

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_

COUNCIL BILL NO. CB20-1132

SERIES OF 2020

COMMITTEE OF REFERENCE:

**AS AMENDED 11-16-20**

Land Use, Transportation & Infrastructure

**ABILL**

**For an ordinance approving and accepting the East 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 amendment of the City’s comprehensive plan; and

**WHEREAS**, pursuant to the provisions of Section 12-61 DRMC, and by Ordinance No. 58, Series of 1994, the City accepted the East Montclair/East Colfax Neighborhood Plan as an amendment to the City’s comprehensive plan; and

**WHEREAS**, the City wishes to repeal and replace the East Montclair/East Colfax Neighborhood Plan with an updated comprehensive plan supplement entitled, East Area Plan for the orderly growth and harmonious development of the City and County of Denver; and

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

**WHEREAS**, the East Area Plan has been approved by the Denver Planning Board; and

**WHEREAS**, the Manager of Community Planning and Development has transmitted the East 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 East 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 October 23, 2020, as City Clerk Filing No. ~~20200094~~ **20200094A**, is hereby adopted and accepted as a supplement to Comprehensive Plan 2040, pursuant to Section 12-61(d) of the DRMC.

**Section 2.** That the East Area Plan replaces and supersedes the East Montclair/East Colfax Neighborhood Plan in its entirety.

1           **Section 3.** That this adoption and acceptance of the East Area Plan, and of any amendment  
2 thereto, in conjunction with Comprehensive Plan 2040, is intended to establish the official guide for  
3 officials of the City and County of Denver and private citizens when making decisions affecting the  
4 future of land use and transportation in and for the City and County of Denver, as defined in said  
5 plan; provided however, that such approval shall not preempt the decision making powers vested by  
6 law or administrative directive in the Mayor, the Council or any other official of the City and County  
7 of Denver with respect to, but not limited to: a zoning map amendment, a zoning language  
8 amendment, a dedication or vacation of a street, alley or other public way, a designation of a park,  
9 the issuance of a revocable permit, a conveyance or acquisition of real property by the City and  
10 County of Denver, or an appropriation for or construction of a capital improvement; and provided,  
11 further that it is expressly understood that judgment must be exercised in the application of the East  
12 Area Plan in the decision making processes of the Mayor, Council and other officials of the City and  
13 County of Denver.

14                           **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**  
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1 COMMITTEE APPROVAL DATE: October 20, 2020  
2 MAYOR-COUNCIL DATE: October 27, 2020  
3 PASSED BY THE COUNCIL: November 16, 2020

4 Steve Filmore - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

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

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: October 29, 2020

11 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
12 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
14 § 3.2.6 of the Charter.

15 Kristin M. Bronson, Denver City Attorney

16 BY: Jonathan Griffin, Assistant City Attorney DATE: Nov. 16, 2020