1			
2	BY AUTHORITY		
3	ORDINANCE NO COUNCIL BILL NO. CB24-0156		
4	SERIES OF 2024 COMMITTEE OF REFERENCE:		
5	Land Use, Transportation & Infrastructure		
6	<u>A BILL</u>		
7 8 9	For an ordinance changing the zoning classification for 700 North Mariposa Street in Lincoln Park.		
10	WHEREAS, the City Council has determined, based on evidence and testimony presented at		
11	the public hearing, that the map amendment set forth below conforms with applicable City laws, is		
12	consistent with the City's adopted plans, furthers the public health, safety and general welfare of the		
13	City, will result in regulations and restrictions that are uniform within the I-A, with a waiver district, is		
14	justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and		
15	is consistent with the neighborhood context and the stated purpose and intent of the proposed zone		
16	district;		
17	NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF		
18	DENVER:		
19	Section 1. That upon consideration of a change in the zoning classification of the land area		
20	hereinafter described, Council finds:		
21	a. The land area hereinafter described is presently classified as I-A UO-2.		
22	b. It is proposed that the land area hereinafter described be changed to I-A, with a waiver.		
23	Section 2.		
24	a. The applicant has provided a written representation approving of certain waiver to the		
25	requested change in zoning classification related to the development, operation, and maintenance of		
26	the land area as follows:		
27	Waive the "NP" (Not Permitted Use) zoning review procedure for Residential Care, Type 1 and		
28	Residential Care, Type 2 uses in the Residential Primary Use Classification Category in District		
29	Specific Standards in Denver Zoning Code Section 9.1.9.5, and instead shall be "L-ZP" (Permitted		
30	Use with Limitation). The applicable limitations for a Residential Care Type 1 of Type 2 use shall be		
31	those that would apply in an I-MX zone district. The intent of the waiver is to allow Residential Care		
32	Types 1 and 2 uses, subject to applicable use limitations.		

b. That the zoning classification of the land area in the City and County of Denver
described as follows or included within the following boundaries shall be and hereby is changed to
I-A, with a waiver:

THE SOUTH 44 FEET OF LOT 10, BLOCK 36, HUNTS ADDITION TO DENVER, CITY AND
 COUNTY OF DENVER, STATE OF COLORADO

6 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof,
7 which are immediately adjacent to the aforesaid specifically described area.

8 Section 3. The foregoing change in zoning classification is based upon the applicant's 9 representations approving a certain waiver, which certain waiver is set forth in Section 2(a) hereof; and 10 no permit shall be issued except in strict compliance with the aforesaid certain waiver. Said certain 11 waiver shall be binding upon all successors and assigns of the owner, who along with the owner shall 12 be deemed to have waived all objections as to the constitutionality of the aforesaid certain waiver.

Section 4. That this ordinance shall be recorded by the Manager of Community Planning and
 Development in the real property records of the Denver County Clerk and Recorder.

15 COMMITTEE APPROVAL DATE: March 26, 2024

16 MAYOR-COUNCIL DATE: April 2, 2024

17 PASSED BY THE COUNCIL: ______

18		- PRESIDENT	
19	APPROVED:	- MAYOR	
20 21 22	ATTEST:	- CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER	
23	NOTICE PUBLISHED IN THE DAILY JOURNAL:	;;	
24	PREPARED BY: Nathan J. Lucero, Assistant City A	torney DATE: April 4, 2024	
25 26 27 28 29	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.		
30 31	Kerry Tipper, Denver City Attorney		
32	BY:, Assistant City Attorn	ey DATE:	