

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2018

COUNCIL BILL NO. CB18-0605  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 4890 Zuni Street in Chaffee Park.**

**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 E-MX-2x with waivers 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 E-SU-Dx.
- b. It is proposed that the land area hereinafter described be changed to E-MX-2x with waivers.
- c. The owner approves and agrees to the following described waivers to the requested change in zoning classification related to the development, operation, and maintenance of the land area:
  - i. Waive the “ZPSE” (Subject to Zoning Permit with Special Exception Review) zoning review procedure for the Eating & Drinking Establishments Use Category in Denver Zoning Code Section 4.4.4, and instead shall be “ZP” (Zoning Permit Review). The intent of the waiver is to allow Eating and Drinking Establishments to be permitted without Special Exception Review by the Board of Adjustment, subject to applicable use limitations.
  - ii. Waive the required minimum vehicle parking for all primary use classifications, except Residential Primary Use Classification, in District Specific Standards in Denver Zoning Code

1 Section 4.4.4, and instead shall be “Vehicle: No Parking Requirements.” The intent of the waiver is to  
2 require no minimum vehicle parking for non-residential primary uses.

3 iii. Waive the required minimum bicycle parking for all primary use classifications,  
4 except Residential Primary Use Classification, in District Specific Standards in Denver Zoning Code  
5 Section 4.4.4. Required minimum bicycle parking spaces shall be as required in Bicycle Parking  
6 Categories in Denver Zoning Code Section 10.4.9.2, except that minimum bicycle parking spaces  
7 required for Commercial High, Commercial Medium, Public Use High and Public Use Medium  
8 parking categories shall be as indicated in Table 1.1 below:

Parking Category	Minimum Bicycle Parking Spaces Required
Commercial High	1/2,500 sq. ft. GFA
Commercial Medium	1/10,000 sq. ft. GFA
Public Use High	1/10,000 sq. ft. GFA
Public Use Medium	1/5,000 sq. ft. GFA

9 Parking categories, as used to determine required minimum bicycle parking for  
10 specific use types, shall be as defined in Denver Zoning Code Section 10.4.9, Parking Categories.  
11 The intent of this waiver is to increase the amount of minimum required bicycle parking spaces for  
12 primary uses classified as Commercial High, Commercial Medium, Public Use High and Public Use  
13 Medium parking categories.

14 **Section 2.** That the zoning classification of the land area in the City and County of Denver  
15 described as follows or included within the following boundaries shall be and hereby is changed to  
16 E-MX-2x with waivers:

17 **Legal Description**

18 LOTS 1 THROUGH 5, INCLUSIVE, BLOCK 9, NORTH DENVER HEIGHTS, CITY AND  
19 COUNTY OF DENVER, STATE OF COLORADO.  
20 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline  
21 thereof, which are immediately adjacent to the aforesaid specifically described area.

22 **Section 3.** The foregoing change in zoning classification is based upon waivers approved  
23 by the owner, which waivers are set forth in Section 1(c) hereof; and no permit shall be issued except  
24 in strict compliance with the aforesaid waivers. Said waivers shall be binding upon all successors and  
25 assigns of the owner, who along with the owner shall be deemed to have waived all objections as to  
26 the constitutionality of the aforesaid waivers.

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

1 COMMITTEE APPROVAL DATE: June 12, 2018

2 MAYOR-COUNCIL DATE: June 19, 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 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: June 21, 2018

11 Pursuant to Section 13-12, 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 Kristin M. Bronson, Denver City Attorney

16 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_