

BY AUTHORITY

RESOLUTION NO. CR26-0562
SERIES OF 2026

COMMITTEE OF REFERENCE:
Community Planning and Housing

A RESOLUTION

To waive the City and County’s right of first refusal and right of first offer provided by State law pursuant to C.R.S. § 29-4-1202 and C.R.S. §29-4-1203, respectively.

BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. During the 2024 General Session of the General Assembly of the State of Colorado, House Bill 24-1175 was enacted and signed into law by the Governor of the State of Colorado.

Section 2. House Bill 24-1175 established a right of first refusal for local governments related to multifamily residential or mixed-used rental property consisting of not less than five units that is existing affordable housing, excluding mobile home parks, which right of first refusal is codified at C.R.S. § 29-4-1202. House Bill 24-1175 also established a right of first offer for local governments related to multifamily residential or mixed-used rental property consisting of not more than one hundred units and not less than fifteen units and excluding existing affordable housing and a mobile home park as defined in Section 38-12-201.5(6), which right of first offer is codified at C.R.S. § 29-4-1203.

Section 3. Pursuant to C.R.S. § 29-4-1202(g)(l), the governing body of a local government may waive the right of first refusal provided in C.R.S. § 29-4-1202. Pursuant to C.R.S. § 29-4-1203(e)(l), the governing body of a local government may waive the right of first offer provided in C.R.S. § 29-4-1203. Pursuant to C.R.S. § 29-4-1204(5), if a local government has adopted long-term affordability requirements that are greater than those of House Bill 24-1175, the local government’s requirements apply and nothing in House Bill 24-1175 overrides any local affordable housing law.

Section 4. The City Council for the City and County of Denver passed its Preservation of Affordable Housing ordinance, Denver Revised Municipal Code § 27-45 *et seq.* in 2000 and amended it in 2005 and 2026. The long-term affordability requirements in Denver’s Ordinance are greater than those established in House Bill 24-1175. Pursuant to C.R.S. § 29-4-1204(5), The City and County of Denver’s long-term affordability requirements apply to Denver, and nothing in House Bill 24-1175 overrides Denver’s Preservation of Affordable Housing ordinance.

Section 5. To the extent C.R.S. § 29-4-1204(5) does not completely exempt Denver from all of the requirements of House Bill 24-1175, the City Council for the City and County of Denver hereby

1 waives the right of first refusal provided in C.R.S. § 29-4-1202 and the right of first offer provided in
2 C.R.S. § 29-4-1203.

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4 COMMITTEE APPROVAL DATE: April 28, 2026.

5 MAYOR-COUNCIL DATE: May 5, 2026.

6 PASSED BY THE COUNCIL 05/18/2026

7 Signed by:
Amanda Sandora - PRESIDENT
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8 APPROVED: _____ - MAYOR _____

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER
12

13 PREPARED BY: Megan E. Waples, Assistant City Attorney DATE: May 7, 2026

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15 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the office of the
16 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
17 ordinance. The proposed resolution is not submitted to the City Council for approval pursuant to §
18 3.2.6 of the Charter.

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20 Miko Ando Brown, Denver City Attorney

21 Signed by:
22 BY: Jonathan Griffin, Assistant City Attorney DATE: 5/7/2026 | 9:58 AM MDT
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