

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2014

COUNCIL BILL NO. CB13-0950
COMMITTEE OF REFERENCE:
Land Use Transportation and
Infrastructure

6 A BILL

7 **For an ordinance approving the 61st and Pena Station Area Plan, which plan shall**
8 **become a part of the Comprehensive Plan for the City and County of Denver**
9 **pursuant to the provisions of Section 12-61 of the Denver Revised Municipal**
10 **Code.**

11
12 **WHEREAS**, pursuant to the provisions of Section 12-61 of the Denver Revised
13 Municipal Code (“DRMC”), and by Ordinance No. 52, Series of 2000, there has been
14 approved a Comprehensive Plan for the City and County of Denver; and

15 **WHEREAS**, said Section 12-61 of the RMC provides for the amendment of said Plan;
16 and

17 **WHEREAS**, the Manager of Community Planning and Development has transmitted the
18 Decatur-Federal Station Area Plan to the Mayor and Council for acceptance as a proposed
19 part of the Comprehensive Plan; and

20 **WHEREAS**, the Planning Board has approved the same:

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

23 **Section 1.** That the proposed 61st and Pena Station Area Plan, consisting of a
24 document of the same name filed with the City Clerk, Ex-Officio Clerk of the City and County
25 of Denver, on the 2nd day of January, 2014, as City Clerk Filing No. 14-0001, is hereby
26 accepted and adopted as part of the Comprehensive Plan, pursuant to Section 12-61 of the
27 DRMC.

28 **Section 2.** That this acceptance of the 61st and Pena Station Area Plan, and of any
29 amendment thereto, is intended to establish the same, in conjunction with the Comprehensive
30 Plan, as the official guide for officials of the City and County of Denver and private citizens
31 when making decisions affecting the future of the 61st and Pena Area, as defined in said plan;
32 provided however, that such approval shall not preempt the decision making powers vested by
33 law or administrative directive in the Mayor, the Council or any other official of the City and
34 County of Denver with respect to, but not limited to: a zoning map amendment, a zoning
35 language amendment, a dedication or vacation of a street, alley or other public way, a
36 designation of a park, the issuance of a revocable permit, a conveyance or acquisition of real

1 property by the City and County of Denver, or an appropriation for or construction of a capital
2 improvement; and provided, further, that it is expressly understood that judgment must be
3 exercised in the application of the 61st and Pena Station Area Plan in the decision making
4 processes of the Mayor, Council and other officials of the City and County of Denver.

5 COMMITTEE APPROVAL DATE: 12/17/2013.

6 MAYOR-COUNCIL DATE: 12/24/2013, on consent.

7 PASSED BY THE COUNCIL _____ 2014

8 _____ - PRESIDENT

9 APPROVED: _____ - MAYOR _____ 2014

10 ATTEST: _____ - CLERK AND RECORDER,
11 EX-OFFICIO CLERK OF THE
12 CITY AND COUNTY OF DENVER
13

14 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2014; _____ 2014

15 PREPARED BY: Kerry A. Buckey, Assistant City Attorney _____ 12/23/2013

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

21 D. Scott Martinez, City Attorney

22 BY: _____, _____ City Attorney DATE: _____