

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-0422
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance amending Ordinance 20220426, Series 2022, to extend the**
7 **deadlines by which an applicant must obtain approval of a site development plan**
8 **or site development plan amendment in order to comply with the requirements**
9 **of Articles V or VI, Chapter 27 of the DRMC, as applicable, as it existed prior to**
10 **July 1, 2022 and amend the reporting requirements of the Department of**
11 **Community Planning and Development.**

12 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

13 **Section 1.** That Sections (4)(b)(1)-(4) of Ordinance 20220426, Series 2022, shall be
14 amended by deleting the language stricken and adding the language underlined, as follows:

15 (b) (1) An applicant who, prior to close of business on Thursday, June
16 30, 2022, (i) has submitted to the Department of Community Planning and
17 Development (“CPD”) a site development concept plan, (ii) CPD has assigned a
18 concept number for the site development concept plan, and (iii) obtains site
19 development plan approval or has received consolidated review comments from CPD
20 that will require a fourth round or more of formal site development plan review by
21 August 30, 2023 May 17, 2024. If an applicant has received consolidated review
22 comments by May 17, 2024 that will require a fourth round or more of formal site
23 development plan review, then the applicant will have until August 31, 2024 to obtain
24 site development plan approval. If any of the conditions of this subsection are not
25 satisfied, the amendments enacted by this ordinance shall be applicable to an
26 applicant.

27 (2) An applicant who, prior to close of business on Thursday, June 30, 2022,
28 (i) has submitted to CPD an amendment to an approved site development plan, (ii)
29 CPD has assigned a record number for the site development plan amendment, and
30 (iii) obtains site development plan amendment approval or has received consolidated
31 review comments from CPD that will require a fourth round or more of formal site

1 development plan review by August 30, 2023 May 17, 2024. If an applicant has
2 received consolidated review comments by May 17, 2024 that will require a fourth
3 round or more of formal site development plan review, then the applicant will have until
4 August 31, 2024 to obtain site development plan approval. If any of the conditions of
5 this subsection are not satisfied, the amendments enacted by this ordinance shall be
6 applicable to an applicant.

7 (3) An applicant for an individual site development plan who, prior to close
8 of business on Thursday, June 30, 2022, (i) has been notified in writing by the
9 Development Review Committee that a large development framework is required for
10 its project, (ii) has submitted to CPD a site development concept plan, (iii) CPD has
11 assigned a concept number for the site development concept plan and (iv) obtains site
12 development plan approval or has received consolidated review comments from CPD
13 that will require a fourth round or more of formal site development plan review by
14 December 31, 2023 September 13, 2024. If an applicant has received consolidated
15 review comments by September 13, 2024 that will require a fourth round or more of
16 formal site development plan review, then the applicant will have until December 31,
17 2024 to obtain site development plan approval. If any of the conditions of this
18 subsection are not satisfied, the amendments enacted by this ordinance shall be
19 applicable to an applicant.

20 (4) An applicant for an individual site development plan within the legally
21 described property of an active subdivision application, who, prior to close of business
22 on Thursday, June 30, 2022, (i) has submitted to CPD a site development concept
23 plan, (ii) CPD has assigned a concept number for the site development concept plan;
24 and (iii) obtains a site development plan approval or has received consolidated review
25 comments from CPD that will require a fourth round or more of formal site development
26 plan review by December 31, 2023 September 13, 2024. If an applicant has received
27 consolidated review comments by September 13, 2024 that will require a fourth round
28 or more of formal site development plan review, then the applicant will have until
29 December 31, 2024 to obtain site development plan approval. If any of the conditions
30 of this subsection are not satisfied, the amendments enacted by this ordinance shall
31 be applicable to an applicant.

1 **Section 2.** That Section (4)(d) of Ordinance 20220426, Series 2022, shall be amended by
2 deleting the language stricken and adding the language underlined, as follows:

3 (d) Upon the enactment of this ordinance, CPD shall report to the city council
4 at least ~~four (4)~~ seven (7) times in intervals not longer than six (6) months detailing the
5 (i) number of concept and formal site development plans that were submitted prior to
6 June 30, 2022, (ii) typical review times, and (iii) number of resubmittals. The final report
7 shall be made no later than ~~January 31, 2024~~ February 7, 2025.

8 COMMITTEE APPROVAL DATE: April 18, 2023

9 MAYOR-COUNCIL DATE: April 25, 2023

10 PASSED BY THE COUNCIL: _____,

11 _____ - PRESIDENT

12 APPROVED: _____ - MAYOR _____,

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

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____,

17 PREPARED BY: Eliot C. Schaefer, Assistant City Attorney DATE: April 27, 2023

18 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
19 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
20 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
21 3.2.6 of the Charter.

22
23 Kerry Tipper, Denver City Attorney

24
25 BY: _____, Assistant City Attorney DATE: _____,