

1 **BY AUTHORITY**

2 ORDINANCE NO.  
3 SERIES OF 2015

COUNCIL BILL NO. CB15-0298  
COMMITTEE OF REFERENCE:  
4 Neighborhoods & Planning

5 **A BILL**

6 **For an ordinance to amend Chapter 59 (Zoning) of the Denver Revised Municipal**  
7 **Code relating to the Denver Zoning Code and to amend and restate the Denver**  
8 **Zoning Code.**

9  
10 **WHEREAS**, City Council adopted Ordinance No. 333, Series of 2010, enacting a new  
11 zoning code, which code went into effect on June 25, 2010 and which code in its entirety and as  
12 amended is found in City Clerk Filing Nos. 10-512-A, 10-512-B, 10-512-C, 10-512-D, 10-512-E, 10-  
13 512-G, 10-512-H, 10-512-J, 10-512-K, 10-512-L, 10-512-M, 10-512-N, 10-512-O, 10-512-P, 10-  
14 512-Q, 10-512-R, and 10-512-S (as amended, the “2010 Denver Zoning Code”);

15 **WHEREAS**, City Council adopted Ordinance 113, Series 2014, amending and restating the  
16 2010 Denver Zoning Code in its entirety, which amended and restated code went into effect on  
17 April 7, 2014 and which code is found in City Clerk Filing No. 14-131 (the “2014 Denver Zoning  
18 Code”);

19 **WHEREAS**, the 2014 Denver Zoning Code has been amended by City Council three (3)  
20 times to allow fresh produce and cottage food sales as a home occupation, to enact new Urban  
21 Center-Cherry Creek North Zone Districts, and to enact the South Sloan’s Lake Design Overlay  
22 (DO-5), which amendments are found in Clerk Filing Nos., 14-0502, 14-0502A, and 14-0986,  
23 respectively (collectively, the “Council Amendments”);

24 **WHEREAS**, on January 21, 2015 and March 16, 2015, the Department of Community  
25 Planning and Development (“CPD”), as publisher of the Denver zoning code, administratively  
26 amended and republished the 2014 Denver Zoning Code (as amended by the Council  
27 Amendments) to correct minor clerical errors (such corrections, together with the 2014 Denver  
28 Zoning Code and Council Amendments, the “Current Denver Zoning Code”);

29 **WHEREAS**, CPD now desires to amend numerous sections of the Current Denver Zoning  
30 Code to improve usability and organization and to make clarifying changes and substantive  
31 changes based on CPD’s experience implementing the code;

32 **WHEREAS**, CPD also desires to restate the Current Denver Zoning Code as amended  
33 previously and herein in its entirety to improve its usability and future administration;

34 **WHEREAS**, the City Council has determined on the basis of evidence and testimony  
35 presented at the public hearing that the amending and restating of the Current Denver Zoning

1 Code as set forth herein is consistent with the Denver Comprehensive Plan 2000 and all  
2 amendments thereto, furthers the public health, safety and general welfare of the City, and will  
3 result in the uniformity of district restrictions and regulations.

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

6 **Section 1.** Section 59-1 (Zoning code) of the Denver Revised Municipal Code shall be  
7 amended by adding the language underlined, and deleting the language stricken, to read as  
8 follows:

9 **Sec. 59-1. Zoning code.**

10 The zoning code as filed with the Denver City Clerk on the 14<sup>th</sup> ~~20<sup>th</sup>~~ day of May ~~February~~  
11 ~~2014-2015~~, at City Clerk Filing No. ~~44-131-2015-0211~~, is hereby adopted as the official zoning  
12 code for the City and County of Denver ("Denver Zoning Code"). The Denver Zoning Code and all  
13 amendments thereto shall be maintained in and kept current by the Department of Community  
14 Planning and Development and shall be available to the public.

15 **Section 2.** The Denver Zoning Code adopted by this ordinance and filed at City Clerk  
16 Filing No. 2015-0211 shall take effect on June 19, 2015 (the "Code Effective Date"), and shall  
17 govern all applications that are pending as of the Code Effective Date and all applications filed on  
18 or after the Code Effective Date. For the avoidance of doubt, an application shall be considered  
19 "pending" if the application has not received approval as of the Code Effective Date from the  
20 applicable decision-making authority as identified in Section 12.2.8 of the Denver Zoning Code  
21 (Summary Table of Authority and Notice).

22

1 COMMITTEE APPROVAL DATE: May 13, 2015  
2 MAYOR-COUNCIL DATE: May 19, 2015  
3 PASSED BY THE COUNCIL \_\_\_\_\_ 2015  
4 \_\_\_\_\_ - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2015  
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 \_\_\_\_\_ 2015 \_\_\_\_\_ 2015  
11 PREPARED BY: Lori Strand, Assistant City Attorney DATE: May 14, 2015  
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 D. Scott Martinez, Denver City Attorney  
18  
19 BY: \_\_\_\_\_, Assistant City Attorney Date: \_\_\_\_\_, 2015