

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2013

COUNCIL BILL NO. 13-_____
COMMITTEE OF REFERENCE:
Land Use Transportation and
Infrastructure

A BILL

For an ordinance amending Section 59-2, Denver Revised Municipal Code by adding subsection (c) relating to Former Chapter 59 controlled districts.

WHEREAS, the City Council has determined on the basis of evidence and testimony presented at the public hearing that the amendment set forth herein is in conformance with the Denver Comprehensive Plan 2000, is justified by changed or changing conditions, and is reasonably necessary to the promotion of the public health, safety and general welfare.

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

Section 1. Section 59-2 of the Denver Revised Municipal Code is hereby amended by adding subsections (c) through (h) to read and be read as follows:

(c) For purposes of applying the limitations on bulk planes and building heights in Section 59-96 of the Former Chapter 59, the “protected districts” identified therein shall also include the zone districts defined as “protected districts” in Section 13-3 of the Denver Zoning Code.

(d) For purposes of applying the “L1” limitation on “eating place” primary uses applicable in the R-4-X, B-2, B-3, B-A-2, B-A-4, CCN, I-0, I-1, and I-2 zone districts in Former Chapter 59, the residential districts identified in the L1 limitation shall also include the zone districts defined as “protected districts” in Section 13-3 of the Denver Zoning Code.

(e) For purposes of applying the “exception to use enclosure requirement” for Mixed Use Zone Districts (C-MU, R-MU, and T-MU zones) in Sections 59-302 (4)b.1 & 2 of the Former Chapter 59, the residential districts identified therein shall also include the zone districts defined as “protected districts” in Section 13-3 of the Denver Zoning Code.

(f) For purposes of applying the restrictions on the siting of outdoor animal runs within 20 feet of a habitable residential structure stated in Section 59-2(16) of the Former Chapter 59, the

1 residential zone districts identified therein shall also include the zone districts defined as
2 “protected districts” in Section 13-3 of the Denver Zoning Code.

3
4 (g) For purposes of applying the 5-foot side setback for structures that are not single-unit or two-
5 unit dwellings, and which have ground floor commercial or which are four (4) or more stories in
6 height, as required in the Mixed Use Zone Districts in Section 59-312(3) of the Former Chapter
7 59, the residential zone districts identified therein shall also include all SU and TU zone districts
8 as established on the Official Zoning Map under the Denver Zoning Code.

9
10 (h) For purposes of applying various zoning protections to residentially zoned properties, the
11 terms “residential district(s),” “residential zone district(s),” “residential zone(s),” “residentially
12 zoned lot,” and “residentially zoned zone lot” used throughout Former Chapter 59 shall also
13 include the zone districts defined as a “residential zone district or residential district” in Section
14 13-3 of the Denver Zoning Code.

15
16 COMMITTEE APPROVAL DATE: _____, 2013.

17 MAYOR-COUNCIL DATE: _____, 2013.

18 PASSED BY THE COUNCIL _____ 2013

19 _____ - PRESIDENT

20 APPROVED: _____ - MAYOR _____ 2013

21 ATTEST: _____ - CLERK AND RECORDER,
22 EX-OFFICIO CLERK OF THE
23 CITY AND COUNTY OF DENVER
24

25 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2013 _____ 2013

26 PREPARED BY: Kerry A. Buckey, Assistant City Attorney 10/21/13

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28 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
29 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
30 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
31 § 3.2.6 of the Charter.
32

33 Douglas J. Friednash, City Attorney

34 BY: _____, _____ City Attorney Date: _____