

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. CB24-1867
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance amending Chapter 59 (Zoning) of the Denver Revised Municipal**
7 **Code relating to limitations for certain automotive uses.**

8
9 **WHEREAS** the City Council has determined on the basis of evidence and testimony
10 presented at the public hearing that the amendment set forth in this ordinance is in conformance
11 with Comprehensive Plan 2040; is reasonably necessary to promote the public health, safety, and
12 general welfare; and will result in uniformity of zone district regulations.

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

15 **Section 1.** That section 59-2, D.R.M.C. concerning Former Chapter 59 is amended by
16 adding a new paragraph (c)(30) to read as follows:

17 **Sec. 59-2. – Former chapter 59.**

18 (c) No changes shall be enacted to the text of the former chapter 59 after June
19 25, 2010; however, regulation of lands retaining their zoning designation under the former
20 chapter 59 is subject to the following requirements and allowances:

21 (30) The use limitations of the Denver Zoning Code for an Automobile Services,
22 Light use containing an Automobile Fueling Station apply to the former chapter 59
23 permitted uses of Automobile Gasoline Filling Station and Automotive Repair
24 Garage.

25 **Section 2. Effective Date.**

26 1. The amendments to D.R.M.C. Sec. 59-2(c)(30) adopted by this ordinance (the “Gas
27 Station Amendments”) take effect on February 25, 2025 (the “Effective Date”), and govern any site
28 plan application of which an applicant has submitted a schematic (concept) design phase application
29 with the department of zoning administration (“Zoning Department”) after May 14, 2024, but has not
30 been approved by the department of community planning and development (“CPD”) by the Code
31 Effective Date (a “Pending Application”).

1 2. The amendments to D.R.M.C. Sec. 59-2(c) enacted in Ordinance No. 1590, Series
2 2024, do not apply to a Pending Application of which an applicant has submitted a schematic
3 (concept) design phase application with the Zoning Department between May 14, 2024, and August
4 9, 2024; however, the Gas Station Amendments apply to such Pending Application.

5 3. The Gas Station Amendments do not apply to a site plan application of which an
6 applicant has submitted a schematic (concept) design phase application with the Zoning Department
7 on or before May 13, 2024.

8 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

1 COMMITTEE APPROVAL DATE: January 7, 2025

2 MAYOR-COUNCIL DATE: January 14, 2025

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: January 16, 2025

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.

15
16 Kerry Tipper, Denver City Attorney

17
18 BY: _____, Assistant City Attorney DATE: _____,