

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2022

COUNCIL BILL NO. CB22-0352
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance to amend the Far Northeast Area Plan, necessary for a**
7 **greenfield site to accommodate market demands since the Plan’s adoption.**
8

9 **WHEREAS**, pursuant to the provisions of Section 12-61 of the Denver Revised Municipal
10 Code (“DRMC”), and by Ordinance No. 302, Series of 2019, there has been approved a
11 Comprehensive Plan for the City and County of Denver (“Comprehensive Plan 2040”); and

12 **WHEREAS**, said Section 12-61 of the DRMC provides for the amendment of the City’s
13 comprehensive plan; and

14 **WHEREAS**, pursuant to the provisions of Section 12-61 DRMC, and by Ordinance No. 477,
15 Series of 2019, the City accepted the Far Northeast Area Plan (the “Plan”), as an amendment to the
16 City’s comprehensive plan; and

17 **WHEREAS**, the Manager of Community Planning and Development desires to amend the
18 Plan by establishing updated plan policies that will guide change in the northeast area of the DIA
19 neighborhood for years to come to accommodate market demands that have evolved since the
20 Plan’s adoption (“Plan Amendment”); and

21 **WHEREAS**, members of the City Council, duly authorized by the president of council have
22 monitored the process whereby the Plan Amendment has been formulated; and

23 **WHEREAS**, the Plan Amendment has been approved by the Denver Planning Board; and

24 **WHEREAS**, the Manager of Community Planning and Development has transmitted the Plan
25 Amendment to the Mayor and Council for acceptance as a supplement to Comprehensive Plan 2040;
26 and

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

29 **Section 1.** That the proposed Plan Amendment, consisting of a document of the same name
30 filed with the City Clerk, Ex-Officio Clerk of the City and County of Denver, on April 12, 2022, as City
31 Clerk Filing No. 20220049, is hereby adopted and accepted as a supplement to Comprehensive
32 Plan 2040, pursuant to Section 12-61(d) of the DRMC.

33 **Section 2.** That this acceptance of the Plan Amendment is intended to establish the updated
34 plan policies, in conjunction with Comprehensive Plan 2040, to establish the official guide for officials

1 of the City and County of Denver and private citizens when making decisions affecting the future of
2 land use and transportation in and for the City and County of Denver, as defined in said plan;
3 provided however, that such approval shall not preempt the decision making powers vested by law
4 or administrative directive in the Mayor, the Council or any other official of the City and County of
5 Denver with respect to, but not limited to: a zoning map amendment, a zoning language amendment,
6 a dedication or vacation of a street, alley or other public way, a designation of a park, the issuance
7 of a revocable permit, a conveyance or acquisition of real property by the City and County of Denver,
8 or an appropriation for or construction of a capital improvement; and provided, further that it is
9 expressly understood that judgment must be exercised in the application of the Plan Amendment in
10 the decision making processes of the Mayor, Council and other officials of the City and County of
11 Denver.

12
13 COMMITTEE APPROVAL DATE: March 29, 2022

14 MAYOR-COUNCIL DATE: April 5, 2022

15 PASSED BY THE COUNCIL: _____ May 16, 2022

16 _____ *Paula Jerome* - PRESIDENT

17 APPROVED: _____ - MAYOR *Mike Johnston* May 17, 2022

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

21 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

22 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: April 14, 2022

23 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
24 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
26 § 3.2.6 of the Charter.

27 Kristin M. Bronson, Denver City Attorney

28 BY: *Jonathan Griffin*, Assistant City Attorney DATE: Apr 14, 2022