

BY AUTHORITY

ORDINANCE NO. _____

COUNCIL BILL NO. CB23-0059

SERIES OF 2023

COMMITTEE OF REFERENCE:

AMENDED 3-6-23

Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for Multiple properties in the Lincoln Park and Baker neighborhoods.

WHEREAS, the City Council has determined, based on evidence and testimony presented at the public hearing, that the map amendment set forth below conforms with applicable City laws, is consistent with the City’s adopted plans, furthers the public health, safety and general welfare of the City, will result in regulations and restrictions that are uniform within the C-MS-8, UO-1, UO-2, DO-8; C-MS-5, DO-8; C-MS-5, UO-1, UO-2, DO-8; and U-MS-3, UO-1, UO-2, DO-8 districts;

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

Section 1. That upon consideration of a change in the zoning classification of the land area hereinafter described, Council finds:

a. The land area hereinafter described is presently classified as U-MS-3, UO-1, UO-2; C-MS-5; C-MS-5, UO-1, UO-2; and C-MS-8, UO-1, UO-2.

b. It is proposed that the land area hereinafter described be changed to U-MS-3, UO-1, UO-2, DO-8; C-MS-5, DO-8; C-MS-5, UO-1, UO-2, DO-8; and C-MS-8, UO-1, UO-2, DO-8.

Section 2. That the zoning classification of the land area in the City and County of Denver described as follows shall be and hereby is changed from U-MS-3, UO-1, UO-2 to U-MS-3, UO-1, UO-2, DO-8:

SUMNER’S 2ND ADDITION TO DENVER

Block 10, Lots 1 to 15
Block 11, Lots 1 to 15, and the land lying West of said Lots 1 to 15 extended West to the East line of the alley

SUMNER’S ADDITION TO DENVER

Block 2, Lots 1 to 10
Block 3, Lots 11 to 20
Block 6, Lots 11 to 20
Block 7, Lots 1 to 10
Block 10, Lots 1 to 3
Block 11, Lots 18 to 20

in addition thereto, those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

1 **Section 3.** That the zoning classification of the land area in the City and County of Denver
2 described as follows shall be and hereby is changed from C-MS-5 to C-MS-5, DO-8:

3 **HUNT’S ADDITION TO DENVER**
4 Block 31, Lot 15
5 Block 32, Lots 24, 25, and Lots 33, 34

6 **ELMWOOD ADDITION TO THE CITY OF DENVER**
7 Block 8, Lots 39 and 40

8 in addition thereto, those portions of all abutting public rights-of-way, but only to the centerline
9 thereof, which are immediately adjacent to the aforesaid specifically described area.

10 **Section 4.** That the zoning classification of the land area in the City and County of Denver
11 described as follows shall be and hereby is changed from C-MS-5, UO-1, UO-2 to C-MS-5, UO-1,
12 UO-2, DO-8:

13 **ELMWOOD ADDITION TO THE CITY OF DENVER**
14 Block 5, Lots 1 to 8
15 Block 6, Lots 1 to 7
16 Block 7, Lots 1 to 20, and Lots 35 to 40
17 Block 8, Lots 1 and 2
18 Block 18, Lots 1 to 10

19 **HALLACKS SUBDIVISION OF BLOCKS 27-28-38-39 OF WITTERS FIRST ADDITION**
20 Block 39, Lots 1 to 10

21 **HUNT’S ADDITION TO DENVER**
22 Block 21, Lots 21 to 40
23 Block 30, Lots 21 to 40
24 Block 31, Lots 16 to 40
25 Block 32, Lots 26 to 32
26 Block 37, Lots 1, 2, and Lots 17 to 20
27 Block 38, Lots 1, 2, and Lots 11 to 20
28 Block 39, Lots 11 to 20

29 **SMITH’S ADDITION TO THE CITY OF DENVER**
30 Block 6, Lots 10 to 20
31 Block 7, Lots 1 to 6, Lots 11 to 20
32 Block 17, Lot 16, 25, and the South 4 Feet of Lot 26
33 Block 18, Lots 1 to 16

34 in addition thereto, those portions of all abutting public rights-of-way, but only to the centerline
35 thereof, which are immediately adjacent to the aforesaid specifically described area.

36 **Section 5.** That the zoning classification of the land area in the City and County of Denver
37 described as follows shall be and hereby is changed from C-MS-8, UO-1, UO-2 to C-MS-8, UO-1,
38 UO-2, DO-8:

39 **HUNT’S ADDITION TO DENVER**
40 Block 13, Lots 21 to 40
41 Block 20, Lots 21 to 40

1 **HALLACKS SUBDIVISION OF BLOCKS 27-28-38-39 OF WITTERS FIRST ADDITION**

2 Block 27, Lots 1 to 20

3 Block 28, Lots 1 to 20

4 In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof,
5 which are immediately adjacent to the aforesaid specifically described areas

6 **Section 6.** Effective Date. ~~This ordinance shall be effective March 13, 2023.~~

7 1. Except as otherwise provided in this Section 6, this ordinance shall be effective on
8 March 13, 2023.


9 2. The regulations of the DO-8 zone district applicable to the property legally described in
10 Sections 2-5 above will not apply to an application for a site development plan that, (i) had a concept
11 site development plan submitted to the Department of Community Planning and Development
12 ("CPD") prior to close of business on February 2, 2023, (ii) had a concept number assigned by CPD
13 for the site development concept plan prior to close of business on February 2, 2023, and (iii) obtains
14 site development plan approval by May 17, 2024. If any of the conditions of this subsection 2 are not
15 satisfied, then the regulations of the DO-8 zone district will apply to the application for a site
16 development plan.

17 **Section 7.** That this ordinance shall be recorded by the Manager of Community Planning and
18 Development in the real property records of the Denver County Clerk and Recorder.

19 COMMITTEE APPROVAL DATE: January 24, 2023

20 MAYOR-COUNCIL DATE: January 31, 2023

21 PASSED BY THE COUNCIL: March 6, 2023

22  - PRESIDENT

23 APPROVED: _____ - MAYOR _____

24 ATTEST: _____ - CLERK AND RECORDER,
25 EX-OFFICIO CLERK OF THE
26 CITY AND COUNTY OF DENVER

27 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

28 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: February 2, 2023

29 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
30 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
31 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
32 § 3.2.6 of the Charter.

33
34 Kerry Tipper, Denver City Attorney

35
36 BY: , Assistant City Attorney DATE: February 2, 2023