

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-_____
COMMITTEE OF REFERENCE:

A BILL

For an Ordinance amending Chapter 5 of the Denver Revised Municipal Code - AIRPORT AND AIRCRAFT, with the addition of Article IV. LIMITATIONS ON DEVELOPMENT WITHIN THE AIRPORT INFLUENCE OVERLAY DISTRICT, Sec. 5-37. Airport Influence District.

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

Section 1. That Chapter 5 – AIRPORT AND AIRCRAFT of the Denver Revised Municipal Code be and is hereby amended with the addition of the following uppercase language to read and be read as follows:

ARTICLE IV. LIMITATIONS ON DEVELOPMENT WITHIN THE AIRPORT INFLUENCE OVERLAY DISTRICT

SEC. 5-37. AIRPORT INFLUENCE DISTRICT.

(a) *DESCRIPTION.* THE AIRPORT INFLUENCE DISTRICT (AIO) IS COMPRISED OF THAT AREA DESIGNATED BY ARTICLE 9 OF THE DENVER ZONING CODE, SECTION 9:5.3.1, DIA INFLUENCE AREA.

(b) *EASEMENT.* ALL PROPERTY OWNERS WITHIN THE AIO SHALL BE REQUIRED TO CONVEY AN AVIGATION EASEMENT TO THE CITY WITH THE CITY AS SOLE GRANTEE CITY IN ACCORDANCE WITH ARTICLE 9 OF THE DENVER ZONING CODE, SECTION 9.5.3.4.

(c) *AIRPORT NOISE REDUCTION.* ANY NEW OR REMODELED MULTI-UNIT DWELLING OR SCHOOL/EDUCATIONAL USE WITHIN THE AIO SHALL BE REQUIRED TO COMPLY WITH THE DENVER BUILDING CODE, SECTION 143, AIRPORT NOISE REDUCTION.

(d) *NOTICE.* FOR ALL RESIDENTIAL DWELLING UNITS WITHIN THE AIO, ALL PROSPECTIVE SELLERS SHALL DISCLOSE WITHIN ANY SALES AND PURCHASE CONTRACTS TO ALL PROSPECTIVE PURCHASERS, IN WRITING:

“(____RESIDENTIAL ADDRESS____) IS LOCATED WITHIN PROXIMITY TO DENVER INTERNATIONAL AIRPORT (DEN). THE PURCHASER SHOULD BE AWARE THAT (____RESIDENTIAL ADDRESS____) MAY BE SUBJECT TO OVERFLIGHTS BY COMMERCIAL, GENERAL AVIATION OR MILITARY AIRCRAFT, AND SUBJECT TO NOISE, VIBRATION, EXHAUST, AIR AND VEHICULAR TRAFFIC AND OTHER CONDITIONS ASSOCIATED WITH THE OPERATION OF THIS INTERNATIONAL AIRPORT. DEN CONSISTS OF SIX EXISTING RUNWAYS AND IS PLANNED TO HAVE A TOTAL OF TWELVE RUNWAYS AT FULL BUILD

1 OUT. ADDITIONAL RUNWAYS WILL BE CONSTRUCTED IN THE FUTURE,
2 WHICH COULD CHANGE AND/OR INCREASE CURRENT FLIGHT OPERATIONS
3 AT DEN. ALSO, FUTURE AIRFIELD SUPPORT FACILITIES COULD BE
4 CONSTRUCTED ON AIRPORT PROPERTY WITH ADDITIONAL ACCESS
5 ROADS RESULTING IN INCREASING VEHICULAR TRAFFIC AND NOISE NEAR
6 (___RESIDENTIAL ADDRESS___).

7
8 COMMITTEE APPROVAL DATE: _____, 2016.

9 MAYOR-COUNCIL DATE: _____, 2016.

10 PASSED BY THE COUNCIL _____ 2016

11 _____ - PRESIDENT

12 APPROVED: _____ - MAYOR _____ 2016

13 ATTEST: _____ - CLERK AND RECORDER,
14 EX-OFFICIO CLERK OF THE
15 CITY AND COUNTY OF DENVER

16 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2016

17 PREPARED BY: Kirsten Crawford, Assistant City Attorney DATE: _____

18 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
19 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
20 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to
21 §3.2.6 of the Charter.
22

23 D. Scott Martinez, City Attorney for the City and County of Denver

24 By: _____, Assistant City Attorney DATE: _____
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