

To: All CPD Zoning Administration Staff and ZNIS Zoning Inspections Staff  
From: Tina Axelrad, Interim Zoning Administrator  
Issuance Date: February 6, 2025  
Last Revision Date: n/a  
Expiration Date: September 25, 2026

## **Zoning Administrative Policy #2025-1: Choice of Applicable Zoning Regulations After Update to the Denver Zoning Code on February 25, 2025**

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### **Background**

On December 16, 2024, the City Council adopted the “2024 Text Amendment Bundle,” which will become effective on February 25, 2025 (the “Bundle”). The Bundle will implement changes across the Denver Zoning Code, which will affect plans and permits currently under review but not yet approved.

The City Council in the Bundle’s Enacting Ordinance (see link below) adopted several grace periods and deadlines stating whether and how the Bundle amendments would apply to zoning permit and Site Development Plan applications in progress at the time of the Bundle’s effective date of February 25, 2025. See the Table below for a summary of those grace periods and deadlines.

### **Key Links**

[City Council Draft](#): This is the markup version of the Bundle, which shows strikethrough and underline changes to the DZC that will go into effect on February 25, 2025.

[Enacting Ordinance](#): This ordinance adopts the Bundle and describes the grace periods for in-progress zoning permit and SDP applications and deadlines for receiving approval. The grace period allows these pending applications to be reviewed under the Denver Zoning Code version as amended through December 16, 2024 (or an earlier code version as applicable to some SDP cases).

[“Bridge amendment”](#): This ordinance extends application of parts of the Bundle to lands zoned under Former Chapter 59. These provisions are found in DRMC, Section 59-2(c)(1)-(29).

## Grace Periods and Deadlines to Receive Approval for the Bundle

<p><b>Cut-off for Submittals to Use Previous Denver Zoning Code Version*</b></p>	<p><b>SDPs:</b> When the associated concept plan was submitted on or before August 9, 2024.  <b>Zoning Permits:</b> Permit applications submitted on or before Monday, February 24, 2025,    *In most cases, this will be the version of the Denver Zoning Code as amended through December 16, 2024.</p>
<p><b>Deadline to Receive Permit or SDP Final Approval</b></p>	<p><b>SDP final approval:</b> Thursday, March 12, 2026    <b>Zoning Permit approval:</b> Friday, October 17, 2025  <b>Modifications to Zoning Permits approved per this grace period are allowed until:</b> Friday, September 25, 2026</p>

### Zoning Applications Submitted on or after February 25, 2025

All new concept plan, zone lot amendment, and zoning permit applications submitted for zoning review on or after February 25, 2025, will be reviewed under the most current zoning code version in effect. All new SDP applications submitted on or after February 25, 2025, will have the choice to apply an earlier version of the zoning code only if the SDP's precedent concept plan was submitted for review before August 9, 2024.

### Presumption for In-Progress Zoning Permit & SDP Projects to Apply Previous Code Version Allowed by Grace Period

For those zoning permit applications and SDPs submitted before the February 25, 2025, effective date of the Bundle, this policy requires all CPD zoning review staff to apply the December 16, 2024, version of the Denver Zoning Code (or earlier version as applicable) consistent with the Enacting Ordinance's grace period and approval deadlines stated above. However, a zoning permit or SDP customer may request to have their plans reviewed under the February 25, 2025, Bundle version of the Denver Zoning Code by expressly requesting such action in a written response to comments or in an email sent to their assigned plan/permit reviewer.

### Presumption and Grace Period Not Applicable to In-Progress Zone Lot Amendments

The presumption policy stated above does not apply to active applications for zone lot amendments submitted before February 25, 2025, and still awaiting a final staff decision to approve or deny. The Enacting Ordinance does not provide a grace period for pending zone lot amendment applications. Accordingly, on and after February 25, 2025, all in-progress and active zone lot amendments shall be reviewed for compliance with the most current version of the Denver Zoning Code in effect.

### Zoning Relief and Grace Periods

Zoning relief cases (requests for administrative adjustments and variances) derive and are processed together with an application for SDP, zoning permit, or zone lot amendment. A

zoning relief case is not separated from its related SDP, zoning permit, or zone lot amendment application and Accela record. Accordingly, if a customer submits an application for zoning review before the February 25, 2025, effective date of the Bundle, and chooses to pursue zoning relief either before or after February 25, 2025, the version of the zoning code that will apply to review the zoning relief request must be the *same* code version that will apply to the related SDP, zoning permit, or zone lot amendment application, as directed by this policy.

### **No Mixing of Standards Between Code Versions**

Customers may not apply zoning code standards from different code versions to the same pending zoning application. For example, the Bundle amended building coverage standards such that allowable coverage may increase in many instances for one- and two-unit residential development, but the Bundle also removed some of the previously allowed exceptions to building coverage. If a customer expressly requests to have their in-progress development plans reviewed under the Bundle version of the zoning code effective on February 25, 2025, that customer can take advantage of the higher building coverage change but cannot also apply exceptions to building coverage that were only available in earlier (pre-Bundle) versions of the zoning code.

### **Actions to Implement this Policy**

CPD zoning managers and supervisors shall immediately take the following actions to implement this policy:

1. This **policy shall be distributed** to all CPD zoning managers and supervisors, who shall inform their respective staff/teams of its contents and shall monitor staff's compliance with the terms of this policy while it remains active. This policy will be **posted on the CPD zoning code webpage** ([www.denvergov.org/zoning](http://www.denvergov.org/zoning)) in the "Zoning Code Policies, Interpretations, and Clarifications" section under "Zoning Administrative Policies." A link to this policy with appropriate guiding text will also be added to the CPD zoning code text amendments page in one or more obvious places, including with the "2024 Text Amendment Bundle" information.
2. Each zoning practice area supervisor/manager shall **create a standard plan review comment that alerts customers** to the fact of the pending effective date of the Bundle and the applicable grace periods and deadlines in the Enacting Ordinance. This standard comment will be added to the first zoning review comments completed after this policy's issuance and until the applicable deadline date stated in the Enacting Ordinance: for zoning permits, that deadline is October 17, 2025, and for SDPs, that deadline is March 12, 2026. See Exhibit A to this policy for sample standard plan review comments prepared per this policy.
3. The manager of zoning administration shall direct zoning staff to work with CPD's data team and communications team to **create a generic email that will be sent to all applicants in the Accela system that have projects with a zoning review activated**

(e.g., applications where CPD is awaiting a resubmittal from a customer). The email will explain the pending effective date of the Bundle and the choices a customer may have to apply a current or past version of the zoning code instead of the code that will become effective on February 25, 2025.

## EXHIBIT A:

### Sample Plan Review Comments Alerting Customers of the Pending Bundle Code Changes and Related Grace Period and Deadlines

#### 1. Site Development Plans – Standard Plan Review Comment

The SDP will be reviewed in compliance with the current version of the Denver Zoning Code (DZC) throughout the Plan Review Process and it will be the responsibility of the Applicant Team to demonstrate compliance with current Code with each SDP Plan Review Submittal.

The 2024 Text Amendment Bundle has been approved and will be effective as of February 25, 2025. *The Applicant Team is encouraged to review both the December 16, 2024 Code Version as well as the Bundle that will be effective February 25, 2025.*

A Grace Period has been approved for SDP Projects to continue review in compliance with the December 16, 2024, version of the Zoning Code, and this Project has met the requirements of the Grace Period since the Concept Plan was submitted and reviewed before August 9, 2024. Compliance with this Grace Period will require this SDP be approved before March 12, 2026. *Additional information about the Bundle and the Grace Period can be reviewed on our City website:*

<https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Denver-Zoning-Code/Text-Amendments/2024-Text-Amendment-Bundle>

**With the Resubmittal of the SDP, please clearly indicate how the SDP will proceed to ensure that Zoning Review can be completed in compliance with the Zoning Code.** This SDP will be required to either meet the Requirements outlined within the Grace Period (December 16, 2024 Code Version) or continue to comply with current Code at the time of review. Questions about the February 25, 2025, DZC can be directed to this Project's Zoning Reviewer. If interested, please connect with the Project Coordinator to schedule a discussion in advance of resubmitting the SDP.

#### 2. Residential Review Team and Commercial Zoning Review Team – Standard Plan Review Comment

UPCOMING CHANGES TO THE DENVER ZONING CODE - On February 25, 2025, the 2024 Text Amendment Bundle will go into effect. This amendment revises various sections throughout the Denver Zoning Code, including updates to numerous development standards that may impact your project.

Customers with active applications, submitted prior to February 25, 2025, have two options:

Option 1: By default, active applications will be reviewed to the Denver Zoning Code as amended through December 16, 2024. To use this code version, customers must receive zoning permit approval by October 17, 2025.

Option 2: Customers with active applications may opt-in to using the current, amended version of the Denver Zoning Code. Customers that choose option 2 will need to revise their applications to document compliance with the Denver Zoning Code as amended through February 25, 2025, or to the most current version of the code adopted after February 25, 2025. Customers that choose option 2 may receive new zoning comments. To choose this option, provide a written response to this comment stating that you choose option 2.

**3. Zoning Administration Team – Standard Plan Review Comments**

**a. For Zone Lot Amendment Applicants:**

**NOTICE ABOUT THE 2024 TEXT AMENDMENT BUNDLE:**

The Denver City Council adopted the 2024 Text Amendment Bundle, with more than 130 changes to the code, on December 16, 2024. The intent of the text amendment was to simplify and clarify standards and procedures, reduce requirements where possible, and align the DZC with other city codes and policies as well as state law. When the changes go into effect, on February 25, 2025, an updated version of the Denver Zoning Code will be available at [www.denvergov.org/zoning](http://www.denvergov.org/zoning). In the meantime, a redlined version is available at this link: [City Council Review Draft](#).

**What this means for Zone Lot Amendment applicants:**

On February 25 and beyond, CPD staff will apply the February 25<sup>th</sup> (a.k.a. Bundle) version of the Denver Zoning Code without exception to all zone lot amendment applications (pending and new) and any related zoning relief requests. For more information, see this [webpage](#) or this [administrative policy](#).

**b. For Zoning Relief Applicants:**

<b>APPLICABLE CODE</b>		
<b>NOTICE ABOUT THE 2024 TEXT AMENDMENT BUNDLE:</b>		
The Denver City Council adopted the 2024 Text Amendment Bundle, with more than 130 changes to the code, on December 16, 2024. The intent of the text amendment was to simplify and clarify standards and procedures, reduce requirements where possible, and align the DZC with other city codes and policies as well as state law. When the changes go into effect, on February 25, 2025, an updated version of the Denver Zoning Code will be available at <a href="http://www.denvergov.org/zoning">www.denvergov.org/zoning</a> . In the meantime, a redlined version is available at this link: <a href="#">City Council Review Draft</a> .		
<b>What this means for Zoning Relief applicants:</b>		
For <u>zoning relief requests</u> (administrative adjustment or variance), CPD staff will apply the same zoning code version as was used to review the related zoning permit or site development plan. For more information, see this <a href="#">webpage</a> or this <a href="#">administrative policy</a> .		
<b>If the answer is YES to any of the questions below, then the request shall be reviewed according to the February 25, 2025 (a.k.a. Bundle) version of the Code.</b>	<b>YES</b>	<b>NO</b>
Was the zoning permit applied for after Feb 25, 2025?		
Did the customer opt into the new code for the related zoning permit review?		
Is today's date October 18th, 2025, or after?		