

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2024

COUNCIL BILL NO. CB23-1939
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance approving and accepting the Near Northwest Area Plan, which Plan shall become a part of Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.

WHEREAS, pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code (“DRMC”), and by Ordinance No. 302, Series of 2019, there has been approved a Comprehensive Plan for the City and County of Denver (“Comprehensive Plan 2040”); and

WHEREAS, said Section 12-61 of the DRMC provides for the supplementation of Comprehensive Plan 2040; and

WHEREAS, by Ordinance No. 249, Series of 1986, the City accepted the Highland Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, by Ordinance No. 405, Series of 1993, the City accepted the Sunnyside Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, by Ordinance No. 714, Series of 2005 the City accepted the Jefferson Park Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, the City wishes to repeal and replace the Highland Neighborhood Plan, Sunnyside Neighborhood Plan, and Jefferson Park Neighborhood Plan with an updated comprehensive plan supplement, entitled Near Northwest Area Plan, for the orderly growth and harmonious development of the City and County of Denver; and

WHEREAS, pursuant to the provisions of Section 12-61 DRMC, the City wishes to supplement Comprehensive Plan 2040 by approving and accepting the Near Northwest Area Plan; and

WHEREAS, members of the City Council, duly authorized by the president of council have monitored the process whereby said Near Northwest Area Plan has been formulated; and

WHEREAS, the Near Northwest Area Plan has been approved by the Denver Planning Board; and

WHEREAS, the Manager of Community Planning and Development has transmitted the Near Northwest Area Plan to the Mayor and Council for acceptance as a supplement to Comprehensive Plan 2040; and

1 **NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
2 **DENVER;**

3 **Section 1.** That the proposed Near Northwest Area Plan, consisting of a document of the
4 same name filed with the City Clerk, Ex-Officio Clerk of the City and County of Denver, on the 2nd
5 day of January as City Clerk Filing No. 20240002, is hereby adopted and accepted as a supplement
6 to Comprehensive Plan 2040, pursuant to Section 12-61(d) of the DRMC.

7 **Section 2.** That the Near Northwest Area Plan replaces and supersedes the Highland
8 Neighborhood Plan, Sunnyside Neighborhood Plan, and Jefferson Park Neighborhood Plan.

9 **Section 3.** That this adoption and acceptance of the Near Northwest Area Plan, and of any
10 amendment thereto, in conjunction with Comprehensive Plan 2040, is intended to establish the
11 official guide for officials of the City and County of Denver and private citizens when making decisions
12 affecting the future of land use and transportation in and for the City and County of Denver, as
13 defined in said plan; provided however, that such approval shall not preempt the decision making
14 powers vested by law or administrative directive in the Mayor, the Council or any other official of the
15 City and County of Denver with respect to, but not limited to: a zoning map amendment, a zoning
16 language amendment, a dedication or vacation of a street, alley or other public way, a designation
17 of a park, the issuance of a revocable permit, a conveyance or acquisition of real property by the
18 City and County of Denver, or an appropriation for or construction of a capital improvement; and
19 provided, further that it is expressly understood that judgment must be exercised in the application
20 of Near Northwest Area Plan in the decision making processes of the Mayor, Council and other
21 officials of the City and County of Denver.

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1 COMMITTEE APPROVAL DATE: December 19, 2023
2 MAYOR-COUNCIL DATE: December 26, 2023 by Consent
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 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;
10 PREPARED BY: Adam Hernandez, Assistant City Attorney DATE: January 4, 2024
11 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.
15 Kerry Tipper, Denver City Attorney
16 BY: _____, Assistant City Attorney DATE: _____