

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2018

COUNCIL BILL NO. CB18-0306
COMMITTEE OF REFERENCE:

Land Use, Transportation and Infrastructure

A BILL

For an ordinance relating to the Denver Zoning Code, to modify certain building form standards in response to slot home construction.

WHEREAS, the City Council desires to amend the Denver Zoning Code to implement the land use recommendations relating to the modification of certain existing building form standards in response to construction of certain multi-unit residential structures consisting of attached dwelling units arranged side-by-side and primarily perpendicular to the street, also referred to as slot homes; and

WHEREAS, in conjunction with the foregoing desired modifications, the City Council finds it reasonably necessary to rename the Suburban Town House 2.5 (S-TH-2.5) and Urban Edge Town House 2.5 (E-TH-2.5) zone districts to Suburban Row House 2.5 (S-RH-2.5) and Urban Edge Row House 2.5 (E-RH-2.5) zone districts, respectively, in order to eliminate confusion, provide clarity and transparency concerning the building forms authorized under the renamed S-RH-2.5 and E-RH-2.5 zone districts, and in order to promote the public health safety and general welfare; and

WHEREAS, the City Council has determined on the basis of evidence and testimony presented at the public hearing that amending the Denver Zoning Code as set forth herein is consistent with the City’s adopted plans, furthers the public health, safety and general welfare, and will result in regulations and restrictions that are uniform within zone districts where residential uses are permitted.

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

Section 1. The changes to the Denver Zoning Code set forth in Clerk File No. 2018-0130 as filed with the Denver City Clerk on April 4, 2018, and available in the office and on the web page of City Council are hereby adopted and made an official part of the Denver Zoning Code. The changes amend certain standards for the Urban House, Duplex, Town House, Garden Court, Apartment, General, Shopfront, and Row House building forms.

Section 2. Except as otherwise provided in Section 3 below, the changes to the Denver Zoning Code enacted by this ordinance shall govern all applications that have not been approved by the applicable decision-making authority as identified in Section 12.2.8 of the Denver Zoning Code

1 as of the effective date of this ordinance, including any applications for a site development plan or
2 an amendment to an approved site development plan that could not be approved because of the
3 moratoria enacted by City Council in:

4 (a) Sections 1 and 2 of Ordinance 20160541, Series of 2016 (the “Original Garden Court
5 Moratorium”), as amended by Ordinance 20170728, Series of 2017 (the “Amended Garden Court
6 Moratorium) (together, the “Garden Court Moratorium”); and

7 (b) Section 1 of Ordinance 20180129, Series of 2018 (the “Slot Home Moratorium”).

8 **Section 3.** Applications for construction of multi-unit residential structures containing only
9 residential dwelling units that are attached along common walls and occupy the space between the
10 street level and roof that were submitted to CPD for formal site development plan review per Code
11 Section 12.4.3.3.C, and that have received an Accela log number on or before 4:30 P.M. Mountain
12 Daylight Time, March 14, 2018 (“Pending Applications”) shall not be required to comply with the
13 changes to the Denver Zoning Code enacted by this ordinance, subject to the following
14 requirements:

15 (a) If a Pending Application has not received approval by the Development Review
16 Committee on or before 4:30 P.M. Mountain Standard Time, November 10, 2018, the application
17 shall be void. Once a Pending Application becomes void, all new site development plan applications
18 for the same property shall be processed under the Denver Zoning Code as then in effect. No
19 extensions of time shall be granted.

20 (b) Pending Applications shall meet all the standards and requirements of the Denver Zoning
21 Code that existed on March 14, 2018.

22 (c) Any change, modification, or amendment to a Pending Application approved under this
23 Section 3 after the effective date of this ordinance, shall comply with the Denver Zoning Code as the
24 Denver Zoning Code exists at the time of any change, modification, or amendment.

25 **Section 4.** The Suburban Town House 2.5 (S-TH-2.5) and Urban Edge Town House 2.5
26 (E-TH-2.5) zone districts shall be renamed to Suburban Row House 2.5 (S-RH-2.5) and Urban Edge
27 Row House 2.5 (E-RH-2.5) zone districts, respectively, and the Manager of Community Planning
28 and Development shall cause the renamed zone districts to be reflected on the Official Map.

29 **Section 5.** In accordance with Section 1(b) of the Amended Garden Court Moratorium and
30 Section 3 of the Slot Home Moratorium, both the Garden Court Moratorium and the Slot Home
31 Moratorium shall expire upon the effective date of this ordinance.

1 COMMITTEE APPROVAL DATE: March 27, 2018

2 MAYOR-COUNCIL DATE: April 3, 2018

3 PASSED BY THE COUNCIL _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9

10 NOTICE PUBLISHED IN THE DAILY JOURNAL _____; _____

11 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: April 5, 2018

12 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
13 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
14 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
15 §3.2.6 of the Charter.

16
17 Kristin M. Bronson, Denver City Attorney

18
19 BY: _____, Assistant City Attorney

Date: _____