

BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2014

COUNCIL BILL NO. 2014-0398

COMMITTEE OF REFERENCE:

Land Use Transportation and Infrastructure

A BILL

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.

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

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 **Section 2.** 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.

Section 5. The above changes to the Denver Zoning Code are reflected more fully in a document filed with the Denver City Clerk on May 15, 2014 at City Clerk Filing No. 14-131-A.

COMMITTEE APPROVAL DATE: May 13, 2014

MAYOR-COUNCIL DATE: N/A

PASSED BY THE COUNCIL _____ 2014

- PRESIDENT

APPROVED: _____ - MAYOR _____ 2014

- CLERK A

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

NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2014; _____ 2014

PREPARED BY: Brent A. Eisen, Assistant City Attorney Date: May 15, 2014

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.

D. Scott Martinez, Denver City Attorney

BY: _____, Assistant City Attorney Date: _____, 2014