

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-0186
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

ABILL

For an ordinance approving and accepting the West 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, pursuant to Ordinance No. 858, Series of 1986, the City accepted the Barnum/Barnum West Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, pursuant to Ordinance No. 164, Series of 1987, the City accepted the West Colfax Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, pursuant to Ordinance No. 326, Series of 1991 the City accepted the Valverde Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, pursuant to Ordinance No. 377, Series of 1991 the City accepted the Villa Park Neighborhood Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, pursuant to Ordinance No. 626, Series of 2006 the City accepted the West Colfax Plan as an amendment to the City’s comprehensive plan; and

WHEREAS, the City wishes to repeal and replace the Barnum/Barnum West Neighborhood Plan, the West Colfax Neighborhood Plan, the Valverde Neighborhood Plan, the Villa Park Neighborhood Plan, and the West Colfax Plan with an updated comprehensive plan supplement, entitled West 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 West Area Plan; and

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

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

1 **WHEREAS**, the Manager of Community Planning and Development has transmitted the West
2 Area Plan to the Mayor and Council for acceptance as a supplement to Comprehensive Plan 2040;
3 and

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

6 **Section 1.** That the proposed West Area Plan, consisting of a document of the same name
7 filed with the City Clerk, Ex-Officio Clerk of the City and County of Denver, on the 6th day of March,
8 2023 as City Clerk Filing No. 20230015, is hereby adopted and accepted as a supplement to
9 Comprehensive Plan 2040, pursuant to Section 12-61(d) of the DRMC.

10 **Section 2.** That the West Area Plan replaces and supersedes the Barnum/Barnum West
11 Neighborhood Plan in its entirety.

12 **Section 3.** That the West Area Plan replaces and supersedes the West Colfax
13 Neighborhood Plan.

14 **Section 4.** That the West Area Plan replaces and supersedes the Valverde Neighborhood
15 Plan.

16 **Section 5.** That the West Area Plan replaces and supersedes the Villa Park Neighborhood
17 Plan.

18 **Section 6.** That the West Area Plan replaces and supersedes the West Colfax Plan.

19 **Section 7.** That this adoption and acceptance of the West Area Plan, and of any amendment
20 thereto, in conjunction with Comprehensive Plan 2040, is intended to establish the official guide for
21 officials of the City and County of Denver and private citizens when making decisions affecting the
22 future of land use and transportation in and for the City and County of Denver, as defined in said
23 plan; provided however, that such approval shall not preempt the decision making powers vested by
24 law or administrative directive in the Mayor, the Council or any other official of the City and County
25 of Denver with respect to, but not limited to: a zoning map amendment, a zoning language
26 amendment, a dedication or vacation of a street, alley or other public way, a designation of a park,
27 the issuance of a revocable permit, a conveyance or acquisition of real property by the City and
28 County of Denver, or an appropriation for or construction of a capital improvement; and provided,
29 further that it is expressly understood that judgment must be exercised in the application of West
30 Area Plan in the decision making processes of the Mayor, Council and other officials of the City and
31 County of Denver.

1 COMMITTEE APPROVAL DATE: February 28, 2023

2 MAYOR-COUNCIL DATE: March 07, 2023

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: March 09, 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: Anshul Bagga, Assistant City Attorney DATE: Mar 8, 2023