

1 BY AUTHORITY

2 ORDINANCE NO.  
3 SERIES OF 2013

COUNCIL BILL NO. 13-0589  
COMMITTEE OF REFERENCE:  
Land Use Transportation and  
Infrastructure

6 **A BILL**

7 **For an ordinance amending Section 59-2, Denver Revised Municipal Code by**  
8 **adding subsection (c) relating to Former Chapter 59 controlled districts.**  
9

10 **WHEREAS**, the City Council has determined on the basis of evidence and testimony presented  
11 at the public hearing that the amendment set forth herein is in conformance with the Denver  
12 Comprehensive Plan 2000, is justified by changed or changing conditions, and is reasonably  
13 necessary to the promotion of the public health, safety and general welfare.

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

16 **Section 1.** Section 59-2 of the Denver Revised Municipal Code is hereby amended by  
17 enacting and adding subsections (c) through (h) to read and be read as follows:

18 (c) For purposes of applying the limitations on bulk planes and building heights in Section 59-96  
19 of the Former Chapter 59, the “protected districts” identified therein shall also include the zone  
20 districts defined as “protected districts” in Section 13-3 of the Denver Zoning Code.

21 (d) For purposes of applying the “L1” limitation on “eating place” primary uses applicable in the  
22 R-4-X, B-2, B-3, B-A-2, B-A-4, CCN, I-0, I-1, and I-2 zone districts in Former Chapter 59, the  
23 residential districts identified in the L1 limitation shall also include the zone districts defined as  
24 “protected districts” in Section 13-3 of the Denver Zoning Code.

25 (e) For purposes of applying the “exception to use enclosure requirement” for Mixed Use Zone  
26 Districts (C-MU, R-MU, and T-MU zones) in Sections 59-302 (4)b.1 & 2 of the Former Chapter  
27 59, the residential districts identified therein shall also include the zone districts defined as  
28 “protected districts” in Section 13-3 of the Denver Zoning Code.

29 (f) For purposes of applying the restrictions on the siting of outdoor animal runs within 20 feet of  
30 a habitable residential structure stated in Section 59-2(16) of the Former Chapter 59, the  
31 residential zone districts identified therein shall also include the zone districts defined as  
32 “protected districts” in Section 13-3 of the Denver Zoning Code.

33 (g) For purposes of applying the 5-foot side setback for structures that are not single-unit or two-  
34 unit dwellings, and which have ground floor commercial or which are four (4) or more stories in

1 height, as required in the Mixed Use Zone Districts in Section 59-312(3) of the Former Chapter  
2 59, the residential zone districts identified therein shall also include all SU and TU zone districts  
3 as established on the Official Zoning Map under the Denver Zoning Code.

4 (h) For purposes of applying various zoning protections to residentially zoned properties, the  
5 terms "residential district(s)," "residential zone district(s)," "residential zone(s)," "residentially  
6 zoned lot," and "residentially zoned zone lot" used throughout Former Chapter 59 shall also  
7 include the zone districts defined as a "residential zone district or residential district" in Section  
8 13-3 of the Denver Zoning Code.

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10 COMMITTEE APPROVAL DATE: 12/3/2013.

11 MAYOR-COUNCIL DATE: 12/10/2013.

12 PASSED BY THE COUNCIL \_\_\_\_\_ 2013

13 \_\_\_\_\_ - PRESIDENT

14 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2013

15 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
16 EX-OFFICIO CLERK OF THE  
17 CITY AND COUNTY OF DENVER  
18

19 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2013 \_\_\_\_\_ 2013

20 PREPARED BY: Kerry A. Buckey, Assistant City Attorney 10/21/13

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22 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
23 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
25 § 3.2.6 of the Charter.

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27 Douglas J. Friednash, City Attorney

28 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney Date: \_\_\_\_\_