

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2020

COUNCIL BILL NO. CB20-0794
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 1332 East 22 Avenue in City Park West.

WHEREAS, the City Council has determined, based on evidence and testimony presented at the public hearing, that the map amendment set forth below conforms with applicable City laws, is consistent with the City’s adopted plans, furthers the public health, safety and general welfare of the City, will result in regulations and restrictions that are uniform within the U-TU-B, UO-3 with a waiver district, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and is consistent with the neighborhood context and the stated purpose and intent of the proposed zone district;

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

Section 1. That upon consideration of a change in the zoning classification of the land area hereinafter described, Council finds:

- a. The land area hereinafter described is presently classified as U-TU-B.
- b. It is proposed that the land area hereinafter described be changed to U-TU-B, UO-3 with a waiver.
- c. The owner of the land area hereinafter described approves and agrees to the following described waiver to the requested change in zoning classification related to the development, operation, and maintenance of the land area:

Waive the applicable use limitation in section 9.4.4.8.F.1 of the Denver Zoning Code that provides, “[t]he applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence.”

Section 2. That the zoning classification of the land area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed to U-TU-B, UO-3 with a waiver:

LOTS 28 TO 30 & NORTH 1/2 OF LOT 27 EXCEPT THE WEST 27 FEET OF LOTS 28 TO 30, BLOCK 47, SCHINNERS ADDITION
CITY AND COUNTY OF DENVER
STATE OF COLORADO

1
2 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
3 thereof, which are immediately adjacent to the aforesaid specifically described area.

4 **Section 3.** The foregoing change in zoning classification is based upon a waiver approved
5 by the owner, which waiver is set forth in Section 1(c) hereof. Said waiver shall be binding upon all
6 successors and assigns of the owner, who along with the owner shall be deemed to have waived all
7 objections as to the constitutionality of the aforesaid waiver.

8 **Section 4.** That this ordinance shall be recorded by the Manager of Community Planning and
9 Development in the real property records of the Denver County Clerk and Recorder.

10 COMMITTEE APPROVAL DATE: August 11, 2020

11 MAYOR-COUNCIL DATE: August 18, 2020

12 PASSED BY THE COUNCIL: _____

13 _____ - PRESIDENT

14 APPROVED: _____ - MAYOR _____

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

18 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

19 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: August 20, 2020

20 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
21 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
22 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
23 § 3.2.6 of the Charter.

24 Kristin M. Bronson, Denver City Attorney

25 BY: _____, Assistant City Attorney DATE: _____