

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2013

COUNCIL BILL NO. CB13-0735
COMMITTEE OF REFERENCE:
Land Use Transportation and
Infrastructure

6
7 A BILL

8 **For an ordinance amending the Denver Zoning Code to amend various**
9 **provisions for the growing of marijuana as well as allowing enclosed plant**
10 **husbandry uses in the I-A zone district within 500 feet of a residential zone**
11 **district.**

12
13 **WHEREAS**, the City Council has determined on the basis of evidence and testimony presented at
14 the public hearing that the amendment set forth herein is in conformance with the Denver
15 Comprehensive Plan 2000 and all amendments thereto, and is reasonably necessary to the
16 promotion of the public health, safety and general welfare.

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

19 **Section 1.** Sections 9.1.5.21.A and 9.3.5.6 of the Denver Zoning Code (DZC) are amended
20 to clarify that the only use under which growing of marijuana is permitted in the industrial and Open
21 Space zone districts is plant husbandry.

22 **Section 2.** Section 9.1.5.21.B of the DZC is amended to require a 500 foot separation for
23 plant husbandry uses from residential zone districts only if not completely enclosed.

24 **Section 3.** Sections 9.1.4.5. and 9.3.4.5 of the DZC (use tables for Industrial and Open Space
25 Zone Districts) are amended to reflect the changes set forth above.

26 **Section 4.** Section 11.7.1.3.C. of the DZC is amended to delete the word “medical”.

27 **Section 5.** Section 11.8.4.1 of the DZC is amended to allow for the growing of 6 marijuana
28 plants per adult resident of a dwelling unit as well as six plants per patient registry card holder,
29 provided no more than 12 plants may be grown per dwelling unit.

30 **Section 6.** Section 11.12.6 of the DZC is amended to clarify that the only use allowing the
31 growing of marijuana is “plant husbandry.”

32 **Section 7.** The above changes as filed with the Denver City Clerk on November 7, 2013 at
33 City Clerk Filing No. 10-512-S.

1 COMMITTEE APPROVAL DATE: 10/15/2013.

2 MAYOR-COUNCIL DATE: 10/22/2013.

3 PASSED BY THE COUNCIL _____ 2013

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____ 2013

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 _____ 2013; _____ 2013

11 PREPARED BY: Kerry A. Buckey, Assistant City Attorney _____ 11/07/2013

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 Douglas J. Friednash, Denver City Attorney

18 BY: _____, Assistant City Attorney Date: _____, 2013