

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2019

COUNCIL BILL NO. CB19-0477  
COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

**ABILL**

**For an ordinance approving and accepting the Far Northeast Area Plan, which plan shall become a part of the 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 amendment of the City’s comprehensive plan; and

**WHEREAS**, pursuant to the provisions of Section 12-61 DRMC, and by Ordinance No. 434, Series of 1990, the City accepted the Gateway Concept Plan (1990, amended in 1993) (“Gateway Concept Plan”) as an amendment to the City’s comprehensive plan; and

**WHEREAS**, pursuant to the provisions of Section 12-61 DRMC, and by Ordinance No. 129, Series of 1991, the City accepted the Montbello/Green Valley Ranch Neighborhood Plan as an amendment to the City’s comprehensive plan; and

**WHEREAS**, pursuant to the provisions of Section 12-61 DRMC, and by Ordinance No. 34, Series of 2014 the City accepted the 61<sup>st</sup> & Pena Station Area Plan as an amendment to the City’s comprehensive plan; and

**WHEREAS**, the City wishes to repeal and replace the Gateway Concept Plan, the Montbello/GreenValley Ranch Neighborhood Plan, and the 61<sup>st</sup> & Pena Station Area Plan with an updated comprehensive plan supplement entitled, Far Northeast Area Plan for the orderly growth and harmonious development of the City and County of Denver; and

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

**WHEREAS**, the Far Northeast Area Plan has been approved by the Denver Planning Board; and

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

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

3           **Section 1.** That the proposed Far Northeast Area Plan, consisting of a document of the same  
4 name filed with the City Clerk, Ex-Officio Clerk of the City and County of Denver, on 20190045, as  
5 City Clerk Filing No. May 28, 2019, is hereby adopted and accepted as a supplement to  
6 Comprehensive Plan 2040, pursuant to Section 12-61(d) of the DRMC.

7           **Section 2.** That the Far Northeast Area Plan replaces and supersedes the Gateway Concept  
8 Plan in its entirety.

9           **Section 3.** That the Far Northeast Area Plan replaces and supersedes the Montbello/Green  
10 Valley Ranch Neighborhood Plan in its entirety.

11           **Section 4.** That the Far Northeast Area Plan replaces and supersedes the 61<sup>st</sup> & Pena  
12 Station Area Plan in its entirety.

13           **Section 5.** That this adoption and acceptance of the Far Northeast Area Plan, and of any  
14 amendment thereto, in conjunction with Comprehensive Plan 2040, is intended to establish the  
15 official guide for officials of the City and County of Denver and private citizens when making decisions  
16 affecting the future of land use and transportation in and for the City and County of Denver, as  
17 defined in said plan; provided however, that such approval shall not preempt the decision making  
18 powers vested by law or administrative directive in the Mayor, the Council or any other official of the  
19 City and County of Denver with respect to, but not limited to: a zoning map amendment, a zoning  
20 language amendment, a dedication or vacation of a street, alley or other public way, a designation  
21 of a park, the issuance of a revocable permit, a conveyance or acquisition of real property by the  
22 City and County of Denver, or an appropriation for or construction of a capital improvement; and  
23 provided, further that it is expressly understood that judgment must be exercised in the application  
24 of the Far Northeast Area Plan in the decision making processes of the Mayor, Council and other  
25 officials of the City and County of Denver.

26           **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

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1 COMMITTEE APPROVAL DATE: May 21, 2019  
2 MAYOR-COUNCIL DATE: May 28, 2019 by Consent  
3 PASSED BY THE COUNCIL: June 10, 2019 \_\_\_\_\_

4 *David Plim* \_\_\_\_\_ - PRESIDENT PRO-TEM

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: Nathan J. Lucero, Assistant City Attorney DATE: May 30, 2019

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: *Kristin M. Bronson* \_\_\_\_\_, Assistant City Attorney DATE: May 30, 2019 \_\_\_\_\_