

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2023

COUNCIL BILL NO. CB23-0375
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance amending Chapter 59 of the Denver Revised Municipal Code, concerning relief processes of zoning standards.

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)(15)-(17) 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:

(15) Regarding variances for land retaining its zoning designation under former chapter 59 and containing only a single unit dwelling use or only a two-unit multiple unit dwelling use, or both, the community planning and development department and the board of adjustment shall apply the applicability and limitations, review process, review criteria, and requirements and limitations after approval provisions in the Denver Zoning Code, Section 12.4.7, in place of former chapter 59, Section 59-54(2).

(16) The zoning administrator may grant administrative adjustments for the zoning standards stated in the Denver Zoning Code Section 12.4.5.2.B-G, and Table 12.4.5.H.3-1 for land retaining its zoning designation under former chapter

1 59 and containing only a single unit dwelling use or only a two-unit multiple dwelling
2 use or both, using the review process and review criteria of Denver Zoning Code,
3 Section 12.4.5. The zoning administrator shall determine whether an
4 administrative adjustment listed in Denver Zoning Code Table 12.4.5.2 applies to
5 a specific standard in former chapter 59.

6 (17) The zoning administrator may grant an administrative adjustment to former
7 chapter 59 standards, procedures, or definitions to comply with federal or state law
8 by applying the applicability, extent of adjustment authorized, and review criteria
9 in Section 12.4.5.2.A of the Denver Zoning Code.

10 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

1 COMMITTEE APPROVAL DATE: April 11, 2023
2 MAYOR-COUNCIL DATE: April 18, 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: April 20, 2023
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 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.
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16 Kerry Tipper, Denver City Attorney
17
18 BY: Jonathan Griffin, Assistant City Attorney DATE: Apr 20, 2023,