

BY AUTHORITY

ORDINANCE NO. 376
SERIES OF 1982
AS AMENDED JULY 12, 1982

COUNCIL BILL NO. 396

INTRODUCED BY:

SILVERA, RYANOLDS, CARPIO,
HACKWORTH, BENTZEL, SWALM

A B I L L

FOR AN ORDINANCE RELATING TO BUILDING RESTRICTIONS TO PRESERVE MOUNTAIN VIEWS, AMENDING ARTICLE 645. (RESTRICTIONS-STRUCTURES WITHIN AREAS NECESSARY TO PRESERVE MOUNTAIN VIEWS) OF THE REVISED MUNICIPAL CODE, AS AMENDED, BY ADDING THERETO A DESIGNATION FOR SOUTHMOOR PARK.

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

Section 1. Article 645. (Restrictions Structures within Areas Necessary to Preserve Mountain Views) of the Revised Municipal Code, as amended, shall be and hereby is amended and re-enacted as amended by adding thereto Section 645.4-6. in the following words, figures and phrases:

"645.4-6. Southmoor Park

"645.4-6(1). Adoption of Map. The attached map shall be and hereby is approved and adopted and the portion thereon indicated by shading or crosshatching shall be and hereby is determined to be and is designated as an area necessary for the preservation of a certain panoramic view to accomplish the purposes set forth in 645.1. The restrictive provisions of this Article shall be in full force and effect as to the portion of the attached map indicated by shading or crosshatching.

"645.4-6(2). Limitations on Construction. No part of a structure within the area on the attached map indicated by shading or crosshatching shall exceed an elevation of 5,548 feet above mean sea level plus two feet for each 100 feet that said part of a structure is horizontally distant from the reference point. Wherever a structure lies partially outside and partially inside of the area on the attached map indicated by shading or crosshatching, the provisions of this ordinance shall apply only to that part of the structure that lies within the area indicated on the map by shading or crosshatching.

"645.4-6(3). Definitions of Terms Used.

"645.4-6(3)(a). Reference Point. A point having an elevation of 5,548 feet above mean sea level, which point is identified on the attached map, at which point is located the bronze marker set in concrete in the vicinity of Southmoor Park sign set in concrete and which reference point is located as follows:

A line from reference point at Southmoor Park to centerline of Quincy Avenue and centerline of Happy Canyon Road, along centerline of Happy Canyon Road to centerlines of Happy Canyon Road, Hampden Avenue and Dahlia Street, north along centerline of Dahlia Street to centerline of Yale Avenue, east along Yale Avenue to Monaco Street Parkway centerline from a point at centerline of Monaco Street Parkway and Yale Avenue centerline back to reference point at Southmoor Park.

"645.4-6(4)". Exceptions.

"645.4-6(4)(a). Maximum height. A maximum height of forty-two (42) feet is allowed for any new structure on any property affected by this scenic view ordinance which is currently zoned in a business district.

"645.4-6(4)(b). Current uses. Any currently existing structure which would not be in compliance with this ordinance may be replaced as necessary for its current height and use.

AMENDED
7-12-82

PASSED BY The Council July 19, 1982

NOT APPROVED: Cathy Donohue - Mayor July 22, 1982
ATTESTED BY J. J. Sorensen - Ex-Officio Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal June 25 1982 and July 27 1982

PREPARED BY: William B. Bradley City Council



THE FOREGOING ORDINANCE NO. 376, SERIES OF 1982, WAS PASSED BY THE BOARD OF COUNCILMEN ON THE 19th DAY OF July, 1982, AND PRESENTED TO THE MAYOR OF THE CITY AND COUNTY OF DENVER ON THE 20th DAY OF July, 1982. THE SAID MAYOR NEITHER SIGNED THE ORDINANCE WITHIN FIVE DAYS AFTER RECEIPT OF IT, NOR RETURNED SAME WITH HIS DISAPPROVAL WITHIN SAID PERIOD OF FIVE DAYS. THEREFORE, THE SAID ORDINANCE, PURSUANT TO SECTION B1.5 OF THE CHARTER OF THE CITY AND COUNTY OF DENVER (1960 COMPILATION), HAS TAKEN EFFECT AS IF THE SAID MAYOR HAD APPROVED IT.