

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB22-1664
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance amending the Denver Zoning Code, establishing the Cherry Creek East Mixed Use Design Overlay zone district and the Cherry Creek East Residential Design Overlay zone district, and clarifying certain rules of measurement.

WHEREAS, the City Council desires to amend the Denver Zoning Code to establish two new design overlay zone districts in the eastern portion of the Cherry Creek neighborhood; and

WHEREAS, the Cherry Creek East Mixed Use Design Overlay zone district (DO-9) is intended to enhance and promote a quality urban environment with a vibrant sense of place, including access to generous pedestrian zones and public space with streets that prioritize the pedestrian realm as a defining element of neighborhood character with buildings that relate to pedestrians in scale and activity; and

WHEREAS, the Cherry Creek East Residential Design Overlay zone district (DO-10) is intended to promote pedestrian-friendly street frontages and enhance neighborhood safety in portions of residential neighborhoods that are comprised of single unit, two unit, or row house development; and

WHEREAS, the City Council also desires to clarify the rule of measurement regarding parking structure stories; and

WHEREAS, the City Council has determined on the basis of evidence and testimony presented at the public hearing that amending the Denver Zoning Code as set forth herein is consistent with the City’s adopted plans, furthers the public health, safety and general welfare, and will result in regulations and restrictions that are uniform within the zone district.

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

Section 1. The changes to the Denver Zoning Code as set forth in Clerk File No. 20230001 as filed with the Denver City Clerk on January 3, 2023, and available in the office and on the web page of City Council are hereby adopted and made an official part of the Denver Zoning Code. The changes establish the Cherry Creek East Mixed Use Design Overlay zone district (DO-9) and Cherry

1 Creek East Residential Design Overlay zone district (DO-10), and clarify the rule of measurement
2 for parking structure stories.

3 **Section 2.** Effective date. This ordinance shall be effective February 13, 2023.

4 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

1 COMMITTEE APPROVAL DATE: December 20, 2022
2 MAYOR-COUNCIL DATE: December 27, 2022 on 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 C. Hernandez, Assistant City Attorney DATE: January 5, 2023
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: _____