

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2023

COUNCIL BILL NO. CB23-0416
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

**For an ordinance amending Chapter 59 (Zoning) of the Denver Revised
Municipal Code relating to accessory dwelling units.**

WHEREAS the City Council has determined on the basis of evidence and testimony presented at the public hearing that the amendment set forth in this ordinance is in conformance with Comprehensive Plan 2040; is reasonably necessary to promote the public health, safety, and general welfare; and will result in uniformity of zone district regulations.

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

Section 1. That section 59-2, D.R.M.C. concerning Former Chapter 59 is amended by adding new paragraphs (c)(19)-(23) to read as follows:

Sec. 59-2. – Former chapter 59.

(c) No changes shall be enacted to the provisions of the former chapter 59 after June 25, 2010; however, regulation of lands retaining their zoning designation under the former chapter 59 shall incorporate the following requirements of the Denver Zoning Code:

(19) The maximum gross floor area of an attached accessory dwelling unit permitted in former chapter 59 is the same as the applicable maximum gross floor area for an attached accessory dwelling unit of a primary single unit dwelling use in a Denver Zoning Code multi-residential zone district.

(20) The maximum gross floor area of a detached accessory dwelling unit permitted in former chapter 59 is the same as the applicable maximum gross floor area for a detached accessory dwelling unit of a primary single unit dwelling use in a Denver Zoning Code multi-residential zone district.

(21) The maximum building footprint of an accessory dwelling unit permitted in former chapter 59 is the same as the maximum building footprint allowed for a

detached accessory dwelling unit on a zone lot greater than 7,000 square feet in a Denver Zoning Code zone district.

(22) The limits on occupancy of an accessory dwelling unit permitted in former chapter 59 is the same as any applicable limits on occupancy for an accessory dwelling unit in the Denver Zoning Code.

(23) Roof and exterior wall materials of an accessory dwelling unit permitted in former chapter 59 is the same as any applicable roof and exterior wall materials for an accessory dwelling unit in the Denver Zoning Code.

Section 2. This ordinance is effective July 5, 2023.

COMMITTEE APPROVAL DATE: April 18, 2023

MAYOR-COUNCIL DATE: April 25, 2023

PASSED BY THE COUNCIL: _____,

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____,

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____,

PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: May 4, 2023

Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Kerry Tipper, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____,