1	BY AUTHORITY				
2	ORDINANCE NO COUNCIL BILL NO. 2014-0398				
3	SERIES OF 2014 COMMITTEE OF REFERENCE:				
4	Land Use Transportation and Infrastructure				
5					
6	<u>A BILL</u>				
7 8 9	For an ordinance amending the Denver Zoning Code to allow fresh produce and cottage food sales as a home occupation.				
10	WHEREAS, the City Council has determined that permitting the sale of fresh produce and				
11	cottage foods as a permitted home occupation in most residential zone districts will help promote				
12	health, build on the assets of neighborhoods, foster a citywide sense of community, and conform				
13	with the State of Colorado Cottage Food Act; and				
14	WHEREAS, the City Council has determined on the basis of evidence and testimony				
15	presented at the public hearing that the amendment set forth herein is in conformance with the				
16	Denver Comprehensive Plan 2000 and all amendments thereto, the Mayor's 2020 Sustainability				
17	Goals, and is reasonably necessary to the promotion of the public health, safety and general				
18	welfare.				
19	NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF				
20	DENVER:				
21	Section 1. Division 3.4 of the Denver Zoning Code is hereby amended to add Food				
22	Preparation, along with Fresh Produce and Cottage Food Sales, as home occupation uses Permitted				
23	in specific Zone Districts with Limitations requiring a Zoning Permit.				
24	<b>Section 2.</b> Division 11.8 of the Denver Zoning Code is hereby amended to clarify that sales				
25	from a Garden accessory to a primary residential use are allowable with a Fresh Produce and				
26	Cottage Food Sales Home Occupation Permit.				
27	Section 3. Division 11.9 of the Denver Zoning Code is hereby amended to organize and				
28	clarify the limitations applicable to all home occupation uses and to incorporate Fresh Produce and				
29	Cottage Food Sales Home Occupation within Division 11.9.				
30	Section 4. Division 11.12 of the Denver Zoning Code is hereby amended to: add a				
31	definition of Fresh Produce and Cottage Foods Sales Home Occupation; add a definition of Cottage				
32	Foods based on the State of Colorado Cottage Foods Act; and clarify the definition of Food				
33	Preparation Home Occupation to differentiate it from Fresh Produce and Cottage Foods Sales.				
	1				

1	Section 5. The above changes to the Denver Zoning Code are reflected more fully in a				
2	document filed with the Denver City Clerk on May 15, 2014 at City Clerk Filing No. 14-131-A.				
3	COMMITTEE APPROVAL DATE: May 13, 2014				
4	MAYOR-COUNCIL DATE: N/A				
5	PASSED BY THE COUNCIL		2014		
6		- PRESIDENT			
7	APPROVED:	MAYOR	2014		
8 9 10 11	ATTEST:	- CLERK AND REC EX-OFFICIO CLEI CITY AND COUN	RK OF THE		
12	NOTICE PUBLISHED IN THE DAILY JOURNAL	2014;	2014		
13	REPARED BY: Brent A. Eisen, Assistant City Attorney		Date: May 15, 2014		
14 15 16 17 18	Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.				
19	D. Scott Martinez, Denver City Attorney				
20	BY:, Assistant City A	ttorney Dat	e:, 2014		