



TO: Denver Planning Board
FROM: Justin Montgomery, AICP, Senior City Planner
DATE: December 9, 2025
RE: Denver Zoning Code Text Amendment – Mini Bundle

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 Mini Bundle Text Amendment to the DZC.

Background and Purpose

The proposed Mini Bundle text amendment to the DZC is a small package of text amendments that cover four main topic areas: Proposition 123/Expedited Reviews for Affordable Housing Projects, Wireless Telecommunications, Accessory Dwelling Units, and Site Development Plans. The purpose of this text amendment is to align Denver's regulations with state mandates and incentive programs while incorporating procedural improvements to support good governance and affordable housing.

Proposition 123/ Expedited Reviews for Affordable Housing Projects

Proposition 123 is a statewide policy that voters approved in 2022 that created the Statewide Affordable Housing Fund. The city is currently designing a fast track process to pilot in 2026 with the goal of attaining future state funding to support affordable housing projects. The proposed amendments for this topic area will mitigate known obstacles for faster development review timelines.

Wireless Telecommunications

House Bill 25-1056 Local Government Permitting of Wireless Telecommunication Facilities was approved in 2025. The law is effective on January 2, 2026. The proposed amendments for this topic area will ensure compliance by not requiring zoning permits for certain types of applications.

Accessory Dwelling Units (ADUs)

House Bill 24-1152 Accessory Dwelling Units was approved in 2024. The law became effective on July 1, 2025. The proposed amendments in this topic area are clean-up to past text amendments, ADUs in Denver and Citywide ADUs, to add clarity for Planned Unit Developments and to enable Denver Housing Authority to build more ADUs on single-unit zoned properties.

Site Development Plans

There is no related state law for this topic area. This change eliminates a procedural barrier for projects that have experienced delays in starting development prior to the expiration of a Site Development Plan (SDP) that are often beyond the applicant's or property owners' control.

Proposed Changes

The Mini Bundle text amendment proposes revisions to DZC Article 9: Special Contexts and Districts, Article 11: Use Limitations and Definitions, and Article 12: Zoning Procedures and Enforcement. A summary of the amendments by topic area is below and the complete review draft is included as an attachment to this staff report.

Proposition 123/Expedited Reviews for Affordable Housing Projects

- Change the beginning of the approval period for plans and permits to help staff meet the expedited review deadline to be eligible for state funds

Wireless Telecommunications

- Add “not physically substantial” modifications to existing telecommunications facilities to the list of development types that do not need a zoning permit (provided the city is notified in writing)

Accessory Dwelling Units (ADUs)

- Remove Owner Occupancy requirements for Denver Housing Authority owned properties
- Ensure Planned Unit Developments (PUDs) allow ADUs if single-unit dwellings are allowed
- Clearly state that any existing ADU prohibitions in PUDs will not be enforced

Site Development Plans

- Extend the approval period from 18 months to 30 months for all projects, without needing to request a 12-month extension
- Remove expiration language for Detailed PUD District Plans, which function like Site Development Plans

Related Proposals

The Mini Bundle text amendment will be supported by the following related proposals that are not part of the Planning Board action item on the proposed DZC text amendment.

Proposed Denver Revised Municipal Code (DRMC) Amendments to Former Chapter 59 (FC59)

Staff will introduce related DRMC amendments for ADUs in existing PUDs and physically non-substantial modifications to telecommunications facilities. Note that Planning Board does not make a recommendation on proposed amendments to the DRMC.

Proposed Amendments to Urban Design Standards and Guidelines for Cherry Creek North/Cherry Creek West and Downtown

Staff will propose updates to the rules and regulations for fast tracked affordable housing projects so those do not require a formal recommendation from the Cherry Creek and Downtown Design Advisory Boards. Additionally, the amendment will exempt non-substantial changes to existing wireless service or telecommunication facilities from applicability of Urban Design Standards and Guidelines and Design Advisory Board review in Cherry Creek North/Cherry Creek West and Downtown.

Outreach and Public Process

Community outreach for the Mini Bundle included in-person and virtual meetings, an informational email to all Registered Neighborhood Organizations, Community Planning and Development external newsletter, courtesy public review draft with 30-day comment period, and an online comment/question form. Below is a list of the key dates of this process:

Mayor’s Office, City Council, and Planning Board

- City Councilmember Briefings – November 2025
- Planning Board Information Item – November 19, 2025

Text Amendment Adoption Process Timeline

- Text Amendment Drafting Initiated – October 2, 2025
- Text Amendment Internal Agency Referral #1 – October 8, 2025
- Text Amendment Internal Agency Referral #2 – November 3, 2025
- Text Amendment Courtesy Public Review Draft – November 14, 2025
- Planning Board Hearing Public Notification – December 2, 2025
- Planning Board Public Hearing – December 17, 2025
- Community Planning & Housing Committee – January 6, 2026*
- Mayor Council – January 13, 2026*
- City Council First Reading – January 20, 2026*
- City Council Public Hearing – February 17, 2026*

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

Written comments: Comments and questions were encouraged through an online form on the project’s webpage. Staff received five comments and questions from the public on this project, prior to the cutoff time for this report (12/8/25 at 5pm). There was support expressed for the proposed amendments, as well as more critical comments related to the owner occupancy requirement for ADUs in single-unit zone districts with suggestions to remove that requirement entirely. There were also comments related to ADU building permit policy that is not addressed by this text amendment. All comments received are attached to this staff report.

Review Criteria and CPD Staff Evaluation

The criteria for review of a proposed text amendment are found in Section 12.4.11.4 of the DZC. CPD staff analyzed the proposed text amendment for compliance with the review criteria stated below and finds that the proposed text amendment satisfies each of the review criteria:

1. Consistency With Adopted Plans

The proposed text amendment is consistent with the following adopted plans, strategies and policies:

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

Comprehensive Plan 2040

Comprehensive Plan 2040 is the long-range vision guiding the future of Denver and consists of six vision elements. The proposed text amendment is consistent with the following Comprehensive Plan 2040 :

Equitable, Affordable and Inclusive vision element:

Goal 2, Strategy B: Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options. (p. 28)

Goal 3: Develop housing that is affordable to residents of all income levels.

Strategy B: Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit. (pg 28)

Staff finds that this text amendment will help to create equitable, affordable, and inclusive neighborhoods by adding to the housing options available in all residential neighborhoods. The proposed land use regulations encourage the development of affordable housing by assisting with the city's future fast track program for affordable housing. Additionally, clarity for the allowance of ADUs in PUDs adds housing options for seniors to age in place and receive income by renting out their primary home.

Strong and Authentic Neighborhoods vision element:

Goal 3, Strategy E: Support the stewardship and reuse of existing buildings. (p. 34)

Staff finds that this text amendment will aid in creating strong and authentic neighborhoods through the preservation and reuse of existing structures for properties within Planned Unit Developments as they would now be allowed to build accessory ADUs, where they previously were not. Peer city research has shown that ADUs can aid in preserving the existing primary structure. When homeowners are able to reinvest in their property to remain in place, they are less likely to sell their property, which could lead to a scrape of the entire site.

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 consistent with the following *Blueprint Denver* policies:

Land Use and Building Form: General

Policy 3: Ensure the Denver Zoning Code continues to respond to the needs of the city, while remaining modern and flexible. (p. 72)

The proposed text amendment is responding to the needs of the city, while staying current with recent state laws. The amendments regarding telecommunication facilities and site development plans modernize regulations by eliminating unnecessary review procedures. Removing zoning permit review for non-substantial modification of existing wireless infrastructure ensures this service remains viable throughout the city and encourages minor expansion of existing sites rather than construction of new sites. Extending the approval period for Site Development Plans acknowledges standard practice in accommodating longer development timelines without wasting staff and customer time processing extensions.

Land Use and Building Form: Housing

Policy 4: Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. (p. 84)

Policy 6: Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities(p. 85)

The proposed amendments provide clarity to applicants and property owners and support policies to increase the development of affordable housing. The revised regulations clearly allow ADUs in all residential areas, including Planned Unit Developments where they may have been previously prohibited. The zoning updates also align the beginning of the approval period for all plans, permits, and applications to be the date staff makes a determination of approval rather than the date the application is recorded; this tightens the approval period, helping staff meet the state’s expedited review timeline for affordable projects, making the city eligible for grant funding to increase affordable housing throughout the city.

2. Public Health, Safety and Welfare

The text amendment furthers the public health, safety and welfare of Denver residents, landowners, and community members by providing clarity and predictability in the zoning regulations, by removing regulatory barriers to planned development, and by continuing to implement the city’s adopted comprehensive, land use, and transportation plans through regulatory changes.

3. Uniformity of District Regulations and Restrictions

The text amendment will result in updated regulations that are uniform within each zone district.

Attachments

1. Review draft of the Mini Bundle text amendment
2. Comments and Questions received from the public