

Proposed Ballot Title: Zoning Changes to Properties within Walking Distance of Parks and Transit

Shall the voters of the City and County of Denver adopt an ordinance creating new zone districts and rezoning certain properties within walking distance of existing transit lines and large parks to permit more affordable and sustainable housing?

Proposed Ordinance:

Be it enacted by the City and County of Denver, Section 59 of the Denver Revised Municipal Code is amended by the addition of Sec. 59-501 et seq. as follows:

Article II. - Transit-oriented and Park-oriented sustainable homes

Sec. 59-501. - Legislative Findings

The People of the City and County of Denver find that:

1. Denver has a significant shortage of housing options, which has led to involuntary displacement, high housing-cost burden, and diminished economic opportunities for Denverites;
2. Denver's public transit system does not work as well as desired, leading to high transportation costs, unsafe and inaccessible roadways, poor air quality, and other harms;
3. Experts in housing access, such as the Harvard Joint Center on Housing, the Berkeley Terner Center, the NYU Furman Center, and the Rocky Mountain Land Use Institute, roundly agree that more compact housing types are more directly affordable than large new single-family homes, often dubbed "McMansions," which can sell for \$1.5 million or more in Denver; they also roundly agree that adding more housing supply within existing residential lots reduces regional housing costs;
4. Experts in environmental sustainability, such as the Sierra Club (national and Colorado chapter), the Rocky Mountain Institute, the National Center for Atmospheric Research, and the Intergovernmental Panel on Climate Change ("IPCC"), agree that increasing access to a variety of housing options in urban areas combats the environmental problems of sprawl, and makes transit, biking, and walking more viable modes of transportation, thereby reducing per-capita pollution related to vehicles and homes;
5. Denver's current zoning rules as of 2026 are largely out of step with these academic findings, mandating the most-expensive kinds of new housing, entrenching dependence on private vehicles, and prohibiting access to less costly and more environmentally-friendly home types from being built throughout much of the city;

6. The People of the City and County of Denver desire to change this state of affairs by making direct changes to the zoning code to better align with academic consensus on how to promote affordability and sustainability, and by legalizing more compact housing types near existing transit lines and regional parks.

Sec. 59-502. - Definitions

When used in this article:

- (1) **MU-3x** is based on the current G-MU-3 zone district. It is defined as a zone district that allows three stories of residential in the form of apartments and garden courts, or four stories of affordable residential. *The x designation caps lot sizes at 12,500 sqft, limits lot coverage to 60%, sets FAR maximums at 1.5 (or 2 with affordable units), has 5ft side setbacks, disallows townhomes but allows rowhomes, and allows commercial space on first floors, not to exceed 10% of building GFA;*
- (2) **RX-5x** based on the current G-RX-5 zone district. It is defined as a zone district that allows five stories of residential with a 100% commercial 1st floor, or seven stories of affordable residential. *The x designation caps lot sizes at 12,500 sqft, limits lot coverage to 80%, sets FAR maximums at 3 (or 4 with affordable units), and has 3ft setbacks from all lot lines;*
- (3) “community parks” are defined as any parcel zoned OS-A owned by the city of Denver that has a total area of 10 to 75 acres within Denver;
- (4) “regional parks” are defined as any parcel zoned OS-A owned by the city of Denver that has a total area of more than 75 acres within Denver;
- (5) “more permissibly zoned” means zoned for an equal or greater number of stories of residential development;
- (6) “pattern book” is defined as a selection of city-approved building designs that property owners can select from to fast-track the planning and permitting process on individual lots. *The pattern book may be assembled through a city-sponsored design competition.*
- (7) “qualifying medium-frequency bus stops” is defined as any bus stop that was scheduled to be serviced by a public bus at least twice per hour during peak frequencies during the month of January in 2026;
- (8) “BRT Lines” or “Bus Rapid Transit Lines” are defined as any “high-capacity transit corridor” represented on Figure 4-2 “Transit Capital Investment Corridors Map” in Denver Moves: Transit, 2019 version;
- (9) “Rail Transit Station Platform” is defined as in the Denver Zoning Code.

Sec. 59-503. - Legalization of Transit-oriented and Park-oriented sustainable homes

- (a) All parcels zoned DIA, CMP, I-A, I-B, OS-A, OS-B, or OS-C will not be rezoned by this Article.
- (b) All parcels wholly or partially within 250ft of qualifying medium-frequency bus stops or within 250ft of the borders of all Community Parks, within 750ft of BRT Lines or the borders of all Regional Parks, or 1,500ft of a Rail Transit Station Platform are hereby rezoned with their current context (U, E, S, C, G, I, etc) followed by MU-3x, unless they are otherwise more permissibly zoned by this Article, pre-existing zoning, or any other law or ordinance. *Lots already zoned MX-2, MX-2x, or MS-2 are hereby rezoned to MX-3 rather than MU-3x.*
- (c) All parcels wholly or partially within 250ft of BRT Lines or the borders of all Regional Parks, or 1000ft of a Rail Transit Station Platform, are hereby rezoned with their current context (U, E, S, C, G, I, etc) followed by RX-5x, unless they are otherwise more permissibly zoned by this Article, pre-existing zoning, or any other law or ordinance. *Lots already zoned MX-2, MX-2x, MX-3, MS-2, MS-3, CC-3, or CC-3x are hereby rezoned to MX-5 rather than RX-5x.*
- (d) All parcels wholly or partially within 500ft of a Rail Transit Station Platform are hereby rezoned with their current context (U, E, S, C, G, I, etc) followed by MX-8, unless they are otherwise more permissively zoned by this Article, pre-existing zoning, or any other law or ordinance.
- (e) All parcels affected by this Section shall be subject to the “Mandatory Affordable Housing” rules in Article X of Chapter 27 in the same ways that they affect existing MU-3, RX-5, and MX-8 zones.
- (f) Former Chapter 59 rules shall not apply to any parcels affected by this Section.
- (g) Any overlay or restriction that renders construction of buildings that make full use of the zoning permissions in these rezonings impossible, uneconomical, or otherwise impractical is superseded by this section. However, nothing in the Article prohibits the City and County of Denver from adopting “pattern books” or otherwise enacting cost-neutral design standards. *To be cost-neutral, it must be shown that the design standards do not increase the combined construction and maintenance costs over the first 20 years of building ownership.*

Sec. 59-504. - Effective Date

This Article must be implemented and integrated into the DRMC by Jan 1, 2028.