



## MEMORANDUM

To: Development Services staff  
From: Matthew Seubert for Tina Axelrad, Zoning Administrator  
Date: Revised October 25, 2019  
Re: **Zoning Code Interpretation — Transit Priority Streets, Enhanced Transit Corridors, Regional or Urban Ten-Minute Bus Corridors, Rules of Measurement**  
Denver Zoning Code (DZC) §10.4.5.3.B  
Former Chapter 59 (FC59) §59-209(a), §59-271, §59-316(1)

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### Summary

This written Interpretation of the DZC and FC59 zoning codes answers the following questions:

Q 1: Both the DZC and FC59 refer to “enhanced transit corridor as defined in Blueprint Denver.” However, the version of *Blueprint Denver* adopted in 2019 does not use the term “enhanced transit corridor.” How is this reference to “enhanced transit corridor as defined in Blueprint Denver” in the zoning codes to be interpreted?

A 1: In instances where the DZC and FC59 refer to “enhanced transit corridor,” such references are interpreted to mean “Transit Priority Street as defined in Blueprint Denver.”

Q 2: FC59 refers to “regional or urban ten-minute bus corridors.” However, this term is not defined in FC59, nor is it defined or referenced in the DZC or *Blueprint Denver*. How is this reference to “regional or urban ten-minute bus corridors” in FC59 to be interpreted?

A 2: In instances where FC59 refers to “regional or urban ten-minute bus corridors,” such references are interpreted to mean “Transit Priority Street as defined in Blueprint Denver.”

Q 3: Neither the DZC nor FC59 contain a Rule of Measurement (ROM) for measurement of distance from an enhanced transit corridor as defined in Blueprint Denver to a zone lot. Nor does FC59 include a ROM for measurement of distance from a regional or urban ten-minute bus corridor to a zone lot. How are these distances to be measured for the purpose of vehicle parking reduction in DZC §10.4.5.3.B and FC59 §59-209(a) and §59-316(1)?

A 3: Measurement of distance shall use the same ROM as is used for High Frequency Transit Corridor in DZC §13.1.11.4. This ROM states that measurement shall be from the centerline of the right of way of the corridor to the nearest point of the zone lot.

### Background

*Blueprint Denver* (2019) was adopted by Denver City Council on April 22, 2019, replacing the 2002 version of *Blueprint Denver*. DZC §10.4.5.3.B refers to “enhanced transit corridor as defined in Blueprint Denver.” However, the term “enhanced transit corridor” occurs only in *Blueprint Denver* 2002 and not in the current version of *Blueprint Denver*, which uses a different terminology. As the DZC refers to an obsolete term, a written code interpretation is necessary to align the code with terminology in the current adopted version of *Blueprint Denver*.

FC59 also references the same “enhanced transit corridor” term, but provides no definition within the code nor reference to a policy document. In addition, FC59 contains the regulatory term “regional or urban ten-minute bus corridors,” which is not otherwise defined in FC59, the DZC, or either version of *Blueprint Denver*. As FC59 is no longer amended, and as both terms are undefined in FC59, a written code interpretation is necessary to connect the terms to regulatory and planning guidance from the current adopted version of *Blueprint Denver*.

Neither the DZC nor FC59 contain a Rule of Measurement (ROM) for measurement of distance from an enhanced transit corridor as defined in *Blueprint Denver* to a Zone Lot. Nor does FC59 include a ROM for measurement of distance from a regional or urban ten-minute bus corridor to a zone lot. DZC does include a ROM for distance between a Rail Transit Station Platform and a Zone Lot (§13.1.11.3); and a different ROM for distance between a High Frequency Transit Corridor and a Zone Lot (§13.1.11.4). FC59 does not include a ROM for any of these distances.

## Definitions, References and Discussion

FC59, DZC, and both the 2002 and current versions of *Blueprint Denver* contain multiple overlapping terms related to transit service on streets. These are discussed and analyzed below.

### **Enhanced Transit Corridor**

The previous 2002 version of *Blueprint Denver* contains terminology and policy guidance that has been replaced by new terms in the current version of *Blueprint Denver*. One of these out-of-date terms is “enhanced transit corridor.” *Blueprint Denver* (2002) includes a map on p. 118 that shows enhanced transit corridors. Enhanced bus transit corridors are mapped on p. 99. Transit is discussed in pp. 95-100, but “enhanced transit corridor” was not otherwise defined in the plan. The following recommendations from *Blueprint Denver* (2002) provide some policy guidance on the intent of enhanced transit corridors:

- p. 125 Areas of Stability: Transit Improvements. “High-frequency, high-quality transit service can help decrease auto use on certain streets, and in Reinvestment Areas, attract development.”
- p. 132 Areas of Change: Transit Improvements. “While public parking facilities improve the efficiency of supply, transit improvements decrease demand (for parking).”

The policy intent of enhanced transit corridors is therefore in part to attract development, decrease single-occupancy vehicle use on subject streets, decrease demand for parking, and by extension to increase public transit use.

The above *Blueprint Denver* policy guidance supported the reduced parking requirements in DZC §10.4.5.3.B, Vehicle Parking Reductions, for development with “proximity to multi-modal transportation.” This 25% parking reduction is made available to zones lots located within ¼ mile of an “enhanced transit corridor as defined in *Blueprint Denver*.”

Former Chapter 59 (FC59) references enhanced transit corridor in §59-271(b)(3), Main Street districts, general purpose. It also includes a cross-reference to *Blueprint Denver* (2002) in §59-271(c)(4)(a), which provides guidance for applying the MS-3 district in a rezoning. Otherwise, the term “enhanced transit corridor” is not used to define or reference any substantive zoning regulation in FC59.

## **Transit Priority Street**

[Blueprint Denver \(2019\)](#) was adopted by Denver City Council on April 22, 2019, replacing the 2002 version of *Blueprint Denver*. *Blueprint Denver (2019)* provides the current policy guidance and updated terminology on land use and transportation, and employs the term “transit priority street.” *Blueprint Denver (2019)* makes multiple references to transit priority street(s). On p. 176, *Blueprint Denver* defines transit priority streets as the transit capital investment corridors from [Denver Moves: Transit](#). The glossary on p. 301 also includes an entry for “transit priority street”. These streets are mapped on pp. 178-179 of *Blueprint Denver (2019)*, and include three categories of streets: High-capacity transit corridor, Medium-capacity transit corridor, and Speed and reliability corridor. The map on p. 179 notes that these future modal priority maps may be updated to match future changes in the *Denver Moves* transportation plans.

*Blueprint Denver (2019)* recommends implementing Transit Priority Streets as a strategy to direct growth (p. 114). The modal typology of these three categories of Transit Priorities Streets are:

- High Capacity — light rail or bus rapid transit (BRT)
- Medium Capacity — BRT or rapid bus
- Speed & Reliability — transit priority signals, mixed traffic, some dedicated transit lanes. Fast and reliable.

These three types of streets are distinguished from each other primarily by modal typology, technology, service frequency, use of right of way space, and passenger access and experience.

*Denver Moves: Transit* states that both High Capacity and Medium Capacity corridors are envisioned to foster: “Development or redevelopment of parcels... includes a mix of transit-supportive uses and intensities, as envisioned in *Blueprint Denver*.” There is no similar vision statement for the type or mix of land uses and development abutting Speed and Reliability Corridors. In addition, *Denver Moves: Transit* also states on p. 3-11 that “In *Blueprint Denver*, transit priority streets are those that have been identified in *Denver Moves: Transit* as High- or Medium-Capacity Transit Corridors.” Again, the *Denver Moves* reference does not include Speed and Reliability Corridors.

In comparison, *Blueprint Denver (2019)* clearly defines and maps Transit Priority Street on pp. 176-179 to include all three types of corridors identified in *Denver Moves: Transit*, including Speed and Reliability Corridors.<sup>1</sup> The policy intent behind the identification of Transit Priority Streets in *Blueprint Denver (2019)* is to ensure future capital investments in such corridors place priority on supporting the transit mode (versus the automobile trip mode), and to guide much of the city’s future growth to or near these corridors where reliable and fast transit service is a funding priority. The policy guidance in *Blueprint Denver (2002)*, encouraging development and future growth along enhanced transit corridors, is similar to the guidance in *Blueprint Denver (2019)* for development on Transit Priority Streets.

While there is the difference in treatment of Speed and Reliability Corridors in *Denver Moves: Transit* versus in *Blueprint Denver (2019)*, it is significant to note that *Blueprint Denver (2019)* was completed and adopted by City Council after *Denver Moves: Transit*. In contrast to *Denver Moves: Transit*, *Blueprint Denver (2019)* explicitly treats all three types of Transit Priority Street as fundamentally the same, including the Speed and Reliability Corridors. Accordingly, this Interpretation relies on the policy guidance regarding Transit Priority Street in *Blueprint Denver (2019)*, as it is the most current, council-adopted, citywide planning document addressing transportation and land use.

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<sup>1</sup> Enhanced transit corridors are currently mapped in the City’s GIS system. It is anticipated that maps will be updated to instead reflect the Transit Priority Street designation in *Blueprint Denver (2019)*.

In sum, this written Interpretation clarifies that references in FC59 and DZC to “enhanced transit corridor as defined in Blueprint Denver” are interpreted to mean the updated “Transit Priority Street” in Blueprint Denver (2019).” As noted in *Blueprint Denver 2019*, Transit Priority Streets are first mapped and designated in the *Denver Moves* transportation plans; therefore, these corridors could change over time as *Blueprint Denver* is updated to match any corridor designation changes in the *Denver Moves* transportation plans.

#### **Regional or Urban Ten-Minute Bus Corridor**

FC59 uses the undefined term “regional or urban ten-minute bus corridor” for regulatory purposes. This term does not align with current terminology in either the DZC or in *Blueprint Denver* (2019). The term is undefined, and therefore a gap exists in the Zoning Code (FC59). This Interpretation fills that gap.

FC59 §59-316(1) allows reduction of parking spaces in all mixed-use districts (except T-MU-30) for uses and structures located within ¼ mile of a regional or urban ten-minute bus corridor. §59-209(a) also allows similar parking reductions in the B-8-A and B-8-G districts (neither of which are mapped on Denver’s Official Zoning Map). Main Street zone districts in FC59 do not reference regional or urban ten-minute bus corridors; instead they make reference to Enhanced Transit Corridors. Regional or urban ten-minute bus corridor is not defined in FC59, nor was it defined in *Blueprint Denver 2002*, although transit is discussed in pp. 95-100. Neither is this term defined in the DZC or the current *Blueprint Denver* (2019). In short, there is no ‘apples to apples’ comparison between “regional or urban ten-minute bus corridor” as referenced in FC59 and any similar term in *Blueprint Denver* (2002), DZC, or *Blueprint Denver* (2019). There is a lack of clear policy guidance in both the old and new *Blueprint Denver* regarding a “regional or urban ten-minute bus corridor.” Likewise, there is no explicit intent statement or clear policy statement in FC59 regarding intended development along regional or urban ten-minute bus corridors. However, given the parking reductions allowed by FC59 for the mixed-use districts, it can be reasonably inferred that parking reductions are meant to pair with corridors where frequent (ten minute or better) bus service is provided by RTD.

Regional or urban ten-minute bus corridors are not mapped in *Blueprint Denver* (2002), FC59, the DZC, nor in the City’s GIS system. Although these corridors are not mapped in *Blueprint Denver 2019*, nor in the *Denver Moves: Transit* plan, *Denver Moves: Transit* does provide background information in a State of the System report. See the *Denver Moves: Transit* [State of the System Report](#), p. B-25, for a map of transit corridors where RTD provided ten minute service during the morning weekday peak as of February 2017. The network of designated and mapped “transit priority streets” is significantly more extensive than the network of existing “regional or urban ten-minute bus corridors.” Although the two designations do not identify all the same streets and corridors, there is some overlap. The frequency of transit service currently provided by RTD on the majority of Transit Priority Streets is not ten-minute service frequency. In practice, zoning review staff has interpreted FC59’s regional or urban ten-minute bus corridor to be equivalent to *Blueprint Denver* (2002)’s Enhanced Transit Corridor.

Although there is a lack of clear policy guidance regarding the urban or regional ten-minute bus corridors, based on current zoning review practice, this written Interpretation of the zoning code clarifies that where FC59 refers to “regional or urban ten-minute bus corridors,” such references are interpreted to mean “Transit Priority Street as defined in *Blueprint Denver* (2019).” As noted in *Blueprint Denver 2019*, Transit Priority Streets are mapped and designated in the *Denver Moves* transportation plans. Therefore, these corridors could change over time as the *Denver Moves: Transit* is updated.

### **High-Frequency Transit Corridor**

DZC §13.3 includes a definition and map of High-Frequency Transit Corridor(s) that are not otherwise referenced in FC59 or either version of *Blueprint Denver*. DZC §10.4.5.1.A.3.b specifies exemptions from vehicle parking requirements for certain development on small zone lots located within ¼ mile of such corridors. DZC §13.1.11.4 provides the Rule of Measurement that applies to measure distance from these corridors. The named streets in the definition are high-frequency bus routes of 15 minutes or less service frequency and were added to the DZC in 2017. The streets were named (vs. just a reference to another document or RTD designations) in case RTD decreased bus service in the future. The intent was to identify those streets with the capacity/demand to support the higher bus frequency. Although some of these High-Frequency Transit Corridors overlap with previously discussed Enhanced Transit Corridors, Transit Priority Streets, and Regional or urban ten-minute bus corridors, they are not identical.

Please note that the map and list of corridors identified as High-Frequency Transit Corridors in Figure 13.3-2 of the DZC is different than the routes where RTD provided 10-minute service frequency in 2017. **Note: High-Frequency Transit Corridor is not affected by this interpretation as it is already defined and mapped in the DZC.**

### **Rule of Measurement of Distance: Enhanced Transit Corridor (DZC)**

Neither the DZC nor FC59 contain a Rule of Measurement (ROM) for measurement of distance from an enhanced transit corridor as defined in *Blueprint Denver* to a Zone Lot. DZC §10.4.5.3.B specifies allowed vehicle parking reductions for proximity to multi-modal transportation. Such reductions are allowed for any primary use located on a Zone Lot having its nearest point within ¼ mile of the other-boundary of a Rail Transit Station Platform or ¼ mile of an enhanced transit corridor as defined in *Blueprint Denver*.

- DZC §13.1.11.3 includes a ROM for distance between a Rail Transit Station Platform and a Zone Lot. The distance is to be measured from the nearest point of the platform to the nearest point of the zone lot. Rail Transit Station Platform is a defined term in DZC §13.3.
- DZC §13.1.11.4 includes a different ROM for distance between a High Frequency Transit Corridor and Zone Lot. The distance is to be measured from the centerline of the right of way to the nearest point of the zone lot. High Frequency Transit Corridor is a defined and mapped term in DZC §13.3.
- As stated above, this written interpretation of the zoning code clarifies that the undefined term ‘enhanced transit corridor as defined in *Blueprint Denver*’ is interpreted to mean ‘Transit Priority Street as defined in *Blueprint Denver*.’

Enhanced transit corridors, which are interpreted to mean transit priority streets as stated above, are corridors where RTD currently provides bus service. Although the High Capacity, and to some extent the Medium Capacity, version of transit priority streets are envisioned to include light rail and bus rapid transit (BRT) for some corridors, such service is not currently provided by RTD. Therefore, there are currently no BRT platforms in the enhanced transit corridor/transit priority street network. Any existing or proposed Rail Transit Platforms on the enhanced transit corridor/transit priority street network will be evaluated per the applicable ROM for Rail Transit Station Platforms in DZC §13.1.11.3. Rail Transit Station Platforms can be located towards the center of a transit corridor and/or towards the outside portion of the corridor. Rail Transit Station Platforms tend to be fixed in location, and relocating them usually requires significant expense.

There is significant overlap between the High-Frequency Transit Corridor and the High Capacity Transit Priority Streets networks. At the present time, both of these are bus transit networks with few fixed station platforms. Bus stops are generally not defined by a platform (except at transit stations) and RTD may change their location depending on their service planning needs. Bus stops are generally located at

the edge of pavement, but this can [vary](#). There is an existing ROM for High-Frequency Transit Corridors. This ROM defines the measurement of distance to be determined from the centerline of the right of way of the corridor (DZC §13.1.11.4).

Therefore, this Interpretation of the DZC interprets the ROM for measurement of distance from enhanced transit corridors/transit priority streets to a zone lot to be the same rule as used for measuring distance from High Frequency Transit Corridors in DZC §13.1.11.4. This rule currently states that “When measuring distance between a High Frequency Transit Corridor and a Zone Lot for which section 10.4 applies, distance shall be determined from the centerline of the right of way of the High frequency Transit Corridor to the nearest point of the Zone Lot.”

This Interpretation of the DZC thus interprets the Rule of Measurement of Distance from enhanced transit corridors and/or transit priority streets as follows:

**Measurement of Distance from an enhanced transit corridor or a transit priority street and a Zone Lot**  
**When measuring distance between an enhanced transit corridor and/or a transit priority street and a Zone Lot for which DZC §10.4 applies, distance shall be determined from the centerline of the right of way of such corridor to the nearest point of the Zone Lot.**

**Rule of Measurement of Distance: Regional or Urban Ten-Minute Bus Corridors (FC59)**

FC59 does not include a ROM for measurement of distance from a regional or urban ten-minute bus corridor to a zone lot. FC59 §59-316(1) allows reduction of parking spaces in all mixed-use districts (except T-MU-30) for uses and structures located within ¼ mile of a regional or urban ten-minute bus corridor. §59-209(a) also allows similar parking reductions in the B-8-A and B-8-G districts (neither of which are mapped on Denver’s Official Zoning Map). Following similar reasoning as stated in the preceding paragraphs, regional or urban ten-minute bus corridors provide bus transit service and generally utilize bus stops rather than rail station platforms. There is some degree of overlap between the network of regional or urban ten-minute bus corridors and the High Frequency Transit Corridor network. As stated above, this written interpretation of the zoning code clarifies that the undefined FC59 terms ‘regional or urban ten-minute bus corridors’ and ‘enhanced transit corridor as defined in Blueprint Denver’ are interpreted to mean ‘Transit Priority Street as defined in Blueprint Denver.’

Therefore, this Interpretation of the FC59 interprets the rule of measurement for measurement of distance from regional or urban ten-minute bus corridors to a zone lot to be the same rule as used for measuring distance from High Frequency Transit Corridors in DZC §13.1.11.4. This Interpretation of FC59 establishes the rule of measurement of distance from regional or urban ten-minute bus corridors and/or transit priority streets as follows:

**Measurement of Distance from a regional or urban ten-minute bus corridor or a transit priority street and a Zone Lot**

**When measuring distance between a regional or urban ten-minute bus corridor and/or a transit priority street and a Zone Lot for which FC59 §59-316(1) or §59-209(a) apply, distance shall be determined from the centerline of the right of way of such corridor to the nearest point of the Zone Lot.**

## Applicability

1. This Interpretation applies to all use of the term “enhanced transit corridor as defined in Blueprint Denver,” in the DZC, including but not limited to the following:
  - a. §10.4.5.3.B, Vehicle Parking Reductions
2. This Interpretation applies to all use of the term “enhanced transit corridor as defined in Blueprint Denver” in FC59, including but not limited to the following:
  - a. §59-271(b)(3), Main Street districts, general purpose
  - b. §59-271(c)(4)(a), Application of Main Street districts
3. This Interpretation applies to all use of the term “regional or urban ten-minute bus corridors,” in FC59, including but not limited to the following:
  - a. §59-209(a), Off-Street Parking Requirements (B-8-G and B-8-A Districts)
  - b. §59-316(1), Off-Street Parking Requirements (Mixed Use Districts)

## Final Code Interpretation

The Denver zoning codes are hereby interpreted as follows:

1. Wherever the DZC refers to “enhanced transit corridor as defined in Blueprint Denver”, such references are interpreted to mean “Transit Priority Street as defined in Blueprint Denver.”
2. Wherever Former Chapter 59 (FC59) refers to “enhanced transit corridor,” such references are interpreted to mean “Transit Priority Street as defined in Blueprint Denver.”
3. Wherever FC59 refers to “regional or urban ten-minute bus corridors,” such references are interpreted to mean “Transit Priority Street as defined in Blueprint Denver.”

4. The following rule of measurement shall apply to the DZC:

Measurement of Distance from an enhanced transit corridor or a transit priority street and a Zone Lot

When measuring distance between an enhanced transit corridor and/or a transit priority street and a Zone Lot for which DZC §10.4 applies, distance shall be determined from the centerline of the right of way of such corridor to the nearest point of the Zone Lot.

5. The following rule of measurement shall apply to FC59:

Measurement of Distance from a regional or urban ten-minute bus corridor or a transit priority street and a Zone Lot

When measuring distance between a regional or urban ten-minute bus corridor and/or a transit priority street and a Zone Lot for which FC59 §59-316(1) or §59-209(a) apply, distance shall be determined from the centerline of the right of way of such corridor to the nearest point of the Zone Lot.

## Authority and Review Criteria for Interpretation

DZC §12.4.6, Code Interpretations and Determination of Unlisted Uses and FC59 §59-38(a)(10)a, Administration, authorize the Zoning Administrator to make Code Interpretations if appropriate findings are made. DZC §12.4.6.4 requires the Zoning Administrator to make Code Interpretations only upon finding that the interpretation is:

1. Consistent with the intent of this Code; and
2. Consistent with the intent of the subject Neighborhood Context and Zone District(s) and with the intent of any specific Code provision(s) at issue.

## Zoning Administrator Findings

1. The DZC contains references to an outdated term which is misaligned with current policy guidance and terminology in *Blueprint Denver* (2019). In addition, the DZC does not contain a Rule of Measurement for measurement of distance from an enhanced transit corridor as defined in *Blueprint Denver* to a Zone Lot. Per DZC §12.4.6.4.A.1, the Zoning Administrator finds this interpretation is consistent with the intent of this code to guide Denver's prosperous and sustainable future by providing clear regulations and processes that result in predictable, efficient, and coordinated review processes.
2. Per DZC §12.4.6.4.A.2, the Zoning Administrator finds this interpretation is consistent with the intent of the Suburban, Urban Edge, Urban, and General Neighborhood contexts to promote safe, active, and pedestrian-scaled streets and areas. This interpretation is also consistent with the intent of the Urban Center Neighborhood context to ensure new development contributes positively to established neighborhoods and character; and is consistent with the intent of the Master Planned Context to provide clarity and predictable outcomes as development proceeds.
3. The Zoning Administrator finds that this interpretation is consistent with the intent of the subject neighborhood contexts and zone districts. The Zoning Administrator also finds that this interpretation is consistent with the intent of specific provisions in the DZC which reference "enhanced transit corridor as defined in *Blueprint Denver*."

This code interpretation is a final decision of the Zoning Administrator and may be appealed to the Denver Zoning Board of Adjustment within 15 days from the date of this interpretation according to DZC §12.4.8, Appeal of Administrative Decision.