprint’s policies and goals for more environmentally responsible development. If adopted, the text amendment would make many existing gas station uses Compliant per the Zoning Code, thereby limiting the expansion of the number of fuel pumps on the site. However, the amendment proposes additional language stipulating that gas station owners could expand to add electric vehicle charging equipment, if they so chose.

- Policy 11: Implement plan recommendations through city-led legislative rezonings and text amendments.
 - Strategy C: Use a robust and inclusive community input process to inform city-led rezonings and zoning code text amendments. (p. 79)

Finally, the sponsors and their staff conducted extensive outreach to operators and industry associations, as well as to community organizations to inform development of the text amendments. Additionally, the sponsors sent a courtesy mailed notice to all potentially-affected property owners, which is not required for a text amendment by the Zoning Code. Staff continued to take and consider public comment throughout the public review period in advance of the Planning Board hearing.

Land Use and Built Form Housing Recommendations

- Policy 8: Capture 80 percent of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation flex districts and university campus districts.
 - Strategy C: Ensure land use regulations, small area plans and major transit investments support desired growth areas. (p. 86)

Gas stations represent an inefficient use of urban land, with most of the subject parcel dedicated to vehicle maneuvering and parking. Limiting the growth of this highly auto-oriented use type in centers and corridors will help preserve land for more appropriate mixed-use and housing development in these areas.

Land Use and Built Form Design Quality and Preservation Recommendations

- Policy 3: Create exceptional design outcomes in key centers and corridors.

Blueprint Denver's overarching themes center placemaking and design for a high quality built environment that supports vibrant centers and corridors. Characterized by buildings set back from the public realm behind parking and vehicle maneuvering areas, and with inexpensive structures based on corporate designs that do not respond to local context, gas stations do not contribute positively to placemaking. This proposed text amendment supports Denver's goals for design quality by limiting the further expansion of gas station uses. Cumulatively, these proposed buffers could help preserve land on corridors and in centers that could be used for higher-quality development.

Mobility Recommendations

- Policy 1: Encourage mode-shift — more trips by walking and rolling, biking and transit — through efficient land use and infrastructure improvements
 - Strategy C: Support safe routes to school programs.
 - Strategy D: Increase the number of services and amenities that are available by walking, rolling and biking by integrating more local centers and corridors into residential areas, especially for areas that score low in Access to Opportunity.
 - Strategy E: Promote mixed-use development in all centers and corridors.
- Policy 3: On all streets, prioritize people walking and rolling over other modes of transportation.
 - Strategy A: Ensure safe pedestrian crossings, especially along the High Injury Network identified by Vision Zero.
 - Strategy B: Develop access management policies — especially in centers and corridors in the downtown, urban center and general urban contexts — to reduce conflicts between driveways/ garages and pedestrians and cyclists.

Gas stations induce heavy vehicle traffic through multiple access points, often located near intersections where turning vehicles create significant conflict risks for pedestrians, cyclists and others who aren't in cars. This proposed text amendment furthers *Blueprint's* mobility goals and policies by limiting the development of gas stations in locations where this highly auto-oriented use and site designs are at odds with Denver's goals of reducing conflicts and prioritizing people walking and rolling over other modes of transportation.

Equity

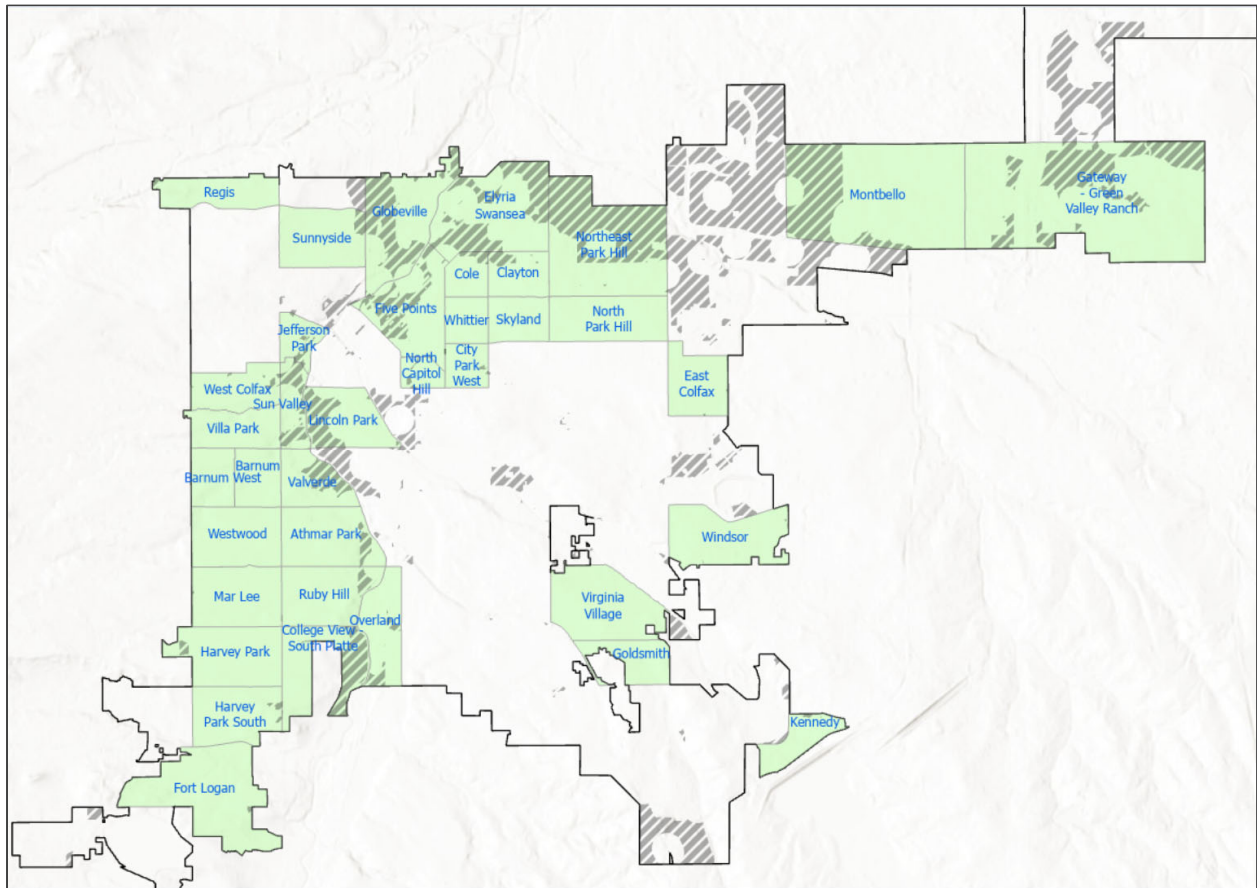
Equity is an essential element of *Blueprint Denver*, and the plan calls for “planning and guiding change to benefit everyone” to achieve its vision for inclusive, complete neighborhoods. *Blueprint Denver* sets forth three key equity concepts, which are listed below along with information about how the proposed text amendment is consistent with these concepts.

- Improving Access to Opportunity
 - This concept involves creating more equitable access to quality-of-life amenities, health and quality education. This is measured through indicators like access to parks, full-service stores, and Centers and Corridors. This proposed text amendment will limit the use of land in the city for gas stations (except those associated with a larger retail store use), which may help preserve land for community serving uses like healthcare, housing and other quality-of-life necessities. Additionally, by reducing the prevalence of land uses that require multiple curb-cut access points and induce heavy traffic, corridors will be friendlier to people walking, rolling, or using transit services to access opportunities. Staff finds that this text amendment could have a **positive impact** on improving access to opportunity.
- Reducing Vulnerability to Displacement
 - This concept aims to stabilize residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents. Vulnerability is assessed by combining three main data points: median household income, percent of renters, and percent of population with less than a college degree. This proposed text amendment would limit the establishment of new gas stations in Denver. It would not directly impact involuntary displacement of residents due to increasing housing costs. Additionally, this text amendment does not displace existing businesses – it would allow the continued operation and maintenance of existing gas stations and would allow expansion to add electric vehicle charging equipment if operators so chose. For these reasons, staff finds this proposed text amendment is likely to have a **neutral impact** on reducing vulnerability to displacement.
- Expanding Housing and Jobs Diversity
 - This equity concept aims to provide a better and more inclusive range of housing and employment options in all neighborhoods. Housing diversity is measured by indicators like home size diversity and housing costs. Jobs diversity is measured by two key factors: the amount of jobs per acre and the mix of jobs in different parts of the city. Gas stations consume a large amount of land for the purposes of vehicle parking and maneuvering, and are known for low-wage retail jobs. By limiting expansion of this land use along corridors and near residential areas, more land may be preserved for development of housing, office space and other employment uses that could provide higher-paying jobs with advancement opportunity. Additionally, this proposed text amendment only impacts the retail sale of automotive fuel – on-site fuel dispensers serving trucks, railroad equipment and school bus fleets, etc. would not be affected. For these reasons, staff finds this proposed text amendment will likely have a **neutral impact** on expanding housing and jobs diversity.

Equity Mapping

Blueprint Denver uses a set of metrics, including data about neighborhood demographics, employment, housing diversity and other characteristics, to inform the three equity concepts listed above. These metrics are mapped to allow for geographic analysis of the potential impacts of land use regulations. The map below shows how areas where gas stations would still be allowed align with neighborhoods that have lower overall equity scores derived from these metrics. Areas shown with gray cross-hatching

are where new gas stations would still be allowed if this proposed text amendment is adopted, and neighborhoods with equity scores below the city average are shown in green. Though not specifically referenced in the Comprehensive Plan or Blueprint Denver, areas of the city that were historically under-served, and where inequities tend to persist, are often viewed through a geographic lens referred to as the “inverted L.” The “inverted L” includes neighborhoods abutting industrial districts along the South Platte River and northeast Denver, such as Overland, Globeville, Elyria-Swansea and Montbello.



Map showing Denver neighborhoods with below-average equity scores (green), overlaid with the areas of the city where gas stations would still be allowed if this text amendment is adopted (gray crosshatch).

As can be seen from the illustration, areas where gas stations would still be allowed are particularly pronounced in the “inverted L.” This is due primarily to the underlying industrial zoning that can be found in these areas. Most areas with industrial zoning correspond with existing industrial uses. In these areas, the proposed rules would only allow gas stations where they are surrounded by industrial zoning – they would be prohibited within 300 feet of the pockets of lower-density residential zoning that can be found in these neighborhoods. Due to their industrial nature, these areas do not currently have as high a concentration of existing retail gas stations, and those that do exist are along corridors that intersect with I-70, such as Peoria St. The proposed amendment’s required quarter-mile buffer from existing gas stations will prevent further concentration in these locations. In areas with industrial zoning where gas stations would not be allowed, such as locations within ¼ mile of another existing gas station or a light rail transit station, applicants could potentially make use of the exception

for larger retail stores described elsewhere in this staff report. This could enable the establishment of neighborhood-serving retail uses in locations that are underserved by stores that meet daily needs. Additionally, as described elsewhere, by limiting the expansion and concentration of gas stations along key corridors, some of which serve or transect these neighborhoods, this amendment could preserve land for other uses, such as employment or residential development that is served by transit. For these reasons, staff finds that this text amendment will likely have a **neutral impact** on the overall equity scores of Denver neighborhoods.

2. Public Health, Safety and General Welfare

Limiting the expansion of new gas stations in Denver will further public health, safety and general welfare. The on-site vehicle circulation and curb ramp access to public streets that are required for gas stations disrupt pedestrian environments and create opportunities for vehicle conflicts. By establishing limitations on the further expansion of gas stations in Denver, more land will be available that could be used for development of housing, community-serving uses and higher-paying employment options. Additionally, the proposed text amendment would allow exceptions from some use limitations for gas stations that are associated with stores selling a wider range of food ingredients than a typical convenience store, which may help encourage the establishment of retail uses that better meet the food access needs of Denver neighborhoods. Accordingly, staff finds this proposed text amendment furthers the public health safety and general welfare of the city.

3. Uniformity of District Regulations and Restrictions

This text amendment will result in processes and regulations that are uniform within each zone district.

Attachments

1. Planning Board review draft of the Citywide ADUs text amendment
2. Comments and Questions received from the public



Denver Zoning Code Text Amendment Gas Station Text Amendment PLANNING BOARD REVIEW DRAFT - 12/11/2024

The Gas Station Text Amendment is a City Council member-sponsored text amendment that proposes new zoning regulations to implement Denver’s adopted plans and policies for walkable, mixed-use development on and near transit corridors by significantly limiting where new gas stations can be established.

The draft text amendment to the Denver Zoning Code would prohibit new gas stations:

- within 1/4-mile of an existing gas station
- within 1/4-mile of a light rail transit station
- within 300 feet of a protected district

Additional proposed language would allow the Zoning Administrator to waive some restrictions above for a gas station associated with a new full-service grocery store, and would clarify limitations on the expansion of Compliant Uses to ensure that existing gas stations made Compliant by this text amendment could install electric vehicle charging equipment if operators chose to.

The sponsoring Councilmembers propose that these changes would apply to projects that were not already submitted in Concept by May 13, 2024.

This Planning Board Draft contains one change from the Public Review Draft – a clarification that the exception to some use limitations for gas stations associated with a large-format retail store applies only to new development.

Mark-Up Document Conventions:

- Text in red underline is proposed new language.
- Text in ~~red strikethrough~~ is proposed deleted language.
- Text in blue is moved from another location.
- Text in ~~blue strikethrough~~ was deleted from its original location.
- Only pages with changes relevant to this text amendment are included in the review file. You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.
- Additionally, please note that coordination will continue throughout the process to ensure constancy of approach and administration with other ongoing text amendments.

How to Review this Document

Instructions for providing comments can be found at <https://helpx.adobe.com/document-cloud/help/add-comments.html>

1. One trailer is permitted on the zone lot for each 4,000 square feet of land area in the zone lot, not, however, exceeding 5 trailers at any one time; and
 2. Each trailer shall not exceed 8 feet in height, length and width.
- I. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the accessory use standards in Division 11.7, Accessory Use Limitations, and in Division 11.10, Uses Accessory to Nonresidential Uses - Limitations.
- J. An automobile services use may include the sale of compressed natural gas, liquefied petroleum, or other types of fuel for vehicles as regulated by the Denver Fire Code. Any above-ground fuel tanks shall be located a minimum of 1,000 feet from a protected use, as “protected use” is defined by the Denver Fire Code.

11.4.18.5 CMP-NWC-F Zone District

In the CMP-NWC-F zone district, where permitted with limitations, all Automobile Services uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.

SECTION 11.4.19 AUTOMOBILE SERVICES, LIGHT

11.4.19.1 All Zone Districts

In all zone districts, where permitted with limitations:

A. Limitation on Automobile Fueling Stations

1. Intent

The limitations on Automobile Services, Light are intended to promote pedestrian activity and neighborhood-serving commercial by avoiding clustering of automobile fueling stations unless they are combined with commercial space that provides opportunities for the sale of groceries, home goods or other products that could serve nearby residents.

2. Applicability and Exceptions

In all Zone Districts, an Automobile Services, Light, use containing an Automobile Fueling Station must comply with the following limitations:

- a. The use shall not be located within 300 feet of a Protected District, unless the proposed use is included in the same approved Site Development Plan with at least one Food Sales or Market or Retail Sales, Service and Repair, All Others use with a gross floor area of 20,000 square feet or greater.
- b. The use shall not be located within 1/4 mile of any other Automobile Fueling Station, unless the proposed use is included in the same approved Site Development Plan with at least one Food Sales or Market or Retail Sales, Service and Repair, All Others use with a gross floor area of 20,000 square feet or greater.
- c. The use shall not be located within 1/4 mile of a Rail Transit Station Platform.

B. Automobile wash, laundry, detail or polishing shops are permitted as a type of Automobile Service, Light, use, subject to compliance with the following standards:

1. An automobile wash, laundry, detail or polishing shop shall be sited on a zone lot and constructed, operated, and maintained in compliance with the building form standards stated in the applicable zone district.
2. The structure housing the primary use shall be setback a minimum 8 feet from any abutting Residential Zone District.
3. Adequate landscaping and solid fencing shall be installed to control the effects of noise where such bay is located adjacent to a residential use or a Residential Zone District.

- g. **Skateboard Centers or Parks**
- h. **Swimming Pools, Outdoor**
- i. **Tennis Clubs, Outdoor**
- j. **Outdoor Theaters, Amphitheaters, or Other Permanent Outdoor Performance Spaces**

3. Event Space with Alternate Parking and Loading

Commercial establishments engaged in providing outdoor amusement, recreation or entertainment services by and for participants, often for the payment of a fee or admission charge, excluding Community Center and adult business uses. The outdoor event space may be used alternately as an Off-Street Parking Area or for Loading.

4. Sports and/or Entertainment Arena or Stadium

Commercial establishments designed, intended, or used primarily for indoor or outdoor large-scale spectator events including, but not limited to, professional and amateur sporting events, concerts, theatrical presentations, or motor vehicle racing. Typical uses include coliseums, arenas and sports stadiums.

11.12.4.3 Parking of Vehicles

A. Definition of Parking of Vehicles Use Category

Parking of Vehicles is a use category including the commercial assembly or standing of vehicles, either in a garage structure or on a surface lot.

B. Specific Parking of Vehicles Use Types and Definitions

1. Parking, Garage

- a. Any structure, other than a private garage, for the assembling, or standing of vehicles in a structure for relatively temporary periods of time, either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.
- b. The term “Garage Parking” includes underground parking, which means a parking surface that is located a minimum of 8 feet below the Street Level and is covered by a structure which provides a surface for another use.
- c. A parking garage may include accessory off-street parking spaces required or permitted under this Code.

2. Parking, Surface

The assembling or standing of vehicles on a surface parking lot for relatively temporary periods of time either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.

11.12.4.4 Eating & Drinking Establishments

A. Definition of Eating & Drinking Establishments Use Category

Commercial establishments engaged primarily in the sale of food or drink to consumers for on-premises or off-premises consumption. Any Automobile Fueling Station located on the same Zone Lot shall be assigned a Primary Use of “Automobile Services, Light.”

B. Specific Eating & Drinking Establishments Use Types and Definitions

1. Eating and Drinking Establishment

A retail establishment primarily engaged in the sale of prepared, ready-to-consume food and/or drinks within a Completely Enclosed Structure. Typical uses include restaurants, fast-food outlets, snack bars, taverns, bars and brewpubs.

sions, not otherwise specifically defined in this Code or separately listed in the Use and Parking Tables.

The Office Use Category also include business operations typically less service-oriented than the more traditional office uses listed above, including but not limited to: (1) software and internet content development and publishing; (2) computer systems design and programming; (3) graphic and industrial design; (4) data processing or call centers; (5) facilities that broadcast exclusively over the Internet and have no live, in-building audiences participating in such broadcasts; (6) scientific and technical services; and (7) medical and/or dental laboratories.

Contractors and others who perform services off-site but who store major equipment and materials on the site are not included in this use category.

B. Specific Office Use Types and Definitions

1. Dental / Medical Office or Clinic

An office use where the primary service is the treatment of patients or clients for physical or mental ailments and disorders, and which may also include passive (non-intrusive) research involving human subjects. Examples include doctor or dentist offices and clinics, and treatment of persons with eating disorders, sleep clinics, and other similar clinic uses. This use excludes hospital and animal hospital uses.

11.12.4.7 Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)

A. Definition of Retail Sales, Service & Repair Use Category -- Not Including Vehicle or Equipment Sales, Services & Repair

1. The Retail Sales, Service and Repair use category includes commercial establishments involved in the retail sale of new or used products, and the retail provision of consumer, repair, or rental services to individuals, households, and businesses. Any Automobile Fueling Station located on the same Zone Lot shall be assigned a Primary Use of "Automobile Services, Light."
2. This category includes but is not limited to:
 - a. Banking and financial services,
 - b. Food sales,
 - c. Animal sales and services,
 - d. General merchandise sales,
 - e. Personal and personal care services (e.g., dry cleaning and laundry services, hair/nail salons, tanning salons, day spas, and funeral homes, and mortuaries including accessory crematory services), and
 - f. Consumer repair services.
3. This land use category excludes motor vehicle and equipment sales, leasing, rental, or repair, except for the sale of motorized vehicles that do not require a license from the Colorado Department of Motor Vehicles.

B. Specific Retail Sales, Service & Repair Use Types and Definitions -- Not Including Vehicle or Equipment Sales, Services & Repair

1. Animal Sales and Services, Household Pets Only

An establishment engaged in any of the following:

3. Learning Center

A commercial business that regularly provides on-site, specialized or intensive educational services or tutoring to persons under eighteen (18) years of age.

4. Liquor Store

Retail establishments licensed by the state and/or city to engage in the sale of alcoholic beverages for off-premises consumption.

5. Manufacturer Sales Room

An establishment licensed by the state through the Manufacturers License to engage in the sale of Colorado manufactured alcoholic beverages of their own manufacture and other Colorado manufacturers as enabled by the State license.

11.12.4.8 Vehicle / Equipment Sales, Rentals, Service & Repair

A. Definition of Vehicle / Equipment Sales, Rentals, Service & Repair Use Category

Vehicle/Equipment Sales, Rental, Service and Repair includes establishments engaged in the sales, rental or service of motor vehicles and equipment for homeowner use and minor residential construction and landscaping projects. Accessory uses may include offices, parking, minor repair services, and storage of equipment and vehicles.

B. Specific Vehicle / Equipment Sales, Rentals, Service & Repair Use Types and Definitions

1. Automobile Emissions Inspection Facility

A facility that is equipped to enable vehicle exhaust, evaporative, and chlorofluorocarbon emissions inspections and any necessary adjustments and repairs to be performed, and which facility owner or operator is licensed by the State of Colorado to operate as an inspection and/or readjustment station. The use “automobile emissions inspection” does not include a retail establishment engaged in the sale of automotive fuel or motor oil for automobiles.

2. Automobile Services, Light

A retail establishment ~~providing engaged in the provision of one or more of the following types of vehicle~~ services, but not including heavy automobile service uses or any servicing of large-scale motor vehicles and trailers or Recreational Vehicles, Large-. This definition includes:

a. Automobile Fueling Station

~~The sale of automotive fuel, motor oil, and/or services, and/or or other automotive fluids, including any associated pumps. This also includes the service of electrical charging for motor vehicles (EV charging stations), when not accessory to another primary use within the same Zone Lot. Associated equipment may include fuel pumps, fuel storage tanks, propane tank filling or exchange, or air compressors. Routine maintenance and minor repair serving of automobiles, which may include washing, polishing, greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other activities of minor repair and servicing; and/or~~

b. Motor Vehicle Wash

Washing, cleaning, and/or waxing of automobiles by hand or with manually operated equipment or automatic machinery, including any standalone vacuum stations.

c. Automotive Services, Minor

~~Routine maintenance and minor repair or serving of automobiles, which may include lubrication, greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other activities of minor repair and servicing.~~

d. This definition includes the uses in the following SIC groups:

DIVISION 12.5 COMPLIANT USES

SECTION 12.5.1 INTENT

The creation in this Division of the legal status of "compliant use" is intended to provide greater flexibility than the category of "nonconforming uses" in the continuation, expansion or enlargement of existing land uses still permitted in the subject zone district, but which no longer comply with this Code's use limitations.

SECTION 12.5.2 DEFINITION

See Article 13 for definition of "Use, Compliant," and "Use, Conforming."

SECTION 12.5.3 EFFECT

12.5.3.1 Right to Continue

Compliant uses are legal uses for all purposes under this Code, and may continue to operate indefinitely.

12.5.3.2 General Allowance and Limitation on Expansion

- A. Provided it continues to comply with all provisions of this Division, any compliant use may continue in operation on the same zone lot and on the same floor area in a structure that was occupied by the compliant use on the date the use first became a compliant use.
- B. Except as authorized in this Division 12.5, the zone lot or the floor area in a structure devoted to the operation and maintenance of a compliant use shall not be increased if the extent or degree of noncompliance with this Code is increased.
- C. Continuance authorized in this Division shall not be construed to permit an increase in the number of dwelling units, a reduction of the ratio of land area to the number of dwelling units, or a change in any aspect of or the character of the compliant use that increases the amount, extent, or degree of noncompliance. This subsection shall not be construed to prohibit changes in the compliant use that result in a decrease in the amount, extent or degree of noncompliance (e.g., a reduction in the floor area of the compliant use that results in a decrease in the amount of parking required).
- D. A compliant Automobile Services, Light, use containing an Automobile Fueling Station may be modified or relocated on the same Zone Lot or within the floor area of a structure occupied by the compliant use to allow reasonable siting of Electric Vehicle Supply Equipment, provided the change to the compliant use does not result in an increase in the amount, extent or degree of noncompliance and continues to comply with all provisions of this Division. This subsection shall not be construed to permit an increase in the number of automotive fuel pumps.

12.5.3.3 Zoning Administrator Authority to Allow Limited Expansions

A. Zoning Administrator Authority in Special Cases Only

1. The Zoning Administrator may authorize, upon application in specific cases, an exception permitting an increase in either or both the zone lot area or the floor area in a structure or structures occupied by a compliant use as are necessary and essential to enable the owner of the use to comply with lawful requirements of the federal, state, or municipal governments; or
2. As a result of an act of government through vacation of right-of-way that creates private land area abutting an existing zone lot, for that newly created private land, the Zoning Administrator may authorize, upon application in specific cases, an exception permitting the existing compliant use on the existing zone lot to expand in zone lot area, but not floor area in a structure or structures, onto the newly created private land.

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
7.31.24	Jim Kenley	jkenley@gmail.com	I do not support this zoning change. Determining where a gas station can or can't be built is something the city shouldn't concern themselves with. The city council members, especially Paul Kashmann and Diana Romero Campbell should focus their energy on getting development going on plots of land that contain closed businesses and empty lots. What has Diana Romero Campbell done to encourage redevelopment of the closed Arbys at Hampden and Yosemite? How about the closed movie theatre and hotel close to Hampden and I-25? Yes, there are a lot of gas stations on Evans Ave, its also a street that current and former city council members have ignored for a long time. It's the failure of current and former city council members that a new Quik Trip and Murphy Express have been added to the street... What did Kendra Black, Diana Romero Campbell, and Paul Kashmann do to prevent the decline of East Evans Ave between Colorado Blvd and Quebec?
7.31.24	Mark Geyer	mark.geyer3455@gmail.com	Wherever new gas stations are built, please mandate installation of EV charging stations. EV charging stations should also be mandated in any multi-family house project. Thank you
7.31.24	Ted Harberg	harbergt@gmail.com	Why would we limit proximity to low-density residential but not high- density? It seems like gas stations are typically a feature of low-density, auto-oriented neighborhoods. Higher-density and mixed-use areas seem to be a MUCH more appropriate place to restrict new gas stations - not in low-density areas where the residents are the primary users of the gas stations.
7.31.24	Ben Daniels	ben.t.daniels@gmail.com	I support this proposed regulation and would like to see more housing, not more gas stations.
7.31.24	Arnold Uers	N/A	Seriously? Far less than 10% of cars on the road are electric and limiting availability of a necessity seems unreasonable. How about limiting the number of pot shops, liquor stores and fast food joints all of which are not necessities and have clear health risks. If your goal is to provide a healthier environment through social engineering that would seem to be a good place to start. The city and county of Denver cover an area of 155 sq miles and your article purports that there are 144 existing stations in the city limits or less than one per sq mile. That does not seem excessive. Instead of chasing layering the City with more refs and code how about putting your attention on timing of traffic signals. Benefits are clear, less congestion LESS OZONE from idling cars and less consumption of gasoline. The fix is a math problem, not out of reach. Just once I would like to see P Kashmann et al get behind something that has clear and immediate benefits to all residents. You have a mandate from the EPA to reduce ozone, why not address it by grabbing the low hanging fruit. This group will never stop amazing me.

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
8.5.24	Barbara Ridgway	barbridgway@hotmail.com	<p>I'd like to know the number of new gas stations that are started in Denver for each year in the past 10 years. Of these, how many are associated with grocery stores? How many of the new ones would not exist or would be in different locations if new regulations were put into effect?</p> <p>Concurrently please show the number that were terminated.</p> <p>What are the current zoning requirements for gas stations?</p> <p>When a gas station goes out of business, is someone required to remove the tanks?</p> <p>At what rate is the demand for gasoline projected to decline in the next 10, 20, 30 years?</p> <p>These answers should be readily available from zoning, planning and the federal government. Without that data, how can anyone give you valid comments??? And if they try, the comments aren't too meaningful.</p> <p>Other questions are more difficult, like how long until a gas station is obsolete? In terms of volumes, efficiency, viability of the tanks? What happens then? what is the availability of "acceptable" locations for new stations are are you just planning on longer lines with the idea that will encourage more people to use public transit or EVs?</p> <p>Frankly I can't help but think that you and your assistants time is better served on other projects, but I'll reserve judgment until you provide those simple answers. IMO, more stations are eliminated than added; most that are added are affiliated with grocery stores or places like Costco. If that is true, what you will be encouraging is keeping the old ones and expanding the footprint of new ones. In addition, the number of stations is directly affected by supply and demand AND the number of people living in an area.</p> <p>If you believe that lines will reduce the number of cars, you should visit</p>
9.12.24	Josue Reynoza	josuereynoza@outlook.com	I fully support the zoning code revisions for gas stations. This would help make our city more affordable and removes the blight of a car-reliant city. We should make go even further and remove parking minimums.
9.19.24	Allen Lampert	allen.lampert@dhlb.com	As a commercial real estate broker specializing in retail pad sales for 28 years in Denver I am very much against any restrictions in land use. However, if one is to be amended for gas stations the distance between stations should be measured by direct automotive access from the pumps/canopy and not a radius from any point on the lot if the intent is to limit the number of gas fueling sites. Also, there should be a method whereby an owner (small business or otherwise) wishing to build a station, which most likely includes convenience items, food and beer wine and liquor (retail sales tax) may petition for a waiver if deemed to be within the restricted area. Happy to provide further feedback. Thank you! Allen
10.2.24	N Smith	N/A	My vote is that City Council does NOT make more rules restricting gas station placements.
10.2.24	Rob Mak	robmak@rocketmail.com	This is woke ridiculousness at its worst! I "holistically" disagree with this absurd ruling. City Council Members should not be permitted to sway the public landscape according to their climate dilutions and biased political leanings. Governor Polis and the mayor are a devastation to the state and city. We are relocating our companies to Dallas next year due to the utter incompetence of city and state government. Stop killing Denver before we're all gone!
10.2.24	Richard Mestetsky	richmest@gmail.com	Does the restriction "within a quarter-mile of an existing gas station" apply to locations within a quarter mile of existing gas stations outside the city of Denver?
10.3.24	Dorothy Bernay	debernay@outlook.com	Makes sense.

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
10.3.24	Dennis Fadden	denfad1950@yahoo.com	I have been living at Windsor Gardens for over 15 years now, I moved to Denver over 40 years ago, it was a very nice quiet community, but no longer, too much traffic, too much noise, too much crime, what you are proposing will do nothing but invite more traffic, more noise, and more crime, Denver has become a very high crime city and one of the most expensive cities to live in in the USA. I truly and respectfully hope this proposal does not go through.
10.3.24	Mike Weiman	mike@thefoothillsgroup.com	It's interesting that members of City Council are attempting to restrict the free enterprise system under the guise of providing a more pedestrian friendly environment. If the City Council is truly interested in improving the city and enabling pedestrians to have a better experience they should first look at the pedestrian areas that already exist in Denver. People that have chosen to live on the street are provided greater protection and more access than tax paying citizens. Everywhere you look there are parks or pedestrian purposed walkways that have been closed off due to the filth that those living on the streets have brought to areas.
10.3.24	Rob McDaniel	rc_mcdaniel@hotmail.com	I'm unclear on why there shouldn't be a gas station near light rail. It seems that this is an ideal place to get gas and convenience items.
10.3.24	Keith Henrichs	keith@henrichs.net	If prohibited within 1/4 mile of light rail transit stations, WHY NOT ALSO PROHIBIT WITHIN 1/4 MILE OF BUS RAPID TRANSIT STATIONS? (Existing stations could be grandfathered, but new ones prohibited.) Many of the Colfax BRT stations will be in residential neighborhoods, already impacted by BRT and gas stations add insult to injury.
10.3.24	Camille Pahl	camille@ovllc.com	I'm glad to see this! Gas stations often negatively impact important corner lots and hurt walk ability. The locations for not having these make sense, I.e. where they already exist and near transit. I do not see the correlation with near SU zoning however, as single unit residents tend to drive more than those living in denser contexts. I worry this will concentrate gas stations near the very places we hope to be walkable for a larger number of people.
10.3.24	Andrew	aschechterman@gmail.com	Supportive if this and much more ...
10.3.24	Zach Lamb	zachlamb94@gmail.com	I think it's great to reduce new gas stations as we phase out of using fossil fuels!
10.4.24	Tony Frey	tony@wecandenver.org	This is a great idea, but I ask that you please consider including proximity to other gas stations, train stations, etc. OUTSIDE municipal boundaries in your proposed methodology of limiting placement of new gas stations in Denver. This would open even more land for housing, pedestrians, etc. while their gas station needs may already be met just across the street in Lakewood, Aurora, Edgewater, etc.
10.4.24	Kelly Scanlan	kellyscanlan@gmail.com	This is a great idea, but I ask that you please consider including proximity to other gas stations, train stations, etc. OUTSIDE municipal boundaries in your proposed methodology to limit placement of new gas stations in Denver. This would open even more land for housing, pedestrians, etc. while their gas station needs may already be met just across the street in Lakewood, Aurora, Edgewater, etc.
10.4.24	Taylor Thompson	taylorjanethompson@hotmail.com	On the corner of Sheridan and Colfax, a Walgreens is closing and there is neighborhood talk of a new gas station being proposed. At this time, there is no direct neighborhood, municipality, etc. need for an additional gas station. Our needs are met by the gas stations spread throughout Sheridan in Edgewater and Lakewood. This area could greatly benefit from additional housing projects or storefronts to increase local business and deter further crime and drug abuse.
10.4.24	Heather Howell	hreeneh1@gmail.com	There are enough gas stations throughout the state. We do not need anymore.
10.4.24	Cheryl Acierno	cheryl@aciernocompany.com	Geez....can you guys ever leave anything alone? Third generation Denverite, and I don't even recognize this city because of all the zoning changes you keep making. As for gas stations? I live in Cherry Creek and because of all the ridiculous development, we don't even HAVE a gas station anymore. I have to drive around looking for one. Please just stop changing everything. Also, quit changing the zoning to allow taller buildings. One last thing: I don't know ANYBODY who is a fan of your bike lanes. You've just made Denver uglier and harder to navigate. But I guess that's the point.
10.4.24	Kimberly A. Shinabery	chapelkim1@gmail.com	STOP SENDING ME THESE THINGS BY MAIL. I ONLY WANT COMMUNICATIONS VIA EMAIL. YOUR EXCESS JUNK MAIL IS ADDING TO MY STRESS
10.5.24	Nina Black	nblackgj@gmail.com	I love that you are working on this! I live in district 5 and there are way too many gas stations already. The space could be used much better for housing or green spaces. And gas stations leave a lot of contamination behind. They are expensive to clean up. Thank you for doing this!
10.5.24	Ginny Hammond	ghammond@comcast.net	Excellent proposal
10.6.24	Randal	ranlaps522@aol.com	Let the free market determine the location of gas stations.

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
10.6.24	Nun ya business		Disagree, the gas stations that exist today are already concentrated based on the existing buffers. Buffer around light rail zones as is already create enough of headache for a simple convenience purchase or refill during the week. Bigger fish to fry instead of making life more inconvenient for Denverites that commute!
10.6.24	David Eisenberg	david.p.eisenberg@gmail.com	I want to expand housing. I don't see how limiting gas stations does that. Just remove zoning barriers to building new housing, remove zoning barriers to building denser housing (duplexes, triplexes, high rise apartment buildings, etc.)
10.6.24	John and Despina Balafas	balafasd@gmail.com	Please do not take property rights away. This is an over reach. I am not taking right away from your home so please do not take rights away from my property.
10.7.24	Mike Shearman	mike.shearman@trust-in-soft.com	Love it. Yes.
10.7.24	Larry Bell	N/A	Another solution to no problem. More government control over our lives
10.7.24	Mitch	N/A	I support this amendment
10.8.24	Sherri Fey	slfey@msn.com	I think all new gas stations should be required to add EV charging stations also. I agree with limiting gas stations.
10.8.24	Cornelia Maes	richicornelia@gmail.com	My wife and I are opposed to the changes to the zoning regulations. "integrate future development into existing neighborhoods" is new-speak for more development, building, more high rises, more corporate stores and building, more glass and steel, GROWTH, noise, dirty smelly air, lights, litter, garbage, parking meters, water pollution from gas stations, huge delivery trucks changing our neighborhoods into noisy, dirty urban areas. Thank you.
10.8.24	Jim	11thavenuehotel@gmail.com	Please do not limit the installation of gas stations. There are plenty if not to much oversight from the EPA on this matter. Fueling stations provide jobs for low income persons, provide a convenience for neighborhoods, provide easy and close access to community needs limiting pollution by being close. Stations that do not provide these services will cease to exist, and stations that supply the basic necessities well will thrive. The landscape changes in accordance with community needs over time. Think long term and if these are not necessary they will be replaced by what becomes necessary. Quit thinking that we need to regulate everything, because if we keep doing that as a community eventually we will have nothing.
10.8.24	Kathryn Spritzer	kspritzer@icloud.com	There are more important things for Council to be concerned with, like safety. competing gas stations keep gas prices lower for consumers; this proposal will hurt the people who can afford gas the least. I am handicapped and I have to drive. People commuting from the suburbs have to drive. You can't legislate to make people take the bus and bike
10.10.24	Scott Johnson	scott.tj95@gmail.com	I think the City Council is right to focus on creating walkable, mixed-use development near public transport. The Council should take bold action beyond this initiative to promote more building and development. That includes: 1) eliminating burdensome regulations and permitting requirements that hinder development, 2) promoting the building of different types of housing (mixed-use, multi-family, single family) to account for different housing needs, and 3) eliminating local veto points so busy bodies can't hold up development that would provide greater benefits to the community. Denver (and Colorado more broadly) face a housing shortage that needs to be tackled by creating an environment conducive to build, build, build. Thank you for your time!
10.11.24	James Macek	jem0101@aol.com	As a local small business man for over 30 years in the community, I respectfully oppose this initiative. We need gas stations and easy access to them in all neighborhoods. They serve the community well with access to gas and other needed products, and provide jobs as well. While I appreciate the intent; it is not in the best interests of those who live and work here. Thank you.
10.11.24	Connie and Dennis Dixon	dmdixon5115@gmail.com , 9625 E.Center Ave., #5D, Denver, CO 80247	We, Connie and Dennis Dixon, support this Proposal
10.11.24	Matthew Knudsen	matt.j.knudsen@outlook.com	Good day. And thank you for the communication. Gas stations could be obsolete in a few decades so this issue would not be top of mind for me. Our role as community leaders is to establish zoning requirements. After that, the free market will determine the type of development that will occur within zoning limitations. Interfering with the free market seems counterproductive. The issue of affordable housing does not appear to be related to gas station placement. I could really get behind a bold initiative that lifts people out of poverty. Creating the "best education system that the world has ever known" would be a bold initiative that I could get behind.
10.14.24	Paul Cella	pauljcellajr@gmail.com	Government should not get involved in markets. This is an attempt to force people to buy electric cars because government will make it very difficult to buy gas. This is wrong and unfair to hard working people who depend on their cars to get to work, school, and doctors.

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
10.16.24	Anne Perera	banjo_python@hotmail.com	Gas stations are a terrible use of valuable and scarce city land. I support restricting their permitting as proposed here. We need more density and housing, not more catering to personal automobiles and the corporations that profit from them.
10.18.24	Sam DeLeo	sam.deleo@gmail.com	I understand the reasoning behind this proposed regulation and, as a homeowner in the affected area, would agree to it only if there were no additional loss of off-street residential parking spaces. I would prefer to commute to my job via public transportation instead of driving a car, but there is currently not a public transit system that would allow me to do this. We have seen a huge loss of parking spaces in District 10, specifically in and around the Capitol, and while I appreciate the added biking spaces and pedestrian access, my commute is too long for me to ride a bike to my job. This has become a voting issue for affected residents like me, thank you for your time.
10.19.24	Drake Shepard	dabshepard@gmail.com	This is a great idea, but I ask that you please consider including proximity to other gas stations, train stations, etc. OUTSIDE municipal boundaries in your proposed methodology to limit placement of new gas stations in Denver. This would open even more land for housing, pedestrians, etc. while their gas station needs may already be met just across the street in Lakewood, Aurora, Edgewater, etc.
10.21.24	Tyson Marinis	ttmarinis@gmail.com	The Walgreens lot at Sheridan and Colfax should not be a gas station as it does not align with the Denver West Area Plan Recommendations.
10.25.24	Keelan Sears	keelan.sears@gmail.com	This small change sounds great, but I'm not sure how this actually helps with housing density in Denver. It's just preventing gas stations from being built, so I hope there is actual effort being made to eliminate things like parking requirements and other zoning obstacles around building on small pieces of land. Preventing excessive construction of gas stations is like the bare minimum, and does not get us much closer to the European density lifestyle that people in Denver crave. Not to sound ungrateful because this is absolutely a step in the right direction, but the lethargy of meaningful change in this city/state (I'm a native) drives me nuts! I'm 33 and I'm pretty sure I'll be dead before someone can take a train to Boulder. End rant :)
11.2.24	Wesley Brown	wesleybrownb@gmail.com	I am opposed to the proposal. Goes too far.
11.7.24	Brad Yoshimitsu	brad@corcoranperry.com	It should be a minimum of 600 ft from low-intensity residential zone districts.
11.7.24	Joshua Saunders	joshnsaunders@gmail.com	Hi, I think these new regulations are an important step forward for us as a city. However, I would update it to be a bit more stringent. I would also prevent new gas stations from within a 1/4 mile of any high frequency bus lines and/or update the required distance from 1/4 mile to 1/2 a mile for all affected categories.
11.12.24	Alexa Miles	alexamiles@hotmail.com	I would like to recommend the scope of this amendment include gas station locations outside of the Denver city limits.
11.13.24	Kira O'Conner	kira.p.oconnor@gmail.com	Please add to this amendment a clause broadening the scope to consider other bordering municipalities. For example: the Lakewood/Denver border at Sheridan Blvd & West Colfax
11.21.24	Patricia Bernard	pmtbernard@gmail.com	I've been way more annoyed and concerned about the number and density of pot shops than I am gas stations.
11.23.24	Shaun		Oppose. If gas stations are being built that signals demand for the gas station. Making gas stations less available will congest existing gas stations wasting Denverites time.
11.30.2024	David Andersen	dganderson@comcast.net	The rationale for this change is unclear. What are the sponsors of the change concerned about? Is the demand for new gas stations in Denver growing? Are there commercial interests that are motivating the change, and, if so, what are they? Are existing gas station owners trying to protect themselves from new competitors? Are the sponsors simply trying to force people out of cars and onto public transit? What is the theory of urban development that justifies this government intervention in the private market for gas stations?

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
12.1.2024	Glenn Zazulla	dengov@g.zazu.com	<p>While I don't particularly care for a proliferation of gas stations, I don't believe this is a real problem. This proposed zoning legislation "solution", though, is a problem, and I oppose it. This is another misguided attack targeting businesses that don't appeal to a certain segment of our city. I was pleased to see that a similar special interest attempt to ban slaughterhouses and fur sales was rejected by Denver citizens -- again, not that I have any interest in fur products or Superior Farms meat. Such ban attempts are really attacks on our country's fundamental principles and attempts to push a socialistic agenda at the expense of free market capitalism. Slaughterhouses and gas stations are both legal enterprises that serve public interests. If enough Americans reject animal-based diets and fossil fuels, then market demand will drop, and such businesses will reduce out of economic necessity. Or if activities are declared illegal, that would be another matter.</p> <p>According to several websites I checked, there are 180 gas stations in the city of Denver. By comparison, 9news reported over 300 pot shops. Do we really need 300 such enterprises? Why target gas stations and not pot shops?</p>
12.4.24	Andrew Reid	andywreid@gmail.com	<p>I am writing to express my concerns regarding the proposed zoning text amendment that would limit the establishment of new gas stations to locations more than 1/4 mile from existing stations. While I understand the intent to promote walkable, mixed-use development, I believe this regulation could have unintended negative consequences on competition and gas prices. Research indicates that gas stations engage in strategic interaction with neighboring stations when setting prices. The presence of nearby competitors helps to keep prices competitive. By limiting the number of gas stations in a given area, this regulation could reduce competitive pressure, leading to higher prices for consumers.</p> <p>https://journalofeconomicinsight.com/index.php/joei/article/download/119/118/ Additionally, studies on market structure and price controls have shown that regulations limiting competition can create barriers to entry for lowcost retailers, indirectly lowering productivity and affecting prices. The proposed zoning changes could similarly create barriers to entry, reducing competition and potentially leading to higher gas prices. In markets with monopolistic competition, such as the retail gasoline market, firms have some degree of pricing power. Limiting the number of competitors increases each firm's market power, which can result in higher prices for consumers. I urge the City Council to reconsider this proposal and explore alternative measures that promote walkable, mixed-use development without restricting competition in the retail gasoline market.</p>
7.31.24	Kari Mattes-Ritz	kmattesritz@gmail.com	I'm so glad this is moving forward. Thanks for all your work on it and for leading the charge.
7.31.24	Heather Noyes Gregg	heather@studiocpg.com	<p>AWESOME! GREAT!!!! WOW.....!!!!!! Fully support!!!</p>

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
7.31.24	Jim Farnsworth	farnie303@gmail.com	<p>I have read reports today that the Council - led by the three of you - is seriously looking to put a moratorium on gas stations within the city limits. With no direct interest in these businesses I nonetheless stand in full opposition to this idea and urge you - and all Council members - to reject it. The arguments being made in support (article attached above) are weak at best and laughable at most. To be succinct: Suggestions that filling stations take up too much room on a lot is ridiculous when the real problem is massive high rise apartment complexes (that are likely 10x the size of a filling station) approved by the City constantly and create more problems than a filling station. Consider too that the exemption on stations with groceries will only result in larger footprints anyway. How about the Council be more responsible on the true causes of massive growth and the strain on infrastructure? Affordability arguments made are simply not true and do not consider human behavior. The apartments constantly being built do nothing for affordable housing, and reducing or curtailing filling stations will drive fuel prices up and send business to the suburbs. The goal is clearly to make Denver more unfriendly to drivers, but will have the opposite effect until we have more efficient and safe alternatives. RTD is a disaster in quality, it's unsafe, and does not operate on either speeds or schedules that make it a compelling alternative. The list goes on and the Council owes it to the citizens to listen deeply and sincerely for potential unintended consequences which idealistic legislation tends to produce. I have been a resident of this city for 30+ years, however, we continue to be on a path of degradation that the Council should spend more time addressing. Crime is high (despite the PS Director arguing with how citizens perceive it); the citizens have been disregarded and disrespected on the camping ban; we have a horrible vagrancy problem (yes, the seriously homeless are NOT the issue but the druggies and mentally ill are); declaring us a sanctuary city made the cost worse at the expense of other services and offering financial reward to those coming into the country in contravention of our laws is insulting to the citizens on top of it. City services are weak or curtailed (I have to wait another year for a compost bin you promised by summer of 2024?); streets are in poor shape; the bike paths are unwieldy, barely used and make traffic worse; and DIA is a money pit of non-stop construction. Please focus on bigger issues that are more impactful. Listen to citizen concerns as we are your CUSTOMERS. Stop the decline in the quality of our city. Thank you</p> <p>Jim Farnsworth 2911 S Madison St Denver CO 80210 p. 303.522.0714</p>

DATE SUBMITTED	NAME	CONTACT INFORMATION	COMMENT
8.1.24	Thomas Topero	Thomas.Topero@gmail.com	<p>Council persons, I support limiting gas station development to areas that are underserved & wouldn't be suitable for multi family housing.</p> <p>The claims that it would help address, housing affordability, mixed-use development, opportunities, near transit corridors, and promote walkable and sustainable development is possible but not guaranteed. Thus we don't need to make outlandish claims in order to promote changes that would benefit the residents & neighborhoods.</p> <p>I would ask that you consider taking this concept to another level for authentic improvement of the pedestrian & micromobility parts of our common spaces (AKA public spaces). Prohibiting further development of drive throughs that are accessed directly via an arterial or collector street, especially when an alley access is available, including parking structures. This has successfully been implemented in peer cities like Minneapolis & has improved conditions.</p> <p>Similarly, we need to repair the damage caused by vehicle first & only prioritization for curb cuts & driveway aprons that cut across bicycle & pedestrian zones creating dangerous conflict points not in line with VisionZero. When alley or off-arterial or -collector street access to a lot or parking is available, that this access point be the priority, shifting this for existing properties when public works projects are done adjacent to the access point, pedestrian enhancements and/or bike infrastructure is installed adjacent or in front of parking apron.</p> <p>There are numerous examples where this occurs in all your districts. Also where driveways have been abandoned or no longer used/useful. While not in any of your districts, Central Broadway, with the recently (engineering) completed "bike lane" project (delayed for years to get multiples of funding for non-bicycle improvements before any bicycle infrastructure was developed) is a perfect example.</p> <p>Along the east side of the stroad (if you're not familiar with the term, search for it online with "Strong Towns"—a chapter of the organization is working in Denver) where the bike lane was permanently installed & extended. Where existing driveways or curb cuts existed, they were maintained or rebuilt. There was no attempt to remove several that no longer serve the buildings that they once did (former car showrooms & repair shops) despite parking being installed in front of it.</p>
8.1.24	Craig Stack	stackinco@yahoo.com	<p>Hi All, Limiting the development of new gas stations would eliminate new competition which keeps gas prices and convenient store prices low; which benefit low and middle income communities. Also, the newer gas stations often have electric charging stations, more food options which sometimes include healthier options and better access to public restrooms. We've seen a lot of old gas stations torn down and replaced with new businesses and residential development. This replacement of older inefficient properties also helps bring new gas stations into better environmental regulatory compliance and removes old leaking underground storage tanks. Further, allowing only grocery store owned gas stations consolidates power and pricing into more large corporations and putting location barriers will again allow more monopolistic pricing power instead of competition to keeps gas prices low. The current code allows for specific review of each project before they pull permits which can allow for public comment and or city council to weigh in on these concerns for specific proposals Blanket zoning overhauls causes many unintended consequences. If your goal is to encourage more housing and other development, then expediting rezoning applications, and permitting process would be a better use of council time and effort. Thanks for your consideration. Craig Stack</p>
8.5.24		bwwbtr@gmail.com	<p>Thanks for this, Councilman Kashmann. I posted a note on the website of that particular news outlet, asking them to dispense with personal slights and focus on getting the facts straight about your collective objection to more gas stations. An informed reporter should know that it's City Council's job to consider alternative land uses, keeping in mind the broader impact of [insert purpose here] on Denver residents' quality of life. Keep up the good work.</p>