

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2019

COUNCIL BILL NO. CB19-0818  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**ABILL**

**For an ordinance approving and accepting the Loretto Heights Small Area Plan, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.**

**WHEREAS**, pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code (“DRMC”), and by Ordinance No. 302, Series of 2019, there has been approved a Comprehensive Plan for the City and County of Denver (“Comprehensive Plan 2040”); and

**WHEREAS**, said Section 12-61 of the DRMC provides for the supplementation of Comprehensive Plan 2040; and

**WHEREAS**, pursuant to the provisions of Section 12-61 DRMC, the City wishes to supplement Comprehensive Plan 2040 by approving and accepting the Loretto Heights Small Area Plan; and

**WHEREAS**, members of the City Council, duly authorized by the president of council have monitored the process whereby said Loretto Heights Small Area Plan has been formulated; and

**WHEREAS**, the Loretto Heights Small Area Plan has been approved by the Denver Planning Board; and

**WHEREAS**, the Manager of Community Planning and Development has transmitted the Loretto Heights Small Area Plan to the Mayor and Council for acceptance as a supplement to Comprehensive Plan 2040; and

**NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER;**

**Section 1.** That the proposed Loretto Heights Small Area Plan, consisting of a document of the same name filed with the City Clerk, Ex-Officio Clerk of the City and County of Denver, on August 19, 2019, as City Clerk Filing No. 20190071, is hereby adopted and accepted as a supplement to Comprehensive Plan 2040, pursuant to Section 12-61(d) of the DRMC.

**Section 2.** That this adoption and acceptance of the Loretto Heights Small Area Plan, and of any amendment thereto, in conjunction with Comprehensive Plan 2040, is intended to establish the official guide for officials of the City and County of Denver and private citizens when making decisions affecting the future of land use and transportation in and for the City and County of Denver,

1 as defined in said plan; provided however, that such approval shall not preempt the decision making  
2 powers vested by law or administrative directive in the Mayor, the Council or any other official of the  
3 City and County of Denver with respect to, but not limited to: a zoning map amendment, a zoning  
4 language amendment, a dedication or vacation of a street, alley or other public way, a designation  
5 of a park, the issuance of a revocable permit, a conveyance or acquisition of real property by the  
6 City and County of Denver, or an appropriation for or construction of a capital improvement; and  
7 provided, further that it is expressly understood that judgment must be exercised in the application  
8 of Loretto Heights Small Area Plan in the decision making processes of the Mayor, Council and other  
9 officials of the City and County of Denver.

10 COMMITTEE APPROVAL DATE: August 27, 2019

11 MAYOR-COUNCIL DATE: September 3, 2019 by Consent

12 PASSED BY THE COUNCIL: \_\_\_\_\_

13 \_\_\_\_\_ - PRESIDENT

14 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

15 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
16 EX-OFFICIO CLERK OF THE  
17 CITY AND COUNTY OF DENVER

18 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

19 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: September 5, 2019

20 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
21 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
22 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
23 § 3.2.6 of the Charter.

24 Kristin M. Bronson, Denver City Attorney

25 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_