

## DIVISION 1.2 ZONE LOTS

### SECTION 1.2.1 INTENT AND PURPOSE

The purpose of a Zone Lot is to provide a boundary for a defined area of land to which this Code's regulations for both land uses and structures apply.

### SECTION 1.2.2 ZONE LOT REQUIRED

#### 1.2.2.1 Zone Lot Required Prior to Development

1.2.2.2 A separate ground area, herein called a "Zone Lot," shall be designated, provided, and ~~e~~Continuously ~~m~~Maintained for all permitted structures and land uses. Designation shall occur prior to or concurrent with a zoning application required by Article 12, Zoning Procedures and Enforcement.

1.2.2.3 All Zone Lots designated according to this Section shall comply with:

- A. The general standards for all Zone Lots in Section 1.2.3., General Standards for All Zone Lots; and
- B. The minimum Zone Lot standards for at least one building form allowed in the zone district in which the subject Zone Lot is located.

#### 1.2.2.4 Zone Lot for Existing Structures and Uses

The land area occupied by a use, or the building site heretofore designated and occupied by each structure existing on June 25, 2010, shall, for the purposes of this Code, be deemed the Zone Lot for such use or structure. Such Zone Lot shall be ~~e~~Continuously ~~provided and m~~Maintained in accordance with the provisions of this Code for uses or structures in the zone district in which each such use or structure is located. The boundaries and area of a designated Zone Lot may be amended under Section 12.4.4, Zone Lot Amendments.

### SECTION 1.2.3 GENERAL STANDARDS FOR ALL ZONE LOTS

#### 1.2.3.1 Public Street Frontage Required

Each Zone Lot shall have at least one Zone Lot line abutting a dedicated named or numbered street.

#### 1.2.3.2 Contiguous Land Area Required

##### A. General Rule - Contiguity Required

1. A Zone Lot shall be composed of contiguous land area and its boundaries shall not cross a public right-of-way (including streets and alleys) unless explicitly allowed in this Code.
2. More than one assessor's parcel and/or portions of one assessor's parcel may make up a Zone Lot. See Figure 1.2-1. Changes in ownership of one or more assessor's parcels underlying a Zone Lot does not affect the status of the Zone Lot.

##### B. Exception in D-C, D-TD and Campus Zone Districts - Zone Lot May Cross Public Streets

In all Campus Context zone districts and in the Downtown Core (D-C) and Downtown Theater District (D-TD) zone districts, two or more Zone Lots divided by one or more public streets or alleys may be designated as a single Zone Lot. In cases where a single Zone Lot is divided by one or more primary streets or alleys, multiple street frontages within the Zone Lot boundaries shall comply with all building form standards tied to frontage on a primary or side street, including but not limited to build-to standards and Street Level activation standards, unless otherwise specifically exempted by this Code.



Denver Zoning Code  
2016 Bundle Text Amendment  
COUNCIL ADOPTION REDLINE DRAFT 03/09/2017  
FOR LAND USE, TRANSPORTATION & INFRASTRUCTURE COMMITTEE REVIEW

This document contains a redlined draft of the 2016 Bundle text amendment as delivered to the Land Use, Transportation & Infrastructure Committee in advance of their 03/14/17 meeting.

1. Text in red underline is proposed new language.
2. Text in ~~red strikethrough~~ is proposed deleted language.
3. Text in ~~blue strikethrough~~ is being moved from one section to another.
4. Text in blue, no strikethrough, has been moved from another section.
5. While every effort is made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.

Please visit our website at [www.DenverGov.org/CPD](http://www.DenverGov.org/CPD), then click on Text Amendments under Zoning, to:

- Learn more about Text Amendments
- Learn more about the process for this text amendment
- Download a summary of the 2016 Bundle LUTI Draft
- Download the complete redlined draft
- Sign up for email newsletters

Please send any questions or comments to [PlanningServices@denvergov.org](mailto:PlanningServices@denvergov.org).

**ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT AT THE PUBLIC HEARING BEFORE CITY COUNCIL.**

PRIMARY USES AND STRUCTURES			
Applicability	Maximum # Primary Uses per Zone Lot	Maximum # Primary Structures per Zone Lot	Specific Requirements
All SU and TU Zone Districts, Tandem House Building Form	2 - Subject to Specific Requirements in this table	2 - Subject to Specific Requirements in this table	Where permitted, the Zone Lot may be occupied by a Tandem house building form, which is comprised of two primary structures, each containing a primary single-unit dwelling use.
All SU and TU Zone Districts, Carriage House	2 - Subject to Specific Requirements in this table	2 - Subject to Specific Requirements in this table	<del>One additional primary structure containing more than one habitable story, and which structure was erected prior to November 8, 1956, as a carriage house, may be used in its entirety as a primary single unit dwelling unit. A Carriage House may be used in its entirety as a Primary Structure containing a single unit dwelling use.</del> See Article 13 for definition of " <u>C</u> arriage <u>H</u> ouse."
All Other Zone Districts	No Limit	No Limit	na

ACCESSORY USES AND STRUCTURES		
Applicability	Maximum # Accessory Uses per Zone Lot	Maximum # Detached Accessory Structures per Zone Lot
All Residential Zone Districts	No Limit	No Limit, except detached accessory structures with vehicle access doors, limited to 1 per dwelling unit
All Other Zone Districts	No Limit	No Limit

**SECTION 1.2.4 REFERENCE TO OTHER APPLICABLE PROVISIONS**

**1.2.4.1 Multiple Buildings on a Single Zone Lot**

See Division 10.3, Multiple Buildings on a Single Zone Lot.

**1.2.4.2 Zone Lot Amendment Procedures**

See Section 12.4.4, Zone Lot Amendments.

**1.2.4.3 Definition of "Zone Lot"**

See Division 13.3, Definitions of Words, Terms and Phrases.

**1.2.4.4 Nonconforming Zone Lots**

See Division 12.10, Nonconforming Zone Lots.

- b. If the zone lot is divided equally into two zone districts, the applicant may choose to develop the entire zone lot in conformity with the regulations applicable to one of the two zone districts.
2. The entire zone lot may be developed in conformity with the regulations for the zone district applicable to more than 50% of the zone lot area if:
  - a. The zone lot will only contain a multi-unit dwelling primary use with no other primary uses; and
  - b. The multi-unit dwelling primary use includes moderately priced dwelling units (MPDUs) pursuant to the mandatory or voluntary provisions of DRMC Article IV, Chapter 27 (Affordable Housing); and
  - c. The zone district applicable to more than 50% of the zone lot area allows more dwelling units to be constructed than in the other zone districts applicable to the zone lot.

This provision shall also apply to multi-family owner-occupied or rental residential developments that include a higher percentage of MPDUs than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Housing) and to multi-family residential development that includes housing affordable to households at a lower adjusted medium income than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Housing).
- C. If for any reason the location of any zone district boundary line is not readily determinable from the official map, the location of the zone district boundary line shall be fixed by the Department of Community Planning and Development in accordance with the following provisions. Where more than one of the following provisions are applicable in any given situation, the first enumerated applicable provision shall prevail over all other provisions:
  1. Where a zone district boundary line is located with reference to a fixture or monument, the location of such fixture or monument shall control;
  2. Where a zone district boundary line is given a position within a street or alley right-of-way or channelized waterway, the zone district boundary line shall be deemed to be in the center of such street or alley right-of-way or channelized waterway;
  3. Where a zone district boundary line is shown as approximately following platted lot lines, the zone district boundary line shall be deemed to coincide with such platted lot lines;
  4. Where a zone district boundary line is shown by a specific dimension, such specific dimension shall control;
  5. Where a zone district boundary line extends in the direction of the length of a block, the zone district boundary line shall be deemed to coincide with the center line of such block;
  6. Where a zone district boundary line divides a platted lot or crosses unsubdivided property, the location of the zone district boundary line shall be fixed from the scale of the official map.

### 1.3.3.3 Access Across ~~Parcels~~ **Zone Lots** With Different **Zone** Districts

- A. Notwithstanding the provisions of subsections 1.3.3.2.A and 1.3.3.2.B, access across ~~parcels of land~~ **Zone Lots that are in** with different zone districts shall be governed by this Section 1.3.3.3. In order to promote appropriate development in all zone districts, access across a ~~parcel of land~~ **Zone Lot** to another ~~parcel of land~~ **Zone Lot** with a different **zone** district classification is permitted, except that access to a ~~parcel of land~~ **Zone Lot** not located in a residential district across a ~~parcel of land~~ **Zone Lot** located in a residential district shall not be permitted unless the Zoning Administrator determines that:



1. Such access is compatible, or could be made compatible with any existing or allowed uses on the ~~parcel of land~~ Zone Lot in the residential district; and
  2. Traffic, noise, pollution and other impacts of such access are or can be mitigated.
- B. The Zoning Administrator may impose conditions on the approval of such access in order to ensure that the impacts of traffic, noise, pollution and other external effects of such access are mitigated so as to protect the residential character of the ~~parcel of land~~ Zone Lot located in a residential district. If the use of the ~~parcel of land~~ Zone Lot not located in a residential district changes so as to alter the access or otherwise impact the use of the ~~parcel of land~~ Zone Lot located in the residential district, the Zoning Administrator may terminate the right to access the ~~parcel of land~~ Zone Lot not located in a residential district across the ~~parcel of land~~ Zone Lot located in the residential district or may impose additional conditions on the continued access. All other provisions of the district in which each such ~~parcel of land~~ Zone Lot is located shall apply. An owner requesting such access shall file a request with the Zoning Administrator and the provisions of Section 12.4.2, Zoning Permit Review with Informational Notice (ZPIN), shall be followed.

#### 1.3.3.4 Necessity for District Designation

- A. It is the intent of this Code that all lands within the boundaries of the City and County of Denver shall have a zone district designation. However, nothing herein prohibits one or more overlay districts to be used in conjunction with another of the enumerated districts.
- B. If for any reason any land within the boundaries of the City and County of Denver shall be determined not to be within one of the aforesaid districts or shall be determined not to validly bear one of the aforesaid zoning designations, whether such determination results from annexation, from judicial declaration or from any other reason or cause, no permits shall be issued for the erection or alteration of any structure or structures within the area found wanting in classification until a zoning classification has been established therefore by the City Council. A zoning classification shall be established promptly and within a reasonable period of time; provided, however, that if a zoning classification is not established within 90 days from the date on which an area is determined to be in want of a classification, the site shall be considered part of the Open Space C (OS-C) District until such time as a zoning classification is established.

## DIVISION 2.2 CODE APPROACH

### SECTION 2.2.1 CONTEXT-BASED APPROACH

The Code is organized by Neighborhood Contexts derived from existing and desired characteristics of Denver's neighborhoods. The Neighborhood Contexts are distinguished from one another by their overall physical and functional characteristics including but not limited to: street, alley, and block patterns; building placement and height; diversity, distribution, and intensity of land uses; and diversity of mobility options. This context-based approach provides a range of zone districts that set standards for compatible development.

### SECTION 2.2.2 FORM-BASED APPROACH

The Code also uses a form-based approach to explain how buildings and structures relate to their lots, surrounding buildings and structures, and street and alley rights-of-way. Each zone district includes a menu of illustrated building forms. The building form standards that control height, setbacks, parking location, building configuration and ~~ground-story~~ Street Level activation, as applicable to the Neighborhood Context, zone district and type of building form. The illustrated building forms are not intended to limit the shape, forms, roof styles or architectural styles. The illustrations are intended solely to illustrate typical volumes that building forms may occupy in order to maintain a consistent context for the neighborhood.

## DIVISION 2.5 ESTABLISHMENT OF ZONE DISTRICTS

The following are the zone districts organized by context:

### 2.5.1.1 Suburban, Urban Edge and Urban Neighborhood Context:

SUBURBAN NEIGHBORHOOD CONTEXT		URBAN EDGE NEIGHBORHOOD CONTEXT		URBAN NEIGHBORHOOD CONTEXT	
S-SU-A	Single Unit A	E-SU-A	Single Unit A	U-SU-A	Single Unit A
S-SU-D	Single Unit D	E-SU-B	Single Unit B	U-SU-A1	Single Unit A1
S-SU-Fx	Single Unit Fx	E-SU-D	Single Unit D	U-SU-A2	Single Unit A2
S-SU-F	Single Unit F	E-SU-Dx	Single Unit Dx	U-SU-B	Single Unit B
S-SU-F1	Single Unit F1	E-SU-D1	Single Unit D1	U-SU-B1	Single Unit B1
S-SU-lx	Single Unit lx	E-SU-D1x	Single Unit D1x	U-SU-B2	Single Unit B2
S-SU-l	Single Unit l	E-SU-G	Single Unit G	U-SU-C	Single Unit C
S-TH-2.5	Town House 2.5	E-SU-G1	Single Unit G1	U-SU-C1	Single Unit C1
S-MU-3	Multi Unit 3	E-TU-B	Two Unit B	U-SU-C2	Single Unit C2
S-MU-5	Multi Unit 5	E-TU-C	Two Unit C	U-SU-E	Single Unit E
S-MU-8	Multi Unit 8	E-TH-2.5	Town House 2.5	U-SU-E1	Single Unit E1
S-MU-12	Multi Unit 12	E-MU-2.5	Multi Unit 2.5	U-SU-H	Single Unit H
S-MU-20	Multi Unit 20	<a href="#">E-RX-3</a>	<a href="#">Residential Mixed Use 3</a>	U-SU-H1	Single Unit H1
S-CC-3x	Commercial Corridor 3x	E-RX-5	Residential Mixed Use 5	U-TU-B	Two Unit B
S-CC-3	Commercial Corridor 3	E-CC-3x	Commercial Corridor 3x	U-TU-B2	Two Unit B2
S-CC-5x	Commercial Corridor 5x	E-CC-3	Commercial Corridor 3	U-TU-C	Two Unit C
S-CC-5	Commercial Corridor 5	E-MX-2x	Mixed Use 2x	U-RH-2.5	Row House 2.5
S-MX-2x	Mixed Use 2x	E-MX-2A	Mixed Use 2A	U-RH-3A	Row House 3A
S-MX-2A	Mixed Use 2A	E-MX-2	Mixed Use 2	<a href="#">U-RX-3</a>	<a href="#">Residential Mixed Use 3</a>
S-MX-2	Mixed Use 2	E-MX-3A	Mixed Use 3A	U-RX-5	Residential Mixed Use 5
S-MX-3A	Mixed Use 3A	E-MX-3	Mixed Use 3	U-MX-2x	Mixed Use 2x
S-MX-3	Mixed Use 3	E-MS-2x	Main Street 2x	U-MX-2	Mixed Use 2
S-MX-5A	Mixed Use 5A	E-MS-2	Main Street 2	U-MX-3	Mixed Use 3
S-MX-5	Mixed Use 5	E-MS-3	Main Street 3	U-MS-2x	Main Street 2x
S-MX-8A	Mixed Use 8A	E-MS-5	Main Street 5	U-MS-2	Main Street 2
S-MX-8	Mixed Use 8			U-MS-3	Main Street 3
S-MX-12A	Mixed Use 12A			U-MS-5	Main Street 5
S-MX-12	Mixed Use 12				
S-MS-3	Main Street 3				
S-MS-5	Main Street 5				

**2.5.1.2 General Urban, Urban Center and Downtown Neighborhood Context:**

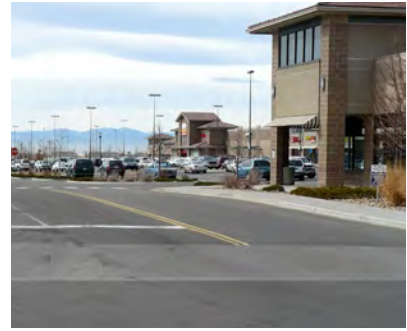
GENERAL URBAN NEIGHBORHOOD CONTEXT		URBAN CENTER NEIGHBORHOOD CONTEXT		DOWNTOWN NEIGHBORHOOD CONTEXT	
G-RH-3	Row House 3	C-RX-5	Residential Mixed Use 5	D-C	Downtown Core District
G-MU-3	Multi Unit 3	C-RX-8	Residential Mixed Use 8	D-TD	Downtown Theater District
G-MU-5	Multi Unit 5	C-RX-12	Residential Mixed Use 12	D-LD	Lower Downtown District
G-MU-8	Multi Unit 8	C-MX-3	Mixed Use 3	D-CV	Downtown Civic District
G-MU-12	Multi Unit 12	C-MX-5	Mixed Use 5	D-GT	Downtown Golden Triangle
G-MU-20	Multi Unit 20	C-MX-8	Mixed Use 8	D-AS	Downtown Arapahoe Square
G-RO-3	Residential Office 3	C-MX-12	Mixed Use 12	D-AS-12+	Downtown Arapahoe Square 12+
G-RO-5	Residential Office 5	C-MX-16	Mixed Use 16	D-AS-20+	Downtown Arapahoe Square 20+
<u>G-RX-3</u>	<u>Residential Mixed Use 3</u>	C-MX-20	Mixed Use 20		
G-RX-5	Residential Mixed Use 5	C-MS-5	Main Street 5		
G-MX-3	Mixed Use 3	C-MS-8	Main Street 8		
G-MS-3	Main Street 3	C-MS-12	Main Street 12		
G-MS-5	Main Street 5	C-CCN-3	Cherry Creek North 3		
		C-CCN-4	Cherry Creek North 4		
		C-CCN-5	Cherry Creek North 5		
		C-CCN-7	Cherry Creek North 7		
		C-CCN-8	Cherry Creek North 8		
		C-CCN-12	Cherry Creek North 12		

**2.5.1.3 Special Contexts and Zone Districts:**

INDUSTRIAL CONTEXT	
I-MX-3	Industrial Mixed Use 3
I-MX-5	Industrial Mixed Use 5
I-MX-8	Industrial Mixed Use 8
I-A	Light Industrial
I-B	General Industrial
CAMPUS CONTEXT	
CMP-H	Campus Healthcare
CMP-H2	Campus Healthcare 2
CMP-EI	Campus Education Institution
CMP-EI2	Campus Education Institution 2
CMP-ENT	Campus Entertainment
CMP-NWC	Campus National Western Center
OPEN SPACE CONTEXT	
OS-A	Open Space Public Parks
OS-B	Open Space Recreation
OS-C	Open Space Conservation

MASTER PLANNED CONTEXT	
M-RH-3	Row House 3
<u>M-RX-3</u>	<u>Residential Mixed Use 3</u>
M-RX-5	Residential Mixed Use 5
M-RX-5A	Residential Mixed Use 5A
M-CC-5	Commercial Corridor 5
M-MX-5	Commercial Mixed Use 5
M-IMX-5	Industrial Mixed Use 5
M-IMX-8	Industrial Mixed Use 8
M-IMX-12	Industrial Mixed Use 12
M-GMX	General Mixed Use
OVERLAY DISTRICTS	
UO-	Use Overlay District
CO-	Conservation Overlay District
DO-	Design Overlay District
AIO-	Airport Influence Overlay District
OTHER SPECIAL CONTEXTS OR ZONE DISTRICTS	
PUD	Planned Unit Development
PLANNED UNIT DEVELOPMENT CONTEXT	
DIA	Denver International Airport
O-1	Open Zone District

## DIVISION 3.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 3.1.1 GENERAL CHARACTER

The Suburban Neighborhood Context is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of the Suburban House building forms with street-facing garages. Multi-unit building forms are typically separated from single-unit residential and consist of clustered Garden Court, Town House, and occasional mid- and high-rise Apartment building forms. Commercial buildings are typically separated from residential and consist of Shopfront and General forms. Single-unit residential uses are primarily located away from residential and commercial arterial streets. Multi-unit residential and commercial uses are primarily located along arterial and collector streets.

### SECTION 3.1.2 STREET AND BLOCK PATTERNS

The Suburban Neighborhood Context consists of an irregular pattern of block shapes surrounded by curvilinear streets within a modified or non-existent grid, with cul-de-sacs and typically no alleys. Block shapes and sizes vary. The typical block pattern includes attached sidewalks (though sidewalks may be detached or non-existent), street and surface parking, and generous landscaping between the street and buildings.

### SECTION 3.1.3 BUILDING PLACEMENT AND LOCATION

Single-unit residential buildings typically have consistent, deep front setbacks and varying side setbacks and building orientation. Multi-unit residential buildings typically have deep front setbacks and wide side setbacks. Commercial buildings may have varying orientation and typically have deep front and side setbacks to accommodate landscaping and parking.

### SECTION 3.1.4 BUILDING HEIGHT

The Suburban Neighborhood Context is characterized by low scale buildings except for some mid- and high-rise multi-unit residential and commercial structures, particularly along arterial streets.

### SECTION 3.1.5 MOBILITY

The Suburban Neighborhood Context has a higher reliance on the automobile with some access to pedestrian and bicycle facilities and the multi-modal transportation system.

### 3.3.2.2 Siting

#### A. Required Build-To

1. Provide a more consistent street edge to enhance the character, quality and accessibility of new development.
2. Improve the relationship between new development and public streets to promote pedestrian activity and establish a sense of place.
3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

#### B. Setbacks

1. Site buildings to be consistent with intended character and functional requirements of the context.
2. Improve connections between varied uses and the public street.

#### C. Parking Location

1. Minimize the visual impacts of parking areas on streets and adjoining property.
2. Minimize conflicts between pedestrian and vehicles.

### 3.3.2.3 Design Elements

#### A. Configuration

1. Promote variation in building form that enhances access to sunlight, air and views from within and around new structures.
2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
3. Main Street setback: Consider the proportional scale of new development necessary to establish a well defined edge to the public street.
4. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

#### B. Transparency

1. Maximize window area at Street Level to help activate the street.
2. To create rhythms and patterns on building facades that provide visual interest and reflect the uses within the building.
3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

#### C. Entrances

1. Give prominence to pedestrian realm as a defining element of district and neighborhood character.
2. Provide convenient access to buildings and ~~pedestrian~~ active uses from the street.
3. Create a clearly articulated and varied visual hierarchy of building entrances as an aid in way-finding.
4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.

## SECTION 3.3.3 PRIMARY BUILDING FORM STANDARDS

### 3.3.3.1 Applicability

All development, except detached accessory structures, in all the Suburban Neighborhood Context zone districts.

### 3.3.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

### 3.3.3.3 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Suburban (S-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms											
			Suburban House	Urban House	Detached-Accessory Dwelling Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Apartment	Drive Thru Services	Drive Thru Restaurants	General
RESIDENTIAL ZONE DISTRICTS														
Single Unit (SU)	S-SU-A, -D, -F, -Fx, -I, -Ix	1*	■											
	S-SU-F1	1*	■		□		□							
Town House (TH)	S-TH-2.5	no max	■		■	■		■						
Multi Unit (MU)	S-MU-3, -5, 8, 12, 20	no max	■		■	■		■			■			
MIXED USE COMMERCIAL ZONE DISTRICTS														
Commercial Corridor (CC)	S-CC-3, -3x, -5, -5x	no max									■	■	■	
Mixed Use (MX)	S-MX-2x	no max											■	■
	S-MX-2, -3, -5, -8, -12	no max									■	■	■	■
	S-MX-2A, -3A, -5A, -8A, -12A	no max											■	■
Main Street (MS)	S-MS-3, -5	no max									■	■		■

■ = Allowed □ = Allowed subject to limitations \*See Section 1.2.3.5 for exceptions



## SUBURBAN HOUSE

				S-SU-Fx		S-MU-3, -5, -8, -12, -20	
		S-SU-A	S-SU-D	S-SU-F	S-SU-Ix	S-SU-F1	S-SU-I
<b>A</b>	<b>HEIGHT</b>						
	Stories (max)	2.5	2.5	2.5	3	2.5	3
<b>A</b>	Feet (max)	30'	30'	30'	30'	30'	32'
	Feet, permitted height increase (max)	1' for every 5' increase in lot width over 50' up to a maximum height of 35'					
<b>B</b>	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	na
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	na

				S-SU-Fx		S-MU-3, -5, -8, -12, -20	
		S-SU-A	S-SU-D	S-SU-F	S-SU-Ix	S-SU-F1	S-SU-I
<b>C</b>	<b>SITING</b>						
	<b>ZONE LOT</b>						
	Zone Lot Size (min)	3,000 sf	6,000 sf	8,500 sf	12,000 sf	6,000 sf	6,000 sf
	Zone Lot Width (min)	25'	50'	62.5'	62.5'	50'	50'

		All S-SU, -TH, -MU Districts		
<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		25' or Less	Greater than 25' and less than 62'	62' or Greater
<b>D</b>	Primary Street, block sensitive setback required	na	yes	yes
<b>D</b>	Primary Street, where block sensitive setback does not apply (min)	15'	20'	20'
<b>E</b>	Side Street (min)	3'	5'	5'
<b>F</b>	Side Interior (min)	3'	5'	7.5'
<b>G</b>	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	50%	50%
	<b>PARKING BY ZONE LOT WIDTH</b>			
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 sf	2 Spaces and 320 sf	33%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 3.3.7.6)		
<b>H</b>	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 3.3.4		

				S-SU-Fx		S-MU-3, -5, -8, -12, -20	
		S-SU-A	S-SU-D	S-SU-F	S-SU-Ix	S-SU-F1	S-SU-I
<b>I</b>	<b>DESIGN ELEMENTS</b>						
	<b>BUILDING CONFIGURATION</b>						
	Rooftop and/or Second Story Decks	See Section 3.3.5.12					
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.					
<b>I</b>	Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater					
	<b>STREET LEVEL ACTIVATION</b>						
<b>J</b>	Pedestrian Access, Primary Street	Entry Feature					
<b>J</b>	<b>USES</b>	All S-SU, -TH, -MU Districts					
		Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking.					

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## DUPLEX

<b>HEIGHT</b>		<b>S-TH-2.5</b>	<b>S-MU-3, -5, -8, -12, -20</b>
A	Stories (max)	2.5	3
A	Feet (max)	30'	32'
	Feet, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'	
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	na
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	na
<b>SITING</b>		<b>S-TH-2.5</b>	<b>S-MU-3, -5, -8, -12, -20</b>
<b>ZONE LOT</b>			
	Zone Lot Size (min)	4,500 sf	4,500 sf
C	Zone Lot Width (min)	37.5'	37.5'
<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		<b>All S-TH and S-MU Districts</b>	
		<b>61' or Less</b>	<b>Greater than 61'</b>
D	Primary Street, block sensitive setback required	yes	yes
D	Primary Street, where block sensitive setback does not apply (min)	20'	20'
E	Side Street (min)	5'	5'
F	Side Interior (min)	5'	5'
G	Rear, alley/no alley (min)	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	50%
<b>PARKING BY ZONE LOT WIDTH</b>			
	Parking and Drive Lot Coverage in Primary Street Setback (max %)	50%	50%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec 3.3.7.6)	
H	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 3.3.4	
<b>DESIGN ELEMENTS</b>		<b>S-TH-2.5</b>	<b>S-MU-3, -5, -8, -12, -20</b>
<b>BUILDING CONFIGURATION</b>			
	Rooftop and/or Second Story Decks	See Section 3.3.5.12	
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.	
I	Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater	
<b>STREET LEVEL ACTIVATION</b>			
J	Pedestrian Access, Primary Street	Entry Feature	
<b>USES</b>		<b>All S-TH and S-MU Districts</b>	
		Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking	
See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions			

## TANDEM HOUSE

<b>HEIGHT</b>		S-SU-F1
A	Stories (max)	2.5
A	Feet (max)	30'
	Feet, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'
	Bulk Plane Slope from Side Interior/Side Street Zone Lot Line	45°
<b>SITING</b>		S-SU-F1
<b>ZONE LOT</b>		
	Zone Lot Size (min)	12,000 sf
C	Zone Lot Width (min)	62.5'
	Zone Lot Depth (min)	150'
	Number of Primary Structures per Zone Lot (max)	2
<b>SETBACKS AND BUILDING COVERAGE</b>		S-SU-F1
D	Primary Street, block sensitive setback required	yes
D	Primary Street (min)	20'
E	Side Street (min)	10'
F	Side Interior, for Primary Structure #1 (min one side/min combined)	5'/15'
G	Side Interior, for Primary Structure #2 (min one side/min combined)*	5'/15'
H	Rear, for Primary Structure #1, as a % of lot depth (min)	50%
I	Rear, for Primary Structure #2 (min)	5'
J	Minimum Spacing Between Primary Structures (min)	6'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%
<b>PARKING BY ZONE LOT WIDTH</b>		
	Parking and Drive Lot Coverage in Primary Street Setback (max %)	50%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 3.3.7.6)
	<b>DETACHED ACCESSORY STRUCTURES</b>	see Sec. 3.3.4
<b>DESIGN ELEMENTS</b>		S-SU-F1
<b>BUILDING CONFIGURATION</b>		
K	Overall Structure Width, Primary or Side Street (max)	36'
L	Overall Structure Length, Primary or Side Street (max)	42'
	Rooftop and/or Second Story Decks	See Section 3.3.5.12
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.
	Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater
<b>STREET LEVEL ACTIVATION</b>		
M	Pedestrian Access, Primary Street	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement
<b>USES</b>		S-SU-F1
		Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 3.4 Uses and Parking

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Must be offset to be visible from the street if to the rear of Primary Structure #1 (side setbacks may be reversed from Primary Structure #1)

## TOWN HOUSE

<b>HEIGHT</b>		S-TH-2.5	S-MU-3	S-MU- 5, 8, 12, 20
A	Stories (max)	2.5	3	5
A	Feet (max)	35'	40'	65'
B	Side Wall height	25'	na	na
<b>SITING</b>		S-TH-2.5	S-MU-3	S-MU- 5, 8, 12, 20
<b>ZONE LOT</b>				
	Zone Lot Size (min)	6,000 sf	6,000 sf	6,000 sf
	Zone Lot Width (min)	50'	50'	50'
	Dwelling Units per Primary Residential Structure (max)	10	na	na
<b>REQUIRED BUILD-TO</b>				
C	Primary Street (min % within min/max)	na	50% 0'/80'	50% 0'/80'
<b>SETBACKS</b>				
D	Primary Street, block sensitive setback required	yes	na	na
D	Primary Street (min)	20'	10'	10'
E	Side Street (min)	5'	5'	5'
F	Side Interior (min)	5'	5'	5'
	Side Interior, adjacent to Protected District (min)	na	10'	10'
G	Rear, alley/no alley (min)	12'/20'	10'/20'	10'/20'
	Rear, adjacent to Protected District (min)	na	na	na
<b>PARKING</b>				
	Vehicle Access	From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)		
H	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 3.3.4		
<b>DESIGN ELEMENTS</b>		S-TH-2.5	S-MU-3	S-MU- 5, 8, 12, 20
<b>BUILDING CONFIGURATION</b>				
I	Primary Street-Facing Attached Garage Door Width (max per unit)	10'	10'	10'
	Upper Story Stepback, for Flat Roof, Above 25', Primary Street, Side Street and Side Interior	10'	na	na
J	Upper Story Setback Above 40', Side, interior	na	na	15'
J	Upper Story Setback above 51', Side, interior	na	na	15'
K	Upper Story Setback Above 27', adjacent to Protected District: Side Interior	na	25'	25'
	Upper Story Setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	20'/25'
	Upper Story Setback above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)	na	na	30'/40'
L	Upper Story Setback above 51', adjacent to Protected District: Side Interior (min)	na	na	40'
	Rooftop and/or Second Story Decks	See Section 3.3.5.4 <sup>2</sup>		
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		
<b>STREET LEVEL ACTIVATION</b>				
M	Transparency, Primary Street (min)	30%	30%	30%
N	Transparency, Side Street (min)	25%	25%	25%
O	Pedestrian Access	Each unit shall have a street-facing Entrance		
<b>USES</b>		<b>All S-TH and S-MU Districts</b>		
Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking				

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

## DRIVE THRU SERVICES

<b>HEIGHT</b>		S-MX-2	S-CC-3, -3x, -5, -5x S-MX-3, -5, -8, -12 S-MS-3, -5	
A	Stories (max)	2	3	
A	Feet (max)	35'	45'	
<b>SITING</b>		S-CC-3, -3x, -5, -5x	S-MS-3, -5	S-MX-2, -3, -5, -8, -12
<b>REQUIRED BUILD-TO</b>				
B	Primary Street (min % within min/max)*	na	50% 0'/15'	na
C	Side Street (min % within min/max)*	na	50% 0'/15'	na
<b>SETBACKS</b>				
D	Primary Street (min)	0'	0'	0'
E	Side Street (min)	0'	0'	0'
F	Side Interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
G	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
<b>PARKING</b>				
	Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Not Allowed/Allowed	Allowed/Allowed
<b>DESIGN ELEMENTS</b>		S-CC-3, -3x, -5, -5x	S-MS-3, -5	S-MX-2, -3, -5, -8, -12
<b>BUILDING CONFIGURATION</b>				
H	*Canopy	na	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To.	na
I	Screening Required	See Article 10	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15'; following the standards of Article 10, Section 10.5.4.4	
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'	15'/25' S-MX-2: na
<b>STREET LEVEL ACTIVATION</b>				
J	Transparency, Primary Street (min)	40%*	60%	40%*
K	Transparency, Side Street (min)	25%*	25%	25%*
L	Pedestrian Access, Primary Street	Pedestrian Connection	Entrance	Pedestrian Connection
<b>USES</b>		All S-CC, S-MX, and S-MS		

All permitted Primary Uses shall be allowed within this building form, if the building form includes at least one of the following: limited to (1) an Automobile Services, Light and/or Primary Use, or (2) a Primary Use with Accessory Drive Thru Uses, excluding Eating & Drinking Establishments. See Division 3.4 Uses and Required Minimum Parking.

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

## DRIVE THRU RESTAURANT

<b>HEIGHT</b>		S-MX-2	S-CC-3, -3x, -5, -5x S-MX-3, -5, -8, -12 S-MS-3, -5
A	Stories (max)	2	3
A	Feet (max)	35'	45'

<b>SITING</b>		S-CC-3, -3x, -5, -5x	S-MX-2, 3, -5, -8, -12	S-MS-3, -5
<b>REQUIRED BUILD-TO</b>				
B	Primary Street (min % within min/max)	na	50% 0'/80'	50% 0'/35'
C	Side Street (min % within min/max)	na	na	50% 0'/18'
<b>SETBACKS</b>				
D	Primary Street (min)	0'	0'	0'
E	Side Street (min)	0'	0'	0'
F	Side Interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
G	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District , alley/no alley (min)	0'/10'	0'/10'	0'/10'

<b>PARKING</b>				
	Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed	Not allowed/Not Allowed
	Drive Thru Lane between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed	Allowed/Allowed
H	Drive Thru Lane Width (max)	na	na	12'
I	Drive Thru Lane Screening	na	na	Garden Wall, following the standards of Article 10, Section 10.5.4.4

<b>DESIGN ELEMENTS</b>		S-CC-3, -3x, -5, -5x	S-MX-2, -3, -5, -8, -12	S-MS-3, -5
<b>BUILDING CONFIGURATION</b>				
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25' S-MX-2: na	15'/25'
<b>STREET LEVEL ACTIVATION</b>				
J	Transparency, Primary Street (min)	40%*	40%	60%
K	Transparency, Side Street (min)	25%*	25%	25%
L	Pedestrian Access, Primary Street	Pedestrian Connection	Pedestrian Connection	Entrance and Pedestrian Connection

<b>USES</b>		All S-CC, S-MX, and S-MS		
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All permitted Primary Uses shall be allowed within this building form, if the building form includes a minimum of one limited to an Eating & Drinking Establishment Primary Use with Accessory Drive Thru Use Only. See Division 3.4 Uses and Required Minimum Parking.

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

**GENERAL (1 OF 3)**

	S-CC-3 S-CC-3x	S-CC-5 S-CC-5x
<b>HEIGHT</b>		
Stories (max)	3	5
Feet (max)	45'	70'
Feet, within 175' of Protected District (max)	na	na
Height Exceptions	See Section 3.3.7.1	

	S-CC-3, -3x, -5, -5x
<b>SITING</b>	
<b>SETBACKS</b>	
Primary Street (min)	0'
Side Street (min)	0'
Side Interior (min)	5'
<b>A</b> Side Interior, adjacent to Protected District (min)	10'
Rear (min)	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4
<b>PARKING</b>	
<b>B</b> Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed
<b>C</b> Surface Parking Screening	See Article 10, Division 10.5
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)
Vehicle Access, all other permitted uses	Access determined at Site Development Plan Review

	S-CC-3 S-CC-3x	S-CC-5 S-CC-5x
<b>DESIGN ELEMENTS</b>		
<b>BUILDING CONFIGURATION</b>		
<b>D</b> Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'
<b>E</b> Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'
<b>STREET LEVEL ACTIVATION</b>		
<b>F</b> Transparency, Primary Street (min)	40%* Residential Only Buildings: 30%*	
<b>G</b> Transparency, Side Street (min)	25%*	
Transparency Alternatives	See Section 3.3.6.23	
<b>H</b> Pedestrian Access, Primary Street	Pedestrian Connection	
<b>USES</b>	All S-CC	

All permitted Primary Uses shall be allowed within this building form. See Division 3.4 Uses and Parking

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

**GENERAL (2 OF 3)**

<b>HEIGHT</b>	S-MX-2x	S-MX-2	S-MX-3	S-MX-5	S-MX-8	S-MX-12
Stories (max)	2	2	3	5	8	12
Feet (max)	35'	35'	45'	70'	110'	150'
Feet, within 175' of Protected District (max)	na	na	na	na	75'	75'
Height Exceptions	See Section 3.3.7.1					

<b>SITING</b>	All S-MX Option A	All S-MX Option B
<b>RESTRICTION</b>	na	Allowed only if <b>Street Level GFA ground-story</b> is equal or greater than 20,000 <b>sf square feet</b>

<b>REQUIRED BUILD-TO</b>		
<b>A</b> Primary Street (min build-to % within min/max range)	50% 0'/80'	50% 0'/150'
Build-to Exceptions and Alternatives	See Sections 3.3.7.2 and 3.3.6.1	See Sections 3.3.7.2 and 3.3.6.1

<b>SETBACKS</b>		
Primary Street (min)	0'	0'
Side Street (min)	0'	0'
Side Interior (min)	0'	0'
<b>B</b> Side Interior, adjacent to Protected District (min)	10'	10'
Rear (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	S-MX-2x: 0'/5' 0'/10'	S-MX-2x: 0'/5' 0'/10'
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4	See Sections 3.3.7.3 and 3.3.7.4

<b>PARKING</b>		
<b>C</b> Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed	Allowed, limited to two double loaded aisles within the Build-To range/Allowed
<b>D</b> Surface Parking Screening	See Article 10, Division 10.5	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15'; following the standards of Article 10, Section 10.5.4.4
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)	
Vehicle Access, all other permitted uses	Access determined at Site Development Plan Review	

<b>DESIGN ELEMENTS</b>	S-MX-2x	S-MX-2	S-MX-3	S-MX-5	S-MX-8	S-MX-12
<b>BUILDING CONFIGURATION</b>						
<b>E</b> Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	15'/25'	20'/25'	20'/25'	20'/25'
<b>F</b> Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	na	35'/40'	35'/40'	35'/40'

<b>STREET LEVEL ACTIVATION</b>		
<b>G</b> Transparency, Primary Street (min)	40%* Residential Only Buildings: 30%*	
<b>H</b> Transparency, Side Street (min)	25%*	
Transparency Alternatives	See Section 3.3.6.23	
<b>I</b> Pedestrian Access, Primary Street	Pedestrian Connection	

<b>USES</b>	All S-MX
	All permitted Primary Uses shall be allowed within this building form See Division 3.4 Uses and Parking

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street



**GENERAL (3 OF 3)**

<b>HEIGHT</b>	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
Stories (max)	2	3	5	8	12
Feet (max)	35'	45'	70'	110'	150'
Feet, within 175' of Protected District (max)	na	na	na	75'	75'
Height Exceptions	See Section 3.3.7.1				

<b>SITING</b>	S-MX-2A, -3A, -5A, -8A, -12A
<b>REQUIRED BUILD-TO</b>	
A Primary Street (min build-to % within min/max range)	60% 0'/20'
Side Street (min build-to % within min/max range)	na
Build-to Exceptions and Alternatives	See Sections 3.3.7.2 and 3.3.6.1
<b>SETBACKS</b>	
Primary Street (min)	0'
Side Street (min)	0'
Side Interior (min)	0'
B Side Interior, adjacent to Protected District (min)	10'
Rear (min)	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4
<b>PARKING</b>	
C Surface Parking between building and Primary Street/ Side Street	Not Allowed/Allowed
D Surface Parking Screening	See Article 10, Division 10.5
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review

<b>DESIGN ELEMENTS</b>	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
<b>BUILDING CONFIGURATION</b>					
E Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	15'/25'	20'/25'	20'/25'	20'/25'
F Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	35'/40'	35'/40'	35'/40'
<b>STREET LEVEL ACTIVATION</b>					
G Transparency, Primary Street (min)	40% Residential Only Buildings: 30%				
H Transparency, Side Street (min)	25%				
Transparency Alternatives	See Section 3.3.6.23				
I Pedestrian Access, Primary Street	Entrance				

<b>USES</b>
(1) All permitted Primary Uses shall be allowed within this building form; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 3.3.5.23.

## SHOPFRONT

	S-MX-2	S-MS-3	S-MS-5		
	S-MX-2x	S-MX-3	S-MX-5	S-MX-8	S-MX-12
HEIGHT	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
Stories (max)	2	3	5	8	12
Feet (min/max)	na/35'	na/45'	24'/70'	24'/110'	24'/150'
Height Exceptions	See Section 3.3.7.1				

	S-MX-2	S-MS-3	S-MS-5		
	S-MX-2x	S-MX-3	S-MX-5	S-MX-8	S-MX-12
SITING	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
<b>REQUIRED BUILD TO</b>					
Primary Street (min build-to % within min/max range)			75%		
			0'/5' Residential Only Buildings: 0'/10'		
Side Street (min build-to % within min/max range)			25%		
			0'/5' Residential Only Buildings: 0'/10'		
Build-to Exceptions and Alternatives	See Sections 3.3.7.2 and 3.3.6.1				

<b>SETBACKS</b>					
Primary Street (min)			0'		
Side Street (min)			0'		
Side Interior (min)			0'		
Side interior, adjacent to Protected District (min)			10'		
Rear, (min)			0'		
Rear, adjacent to Protected District, alley/no alley (min)			0'/10'		
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4				

<b>PARKING</b>					
Surface Parking between building and Primary Street/Side Street	Not Allowed ( <a href="#">Sec. 3.3.5.1</a> )/Not Allowed ( <a href="#">Sec. 3.3.5.1</a> )				
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)				
Vehicle Access, all other permitted uses	Access determined at Site Development Plan Review				
Surface Parking Screening	See Article 10, Division 10.5				

	S-MX-2	S-MS-3	S-MS-5		
	S-MX-2x	S-MX-3	S-MX-5	S-MX-8	S-MX-12
DESIGN ELEMENTS	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A

<b>BUILDING CONFIGURATION</b>					
Primary Street Upper Story Setback above 5 stories or 70' (min) See Section 3.3.6.2 for Alternative	na	na	na	20'	20'
Upper Story Setback above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	15'/25'	20'/25'	20'/25'	20'/25'
Upper story setback above 51' adjacent to Protected District: Rear, alley/no alley and Side Interior (min)	na	na	35'/40'	35'/40'	35'/40'

<b>STREET LEVEL ACTIVATION</b>					
Transparency, Primary Street (min)			60%		
			Residential Only Buildings: 40%		
Transparency, Side Street (min)			25%		
Transparency Alternatives	See Section 3.3.6.23				
Pedestrian Access, Primary Street	Entrance				

USES	All S-MS and S-MX Zone Districts				
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(1) All permitted Primary Uses shall be allowed within this building form. See Division 3.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in Section 3.3.5.23.

## SECTION 3.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 3.3.4.1 Applicability

All detached accessory structures in all the Suburban Neighborhood Context zone districts

### 3.3.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically Allowed**

~~Allowed~~ The following detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. Buildings Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses, and other similar Completely Enclosed Structures.~~

**2. Underground Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures. Swimming pools, storm and fallout shelters~~

**3. Unenclosed Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.~~

**4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

~~Examples include, but are not limited to the following:~~

- a. ~~Carports~~
- b. ~~Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas~~
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar thermal and photo-voltaic energy systems
- e. Air conditioning units
- f. Pool pumps, heating and water filtration systems
- g. Mailboxes including individual mailbox structures and cluster box units (CBUs)
- h. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

**5. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 3.3.4, Detached Accessory Building Form Standards.

**6. Detached Accessory Structures Not Specifically Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 3.3.4.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 3.3.4.

**3.3.4.3 Supplemental Standards****A. Additional Standards for Detached Accessory Structures in All Zone Districts****1. Gross Floor Area**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

**2. Building Coverage**

All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

**B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings****1. Required Building Materials**

All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

**2. Access and Contiguity**

Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

**3.3.4.4 District Specific Standards Summary**

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

## DETACHED ACCESSORY DWELLING UNIT

<b>HEIGHT</b>		S-SU-F1	S-TH-2.5	S-MU-3, -5, -8, -12, -20
A	Stories (max)	1.5	1.5	1.5
A	Feet (max)	24'	24'	24'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	na
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	na

<b>SITING</b>		S-SU-F1	S-TH-2.5	S-MU-3, -5, -8, -12, -20
<b>ZONE LOT</b>				
	Zone Lot Size (min)	8,500 sf	6,000 sf	6,000 sf
	Zone Lot Depth (min)	150'	na	na
	Additional Standards	See Section 3.3.4.3		
<b>SETBACKS</b>				
	Location	Located in the rear 35% of the zone lot depth		
C	Side Interior and Side Street (min)	5'	5'	5'
D	Rear (min)	5'	5'	5'
<b>PARKING</b>				
	Vehicle Access	From Alley; or Street access allowed when no Alley present see Sec. 3.3.7.6 for exceptions		

<b>DESIGN ELEMENTS</b>		S-SU-F1 Only By Zone Lot Size			S-TH-2.5, S-MU-3, -5, -8, -12, -20
		6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf	
<b>BUILDING CONFIGURATION</b>					
	Building Footprint (max)	650 sf	864 sf	1,000 sf	1,000 sf
	Habitable Space (max)	650 sf	864 sf	1,000 sf	na
E	Horizontal Dimension (max)	36'	36'	36'	36'
	Rooftop and/or Second Story Decks	Not allowed - See Section 3.3.5.4			
<b>USES</b>		S-SU-F1; S-TH-2.5; All S-MU			
Accessory Uses Only <a href="#">Accessory to a Primary Single Unit Dwelling Use</a> , including accessory dwelling unit where permitted. See Division 3.4 for permitted Accessory Uses					

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

**SECTION 3.3.5 SUPPLEMENTAL DESIGN STANDARDS**

**3.3.5.1 Surface Parking Between the Building and the Primary/Side Street**

**A. Intent**

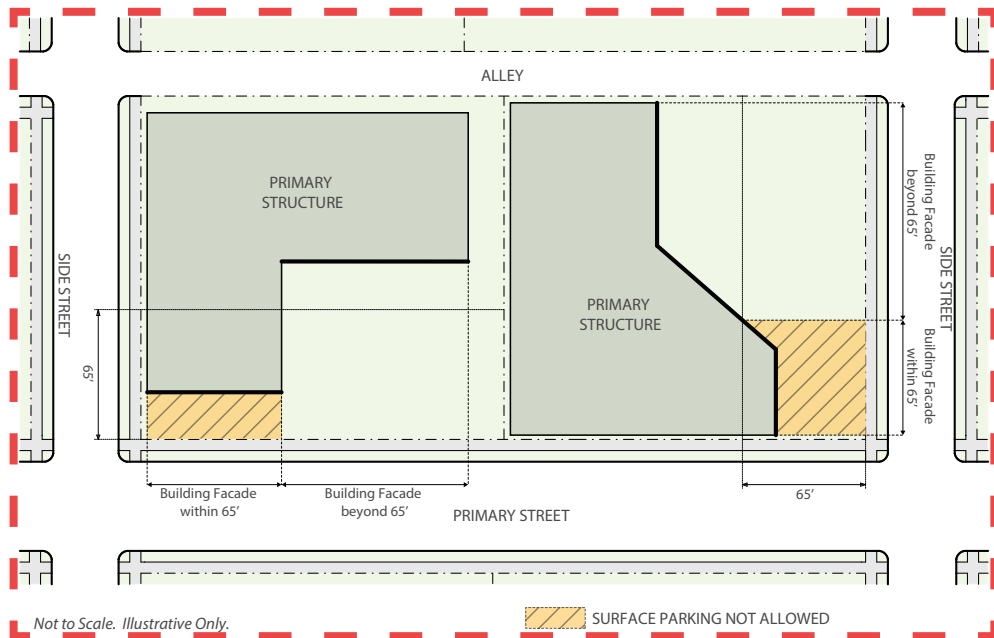
Allow for the functional siting of Buildings and Surface Parking while continuing to minimize the impacts of Surface Parking on the pedestrian experience.

**B. Applicability**

This Section 3.3.5.1 applies to the Shopfront building form in the S-MS zone districts.

**C. Surface Parking Not Allowed**

Where a building form specifies that Surface Parking is not allowed between a Building and a Primary Street and/or Side Street, Surface Parking shall not be located in the area directly between any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street.



**3.3.5.2 Rooftop and/or Second Story Decks**

**A. Intent**

To protect the privacy of adjacent rear yards in low-scale residential neighborhoods.

**B. Applicability**

All S-SU and S-TH zone districts

**C. Supplemental Design Standard**

1. Rooftop and/or Second Story Decks are prohibited in the rear 35% of the zone lot depth.
2. The Zoning Administrator may prohibit other similar structures in the rear 35% of the zone lot depth, including detached or freestanding structures, but excluding the detached accessory dwelling unit building form where allowed, when the Zoning Administrator finds the structure would have similar adverse privacy impacts as the specifically prohibited Rooftop and/or Second Story Deck.

### 3.3.5.3 Street Level Active Uses in the S-MX-2A, -3A, -5A, -8A, -12A and S-MS Zone Districts

#### A. Intent

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

#### B. Applicability

This Section 3.3.5.23 applies to the General building form in the S-MX-2A, -3A, -5A, -8A, -12A zone districts and the Shopfront building form in the S-MS zone districts.

#### C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:
  - a. Mini-storage Facility; or
  - b. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
  - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
5. The length of any build-to alternatives permitted by Section 3.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

## SECTION 3.3.6 DESIGN STANDARD ALTERNATIVES

### 3.3.6.1 Required Build-To Alternatives

#### A. Intent

To help define the public realm and enhance the visual quality of the built environment where it is not possible to do so with building facades.

#### B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.E.

REQUIRED BUILD-TO ALTERNATIVES							
ZONE DISTRICT	PERMANENT OUTDOOR PATIO SEATING (MAX INCREASE IN BUILD-TO RANGE)	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	PERGOLA (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)	COURTYARD (MAX % OF BUILD-TO)
S-MU S-CC S-MS	na	na	25%**	30%**	30%**	100%	na
S-MX	10**	na	25%**	30%**	30%**	100%	na

\*Permitted increase in the maximum depth of the required build-to range.

\*\*If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than 30% of required build-to.

**3.3.6.2 Primary Street Upper Story Setback**

**A. Intent**

To provide flexibility while maintaining and promoting a pedestrian-scaled primary street.

**B. Applicability**

S-MX-8, S-MX-8A, S-MX-12, S-MX-12A

**C. Alternative**

When the building is placed at 0 feet on the Primary Street Zone Lot Line, then the Upper Story Setback above 5 stories or 70 feet may be reduced to 15 feet. This alternative only applies to portions of buildings placed at 0 feet on the Primary Street Zone Lot Line. Therefore, any portions of the building placed beyond 0 feet shall meet the Upper Story Setback stated in the building form table.

**3.3.6.3 Transparency Alternatives**

**A. Intent**

To provide visual interest on building facades, to activate the public street and sidewalk, and enhance the visual quality of the built environment along Street Level facade areas where windows do not provide sufficient transparency.

**B. Allowance**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.6.2.A.4:

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
S-MU	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
S-CC	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
S-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
S-MS	Primary Street	40%	50%	60%	40%	50%
	Side Street	40%	50%	80%	40%	50%

\*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.



**2. Standard**

Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

**3.3.7.3 Setback Exceptions**

**A. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

**B. Standard**

In all S- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**3.3.7.4 Setback Encroachments [Bulleted lists added to following tables]**

**A. Intent**

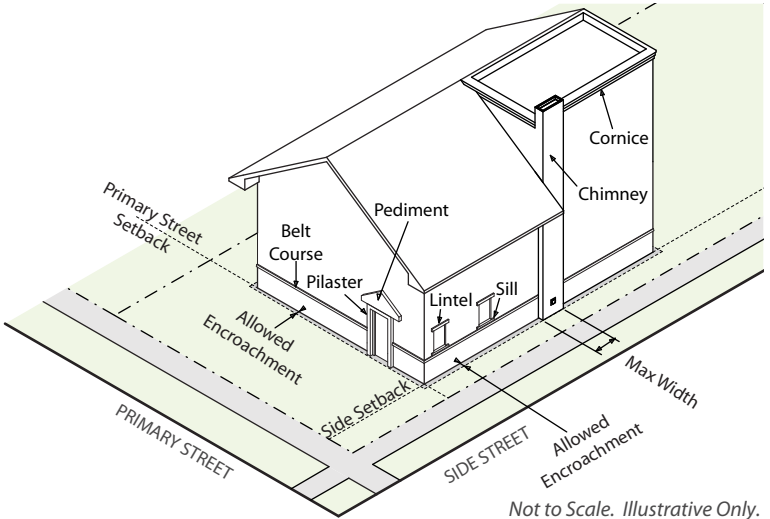

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.

**B. Standard**


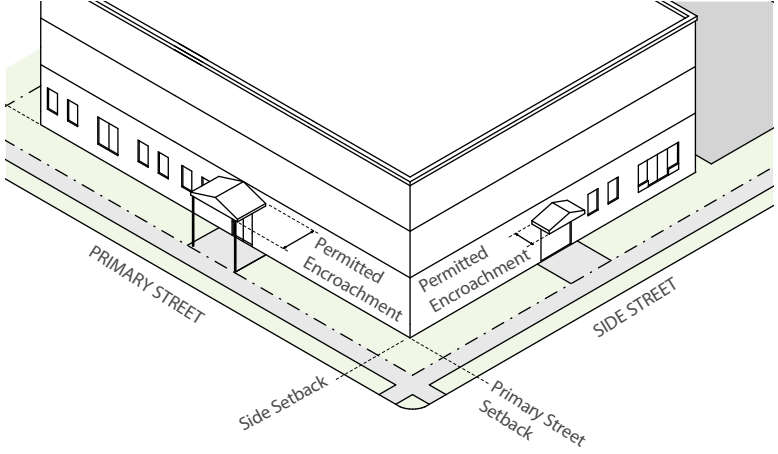
Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:


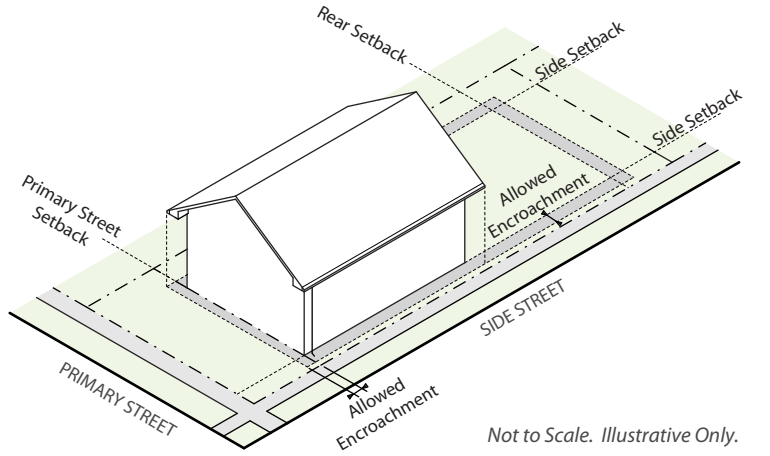
**1. Architectural Elements**

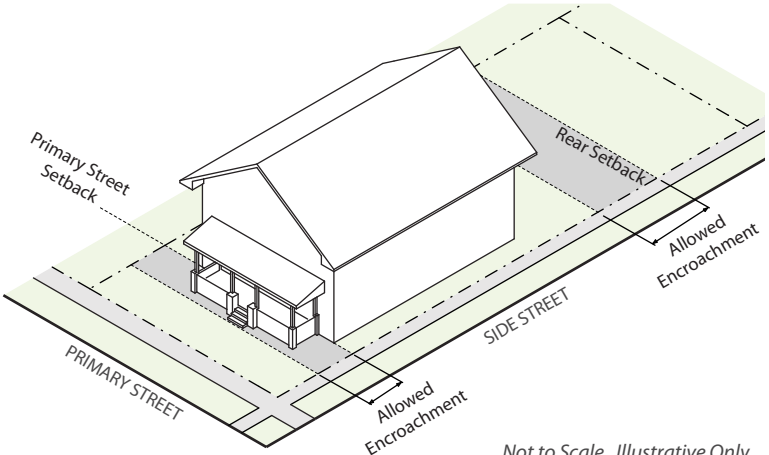

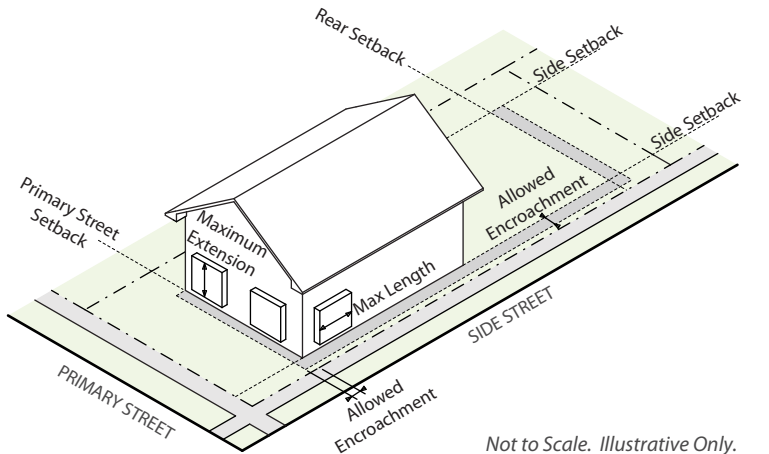

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width	All S- Zone Districts	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’; if setback is less than 5’: 2’	1.5’ Cornices only: 5’
Intent: To allow common, minor decorative elements which are integral to a building.					
 <p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All S- Zone Districts	6"	6"	6"	6"
Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: <ul style="list-style-type: none"> <li>• Shall be no more than 8' maximum in horizontal width;</li> <li>• Shall be open on three sides;</li> <li>• May include an at-grade landing.</li> </ul>	All S-SU, S-TH Zone Districts	3'	3'	3'; if setback is less than 5': 2' and at no point closer than 2' to a property line.	Not allowed
Intent: To provide for covering over an entrance to protect from weather. Unlike the Porch encroachment, canopy is allowed in Side Interior.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>Shall be open on three sides.</li> </ul>	All S- Zone Districts, except S-SU and S-TH	Any distance	Any distance	Not allowed	Not allowed
<p>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p>	All S- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
<p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <b>Street Level ground story</b> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul>	All S- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All S- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					


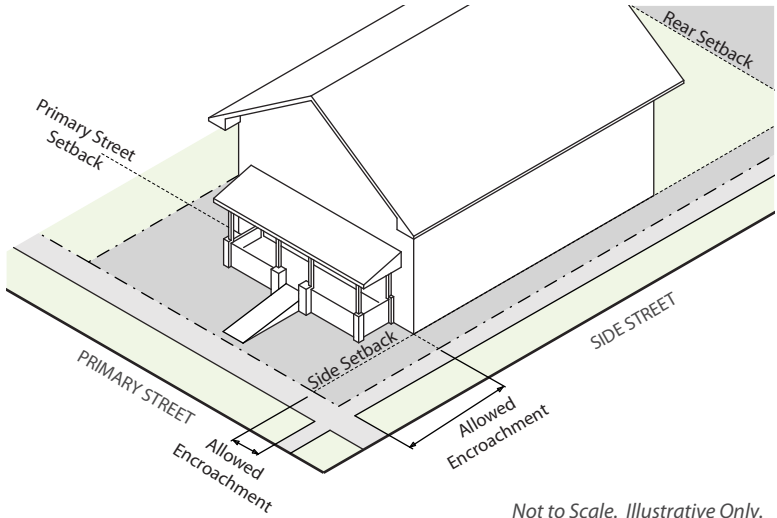
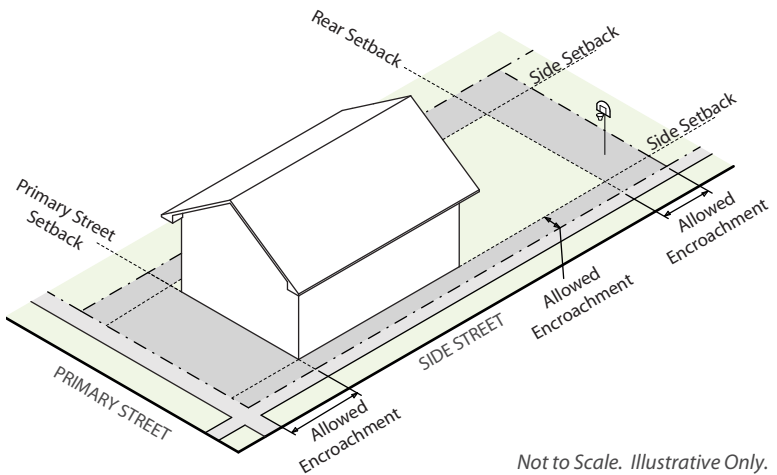
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Townhouse and Apartment building forms	<u>All S-TH and S-MU Zone Districts</u>	<u>Not allowed</u>	<u>Not allowed</u>	<u>Allowed within the rear 35% of the Zone Lot only</u>	<u>Any distance</u>
Intent: To restrict off-street parking area where it is impactful due to the number of required parking spaces.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Drive or Driveway for Suburban House, Duplex, and Tandem House building forms</u>	<u>All S-SU, S-TH, S-MU Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Drive or Driveway for Townhouse and Apartment building forms</u></p> <p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.</u></p>  <p><i>Illustrative only</i></p>	<p>All S-TH and S-MU Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Not allowed (*see exception below)</p>	<p>Any distance</p>
 <p>See Exception</p> <p>PRIMARY STREET</p> <p>Not to Scale. Illustrative Only.</p>					
<p>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</p> <ul style="list-style-type: none"> <li>• The Side Interior setback Abuts a public Alley;</li> <li>• Other public right-of-way, or an easement for public access Abutting a public Alley; or</li> <li>• Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</li> </ul>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Flatwork providing pedestrian access to entrances and buildings:</u></p> <p><u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u></p>  <p><i>Illustrative only</i></p>	<p>All S- Zone Districts</p>	<p>Any distance, but may not exceed 50% of the area within the setback</p>	<p>Any distance, but may not exceed 50% of the area within the setback</p>	<p>Maximum of 5' wide: Any distance</p>	<p>Maximum of 5' wide: Any distance</p>
 <p>Not to Scale. Illustrative Only.</p>					

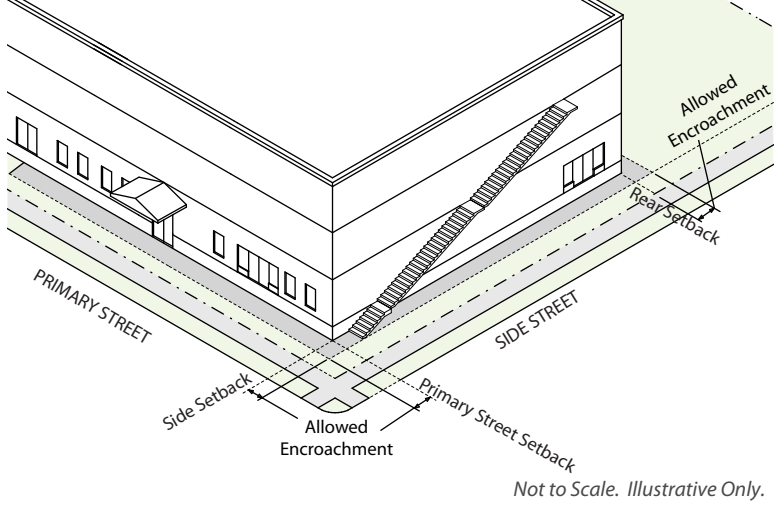
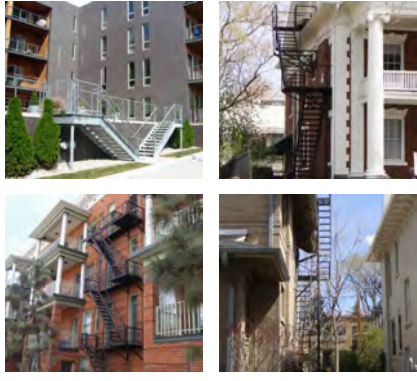
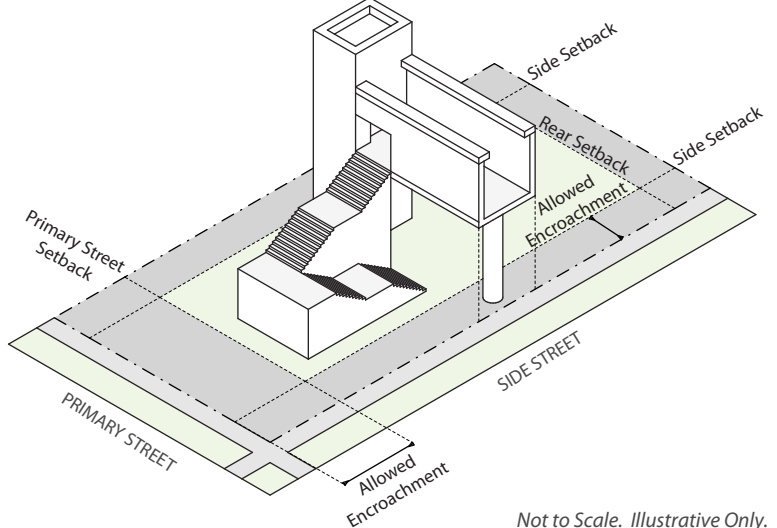

**3. Service & Utility Elements**


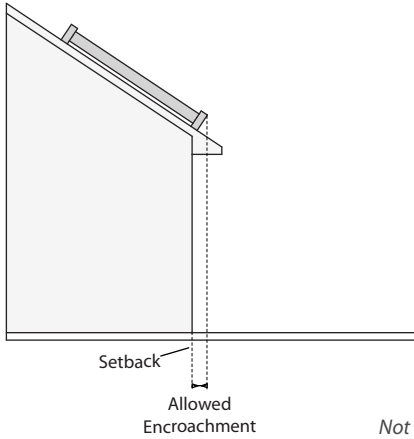
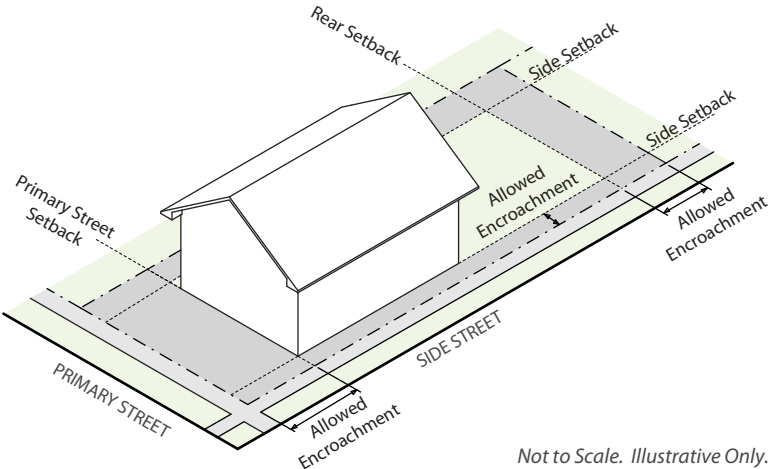
To allow for minor service and utility elements while maintaining an open and unobstructed setback space.


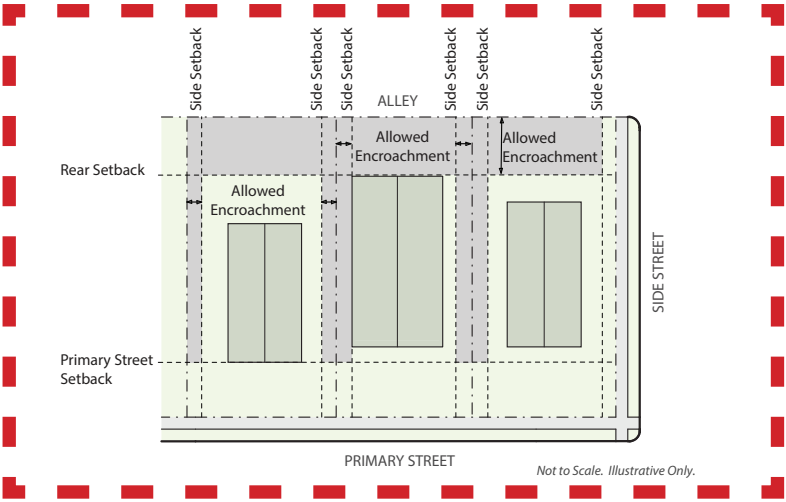

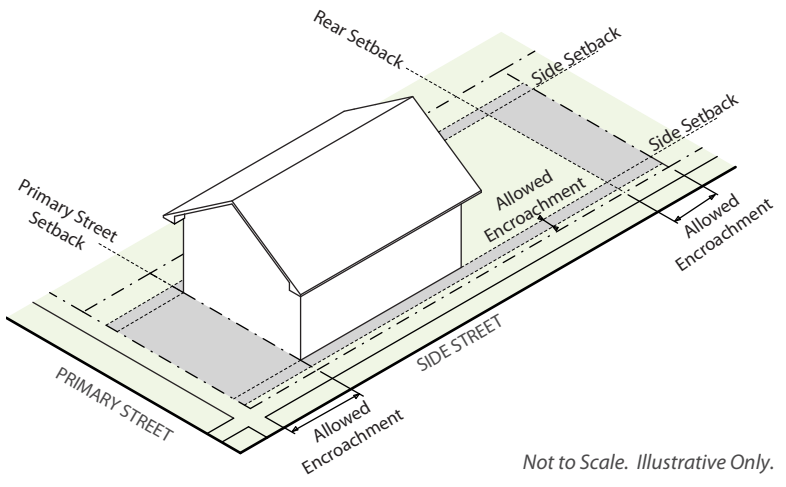
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access <b>ramps structures</b> providing access to <b>existing</b> buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</p> <ul style="list-style-type: none"> <li>• Setback encroachments for required barrier-free access <b>ramps structures</b> are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>• Such <b>ramps barrier-free access structures</b> shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To provide flexibility in the location of required barrier-free access to <b>existing</b> buildings.</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
		 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			

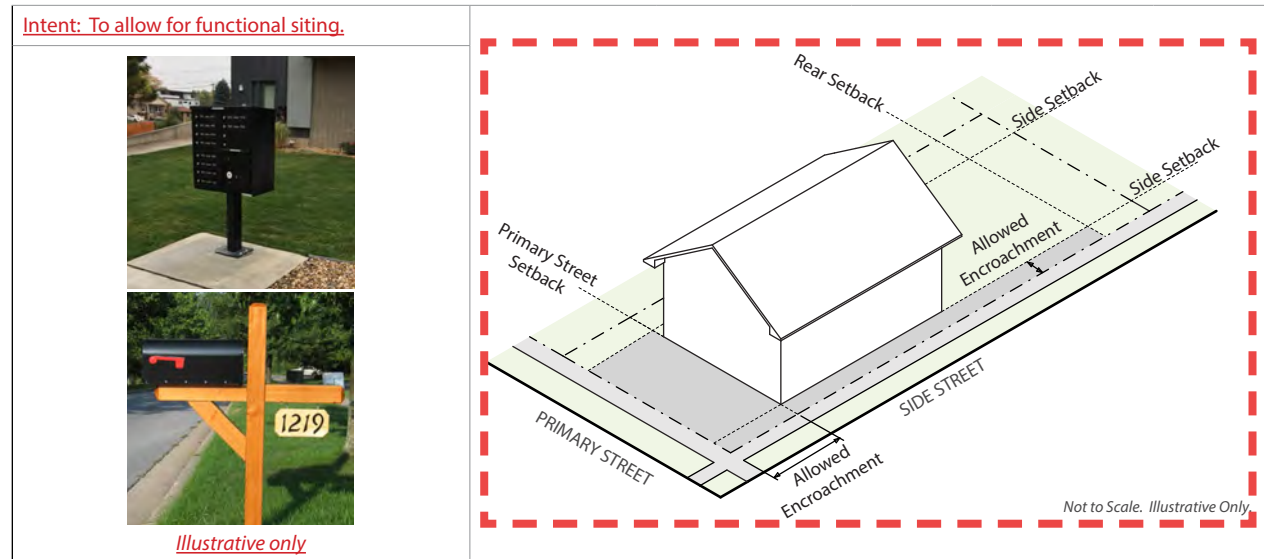
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:	All S- Zone Districts	Not allowed	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice
<ul style="list-style-type: none"> <li>• Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the DRMC;</li> <li>• Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>• Does not exceed 2 units per zone lot;</li> <li>• Has adequate screening to conceal it from view from adjacent properties and public rights-of way by means of landscaping and/or fencing; and</li> <li>• The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>					
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers <ul style="list-style-type: none"> <li>• located behind the front of the primary structure and</li> <li>• screened from adjacent properties and public rights-of-way, and</li> <li>• not to exceed the noise standards of D.R.M.C. Section 36-6</li> </ul>	All S- Zone Districts	Not allowed	3'	3'	Not allowed
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p>	All S- Zone Districts	5'	3'	3'	10'
<p>Intent: To provide for egress from a building only for emergency purposes</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station:</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul>	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for above-grade connections to and from transit stations</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, Flush Mounted Roof	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p><i>Illustrative only</i></p>	 <p>Setback                  Allowed Encroachment  <i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 3' in height.	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for functional siting.</p>	 <p>Primary Street Setback                  Rear Setback                  Side Setback                  Allowed Encroachment                  PRIMARY STREET                  SIDE STREET                  Allowed Encroachment  <i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>• Greater than 3' in height but not exceeding 8' in height above Finished Grade.</li> </ul> <p>Intent: To allow for functional siting.</p>  <p><i>Illustrative only</i></p>	<p>All S-TH, S-MU, S-CC, S-MX, and S-MS Zone Districts</p>	<p>Not allowed</p>	<p>Not allowed</p>	<p>Any distance</p>	<p>Any distance</p>
		 <p>Not to Scale. Illustrative Only.</p>			
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas:</p> <ul style="list-style-type: none"> <li>• Shall be below grade.</li> </ul> <p>Intent: To allow for emergency egress</p>  <p><i>Illustrative only</i></p>	<p>All S- Zone Districts</p>	<p>Any distance for any width</p>	<p>Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line</p>	<p>Any distance for any width</p>	
		 <p>Not to Scale. Illustrative Only.</p>			
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u></p>	<p>All S-Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Not allowed</p>	<p>Not allowed</p>



### 3.3.7.5 Building Coverage Exception

#### A. Applicability

All S-SU, S-TH, and S-MU zone districts where a building coverage standard applies.

#### B. Front Porch

##### 1. Intent

To promote street activation.

##### 2. Standard

Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

#### C. Detached ADU or Detached Garage

##### 1. Intent

To promote openness between buildings located in the front and back of the lot.

##### 2. Standard

Area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See those building forms for the applicable zone district.

### 3.3.7.6 Vehicle Access From Alley Required - Exceptions

#### A. No Alley

Where a building form specifies “street access allowed when no **aAlley** present”, vehicle access from the street is allowed when a **Zzone Llot** is not bounded by an **aAlley**.

#### B. Alley

Where a building form specifies vehicle access from **aAlley** is required, and the **Zzone Llot** is bounded by an **aAlley**, any newly constructed **Ddriveways**, **Off-Street Parking Area driving aisle**, **Ggarage**, **Cearport**, or other parking facility shall be accessed solely from an **aAlley**, unless:

1. The **aAlley** is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The **aAlley** is less than 12 feet in width;

3. At least 60 percent of the existing ~~dwelling units~~ Zone Lots on the same ~~face~~ Block are served by ~~Driveways, Off-Street Parking Areas, driving aisles, Garages, Carports,~~ or other parking facilities accessed ~~directly~~ from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
4. The Department of Public Works prohibits the use of the ~~a~~Alley for vehicular access to the ~~zone~~ Lot based upon a determination that the ~~a~~Alley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; ~~or~~
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 3.3.7.6, then vehicular Alley access is required.

## SECTION 3.3.8 REFERENCE TO OTHER DESIGN STANDARDS

### 3.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

- A. Parking and Loading: Division 10.4
- B. Landscaping, Fences, Walls and Screening: Division 10.5
- C. Site Grading: Division 10.6
- D. Outdoor Lighting: Division 10.7
- E. Signs: Division 10.10

## SECTION 3.4.4 DISTRICT SPECIFIC STANDARDS

KEY: \* = Need Not be Enclosed    P = Permitted Use without Limitations    L = Permitted Use with Limitations    NP = Not Permitted Use  
 ZP = Zoning Permit Review    ZPIN = Subject to Zoning Permit Review with Informational Notice    ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	S-SU-A	S-SU-D	S-SU-F	S-SU-Fx	S-SU-F1	S-SU-Ix	S-SU-I	S-TH-2.5	S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20	S-CC-3x	S-CC-3	S-CC-5	S-MX-2x	S-MX-2	S-MX-2A	S-MX-3	S-MX-3A	S-MX-5	S-MX-5A	S-MX-8	S-MX-8A	S-MX-12	S-MX-12A	S-MS-3	S-MS-5	APPLICABLE USE LIMITATIONS
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>																															
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Dwelling, Two Unit • Vehicle: 1.25/unit • MS only: 1/unit • Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.2.2	
	Dwelling, Multi-Unit • Vehicle - MS only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.2.3	
	Dwelling, Live / Work • Vehicle - MS only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	NP	NP	NP	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.2.4	
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	NP L-ZPIN	NP L-ZPIN	P-ZPIN	P-ZPIN	P-ZPIN	P-ZPIN	P-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.2.6, \$11.2.8	
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	NP	NP	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.2.6, \$11.2.7
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.2.7, \$11.2.8
	Rooming and Boarding House • Vehicle - MS only: 2 / 1,000 sf GFA • Vehicle: 5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L	L	L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	\$11.2.9
Student Housing • Vehicle - MS only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>																															
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	\$11.3.1	
	Utility, Minor Impact* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.3.2	



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When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS										
		S-SU-Fx S-SU-Ix	S-SU-A S-SU-D S-SU-F S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2 S-MX-2A	S-MX-3 S-MX-3A S-MX-5 S-MX-5A S-MX-8 S-MX-8A S-MX-12 S-MX-12A	S-MS-3 S-MS-5	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZPIN	L-ZP	L-ZP	L-ZP	\$11.4.11; \$11.4.12
	Animal Sales and Services, All Others	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Body Art Establishment • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	\$11.4.10 \$11.4.13
	Food Sales or Market • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	P-ZP	P-ZP	L-ZP	L-ZP	P-ZP	P-ZP	\$11.4.14
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	<del>Liquor Store, Including Drug stores Licensed to Sell Liquor</del> <del>• Vehicle - MS only: 2/1,000 sf GFA</del> <del>• Vehicle: 2.5/ 1,000 sf GFA</del> <del>• Bicycle: 1/20,000 sf GFA (20/80)</del>	<del>NP</del>	<del>NP</del>	<del>NP</del>	<del>NP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZPIN</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>\$11.4.10 \$11.4.12</del>
	Pawn Shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	NP	L-ZP	L-ZPIN	L-ZPIN	NP	NP	\$11.4.10 \$11.4.14
	Retail Sales, Service & Repair - Firearms Sales • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	NP	P-ZP	NP	NP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	P-ZP	P-ZP	L-ZP/ L-ZPIN	L-ZP	P-ZP	P-ZP	\$11.4.810



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 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)											APPLICABLE USE LIMITATIONS
		S-SU-Fx S-SU-Ix	S-SU-A S-SU-D S-SU-F S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2 S-MX-2A	S-MX-3 S-MX-3A S-MX-5 S-MX-5A S-MX-8 S-MX-8A S-MX-12 S-MX-12A	S-MS-3 S-MS-5	
Wholesale, Storage, Warehouse & Distribution	Vehicle Storage, Commercial* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZPIN	NP	NP	NP	NP	\$11.5.24
	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	P-ZPIN	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	\$11.5.26
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>												
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban* • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.6.4
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>												
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$11.7
	Accessory Dwelling Unit	NP	S-SU-F1 only: L-ZP; All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.2
	Domestic Employee Garden*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.3
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	\$11.7; \$11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						\$11.7; \$11.8.7
	Outdoor Storage, Residential*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.8
	Short-term Rental	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.9
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses						\$11.8; \$11.5.13
	Yard or Garage Sales*	L	L	L	L	L	L	L	L	L	L	\$11.8; \$11.8.10

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## DIVISION 4.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 4.1.1 GENERAL CHARACTER

The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House forms with some and Suburban House building forms. Multi-unit building forms are typically the Town House, Garden Court, or Apartment building forms embedded with other residential formsuses. Commercial buildings are typically the Shopfront and General building forms that typically contain a single type of use. Single and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential and commercial uses are located along local streets, arterials, and main streets.

### SECTION 4.1.2 STREET, BLOCK AND ACCESS PATTERNS

The Urban Edge Neighborhood Context consists of a regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid. Orthogonal streets provide connection and a mixed presence of alleys. Block sizes and shapes are consistent and include attached, detached and non-existent sidewalks, treelawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.

### SECTION 4.1.3 BUILDING PLACEMENT AND LOCATION

Single-, two-unit and multi-unit residential buildings typically have consistent moderate to deep front setbacks. Building orientation along a block face may be inconsistent or consistent. Commercial buildings typically have consistent orientation and front setbacks deep enough to allow for a mix of landscaping and some parking.

### SECTION 4.1.4 BUILDING HEIGHT

The Urban Edge Neighborhood Context is characterized by low scale buildings except for some mid-rise commercial and mixed use structures, particularly at nodes or along arterial streets.

## DIVISION 4.2 DISTRICTS (E-SU-, E-TU-, E-TH-, E-CC-, E-MX-, E-RX-, E-MS-)

### SECTION 4.2.1 DISTRICTS ESTABLISHED

To carry out the provisions of this Article, the following zone districts have been established in the Urban Edge Neighborhood Context and are applied to property as set forth on the Official Map.

#### Urban Edge Neighborhood Context

E-SU-A	Single Unit A
E-SU-B	Single Unit B
E-SU-D	Single Unit D
E-SU-Dx	Single Unit Dx
E-SU-D1	Single Unit D1
E-SU-D1x	Single Unit D1x
E-SU-G	Single Unit G
E-SU-G1	Single Unit G1
E-TU-B	Two Unit B
E-TU-C	Two Unit C
E-TH-2.5	Town House 2.5
E-MU-2.5	Multi Unit 2.5
E-CC-3	Commercial Corridor 3
E-CC-3x	Commercial Corridor 3x
E-MX-2	Mixed Use 2
E-MX-2A	Mixed Use 2A
E-MX-2x	Mixed Use 2x
E-MX-3	Mixed Use 3
E-MX-3A	Mixed Use 3A
<u>E-RX-3</u>	<u>Residential Mixed Use 3</u>
E-RX-5	Residential Mixed Use 5
E-MS-2	Main Street 2
E-MS-2x	Main Street 2x
E-MS-3	Main Street 3
E-MS-5	Main Street 5

### SECTION 4.2.2 RESIDENTIAL DISTRICTS (E-SU-A, -B, -D, -DX, -D1, -D1x, -G, -G1, E-TU-B, -C, E-TH-2.5, E-MU-2.5)

#### 4.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.
- B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and town house districts promote existing and future patterns of lower scale multi unit building forms that typically address the street in the same manner as an urban house building form.

#### 4.2.4.2 Specific Intent

**A. Mixed Use – 2 (E-MX-2)**

E-MX-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

**B. Mixed Use- 2A (E-MX-2A)**

E-MX-2A applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. Design standards support a consistent pattern of buildings placed at the street to offer an active street front.

**C. Mixed Use - 2x (E-MX-2x)**

E-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

**D. Mixed Use – 3 (E-MX-3)**

E-MX-3 applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

**E. Mixed Use - 3A (E-MX-3A)**

E-MX-3A applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards support a consistent pattern of buildings placed at the street to offer an active street front.

### SECTION 4.2.5 RESIDENTIAL MIXED USE DISTRICTS (E-RX-3, -5)

#### 4.2.5.1 General Purpose

- A. The Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.
- B. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.
- C. The Residential Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have ground-story retail non-residential uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

#### 4.2.5.2 Specific Intent

**A. Residential Mixed Use – 3 (E-RX-3)**

E-RX-3 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

**B. Residential Mixed Use – 5 (E-RX-5)**

E-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired.

### SECTION 4.2.6 MAIN STREET DISTRICTS (E-MS-2, -2X, -3, -5)

#### 4.2.6.1 General Purpose

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.
- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.
- E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.
- F. In the Urban Edge Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.
- G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and building coverage is significant.

#### 4.2.6.2 Specific Intent

**A. Main Street 2 (E-MS-2)**

E-MS-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The E-MS-2 district is intended to provide for appropriate locations for traditional corner commercial establishments located directly within a residential neighborhood.

**B. Main Street 2x (E-MS-2x)**

E-MS-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

**C. Main Street 3 (E-MS-3)**

E-MS-3 applies primarily to local or collector street corridors, or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired.



3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

**B. Setbacks**

1. Site buildings to be consistent with intended character and functional requirements of the context.
2. Improve connections between varied uses and the public street.

**C. Parking Location**

1. Minimize the visual impacts of parking areas on streets and adjoining property.
2. Minimize conflicts between pedestrian and vehicles.

**4.3.2.3 Design Elements**

**A. Configuration**

1. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
3. Main Street setback: Consider the proportional scale of new development necessary to establish a well defined edge to the public street.
4. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

**B. Transparency**

1. To create rhythms and patterns on building facades that provide visual interest and reflect the uses within the building.
2. Maximize window area at Street Level to help activate the street.
3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

**C. Entrances**

1. Give prominence to pedestrian realm as a defining element of zone district and neighborhood character.
2. Provide convenient access to buildings and ~~pedestrian~~ active uses from the street.
3. Create a clearly articulated and varied visual hierarchy of building entrances as an aid in way-finding.
4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
5. Create visually interesting and human-scaled facades.

**4.3.2.4 Specific Building Form Intent**

**A. Residential Zone Districts**

**1. Suburban House**

Establish standards for Single Unit Dwelling development that allows more height in the rear of a lot but with a more restrictive bulk plane over the entire lot, as compared to



## SECTION 4.3.3 PRIMARY BUILDING FORM STANDARDS

### 4.3.3.1 Applicability

All development, except detached accessory structures, in all the Urban Edge Neighborhood Context zone districts

### 4.3.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

### 4.3.3.3 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Urban Edge (E-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms											
			Suburban House	Urban House	Detached Accessory Dwelling Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Apartment	Drive Thru Services	Drive Thru Restaurant	General
RESIDENTIAL ZONE DISTRICTS														
Single Unit (SU)	E-SU-A, -B, -D	1*		■										
	E-SU-D1	1*		■	■									
	E-SU-Dx, -G	1*	■	■										
	E-SU-D1x, -G1	1*	■	■	■									
Two Unit (TU)	E-TU-B, -C	1*		■	■	■	■							
Town House (TH)	E-TH-2.5	no max	■	■	■	■	■	■	■					
Multi Unit (MU)	E-MU-2.5	no max	■	■	■	■	■	■		■				
COMMERCIAL MIXED USE ZONE DISTRICTS														
Residential Mixed Use (RX)	E-RX-3,-5	no max												■
Commercial Corridor (CC)	E-CC-3, -3x	no max									■	■	■	
Mixed Use (MX)	E-MX-2x	no max											■	■
	E-MX-2, -2A, 3, 3A	no max									■	■	■	■
Main Street (MS)	E-MS-2x	no max												■
	E-MS-2, -3, -5	no max									■	■		■

■ = Allowed □ = Allowed subject to limitations \*See Section 1.2.3.5 for exceptions

## SUBURBAN HOUSE

<b>HEIGHT</b>		E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TH-2.5 E-MU-2.5
A	Stories (max)	2.5	2.5	2.5
A	Feet (max)	30'	30'	30'
	Feet, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'		
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°
<b>SITING</b>		E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TH-2.5 E-MU-2.5
<b>ZONE LOT</b>				
	Zone Lot Size (min)	6,000 sf	9,000 sf	6,000 sf
C	Zone Lot Width (min)	50'	62.5'	50'
<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		All E-SU, -TH, -MU Districts		
		61' or Less	Greater than 61'	
D	Primary Street, block sensitive setback required	yes	yes	
D	Primary Street, where block sensitive setback does not apply (min)	20'	20'	
E	Side Street (min)	5'	5'	
F	Side Interior (min)	5'	7.5'	
G	Rear, alley/no alley (min)	12'/20'	12'/20'	
	Building Coverage per Zone Lot, including all accessory structures (max)	37.5%	37.5%	
<b>PARKING BY ZONE LOT WIDTH</b>		61' or Less	62' or Greater	
	Parking and Drive Lot Coverage in Primary Street Setback (max)	33%	33%	
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6)		
H	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 4.3.4		
<b>DESIGN ELEMENTS</b>		All E-SU, -TH, -MU Districts		
<b>BUILDING CONFIGURATION</b>				
	Rooftop and/or Second Story Decks	See Section 4.3.5.12		
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks		
I	Primary Street-Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater		
<b>STREET LEVEL ACTIVATION</b>				
J	Pedestrian Access, Primary Street	Entry Feature		
<b>USES</b>		All E-SU, -TH, -MU Districts		
		Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking		

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

**URBAN HOUSE**

		E-SU-D		E-SU-Dx		E-SU-G		E-TH-2.5	
<b>HEIGHT</b>		E-SU-A	E-SU-B	E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-MU-2.5
	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'							
	Feet, rear 35% of zone lot depth, permitted height increase	1' for every 3' increase in side setback up to a maximum height of 19'							
C/D	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot in front 65% / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot	45°	45°	45°	45°	45°	45°	45°	45°
<b>SITING</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5
<b>ZONE LOT</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-MU-2.5
	Zone Lot Size (min)	3,000 sf	4,500 sf	6,000 sf	6,000 sf	9,000 sf	4,500 sf	5,500 sf	4,500 sf
E	Zone Lot Width (min)	25'	35'	50'	50'	62.5'	35'	50'	35'
		All E-SU, TU, TH, MU Districts							
<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		30' or less	Greater than 30' and up to 40'		Greater than 40' and less than 75'		75' or Greater		
F	Primary Street, block sensitive setback required	yes	yes		yes		yes		
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'		20'		20'		
G	Side Street (min)	3'	5'		5'		7.5'		
H	Side Interior (min)	3'	3' min one side/ 10' min combined		5'		10'		
I	Rear, alley/no alley (min)	12'/20'	12'/20'		12'/20'		12'/20'		
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%		37.5%		37.5%		
<b>PARKING BY ZONE LOT WIDTH</b>		2 Spaces and 320 sf		2 Spaces and 320 sf		33%		33%	
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 sf		2 Spaces and 320 sf		33%		33%	
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec 4.3.7.6)							
J	<b>DETACHED ACCESSORY STRUCTURES</b>	see Sec. 4.3.4							
		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5
<b>DESIGN ELEMENTS</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-MU-2.5
<b>BUILDING CONFIGURATION</b>		See Section 4.3.5.12							
	Rooftop and/or Second Story Decks	See Section 4.3.5.12							
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form for Side Street, Side Interior and Rear setbacks							
	Primary Street-Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater							
<b>STREET LEVEL ACTIVATION</b>									
K	Pedestrian Access, Primary Street	Entry Feature							
<b>USES</b>		All E-SU, TU, TH, MU Districts							
		Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking							
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions									

## DUPLEX

<b>HEIGHT</b>		<b>E-TU-B</b>	<b>E-TU-C</b>	<b>E-TH-2.5; E-MU-2.5</b>	
	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	
<b>A/B</b>	Feet, front 65% / rear 35% of zone lot depth (max)	30'/17'	30'/17'	30'/17'	
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'			
	Feet, rear 35% of zone lot depth, permitted height increase	1' for every 3' increase in side setback up to a maximum height of 19'			
<b>C/D</b>	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines in front 65% / rear 35% of zone lot	17'/10'	17'/10'	17'/10'	
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines	45°	45°	45°	
<b>SITING</b>		<b>E-TU-B</b>	<b>E-TU-C</b>	<b>E-TH-2.5; E-MU-2.5</b>	
<b>ZONE LOT</b>					
	Zone Lot Size (min)	4,500 sf	5,500 sf	4,500 sf	
<b>E</b>	Zone Lot Width (min)	35'	50'	35'	
<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		<b>All E-TU, TH, MU Districts</b>			
		<b>30' or less</b>	<b>Greater than 30' and up to 40'</b>	<b>Greater than 40' and less than 75'</b>	<b>75' or Greater</b>
<b>F</b>	Primary Street, block sensitive setback required	yes	yes	yes	yes
<b>F</b>	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
<b>G</b>	Side Street (min)	3'	5'	5'	7.5'
<b>H</b>	Side Interior (min)	3'	3' min one side/ 10' min combined	5'	10'
<b>I</b>	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%
<b>PARKING BY ZONE LOT WIDTH</b>					
	Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	50%	50%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6)			
<b>J</b>	<b>DETACHED ACCESSORY STRUCTURES</b>	see Sec. 4.3.4			
<b>DESIGN ELEMENTS</b>		<b>E-TU-B</b>	<b>E-TU-C</b>	<b>E-TH-2.5; E-MU-2.5</b>	
<b>BUILDING CONFIGURATION</b>					
	Rooftop and/or Second Story Decks	See Section 4.3.5.12			
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form standards for Side Street, Side Interior and Rear setbacks			
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the front Primary Street facing facade of the dwelling primary structure or 16', whichever is greater			
<b>STREET LEVEL ACTIVATION</b>					
<b>K</b>	Pedestrian Access, Primary Street	Entry Feature			
<b>USES</b>		<b>All E-TU, TH, MU Districts</b>			
		Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking			
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions					

## TANDEM HOUSE

<b>HEIGHT</b>		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5	
	Stories (max)	2.5	2.5	2.5	
<b>A/B</b>	Feet, front 65% /rear 35% of zone lot depth (max)	30'/24'	30'/24'	30'/24'	
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'			
<b>C/D</b>	Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'	
	Bulk Plane Slope from Side Interior and Side Street zone lot line	45°	45°	45°	
<b>SITING</b>		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5	
<b>ZONE LOT</b>					
	Zone Lot Size (min)	4,500 sf	5,500 sf	4,500 sf	
<b>E</b>	Zone Lot Width (min)	35'	50'	35'	
<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		All E-TU, TH, MU Districts			
		30' or less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater
<b>F</b>	Primary Street, block sensitive setback required	yes	yes	yes	yes
<b>F</b>	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
<b>G</b>	Side Street (min)	3'	5'	5'	7.5'
<b>H</b>	Side Interior, for Primary Structure #1 (min one side/min combined)	3'/6'	3'/10'	5'/10'	10'/20'
<b>I</b>	Side Interior, for Primary Structure #2 (min one side/min combined)*	3'/6'	3'/10'	5'/10'	10'/20'
<b>J</b>	Rear, for Primary Structure #1, as a % of lot depth (min)	50%	50%	50%	50%
<b>K</b>	Rear, for Primary Structure #2 (min)	5'	5'	5'	5'
<b>L</b>	Minimum Spacing Between Primary Structures (min)	6'	6'	6'	6'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%
<b>PARKING BY ZONE LOT WIDTH</b>					
	Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	50%	50%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec 4.3.7.6)			
	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 4.3.4			
<b>DESIGN ELEMENTS</b>		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5	
<b>BUILDING CONFIGURATION</b>					
<b>M</b>	Overall Structure Width (max)	36'	36'	36'	
<b>N</b>	Overall Structure Length (max)	42'	42'	42'	
	Rooftop and/or Second Story Decks	See Section 4.3.5.4 <sup>2</sup>			
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form for Side Street, Side Interior and Rear setbacks			
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the dwelling primary structure or 16', whichever is greater			
<b>STREET LEVEL ACTIVATION</b>					
<b>O</b>	Pedestrian Access, Primary Street*	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement			
<b>USES</b>		All E-TU, TH, MU Districts			
		Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 4.4 Uses and Parking			

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Must be offset to be visible from the street if to the rear of Primary Structure #1 (side setbacks may be reversed from Primary Structure #1)

## TOWN HOUSE

<b>HEIGHT</b>		<b>E-TH-2.5</b>	<b>E-MU-2.5</b>
<b>A</b>	Stories (max)	see below	see below
<b>A</b>	Feet (max)	see below	see below
<b>A</b>	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1
<b>A</b>	Feet, front 65% / rear 35% of zone lot depth (max)	30' / 19'	30' / 19'
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'	
<b>B</b>	Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	25'
	Upper Story Setback, for Flat Roof, Above 25': Side, Interior and Side Street	15'	15'

<b>SITING</b>		<b>E-TH-2.5</b>	<b>E-MU-2.5</b>
<b>ZONE LOT</b>			
	Zone Lot Size (min)	6,000 sf	6,000 sf
	Zone Lot Width (min)	50'	50'
	Dwelling Units per Primary Residential Structure (max)	10	10
<b>REQUIRED BUILD-TO</b>			
<b>C</b>	Primary Street (min % within min/max)	na	na
<b>SETBACKS</b>			
	Primary Street, block sensitive setback required	yes	yes
<b>D</b>	Primary Street, where block sensitive setback does not apply (min)	20'	20'
<b>E</b>	Side Street (min)	5'	5'
<b>F</b>	Side Interior (min)	5'	5'
	Side Interior, adjacent to Protected District (min)	na	na
<b>G</b>	Rear, alley/no alley (min)	12' / 20'	12' / 20'
	Rear, adjacent to Protected District, alley/no alley (min)	na	na
<b>PARKING</b>			
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	Not Allowed/Allowed
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6)	
<b>H</b>	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 4.3.4	

<b>DESIGN ELEMENTS</b>		<b>E-TH-2.5</b>	<b>E-MU-2.5</b>
<b>BUILDING CONFIGURATION</b>			
	Upper Story Stepback, for Flat Roof, Above 25', Primary Street (min)	10'	10'
<b>I</b>	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side, interior (min)	na	na
<b>J</b>	Primary Street- Facing Attached Garage Door Width (max per unit)	10'	10'
	Rooftop and/or Second Story Decks	See Section 4.3.5.42	
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
<b>STREET LEVEL ACTIVATION</b>			
	Transparency, Primary Street (min)	na	na
	Transparency, Side Street (min)	na	na
<b>K</b>	Pedestrian Access	Each unit shall have a street-facing Entrance	
<b>USES</b>		E-TH-2.5; E-MU-2.5	
Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking			

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## GARDEN COURT

### HEIGHT

	E-TH-2.5	E-MU-2.5
A Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1
A Feet, front 65% / rear 35% of zone lot depth (max)	30'/19'	30'/19'
Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'	
B Side Wall Plate Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	25'
Upper Story Setback, for Flat Roof, Above 25': Side, Interior and Side Street	15'	15'

### SITING

	E-TH-2.5	E-MU-2.5
<b>ZONE LOT</b>		
Zone Lot Size (min)	6,000 sf	6,000 sf
Zone Lot Width (min)	50'	50'
Dwelling Units per Primary Residential Structure (max)	10	10
<b>SETBACKS</b>		
C Primary Street, block sensitive setback required	yes	yes
C Primary Street, where block sensitive setback does not apply (min)	20'	20'
D Side Street (min)	5'	5'
E Side Interior (min)	5'	5'
F Rear, alley/no alley (min)	12'/20'	12'/20'
<b>PARKING</b>		
Surface Parking between building and Primary Street/ Side Street	Not Allowed/Allowed	
Surface Parking Screening	See Article 10, Division 10.5	
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6)	
H <b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 4.3.4	

### DESIGN ELEMENTS

	E-TH-2.5	E-MU-2.5
<b>BUILDING CONFIGURATION</b>		
Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)	10'	10'
I Street-Facing Garden Court Width, (min)	15'	15'
J Street-Facing Garden Court Depth (min)	30'	30'
Garden Court Design Standards	See Sec. 4.3.5.23	
Rooftop and/or Second Story Decks	See Section 4.3.5.12	
Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
<b>STREET LEVEL ACTIVATION</b>		
K Pedestrian Access	Each dwelling unit shall have a Street Level Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.	

### USES

	E-TH-2.5; E-MU-2.5
	Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions	



## APARTMENT

### HEIGHT

#### E-MU-2.5

A	Stories, front 65% / rear 35% of zone lot depth (max)	2/1
A	Feet, front 65% / rear 35% of zone lot depth (max)	30'/19'
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'
	Side Wall Plate Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'
	Upper Story Setback, for Flat Roof, Above 25': Side Interior and Side Street (min)	15'

### SITING

#### E-MU-2.5

#### ZONE LOT

	Zone Lot Size (min)	6,000 sf
	Zone Lot Size (min)	50'

#### SETBACKS

B	Primary Street, block sensitive setback required (see Sec. 13.1.2.3)	yes
B	Primary Street, where block sensitive setback does not apply (min)	20'
C	Side Street (min)	5'
D	Side Interior (min)	5'
E	Rear, alley/no alley (min)	12'/20'

#### PARKING

	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
	Surface Parking Screening	See Article 10, Division 10.5
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 4.3.7.6)
	Vehicle Access, all other permitted uses	Access determined at Site Development Plan

### DESIGN ELEMENTS

#### E-MU-2.5

#### BUILDING CONFIGURATION

	Street facing garage door width per Primary Structure (max)	20'
	Rooftop and/or Second Story Decks	See Section 4.3.5.42

#### STREET LEVEL ACTIVATION

G	Transparency, Primary Street (min)	30%
H	Transparency, Side Street (min)	25%
I	Pedestrian Access, Primary Street	Entrance

### USES

#### E-MU-2.5

Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## DRIVE THRU SERVICES

	E-CC-3, -3x	E-MX-2 -2A E-MS-2	E-MX-3, 3A E-MS-3, -5
<b>HEIGHT</b>			
A Stories (max)	3	2	3
A Feet (max)	45'	35'	45'
<b>SITING</b>			
<b>REQUIRED BUILD-TO</b>			
B Primary Street (min % within min/max)*	na	50% 0'/15'	na
C Side Street (min % within min/max)*	na	50% 0'/15'	na
<b>SETBACKS</b>			
D Primary Street (min)	0'	0'	0'
E Side Street (min)	0'	0'	0'
F Side Interior (min)	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'
G Rear (min)	0'	0'	0'
Rear, adjacent to Protected District , alley/no alley (min)	0'/10'	0'/10'	0'/10'
<b>PARKING</b>			
Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Not Allowed/Not Allowed	Allowed/Allowed
<b>DESIGN ELEMENTS</b>			
<b>BUILDING CONFIGURATION</b>			
H *Canopy	na	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To.	na
I Screening Required	See Article 10	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15'; following the standards of Section 10.5.4.4	
Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>			
J Transparency, Primary Street (min)	40%	40% E-MS: 60%	40%
K Transparency, Side Street (min)	25%	25%	25%
L Pedestrian Access, Primary Street	Pedestrian Connection	Entrance	Pedestrian Connection
<b>USES</b>			
	<u>All E-CC;</u>	<u>All E-CC; E-MX-2, -2A, -3, -3A; E-MS-2, -3, -5</u>	
	<u>All permitted Primary Uses shall be allowed within this building form, provided that the building form includes a minimum of one Automobile Services, Light and/or Primary Use with Accessory Drive Thru Uses, excluding Eating/Drinking Establishments. See Division 4.4 Uses and Required Minimum Parking.</u>	<u>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to Automobile Services, Light and/or Primary Use with Accessory Drive Thru Use, excluding Eating &amp; Drinking Establishments. See Division 4.4 Uses and Required Minimum Parking.</u>	
		**Additionally, in E-MX-2A, 3A Option B is limited to Gasoline Service Station Use Only	

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## DRIVE THRU RESTAURANT

<b>HEIGHT</b>		E-CC-3, -3x	E-MX-2, -2A, E-MS-2	E-MX-3, -3A E-MS-3, -5
A	Stories (max)	3	2	3
A	Feet (max)	45'	35'	45'

<b>SITING</b>		E-CC-3, -3x	E-MX-2 -2A, -3, -3A E-MS-2 -3, -5
<b>REQUIRED BUILD-TO</b>			
B	Primary Street (min % within min/max)	50% 0'/80'	50% 0'/35'
C	Side Street (min % within min/max)	na	50% 0'/18'
<b>SETBACKS</b>			
D	Primary Street (min)	0'	0'
E	Side Street (min)	0'	0'
F	Side Interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
G	Rear (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
<b>PARKING</b>			
	Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Not Allowed/Not Allowed
	Drive Thru Lane between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed
H	Drive Thru Lane Width (max)	na	12'
I	Drive Thru Screening	na	Garden Wall, following the standards of Section 10.5.4.4

<b>DESIGN ELEMENTS</b>		E-CC-3, -3x	E-MX-2, -2A, E-MS-2	E-MX-3, -3A E-MS-3, -5
<b>BUILDING CONFIGURATION</b>				
	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	na	15'/25'
<b>STREET LEVEL ACTIVATION</b>				
J	Transparency, Primary Street (min)	40%	40% E-MS: 60%	40% E-MS: 60%
K	Transparency, Side Street (min)	25%	25%	25%
L	Pedestrian Access, Primary Street	Pedestrian Connection	Entrance and Pedestrian Connection	

<b>USES</b>	All E-CC:	All E-CC; E-MX-2, -2A, -3, -3A; E-MS-2, -3, -5
	<u>All permitted Primary Uses shall be allowed within this building form, provided that the building form includes a minimum of one Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use. See Division 4.4 Uses and Parking.</u>	<u>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to an Eating &amp; Drinking Establishment Primary Use with Accessory Drive Thru Use Only. See Division 4.4 Uses and Required Minimum Parking.</u>

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## GENERAL (1 OF 2)

<b>HEIGHT</b>		E-CC-3, -3x	
Stories (max)		3	
Feet (max)		45'	
Height Exceptions		See Section 4.3.7.1	
<b>SITING</b>		E-CC-3, -3x Option A	E-CC-3, -3x Option B
<b>RESTRICTION</b>		na	Allowed only if <b>Street Level GFA ground-story</b> is greater than 20,000 <b>sf square feet</b>
<b>REQUIRED BUILD-TO</b>			
<b>A</b>	Primary Street (min build-to % within min/max range)	50% 0'/80'	na
	Build-to Exceptions and Alternatives	See Sections 4.3.7.2 and 4.3.6.1	na
<b>SETBACKS</b>			
	Primary Street (min)	0'	0'
	Side Street (min)	0'	0'
	Side Interior (min)	0'	0'
<b>B</b>	Side Interior, adjacent to Protected District (min)	10'	10'
	Rear (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 4.3.7.3 and 4.3.7.4	
<b>PARKING</b>			
<b>C</b>	Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed	
<b>D</b>	Surface Parking Screening	See Article 10, Division 10.5	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 4.3.7.6)	
	Vehicle Access, all other permitted uses	Access determined at Site Development Plan	
<b>DESIGN ELEMENTS</b>		E-CC-3, -3x Option A	E-CC-3, -3x Option B
<b>BUILDING CONFIGURATION</b>			
<b>E</b>	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>			
<b>F</b>	Transparency, Primary Street (min)	40%	40%*
		Residential Only Buildings: 30%	Residential Only Buildings: 30%*
<b>G</b>	Transparency, Side Street (min)	25%	25%*
	Transparency Alternatives	See Section 4.3.6.2	
<b>H</b>	Pedestrian Access, Primary Street	Pedestrian Connection	
<b>USES</b>		E-CC-3, -3x	
All permitted Primary Uses shall be allowed within this building form. See Division 4.4 Uses and Parking			

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

# SHOPFRONT

		E-RX-3	E-RX-5	E-MS-2x E-MS-2 E-MX-2x E-MX-2A E-MX-2	E-MS-3 E-MX-3A E-MX-3	E-MS-5
<b>HEIGHT</b>						
	Stories (max)	<u>3</u>	5	2	3	5
A	Feet (min/max)	<u>na/45'</u>	na/70'	na/35'	na/45'	24'/70'
	Height Exceptions	See Section 4.3.7.1				
<b>SITING</b>		<u>E-RX-3</u>	E-RX-5	<u>All E-MS and E-MX districts</u>		
<b>REQUIRED BUILD-TO</b>						
B	Primary Street (min build-to % within min/max range)	<u>70% 0'/15'</u>	70% 0'/15'	75% 0'/5' Residential Only Buildings: 0'/10'		
C	Side Street (min build-to % within min/max range)	<u>na</u>	na	25% 0'/5' Residential Only Buildings: 0'/10'		
	Build-to Exceptions and Alternatives	See Sections 4.3.7.2 and 4.3.6.1				
<b>SETBACKS</b>						
	Primary Street (min)	<u>0'</u>	0'	0'		
	Side Street (min)	<u>0'</u>	0'	0'		
	Side Interior (min)	<u>0'</u>	0'	0'		
D	Side Interior, adjacent to Protected District (min)	<u>10'</u>	10'	E-MS-2x: 5' 10'		
	Rear, (min)	<u>0'</u>	0'	0'		
	Rear, adjacent to Protected District, alley/no alley (min)	<u>0'/10'</u>	0'/10'	0'/10'		
	Setback Exceptions and Encroachments	See Sections 4.3.7.3 and 4.3.7.4				
<b>PARKING</b>						
	Surface Parking between building and Primary Street/Side Street	Not Allowed ( <u>Sec. 4.3.5.1</u> )/Not Allowed ( <u>Sec. 4.3.5.1</u> )				
E	Surface Parking Screening	See Article 10, Division 10.5				
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 4.3.7.6)				
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review				
<b>DESIGN ELEMENTS</b>		<u>E-RX3</u>	E-RX-5	E-MS-2x E-MS-2 E-MX-2x E-MX-2A E-MX-2	E-MS-3 E-MX-3A E-MX-3	E-MS-5
<b>BUILDING CONFIGURATION</b>						
F	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side Interior (min)	<u>15'/25'</u>	20'/25'	na	15'/25'	20'/25'
G	Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/ Rear, no alley and Side Interior (min)	<u>na</u>	35'/40'	na	na	35'/40'
<b>STREET LEVEL ACTIVATION</b>						
H	Transparency, Primary Street (min)	60%		60%		
	Transparency, Side Street (min)	Residential Only Buildings: 40%		Residential Only Buildings: 40%		
I	Transparency Alternatives	25%		25%		
J	Pedestrian Access, Primary Street	See Section 4.3.6.2 Entrance				
<b>USES</b>		<u>All E-RX Districts</u> E-RX-5		<u>All E-MS and E-MX Districts</u>		
	All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max	(1) All permitted Primary Uses shall be allowed within this building form. See Division 4.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by <u>Street Level ground story</u> active uses as described in Section 4.3.5.34.				

## SECTION 4.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 4.3.4.1 Applicability

All detached accessory structures in all the Urban Edge Neighborhood Context zone districts

### 4.3.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically Allowed**

Allowed ~~The following~~ detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. Buildings Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses, and other similar Completely Enclosed Structures.

**2. Underground Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures. Swimming pools, storm and fallout shelters

**3. Unenclosed Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.

**4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

Examples include, but are not limited to the following:

- a. Carports
- b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar thermal and photo-voltaic energy systems
- e. Air conditioning units
- f. Pool pumps, heating and water filtration systems
- g. Mailboxes including individual mailbox structures and cluster box units (CBUs)
- h. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

**5. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 4.3.4.

**6. Detached Accessory Structures Not Specifically-Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 4.3.4.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 4.3.4.

**4.3.4.3 Supplemental Standards****A. Additional Standards for Detached Accessory Structures in All Zone Districts****1. Gross Floor Area**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

**2. Building Coverage**

All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

**B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings****1. Required Building Materials**

All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

**2. Access and Contiguity**

Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

**4.3.4.4 District Specific Standards Summary**

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:



Urban Edge (E-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms			
			Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	Detached Accessory Structures
Single Unit (SU)	E-SU-A, -B, -D, -G	no max*		■	■	
	E-SU-D1, -G1	no max*	■	■	■	
	E-SU-Dx	no max*		■	■	
	E-SU-D1x	no max*	■	■	■	
Two Unit (TU)	E-TU-B, -C	no max*	■	■	■	
Town House (TH)	E-TH-2.5	no max*	■	■	■	
Multi Unit (MU)	E-MU-2.5	no max*	■	■	■	
Residential Mixed Use (RX)	E-RX- <u>3</u> -5	no max*				■
Commercial Corridor (CC)	E-CC-3, -3x	no max				■
Mixed Use (MX)	E-MX-2x	no max				■
	E-MX-2, -2A, 3, 3A	no max				■
Main Street (MS)	E-MS-2x	no max				■
	E-MS-2, -3, -5	no max				■

■ = Allowed □ = Allowed subject to limitations \*One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5

## DETACHED ACCESSORY DWELLING UNIT

<b>HEIGHT</b>		E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
<b>A</b>	Stories (max)	1.5	1.5	1.5	1.5	1.5	1.5
<b>A</b>	Feet (max)	24'	24'	24'	24'	24'	24'
<b>B</b>	Bulk Plane Vertical Height at Side interior and side street zone lot line	10'	10'	10'	10'	10'	10'
	Bulk Plane Slope from Side interior and side street zone lot line	45°	45°	45°	45°	45°	45°

<b>SITING</b>		E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
<b>ZONE LOT</b>							
	Zone Lot Size (min)	6,000 sf	6,000 sf	9,000 sf	4,500 sf	5,500 sf	4,500 sf
	Exemption from Maximum Building Coverage (Lesser of)	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 sf. To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <b>Street Level ground story</b> GFA of the ADU form shall be used for vehicle parking.					
	Additional Standards	See Section 4.3.4.3					

<b>SETBACKS</b>		Located in the rear 35% of the zone lot depth					
<b>C</b>	Location	5'	5'	5'	5'	5'	5'
	Side Interior and Side Street (min)	If exceeding one story or 17' must be located adjoining the southern most side setback line					
<b>D</b>	Rear (min)	5'	5'	5'	5'	5'	5'

<b>PARKING</b>		From Alley; or Street access allowed when no Alley present see Sec. 4.3.7.6 for exceptions					
	Vehicle Access						

		E-SU-D1, E-SU-D1x, E-SU-G1 By Zone Lot Size			E-TU-B, E-TU-C, E-TH-2.5, E-MU-2.5		
		6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf			
<b>DESIGN ELEMENTS</b>							
<b>BUILDING CONFIGURATION</b>							
	Building Footprint (max)	650 sf	864 sf	1,000 sf	1,000 sf		
	Habitable Space (max)	650 sf	864 sf	1,000 sf	na		
<b>E</b>	Horizontal Dimension (max)	36'	36'	36'	36'		
	Rooftop and/or Second Story Decks	Not allowed - See Section 4.3.5.12					

<b>USES</b>		E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-TH-2.5; E-MU-2.5					
		Accessory Uses Only <a href="#">Accessory to a Primary Single Unit Dwelling Use</a> , including accessory dwelling unit where permitted. See Division 4.4 for permitted Accessory Uses					

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

<b>HEIGHT</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
A	Stories (max)	1	1	1	1	1	1	1	1
A	Feet (max)	17'	17'	17'	17'	17'	17'	17'	17'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	10'	10'	10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	45°	45°	45°

<b>SITING</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
<b>ZONE LOT</b>									
	Exemption from Maximum Building Coverage (Lesser of)	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 sf. To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <b>Street Level ground-story</b> GFA of the garage form shall be used for vehicle parking.							

Additional Standards See Sections 4.3.4.3

<b>SETBACKS</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
C	Setback from Primary Street Facing Facade of Primary Structure (min)					10'			
D	Side Street (min)					5'			
D	Side Interior (min), for structure entirely in rear 35% of zone lot*					0'			
D	Side Interior (min), for structure not entirely in rear 35% of zone lot					5'			
	Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less					3'			
E	Rear, no alley (min)					5'			
E	Rear, where garage doors face alley (min)					5'			
E	Rear, where garage doors do not face alley (min)					0'			
Vehicle Access		From Alley; or Street access allowed when no Alley present see Sec. 4.3.7.6 for exceptions							

<b>DESIGN ELEMENTS</b>		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
<b>BUILDING CONFIGURATION</b>									
	Building Footprint (max)	1,000 sf	1,000 sf	1,000 sf	1,000 sf	1,000 sf	864 sf** per unit	864 sf** per unit	864 sf per unit
F	Horizontal Dimension (max)	36'	36'	36'	36'	36'	36' per unit	36' per unit	no max
G	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3	3	3	3	3	3	3	3
G	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'	28'	28'	28'	28'	28'	28'	no max

**USES** All E-SU, -TU, -TH, -MU  
 Accessory Uses Only, excluding accessory dwelling unit where permitted.  
 See Division 4.4 for permitted Accessory Uses

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5'

\*\*When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 sf

**SECTION 4.3.5 SUPPLEMENTAL DESIGN STANDARDS**

**4.3.5.1 Surface Parking Between the Building and the Primary/Side Street**

**A. Intent**

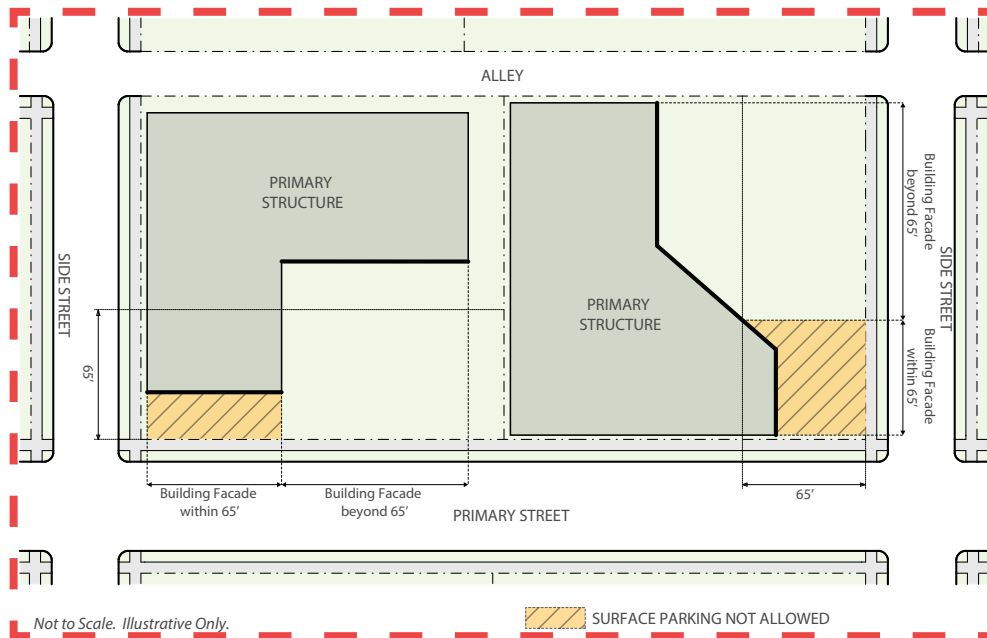
Allow for the functional siting of Buildings and Surface Parking while continuing to minimize the impacts of Surface Parking on the pedestrian experience.

**B. Applicability**

This Section 4.3.5.1 applies to the Shopfront building form in the E-MS and E-RX zone districts.

**C. Surface Parking Not Allowed**

Where a building form specifies that Surface Parking is not allowed between a Building and a Primary Street and/or Side Street, Surface Parking shall not be located in the area directly between any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street.



**4.3.5.2 Rooftop and/or Second Story Decks**

**A. Intent**

To protect the privacy of adjacent rear yards in low-scale residential neighborhoods.

**B. Applicability**

All the E-SU, E-TU, E-TH, and E-MU-2.5 zone districts

**C. Supplemental Design Standard**

1. Rooftop and/or Second Story Decks are prohibited in the rear 35% of the zone lot depth.
2. The Zoning Administrator may prohibit other similar structures in the rear 35% of the zone lot depth, including detached or freestanding structures, but excluding the detached accessory dwelling unit building form where allowed, when the Zoning Administrator finds the structure would have similar adverse privacy impacts as the specifically prohibited Rooftop and/or Second Story Deck.

#### 4.3.5.3 Garden Court

- A. The Garden Court shall include all of the following characteristics:
1. Located at natural grade;
  2. Visually and physically accessible from the primary street; may be secured for private use;
  3. Open to the sky; and
  4. Bounded on not less than 3 sides with related building facades on the same parcel Zone Lot.
- B. The Garden Court area may be used for any of the following:
1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or
  2. Public or private landscaped area; may also include entries.
- C. Vehicular access is not permitted through the Garden Court area.

#### 4.3.5.4 Street Level Active Uses in the E-MS Zone Districts

**A. Intent**

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

**B. Applicability**

This Section 4.3.5.34 applies to the Shopfront building form in the E-MS zone districts.

**C. Street Level Active Uses**

1. Street Level active uses include all permitted primary uses except the following:
  - a. Mini-storage Facility; or
  - b. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
  - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
5. The length of any build-to alternatives permitted by Section 4.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

### SECTION 4.3.6 DESIGN STANDARD ALTERNATIVES

#### 4.3.6.1 Required Build-To Alternatives

**A. Intent**

To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All E- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All E- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All 5-Story E-RX, E-MS Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment.	All 3-Story or lower E-RX, E-CC, E-MX, E-MS Zone Districts	Yes	Yes	12'	1 story	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All 5-Story E-RX, E-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All 3-Story or lower E-RX, E-CC, E-MX, E-MS Zone Districts	Yes	Yes	12'	1 story	Not allowed	Not allowed
Elevator lobbies	All 5-Story E-RX, E-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All 3-Story or lower E-RX, E-CC, E-MX, E-MS Zone Districts	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Open Structures	All 5-Story E-RX, E-MS Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All 5-Story E- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All E- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All E- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All E-CC, E-MX, E-MS Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

#### 4.3.7.2 Required Build-To Exceptions

##### A. Civic, Public & Institutional Uses

###### 1. Intent

To accommodate signature entrance architecture, gathering spaces, plazas, or community amenities along the front facades of structures containing civic, public and institutional uses.

###### 2. Standard

Structures containing one or more uses in the Civic, Public & Institutional Use Classification are not required to meet the Primary Street and Side Street Build-To standards.

##### B. Parkways

###### 1. Intent

To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code's build-to range.

###### 2. Standard

Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

#### 4.3.7.3 Setback Exceptions

##### A. Intent

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code's setbacks.

##### B. Standard

In all E- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

#### 4.3.7.4 Setback Permitted Encroachments **[bulleted lists created in following tables]**

##### A. Intent

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.


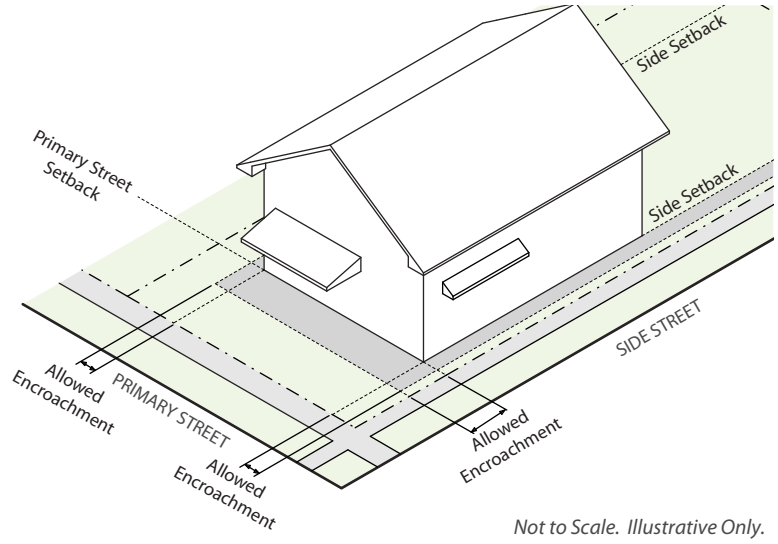

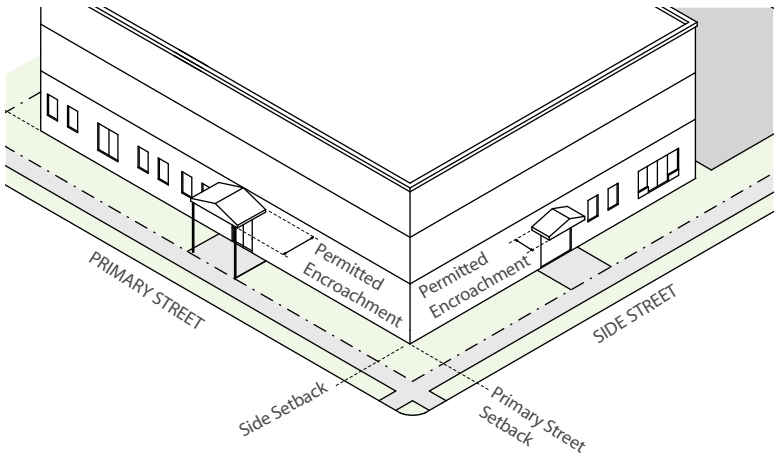
##### B. Standard


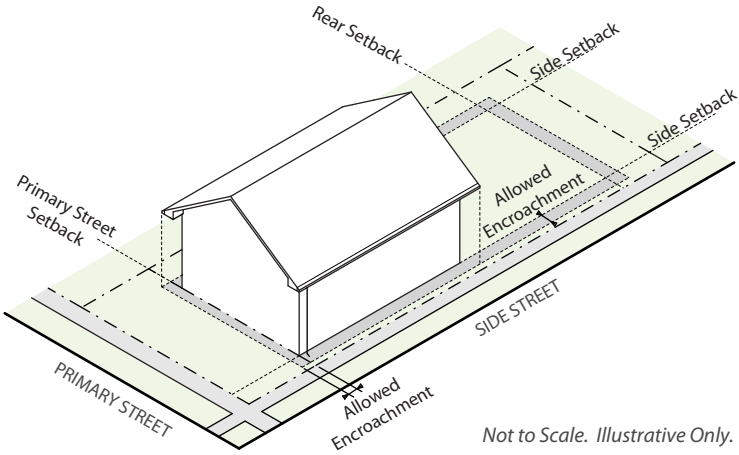

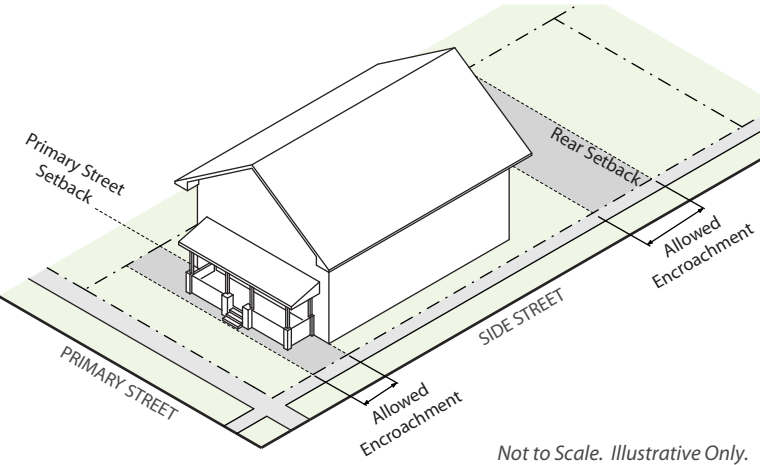
Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:



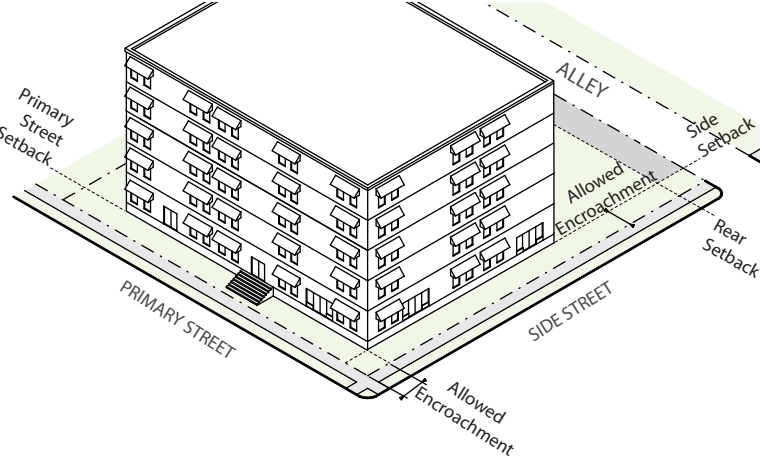
###### 1. Architectural Elements

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• Shall be no more than 8' maximum in horizontal width;</li> <li>• Shall be open on three sides;</li> <li>• May include an at-grade landing.</li> </ul>	All E-SU, E-TU, E-TH Zone Districts	3'	3'	3'; if setback is less than 5': 2' and at no point closer than 2' to a property line.	Not allowed
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>• Shall be open on three sides.</li> </ul> <p>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>	All E- Zone Districts, except E-SU, E-TU and E-TH	Any distance	Any distance	Not allowed	Not allowed
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	All E- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <b>Street Level ground story</b> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul> <p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	All E- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
 <p><i>Not to Scale. Illustrative Only.</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All E- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Shading devices: building elements, such as awnings, designed and intended to control light entering a building</p>	All E- Zone Districts	5'	3'	3'	10'
<p>Intent: To allow for elements either integral or attached to a building which control light through windows.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

**2. Site Elements**

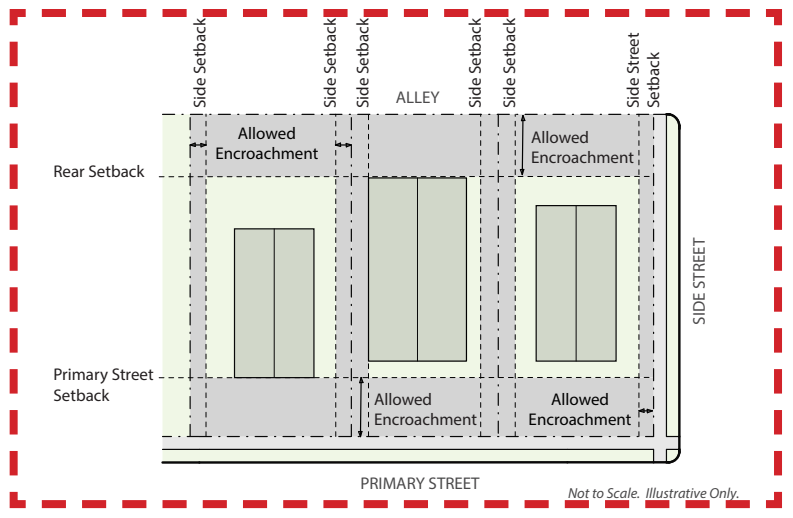
To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Drive or Driveway for Suburban House, Urban House, Duplex, and Tandem House building forms</u></p> <p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area.</u></p>  <p><i>Illustrative only</i></p>	<p>All E-SU, E-TU, E-TH and E-MU Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Any distance</p>
					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Drive or Driveway for Townhouse, Garden Court, and Apartment building forms</u></p> <p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.</u></p>  <p><i>Illustrative only</i></p>	<p>All E-TH and E-MU Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Not allowed (*see exception below)</p>	<p>Any distance</p>
					
<p><u>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</u></p> <ul style="list-style-type: none"> <li>• <u>The Side Interior setback Abuts a public Alley;</u></li> <li>• <u>Other public right-of-way, or an easement for public access Abutting a public Alley; or</u></li> <li>• <u>Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</u></li> </ul>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Flatwork providing pedestrian access to entrances and buildings:</u></p>	<p>All E- Zone Districts</p>	<p>Any distance, but may not exceed 50% of the area within the setback</p>	<p>Any distance, but may not exceed 50% of the area within the setback</p>	<p>Maximum of 5' wide: Any distance</p>	<p>Maximum of 5' wide: Any distance</p>

Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness




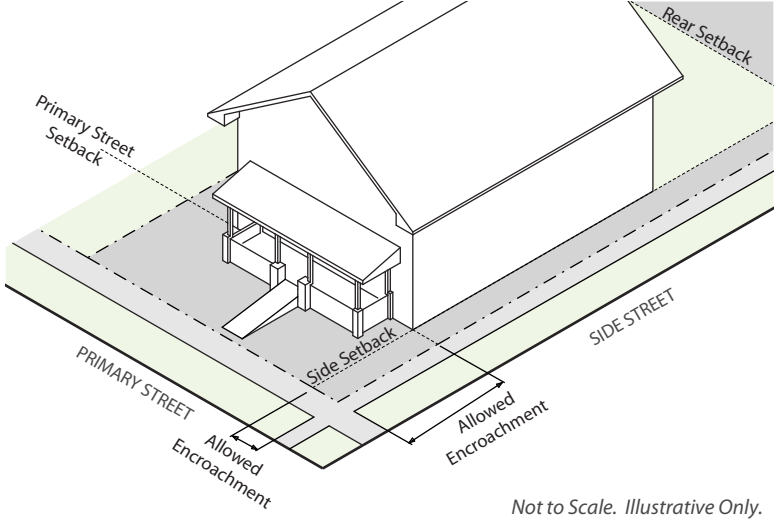
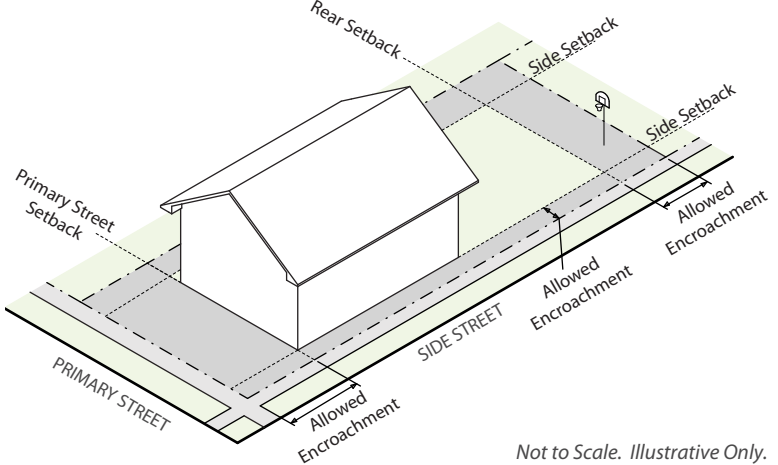
*Illustrative only*





### 3. Service & Utility Elements

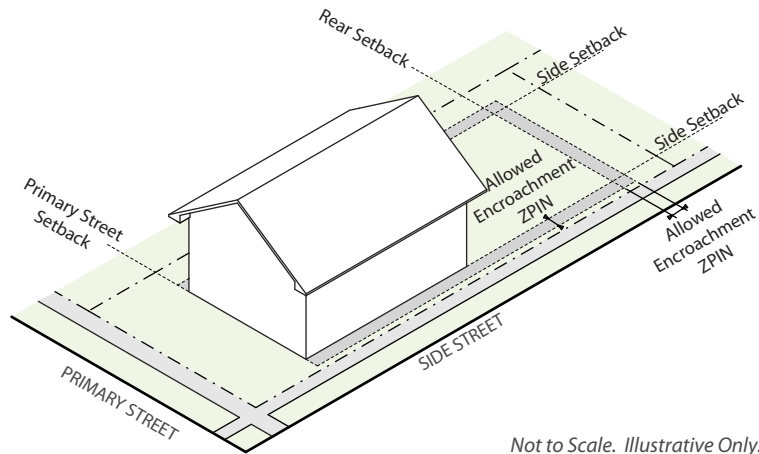
To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access <b>ramps structures</b> providing access to <b>existing</b> buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</p> <ul style="list-style-type: none"> <li>Setback encroachments for required barrier-free access <b>ramps structures</b> are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>Such <b>ramps barrier-free access structures</b> shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To provide flexibility in the location of required barrier-free access to <b>existing</b> buildings.</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:	All E- Zone Districts	Not allowed	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice

- Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the DRMC;
- Does not exceed 4' in height or 10 square feet in area per unit;
- Does not exceed 2 units per zone lot;
- Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and
- The location of the unit(s) minimizes the impacts on adjoining properties.

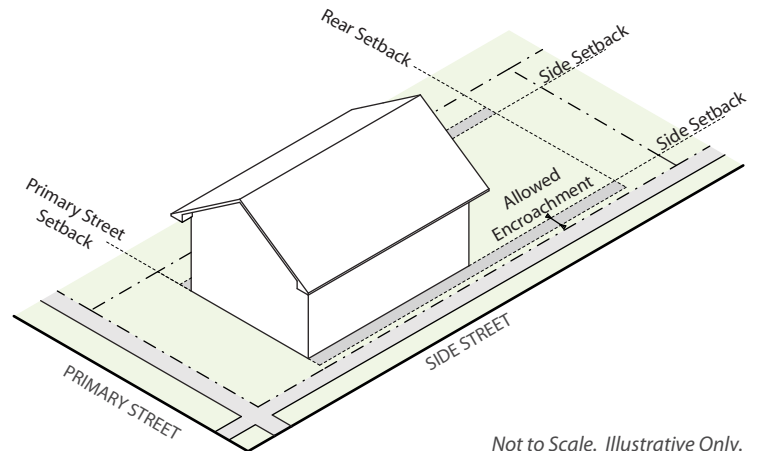
Intent: To allow for functional siting.



Not to Scale. Illustrative Only.


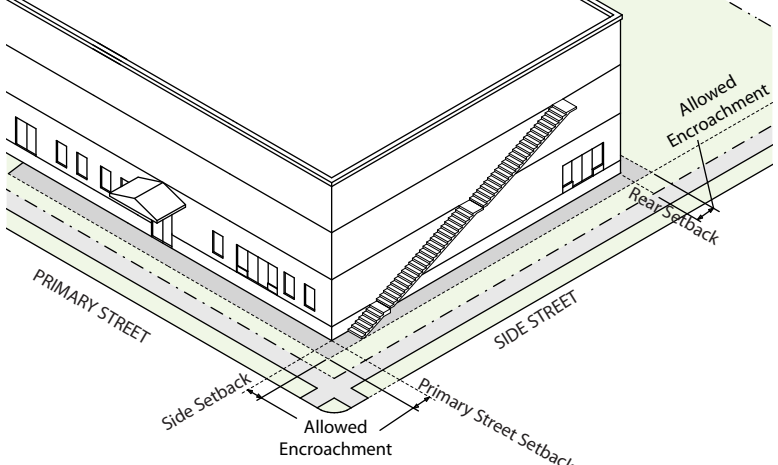

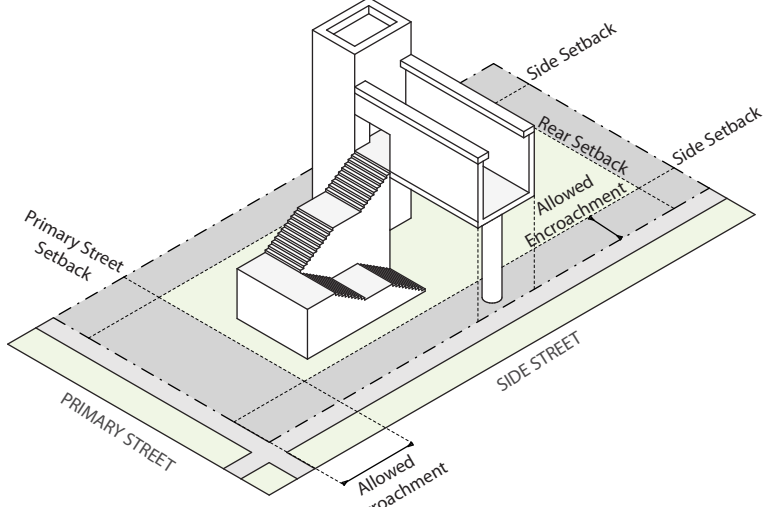
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers • located behind the front of the primary structure and • screened from adjacent properties and public rights-of-way, • and not to exceed the noise standards of D.R.M.C. Section 36-6	All E- Zone Districts	Not allowed	3'	3'	Not allowed


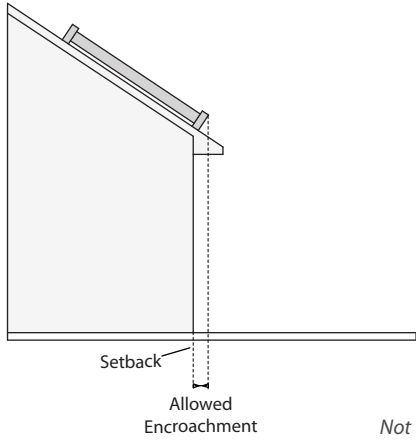
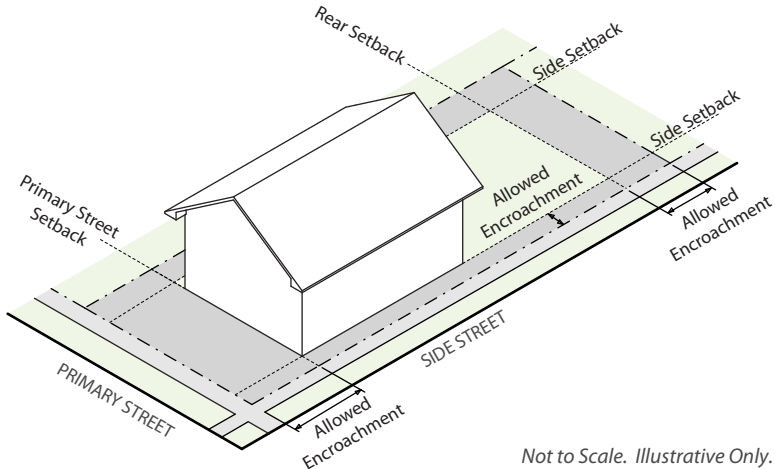
Intent: To allow for functional siting.

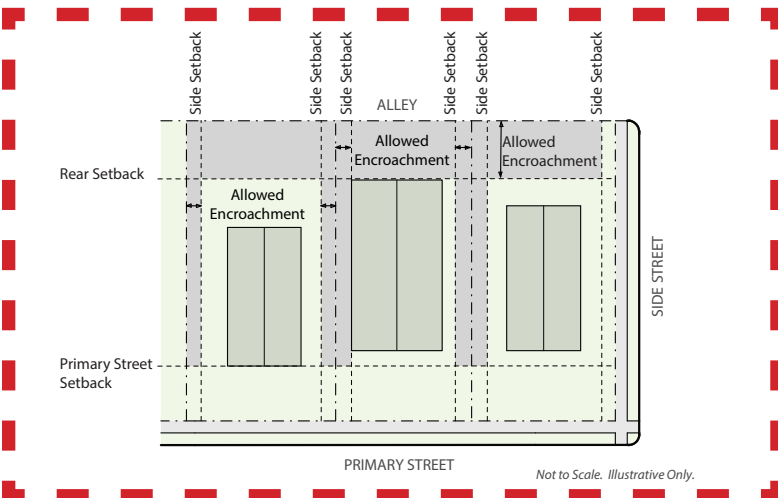



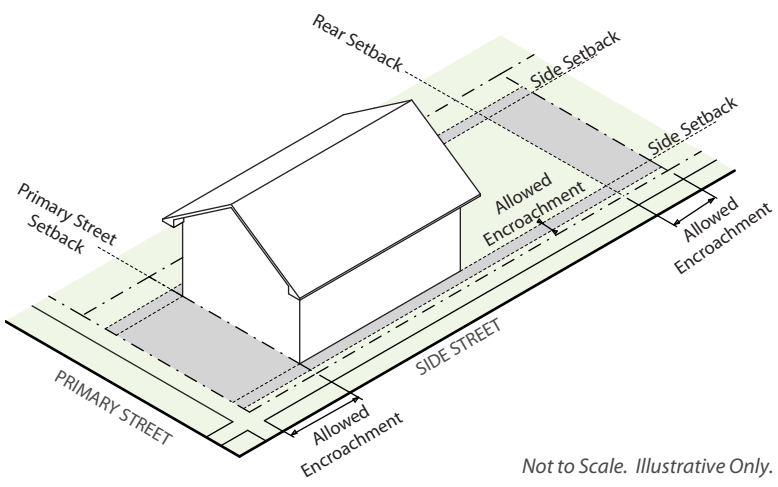

Not to Scale. Illustrative Only.

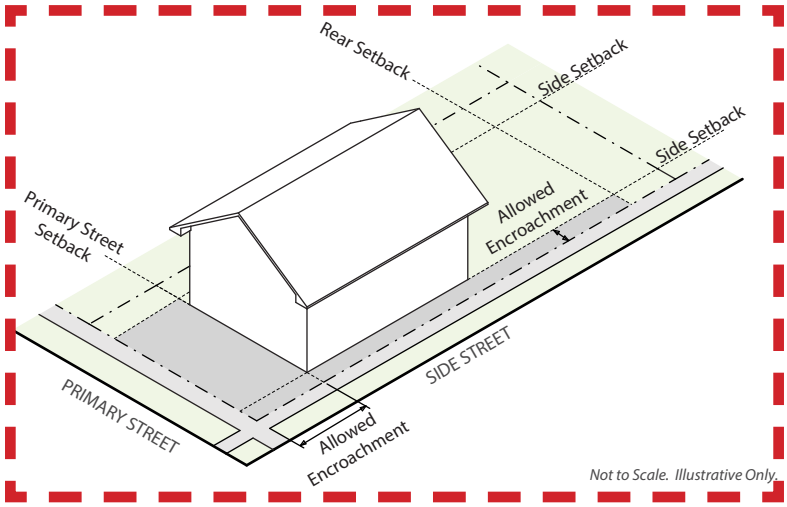



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p> <p>Intent: To provide for egress from a building only for emergency purposes</p>	All E- Zone Districts	5'	3'	3'	10'
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station,</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul> <p>Intent: To allow for above-grade connections to and from transit stations</p>	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, Flush Mounted Roof	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: <ul style="list-style-type: none"> <li>• Shall not exceed 3' in height.</li> </ul>	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for functional siting.</p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>Greater than 3' in height but not exceeding 8' in height above Finished Grade.</li> </ul>	<p>All E-TH, E-MU, E-RX, E-CC, E-MX, and E-MS Zone Districts</p>	<p>Not allowed</p>	<p>Not allowed</p>	<p>Any distance</p>	<p>Any distance</p>
<p>Intent: To allow for functional siting.</p>					
 <p><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas:</p> <ul style="list-style-type: none"> <li>Shall be below grade.</li> </ul>	<p>All E- Zone Districts</p>	<p>Any distance for any width</p>	<p>Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line</p>	<p>Any distance for any width</p>	
<p>Intent: To allow for emergency egress</p>					
 <p><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u>	<u>All E-Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Intent: To allow for functional siting.</u>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					

#### 4.3.7.5 Building Coverage Exception

##### A. Applicability

All E- zone districts where a building coverage standard applies.

##### B. Front Porch

###### 1. Intent

To promote street activation.

###### 2. Standard

Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

##### C. Detached ADU or Detached Garage

###### 1. Intent

To promote openness between buildings located in the front and back of the lot.

###### 2. Standard

Area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See those building forms for the applicable zone district.

#### 4.3.7.6 Vehicle Access From Alley Required - Exceptions

##### A. No Alley

##### B. No Alley

Where a building form specifies “street access allowed when no aAlley present”, vehicle access from the street is allowed when a Zzone Llot is not bounded by an aAlley.

##### C. Alley

Where a building form specifies vehicle access from aAlley is required, and the Zzone Llot is bounded by an aAlley, any newly constructed Ddriveways, Off-Street Parking Area driving aisle, Ggarage, Ccarport, or other parking facility shall be accessed solely from an aAlley, unless:

1. The ~~a~~Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The ~~a~~Alley is less than 12 feet in width;
3. At least 60 percent of the existing ~~dwelling units~~ Zone Lots on the same ~~F~~face ~~B~~block are served by ~~D~~driveways, ~~Off-Street Parking Areas~~ driving aisles, ~~Garages, Carports~~, or other parking facilities accessed directly from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
4. The Department of Public Works prohibits the use of the ~~a~~Alley for vehicular access to the ~~Z~~zone ~~L~~lot based upon a determination that the ~~a~~Alley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; ~~or~~
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 4.3.7.6, then vehicular Alley access is required.

## SECTION 4.3.8 REFERENCE TO OTHER DESIGN STANDARDS

### 4.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

- A. Parking and Loading: Division 10.4
- B. Landscaping, Fences, Walls and Screening: Division 10.5
- C. Site Grading: Division 10.6
- D. Outdoor Lighting: Division 10.7
- E. Signs: Division 10.10

## SECTION 4.4.4 DISTRICT SPECIFIC STANDARDS

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review  
 ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-A	E-SU-B	E-SU-D	E-SU-D1	E-SU-Dx	E-SU-D1x	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5	E-MU-2.5	E-RX-3	E-RX-5	E-CC-3x	E-CC-3	E-MX-2x	E-MX-2A	E-MX-3A	E-MX-3	E-MS-3	E-MS-5	APPLICABLE USE LIMITATIONS	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>																								
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.2	
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.3	
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/ 5 units (80/20)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.2.4	
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	NP L-ZPIN	NP L-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.2.6, §11.2.8	
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.2.7	
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.2.8	
	Rooming and Boarding House • Vehicle - MS only: 2 / 1,000 sf GFA • Vehicle: 4.5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	E-TH-2.5: NP E-MU-2.5: P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L	L	L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.9
	Student Housing • Vehicle: 1/unit • Bicycle: 1/ 5 units (80/20)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	



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 ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS										
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5		
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>												
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	P-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZPIN	P-ZP	P-ZP	P-ZP	§ 11.3.4
	Postal Facility, Neighborhood • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/ 20,000 sf GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 20,000 sf GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP	
	Public Safety Facility • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Library • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	



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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS											
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5			
Education	Elementary or Secondary School • Vehicle- High School: 2/1,000 sf GFA • Bicycle - High School: 1/20,000 sf GFA (0/100) • Vehicle- All Others: 1/1,000 sf GFA • Bicycle-All Others: 1/10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.8
Education	University or College • Vehicle: 1/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.8
	Vocational or Professional School • Vehicle: 1/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.8
Public and Religious Assembly	All Types • Vehicle: .5/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.10
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>													
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 sf GFA • Vehicle - All Others - MS only: 2/1,000 sf GFA • Vehicle - All Others: 2.5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	L-ZPIN	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.2
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	L-ZPSE	L-ZP	NP	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1										APPLICABLE USE LIMITATIONS
		E-TU-B E-TU-C	E-MU- 2.5	E-TH- 2.5	E-RX-3 E-RX-5	E-CC- 3x	E-CC-3	E-MX- 2x	E-MX- 2A	E-MX- 3A	E-MS-3 E-MS-5	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable							\$11.4.5
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	NP	L-ZP	L-ZP	NP	P-ZP	P-ZP	NP	NP	NP	NP	\$ 11.4.7
Eating & Drinking Establishments	All Types • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 4.5/ 1,000 sf GFA • Bicycle: 1/5,000 sf GFA (0/100)	NP	NP	NP	P-ZP	P-ZP	P-ZP	L-ZPSE	L-ZP	P-ZP	P-ZP	\$ 11.4.8
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/ 20,000 sf GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/ 20,000 sf GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle: 2/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.4.9
	Office, All Others • Vehicle: 2/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	ZONING DISTRICTS											APPLICABLE USE LIMITATIONS
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5	E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x	E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	§11.4.10; §11.4.11
	Animal Sales and Services, All Others	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Body Art Establishment • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	L-ZP	NP	L-ZP	NP	NP	L-ZP	L-ZP	L-ZP	§11.4.10; §11.4.13
	Food Sales or Market • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	L-ZP	P-ZP	P-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§11.4.10; §11.4.14
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	<del>Liquor Store, Including Drug stores Licensed to Sell Liquor</del> <del>• Vehicle - MS only: 2/1,000 sf GFA</del> <del>• Vehicle: 2.5/ 1,000 sf GFA</del> <del>• Bicycle: 1/20,000 sf GFA (20/80)</del>	<del>NP</del>	<del>NP</del>	<del>NP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZPIN</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>§11.4.10; §11.4.15</del>	
	Pawn Shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	NP	L-ZP	L-ZPIN	L-ZPIN	L-ZPIN	NP	NP	§11.4.10; §11.4.17
	Retail Sales, Service & Repair - Firearms Sales • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	NP	NP	P-ZP	NP	NP	NP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	L-ZP/L-ZPIN	L-ZP	P-ZP	P-ZP	P-ZP	§11.4.10

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	SPECIFIC USE TYPE										APPLICABLE USE LIMITATIONS
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x	E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	P-ZP	P-ZP	NP	L-ZP	P-ZP	P-ZP	§ 11.4.18
	Automobile Services, Light •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZPSE	L-ZP	L-ZP	§11.4.19; §11.4.20
	Automobile Services, Heavy •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP/ ZPSE	NP	NP	NP	L-ZP/ ZPSE	§11.4.19; §11.4.21
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	L-ZP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	P-ZPSE	NP	NP	NP	NP	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>												
Communications and Information	Antennas Not Attached to a Tower* •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.2
	Communication Services •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	E-MS-3: L-ZP/ ZPSE; E-MS-5 P-ZP	§ 11.5.1
	Telecommunications Towers* •No Parking Requirements	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§ 11.5.2
	Telecommunications Tower - Alternative Structure* •No Parking Requirements	L-ZP/ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* •No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.5.2

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	ZONING CODES										APPLICABLE USE LIMITATIONS
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5		
Industrial Services	Contractors, Special Trade - General • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZP	L-ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.5.6
	Service/Repair, Commercial • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.8
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP/ ZPSE	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	§ 11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§ 11.5.13
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZP	L-ZP	§ 11.5.14
	Railroad Facilities*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.5.16
Waste Related Services	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Center Recycling Collection Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	SPECIFIC USE TYPE										APPLICABLE USE LIMITATIONS	
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5			
Waste Related Services	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility • Vehicle: 0.1/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	P-ZP	P-ZP	NP	NP	L-ZP	NP	NP	§ 11.5.23
	Vehicle Storage, Commercial* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZPIN	NP	NP	NP	NP	NP	§ 11.5.24
	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	P-ZPIN	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§ 11.5.26
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>													
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.5

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USE CATEGORY	SPECIFIC USE TYPE											APPLICABLE USE LIMITATIONS
	<ul style="list-style-type: none"> <li>• Vehicle Parking Reqmt: # spaces per unit of measurement</li> <li>• Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)</li> </ul>	E-SU-A	E-SU-B	E-SU-D	E-SU-D1	E-SU-Dx	E-TH-2.5	E-MX-2x	E-MX-2A	E-MX-3A	E-MS-3	
		E-SU-D1x	E-TU-B	E-MU-2.5	E-RX-3	E-CC-3x	E-MS-	E-MX-2	E-MX-3	E-MS-3		
		E-SU-G	E-TU-C	E-RX-5	E-CC-3	E-MS-2	E-MX-2	E-MX-3	E-MS-5			
		E-SU-G1										

ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS	
		L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$ 11.7	
	Accessory Dwelling Unit	E-SU-D1, -D1x, -G1 only: L-ZP All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.7; \$ 11.8.2
	Domestic Employee	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.3
	Garden*	L	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	\$ 11.7; \$ 11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						\$ 11.7; \$ 11.8.7	
	Outdoor Storage, Residential*	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	NP	\$ 11.7; \$ 11.8.8
	Short-term Rental	L	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 11.8.9
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 10.9
Wind Energy Conversion Systems*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	Not Applicable - See Permitted Primary Uses						\$ 11.7, \$ 11.5.13		
Yard or Garage Sales*	L	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 11.8.10	

HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	APPLICABLE USE LIMITATIONS
Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$ 11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.9; \$11.9.4
	Unlisted Home Occupations	L-ZPIN - Applicable to all Zone Districts										\$ 11.9; \$ 11.9.5	



KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review  
 ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE											APPLICABLE USE LIMITATIONS										
	• Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-A																				
		E-SU-B																				
		E-SU-D																				
		E-SU-D1																				
		E-SU-D1x				E-TH-2.5						E-MX-2x	E-MX-2A	E-MX-3A								
		E-SU-G	E-TU-B	E-MU-2.5	E-RX-3	E-CC-3x						E-MS-2x	E-MX-2	3A	E-MS-3							
		E-SU-G1	E-TU-C	2.5	E-RX-5	3x	E-CC-3	2x	E-MS-2	E-MX-3	E-MS-5											

**ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$ 11.7; \$ 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.7; \$ 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	Not Applicable - See Permitted Primary Uses	L	Not Applicable - See Permitted Primary Uses	NP	NP	Not Applicable - See Permitted Primary Uses	Not Applicable - See Permitted Primary Uses	\$ 11.7; \$ 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	Not Applicable - See Permitted Primary Uses							\$ 11.7; \$ 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$ 11.7; \$ 11.10.5
	College accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See Permitted Primary Uses			L	Not Applicable - See Permitted Primary Uses			\$ 11.7; \$ 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	L	L	L	NP	NP	L	L	\$ 11.7; \$ 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	\$ 11.7; \$ 11.10.8
	Garden*	L	L	L	L	L	L	L	L	L	L	\$ 11.7; \$ 11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	\$ 11.7; \$ 11.10.10
Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	Not Applicable - See Permitted Primary Uses	Not Applicable					\$ 11.4.5		

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 ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE ZONING DISTRICTS										APPLICABLE USE LIMITATIONS	
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5	E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x	E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MS-2	E-MX-3A E-MX-3		E-MS-3 E-MS-5
Accessory to Primary Nonresidential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	§ 11.7; § 11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§ 11.7; § 11.10.13	
	Outdoor Retail Sale and Display*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.14	
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Outdoor Storage, Limited*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.7; § 11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	L	L	L	L	L	L	L	L	§ 11.7; § 11.10.17	
<b>TEMPORARY USE CLASSIFICATION</b>													
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L - Applicable to all Zone Districts										§ 11.11.1	
	Ambulance Service - Temporary	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses							
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.4	
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.5	
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.6	
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.7	
	Health Care Center	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.11.8	
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.9	
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Outdoor Retail Sales*	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§ 11.11.11	
	Outdoor Sales, Seasonal*	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP	L-ZP	§ 11.11.12	
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.13	
	Retail Food Establishment, Mobile*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§ 11.11.14	
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.15	
Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.16		
Tent for Religious Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP			

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## DIVISION 5.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 5.1.1 GENERAL CHARACTER

The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically **the Urban House building forms**. Multi-unit building forms **are typically include the Row House building forms** embedded with other residential **building forms types**. Commercial buildings are typically **the Shop front and General building forms** that may contain a mixture of uses within the same building. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets.

### SECTION 5.1.2 STREET, BLOCK AND ACCESS PATTERNS

The Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and primarily include detached sidewalks (though attached sidewalks are also found), tree lawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.

### SECTION 5.1.3 BUILDING PLACEMENT AND LOCATION

Residential buildings typically have consistent, moderate front setbacks, shallow side setbacks and consistent orientation. Commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

### SECTION 5.1.4 BUILDING HEIGHT

The Urban Neighborhood Context is characterized by low scale buildings except for some mid- rise commercial and mixed use structures, particularly at nodes or along arterial streets.

### SECTION 5.1.5 MOBILITY

There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system. this page left intentionally blank

## DIVISION 5.2 DISTRICTS (U-SU-, U-TU-, U-RH-, U-MX-, U-RX-, U-MS)

### SECTION 5.2.1 DISTRICTS ESTABLISHED

To carry out the provisions of this Article, the following zone districts have been established in the Urban Neighborhood Context and are applied to property as set forth on the Official Map.

#### Urban Neighborhood Context

U-SU-A	Single Unit A
U-SU-A1	Single Unit A1
U-SU-A2	Single Unit A2
U-SU-B	Single Unit B
U-SU-B1	Single Unit B1
U-SU-B2	Single Unit B2
U-SU-C	Single Unit C
U-SU-C1	Single Unit C1
U-SU-C2	Single Unit C2
U-SU-E	Single Unit E
U-SU-E1	Single Unit E1
U-SU-H	Single Unit H
U-SU-H1	Single Unit H1
U-TU-B	Two Unit B
U-TU-B2	Two Unit B2
U-TU-C	Two Unit C
U-RH-2.5	Row House 2.5
U-RH-3A	Row House 3A
U-MX-2	Mixed Use 2
U-MX-2x	Mixed Use 2x
U-MX-3	Mixed Use 3
<u>U-RX-3</u>	<u>Residential Mixed Use 3</u>
U-RX-5	Residential Mixed Use 5
U-MS-2	Main Street 2
U-MS-2x	Main Street 2x
U-MS-3	Main Street 3
U-MS-5	Main Street 5

### SECTION 5.2.2 RESIDENTIAL DISTRICTS (U-SU-A, -A1, -A2, -B, -B1, -B2, -C -C1, -C2, -E, -E1, -H, -H1, U-TU-B, -B2, -C, U-RH-2.5, -3A)

#### 5.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.
- B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. The standards of the two unit and row house districts

- I. Single Unit C2 (U-SU-C2)**  
U-SU-C2 is a single unit district allowing urban houses with a minimum zone lot area of 5,500 square feet. Detached accessory dwelling units, duplexes and tandem houses are also allowed on certain corner lots. Blocks typically have a consistent pattern of 50 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-C.
- J. Single Unit E (U-SU-E)**  
U-SU-E is a single unit district allowing urban houses with a minimum zone lot area of 7,000 square feet.
- K. Single Unit E1 (U-SU-E1)**  
U-SU-E1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 7,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-E but allowing a detached accessory dwelling unit building form in the rear yard.
- L. Single Unit H (U-SU-H)**  
U-SU-H is a single unit district allowing urban houses with a minimum zone lot area of 10,000 square feet. This district requires the largest setbacks and lowest building coverage (more unobstructed open space) in the Urban Neighborhood Context.
- M. Single Unit H1 (U-SU-H1)**  
U-SU-H1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 10,000 square feet. Setbacks and building coverage standards accommodate front and side yards similar to U-SU-H but allowing a detached accessory dwelling unit building form in the rear yard.
- N. Two Unit B (U-TU-B)**  
U-TU-B allows up to two units on a minimum zone lot area of 4,500 square feet. Urban houses are also allowed on certain smaller Zone Lots. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms.
- O. Two Unit B2 (U-TU-B2)**  
U-TU-B2 allows up to two units on a minimum zone lot area of 4,500 square feet with additional units allowed on corner lots subject to location restrictions. Urban houses are also allowed on certain smaller Zone Lots. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms. Rowhouses are also allowed on certain corner lots.
- P. Two Unit C (U-TU-C)**  
U-TU-C allows up to two units on a minimum zone lot area of 5,500 square feet. Urban houses are also allowed on certain smaller Zone Lots. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms.
- Q. Row House 2.5 (U-RH-2.5)**  
U-RH-2.5 is a multi unit district that allows up to a two and a half story rowhouse building form. It also allows the urban house, detached accessory dwelling unit, duplex, and tandem house building forms.
- R. Row House 3A (U-RH-3A)**  
U-RH-3A is a multi unit district that allows up to a two and a half story rowhouse building form with a maximum overall structure width along the street. Apartments are allowed up to three stories, on certain corner lots. It also allows the urban house, detached accessory dwelling unit, duplex, and tandem house building forms.



## SECTION 5.2.3 MIXED USE DISTRICTS (U-MX-2, -2X, -3)

### 5.2.3.1 General Purpose

- A. The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and general building forms that clearly define and activate the public street edge.
- B. The Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods.
- C. The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. The Mixed Use districts are intended for corridors, embedded neighborhood business areas and larger sites.
- E. In the Urban Neighborhood Context, the Mixed Use zone districts promote a pedestrian-active street front. Buildings are pulled up to the street with parking at the side or rear of the building; however, the front setback range is deeper than the front setback range for the Main Street districts. The required percentage of building facade that must be located in the front setback area is less than the percentage for the Main Street districts.

### 5.2.3.2 Specific Intent

- A. **Mixed Use – 2 (U-MX-2)**  
U-MX-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired.
- B. **Mixed Use - 2x (U-MX-2x)**  
U-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.
- C. **Mixed Use – 3 (U-MX-3)**  
U-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

## SECTION 5.2.4 RESIDENTIAL MIXED USE DISTRICTS (U-RX-3, -5)

### 5.2.4.1 General Purpose

- A. The Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.
- B. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.
- C. The Residential Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential



use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have ~~ground story retail~~ commercial uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

#### 5.2.4.2 Specific Intent

**A. Residential Mixed Use – 3 (U-RX-3)**

U-RX-3 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

**B. Residential Mixed Use – 5 (U-RX-5)**

U-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 5 stories is desired.

### SECTION 5.2.5 MAIN STREET DISTRICTS (U-MS-2, -2X, -3, -5)

#### 5.2.5.1 General Purpose

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.
- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.
- E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.
- F. In the Urban Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.
- G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.

#### 5.2.5.2 Specific Intent

**A. Main Street 2 (U-MS-2)**

U-MS-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The U-MS-2 district is intended to provide for appropriate locations for traditional corner commercial establishments located within a residential neighborhood.

3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

**B. Setbacks**

1. Site buildings to be consistent with intended character and functional requirements of the urban context.
2. Site buildings to define the street edge/public realm consistent with the context.
3. Utilize building siting to create positive transitions between districts.

**C. Parking Location**

1. Minimize the visual impacts of parking areas on streets and adjoining property.
2. Minimize conflicts between pedestrian and vehicles.

**5.3.2.3 Design Elements**

**A. Configuration**

1. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
3. Reinforce the proportional scale of buildings to street width in order to establish a strong edge to Main Street and urban street corridors.
4. Arrange building heights, and architectural scaling devices to provide transitions to adjoining areas.

**B. Transparency**

1. Maximize transparency of windows at Street Level to activate the street.
2. Utilize doors and windows to establish scale, variation and patterns on building facades that provide visual interest and reflect the uses within the building.
3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

**C. Entrances**

1. Give prominence to the pedestrian realm as a defining element of neighborhood character.
2. Provide convenient access to buildings and ~~pedestrian~~ active uses from the street.
3. Articulate and create a visual hierarchy of building entrances as an aid in way-finding.
4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
5. Create visually interesting and human-scaled facades

## SECTION 5.3.3 PRIMARY BUILDING FORM STANDARDS

### 5.3.3.1 Applicability

All development, except detached accessory structures, in all the Urban Neighborhood Context zone districts

### 5.3.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

### 5.3.3.3 District Specific Standards:

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Urban (U-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms											
			Suburban House	Urban House	Detached Acc- Dwelling Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Apartment	Drive Thru Services	Drive Thru Restaurant	General
RESIDENTIAL ZONE DISTRICTS														
Single Unit (SU)	U-SU-A, -B, -C, -E, -H	1*		■										
	U-SU-A1, B1, C1, E1, H1	1*		■	■									
	U-SU-A2, -B2, -C2	1*		■	□	□	□							
Two Unit (TU)	U-TU-B, -C	1*		■	■	■	■							
	U-TU-B2	1*		■	■	■	■			□				
Rowhouse (RH)	U-RH-2.5	no max		■	■	■	■		■	■				
	U-RH-3A	no max		■	■	■	■		■	■	□			
COMMERCIAL MIXED USE ZONE DISTRICTS														
Residential Mixed Use (RX)	U-RX- <del>3</del> , -5	no max												■
Mixed Use (MX)	U-MX-2x	no max											■	■
	U-MX-2, -3	no max								■	■	■	■	■
Main Street (MS)	U-MS-2x	no max												■
	U-MS-2, -3, -5	no max								■	■			■

■ = Allowed □ = Allowed subject to limitations \*See Section 1.2.3.5 for exceptions

		U-SU-A <sub>1</sub> <u>A1, A2</u> U-SU-A1 U-SU-A2 U-TU-B, B2	U-SU-B <sub>1</sub> <u>B1, B2</u> U-SU-B1 U-SU-B2 U-TU-C	U-SU-C	U-SU-E	U-SU-H	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A
<b>HEIGHT</b>								
	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	2.5/1	3/1	<del>2.5/1</del>	<del>2.5/1</del>
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	<del>30'/17'</del>	<del>30'/17'</del>
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'						
	Feet, rear 35% of zone lot depth, permitted height increase	1' for every 3' increase in side setback up to a maximum height of 19'						
C/D	Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of Zone Lot Depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	<del>17'/10'</del>	<del>17'/10'</del>
	Bulk Plane Slope from Side Interior and Side Street zone lot line	45°	45°	45°	45°	45°	<del>45°</del>	<del>45°</del>
<b>SITING</b>		U-SU-A, A1, A2 U-TU-B, B2	U-SU-B, B1, B2 U-TU-C	U-SU-C, C1, C2	U-SU-E, E1	U-SU-H, H1	U-TU-B, B2 U-TU-C	U-RH-2.5 U-RH-3A
<b>ZONE LOT</b>								
	Zone Lot Size (min)	3,000 sf	4,500 sf	5,500 sf	7,000 sf	10,000 sf	<del>4,500 sf</del>	<del>5,500 sf</del>
E	Zone Lot Width (min)	25'	35'	50'	50'	75'	<del>35'</del>	<del>50'</del>

<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		All U-SU, TU, RH Districts			
		30' or Less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater
F	Primary Street, block sensitive setback required	yes	yes	yes	yes
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
G	Side Street (min)	3'	5'	5'	7.5'
H	Side Interior (min)	3'	3' min one side/ 10' min combined	5'	10'
I	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%
<b>PARKING BY ZONE LOT WIDTH</b>					
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 sf	2 Spaces and 320 sf	33%	33%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 5.3.7.6)			
J	<b>DETACHED ACCESSORY STRUCTURES</b>	see Sec. 5.3.4			

		U-SU-A <sub>1</sub> <u>A1, A2</u> U-SU-A1 U-SU-A2 U-TU-B, B2	U-SU-B <sub>1</sub> <u>B1, B2</u> U-SU-B1 U-SU-B2 U-TU-C	U-SU-C	U-SU-E	U-SU-H	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A
<b>DESIGN ELEMENTS</b>								
<b>BUILDING CONFIGURATION</b>								
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks						
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater						
	Rooftop and/or Second Story Decks	See Section 5.3.5.12						
<b>STREET LEVEL ACTIVATION</b>								
K	Pedestrian Access, Primary Street	Entry Feature						
<b>USES</b>		All U-SU, TU and RH Zone Districts						
		Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking						

## DUPLEX

<b>HEIGHT</b>		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1
A/B	Feet, front 65% / rear 35% of lot depth (max)	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'					
	Feet, rear 35% of zone lot depth, permitted height increase	1' for every 3' increase in side setback up to a maximum height of 19'					
C/D	Bulk Plane Vertical Height at Side interior and Side street zone lot line in front 65% / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'
	Bulk Plane Slope from Side interior and Side Street zone lot line	45°	45°	45°	45°	45°	45°

<b>SITING</b>		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
<b>ZONE LOT</b>							
	Zone Lot Size (min)	3,000 sf	4,500 sf	5,500 sf	4,500 sf	5,500 sf	4,500 sf
E	Zone Lot Width (min)	25'	35'	50'	35'	50'	35'

<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		U-SU-A2*, -B2*, -C2*; All U-TU, RH Districts					
		30' or Less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater		
F	Primary Street, block sensitive setback required	yes	yes	yes	yes		
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'		
G	Side Street (min)	3'	5'	5'	5'		
H	Side Interior (min)	3'	3' min one side/ 10' min combined	5'	10'		
I	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'	12'/20'		
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%		
<b>PARKING BY ZONE LOT WIDTH</b>							
	Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	33%	50%		
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 5.3.7.6)					
J	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 5.3.4					

<b>DESIGN ELEMENTS</b>		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
<b>BUILDING CONFIGURATION</b>							
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form standards Side Street, Side Interior and Rear setbacks					
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)	35% of the entire width of the Primary Street facing facade of the dwelling primary structure or 16', whichever is greater					
	Rooftop and/or Second Story Decks	See Section 5.3.5.+2					

<b>STREET LEVEL ACTIVATION</b>							
K	Pedestrian Access, Primary Street	Entry Feature					

<b>USES</b>		U-SU-A2*, -B2*, -C2*; All U-TU, RH Districts					
		Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking					

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

## TANDEM HOUSE

HEIGHT		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
	Stories (max)	2.5	2.5	2.5	2.5	2.5	2.5
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/24'	30'/24'	30'/24'	30'/24'	30'/24'	30'/24'
	Feet, front 65% of lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'					
C/D	Bulk Plane Vertical Height at Side interior and Side street zone lot line in front 65% of lot / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'
	Bulk Plane Slope from Side interior and Side Street zone lot line	45°	45°	45°	45°	45°	45°
SITING		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
ZONE LOT							
	Zone Lot Size (min)	3,000 sf	4,500 sf	5,500 sf	4,500 sf	5,500 sf	4,500 sf
E	Zone Lot Width (min)	25'	35'	50'	35'	50'	35'
	Number of Primary Structures per Zone Lot (max)	2	2	2	2	2	2
All U-SU, TU, RH Districts							
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		30' or Less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater		
F	Primary Street, block sensitive setback required	yes	yes	yes	yes		
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'		
G	Side Street (min)	3'	5'	5'	5'		
H	Side Interior, for Primary Structure #1 (min one side/min combined)	3'/6'	5'/10'	5'/10'	5'/15'		
I	Side Interior, for Primary Structure #2 (min one side/min combined)**	3'/6'	5'/10'	5'/10'	5'/15'		
J	Rear, for Primary Structure #1, as a % of lot depth (min)	50%	50%	50%	50%		
K	Rear, for Primary Structure #2 (min)	5'	5'	5'	5'		
L	Minimum Spacing Between Primary Structures (min)	6'	6'	6'	6'		
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%		
PARKING BY ZONE LOT WIDTH							
	Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	50%	50%		
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 5.3.7.6)					
DETACHED ACCESSORY STRUCTURES							
		See Sec. 5.3.4					
DESIGN ELEMENTS		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
BUILDING CONFIGURATION							
M	Overall Structure Width (max)	36'	36'	36'	36'	36'	36'
N	Overall Structure Length (max)	42'	42'	42'	42'	42'	42'
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks					
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater					
	Rooftop and/or Second Story Decks	See Section 5.3.5.4					
STREET LEVEL ACTIVATION							
O	Pedestrian Access, Primary Street	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement					
USES		U-SU-A2*, -B2*, -C2*; All U-TU, RH Districts					
		Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 5.4 Uses and Parking					

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

\*\*Must be offset to be visible from the street if to the rear of Primary Structure #1 (side setbacks may be reversed from Primary Structure #1)

## GARDEN COURT

### HEIGHT

	U-RH-2.5	U-RH-3A
A Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1
A Feet, front 65% / rear 35% of lot (max)	30'/19'	30'/19'
Feet, front 65% of lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'	
B Side Wall Plate Height, for Pitched Roof, within 15' of Side Interior and Side Street ( (max)	25'	25'
Upper Story Setback, for Flat Roof, Above 25': Side, Interior and Side Street (min)	15'	15'

### SITING

	U-RH-2.5	U-RH-3A
<b>ZONE LOT</b>		
Zone Lot Size (min)	6,000 sf	6,000 sf
Zone Lot Width (min)	50'	50'
Dwelling Units per Primary Residential Structure (max)	10	10
<b>SETBACKS</b>		
C Primary Street, block sensitive setback required	yes	yes
C Primary Street, where block sensitive setback does not apply (min)	20'	20'
D Side Street (min)	5'	5'
E Side Interior (min)	5'	5'
F Rear, alley/no alley (min)	12'/20'	12'/20'
<b>PARKING</b>		
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	
Vehicle Access	From Alley; or From street when no Alley present (See Sec. 5.3.7.6)	
G <b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 5.3.4	

### DESIGN ELEMENTS

	U-RH-2.5	U-RH-3A
<b>BUILDING CONFIGURATION</b>		
Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)	10'	10'
H Street-Facing Courtyard Width (min)	15'	15'
I Street-Facing Courtyard Depth (min)	30'	30'
Garden Court Design Standards	See Sec. 5.3.5.23	
Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
Rooftop and/or Second Story Decks	See Section 5.3.5.12	
<b>STREET LEVEL ACTIVATION</b>		
J Pedestrian Access	Each dwelling unit shall have a Street Level Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.	

### USES

	U-RH-2.5 and U-RH-3A
	Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions



## ROW HOUSE

<b>HEIGHT</b>		<b>U-TU-B2*</b>	<b>U-RH-2.5</b>	<b>U-RH-3A</b>
<b>A</b>	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/2.5	2.5/1	2.5/1
<b>A</b>	Feet, front 65% / rear 35% of zone lot depth (max)	35'/35'	35'/19'	35'/19'
<b>B</b>	Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	25'	25'
	Upper Story Setback, for Flat Roof, Above 25': Side Interior and Side Street (min)	15'	15'	15'

<b>SITING</b>		<b>U-TU-B2*</b>	<b>U-RH-2.5</b>	<b>U-RH-3A</b>
<b>ZONE LOT</b>				
	Zone Lot Size (min/max)	6,000 sf / 9,375 sf	6,000 sf / na	6,000 sf / na
	Zone Lot Width (min)	50'	50'	50'
	Dwelling Units per Primary Residential Structure (max)	na	10	10
<b>SETBACKS</b>				
<b>C</b>	Primary Street, block sensitive setback required	yes	yes	yes
<b>C</b>	Primary Street where block sensitive setback does not apply (min)	20'	20'	20'
<b>D</b>	Side Street (min)	5'	5'	5'
<b>E</b>	Side Interior (min)	5'	5'	5'
<b>F</b>	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'
<b>PARKING</b>				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		
	Vehicle Access	From Alley; or From street when no Alley present (See Sec. 5.3.7.6)		
<b>G</b>	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 5.3.4		

<b>DESIGN ELEMENTS</b>		<b>U-TU-B2*</b>	<b>U-RH-2.5</b>	<b>U-RH-3A</b>
<b>BUILDING CONFIGURATION</b>				
<b>H</b>	Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)	10'	10'	10'
	Street facing attached garage door width per Primary Structure (max)	20'	20'	20'
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		
	Rooftop and/or Second Story Decks	See Section 5.3.5.12		
<b>STREET LEVEL ACTIVATION</b>				
<b>I</b>	Pedestrian Access	Each unit shall have a street-facing Entrance		
<b>USES</b>		U-TU-B2*, U-RH-2.5 and U-RH-3A		
		Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking		

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

## APARTMENT

HEIGHT		U-RH-3A*
A	Stories (max)	3
A	Feet (max)	38'

SITING		U-RH-3A*
<b>ZONE LOT</b>		
	Zone Lot Size (min/max)	6,000 sf / 16,000 sf
	Zone Lot Width (min)	50'
<b>SETBACKS</b>		
B	Primary Street, block sensitive setback required	yes
B	Primary Street, where block sensitive setback does not apply (min)	20'
C	Side Street (min)	10'
D	Side Interior (min)	5'
E	Rear, alley/no alley (min)	12'/20'

PARKING		
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 5.3.7.6)
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review

DESIGN ELEMENTS		U-RH-3A*
<b>BUILDING CONFIGURATION</b>		
	Street facing garage door width per Primary Structure (max)	20'
	Rooftop and/or Second Story Decks	See Section 5.3.5.12
<b>STREET LEVEL ACTIVATION</b>		
F	Pedestrian Access, Primary Street or Side Street	Entrance

USES		U-RH-3A*
		Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking
See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

\*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

## DRIVE THRU SERVICES

HEIGHT	U-MX-2 U-MS -2	U-MX-3 U-MS-3, -5
A Stories (max)	2	3
A Feet (max)	35'	45'

SITING	U-MS-2, -3, -5	U-MX-2, -3 Option A	U-MX-2, -3 Option B**
<b>REQUIRED BUILD-TO</b>			
B Primary Street (min % within min/max)*	50% 0'/15'	50% 0'/15'	na
C Side Street (min % within min/max)*	50% 0'/15'	50% 0'/15'	na
<b>SETBACKS</b>			
D Primary Street (min)	0'	0'	0'
E Side Street (min)	0'	0'	0'
F Side Interior (min)	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'
G Rear, alley and no alley (min)	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
<b>PARKING</b>			
Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed	Not Allowed/Allowed	Allowed/Allowed
Vehicle Access	Shall be determined as part of Site Development Plan Review		

DESIGN ELEMENTS	U-MS-2, -3, -5	U-MX-2, -3 Option A	U-MX-2, -3 Option B**
<b>BUILDING CONFIGURATION</b>			
H *Canopy	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To	Building shall be used to meet a portion of the Primary or Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To	na
I Screening Required	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15'; following the standards of Article 10, Section 10.5.4.4		
Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	U-MS-3, -5 Only: 15'/25'	U-MX-3 Only: 15'/25'	U-MX-3 Only: 15'/25'

STREET LEVEL ACTIVATION	U-MS-2, -3, -5	U-MX-2, -3 Option A	U-MX-2, -3 Option B**
J Transparency, Primary Street (min)	60%	40%	40%
K Transparency, Side Street (min)	25%	25%	25%
L Pedestrian Access, Primary Street	Entrance	Entrance	Pedestrian Connection

USES	U-MS-2, -3, -5; U-MX-2, -3**
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For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to an Automobile Services, Light and/or Primary Use with Accessory Drive Thru Use, excluding Eating & Drinking Establishments. See Division 5.4 Uses and Required Minimum Parking

\*\*Additionally, in U-MX-2, 3 Option B is limited to Gasoline Service Station Use Only

## DRIVE THRU RESTAURANT

HEIGHT		U-MX-2 U-MS-2	U-MX-3 U-MS-3, -5
A	Stories (max)	2	3
A	Feet (max)	35'	45'

SITING		U-MS-2, -3, -5	U-MX-2, -3
<b>REQUIRED BUILD-TO</b>			
B	Primary Street (min % within min/max)	Corner Lots: 50% 0'/5' All other: 75% 0'/5'	Corner Lots: 50% 0'/35' All other: 70% 0'/35'
C	Side Street (min % within min/max)	50% 0'/5'	50% 0'/18'
<b>SETBACKS</b>			
D	Primary Street (min)	0'	0'
E	Side Street (min)	0'	0'
F	Side Interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
G	Rear, alley and no alley (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
<b>PARKING</b>			
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed	Not Allowed/Not Allowed
	Drive Thru Lane between building and Primary Street/Side Street	Not Allowed/Not Allowed	Allowed/Allowed
H	Drive Thru Lane Width (max)	n/a	12'
I	Drive Thru Lane Screening Required	n/a	Garden Wall, following the standards of Article 10, Section 10.5.4.4
	Vehicle Access	Shall be determined as part of Site Development Plan Review	

DESIGN ELEMENTS		U-MS-2, -3, -5	U-MX-2, -3
<b>BUILDING CONFIGURATION</b>			
	Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>			
J	Transparency, Primary Street (min)	60%	40%
K	Transparency, Side Street (min)	25%	25%
L	Pedestrian Access, Primary Street	Entrance	Entrance and Pedestrian Connection
<b>USES</b>		U-MS-2, -3, -5; U-MX-2, -3	

For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to an Eating & Drinking Establishment Primary Use with Accessory Drive Thru Use Only. See Division 5.4 Uses and Required Minimum Parking.

**GENERAL**

<b>HEIGHT</b>	<b>U-MX-2, -2x</b>	<b>U-MX-3</b>
Stories (max)	2	3
Feet (max)	35'	45'
Height Exceptions	See Section 5.3.7.1	

<b>SITING</b>	<b>U-MX-2, -2x</b>	<b>U-MX-3</b>
<b>REQUIRED BUILD-TO</b>		
<b>A</b> Primary Street (min build-to % within min/max range)	70% 0'/15'	70% 0'/15'
Side Street (min build-to % within min/max range)	na	na
Build-to Exceptions and Alternatives	See Sections 5.3.7.2 and 5.3.6.1	
<b>SETBACKS</b>		
Primary Street (min)	0'	0'
Side Street (min)	0'	0'
Side Interior (min)	0'	0'
<b>B</b> Side Interior, adjacent to Protected District (min)	U-MX-2x: 5' 10'	10'
Rear, alley and no alley (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
Setback Exceptions and Encroachments	See Sections 5.3.7.3 and 5.3.7.4	
<b>PARKING</b>		
<b>C</b> Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	
<b>D</b> Surface Parking Screening	See Article 10, Division 10.5	
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 5.3.7.6)	
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	

<b>DESIGN ELEMENTS</b>	<b>U-MX-2, -2x</b>	<b>U-MX-3</b>
<b>BUILDING CONFIGURATION</b>		
<b>E</b> Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	15'/25'
<b>STREET LEVEL ACTIVATION</b>		
<b>F</b> Transparency, Primary Street (min)	40% Residential Only Buildings: 30%	40% Residential Only Buildings: 30%
<b>G</b> Transparency, Side Street (min)	25%	25%
Transparency Alternatives	See Section 5.3.6.2	
<b>H</b> Pedestrian Access, Primary Street	Entrance	
<b>USES</b>	All U-MX	

(1) All permitted Primary Uses shall be allowed within this building form; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 5.3.5.34.

## SHOPFRONT

				U-MS-2 U-MS-2x <u>U-MX-2</u>	U-MS-3	U-MS-5
<b>HEIGHT</b>		<u>U-RX-3</u>	U-RX-5	<u>U-MX-2x</u>	<u>U-MX-3</u>	U-MS-5
Stories (max)		3	5	2	3	5
A Feet (min/max)		<u>na/45'</u>	na/70'	na/35'	na/45'	24'/70'
Height Exceptions		See Section 5.3.7.1				
<b>SITING</b>		<u>U-RX-3</u>	U-RX-5	<u>U-MX-2</u> <u>U-MX-2x</u>	U-MS-3 <u>U-MX-3</u>	U-MS-5
<b>REQUIRED BUILD-TO</b>						
B Primary Street (min build-to % within min/max range)		<u>70% 0'/15'</u>	70% 0'/15'	0'/5' Residential Only Buildings: 0'/10'	75%	
C Side Street (min build-to % within min/max range)		<u>na</u>	na	0'/5' Residential Only Buildings: 0'/10'	25%	
Build-to Exceptions and Alternatives		See Sections 5.3.7.2 and 5.3.6.1				
<b>SETBACKS</b>						
Primary Street (min)		<u>0'</u>	0'	0'	0'	0'
Side Street (min)		<u>0'</u>	0'	0'	0'	0'
Side Interior (min)		<u>0'</u>	0'	0'	0'	0'
D Side Interior, adjacent to Protected District (min)		<u>10'</u>	10'	U-MS-2x, <u>U-MX-2x</u> : 5' <u>U-MS-2, U-MX-2</u> : 10'	10'	10'
Rear, alley and no alley (min)		<u>0'</u>	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)		<u>0'/10'</u>	0'/10'	0'/10'	0'/10'	0'/10'
Setback Exceptions and Encroachments		See Sections 5.3.7.3 and 5.3.7.4				
<b>PARKING</b>						
Surface Parking between building and Primary Street/Side Street		Not Allowed/Allowed		MS: Not Allowed ( <a href="#">Sec. 5.3.5.1</a> )/Not Allowed ( <a href="#">Sec. 5.3.5.1</a> )		
E Surface Parking Screening		See Article 10, Division 10.5				
Vehicle Access, 3 or more side-by-side dwelling units in one structure		From Alley; or Street access allowed when no Alley present (Sec. 5.3.7.6)				
Vehicle Access, all other permitted uses		Shall be determined as part of Site Development Plan Review				
<b>DESIGN ELEMENTS</b>		<u>U-RX-3</u>	U-RX-5	<u>U-MX-2</u> <u>U-MX-2x</u>	U-MS-3 <u>U-MX-3</u>	U-MS-5
<b>BUILDING CONFIGURATION</b>						
F Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)		<u>15'/25'</u>	20'/25'	na	15'/25'	20'/25'
G Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)		<u>na</u>	35'/40'	na	na	35'/40'
<b>STREET LEVEL ACTIVATION</b>						
H Transparency, Primary Street (min)				60%	Residential Only Buildings: 40%	
I Transparency, Side Street (min)				25%		
Transparency Alternatives		See Section 5.3.6.2				
J Pedestrian Access, Primary Street		Entrance				
<b>USES</b>		<u>All U-RX Zone Districts</u> <u>U-RX-5</u>		<u>All U-MS and U-MX Zone Districts</u>		
		All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max See Division 5.4 Uses and Parking		(1) All permitted Primary Uses shall be allowed within this building form. See Division 5.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in Section 5.3.5.34.		

## SECTION 5.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 5.3.4.1 Applicability

All detached accessory structures in all the Urban Neighborhood Context zone districts

### 5.3.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically Allowed**

~~Allowed~~ The following detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. Buildings Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to,~~ sheds, utility buildings, playhouses, cabanas, pool houses, garages, ~~and~~ guard houses, ~~and other similar Completely Enclosed Structures.~~

**2. Underground Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to,~~ carports, gazebos, porches, trellises, chicken coops, ~~and other similar Partially Enclosed Structures.~~ Swimming pools, storm and fallout shelters

**3. Unenclosed Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to,~~ pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.

**4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

Examples include, but are not limited to the following:

- a. ~~Carports~~
- b. ~~Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas~~
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar thermal and photo-voltaic energy systems
- e. Air conditioning units
- f. Pool pumps, heating and water filtration systems
- g. Mailboxes including individual mailbox structures and cluster box units (CBUs)
- h. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

**5. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 5.3.4.



**6. Accessory Structures Not Specifically Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 5.3.4.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 5.3.4.

**5.3.4.3 Supplemental Standards**

**A. Additional Standards for Detached Accessory Structures in All Zone Districts**

**1. Gross Floor Area**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

**2. Building Coverage**

All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

**B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings**

**1. Required Building Materials**

All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

**2. Access and Contiguity**

Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

**5.3.4.4 District Specific Standards Summary**

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Urban (U-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms			
			Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	Detached Accessory Structures
Single Unit (SU)	U-SU-A, -B, -C, -E, -H	no max*		■	■	
	U-SU-A1, B1, C1, E1, H1	no max*	■	■	■	
	U-SU-A2, -B2, -C2	no max*	□	■	■	
Two Unit (TU)	U-TU-B, -C	no max*	■	■	■	
	U-TU-B2	no max*	■	■	■	
Rowhouse (RH)	U-RH-2.5	no max*	■	■	■	
	U-RH-3A	no max*	■	■	■	
Residential Mixed Use (RX)	U-RX- <del>3</del> , -5	no max				■
Mixed Use (MX)	U-MX-2x	no max				■
	U-MX-2, -3	no max				■
Main Street (MS)	U-MS-2x	no max				■
	U-MS-2, -3, -5	no max				■

■ = Allowed □ = Allowed subject to limitations \*One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5

## DETACHED ACCESSORY DWELLING UNIT

		U-SU-A1 U-SU-A2*	U-TU-B, U-TU-B2 U-SU-B1 U-SU-B2*	U-TU-C U-SU-C1 U-SU-C2*	U-SU-E1	U-SU-H1	U-RH-2.5 U-RH-3A
<b>HEIGHT</b>							
A	Stories (max)	1.5	1.5	1.5	1.5	1.5	1.5
A	Feet (max)	24'	24'	24'	24'	24'	24'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	45°
<b>SITING</b>							
<b>ZONE LOT</b>							
	Zone Lot Size (min)	3,000 sf	4,500 sf	5,500 sf	7,000 sf	10,000 sf	3,000 sf
	Exemption from Maximum Building Coverage (Lesser of)	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf	50%/500 sf
	An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 sf. To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <u>Street Level ground story</u> GFA of the ADU form shall be used for vehicle parking.						
	Additional Standards	See Sections 5.3.4.3					
<b>SETBACKS</b>							
	Location	Located in the rear 35% of the zone lot depth					
C	Side Interior and Side Street (min)	5'	5'	5'	5'	5'	Lots 30' wide or less: 3' All Others: 5'
	If exceeding one story or 17' shall be located adjoining the southern most side setback line						
D	Rear (min)	5'	5'	5'	5'	5'	5'
<b>PARKING</b>							
	Parking Access	From Alley; or Street access allowed when no Alley present (see Sec. 5.3.7.6 for exceptions)					
<b>DESIGN ELEMENTS</b>		U-SU-A1, -B1, -C1, -E1, -H1, U-SU-A2*, -B2*, -C2* By Zone Lot Size				U-TU-B, -B2, -C, U-RH-2.5 U-RH-3A	
		6,000 sf or Less	Greater than 6,000 sf and up to 7,000 sf	Greater than 7,000 sf			
<b>BUILDING CONFIGURATION</b>							
	Building Footprint (max)	650 sf	864 sf	1,000 sf	1,000 sf		
	Habitable Space (max)	650 sf	864 sf	1,000 sf	na		
E	Horizontal Dimension (max)	36'	36'	36'	36'		
	Rooftop and/or Second Story Decks	Not allowed - See Section 5.3.5.+2					
<b>USES</b>		All U-SU, TU, RH					
	Accessory Uses Only <u>Accessory to a Primary Single Unit Dwelling Use</u> , including accessory dwelling unit where permitted. See Division 5.4 for permitted Accessory Uses						
See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions							

\*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

## DETACHED GARAGE

	U-SU-A	U-SU-B	U-SU-C					
	U-SU-A1	U-SU-B1	U-SU-C1	U-SU-E	U-SU-H	U-TU-B		U-RH-2.5
HEIGHT	U-SU-A2	U-SU-B2	U-SU-C2	U-SU-E1	U-SU-H1	U-TU-B2	U-TU-C	U-RH-3A
A Stories (max)	1	1	1	1	1	1	1	1
A Feet (max)	17'	17'	17'	17'	17'	17'	17'	17'
B Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	10'	10'	10'
Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	45°	45°	45°

### SITING

All U-SU, -TU, -RH

#### ZONE LOT

Exemption from Maximum Building Coverage (Lesser of)	50%/500 sf
	An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 sf. To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <b>Street Level ground-story</b> GFA of the garage form shall be used for vehicle parking.
Additional Standards	See Sections 5.3.4.3

#### SETBACKS

C Setback from Primary Street Facing Facade of Primary Structure (min)	10'
D Side Street (min)	5'
D Side Interior (min), for structure entirely in rear 35% of zone lot *	0'
Side Interior (min), for structure not entirely in rear 35% of zone lot	5'
Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less	3'
E Rear, no alley (min)	5'
Rear, alley, where garage doors face alley (min)	5'
Rear, alley, where garage doors do not face alley* (min)	0'
Vehicle Access	From Alley; or Street access allowed when no Alley present See Sec. 5.3.7.6 for exceptions

	U-SU-A	U-SU-B	U-SU-C					
	U-SU-A1	U-SU-B1	U-SU-C1	U-SU-E	U-SU-H	U-TU-B		U-RH-2.5
DESIGN ELEMENTS	U-SU-A2	U-SU-B2	U-SU-C2	U-SU-E1	U-SU-H1	U-TU-B2	U-TU-C	U-RH-3A
BUILDING CONFIGURATION								
Building Footprint (max)	1,000 sf	1,000 sf	1,000 sf	1,000 sf	1,000 sf	864 sf per unit**	864 sf per unit**	864 sf per unit**
F Horizontal Dimension (max)	36'	36'	36'	36'	36'	36' per unit	36' per unit	no max
Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3	3	3	3	3	3	3	3
G Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'	28'	28'	28'	28'	28'	28'	no max

### USES

All U-SU, TU, RH

Accessory Uses Only, excluding accessory dwelling unit where permitted.  
 See Division 5.4 for permitted Accessory Uses

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5'

\*\*When used with the Urban House building form, the permitted building footprint for a detached garage may be increased to 1,000 sf

## SECTION 5.3.5 SUPPLEMENTAL DESIGN STANDARDS

### 5.3.5.1 Surface Parking Between the Building and the Primary/Side Street

#### A. Intent

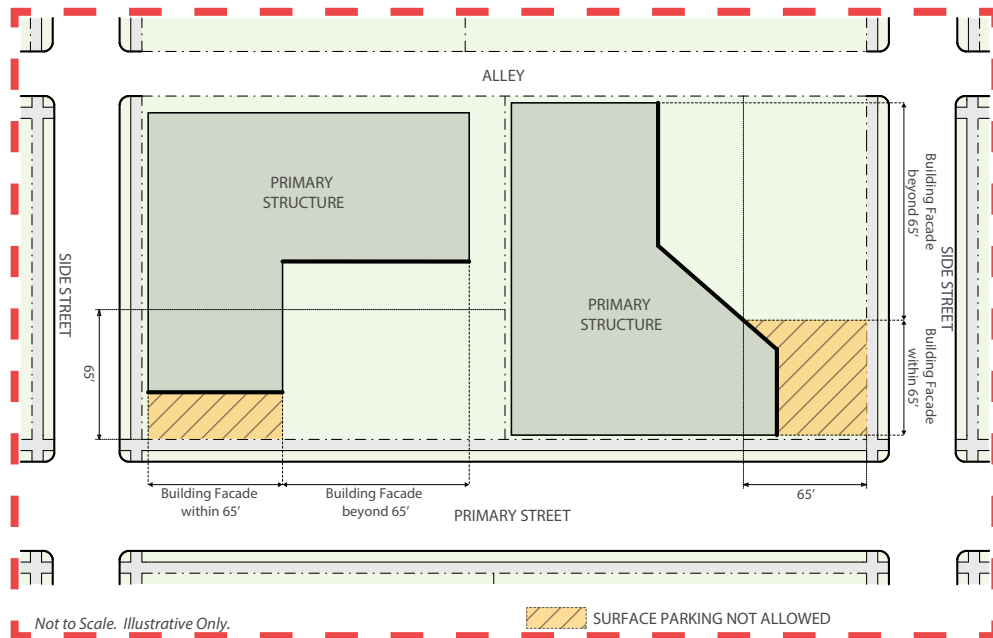
Allow for the functional siting of Buildings and Surface Parking while continuing to minimize the impacts of Surface Parking on the pedestrian experience.

#### B. Applicability

This Section 5.3.5.1 applies to the Shopfront building form in the U-MS and U-RX zone districts.

#### C. Surface Parking Not Allowed

Where a building form specifies that Surface Parking is not allowed between a Building and a Primary Street and/or Side Street, Surface Parking shall not be located in the area directly between any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street.



### 5.3.5.2 Rooftop and/or Second Story Decks

#### A. Intent

To protect the privacy of adjacent rear yards in low-scale residential neighborhoods.

#### B. Applicability

All the U-SU, U-TU, and U-RH zone districts

#### C. Supplemental Design Standard

1. Rooftop and/or Second Story Decks are prohibited in the rear 35% of the zone lot depth.
2. The Zoning Administrator may prohibit other similar structures in the rear 35% of the zone lot depth, including detached or freestanding structures but excluding the detached accessory dwelling unit building form where allowed, when the Zoning Administrator finds the structure would have similar adverse privacy impacts as the specifically prohibited Rooftop and/or Second Story Deck.

### 5.3.5.3 Garden Court

- A. The Garden Court shall include all of the following characteristics:
  - 1. Located at natural grade;
  - 2. Visually and physically accessible from the primary street; may be secured for private use;
  - 3. Open to the sky; and
  - 4. Bounded on not less than 3 sides with related building facades on the same ~~parcel~~Zone Lot.
- B. The Garden Court area may be used for any of the following:
  - 1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or
  - 2. Public or private landscaped area; may also include entries.
- C. Vehicular access is not permitted through the Garden Court area.

### 5.3.5.4 Street Level Active Uses in the U-MX and U-MS Zone Districts

#### A. Intent

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

#### B. Applicability

This Section 5.3.5.34 applies to the General building form in the U-MX zone districts and the Shopfront building form in the U-MS zone districts.

#### C. Street Level Active Uses

- 1. Street Level active uses include all permitted primary uses except the following:
  - a. Mini-storage Facility; or
  - b. Wholesale Trade or Storage, Light.
- 2. Street Level active uses include all permitted accessory uses except the following:
  - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
- 3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
- 4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
- 5. The length of any build-to alternatives permitted by Section 5.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

### 5.3.7.2 Required Build-To Exceptions

#### A. Civic, Public & Institutional Uses

**1. Intent**

To accommodate signature entrance architecture, gathering spaces, plazas, or community amenities along the front facades of structures containing civic, public and institutional uses.

**2. Standard**

Structures containing one or more uses in the Civic, Public & Institutional Use Classification are not required to meet the Primary Street and Side Street Build-To standards.

#### B. Parkways

**1. Intent**

To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code's build-to range.

**2. Standard**

Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

### 5.3.7.3 Setback Exceptions

#### A. Intent

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code's setbacks.

#### B. Standard

In all U- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

### 5.3.7.4 Setback Permitted Encroachments [bulleted lists created in following tables]

#### A. Intent

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.

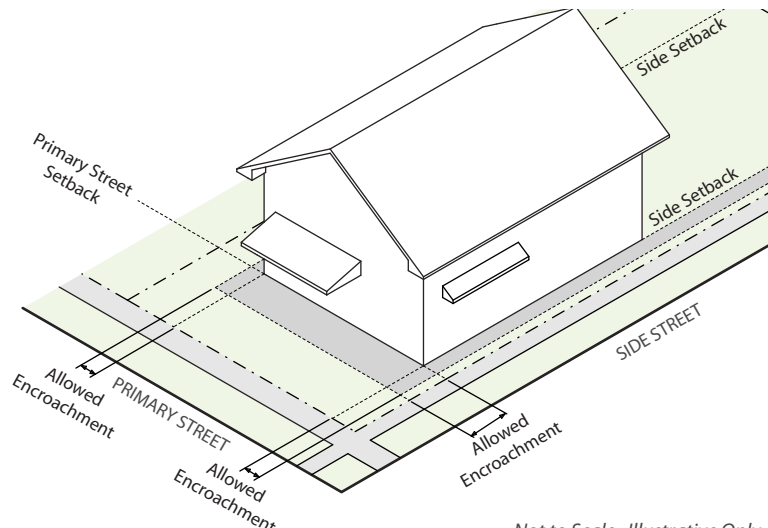
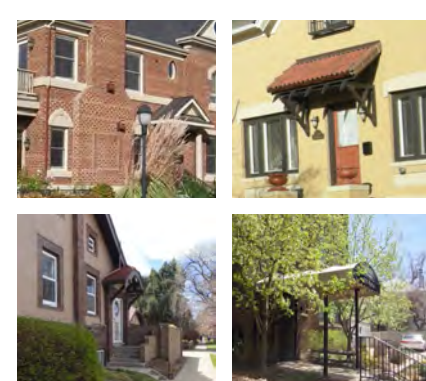
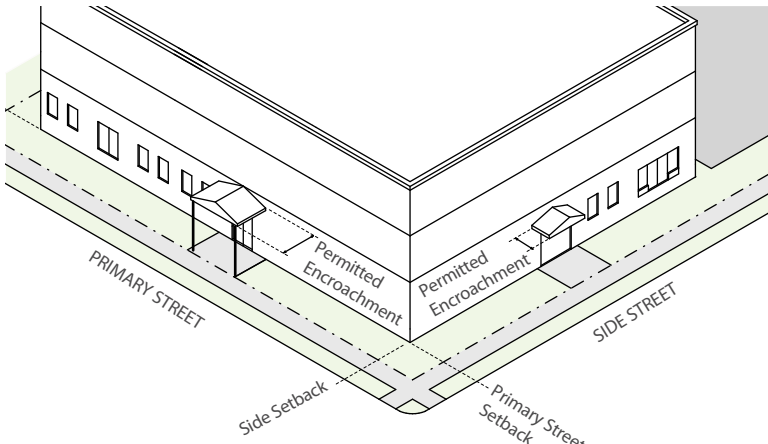

#### B. Standard


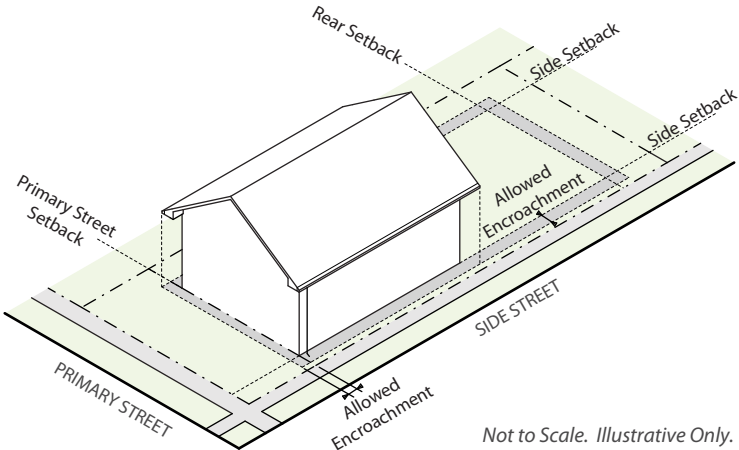

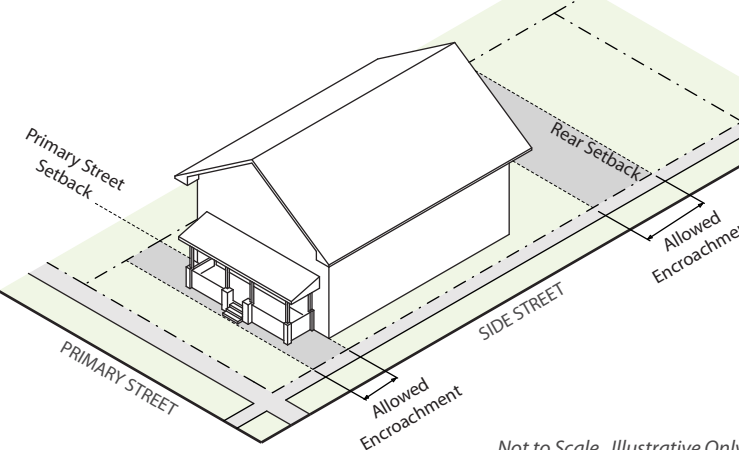
Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:


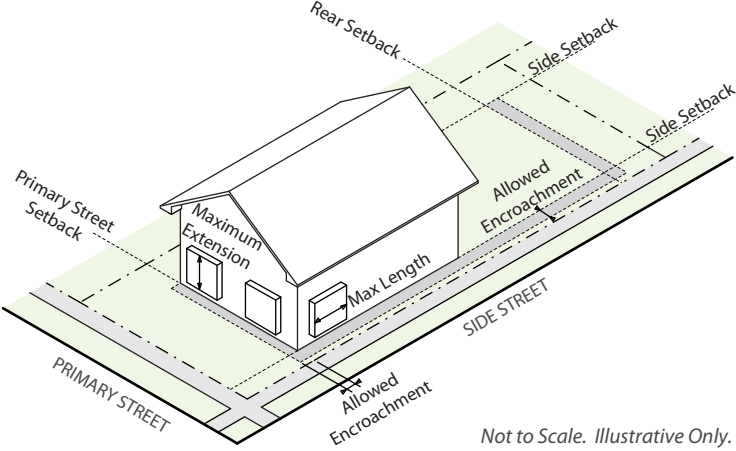
**1. Architectural Elements**

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• Shall be no more than 8' maximum in horizontal width;</li> <li>• Shall be open on three sides;</li> <li>• May include an at-grade landing.</li> </ul>	All U-SU, U-TU, U-RH Zone Districts	3'	3'	3'; if setback is less than 5': 2' and at no point closer than 2' to a property line.	Not allowed
<p><b>Intent:</b> To provide for covering over an entrance to protect from weather. Unlike the Porch encroachment, canopy is allowed in Side Interior.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>• Shall be open on three sides.</li> </ul>	All U- Zone Districts, except U-SU, U-TU and U-RH	Any distance	Any distance	Not allowed	Not allowed
<p><b>Intent:</b> Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					


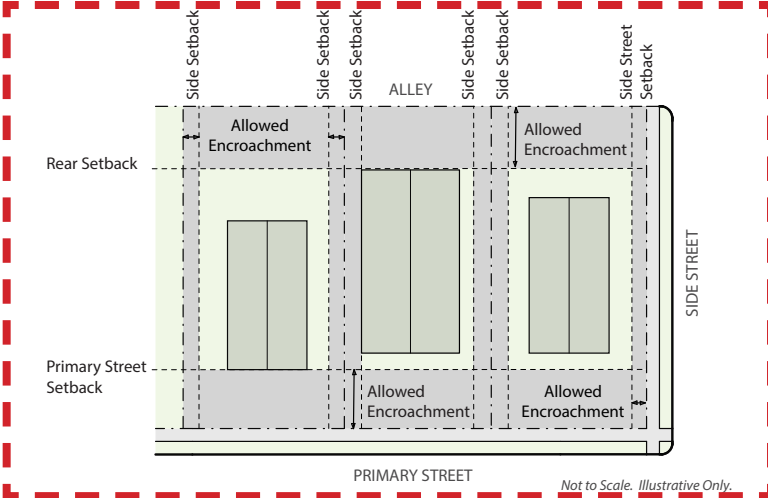
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	All U- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <u>Street Level ground story</u> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul> <p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	All U- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All U- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Shading devices: building elements, such as awnings, designed and intended to control light entering a building</p>	All U- Zone Districts	5'	3'	3'	10'
<p>Intent: To allow for elements either integral or attached to a building which control light through windows.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

**2. Site Elements**

To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.


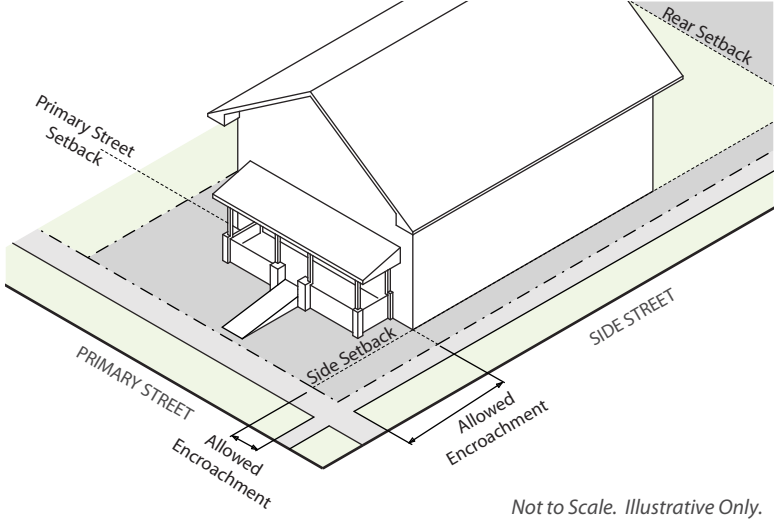
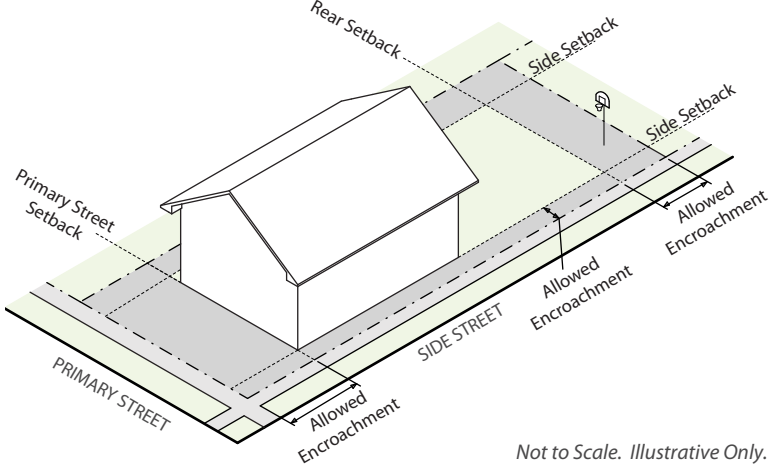
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Drive or Driveway for Urban House, Duplex, and Tandem House building forms</u></p> <p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area.</u></p>  <p><i>Illustrative only</i></p>	<p>All U-SU, U-TU and U-RH Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Any distance</p>
	 <p>Not to Scale. Illustrative Only.</p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Drive or Driveway for Garden Court, Rowhouse, and Apartment building forms</u></p> <p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.</u></p>  <p><i>Illustrative only</i></p>	<p>All U-TU and U-RH Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Not allowed (*see exception below)</p>	<p>Any distance</p>
	 <p>Not to Scale. Illustrative Only.</p> <p>See Exception</p>				
<p><u>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</u></p> <ul style="list-style-type: none"> <li>• <u>The Side Interior setback Abuts a public Alley;</u></li> <li>• <u>Other public right-of-way, or an easement for public access Abutting a public Alley; or</u></li> <li>• <u>Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</u></li> </ul>					

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Flatwork providing pedestrian access to entrances and buildings:</u></p>	<p><u>All U- Zone Districts</u></p>	<p><u>Any distance, but may not exceed 50% of the area within the setback</u></p>	<p><u>Any distance, but may not exceed 50% of the area within the setback</u></p>	<p><u>Maximum of 5' wide: Any distance</u></p>
<p><u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u></p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>			



**3. Service & Utility Elements**

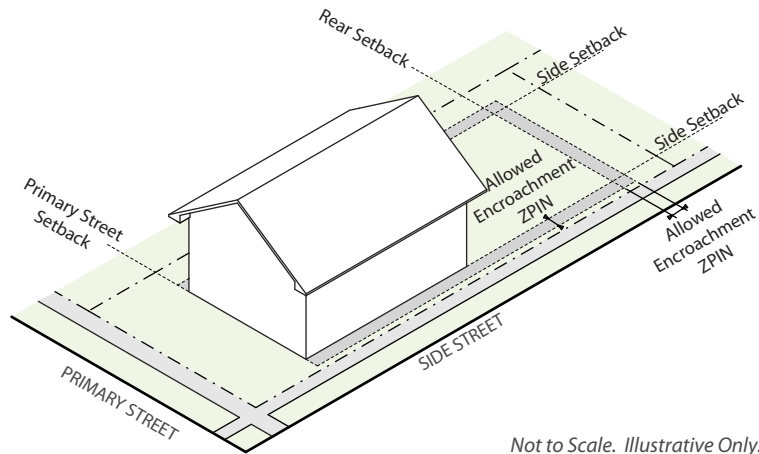
To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access <b>ramps structures</b> providing access to <b>existing</b> buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</p> <ul style="list-style-type: none"> <li>Setback encroachments for required barrier-free access <b>ramps structures</b> are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>Such <b>ramps barrier-free access structures</b> shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To provide <b>flexibility in the location of required barrier-free access to existing buildings, for egress from a building only for emergency purposes:</b></p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p><i>Not to Scale. Illustrative Only.</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:	All U- Zone Districts	Not allowed	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice

- Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;
- Does not exceed 4' in height or 10 square feet in area per unit;
- Does not exceed 2 units per zone lot;
- Has adequate screening to conceal it from view from adjacent properties and public rights-of way by means of landscaping and/or fencing; and
- The location of the unit(s) minimizes the impacts on adjoining properties.

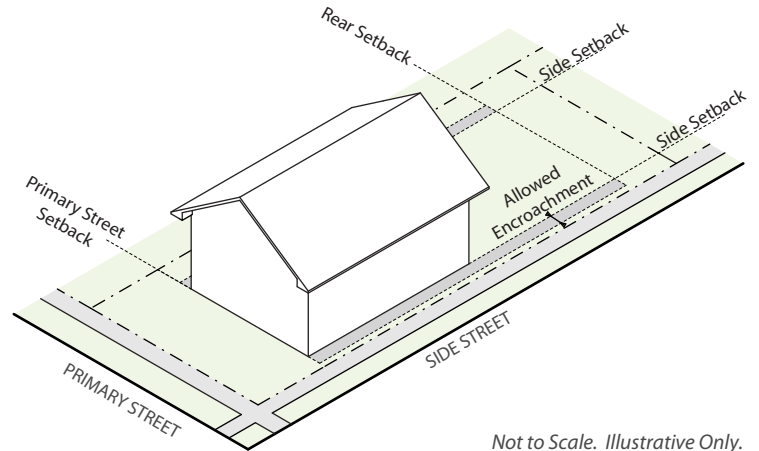
Intent: To allow for functional siting.



Not to Scale. Illustrative Only.


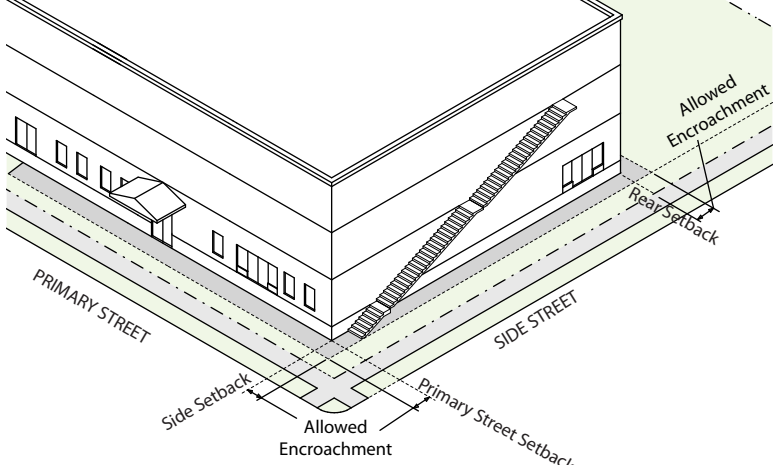

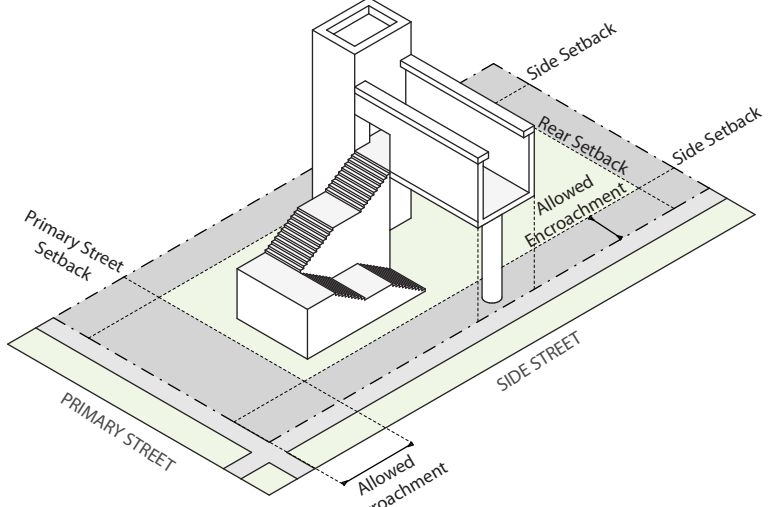
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers • located behind the front of the primary structure and • screened from adjacent properties and public rights-of-way, and • not to exceed the noise standards of D.R.M.C. Section 36-6	All U- Zone Districts	Not allowed	3'	3'	Not allowed


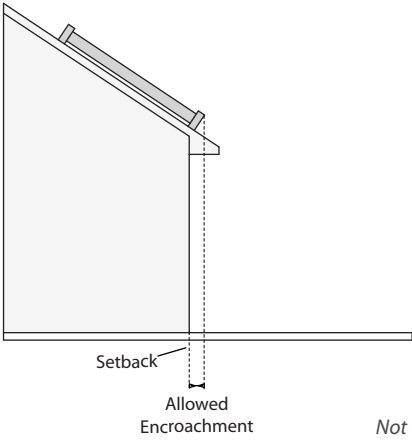
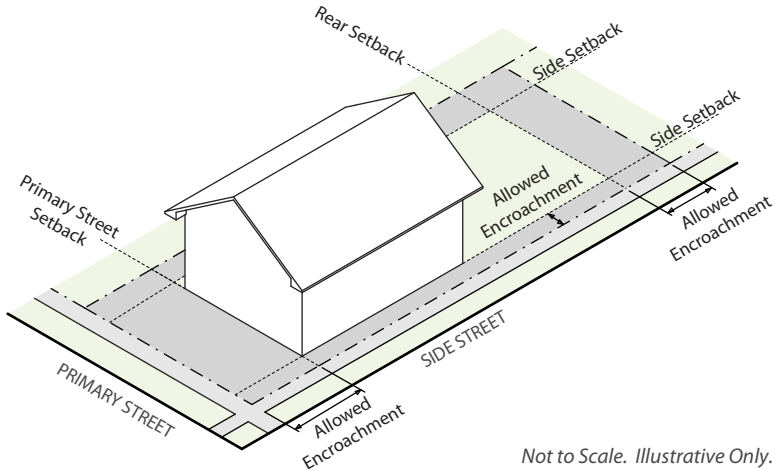
Intent: To allow for functional siting.


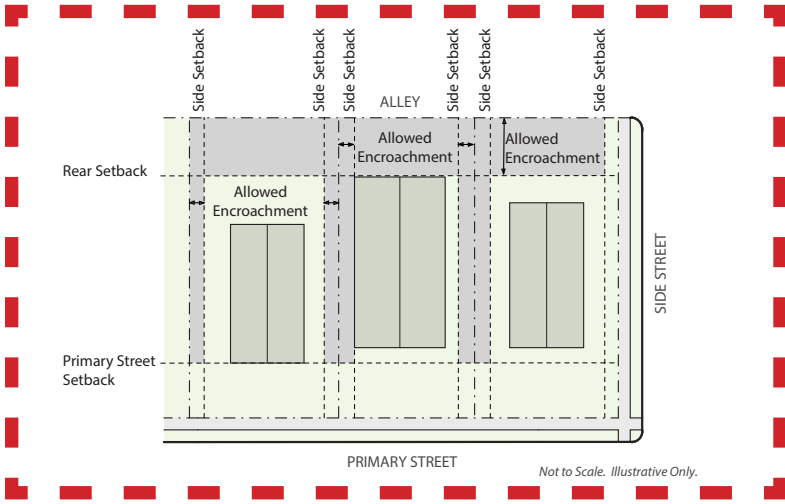

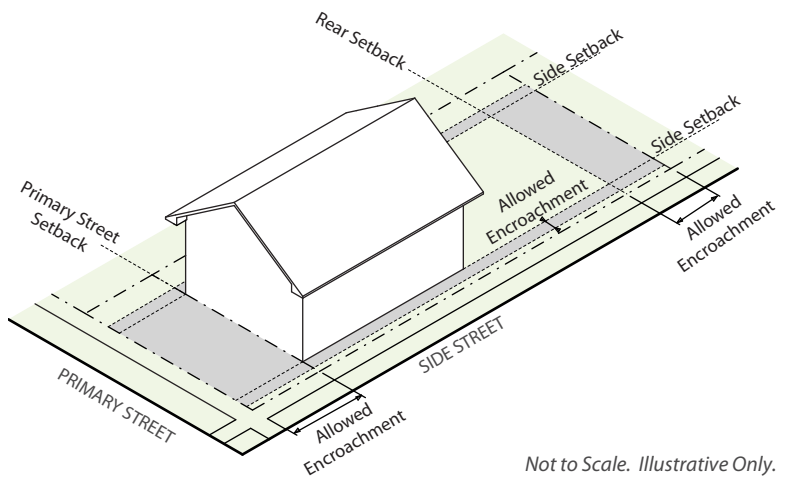


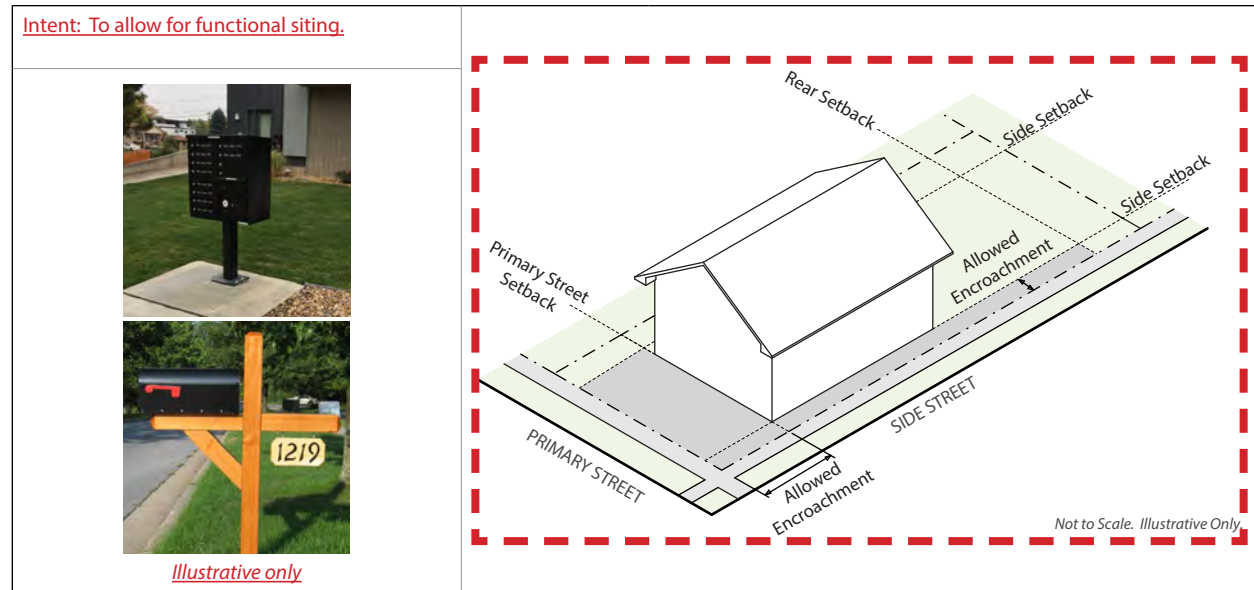
Not to Scale. Illustrative Only.



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p> <p>Intent: To provide for egress from a building only for emergency purposes</p>	All U- Zone Districts	5'	3'	3'	10'
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station;</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul> <p>Intent: To allow for above-grade connections to and from transit stations</p>	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, Flush Mounted Roof	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p><i>Illustrative only</i></p>	 <p>Setback</p> <p>Allowed Encroachment</p> <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: <ul style="list-style-type: none"> <li>• Shall not exceed 3' in height.</li> </ul>	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for functional siting.</p>	 <p>Primary Street Setback</p> <p>Rear Setback</p> <p>Side Setback</p> <p>Allowed Encroachment</p> <p>Allowed Encroachment</p> <p>Allowed Encroachment</p> <p>PRIMARY STREET</p> <p>SIDE STREET</p> <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>Greater than 3' in height but not exceeding 8' in height above Finished Grade.</li> </ul> <p>Intent: To allow for functional siting.</p>  <p><i>Illustrative only</i></p>	<p>All U-RH, U-RX, U-MX, and U-MS Zone Districts</p>	<p>Not allowed</p>	<p>Not allowed</p>	<p>Any distance</p>	<p>Any distance</p>
					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas:</p> <ul style="list-style-type: none"> <li>Shall be below grade.</li> </ul> <p>Intent: To allow for emergency egress</p>  <p><i>Illustrative only</i></p>	<p>All U- Zone Districts</p>	<p>Any distance for any width</p>	<p>Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line</p>	<p>Any distance for any width</p>	
					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u></p>	<p>All U- Zone Districts</p>	<p>Any distance</p>	<p>Any distance</p>	<p>Not allowed</p>	<p>Not allowed</p>



### 5.3.7.5 Building Coverage Exception

#### A. Applicability

All U- zone districts where a building coverage standard applies.

#### B. Front Porch

##### 1. Intent

To promote street activation.

##### 2. Standard

Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

#### C. Detached Accessory Dwelling Unit or Detached Garage

##### 1. Intent

To promote openness between buildings located in the front and back of the lot.

##### 2. Standard

Area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See those building forms for the applicable zone district.

### 5.3.7.6 Vehicle Access From Alley Required - Exceptions

#### A. No Alley

Where a building form specifies “street access allowed when no **aAlley** present”, vehicle access from the street is allowed when a **Zzone Llot** is not bounded by an **aAlley**.

#### B. Alley

Where a building form specifies vehicle access from **aAlley** is required, and the **Zzone Llot** is bounded by an **aAlley**, any newly constructed **Ddriveways**, **Off-Street Parking Area driving aisle**, **Ggarage**, **Ccarport**, or other parking facility shall be accessed solely from an **aAlley**, unless:

1. The **aAlley** is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The **aAlley** is less than 12 feet in width;

3. At least 60 percent of the existing ~~dwelling units~~ Zone Lots on the same ~~face~~ Block are served by ~~Driveways, Off-Street Parking Areas driving aisles, Garages, Carports,~~ or other parking facilities accessed directly from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
4. The Department of Public Works prohibits the use of the ~~a~~ Alley for vehicular access to the ~~Zone~~ Lot based upon a determination that the ~~a~~ Alley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; ~~or~~
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 5.3.7.6, then vehicular Alley access is required.

## SECTION 5.3.8 REFERENCE TO OTHER DESIGN STANDARDS

### 5.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

- A. Parking and Loading: Division 10.4
- B. Landscaping, Fences, Walls and Screening: Division 10.5
- C. Site Grading Standards: Division 10.6
- D. Outdoor Lighting: Division 10.7
- E. Signs: Division 10.10

**SECTION 5.4.4 DISTRICT SPECIFIC STANDARDS**

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review

ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-TU-B U-SU-H U-TU-B2 U-RH-2.5 U-RX-3 U-MX-2x U-MX-2 U-MS-3 U-SU-H1 U-TU-C U-RH-3A U-RX-5 U-MS-2x U-MS-2 U-MX-3 U-MS-5								APPLICABLE USE LIMITATIONS

**RESIDENTIAL PRIMARY USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	RESIDENTIAL PRIMARY USE CLASSIFICATION								APPLICABLE USE LIMITATIONS
		P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	L-ZP	<del>P</del> -ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.2
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.3
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.2.3
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	<del>NP</del> L-ZPIN	<del>NP</del> L-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	<del>§ 11.2.6, § 11.2.8</del>
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.7
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.8
	Rooming and Boarding House • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 4.5/ 1,000 sf GFA • Bicycle: No Requirement	NP	NP	NP	P-ZP	NP	NP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L	L	L	L-ZPIN/L	L	L	L-ZPIN/L	L-ZPIN/L	§ 11.2.9
	Student Housing • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	P-ZP	



KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review  
 ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Reqmt: # spaces per unit of measurement •Bicycle Parking Reqmt :# spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>										
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center •Vehicle: .5 / 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	P-ZPIN	P-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZP	§ 11.3.4
	Postal Facility, Neighborhood •Vehicle: 2.5/ 1,000 sf GFA •MS only: 2/1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (20/80)	NP	NP	NP	P-ZP	NP	NP	P-ZP	P-ZP	
	Public Safety Facility •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	NP	
	Cemetery*	NP	NP	NP	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Library •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	



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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Reqmt: # spaces per unit of measurement •Bicycle Parking Reqmt :# spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3 U-MS-3	U-MS-5	APPLICABLE USE LIMITATIONS
Education	Elementary or Secondary School •Vehicle- High School: 2/1,000 sf GFA •Bicycle - High School: 1/ 10,000 sf GFA (0/100) •Vehicle- All Others: 1/1,000 sf GFA •Bicycle-All Others: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.3.8; § 11.3.9
	Vocational or Professional School •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types •Vehicle: .5/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.10.
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>										
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 sf GFA • Vehicle - All Others - MS only: 2/1,000 sf GFA • Vehicle - All Others: 2.5/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	P-ZP	L-ZPIN	L-ZP	P-ZP	P-ZP	§ 11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - MS only: 2/1,000 sf GFA • Vehicle: 2.5/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	L-ZPSE	NP	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable				§11.4.5	
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	NP	L-ZP	L-ZP	NP	NP	NP	NP	NP	§ 11.4.7
Eating & Drinking Establishments	All Types • Vehicle: 4.5/1,000 sf GFA • MS only: 2/1,000 sf GFA • Bicycle: 1/5,000 sf GFA (0/100)	NP	NP	NP	P-ZP	L-ZPSE	L-ZP	P-ZP	P-ZP	§ 11.4.8
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/10,000 sf GFA (60/40)	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/10,000 sf GFA (60/40)	NP	NP	NP	P-ZP	NP	NP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Reqmt: # spaces per unit of measurement •Bicycle Parking Reqmt :# spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3 U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS	
Office	Dental / Medical Office or Clinic •Vehicle: 2/ 1,000 sf GFA •Bicycle: 1/10,000 sf GFA (60/40)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.4.9
	Office, All Others •Vehicle: 2/ 1,000 sf GFA •Bicycle: 1/10,000 sf GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only •Vehicle: 2.5/ 1,000 sf GFA •MS only: 2/1,000 sf GFA •Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	L-ZP	L-ZPIN	L-ZP	L-ZP	L-ZP	\$11.4.11; \$11.4.10
	Animal Sales and Services, All Others	NP	NP	NP	NP	NP	NP	NP	NP	
	Body Art Establishment •Vehicle: 2.5/ 1,000 sf GFA •MS only: 2/1,000 sf GFA •Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	\$11.4.13; \$11.4.10
	Food Sales or Market •Vehicle: 2.5/ 1,000 sf GFA •MS only: 2/1,000 sf GFA •Bicycle: 1/10,000 sf GFA(20/80)	NP	NP	NP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	\$11.4.14; \$11.4.10

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Liquor Store, Including Drug stores Licensed to Sell Liquor • Vehicle: 2.5/1,000 sf GFA • MS only: 2/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	L-ZP	L-ZPIN	L-ZP	L-ZP	L-ZP	<del>§11.4.15;</del> §11.4.10
	Pawn Shop • Vehicle: 2.5/ 1,000 sf GFA • MS only: 2/1,000 sf GFA • Bicycle: 1/10,000 sf GFA(20/80)	NP	NP	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* • Vehicle: 2.5/ 1,000 sf GFA • MS only: 2/1,000 sf GFA Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	NP	L-ZPIN	L-ZPIN	L-ZPIN	L-ZP	§11.4.17; §11.4.10
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	NP	NP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others • Vehicle: 2.5/ 1,000 sf GFA • MS only: 2/1,000 sf GFA • Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	P-ZP	L-ZP/L-ZPIN	L-ZP	P-ZP	P-ZP	§11.4.10
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	P-ZP	P-ZP	§11.4.18
	Automobile Services, Light • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZPSE	L-ZP	L-ZP	§11.4.19; §11.4.20
	Automobile Services, Heavy • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	L-ZP/ZPSE	§11.4.19 §11.4.21
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	NP	NP	NP	

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<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>										
Communications and Information	Antennas Not Attached to a Tower* •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.2
	Communication Services •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	L-ZP/ZPSE	NP	L-ZP/ZPSE	L-ZP/ZPSE	U-MS-3: L-ZP/ZPSE U-MS-5: P-ZP	\$11.5.1
	Telecommunications Towers* •No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	\$11.5.2
	Telecommunications Tower - Alternative Structure* •No Parking Requirements	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ZPIN	\$11.5.2
	Telecommunication Facilities -- All Others* •No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.5.2
Industrial Services	Contractors, Special Trade - General •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZPIN	L-ZPIN	L-ZP	L-ZP	\$ 11.5.5
	Laboratory, Research, Development and Technological Services	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	\$11.5.6
	Service/Repair, Commercial •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	\$11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.8
	Manufacturing, Fabrication & Assembly -- General •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZP/ ZPSE	L-ZP/ZPSE	\$11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP	NP	

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		NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Wind Energy Conversion Systems* • No Parking Requirement	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.5.13	
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Helipad, Heliport, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.5.14	
	Railroad Facilities*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.16	
Waste Related Services	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Recycling Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Wholesale, Storage, Warehouse & Distribution	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Mini-storage Facility • Vehicle: 0.1 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	L-ZP	NP	NP	\$11.5.23	
	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	\$11.5.26		
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>																													
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Garden, Urban* • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.6.2	
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Husbandry, Plant* Plant Nursery • Vehicle: .5 / 1,000 sf GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.6.5

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USE CATEGORY	SPECIFIC USE TYPE	U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E	U-SU-E1	U-TU-B	U-SU-H	U-TU-B2	U-RH-2.5	U-RX-3	U-MX-2x	U-MX-2	U-MS-3	U-SU-H1	U-TU-C	U-RH-3A	U-RX-5	U-MS-2x	U-MS-2	U-MX-3	U-MS-5	APPLICABLE USE LIMITATIONS
	• Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)																												

**ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS
		U-SU-A1, -A2, -B1, -B2, -C1, -C2, -E1, -H1 only: L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$11.7
	Accessory Dwelling Unit	U-SU-A1, -A2, -B1, -B2, -C1, -C2, -E1, -H1 only: L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.2
	Domestic Employee	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.3
	Garden*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	\$11.7; \$11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses					\$11.7; \$11.8.7	
	<b>Outdoor Storage, Residential*</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>L</b>	<b>\$11.7; \$11.8.8</b>
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.8
	Short-term Rental	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.9
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9
	Wind Energy Conversion Systems*	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	Not Applicable - See Permitted Primary Uses				\$11.7; \$11.5.8	
Yard and/or Garage Sales*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.10	

**HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.9; \$11.9.5



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USE CATEGORY	SPECIFIC USE TYPE	U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E	U-SU-E1	U-TU-B	U-TU-B2	U-RH-2.5	U-RH-3A	U-RX-3	U-RX-5	U-MX-2x	U-MX-2	U-MX-3	U-MS-3	U-MS-5
	• Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)																						

**ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS												
		U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E													
Accessory to Primary Nonresidential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses																						\$11.7; \$11.10.1	
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	\$11.7; \$11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	\$11.7 \$11.10.5
	College Accessory to a Place for Religious Assembly	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7 \$11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	\$11.7; \$11.10.8
	Garden*	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	\$11.7; \$11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	\$11.7; \$11.10.12

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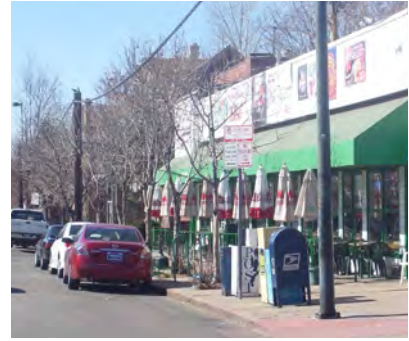
USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt :# spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
Accessory to Primary Nonresidential Uses	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	L-ZPIN/ZPSE	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	\$11.7; \$11.10.13
(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Outdoor Retail Sale and Display*	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Storage, Limited*	NP	NP	NP	NP	L	L	L	L	\$11.7; \$11.10.16
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	L	L	L	L	L	\$11.7; \$11.10.17
<b>TEMPORARY USE CLASSIFICATION</b>										
Temporary Uses  (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L - Applicable to all Zone Districts								\$11.11.1
	Ambulance Service - Temporary	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses				\$11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	NP	NP	
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Retail Sales*	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.11.11
	Outdoor Sales, Seasonal*	NP	NP	NP	L-ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile*	NP	NP	NP	NP	NP	NP	NP	NP	
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.16
Tent for Religious Services	NP	NP	NP	NP	NP	NP	NP	NP		

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## DIVISION 6.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 6.1.1 GENERAL CHARACTER

The General Urban Neighborhood Context is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential **building** forms. Low-scale commercial areas are embedded within residential areas. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure. Residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial and main streets but may be located at or between intersections of local streets.

### SECTION 6.1.2 STREET, BLOCK AND ACCESS PATTERNS

The General Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback.

### SECTION 6.1.3 BUILDING PLACEMENT AND LOCATION

Residential buildings typically have consistent, shallow to moderate front setbacks, shallow side setbacks and consistent orientation. Commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

### SECTION 6.1.4 BUILDING HEIGHT

The General Urban Neighborhood Context is characterized by moderate to high residential buildings and low to moderate commercial and mixed use structures in appropriate locations to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood.

### SECTION 6.1.5 MOBILITY

There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system.

## DIVISION 6.2 DISTRICTS (G-RH-, G-MU-, G-RO-, G-MX-, G-RX-, G-MS-)

### SECTION 6.2.1 DISTRICTS ESTABLISHED

To carry out the provisions of this Article, the following zone districts have been established in the General Urban Neighborhood Context and are applied to property as set forth on the Official Map.

#### General Urban Neighborhood Context

G-RH-3	Row House 3
G-MU-3	Multi Unit 3
G-MU-5	Multi Unit 5
G-MU-8	Multi Unit 8
G-MU-12	Multi Unit 12
G-MU-20	Multi Unit 20
G-RO-3	Residential Office 3
G-RO-5	Residential Office 5
G-MX-3	Mixed Use 3
<u>G-RX-3</u>	<u>Residential Mixed Use 3</u>
G-RX-5	Residential Mixed Use 5
G-MS-3	Main Street 3
G-MS-5	Main Street 5

### SECTION 6.2.2 RESIDENTIAL DISTRICTS (G-RH-3, G-MU-3 TO -20, G-RO-3, G-RO-5)

#### 6.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms.
- B. The building form standards, design standards, and uses work together to promote safe, active, pedestrian-scaled residential areas. The standards accommodate the pattern of urban house, duplex, row house, garden court, and apartment. Buildings orient to the street and access is from the alley. Lot coverage is typically high accommodating a consistent, shallow front yard.
- C. These standards recognize the variation within the General Urban Neighborhood Context and provide eight Residential Zone Districts. The lowest-scale districts with a maximum height of three stories provide a transition to Urban and Urban Edge Neighborhood Contexts. The highest-scale districts with a maximum height of 12 and 20 stories promote a dense, urban residential character where appropriate. The Residential Office (RO) districts provide opportunities for residential and offices uses in low to moderate scale residential building forms.
- D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations reinforce desired patterns in existing neighborhoods and create standards for new neighborhoods.

#### 6.2.2.2 Specific Intent

##### A. Row House 3 (G-RH-3)

G-RH-3 is a multi unit district allowing urban house, duplex, and row house building forms. Row houses are not taller than three stories.



### 6.2.3.2 Specific Intent

#### A. Mixed Use – 3 (G-MX-3)

G-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

## SECTION 6.2.4 RESIDENTIAL MIXED USE DISTRICTS (G-RX-3, -5)

### 6.2.4.1 General Purpose

- A. The Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.
- B. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.
- C. The Residential Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have ~~ground story retail~~ commercial uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

### 6.2.4.2 Specific Intent

#### A. Residential Mixed Use 3 (G-RX-3)

G-RX-3 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

#### B. Residential Mixed Use 5 (G-RX-5)

G-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired.

## SECTION 6.2.5 MAIN STREET DISTRICTS (G-MS-3, -5)

### 6.2.5.1 General Purpose

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.
- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver)

3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

**B. Setbacks**

1. Site buildings to be consistent with the intended character and functional requirements of the urban context.
2. Site buildings to define the street edge/public realm consistent with the context.
3. Utilize buildings to create positive transitions between districts.

**C. Parking Location**

1. Minimize the visual impacts of parking areas on streets and adjoining property.
2. Minimize conflicts between pedestrian and vehicles.

**6.3.2.3 Design Elements**

**A. Configuration**

1. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
3. Main Street setback: Reinforce the proportional scale of buildings to street width in order to establish a strong edge to Main Streets and other urban street corridors..
4. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

**B. Transparency**

1. Maximize transparency of windows at Street Level to activate the street.
2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect the uses within the building.
3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

**C. Entrances**

1. Give prominence to pedestrian realm as a defining element of neighborhood character.
2. Provide convenient access to buildings and ~~pedestrian~~ active uses from the street.
3. Articulate and create a visual hierarchy of building entrances as an aid in way-finding.
4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
5. Create visually interesting and human-scaled facades.



## SECTION 6.3.3 PRIMARY BUILDING FORM STANDARDS

### 6.3.3.1 Applicability

All development, except detached accessory structures, in all the General Urban Neighborhood Context zone districts

### 6.3.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

### 6.3.3.3 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

General Urban (G-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms												
			Suburban House	Urban House	Detached Acc- Dwelling Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront
RESIDENTIAL ZONE DISTRICTS															
Row House (RH)	G-RH-3	no max		■	■	■				■	■				
Multi Unit (MU)	G-MU-3, -5	no max		■	■	■				■	■	■			
	G-MU-8, -12, -20	no max		■	■	■					■	■			
Residential Office (RO)	G-RO-3, -5	no max		■	■	■					■	■			
COMMERCIAL MIXED USE ZONE DISTRICTS															
Residential Mixed Use (RX)	G-RX- <u>3</u> , -5	no max			■										■
Mixed Use (MX)	G-MX-3	no max			■							■	■	■	■
Main Street (MS)	G-MS-3, -5	no max			■							■	■		■

■ = Allowed    □ = Allowed subject to limitations

**URBAN HOUSE**

<b>HEIGHT</b>		G-RH-3	G-MU-3 G-RO-3	G-MU-5 G-RO-5	G-MU-8, -12, -20
A	Stories (max)	see below	3	3	3
A	Feet (max)	see below	30'*	30'*	30'*
	Stories, front 80% / rear 20% of zone lot depth (max)	3/1	na	na	na
	Feet, front 80% / rear 20% of zone lot depth (max)	30'*/19'	na	na	na
B	Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	na	na	na
	Upper Story Setback, for Flat Roof, Above 25', Side Interior and Side Street (min)	15'	na	na	na

\*1' for every 5' increase in lot width over 50' up to a maximum height of 35'

<b>SITING</b>		G-RH-3	G-MU-3 G-RO-3	G-MU-5 G-RO-5	G-MU-8, -12, -20
<b>ZONE LOT</b>					
	Zone Lot Size (min)	3,000 sf	3,000 sf	3,000 sf	3,000 sf
C	Zone Lot Width (min)	25'	25'	25'	25'
	Primary Street, block sensitive setback required	yes	yes	na	na

<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>		All G-RH, -MU, -RO			
		30' or Less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater
D	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
E	Side Street (min)	3'	5'	5'	5'
F	Side Interior (min)	3'	3' min one side/10' min combined	5'	7.5'
G	Rear, alley/no alley	12'/20'	12'/20'	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	50%	50%	50%
<b>PARKING BY ZONE LOT WIDTH</b>					
	Parking and Drive Lot Coverage in Primary Street Setback/Overall (max)	2 Spaces and 320 sf	2 Spaces and 320 sf	33%	33%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)			
H	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 6.3.4			

<b>DESIGN ELEMENTS</b>		All G-RH, -MU, -RO			
<b>BUILDING CONFIGURATION</b>					
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks			
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater			
<b>STREET LEVEL ACTIVATION</b>					
I	Pedestrian Access, Primary Street	Entry Feature			
<b>USES</b>					

All-permitted For Primary Structures constructed on or before April 27, 2017, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after April 27, 2017, Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses, allowed within this building form

See Division 6.4 Uses and Parking 6.3-7

## DUPLEX

HEIGHT	G-RH-3	G-MU-3 G-RO-3	G-MU-5 G-RO-5	G-MU-8, -12, -20
A Stories (max)	see below	3	3	3
A Feet (max)	see below	30'	30'	30'
Stories, front 80% / rear 20% of zone lot depth (max)	3/1	na	na	na
Feet, front 80% / rear 20% of zone lot depth (max)	30*/19'	na	na	na
B Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	na	na	na
Upper Story Setback, for Flat Roof, Above 25': Side Street and Side Interior (min)	15'	na	na	na

\*1' for every 5' increase in lot width over 50' up to a maximum height of 35'

SITING	G-RH-3	G-MU-3 G-RO-3	G-MU-5 G-RO-5	G-MU-8, -12, -20
<b>ZONE LOT</b>				
Zone Lot Size (min)	3,000 sf	3,000 sf	3,000 sf	3,000 sf
C Zone Lot Width (min)	25'	25'	25'	25'
Primary Street, block sensitive setback required	yes	yes	yes	na

SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH	All G-RH, -MU, -RO			
	30' or Less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater
D Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
E Side Street (min)	3'	5'	5'	5'
F Side Interior (min)	3'	3' min one side/10' min combined	5'	7.5'
G Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'	12'/20'
Building Coverage per Zone Lot, including all accessory structures (max)	50%	50%	50%	50%
<b>PARKING BY ZONE LOT WIDTH</b>				
Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	50%	50%
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)			
H DETACHED ACCESSORY STRUCTURES	See Sec. 6.3.4			

DESIGN ELEMENTS	All G-RH, -MU, -RO Districts
<b>BUILDING CONFIGURATION</b>	
Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks
Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater
<b>STREET LEVEL ACTIVATION</b>	
I Pedestrian Access, Primary Street	Entry Feature

USES	All G-RH, -MU, -RO Districts
	<u>All permitted For Primary Structures constructed on or before April 27, 2017, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after April 27, 2017, Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living and Nonresidential uses. at- lowed within this building form-</u> See Division 6.4 Uses and Parking

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## GARDEN COURT

### HEIGHT

	G-RH-3	G-MU-3	G-MU-5
A Stories (max)	see below	3	3
A Feet (max)	see below	30*	30*
Stories, front 80% / rear 20% of zone lot depth (max)	3/1	na	na
A Feet, front 80% / rear 20% of zone lot depth (max)	30*/19'	na	na
B Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	na	na
Upper Story Setback, for flat roof, Above 25': Side Street and Side Interior (min)	15'	na	na

\*1' for every 5' increase in lot width over 50' up to a maximum height of 35'

### SITING

#### ZONE LOT

	G-RH-3	G-MU-3	G-MU-5
Zone Lot Size (min)	6,000 sf	6,000 sf	6,000 sf
Zone Lot Width (min)	50'	50'	50'

#### SETBACKS

	G-RH-3	G-MU-3	G-MU-5
Primary Street, block sensitive setback required	yes	yes	na
C Primary Street, where block sensitive setback does not apply (min)	20'	10'	10'
D Side Street (min)	5'	5'	5'
E Side Interior (min)	5'	7.5'	7.5'
F Rear, alley/no alley (min)	12'/20'	10'/20'	10'/20'
G Required Separation Between Primary Structures (min)	10'	10'	10'

#### PARKING

Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)		
I DETACHED ACCESSORY STRUCTURES	See Sec. 6.3.4		

### DESIGN ELEMENTS

#### BUILDING CONFIGURATION

	G-RH-3	G-MU-3	G-MU-5
J Street-Facing Courtyard Width (min)	15'	15'	15'
K Street-Facing Courtyard Depth (min)	30'	30'	30'
Garden Court Design Standards	See Sec. 6.3.5.2		
Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		

#### STREET LEVEL ACTIVATION

L Pedestrian Access	Each dwelling unit shall have a Street Level Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.		
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### USES

	G-RH-3, G-MU-3, G-MU-5		
	Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses. See Division 6.4 Uses and Parking		

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## ROW HOUSE

<b>HEIGHT</b>		G-RH-3	G-MU-3; G-RO-3	G-MU-5	G-RO-5	G-MU-8, -12, -20
A	Stories (max)	see below	3	5	5	5
A	Feet (max)	see below	40'	65'	65'	65'
	Stories, front 80% / rear 20% of zone lot depth (max)	3/1	na	na	na	na
A	Feet, front 80% / rear 20% of zone lot depth (max)	30'*/19'	na	na	na	na
B	Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	na	na	na	na
I	Upper Story Setback, for flat roof, Above 25'; Side Street and Side Interior	15'	na	na	na	na
*1' for every 5' increase in lot width over 50' up to a maximum height of 35'						

<b>SITING</b>		G-RH-3	G-MU-3; G-RO-3	G-MU-5	G-RO-5	G-MU-8, -12, -20
<b>ZONE LOT</b>						
	Zone Lot Size (min)	6,000 sf	6,000 sf	6,000 sf	6,000 sf	6,000 sf
	Zone Lot Width (min)	50'	50'	50'	50'	50'
<b>REQUIRED BUILD-TO</b>						
C	Primary Street (min % within min/max)	na	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'
<b>SETBACKS</b>						
	Primary Street, block sensitive setback required	yes	yes	na	na	na
D	Primary Street, where block sensitive setback does not apply (min)	20'	10'	10'	10'	10'
E	Side Street (min)	5'	5'	5'	5'	5'
F	Side Interior (min)	5'	7.5'	7.5'	7.5'	7.5'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
G	Rear, alley/no alley (min)	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'
<b>PARKING</b>						
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed				
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)				
H	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 6.3.4				

<b>DESIGN ELEMENTS</b>		G-RH-3	G-MU-3; G-RO-3	G-MU-5	G-RO-5	G-MU-8, -12, -20
<b>BUILDING CONFIGURATION</b>						
	Street-facing Garage Door Width per Primary Structure (max)	20'	20'	20'	20'	20'
J	Upper Story Setback Above 40', Side Interior (min)	na	na	15'	na	na
	Upper Story Setback Above 51'; Side Interior (min)	na	na	na	15'	15'
K	Upper Story Setback Above 27'; adjacent to Protected District: Side Interior (min)	na	25'	25'	25'	25'
L	Upper Story Setback Above 51'; adjacent to Protected District: Side Interior (min)	na	na	40'	40'	40'
	Upper Story Setback Above 40'; adjacent to Protected District: Rear, alley/Rear, no alley (min)	na	30'/40'	30'/40'	30'/40'	30'/40'
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks				
<b>STREET LEVEL ACTIVATION</b>						
M	Transparency, Primary Street (min)	na	25%	25%	25%	25%
N	Transparency, Side Street (min)	na	25%	25%	25%	25%
O	Pedestrian Access	Each unit shall have a street-facing Entrance				

<b>USES</b>		G-RH-3; All G-MU and G-RO				
Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses. See Division 6.4 Uses and Parking						

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## DRIVE THRU SERVICES

HEIGHT	G-MX-3	G-MS-3, -5
A Stories (max)	3	3
A Feet (max)	45'	45'

SITING	G-MX-3	G-MS-3, -5
<b>REQUIRED BUILD-TO</b>		
B Primary Street (min % within min/max)*	50% 0'/15'	50% 0'/15'
C Side Street (min % within min/max)*	50% 0'/15'	50% 0'/15'
<b>SETBACKS</b>		
D Primary Street (min)	0'	0'
E Side Street (min)	0'	0'
F Side Interior (min)	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'
G Rear (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
<b>PARKING</b>		
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	Not Allowed/Not Allowed
Vehicle Access	Shall be determined as part of Site Development Plan Review	

DESIGN ELEMENTS	G-MX-3	G-MS-3, -5
<b>BUILDING CONFIGURATION</b>		
H *Canopy	Building shall be used to meet a portion of the Primary or Side Street Build-To. Canopy may be used to meet a portion of the Primary or Side Street Build-To	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To
I Screening Required	Garden Wall required within 0'/15' for 100% of the Primary and Side Street frontage, excluding access points and portions of building within 0'/15', following the standards of Article 10, Section 10.5.4.4	
Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>		
J Transparency, Primary Street (min)	40%	60%
K Transparency, Side Street (min)	25%	25%
L Pedestrian Access, Primary Street	Entrance	Entrance
USES	G-MX-3	G-MS-3, -5
<p style="color: red; font-size: small;">For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to Automobile Services, Light and/or Primary Use with Accessory Drive Thru Uses, excluding Eating &amp; Drinking Establishments. See Division 6.4 Uses and Required Minimum Parking</p>		

## DRIVE THRU RESTAURANT

<b>HEIGHT</b>		All G-MX, G-MS		
A	Stories (max)	3		
A	Feet (min/max)	45'		

<b>SITING</b>		All G-MS	All G-MX Option A	All G-MX Option B
<b>REQUIRED BUILD-TO</b>				
B	Primary Street (min % within min/max)	Corner Lots: 50% 0'/5' All other: 75% 0'/5'	Corner Lots: 50% 0'/10' All other: 70% 0'/10'	Corner Lots: 50% 0'/35' All other: 70% 0'/10'
C	Side Street (min % within min/max)	50% 0'/5'	50% 0'/10'	50% 0'/18'
<b>SETBACKS</b>				
D	Primary Street (min)	0'	0'	0'
E	Side Street (min)	0'	0'	0'
F	Side Interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
G	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
<b>PARKING</b>				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed	Not Allowed/Not Allowed	Not Allowed/Not Allowed
	Drive Thru Lane between building and Primary Street/Side Street	Not Allowed/Not Allowed	Not Allowed/Not Allowed	Allowed/Allowed
H	Drive Thru Lane Width (max)	na	na	12'
I	Drive Thru Lane Screening Required	na	na	Garden Wall, following the standards of Article 10, Section 10.5.4.4
	Vehicle Access	Shall be determined as part of Site Development Plan Review		

<b>DESIGN ELEMENTS</b>		All G-MS	All G-MX Option A	All G-MX Option B
<b>BUILDING CONFIGURATION</b>				
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>				
J	Transparency, Primary Street (min)	60%	40%	40%
K	Transparency, Side Street (min)	25%	25%	25%
L	Pedestrian Access, Primary Street	Entrance	Entrance	Entrance and Pedestrian Connection

<b>USES</b>		All G-MS, G-MX Zone Districts		
<p><u>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to an Eating &amp; Drinking Establishment Primary Use with Accessory Drive Thru Use Only. See Division 6.4 Uses and Required Minimum Parking</u></p>				



**GENERAL**

**HEIGHT**

**G-MX-3**

Stories (max)	3
Feet (max)	45'
Height Exceptions	See Section 6.3.7.1

**SITING**

**G-MX-3**

**REQUIRED BUILD-TO**

<b>A</b> Primary Street (min build-to % within min/max range)	70% 0'/10'
Build-to Exceptions and Alternatives	See Sections 6.3.7.2 and 6.3.6.1

**SETBACKS**

Primary Street (min)	0'
Side Street (min)	0'
Side Interior (min)	0'
<b>B</b> Side Interior, adjacent to Protected District (min)	10'
Rear, alley and no alley (min)	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'
Setback Exceptions and Encroachments	See Sections 6.3.7.3 and 6.3.7.4

**PARKING**

<b>C</b> Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
<b>D</b> Surface Parking Screening	See Article 10, Division 10.5
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review

**DESIGN ELEMENTS**

**G-MX-3**

**BUILDING CONFIGURATION**

<b>E</b> Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'
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**STREET LEVEL ACTIVATION**

<b>F</b> Transparency, Primary Street (min)	40%
	Residential Only Buildings: 30%
<b>G</b> Transparency, Side Street (min)	25%
Transparency Alternatives	See Section 6.3.6.2
<b>H</b> Pedestrian Access, Primary Street	Entrance Alternative See Section 6.3.6.3

**USES**

**G-MX-3**

(1) All permitted Primary Uses shall be allowed within this building form. See Division 6.4 Uses and Parking; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 6.3.5.23.

## SHOPFRONT

		G-RX-3	G-RX-5	G-MS-3 G-MX-3	G-MS-5
<b>HEIGHT</b>					
	Stories (max)	3	5	3	5
A	Feet (min/max)	na/45'	na/70'	na/45'	24'/70'
	Height Exceptions	See Section 6.3.7.1			
<b>SITING</b>					
<b>REQUIRED BUILD-TO</b>					
B	Primary Street (min build-to % within min/max range)	75% 0'/10'	75% 0'/10'	75% 0'/5' Residential Only Buildings: 0'/10'	
C	Side Street (min build-to % within min/max range)	na	na	25% 0'/5' Residential Only Buildings: 0'/10'	
	Build-to Exceptions and Alternatives	See Sections 6.3.7.2 and 6.3.6.1			
<b>SETBACKS</b>					
	Primary Street (min)	0'	0'	0'	0'
	Side Street (min)	0'	0'	0'	0'
	Side Interior (min)	0'	0'	0'	0'
D	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'
	Rear (min)	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 6.3.7.3 and 6.3.7.4			
<b>PARKING</b>					
	Surface Parking between building and Primary Street/Side Street	Not Allowed (Sec. 6.3.5.1)/Not Allowed (Sec. 6.3.5.1)			
E	Surface Parking Screening	See Article 10, Division 10.5			
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)			
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review			
<b>DESIGN ELEMENTS</b>					
<b>BUILDING CONFIGURATION</b>					
F	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	15'/25'	20'/25'
G	Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	na	35'/40'
<b>STREET LEVEL ACTIVATION</b>					
H	Transparency, Primary Street (min)			60% Residential Only Buildings: 40%	
I	Transparency, Side Street (min)			25%	
	Transparency Alternatives	See Section 6.3.6.2			
J	Pedestrian Access, Primary Street	Entrance			
<b>USES</b>		All G-RX Districts	G-RX-5	G-MS-3, -5 and G-MX-3	
		All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max		(1) All permitted Primary Uses shall be allowed within this building form. See Division 6.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in Section 6.3.5.23.	

## SECTION 6.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 6.3.4.1 Applicability

All detached accessory structures in all the General Urban Neighborhood Context zone districts

### 6.3.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically Allowed**

Allowed ~~The following~~ detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. Buildings Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses, and other similar Completely Enclosed Structures.

**2. Underground Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures. Swimming pools, storm and fallout shelters

**3. Unenclosed Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.

**4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

Examples include, but are not limited to the following:

- a. Carports
- b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar thermal and photo-voltaic energy systems
- e. Air conditioning units
- f. Pool pumps, heating and water filtration systems
- g. Mailboxes including individual mailbox structures and cluster box units (CBUs)
- h. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

**5. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 6.3.4.

**6. Accessory Structures Not Specifically Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 6.3.4.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 6.3.4.

**6.3.4.3 Supplemental Standards**

**A. Additional Standards for Detached Accessory Structures in All Zone Districts**

**1. Gross Floor Area**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

**2. Building Coverage**

All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

**B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings**

**1. Required Building Materials**

All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

**2. Access and Contiguity**

Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

**6.3.4.4 District Specific Standards Summary**

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

General Urban (G-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms			
			Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	Detached Accessory Structures
Row House (RH)	G-RH-3	no max	■	■	■	
Multi Unit (MU)	G-MU-3, -5	no max	■	■	■	
	G-MU-8, -12, -20	no max	■	■	■	
Residential Office (RO)	G-RO-3, -5	no max	■	■	■	
Residential Mixed Use (RX)	G-RX- <del>3</del> , 5	no max				■
Mixed Use (MX)	G-MX-3	no max				■
Main Street (MS)	G-MS-3, -5	no max				■

■ = Allowed    □ = Allowed subject to limitations \*One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5

## DETACHED ACCESSORY DWELLING UNIT

<b>HEIGHT</b>		G-RH-3	All G-MU, -RO
A	Stories (max)	1.5	2
A	Feet (max)	24'	24'
B	Side Wall Height (max)	15'	na

<b>SITING</b>		G-RH-3	All G-MU, -RO
<b>ZONE LOT</b>			
Exemption from Maximum Building Coverage (Lesser of)		50%/500 sf An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 sf. To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <del>Street Level ground-story</del> GFA of the ADU form shall be used for vehicle parking.	
Zone Lot Size (min)		3,000 sf	3,000 sf
Additional Standards		See Sections 6.3.4.3	
<b>SETBACKS</b>			
Location		Located in the rear 35% of the zone lot depth	
C	Side Interior and Side Street (min)	<u>Lots 30' wide or less: 3'</u> <u>All others: 5'</u>	<u>Lots 30' wide or less: 3'</u> <u>All others: 5'</u>
		If exceeding 17' in height must be located adjoining the southern most side setback line	
D	Rear (min)	5'	5'
<b>PARKING</b>			
Vehicle Access		From Alley; or Street access allowed when no Alley present see Sec. 6.3.7.6 for exceptions	

<b>DESIGN ELEMENTS</b>		G-RH-3	All G-MU, -RO
<b>BUILDING CONFIGURATION</b>			
Building Footprint (max)		1,000 sf	1,000 sf
E	Horizontal Dimension (max)	36'	36'
<b>USES</b>		G-RH-3	All G-MU, -RO
		Accessory Uses Only <u>Accessory to a Primary Single Unit Dwelling Use</u> , including accessory dwelling unit where permitted. See Division 6.4 for permitted Accessory Uses	

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## DETACHED GARAGE

<b>HEIGHT</b>		All G-RH, -MU, -RO
A	Stories (max)	1
A	Feet (max)	17'
<b>SITING</b>		All G-RH, -MU, -RO
<b>ZONE LOT</b>		
	Exemption from Maximum Building Coverage (Lesser of)	50% / 500 sf An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 sf. To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <b>Street Level ground story</b> GFA of the garage form shall be used for vehicle parking.
	Additional Standards	See Sections 6.3.4.3
<b>SETBACKS</b>		
B	Setback from Primary Street Facing Facade of Primary Structure (min)	0'
C	Side Street (min)	5'
C	Side Interior (min), for structure entirely in rear 35% of zone lot depth**	0'
	Side Interior (min), for structure not entirely in rear 35% of zone lot depth	5'
	Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less	3'
D	Rear, no alley (min)	5'
	Rear, alley, where garage doors face alley (min)	5'
	Rear, alley, where garage doors do not face alley** (min)	0'
	Vehicle Access	From Alley; or Street access allowed when no Alley present See Sec. 6.3.7.6 for exceptions
<b>DESIGN ELEMENTS</b>		All G-RH, -MU, -RO
<b>BUILDING CONFIGURATION</b>		
	Building Footprint (max)	864 sf per unit*
E	Horizontal Dimension (max)	36' per unit
F	Allowed Number of Vehicular Access Doors (max)	3 per unit
F	Cumulative Width of All Vehicular Access Doors (max)	28' per unit
<b>USES</b>		All G-RH, -MU, -RO
		Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 6.4 for permitted Accessory Uses
See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

\*When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 sf

\*\*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5'



## SECTION 6.3.5 SUPPLEMENTAL DESIGN STANDARDS

### 6.3.5.1 Surface Parking Between the Building and the Primary/Side Street

#### A. Intent

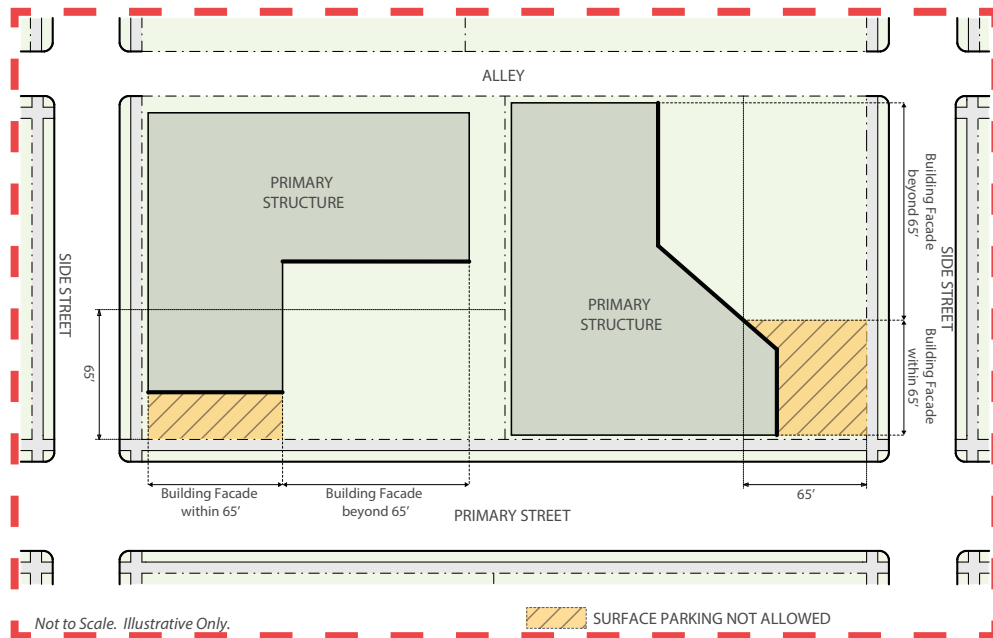
Allow for the functional siting of Buildings and Surface Parking while continuing to minimize the impacts of Surface Parking on the pedestrian experience.

#### B. Applicability

This Section 6.3.5.1 applies to the Shopfront building form in the G-MS and G-RX zone districts.

#### C. Surface Parking Not Allowed

Where a building form specifies that Surface Parking is not allowed between a Building and a Primary Street and/or Side Street, Surface Parking shall not be located in the area directly between any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street.



### 6.3.5.2 Garden Court

#### A. The Garden Court shall include all of the following characteristics:

1. Located at natural grade;
2. Visually and physically accessible from the primary street; may be secured for private use;
3. Open to the sky; and
4. Bounded on not less than 3 sides with related building facades on the same **parcel Zone Lot**.

#### B. The Garden Court area may be used for any of the following:

1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or

2. Public or private landscaped area; may also include entries.
- C. Vehicular access is not permitted through the Garden Court area.

### 6.3.5.3 Street Level Active Uses in the G-MX and G-MS Zone Districts

#### A. Intent

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

#### B. Applicability

This Section 6.3.5.23 applies to the General building form in the G-MX zone districts and the Shopfront building form in the G-MS zone districts.

#### C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:
  - a. Mini-storage Facility; or
  - b. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
  - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
5. The length of any build-to alternatives permitted by Section 6.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

BUILDING FEATURES	ZONE DIS-TRICTS	THE AGGRE-GATE SHALL NOT EXCEED 33-1/3 PER-CENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All G- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All G- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All 5-Story or greater G-MU, G-RX, G-MS Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator pent-houses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All 3-Story or lower G-MU, G-RX, G-MX, G-MS Zone Districts	Yes	Yes	12'	1 story	Not allowed	Not allowed
Unoccupied elevator pent-houses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All 5-Story or greater G-MU, G-RX, G-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All 3-Story or lower G-MU, G-RX, G-MX, G-MS Zone Districts	Yes	Yes	12'	1 story	Not allowed	Not allowed
Elevator lobbies	All 5-Story or greater G-MU, G-RX, G-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All 3-Story or lower G-MU, G-RX, G-MX, G-MS Zone Districts	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Open Structures	All 5-Story or greater G-MU, G-RX, G-MS Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All 5-Story or greater G- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All G- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance

- ii. The build-to max in the min/max range, when the Primary Street, block sensitive setback is less than the max.

**6.3.7.3 Setback Exceptions**

**A. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

**B. Standard**

In all G- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**6.3.7.4 Setback Encroachments [bulleted lists created in following tables]**

**A. Intent**

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.

**B. Standard**

Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:

**1. Architectural Elements**

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width	All G- Zone Districts	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’; if setback is less than 5’: 2’	1.5’ Cornices only: 5’
Intent: To allow common, minor decorative elements which are integral to a building.					
<p style="text-align: center;"><i>Illustrative only</i></p>					

- ii. The build-to max in the min/max range, when the Primary Street, block sensitive setback is less than the max.

**6.3.7.3 Setback Exceptions**

**A. Intent**

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**B. Standard**

In all G- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**6.3.7.4 Setback Encroachments [bulleted lists created in following tables]**

**A. Intent**

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.

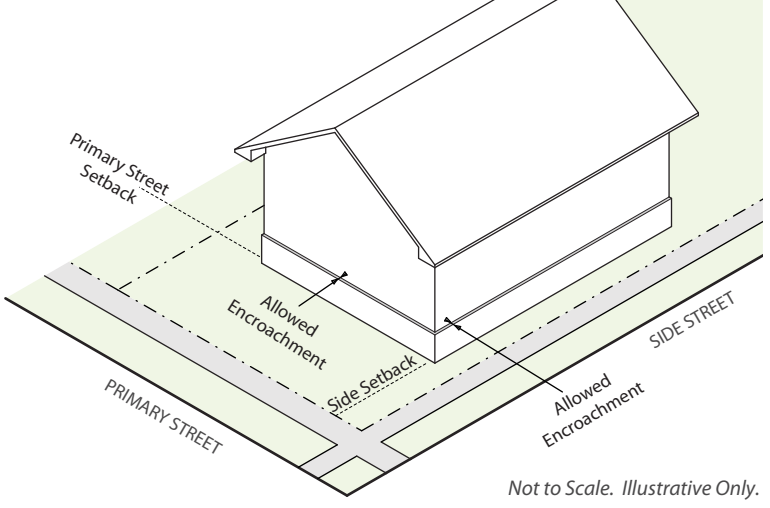
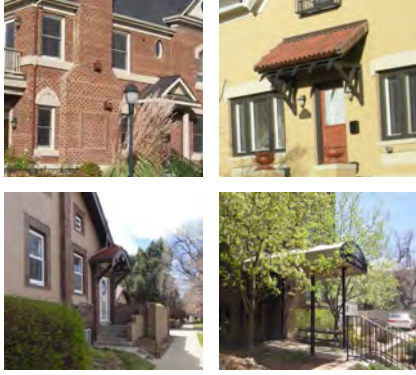
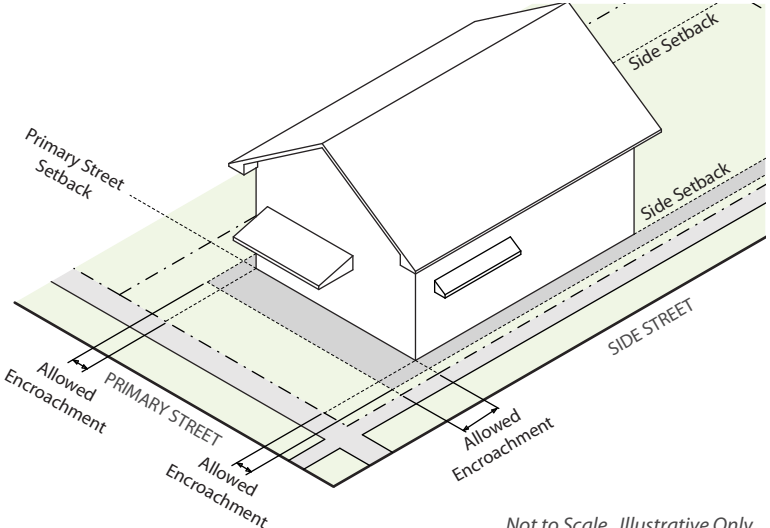
**B. Standard**

Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:


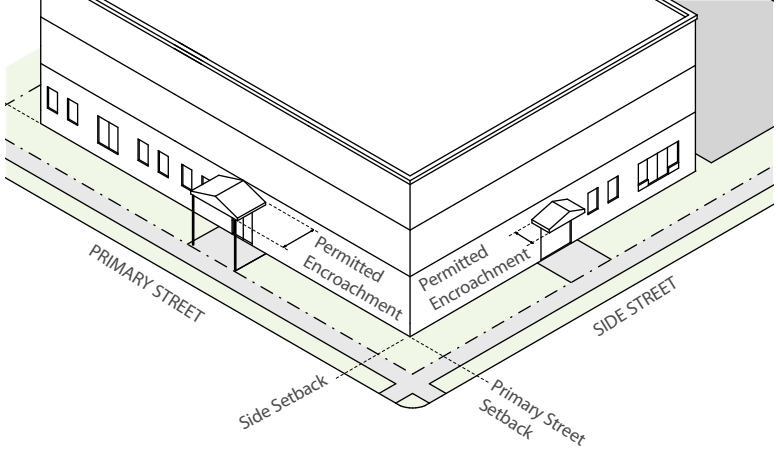
**1. Architectural Elements**

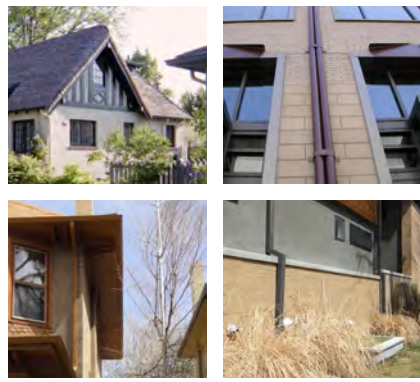
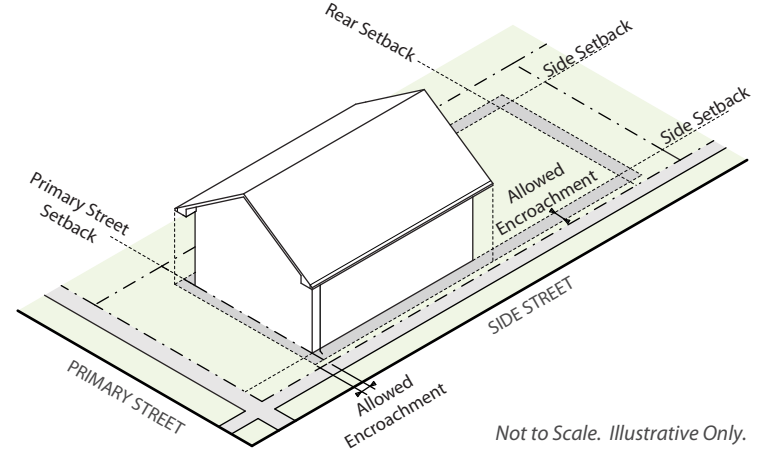
To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width	All G- Zone Districts	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’; if setback is less than 5’: 2’	1.5’ Cornices only: 5’
Intent: To allow common, minor decorative elements which are integral to a building.					
<p style="text-align: center;"><i>Illustrative only</i></p>					


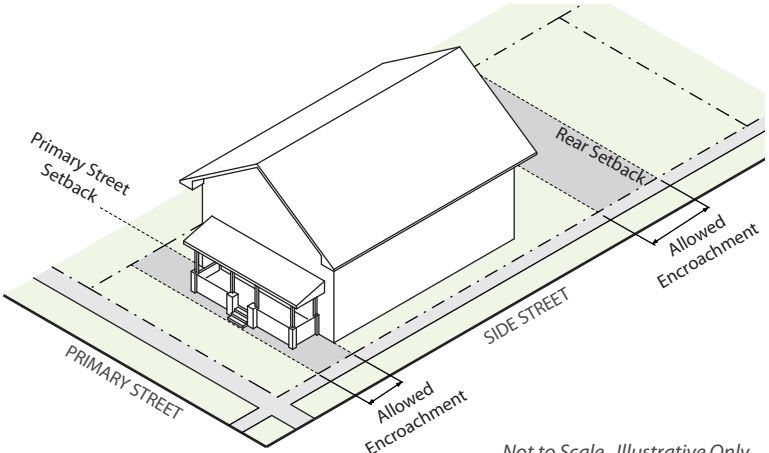

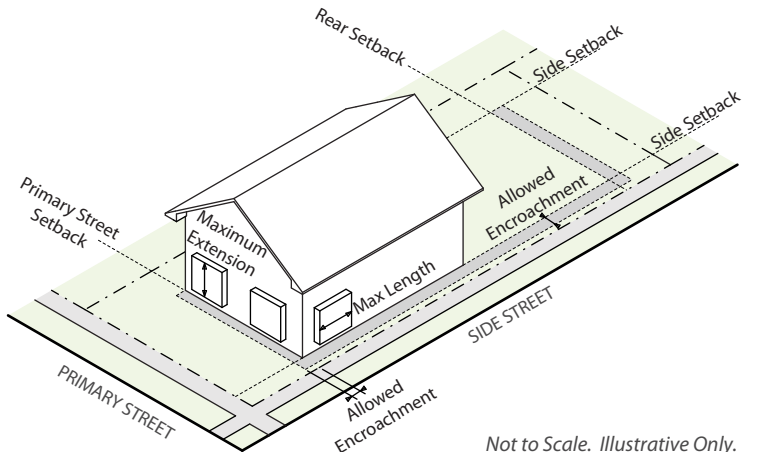
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All G- Zone Districts	6"	6"	6"	6"
<p>Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.</p>  <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					
Canopies providing cover to an entrance: <ul style="list-style-type: none"> <li>• Shall be no more than 8' maximum in horizontal width;</li> <li>• Shall be open on three sides;</li> <li>• May include an at-grade landing.</li> </ul>	All G-RH Zone Districts	3'	3'	3'; if setback is less than 5': 2' and at no point closer than 2' to a property line.	Not allowed
<p>Intent: To provide for covering over an entrance to protect from weather. Unlike the Porch encroachment, canopy is allowed in Side Interior.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>  <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>Shall be open on three sides.</li> </ul>	All G- Zone Districts, except G-RH	Any distance	Any distance	Not allowed	Not allowed
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>	All G- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				



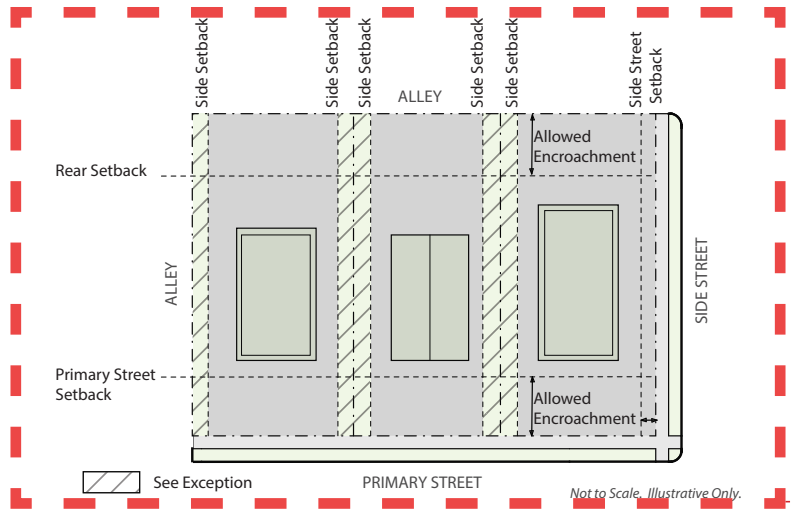
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the ground story connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul>	All G- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All G- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Garden Court, Rowhouse, and Apartment building forms	All G-RH, G-MU and G-RO	Not allowed	Not allowed	Allowed within the rear 35% of the Zone Lot only	Any distance
Intent: To restrict off-street parking area where it is impactful due to the number of required parking spaces.	<p style="text-align: center;">PRIMARY STREET <i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Drive or Driveway for Urban House and Duplex building forms</u>	<u>All G-RH, G-MU and G-RO Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>
<u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area.</u>  <i>Illustrative only</i>	<p style="text-align: center;">PRIMARY STREET <i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Drive or Driveway for Garden Court, Rowhouse, and Apartment building forms</u>	<u>All G-RH, G-MU and G-RO Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Not allowed (*see exception below)</u>	<u>Any distance</u>

Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.



*Illustrative only*

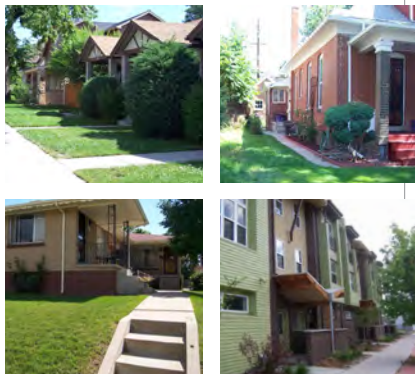


\*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:

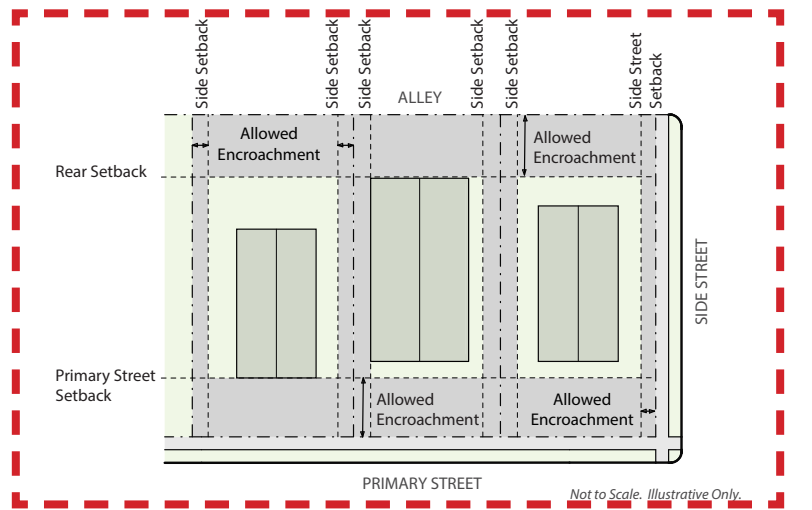
- The Side Interior setback Abuts a public Alley;
- Other public right-of-way, or an easement for public access Abutting a public Alley; or
- Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR	
<u>Flatwork providing pedestrian access to entrances and buildings:</u>	<u>All G- Zone Districts</u>	<u>Any distance, but may not exceed 50% of the area within the setback</u>	<u>Any distance, but may not exceed 50% of the area within the setback</u>	<u>Maximum of 5' wide: Any distance</u>	<u>Maximum of 5' wide: Any distance</u>

Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness



*Illustrative only*



**3. Service & Utility Elements**

To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
All G- Zone Districts	Any distance	Any distance	Any distance	Any distance

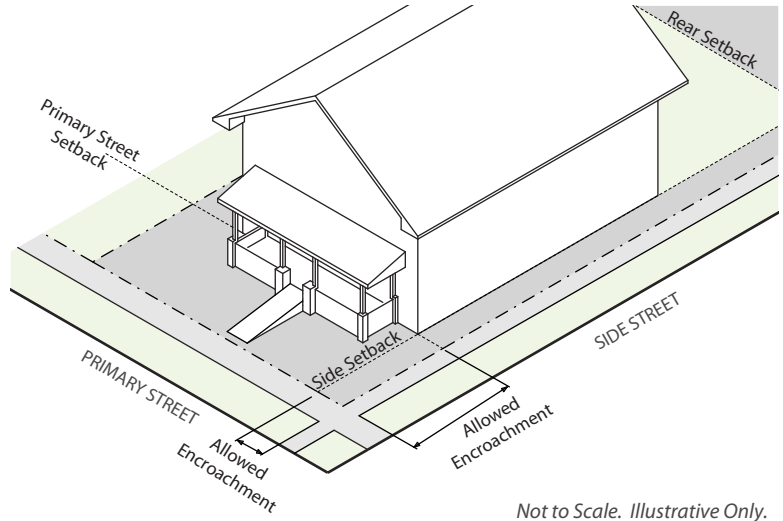
Barrier-free access **ramps structures** providing access to **existing** buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.

- Setback encroachments for required barrier-free access **ramps structures** are only allowed for expansions, enlargements, and alterations to existing buildings.
- Such **ramps barrier-free access structures** shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.

Intent: To provide flexibility in the location of required barrier-free access to **existing** buildings.



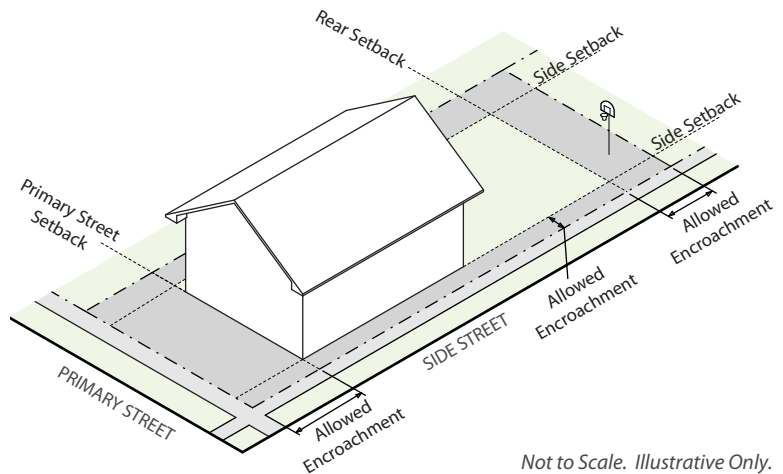
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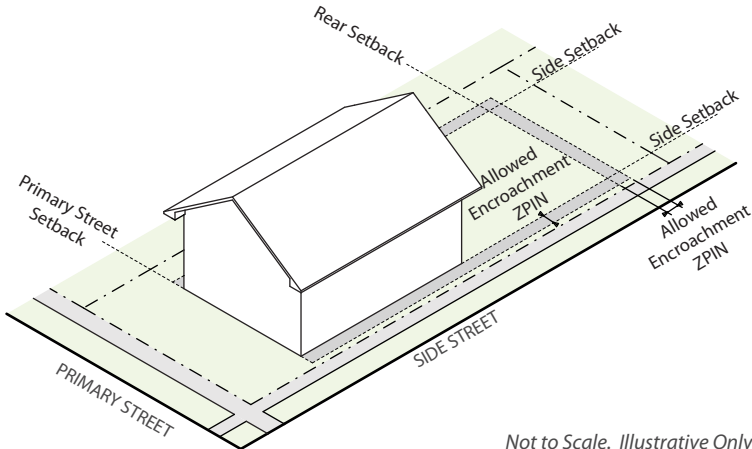
Not to Scale. Illustrative Only.

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
All G- Zone Districts	Any distance	Any distance	Any distance	Any distance

Basketball goals on a fixed post


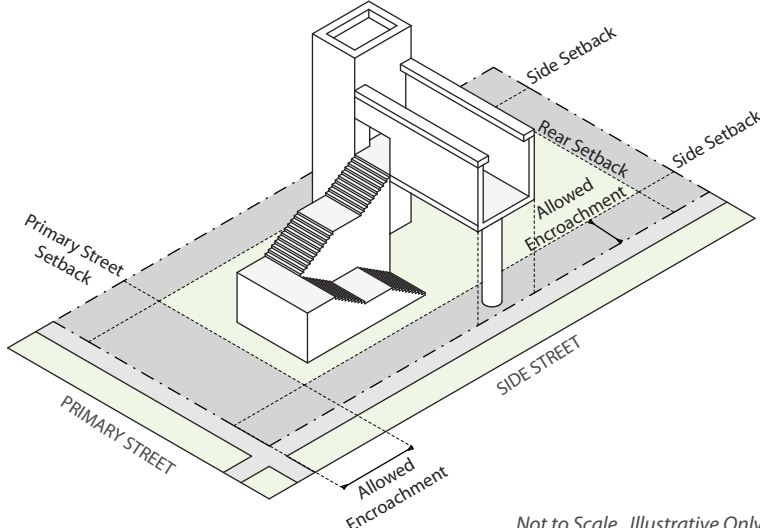

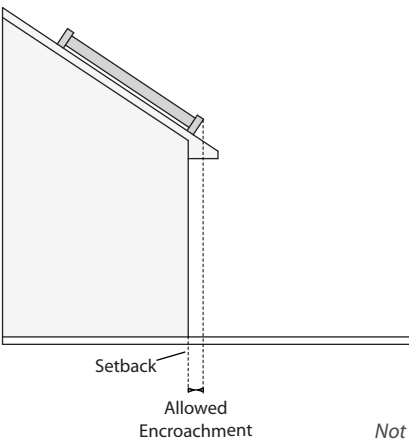


Not to Scale. Illustrative Only.

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:	All G- Zone Districts	Not allowed	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice
<ul style="list-style-type: none"> <li>• Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the DRMC;</li> <li>• Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>• Does not exceed 2 units per zone lot;</li> <li>• Has adequate screening to conceal it from view from adjacent properties and public rights-of way by means of landscaping and/or fencing; and</li> <li>• The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>				
Intent: To allow for functional siting.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground mounted evaporative coolers</p> <ul style="list-style-type: none"> <li>• located behind the front of the primary structure and</li> <li>• screened from adjacent properties and public rights-of-way, and</li> <li>• not to exceed the noise standards of D.R.M.C. Section 36-6</li> </ul>	All G- Zone Districts	Not allowed	3'	3'	Not allowed
<p>Intent: To allow for functional siting.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p>	All G- Zone Districts	5'	3'	3'	10'
<p>Intent: To provide for egress from a building only for emergency purposes</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station:</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul>	All G- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for above-grade connections to and from transit stations</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Solar Panel, Flush Mounted Roof</p>	All G- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				


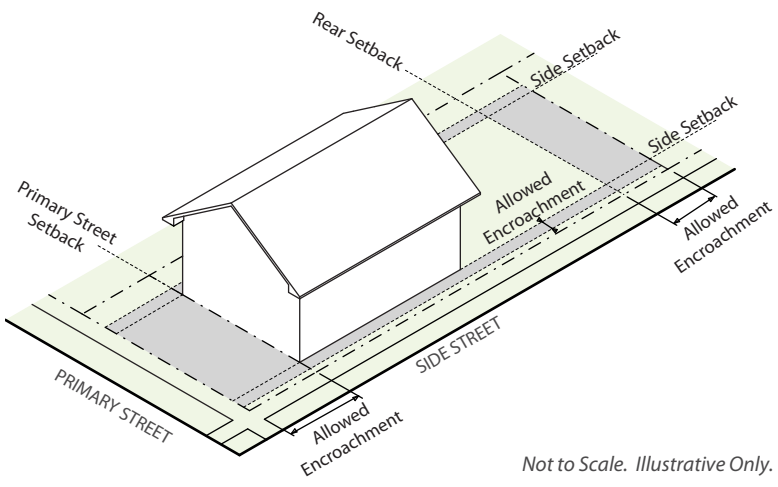

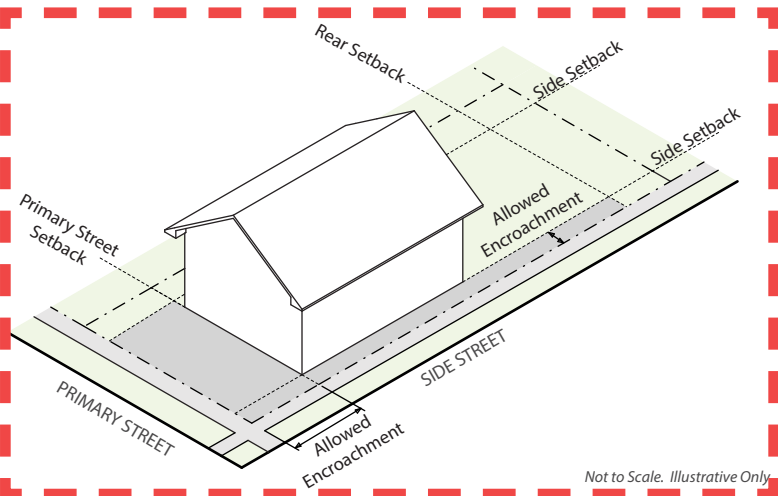


	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 3' in height.	All G- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u> • <u>Greater than 3' in height but not exceeding 8' in height above Finished Grade.</u>	<u>All G-RH, G-MU, G-RO, G-MX, and G-MS Zone Districts</u>	<u>Not allowed</u>	<u>Not allowed</u>	<u>Any distance</u>	<u>Any distance</u>
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				



*Illustrative only*

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas: • Shall be below grade.</p>	All G- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
<p>Intent: To allow for emergency egress</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u></p>	All G-Zone Districts	Any distance	Any distance	Not allowed	Not allowed
<p>Intent: To allow for functional siting</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

**6.3.7.5 Building Coverage Exception**

**A. Applicability**

All G- zone districts where a building coverage standard applies.

**2. Standard**

Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

**C. Detached Accessory Dwelling Unit or Detached Garage**

**1. Intent**

To promote openness between buildings located in the front and back of the lot.

**2. Standard**

Area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See those building forms for the applicable zone district.

**6.3.7.6 Vehicle Access From Alley Required - Exceptions**

**A. No Alley**

Where a building form specifies “street access allowed when no ~~a~~Alley present”, vehicle access from the street is allowed when a ~~Z~~zone ~~L~~lot is not bounded by an ~~a~~Alley.

**B. Alley**

Where a building form specifies vehicle access from ~~a~~Alley is required, and the ~~Z~~zone ~~L~~lot is bounded by an ~~a~~Alley, any newly constructed ~~D~~driveways, ~~Off-Street Parking Area driving aisles~~, ~~Garages~~, ~~Carpports~~, or other parking facility shall be accessed solely from an ~~a~~Alley, unless:

1. The ~~a~~Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The ~~a~~Alley is less than 12 feet in width;
3. At least 60 percent of the existing ~~dwelling units Zone Lots~~ on the same ~~F~~face ~~B~~block are served by ~~D~~driveways, ~~Off-Street Parking Areas driving aisles~~, ~~Garages~~, ~~Carpports~~, or other parking facilities accessed ~~directly~~ from a primary street. ~~Additionally, the Department of Public Works shall have approved the location of any such vehicular access;~~
4. The Department of Public Works prohibits the use of the ~~a~~Alley for vehicular access to the ~~Z~~zone ~~L~~lot based upon a determination that the ~~a~~Alley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that ~~vehicular~~ access is needed from the street; ~~or~~
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 6.3.7.6, then vehicular Alley access is required.

**SECTION 6.3.8 REFERENCE TO OTHER DESIGN STANDARDS**

**6.3.8.1 Article 10: General Design Standards**

Refer to the following Divisions for other applicable design standards

- A. Parking and Loading: Division 10.4
- B. Landscaping, Fences, Screening and Walls: Division 10.5

### SECTION 6.4.4 DISTRICT SPECIFIC STANDARDS

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-3 G-RX-5	G-MX-3	G-MS-3 G-MS-5	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>									
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.2.4
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: .0125/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ <del>11.2.8</del> 11.2.7
	Rooming and Boarding House • Vehicle - MS only: 2 / 1,000 sf GFA • Vehicle: 3.75/ 1,000 sf GFA • Bicycle: No requirement	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.9
	Student Housing • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>									
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 sf GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-3 G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • Vehicle: 1.875/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (20/80)	P-ZP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (20/80)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	
	Public Safety Facility • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	
	Library • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* • Vehicle: .375/ 1,000 sf GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle: 1/1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8

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 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-3 G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Education	University or College • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.3.8 ; § 11.3.9
	Vocational or Professional School • Vehicle: 1/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 sf GFA • Bicycle: 1/ 10,000 sf GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	§ 11.3.10
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>									
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 sf GFA • Vehicle - All Others: 1.875/ 1,000 sf GFA • Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.2
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 1.875/ 1,000 sf GFA • Bicycle: 1/10,000 sf GFA (20/80)	NP	NP	NP	NP	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable			§ 11.4.5
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	NP	NP	NP	§ 11.4.7
Eating & Drinking Establishments	All Types • Vehicle - MS only: 2 / 1,000 sf GFA • Vehicle: 3.75/ 1,000 sf GFA • Bicycle: 1/3,000 sf GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	§ 11.4.8











## DIVISION 7.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 7.1.1 GENERAL CHARACTER

The Urban Center Neighborhood Context consists of multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit residential buildings uses are typically Rowhouse and Apartment form-sin multi-story mixed use building forms. Commercial buildings are typically Shopfront and General forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets.

### SECTION 7.1.2 STREET, BLOCK AND ACCESS PATTERNS

The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback

### SECTION 7.1.3 BUILDING PLACEMENT AND LOCATION

All building typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

### SECTION 7.1.4 BUILDING HEIGHT

The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood.

### SECTION 7.1.5 MOBILITY

There are high levels of pedestrian and bicycle use with the greatest access to multi-modal transportation system.

## SECTION 7.2.5 CHERRY CREEK NORTH DISTRICTS (C-CCN-3, -4, -5, -7, -8, -12)

### 7.2.5.1 General Purpose

- A. The C-CCN zone districts are specifically tailored Urban Center zone districts that promote development compatible with the character of the Cherry Creek North mixed use shopping district. The C-CCN zone districts encourage interesting and attractive architectural design solutions for new developments and promote pedestrian and shopping activities, particularly at Street Level.
- B. Compared to the Mixed Use or Main Street zone districts, the C-CCN zone districts are better tailored to the unique character and scale of Cherry Creek North. The C-CCN zone districts promote an enhanced pedestrian-oriented environment through features such as larger primary street setbacks, open space incentives, and building forms that allow light and views between buildings. Where Main Street zone districts are applied to key corridors and retail streets, and the Mixed Use zone districts are intended for broader application at the neighborhood scale, the C-CCN zone districts are intended for specific application in the Cherry Creek North mixed use shopping district area.
- C. The C-CCN zone districts promote the following goals:
  1. Retain and enhance Cherry Creek North's unique physical character;
  2. Make reinvestment economically viable in the entire district;
  3. Encourage small lot reinvestment;
  4. Transition from higher buildings along 2nd Avenue to lower buildings along 3rd Avenue;
  5. Create height transition from the business district to adjacent residential;
  6. Retain sunlight on streets and views between buildings;
  7. Prevent the creation of walled or monolithic streets; and
  8. Encourage active storefronts and [active Street Level ground floor](#) uses.

### 7.2.5.2 Specific Intent

- A. **Cherry Creek North – 3 (C-CCN-3)**  
C-CCN-3 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 3 stories is desired.
- B. **Cherry Creek North – 4 (C-CCN-4)**  
C-CCN-4 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 4 stories is desired.
- C. **Cherry Creek North – 5 (C-CCN-5)**  
C-CCN-5 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 5 stories is desired.
- D. **Cherry Creek North – 7 (C-CCN-7)**  
C-CCN-7 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 7 stories is desired.

**B. Setbacks**

1. Site buildings to be consistent with the intended character and functional requirements of the urban context.
2. Site buildings to define the street edge/public realm consistent with the context.
3. Utilize buildings to create positive transitions between districts.

**C. Parking Location**

1. Minimize the visual impacts of parking areas on streets and adjoining property.
2. Minimize conflicts between pedestrian and vehicles.

**7.3.2.3 Design Elements**

**A. Building Configuration**

1. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
3. Main Street setback: Reinforce the proportional scale of buildings to street width in order to establish a strong edge to Main Streets and other urban street corridors..
4. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

**B. Transparency**

1. Maximize transparency of windows at Street Level to activate the street.
2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect the uses within the building.
3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

**C. Entrances**

1. Give prominence to pedestrian realm as a defining element of neighborhood character.
2. Provide convenient access to buildings and ~~pedestrian~~ active uses from the street.
3. Articulate and create a visual hierarchy of building entrances as an aid in way-finding.
4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
5. Create visually interesting and human-scaled facades.

**7.3.2.4 Specific Building Form Intent**

**A. Commercial Mixed Use Zone Districts**

**1. Drive Thru Services**

To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane. Specifically, allow a reduced build-to percentage and increased build-to range.

### SECTION 7.3.3 PRIMARY BUILDING FORM STANDARDS

#### 7.3.3.1 Applicability

All development, except detached accessory structures, in all the Urban Center Neighborhood Context zone districts

#### 7.3.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

#### 7.3.3.3 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Urban Center (C-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms															
			Suburban House	Urban House	Detached-Acc. Dwelling-Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Cherry Creek General	Cherry Creek General - Small Lot on South Side of 3rd Ave	Cherry Creek Open Space	Cherry Creek Open Space - Small Lot on South Side of 3rd Ave
Residential Mixed Use (RX)	C-RX-5, -8, -12	no max											■					
Mixed Use (MX)	C-MX-3, -5, -8, -12, -20	no max									■	■	■					■
Main Street (MS)	C-MS-5, -8, -12	no max									■	■						■
Cherry Creek North (CCN)	C-CCN-3, -4, -5	no max											■	■	■	■		
	C-CCN-7, -8, -12	no max											■		■			

■ = Allowed □ = Allowed subject to limitations



## DRIVE THRU SERVICES

<b>HEIGHT</b>		<b>All C-MX, C-MS</b>	
A	Stories (max)	3	
A	Feet (max)	45'	

<b>SITING</b>		<b>All C-MS</b>	<b>All C-MX</b>
<b>REQUIRED BUILD-TO</b>			
B	Primary Street (min % within min/max)*	50% 0'/15'	50% 0'/15'
C	Side Street (min % within min/max)*	50% 0'/15'	50% 0'/15'
<b>SETBACKS</b>			
D	Primary Street (min)	0'	0'
E	Side Street (min)	0'	0'
F	Side Interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
G	Rear, alley and no alley (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
<b>PARKING</b>			
	Surface Parking between building and Primary Street/ Side Street	Not Allowed/Not Allowed	
	Surface Parking Screening Required	See Article 10, Division 10.5	
	Vehicle Access	Shall be determined as part of Site Development Plan Review	

<b>DESIGN ELEMENTS</b>		<b>All C-MS</b>	<b>All C-MX</b>
<b>BUILDING CONFIGURATION</b>			
H	*Canopy	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To	
I	Screening Required	Garden Wall required within 0'/15' for 100% of the Primary and Side Street, excluding access points and portions of building within 0'/15', following the standards of Article 10, Section 10.5.4.4	
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side, interior (min)	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>			
J	Transparency, Primary Street (min)	60%	40%
K	Transparency, Side Street (min)	25%	25%
L	Pedestrian Access, Primary Street	Entrance	Entrance
<b>USES</b>		<b>All C-MS</b>	<b>All C-MX</b>
<p><u>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to Automobile Services, Light and/or Primary Use with Accessory Drive Thru Use, excluding Eating &amp; Drinking Establishments. See Division 7.4 Uses and <u>Required Minimum</u> Parking</u></p>			

## DRIVE THRU RESTAURANT

HEIGHT		All C-MX	All C-MS
A	Stories (max)	3	3
A	Feet (max)	45'	45'

SITING		All C-MX	All C-MS
<b>REQUIRED BUILD-TO</b>			
B	Primary Street (min % within min/max)	Corner Lots: 50% 0'/10' All other: 70% 0'/10'	Corner Lots: 50% 0'/5' All other: 75% 0'/5'
C	Side Street (min % within min/max)	50% 0'/10'	50% 0'/5'
<b>SETBACKS</b>			
D	Primary Street (min)	0'	0'
E	Side Street (min)	0'	0'
F	Side Interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
G	Rear, alley and no alley (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
<b>PARKING</b>			
	Surface Parking between building and Primary Street/ Side Street	Not Allowed/Not Allowed	
	Drive Thru Lane between building and Primary Street/ Side Street	Not Allowed/Not Allowed	
	Vehicle Access	Shall be determined as part of Site Development Plan Review	

DESIGN ELEMENTS		All C-MX	All C-MS
<b>BUILDING CONFIGURATION</b>			
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>			
H	Transparency, Primary Street (min)	40%	60%
I	Transparency, Side Street (min)	25%	25%
J	Pedestrian Access, Primary Street	Entrance	Entrance
USES		All C-MX	All C-MS
<p><u>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010, Primary Uses shall be limited to an Eating &amp; Drinking Establishment Primary Use with Accessory Drive Thru Use Only. See Division 7.4 Uses and <b>Required Minimum</b> Parking.</u></p>			

**GENERAL**

<b>HEIGHT</b>	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
	Stories (max)	3	5	8	12	16
Feet (max)	45'	70'	110'	150'	200'	250'
Feet, within 175' of Protected District (max)	na	na	75'	75'	75'	75'
Height Exceptions	See Section 7.3.7.1					

<b>SITING</b>	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
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**REQUIRED BUILD-TO**

<b>A</b> Primary Street (min build-to % within min/max range)	70% 0'/10' Residential Only Buildings: 0'/15'					
Build-to Exceptions and Alternatives	See Sections 7.3.7.2 and 7.3.6.1					

**SETBACKS**

Primary Street (min)	0'					
Side Street (min)	0'					
Side Interior (min)	0'					
<b>B</b> Side Interior, adjacent to Protected District (min)	10'					
Rear, alley and no alley (min)	0'					
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'					
Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					

**PARKING**

Surface Parking between building and Primary Street/Side Street	Not Allowed (Sec. 7.3.5.1)/Not Allowed (Sec. 7.3.5.1)					
<b>C</b> Surface Parking Screening Required	See Article 10, Division 10.5					
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 7.3.5.34)					
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review					

<b>DESIGN ELEMENTS</b>	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
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**BUILDING CONFIGURATION**

<b>D</b> Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
<b>E</b> Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'

**STREET LEVEL ACTIVATION**

<b>F</b> Transparency, Primary Street (min)	40% Residential Only Buildings: 30%					
<b>G</b> Transparency, Side Street (min)	25%					
Transparency Alternatives	See Section 7.3.6.3					
<b>H</b> Pedestrian Access, Primary Street	Entrance					

**USES**

All C-MX

All C-RX

(1) All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 7.3.5.5.

All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations uses only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max

## CHERRY CREEK GENERAL

<b>HEIGHT</b>		C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
	Stories (max)	3	4	5	7	8	12
	Feet (max)	45'	57'	70'	96'	110'	150'
<b>A</b>	3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	Yes	Yes	Yes	Yes	Yes	Yes
	Height Exceptions	See Section 7.3.7.1					
<b>SITING</b>		C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
<b>REQUIRED BUILD-TO</b>							
<b>B</b>	Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'
<b>SETBACKS</b>							
	Primary Street (min)	5'	5'	5'	5'	5'	5'
	Side Interior (min)	0'	0'	0'	0'	0'	0'
<b>C</b>	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
	Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					
<b>PARKING</b>							
<b>D</b>	Surface Parking between building and Primary Street	Not Allowed					
<b>E</b>	Surface Parking Screening Required	See Article 10, Division 10.5					
	Vehicle Access	See Section 7.3.5.23					
<b>DESIGN ELEMENTS</b>		C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
<b>BUILDING CONFIGURATION</b>							
<b>F</b>	Mass Reduction where Zone Lot Size is greater than 9,375 square feet (min)	25%	25%	25%	25%	25%	25%
	Mass Reduction where Zone Lot Size is 9,375 square feet or less, as of October 27, 2014 (min)	na	na	na	na	na	na
<b>G</b>	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
<b>H</b>	Upper Story Setback Above 51'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'
<b>STREET LEVEL ACTIVATION</b>							
<b>I</b>	Transparency, Primary Street (min)	60%					
<b>J</b>	Pedestrian Access, min 1 per building	Entrance					
<b>USES</b>		All C-CCN					
All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking							

**CHERRY CREEK GENERAL - SMALL LOT ON SOUTH SIDE OF 3RD AVE**

		C-CCN-3, -4, -5	
<b>HEIGHT</b>		Option A	Option B
	Stories (max)	3	3
	Feet (max)	45'	45'
<b>A</b>	3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	No	Yes
<b>B</b>	3rd Avenue CCN Bulk Plane Exception	na	50'
Height Exceptions		See Section 7.3.7.1	

		C-CCN-3, -4, -5	
<b>SITING</b>		Option A	Option B
<b>ZONE LOT</b>			
	Zone Lot Size, as of October 27, 2014 (max)	6,250 sf	6,250 sf
<b>C</b>	Zone Lot Width on the south side of 3rd Avenue	At least 1' but no more than 50'	More than 50'
<b>REQUIRED BUILD-TO</b>			
<b>D</b>	Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'
<b>SETBACKS</b>			
	Primary Street (min)	5'	5'
	Side Interior (min)	0'	0'
<b>E</b>	Side Interior, adjacent to Protected District (min)	10'	10'
	Rear, alley and no alley (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
Setback Exceptions and Encroachments		See Sections 7.3.7.3 and 7.3.7.4	
<b>PARKING</b>			
<b>F</b>	Surface Parking between building and Primary Street	Not Allowed	
<b>G</b>	Surface Parking Screening Required	See Article 10, Division 10.5	
	Vehicle Access	See Section 7.3.5.23	

		C-CCN-3, -4, -5	
<b>DESIGN ELEMENTS</b>		Option A	Option B
<b>BUILDING CONFIGURATION</b>			
<b>H</b>	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'
	Upper Story Setback Above 51'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na
<b>STREET LEVEL ACTIVATION</b>			
<b>I</b>	Transparency, Primary Street (min)	60%	
<b>J</b>	Pedestrian Access, min 1 per building	Entrance	
<b>USES</b>		C-CCN-3, -4, -5: Options A and B	
All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking			

## CHERRY CREEK OPEN SPACE

HEIGHT	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
Stories (max)	3	4	5	7	8	12
Feet (max)	45'	57'	70'	96'	110'	150'
3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	Yes	Yes	Yes	Yes	Yes	Yes
Height Exceptions	See Section 7.3.7.1					

SITING	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
<b>REQUIRED BUILD-TO</b>						
A Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'
<b>SETBACKS</b>						
Primary Street (min)	5'	5'	5'	5'	5'	5'
Side Interior (min)	0'	0'	0'	0'	0'	0'
B Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					
<b>PARKING</b>						
C Surface Parking between building and Primary Street	Not Allowed					
D Surface Parking Screening Required	See Article 10, Division 10.5					
Vehicle Access	See Section 7.3.5.23					

DESIGN ELEMENTS	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
<b>BUILDING CONFIGURATION</b>						
E Private Open Space (min)	15%	15%	15%	15%	15%	15%
F Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
G Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'
<b>STREET LEVEL ACTIVATION</b>						
H Transparency, Primary Street (min)	60%					
I Pedestrian Access, min 1 per building	Entrance					
<b>USES</b>						
All C-CCN						
All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking						

**CHERRY CREEK OPEN SPACE - SMALL LOT ON SOUTH SIDE OF 3RD AVE**

<b>HEIGHT</b>	C-CCN-3, -4, -5	
	Option A	Option B
Stories (max)	C-CCN-3: 3 C-CCN-4: 4 C-CCN-5: 5	C-CCN-3: 3 C-CCN-4: 4 C-CCN-5: 5
Feet (max)	C-CCN-3: 45' C-CCN-4: 57' C-CCN-5: 70'	C-CCN-3: 45' C-CCN-4: 57' C-CCN-5: 70'
3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	No	No
Height Exceptions	See Section 7.3.7.1	

<b>SITING</b>	C-CCN-3, -4, -5		
	Option A		Option B
<b>ZONE LOT</b>			
Zone Lot Size, as of October 27, 2014 (max)	9,375 sf	6,250 sf	6,250 sf
A Zone Lot Width on the south side of 3rd Avenue	At least 1'	OR At least 1' but no more than 50'	Over 50'

<b>REQUIRED BUILD-TO</b>			
B Primary Street (% within min/max)		70% 5'/15'	70% 5'/15'

<b>SETBACKS</b>			
Primary Street (min)		5'	5'
Side Interior (min)		0'	0'
C Side Interior, adjacent to Protected District (min)		10'	10'
Rear, alley and no alley (min)		0'	0'
Rear, adjacent to Protected District, alley/no alley (min)		0'/10'	0'/10'
Setback Exceptions and Encroachments		See Sections 7.3.7.3 and 7.3.7.4	

<b>PARKING</b>			
D Surface Parking between building and Primary Street		Not Allowed	
E Surface Parking Screening Required		See Article 10, Division 10.5	
Vehicle Access		See Section 7.3.5.23	

<b>DESIGN ELEMENTS</b>	C-CCN-3, -4, -5	
	Option A	Option B
<b>BUILDING CONFIGURATION</b>		
F Private Open Space (min)	15%	20%
G Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'
H Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	35'/40'	na
I Primary Street Upper Story Setback Above 45' and 3 Stories; where zone lot abuts southern right-of-way of 3rd Avenue (min)	57'	na

<b>STREET LEVEL ACTIVATION</b>			
Transparency, Primary Street (min)		60%	
Pedestrian Access, min 1 per building		Entrance	

<b>USES</b>	C-CCN-3, -4, -5: Options A and B		
	All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking		



## SHOPFRONT

	C-MX-3	C-MS-5	C-MS-8	C-MS-12	C-MX-16	C-MX-20
<b>HEIGHT</b>						
Stories (max)	<u>3</u>	5	8	12	<u>16</u>	<u>20</u>
A Feet (min/max)	<u>na/45'</u>	24'/70'	24'/110'	24'/150'	<u>24'/200'</u>	<u>24'/250'</u>
Height Exceptions	See Section 7.3.7.1					
<b>SITING</b>						
<b>REQUIRED BUILD-TO</b>						
B Primary Street (min build-to % within min/max range)	75% 0'/5' Residential Only Buildings: 0'/10'					
C Side Street (min build-to % within min/max range)	25% 0'/5' Residential Only Buildings: 0'/10'					
Build-to Exceptions and Alternatives	See Sections 7.3.7.2 and 7.3.6.1					
<b>SETBACKS</b>						
Primary Street (min)	<u>0'</u>	0'	0'	0'	<u>0'</u>	<u>0'</u>
Side Street (min)	<u>0'</u>	0'	0'	0'	<u>0'</u>	<u>0'</u>
Side Interior (min)	<u>0'</u>	0'	0'	0'	<u>0'</u>	<u>0'</u>
D Side Interior, adjacent to Protected District (min)	<u>10'</u>	10'	10'	10'	<u>10'</u>	<u>10'</u>
Rear, alley and no alley (min)	<u>0'</u>	0'	0'	0'	<u>0'</u>	<u>0'</u>
Rear, adjacent to Protected District, alley/no alley (min)	<u>0'/10'</u>	0'/10'	0'/10'	0'/10'	<u>0'/10'</u>	<u>0'/10'</u>
Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					
<b>PARKING</b>						
Surface Parking between building and Primary Street/Side Street	Not Allowed ( <a href="#">Sec. 7.3.5.1</a> )/Not Allowed ( <a href="#">Sec. 7.3.5.1</a> )					
E Surface Parking Screening Required	See Article 10, Division 10.5					
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present ( <a href="#">Sec. 7.3.5.34</a> )					
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review					
	C-MX-3	C-MS-5	C-MS-8	C-MS-12	C-MX-16	C-MX-20
<b>DESIGN ELEMENTS</b>						
<b>BUILDING CONFIGURATION</b>						
F Primary Street Upper Story Setback above 5 stories or 70' (min) See Section 7.3.6.2 for Alternative	<u>na</u>	na	20'	20'	<u>20'</u>	<u>20'</u>
G Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	<u>15'/25'</u>	20'/25'	20'/25'	20'/25'	<u>20'/25'</u>	<u>20'/25'</u>
H Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	<u>na</u>	35'/40'	35'/40'	35'/40'	<u>35'/40'</u>	<u>35'/40'</u>
<b>STREET LEVEL ACTIVATION</b>						
I Transparency, Primary Street (min)	60% Residential Only Buildings: 40%					
J Transparency, Side Street (min)	<u>25%</u>	25%	30%	30%	<u>30%</u>	<u>30%</u>
Transparency Alternatives	See Section 7.3.6.3					
K Pedestrian Access, Primary Street	Entrance					
<b>USES</b>						
All C-MS and C-MX						
(1) All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in <a href="#">Section 7.3.5.5</a> .						

## SECTION 7.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 7.3.4.1 Applicability

All detached accessory structures in all the Urban Center Neighborhood Context zone districts

### 7.3.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically Allowed**

~~Allowed~~ The following detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. Buildings Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses, and other similar Completely Enclosed Structures.~~

**2. Underground Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures. Swimming pools, storm and fallout shelters~~

**3. Unenclosed Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.~~

**4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

~~Examples include, but are not limited to the following:~~

- a. ~~Carports~~
- b. ~~Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas~~
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar thermal and photo-voltaic energy systems
- e. Air conditioning units
- f. Pool pumps, heating and water filtration systems
- g. Mailboxes including individual mailbox structures and cluster box units (CBUs)
- h. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

**5. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 7.3.4.

**6. Accessory Structures Not Specifically Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 7.3.4.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 7.3.4.

**7.3.4.3 Supplemental Standards****A. Gross Floor Area for Detached Accessory Structures in All Zone Districts**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

**B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings****1. Required Building Materials**

All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

**2. Access and Contiguity**

Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

## SECTION 7.3.5 SUPPLEMENTAL DESIGN STANDARDS

### 7.3.5.1 Surface Parking Between the Building and the Primary/Side Street

**A. Intent**

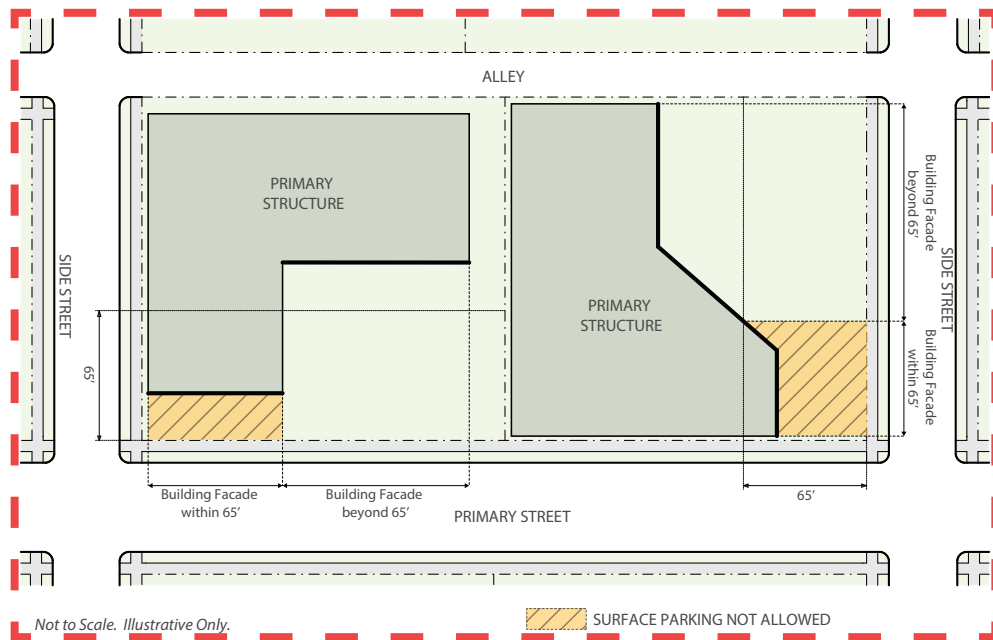
Allow for the functional siting of Buildings and Surface Parking while continuing to minimize the impacts of Surface Parking on the pedestrian experience.

**B. Applicability**

This Section 7.3.5.1 applies to the General building form in the C-MX and C-RX zone districts and the Shopfront building form in the C-MS zone districts.

**C. Surface Parking Not Allowed**

Where a building form specifies that Surface Parking is not allowed between a Building and a Primary Street and/or Side Street, Surface Parking shall not be located in the area directly between any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street.



### 7.3.5.2 Ground Stories of Parking Structures in the C-CCN Zone Districts

**A. Intent**

Improve the pedestrian experience along the Street Level in the Cherry Creek North mixed use shopping district by requiring ground-story, pedestrian-friendly Street Level active uses in all new or redeveloped buildings and structures containing parking spaces. Active ground-story Street Level active uses best ensure a steady stream of customer and visitor interaction throughout the day and night, contributing substantially to the activation, economic vitality, and safety of this important mixed-use neighborhood. Street Level area set aside in buildings or structures for active uses is intended to be adequately configured and dimensioned to support the feasible use of such space for pedestrian-friendly Street Level active uses.

**B. Applicability**

Section 7.3.5.1-2 design standards shall apply to any structure containing parking spaces in the C-CCN zone districts. The term "parking spaces" in this provision means both parking spaces

accessory to a primary use and/or parking spaces that comprise the primary use of the structure.

### C. Permitted Street Level Uses

1. The Street Level of a structure containing parking spaces shall be occupied by a use permitted in the applicable C-CCN zone district for 100% of the structure's primary street frontage(s), except the following uses are prohibited from occupying any portion of the structure's street frontage(s):
  - a. Parking, Garage,
  - b. Parking accessory to a primary use otherwise permitted in the same building or structure,
  - c. Household Living, and
  - d. Automobile Services, Light or Heavy, except as otherwise allowed in Section 11.4.19.3.
2. Residential lobbies and other similar pedestrian access to and through the subject structure from the primary street side(s) of the building may be credited toward compliance with the 100% Street Level use frontage requirement in Section 7.3.5.12.C.1 above.
3. When vehicle access to on-site parking or loading spaces from a primary street is allowed under Section 7.3.5.23, the width of such vehicle access may be credited toward compliance with the 100% Street Level use frontage requirement in Section 7.3.5.12.C.1 above.

*See also* C-CCN zone district use limitations related to ground-story Household Living uses in Section 11.2.5 of this Code, and C-CCN zone district uses limitations related to ground-story Automobile Services, Light or Heavy uses in Section 11.4.19.3.

### 7.3.5.3 Vehicle Access in the C-CCN Zone Districts

#### A. Intent

Vehicle driveways that access zone lots in the C-CCN zone districts directly from a public street create conflict points with pedestrians and detract from the objective of encouraging active **ground-story** uses along public street frontages in Cherry Creek North. This section's standards will improve the pedestrian experience along the Street Level in Cherry Creek North by requiring vehicle access to zone lots be taken from public alleys to the maximum extent feasible.

#### B. Applicability

This Section 7.3.5.23 applies to development in the C-CCN zone districts that proposes either new vehicle access or a change in location of existing vehicle access to the subject zone lot. This Section shall apply to all proposed vehicle access points to the same zone lot.

#### C. Location of Vehicle Access

1. All vehicle access to a zone lot in the C-CCN zone districts shall be from an alley, when alley access is present.
2. If alley access is not present or if alley access is not feasible due to lot configuration, an Applicant shall first give preference to vehicle access to the zone lot from a named street before proposing vehicle access from a numbered street.
3. Whenever street (not alley) vehicle access to the zone lot is allowed, the width of the vehicle ingress/egress ways from the street shall be minimized.

### 7.3.5.4 Vehicle Access in all other Zone Districts

#### A. No Alley

Where a building form specifies “street access allowed when no **aAlley** present”, vehicle access from the street is allowed when a **Zzone Llot** is not bounded by an **aAlley**.

#### B. Alley

Where a building form specifies vehicle access from **aAlley** is required, and the **Zzone Llot** is bounded by an **aAlley**, any newly constructed **Ddriveways**, **Off-Street Parking Area driving aisle**, **Ggarage**, **Ccarport**, or other parking facility shall be accessed solely from an **aAlley**, unless:

1. The **aAlley** is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The **aAlley** is less than 12 feet in width;
3. At least 60 percent of the existing **dwelling units Zone Lots** on the same **Fface Bblock** are served by **Ddriveways**, **Off-Street Parking Areas driving aisles**, **Garages**, **Carports**, or other parking facilities accessed **directly** from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
4. The Department of Public Works prohibits the use of the **aAlley** for vehicular access to the **Zzone Llot** based upon a determination that the **aAlley** cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; or
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 7.3.5.4, then vehicular Alley access is required.

### 7.3.5.5 Street Level Active Uses in the C-MX and C-MS Zone Districts

#### A. Intent

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

#### B. Applicability

This Section **7.3.5.5** applies to the General building form in the C-MX zone districts and the Shopfront building form in the C-MS zone districts.

#### C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:
  - a. Mini-storage Facility; or
  - b. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
  - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.

**2. Standard**

Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

**7.3.7.3 Setback Exceptions**

**A. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

**B. Standard**

In all C- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**7.3.7.4 Setback Encroachments [bulleted lists created in following tables]**

**A. Intent**

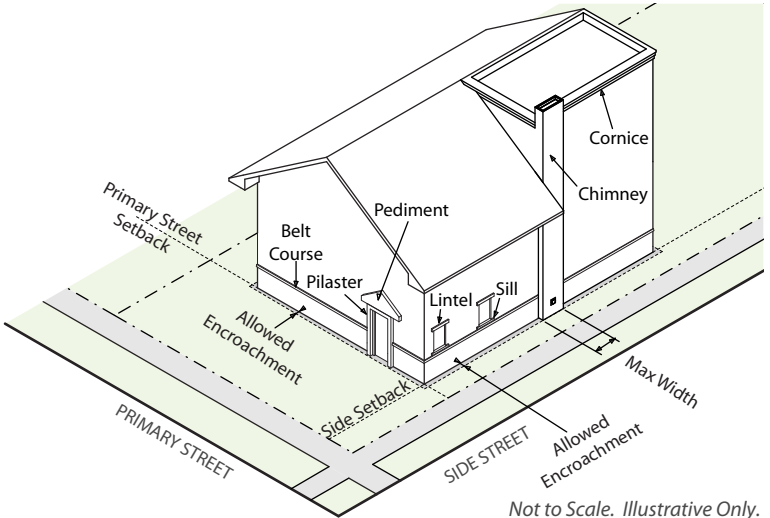

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.

**B. Standard**

Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:


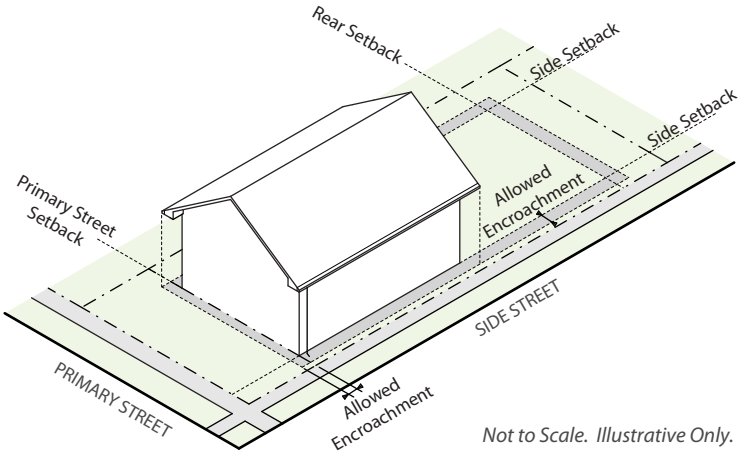
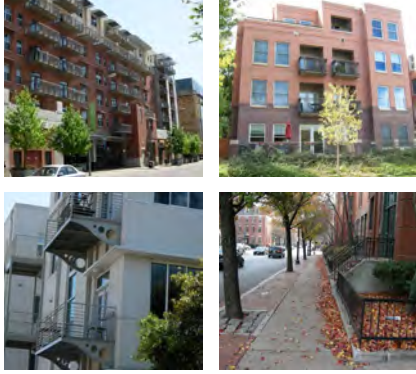
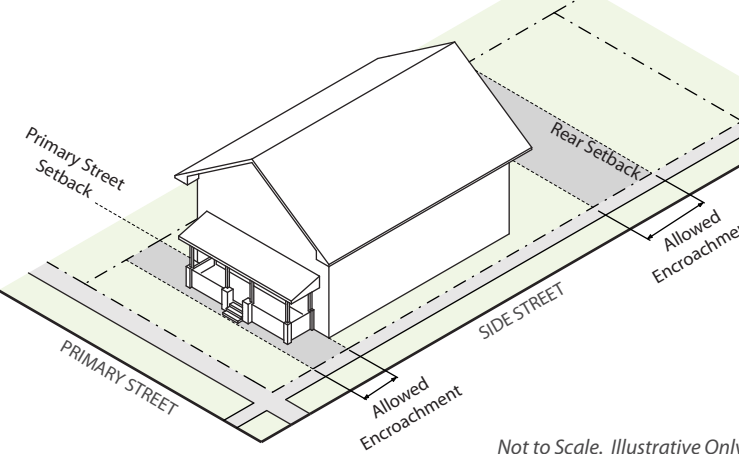
**1. Architectural Elements**

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width	All C- Zone Districts	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’; if setback is less than 5’: 2’	1.5’ Cornices only: 5’
Intent: To allow common, minor decorative elements which are integral to a building.					
 <p style="text-align: center;"><i>Illustrative only</i></p>					




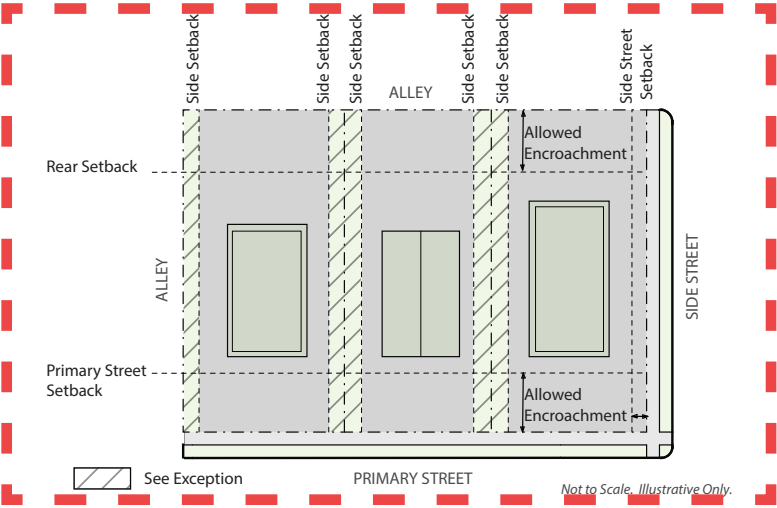
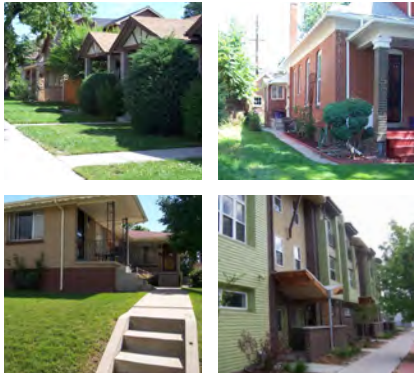
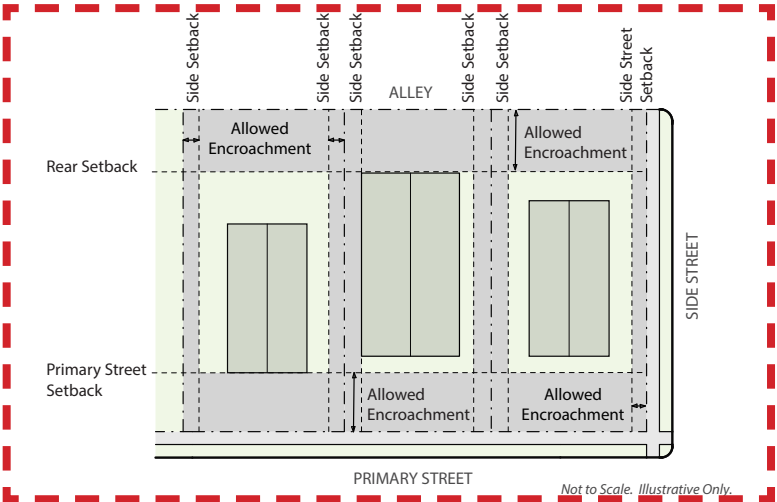
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All C- Zone Districts	6"	6"	6"	6"
<p>Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>•The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>•Shall be open on three sides.</li> </ul>	All C- Zone Districts	Any distance	Any distance	Not allowed	Not allowed
<p>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	All C- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <b>Street Level ground story</b> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul> <p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	All C- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All C- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Shading devices: building elements, such as awnings, designed and intended to control light entering a building</p>	All C- Zone Districts	5'	3'	3'	10'
<p>Intent: To allow for elements either integral or attached to a building which control light through windows.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

**2. Site Elements**

To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening				
Surface Parking	Not Allowed				
<u>Drive or Driveway</u>	<u>All C- Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Not allowed (*see exception below)</u>	<u>Any distance</u>
<p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.</u></p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale, Illustrative Only.</i></p>				
<p><u>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</u></p> <ul style="list-style-type: none"> <li><u>The Side Interior setback Abuts a public Alley;</u></li> <li><u>Other public right-of-way, or an easement for public access Abutting a public Alley; or</u></li> <li><u>Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</u></li> </ul>					
<u>Flatwork providing pedestrian access to entrances and buildings:</u>	<u>All C- Zone Districts</u>	<u>Any distance, but may not exceed 50% of the area within the setback</u>	<u>Any distance, but may not exceed 50% of the area within the setback</u>	<u>Maximum of 5' wide: Any distance</u>	<u>Maximum of 5' wide: Any distance</u>
<p><u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u></p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale, Illustrative Only.</i></p>				

**3. Service & Utility Elements**

To allow for minor service and utility elements while maintaining an open and unobstructed setback space.



ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
All C- Zone Districts	Any distance	Any distance	Any distance	Any distance

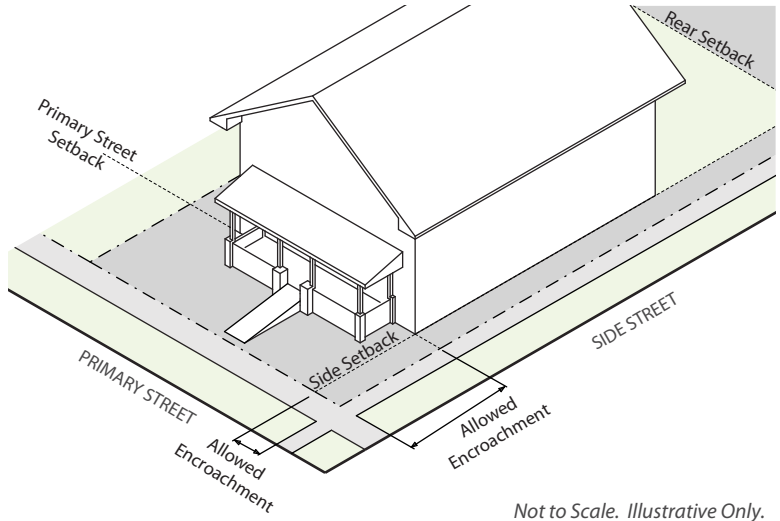
Barrier-free access **ramps structures** providing access to **existing** buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.

- Setback encroachments for required barrier-free access **ramps structures** are only allowed for expansions, enlargements, and alterations to existing buildings.
- Such **ramps barrier-free access structures** shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.

Intent: To provide flexibility in the location of required barrier-free access to **existing** buildings.



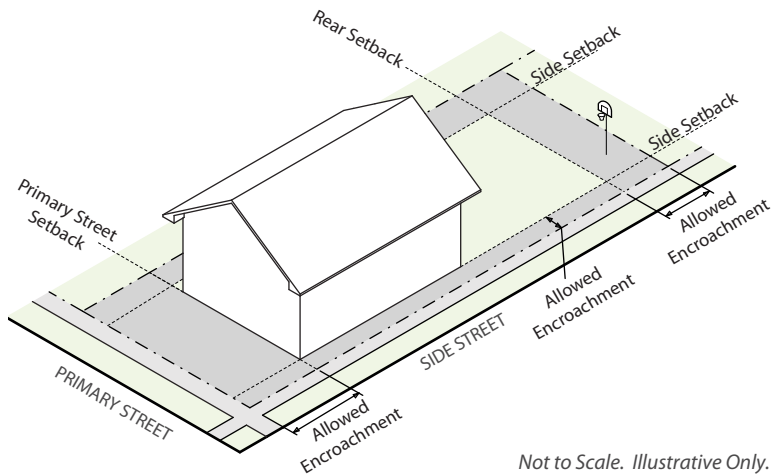
Illustrative only



Not to Scale. Illustrative Only.

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
All C- Zone Districts	Any distance	Any distance	Any distance	Any distance

Basketball goals on a fixed post

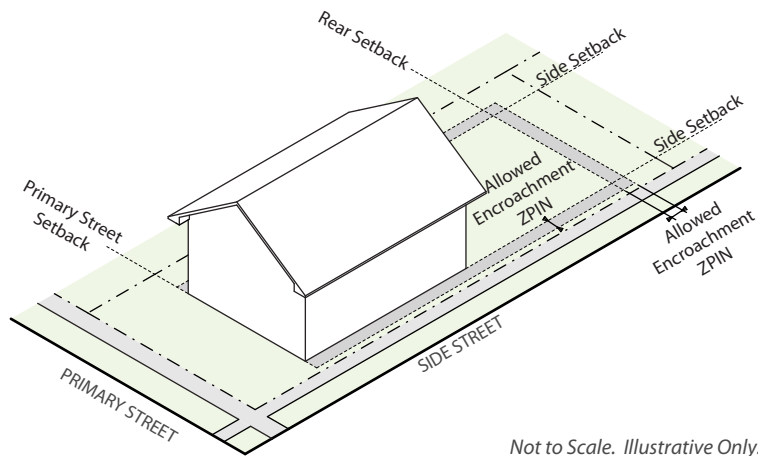


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	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:	All C- Zone Districts	Not allowed	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice

- Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;
- Does not exceed 4' in height or 10 square feet in area per unit;
- Does not exceed 2 units per zone lot;
- Has adequate screening to conceal it from view from adjacent properties and public rights-of way by means of landscaping and/or fencing; and
- The location of the unit(s) minimizes the impacts on adjoining properties.

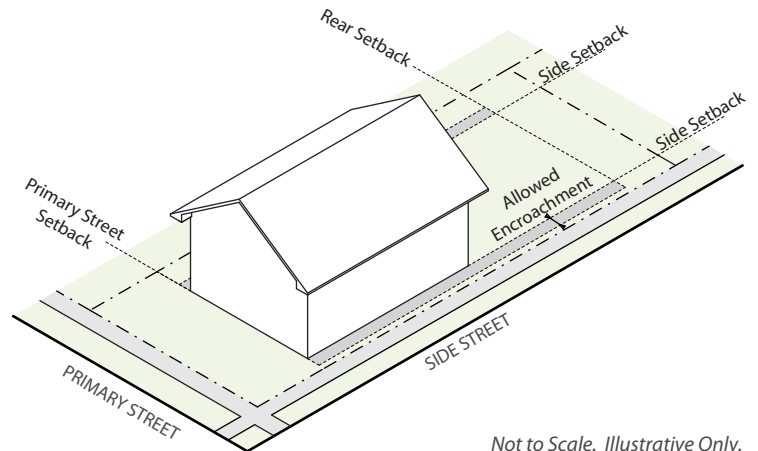
Intent: To allow for functional siting.




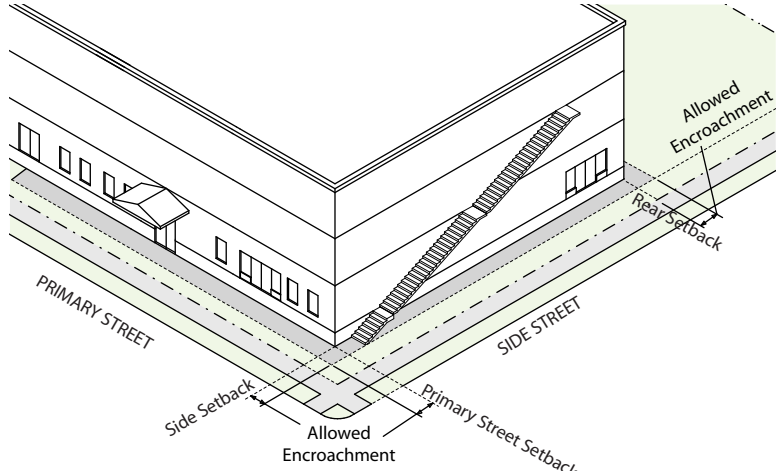

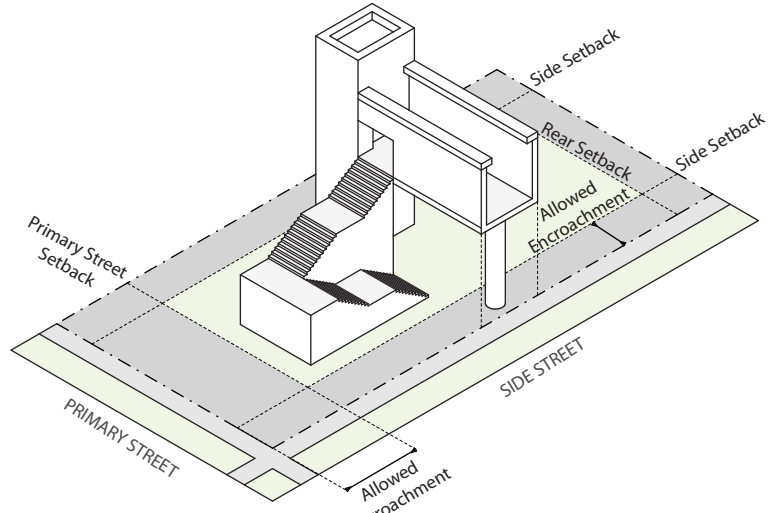
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	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers • located behind the front of the primary structure and • screened from adjacent properties and public rights-of-way, and • not to exceed the noise standards of D.R.M.C. Section 36-6	All C- Zone Districts	Not allowed	3'	3'	Not allowed


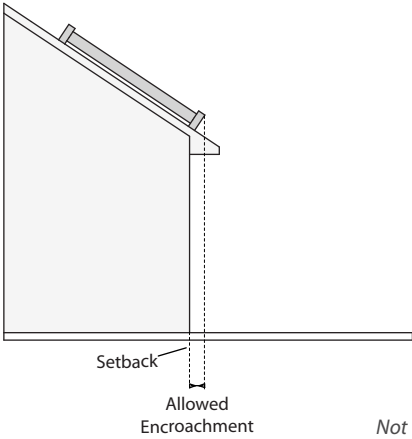
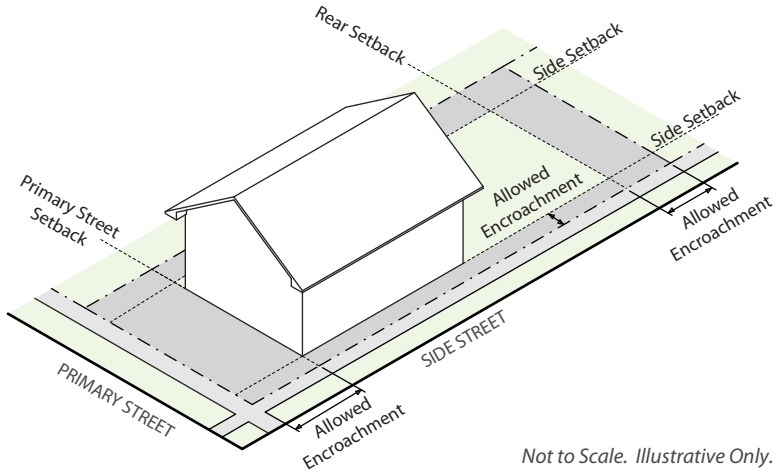
Intent: To allow for functional siting.


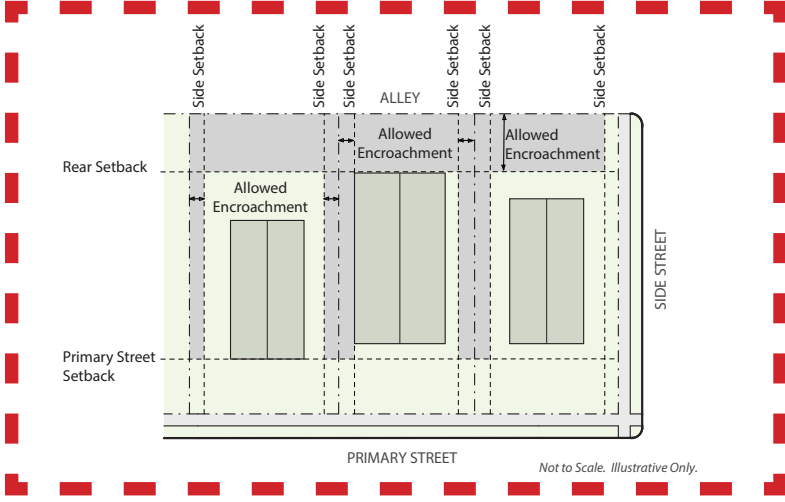

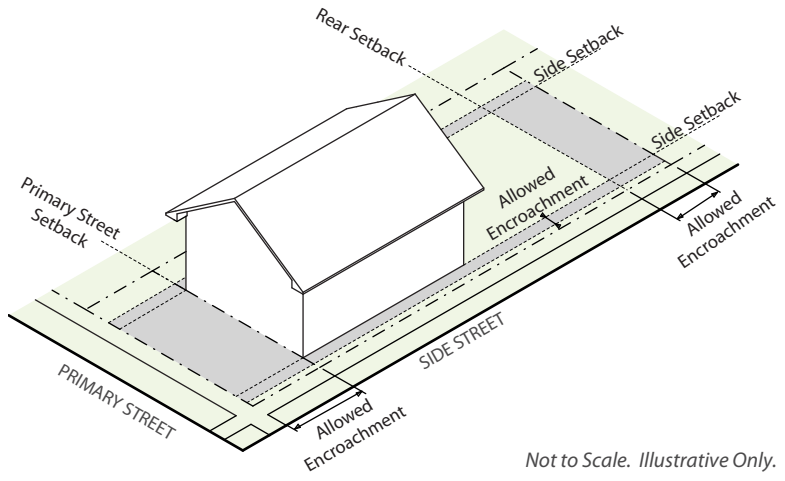


Not to Scale. Illustrative Only.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p> <p>Intent: To provide for egress from a building only for emergency purposes</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	All C- Zone Districts	5'	3'	3'	10'
 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station:</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul> <p>Intent: To allow for above-grade connections to and from transit stations</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	All C- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					



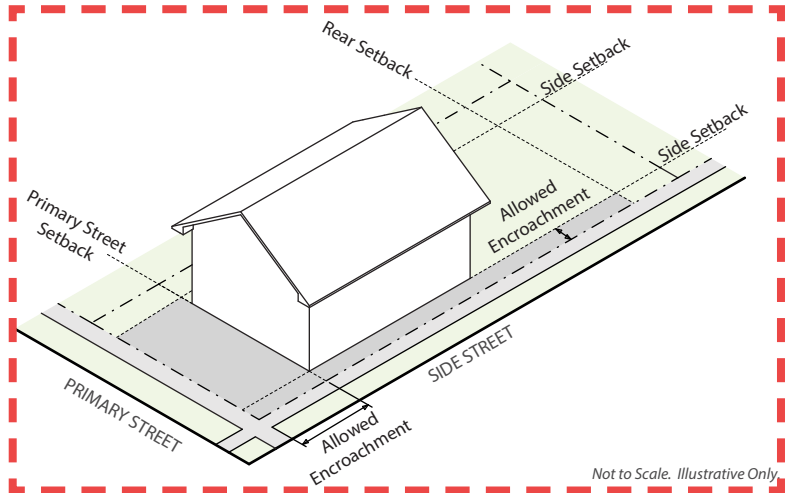
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, Flush Mounted Roof	All C- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 3' in height.	All C- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for functional siting.</p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>• Greater than 3' in height but not exceeding 8' in height above Finished Grade.</li> </ul> <p><u>Intent: To allow for functional siting.</u></p>	All C- Zone Districts	Not allowed	Not allowed	Any distance	Any distance
 <p><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas:</p> <ul style="list-style-type: none"> <li>• Shall be below grade.</li> </ul> <p><u>Intent: To allow for emergency egress</u></p>	All C- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
 <p><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u></p>	All C- Zone Districts	Any distance	Any distance	Not allowed	Not Allowed

Intent: To allow for functional siting.



*Illustrative only*



*Not to Scale. Illustrative Only*

## SECTION 7.3.8 REFERENCE TO OTHER DESIGN STANDARDS

### 7.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

- A. Parking and Loading: Division 10.4
- B. Landscaping, Fences, Walls and Screening: Division 10.5
- C. Site Grading: Division 10.6
- D. Outdoor Lighting: Division 10.7
- E. Signs: Division 10.10

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS				
		C-RX-5 C-RX-8 C-RX-12	C-MX-3 C-MX-5 C-MX-8 C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • Vehicle - CCN districts only: 2.5/1,000 sf GFA • Vehicle: 1.25/ 1,000 sf GFA • Bicycle: 1/7,500 sf GFA(20/80)	L-ZP	L-ZP	L-ZP	L-ZP	\$11.4.11
	Animal Sales and Services, All Others	NP	NP	NP	NP	
	Body Art Establishment • Vehicle - CCN districts only: 2.5/1,000 sf GFA • Vehicle: 1.25/ 1,000 sf GFA • Bicycle: 1/7,500 sf GFA (20/80)	NP	L-ZP	L-ZP	L-ZP	\$11.4.13
	Food Sales or Market • Vehicle - CCN districts only: 2.5/1,000 sf GFA • Vehicle: 1.25/ 1,000 sf GFA • Bicycle: 1/7,500 sf GFA (20/80)	L-ZP	P-ZP	P-ZP	P-ZP	\$11.4.14
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	<del>Liquor Store, Including Drugstores Licensed to Sell Liquor • Vehicle - CCN districts only: 2.5/1,000 sf GFA • Vehicle: 1.25/ 1,000 sf GFA • Bicycle: 1/7,500 sf GFA (20/80)</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>\$11.4.15</del>
	Pawn Shop	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales • Vehicle: 1.25/ 1,000 sf GFA • Bicycle: 1/7,500 sf GFA(20/80)	NP	NP	P-ZP	NP	
	Retail Sales, Service & Repair, All Others • Vehicle - CCN districts only: 2.5/1,000 sf GFA • Vehicle: 1.25/ 1,000 sf GFA • Bicycle: 1/7,500 sf GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE					APPLICABLE USE LIMITATIONS
	• Vehicle Parking Reqmt: # spaces per unit of measurement	C-MX-3			C-CCN-3	
	• Bicycle Parking Reqmt : # spaces per unit of measurement	C-MX-5			C-CCN-4	
	(% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	C-MX-8			C-CCN-5	
		C-RX-5	C-MX-12	C-MS-5	C-CCN-7	
		C-RX-8	C-MX-16	C-MS-8	C-CCN-8	
		C-RX-12	C-MX-20	C-MS-12	C-CCN-12	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION						
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	§11.7; §11.8.3
	Garden*	L	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	Not Applicable - See Permitted Primary Uses			§11.7; §11.8.7
	<u>Outdoor Storage, Residential*</u>	L	L	L	L	<u>§11.7; §11.8.8</u>
	Second Kitchen Accessory to Single Unit Dwelling Use	NP	NP	NP	NP	
	Short-term Rental	L	L	L	L	§11.7; §11.8.9
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	§11.7; §10.9
Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses			§11.7; §11.5.13	
Yard and/or Garage Sales*	L	L	L	L	§11.7; §11.8.10	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION						
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
(Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.5



## DIVISION 8.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 8.1.1 GENERAL CHARACTER

The Downtown context consists of a mix of multi-unit residential, commercial, office, civic, institutional, and entertainment uses in large buildings containing one or more uses. The Downtown Context is comprised of five-eight distinct areas: Downtown Core District-, Downtown Theater District, Lower Downtown District, Downtown Civic Center-District, Downtown Golden Triangle, and-Downtown Arapahoe Square District, Downtown Apapahoe Square District 12+, and Downtown Arapahoe Square District 20+. Throughout the context, residential and nonresidential buildings tend to have similar forms, most often that of the Apartment or General Commercial Building Forms. Historic sStructures and landmark districts (Lower Downtown, Downtown, Larimer Square, Civic Center, and Speer Boulevard) are important character defining features of the Downtown Context.

### SECTION 8.1.2 STREET, BLOCK, AND ACCESS PATTERNS

The Downtown context consists of a regular pattern of block shapes. Orthogonal and diagonal streets provide connection through this context. Block sizes and shapes are consistent and include detached sidewalks, amenity zones or treelawns, and street, surface, and structured parking. Blocks where the two grids—downtown and directional—meet create a varied pattern of triangular lots. While historically most blocks contained alleys, some have been vacated to accommodate full-block developments.

### SECTION 8.1.3 BUILDING ENTRANCES

Entrances to office and residential buildings tend to be directly from the public sidewalk into a lobby. Retail stores and restaurants are typically accessed from the public sidewalk. Parking garage and lot access varies. Larger garages are typically accessed from the street, while smaller facilities may be accessed from the alley.

### SECTION 8.1.4 BUILDING PLACEMENT AND LOCATION:

Multi-unit buildings typically have consistent shallow front setbacks or build-to lines. Commercial buildings typically have build-to requirements forming a continuous building wall along the sidewalk.

## DIVISION 8.3 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS (D-C, D-TD)

### SECTION 8.3.1 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS

#### 8.3.1.1 Generally

The provisions of this Division apply to all lands, uses and structures in the Downtown Core and Downtown Theater districts.

#### 8.3.1.2 Uses Permitted

See Division 8.10 for uses permitted in the Downtown Core and Downtown Theater Districts.

#### 8.3.1.3 Required ~~Downtown Ground Floor Active Uses~~~~Pedestrian-Active Ground Floor Uses~~

In portions of new buildings and outdoor areas along or within 30 feet of the 16th Street pedestrian and transit mall, and in portions of existing buildings and outdoor areas within 30 feet of the 16th Street pedestrian and transit mall that are renovated and where the renovation includes all or a part of the leasable ground floor areas of the building, at least 65 percent of the linear frontage of the property along the 16th Street pedestrian and transit mall shall be occupied by Downtown Ground Floor Active Uses. ~~pedestrian-active-uses~~.

#### 8.3.1.4 Permitted Structures

##### A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling, there shall be provided a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies, but shall not include space provided for off-street parking; provided however such requirement shall not apply to any structure converted from nonresidential to residential uses.

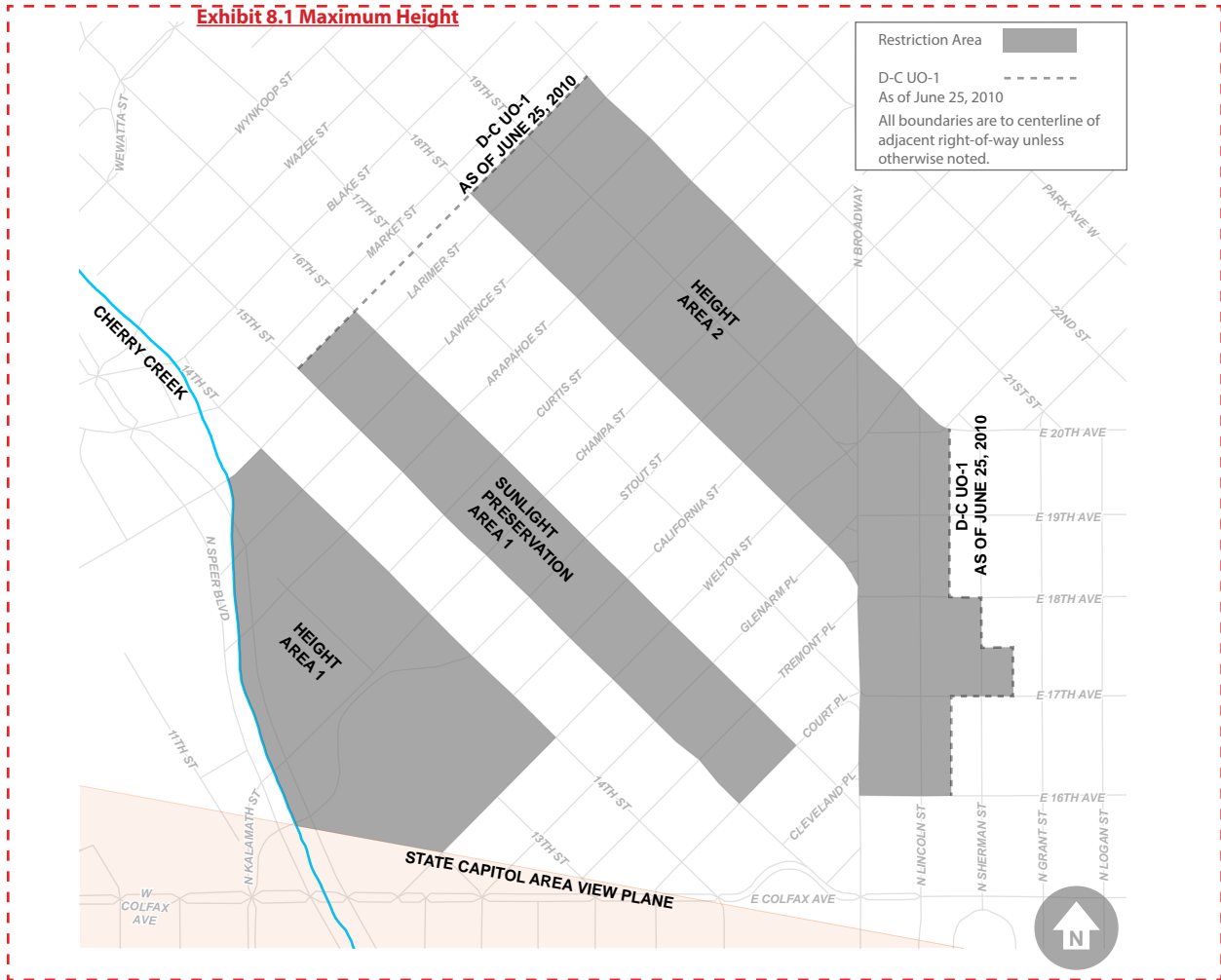
##### B. Minimum and Maximum Heights

1. **Minimum Heights:** The minimum height of structures shall be 2 stories or 30 feet.
2. **Maximum Heights:** The maximum heights of buildings are not limited except in the following height areas as shown on Exhibit 8.1:
  - a. Sunlight Preservation Area 1: See Subsection 8.3.1.4.C. below.
  - b. Height Area 1 : 200 feet
  - c. Height Area 2: 400 feet



**Exhibit 8.1 Maximum Height** Replace image





### C. Sunlight Preservation Area 1

#### 1. Definitions

For purposes of this provision only, the following definitions shall apply:

- a. "Zone of influence" shall mean that portion of the public right-of-way of the 16th Street pedestrian and transit mall lying between 2 lines extended due north from the easternmost and western most points of a zone lot located between 15th and 16th Streets, regardless of whether or not such zone lot extends across a public alley. If a zone lot extends across a public street right-of-way, then a separate zone of influence shall be established for each part of the property separated by a public street right-of-way. The 16th Street pedestrian and transit mall is 80 feet wide.
- b. "Project zone of influence" shall mean the zone of influence for the proposed structure or project.
- c. "Overlapping zone of influence" shall mean any zone of influence that overlaps all or a portion of the project zone of influence, regardless of whether or not such zone of influence is related to a zone lot that is (i) adjacent to the project zone lot or (ii) located within this Sunlight Preservation Area 1.

one additional square foot of downtown housing. Community Planning and Development is hereby granted authority:

- a) To adopt and to revise rules and regulations setting a cash-in-lieu fee or fees which, if contributed to such fund, would earn floor area premiums; and
  - b) To determine whether such fee or fees shall be based on the average cost of constructing new housing units or the average cost of creating a new housing unit through conversion of an existing building from nonresidential uses; and
  - c) To determine whether such fee or fees shall be based on the cost of creating new market rate housing units or new affordable housing units; and
  - d) To determine whether such fee or fees shall be based on a per square foot or per unit basis.
- iii. Such cash-in-lieu fee or fees shall be reviewed, and if necessary revised, at least once every three years following their initial adoption. No such rule or regulation shall be effective unless and until adopted pursuant to article VI, chapter 2 of the Revised Municipal Code.
- b. Premium for Rehabilitation of Historic Structure**  
~~Premium for rehabilitation of a structure designated for preservation pursuant to D.R.M.C., Chapter 30 (Landmark Preservation) of the Denver Revised Municipal Code:~~ Four square feet for each square foot of an ~~an Historic Structure that structure designated for preservation or contributing structure in a district for preservation pursuant to Chapter 30 of the Denver Revised Municipal Code~~ is rehabilitated (i) to the U.S. Secretary of the Interior's standards for historic preservation, (ii) to the standards of the ~~the~~ ~~Landmark p~~ ~~Preservation e~~ ~~Commission~~. To qualify, the rehabilitation must included the exterior and interior of the building.
- c. Premium for ~~Pedestrian-Active-Downtown Ground Floor Active Uses and or Residential Support Facilities~~**  
 Four square feet for each square foot of space to be occupied by one of the following constructed in a new building, or through conversion of all or a part of an existing building from other uses:
- i. Ground floor area constructed as a ~~Downtown Ground Floor Active Use pedestrian-active facility~~, as defined in Article 13 of this Code, so long as this floor area has not been excluded in Section 8.3.1.4.D.3.d.iv.b Floor area excluded from calculations) below.
  - ii. Ground floor or second floor area to be occupied by a food sales or market use or elementary or secondary school meeting all requirements of the compulsory education laws of the state, or day care center for children constructed to at least the minimum licensing standards of the Department of Environmental Health.
- d. Premium for Supporting Mass Transit Facilities**  
 Three square feet for each square foot of land dedicated for a light rail station integrated into a new or existing building. An integrated station is one in which the building extends over all or part of a light rail facility and the station is constructed as part of the new building or a renovation of the existing building.
- e. Premium for Outdoor Art**  
 A floor area premium equal to 25 percent of the zone lot area if, in connection with the construction of a new building or the renovation of an existing building, public art costing at least (i) one percent of the cost of the new building or one percent of the cost of the building renovation, as reflected in approved building permits, or (ii)

\$500,000.00, whichever is smaller, is placed outside or on the exterior surface of such new or renovated building where it is visible from at least one public street.

**f. Premium for Underground Parking**

A floor area premium equal to one and one-half square feet for each square foot of underground parking provided under a new building, provided, however, that no premium shall be earned for the first level of underground parking.

**g. Premium for Moderately Priced Dwelling Units**

A floor area premium equal to the zone lot area if the structure qualifies under the provisions of D.R.M.C., Article IV, Chapter 27 (affordable housing), provided all of said floor area premium is dedicated to residential uses.

**3. Transfer of Undeveloped Floor Area**

In addition to the two types of floor area permitted by Sections 8.3.1.4.D.1-2 above, a certain amount of floor area may be constructed by using undeveloped floor area. Undeveloped floor area shall be created, transferred and administered as set forth herein. Undeveloped floor area may be certified for transfer at any time and any undeveloped floor area certified prior to June 25, 2010 shall remain valid, however any such certified floor area may be amended.

**a. Types of Undeveloped Floor Area**

The following types of undeveloped floor area may be transferred between zone lots after certification by the Zoning Administrator:

**i. Undeveloped floor area from an ~~Historic Structure~~ structure designated pursuant to Chapter 30 of the Denver Revised Municipal Code:**

- a) Where such designation or inclusion in a district occurred after October 10, 1994; or
- b) Where such designation or inclusion in a district occurred before October 10, 1994, and certificates of undeveloped floor area were issued before October 10, 1994; or
- c) Where such designation or inclusion in a district occurred before October 10, 1994, and certificates of undeveloped floor area were not issued before October 10, 1994.

**ii. Undeveloped floor area from a structure that (a) has received a floor area premium pursuant to Section 8.3.1.4.D.2.b or (b) would have received such a floor area premium if such premium had existed at the time of the rehabilitation.**

**b. Calculation of Undeveloped Floor Area**

In the case of undeveloped floor area defined in Section 8.3.1.4.D.3.a.i above, the amount of undeveloped floor area available for transfer from each structure shall be equal to one times the size of the zone lot on which such structure is located, plus the difference between a) the gross floor area in the structure, and b) the maximum gross floor area permitted on the zone lot containing the structure pursuant to Sections 8.3.1.4.D.1-2 above.

**c. Evidence of Title**

The Zoning Administrator shall not issue a zoning permit with respect to the property on which floor area is to be constructed using undeveloped floor area ("receiving property") unless the owners of the receiving property furnish evidence to the Zoning Administrator of their title to the undeveloped floor area acquired. Such evidence may be a current title commitment, a current endorsement to a prior title policy or other acceptable evidence of title including an opinion of counsel.

**d. Limitation On Use**

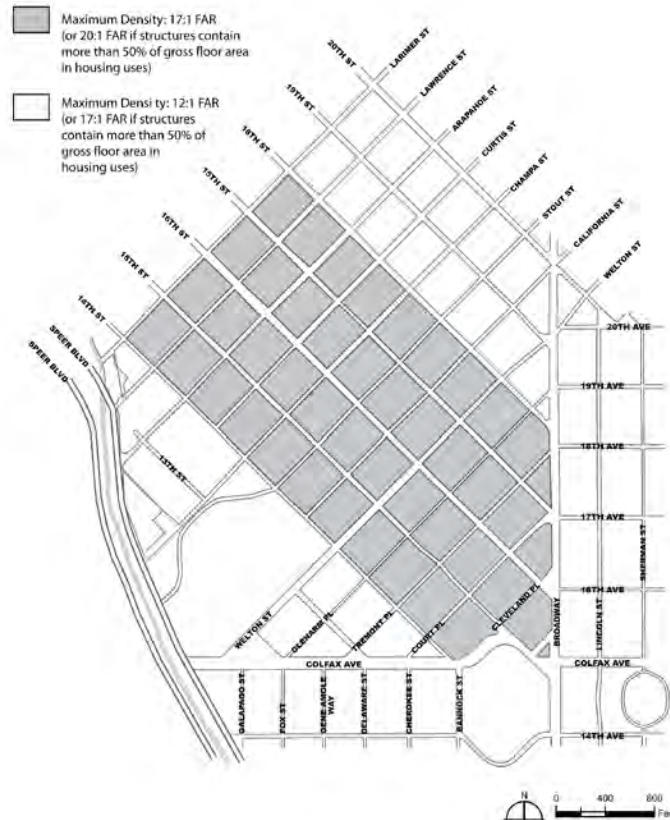
No receiving property shall be enlarged by more than 6 times the area of the zone lot through one or more applications of this procedure.

**e. Procedures**

Undeveloped floor area shall be administered according to the following procedures:

- i. Applications for certification of undeveloped floor area shall be submitted for a contiguous ~~parcel of land~~ **Zone Lot** in common ownership, by or with the written consent of the owners of the included property, in triplicate, and shall include:
  - a) The names and signatures of all owners and security interest holders of the property included in the application;
  - b) The names of the owners to be designated as owners on the certificate applied for;
  - c) A legal description of the included property;
  - d) A current endorsement by a title insurance company to the owners' title policy covering such legal description or other acceptable evidence of title including an opinion of counsel;
  - e) A survey of the included property;
  - f) A certificate of a licensed engineer or architect as to the gross floor area of all structures to be included in the calculation of undeveloped floor area and a copy of the ordinance designating the property for preservation or including the property in a district for preservation;
  - g) Satisfactory evidence that each structure to be included in the calculation of undeveloped floor area is utilized by a primary use and that the exterior has been renovated or restored to the U.S. Secretary of the Interior's standards for historic preservation or to the standards of the **H**Landmark **p**Preservation **e**Commission;
  - h) In the case of undeveloped floor area defined in Section 8.3.1.4.D.3.a.ii, above, satisfactory evidence that the exterior and interior of the structure has been rehabilitated to the U.S. Secretary of the Interior's standards for historic preservation or to the standards of the **H**Landmark **p**Preservation **e**Commission; and
  - i) Such other information as the Zoning Administrator may reasonably require.
- ii. Applications shall be filed with the Zoning Administrator together with a \$1,500 filing fee. Upon filing, the Zoning Administrator shall deny the application if it is incomplete. If the application is complete, the Zoning Administrator shall forward one copy to the planning board and one copy to the **H**Landmark **p**Preservation **e**Commission, and promptly shall grant the application or grant the application with conditions if it complies with Subsection i. above, but otherwise shall deny the application. All actions of the Zoning Administrator in denying the application shall be without prejudice to the owners to resubmit additional applications respecting the same zone lot. If an amended application covering the same property is made within 90 days after denial by the Zoning Administrator, no additional filing fee shall be required.
- iii. If the application is granted, the Zoning Administrator shall issue a certificate of undeveloped floor area in the following form:

- a) A floor area ratio of 12:1; or
- b) If structures contain over 50 percent of their gross floor area in housing uses, then a floor area ratio of 17:1.



**Exhibit 8.2 Maximum Gross Floor Area**

- b. **Floor area excluded from calculations.**  
 Gross floor area occupied by Downtown Ground Floor Active Uses pedestrian active uses (i) which would qualify for a floor area premium pursuant to Section 8.3.1.4.D.2.c, but (ii) for which a floor area premium is not granted because of the restrictions in Section 8.3.1.4.D.2 above limiting the total amount of floor area premiums that may be granted, shall be excluded from the calculation of the gross floor area of a structure or project. Any floor area so excluded from the calculation of gross floor area shall continue to be occupied by Downtown Ground Floor Active Uses pedestrian active uses.

**8.3.1.5 Off-Street Parking Requirements**

**A. Applicable Standards**

The general off-street parking standards in Division 10.4 of this Code shall apply in the D-C and D-TD and D-CV zone districts, except where the standards stated in this Section 8.3.1.5 conflict, in which case the standards in this Section 8.3.1.5 shall apply.



**B. Amount of Parking Spaces Required**

1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV zone districts.
2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV zone districts shall comply with the use limitations applicable to a “parking, garage” use stated in Section 11.4.4.1.

**C. Accessible Parking**

Whenever off-street parking spaces are provided, a minimum number of accessible parking spaces shall be provided according to the requirements of the Denver Building Code and the federal Americans with Disabilities Act.

**D. Bicycle Parking**

The following standard shall apply instead of the general bicycle parking standards in Article 10, Division 10.4, Parking and Loading.

1. All new parking structures shall contain at least 1 designated bicycle parking space for each 20 automobile parking spaces, provided, however, that in no event shall any new parking structure be required to contain more than 50 bicycle parking spaces.

**8.3.1.6 Design Requirements**

**A. Pedestrian-Active Downtown Ground Floor Active Use Street Frontages**

1. New buildings or renovations of existing buildings in which the renovation includes all or part of the leasable ground floor areas of the building shall be designed and constructed to accommodate Downtown Ground Floor Active Uses ~~pedestrian active uses~~ for at least 65 percent of the linear frontage along the following streets: 16th Street pedestrian and transit mall, Larimer Street, Curtis Street, Tremont Place, Cleveland Place, and any light rail line operating in a street or fixed-guideway transit line operating in a street.
2. Street-facing ground floors of new buildings on named or numbered streets not included in the paragraph above shall provide 60 to 90 percent transparency as measured from floor to floor for at least 65 percent of the linear frontage of the building,
3. In all cases, transparent glass shall possess a minimum .65 light transmission factor.

**B. Minimum Build-to Requirements**

1. *Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley:* Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than 65% of each separately owned zone lot frontage, except along the Southwest side of the 16th Street Mall where the build-to zone shall be increased to 20 feet.
2. *In the areas northeast and southwest of the area noted above in Subsection B.1,* buildings shall be built to within 10 feet of the property line adjoining the street for no less than 50% of each separately owned zone lot frontage.

**C. Exposure to the Sky**

In order to allow reasonable levels of natural light to reach the street, while also promoting strong definition of the street space, all new structures located on zone lots containing more than 15,000 square feet shall provide at least 15 percent sky exposure as measured from each abutting public street on which the zone lot has greater than one hundred fifty (150) linear feet of frontage. All sky exposure measurements shall be calculated using a Waldram diagram.



#### **D. Ground Floors of Parking Structures**

Each primary use or accessory use parking structure constructed after October 10, 1994, or renovated after October 10, 1994, shall either (1) have all ground floor frontages within 30 feet of a public street or a pedestrian and transit mall occupied by Downtown Ground Floor Active Uses, ~~pedestrian-active uses~~, or (2) have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the ground floor street frontage by Downtown Ground Floor Active Uses, ~~pedestrian-active uses~~, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses.

#### **E. Downtown Design Standards and Guidelines**

##### **1. Applicability**

All new structures and all structures that are being renovated, and the renovation includes alterations to the lower 80 feet of the facade of the structure shall be subject to either:

- a. Design standards and a design standards review process established by rules and regulations; or
- b. Design guidelines and a design guidelines negotiation process established by rules and regulations.
- c. Design standards and design guidelines shall address those topics listed in Section 8.3.1.6.E.4 below. For each element of building or project design listed in Section 8.3.1.6.E.4, the applicant shall have the option of submitting proposed designs for a determination of consistency under the design standards review process or for approval under the design guidelines negotiation process. The applicant shall also have the option of submitting different design elements for determinations of consistency or for approval at different times. The design standards review process and the design guidelines negotiation procedures shall be conducted by the planning office staff. The Zoning Administrator shall not issue permits for use and construction until all applicable requirements have been met.

##### **2. Exclusions**

The design standards review process and the design guidelines negotiation process set forth in this Section shall not apply to:

- a. Any Historic Structure, or structure designated for preservation pursuant to Chapter 30 of the Denver Revised Municipal Code, or
- b. Any structure in a district for preservation pursuant to Chapter 30 of the Denver Revised Municipal Code, or
- c. Any facade of an existing structure that is not being altered.

##### **3. Intent**

The design standards and design guidelines are intended (i) to promote visibility of commercial activities at ground level; (ii) to provide human scale through change, contrast, and intricacy in facade form, color and/or material where lower levels of structures face public streets and sidewalks; (iii) to spatially define the street space in order to concentrate pedestrian activity and create a clear urban character; (iv) to alleviate high wind conditions for pedestrians at the base of taller structures; (v) to encourage easy pedestrian entry and exit from structures; and (vi) to prevent significant blocking of sky exposure along a street right-of-way.

##### **4. Design Standards and Design Guidelines Topics**

- a. The Manager is authorized to develop design standards and design guidelines that address the following topics:
  - i. For the lower 30 feet of structures:

Downtown Design Review Board in accordance with the provisions of D.R.M.C., Article III (Lower Downtown ~~h~~Historic ~~d~~District) of Chapter 30 (~~h~~Landmark ~~p~~Preservation);

7. Off-street parking requirements may be met off the zone lot according to Section 10.4.4.5, Location of Required Vehicle Parking, of this Code after consultation with the Lower Downtown Design Review Board, and provided said parking is provided within the D-LD zone district or within 1,000 feet of the subject zone lot; and
8. All required off-street parking spaces shall be designed in accordance with Division 10.4, Parking and Loading, of this Code.

**C. Accessible Parking**

Whenever off-street parking spaces are provided, a minimum number of accessible parking spaces shall be provided according to the requirements of the Denver Building Code and the federal Americans with Disabilities Act.

## DIVISION 8.6 DOWNTOWN GOLDEN TRIANGLE DISTRICT

### SECTION 8.6.1 GOLDEN TRIANGLE DISTRICT

#### 8.6.1.1 Generally

The provisions of this Division apply to all lands, uses and structures in the Golden Triangle district.

#### 8.6.1.2 Uses Permitted

See Division 8.10 for uses permitted in the Golden Triangle District.

#### 8.6.1.3 Permitted Structures.

##### A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-GT district a minimum of 25 square feet of unobstructed open space, for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

##### B. Setbacks from Abutting Street Frontages

###### 1. Maximum Setback

Buildings shall be built at or within 5 feet of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.6 or in Design Standards and Guidelines adopted for the Golden Triangle neighborhood.

###### 2. Setbacks from Speer Boulevard

All structures on zone lots abutting Speer Boulevard shall be set back from Speer Boulevard a distance of at least 10 feet. In addition, any structure over 100 feet tall that is located on a zone lot containing at least 15,000 square feet of area shall have that portion of the structure that is more than 100 feet above ground level set back at least 20 feet from the right-of-way of Speer Boulevard; provided, however, that in lieu of such additional setback, the owner of such property may choose to have the design of such structure reviewed and approved by Community Planning and Development to avoid overshadowing of the Speer Boulevard right-of-way. Such design review shall be conducted pursuant to Section 8.6.1.4, Design Review, below.

##### C. Maximum Height

The maximum height of structures shall not exceed 175 feet above the elevation of Broadway Street as measured at the highest point on Broadway directly east or west of the subject property, as the case may be, as determined by the City Engineer. Upon request by the applicant, the Zoning Administrator, after consulting with the Manager and the chairperson of the Planning Board or their designated representatives, may increase the maximum heights by up to 25 feet according to the Administrative Adjustment procedures in Section 12.4.5, in order to compensate for design constraints imposed by unusually high water tables, irregularly shaped **parcels** **Zone Lots** not caused by the property owner, and other unusual site conditions not caused by the property owner.

##### D. Maximum Gross Floor Area in Structures

###### 1. Basic Maximum Gross Floor Area

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

## 2. Floor Area Premiums

In addition to the basic maximum gross floor area permitted under Section 8.6.1.3.D.1 above, a premium of additional floor area may be constructed according to the following formulas:

### a. Premium for Housing

One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses:

### b. Premium for Residential Support Uses

One (1) square foot of floor area premium shall be awarded for each square foot of “Residential support uses”, defined to be limited to a retail food sales use, or elementary or secondary school meeting all requirements of the compulsory education laws of the state, or day care center constructed to at least the minimum licensing standards of the Colorado Department of Environmental Health.

### c. Premium for Arts, Entertainment, or Cultural Facility

One (1) square foot of floor area premium shall be awarded for each square foot of “arts, entertainment, or cultural facility”, defined to be limited to the provision of amusement or entertainment services upon payment of a fee, art gallery, museum, theater, or other similar uses as determined by the Zoning Administrator.

### d. Premium for Rehabilitation of Historic Structure

One (1) square foot of floor area premium shall be awarded for each square foot of rehabilitation of a designated ~~h~~Historic ~~building~~Structure defined as a structure designated for preservation or a structure located in a district for preservation, the rehabilitation of which has been approved by the Landmark Preservation Commission in accordance with D.R.M.C., Chapter 30 (Landmark Preservation).

### e. Premium for Public Art

A floor area premium equal to 25 percent of the zone lot area for public art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:

- i. The public art must cost at least 1 percent of the valuation of construction of the new structure or 1 percent of the valuation of construction of the structure renovation or \$500,000.00, whichever is less; and
- ii. The public art is displayed outside or on the exterior surface of the new or renovated structure and is visible from at least 1 public street.

### f. Premium for Affordable Housing

A floor area premium equal to 40 percent of the zone lot area if the structure qualifies under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), provided all of said floor area premium is dedicated to residential uses.

### g. Continuation of Uses

All areas for which a floor area premium has been granted shall continue to be occupied by those same uses or by other uses eligible for at least an equal amount of premium space and no change of use permit shall be approved except in compliance with the aforementioned requirement.

## 3. Maximum Gross Floor Area in Structures

Notwithstanding the provisions of Section 8.6.1.3.D.2, Floor Area Premiums, the sum total of the gross floor area of all structures on a zone lot shall not be greater than 6 times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.6.1.4, as appropriate, the sum total of the gross floor area of all structures on a zone lot shall not be greater than 7 times the area of the zone lot on which the structures are located. In addition, undeveloped floor area from designated ~~h~~Historic ~~s~~Structures

within the D-GT zone district may be transferred to other properties within the D-GT district pursuant to the procedures for transfer of undeveloped floor area from ~~h~~Historic ~~s~~Structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

#### 8.6.1.4 Design Review in the D-GT District

##### A. Applicability

Design standards and review procedures shall apply to the following:

1. All structures and all site improvements or alterations seeking the design review premium established in Section 8.6.1.3.D.3 above; and
2. The lower eighty (80) feet of a building constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building other than restoration of original design features with original materials.

##### B. Procedures

Design review shall be conducted by Community Planning and Development. Design review shall be completed within 30 days after the submission of a complete application to the Zoning Administrator, except that the 30-day review period may be extended by an amount of time equal to any delay caused by the applicant, or with the applicant's consent, and no permits for construction and use shall be issued until design review has been completed.

##### C. Criteria

Design review shall be based on the following criteria:

##### 1. Design Review for Floor Area Premium

The project shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
- c. Spatially define the street space; and
- d. Respect the character of the neighborhood as defined by its civic buildings and its older, pre-World War II masonry buildings;
- e. Provide step-backs in the building form to:
  - i. Create pedestrian scale along the street;
  - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
  - iii. Increase sky and daylight exposure to the street; and
  - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate Downtown Ground Floor Active Uses ~~pedestrian active uses~~, wherever possible, along the street;
- g. Provide at Street Level as much as possible, transparent facades, and frequent pedestrian access to the buildings;

- h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;
- i. Architecturally design the top of the building to provide a finished terminus to the building's form. At a minimum, screen all roof-top mechanical equipment and carefully design and detail all roof-top penthouses; and
- j. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

## 2. Review of Lower 80 Feet Required for All Structures

Project layout and design of the lower 80 feet of structures shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color, and/or materials where lower levels of a structure face public streets;
- c. Spatially define the street space in order to promote pedestrian activity; and
- d. All structures should respect the character of the neighborhood as defined by its civic buildings and its older, pre-World War II masonry buildings;
- e. Provide setbacks in the building form to:
  - i. Create pedestrian scale along the street;
  - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
  - iii. Increase sky and daylight exposure to the street; and
  - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate Downtown Ground Floor Active Uses ~~pedestrian active uses~~, wherever possible, along the street;
- g. Provide, at Street Level, as much as possible, transparent facades, and frequent pedestrian access to the buildings; and,
- h. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

## 3. Parking Structures Review

- a. Shall have ground floor frontages occupied by Downtown Ground Floor Pedestrian-Active Uses as defined in Article 13 of this Code, or shall have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the street frontages by Downtown Ground Floor Active Uses ~~pedestrian active uses~~, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses;
- b. Shall be designed to be compatible with the scale and character of the surrounding area and the vision and goals of the Comprehensive Plan and any adopted neighborhood plan; and
- c. Shall provide variety and human scale through the use of architectural proportions, detail, surface relief, texture, and materials that are complementary to traditional commercial and industrial structures.

## 4. Rules and Regulations

The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the D-GT District.

**d. Premium for Rehabilitation of Historic Structure**

One (1) square foot of floor area premium shall be awarded for each square foot of rehabilitation of a designated ~~h~~Historic ~~building~~Structure defined as a structure designated for preservation or a structure located in a district for preservation, the rehabilitation of which has been approved by the Landmark Preservation Commission in accordance with D.R.M.C., Chapter 30 (Landmark Preservation).

**e. Premium for Public Art**

A floor area premium equal to 25 percent of the zone lot area for public art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:

- i. The public art must cost at least 1 percent of the valuation of construction of the new structure or 1 percent of the valuation of construction of the structure renovation or \$500,000.00, whichever is less; and
- ii. The public art is displayed outside or on the exterior surface of the new or renovated structure and is visible from at least 1 public street.

**f. Premium for Affordable Housing**

A floor area premium equal to 40 percent of the zone lot area if the structure qualifies under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), provided all of said floor area premium is dedicated to residential uses.

**g. Continuation of Uses**

All areas for which a floor area premium has been granted shall continue to be occupied by those same uses or by other uses eligible for at least an equal amount of premium space and no change of use permit shall be approved except in compliance with the aforementioned requirement.

**3. Maximum Gross Floor Area in Structures**

Notwithstanding the provisions of Section 8.7.1.3.D.2 (Floor Area Premiums), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 6 times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.7.1.4 (Design Review), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 7 times the area of the zone lot on which the structures are located. In addition, undeveloped floor area from designated ~~h~~Historic ~~s~~Structures within the D-AS zone district may be transferred to other properties within the D-AS district pursuant to the procedures for transfer of undeveloped floor area from ~~h~~Historic ~~s~~Structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

**8.7.1.4 Design Review**

**A. Applicability**

Design review criteria and procedures shall apply to the following:

1. The floor area premium described in Section 8.7.1.3.D above: All structures, and all site improvements or alterations, where the renovation includes alterations to the exterior of the building; and
2. The lower 80 feet of a building: constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building.



## B. Procedures

Design review shall be conducted by Community Planning and Development. Design review shall be completed within 30 days after the submission of a complete application to the Zoning Administrator, except that the 30-day review period may be extended by an amount of time equal to any delay caused by the applicant, or with the applicant's consent, and no permits for construction and use shall be issued until design review has been completed.

## C. Criteria

Design review shall be based on the following criteria.

### 1. Design Review of Floor Area Premium

The project shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
- c. Spatially define the street space; and
- d. Respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide step backs in the building form to:
  - i. Create pedestrian scale along the street;
  - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
  - iii. Increase sky and daylight exposure to the street; and
  - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate Downtown Ground Floor Active Uses ~~pedestrian active uses~~, wherever possible, along the street;
- g. Provide at Street Level as much as possible, transparent facades, and frequent pedestrian access to the buildings;
- h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;
- i. Architecturally design the top of the building to provide a finished terminus to the building's form. At a minimum, screen all roof-top mechanical equipment and carefully design and detail all roof-top penthouses; and
- j. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

### 2. Review of Lower 80 Feet Required for All Structures

Project layout and design of the lower 80 feet of structures shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color, and/or materials where lower levels of a structure face public streets;
- c. Spatially define the street space in order to promote pedestrian activity; and
- d. All structures should respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide setbacks in the building form to:

- i. Create pedestrian scale along the street;
- ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
- iii. Increase sky and daylight exposure to the street; and
- iv. Increase sunlight exposure to the street, particularly along “numbered” streets;
- f. Locate Downtown Ground Floor Active Uses pedestrian-active uses, wherever possible, along the street;
- g. Provide, at Street Level, as much as possible, transparent facades, and frequent pedestrian access to the buildings; and,
- h. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

### 3. Parking Structures Review

- a. All parking structures in the D-AS District shall have ground floor frontages occupied by Downtown Ground Floor Pedestrian-Active Uses, as defined in Article 13 of this Code, or shall have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the street frontages by Downtown Ground Floor Active Uses pedestrian-active uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses;
- b. All parking structures in the D-AS District shall be designed to be compatible with the scale and character of the surrounding area and the vision and goals of the Denver comprehensive plan and any adopted neighborhood plan; and
- c. All parking structures in the D-AS District shall provide variety and human scale through the use of architectural proportions, detail, surface relief, texture, and materials that are complementary to traditional commercial and industrial structures.

### 4. Rules and Regulations

The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the Arapahoe Square neighborhood.

## SECTION 8.8.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

### 8.8.3.1 Applicability

All development, except detached accessory structures, in the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) zone districts.

### 8.8.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

### 8.8.3.3 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts	Max Number of Primary Structures per Zone Lot	Building Forms													
		Suburban House	Urban House	Detached Accessory Dwelling Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	General with Height Incentive	Point Tower
Downtown Arapahoe Square 12+ District (D-AS-12+)	no max												■	■	■
Downtown Arapahoe Square 20+ District (D-AS-20+)	no max												■	■	■

■ = Allowed    □ = Allowed subject to limitations

## SECTION 8.8.4 DETACHED ACCESSORY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

### 8.8.4.1 Applicability

All detached accessory structures in the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) zone districts

### 8.8.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically** Allowed

~~Allowed~~ The following detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. ~~Buildings~~Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses, and other similar Completely Enclosed Structures.~~

**2. ~~Underground~~Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures. Swimming pools, storm and fallout shelters~~

**3. ~~Unenclosed~~Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.~~

**4. ~~Utilities, and Equipment Common and Customary to the Primary Structure and/or Use~~**

~~Examples include, but are not limited to the following:~~

- a. ~~Carports~~
- b. ~~Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas~~
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar ~~thermal~~ and photo-voltaic energy systems
- e. ~~Air conditioning units~~
- f. ~~Pool pumps, heating and water filtration systems~~
- g. ~~Mailboxes including individual mailbox structures and cluster box units (CBUs)~~
- h. ~~Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use~~

5. **Fences, Walls and Retaining Walls**  
All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 3.3.4, Detached Accessory Building Form Standards.
6. **Detached Accessory Structures Not Specifically Listed**
  - a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.8.4.
  - b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
  - c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
  - d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.8.4.

#### 8.8.4.3 Supplemental Standards

##### A. Gross Floor Area for Detached Accessory Structures in Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

##### B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings

###### 1. Required Building Materials

All detached structures accessory to a primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

###### 2. Access and Contiguity

Any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

#### 8.8.4.4 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Open Structures	All D- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All D- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All D- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All D- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Not Allowed
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	Not Allowed

**8.9.1.2 Setback Exceptions**

**A. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

**B. Standard**

In all D- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**SECTION 8.9.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS**

See Article 10, General Design Standards.

**SECTION 8.9.3 SURFACE PARKING LOT LANDSCAPING**

**A. Applicability**

1. Surface Parking as a primary use in the D-C, D-TD, D-LD, D-GT, D-AS and D-CV zones shall be landscaped according to this Section 8.9.3.

**B. Street Tree Planting Required**

1. Street trees shall be required on all street frontages for all proposed new parking areas.
2. Such trees shall be located on the public right-of-way where the available space between the flow line (face of curb) and the right-of-way/private property line is at least 10 feet wide and where no unusual problem or physical constraint exists. If such problem or constraint does occur in this situation, then the trees shall be located on private property.

**C. Screening Device Required**

1. In addition to required street tree planting, a decorative screening device is required that conforms to city design concepts or a similar screening device as may be acceptable to the Zoning Administrator. The height of such device may vary between 2 feet ~~8 inches~~ and ~~34~~ feet. Such screening device shall be located on private property.

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception  
 Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Liquor Store, Including Drugstores Licensed to Sell Liquor • D-GT District - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.4.15
	Pawn Shop • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	NP	L-ZPIN	L-ZPIN	NP	§11.4.16
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair, All Others • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	NP	NP	§ 11.4.18
	Automobile Services, Light • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	NP	NP	NP	L-ZPIN	L-ZP	NP	§11.4.19; §11.4.20
	Automobile Services, Heavy	NP	NP	NP	NP	NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZPIN	L-ZP	NP	§11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	NP	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>								
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.2
	Communication Services • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ ZPIN	§11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L- ZPIN	L-ZPIN	L- ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.5.2



KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception  
 Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>								
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts						§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	L	NP	§11.7.1; §11.8.3
	Garden*	L	L	L	L	L	NP	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	L	NP	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses						§11.7; §11.8.7
	<u>Outdoor Storage, Residential*</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.8</u>
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.8
	Short-term Rental	L	L	L	L	L	NP	§11.7; §11.8.9
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	NP	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses						
Yard or Garage Sales*	L	L	L	L	L	NP	§11.7; §11.8.9	
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>								
Home Occupations Accessory to a Primary Residential Use  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.5

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception  
 Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS						
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
<b>TEMPORARY USE CLASSIFICATION</b>								
Temporary Uses  (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Temporary Uses	L - Applicable to all Zone Districts						§11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses						§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	L-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	L-ZP	NP	§11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	NP	NP	
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	NP	L-ZP	NP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.15
Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.16	
Tent for Religious Services	NP	NP	NP	NP	NP	NP		

## SECTION 8.10.5 APPLICABLE USE LIMITATIONS

### 8.10.5.1 Community Corrections Facility [MOVED TO 11.2.8.2]

In all Downtown-zone districts, where permitted with limitations, all Community Corrections Facilities shall comply with the following limitations:

**A. Community Corrections Subject to Large Residential Care Use Limitations**

Community Corrections Facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.5, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.5, the more specific limitations in this Subsection shall apply.

**B. Moratorium on New Community Corrections Facilities**

After April 30, 2008, no new community corrections facilities shall begin operation until May 1, 2018.

**C. Permitted Location**

Community corrections facilities (for purposes of this Subsection, hereinafter “facilities” or “facility”) shall be allowed only in the D-C, D-TD, and D-LD zone districts, and shall be located more than:

1. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;
2. 1,500 feet from a Residential Zone District; and
3. 1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.

**D. Limits on Number of Residents**

1. The proposed number of residents in a facility shall not exceed 1 person per 50 square feet of gross floor area in sleeping areas or 40 residents, whichever is less, in the permitted zone districts.
2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

**E. Government Supervision Required for Transition Programs in a Community Corrections Facility**

Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

**8.10.5.2 Railroad Facilities [MOVED TO 11.5.14.2]**

In all Downtown zone districts where permitted with limitations, all mass transit railroad facilities located within 200 feet of a conforming residential structure shall comply with review procedures according to Section 12.4.3, Site Development Plan Review.

**8.10.5.3 Terminal, Freight, Air Courier Service [MOVED TO 11.2.8.2]**

In the Downtown zone districts, where permitted with limitations, this use shall comply with the following:

- A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.
- B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

## DIVISION 9.1 INDUSTRIAL CONTEXT (I-MX, I-A, I-B)

### SECTION 9.1.1 INDUSTRIAL CONTEXT DESCRIPTION



**General Character:** The Industrial Context consists of areas of light industrial, ~~warehouse and~~ heavy industrial ~~and general industrial~~ areas, as well as areas subject to transitions from industrial to mixed-use. The Industrial Context includes parts of the city where outdoor uses and activities are accommodated, with appropriate screening, including outdoor storage, heavy commercial services, and waste services. Forms are often tall single-story buildings or multi-story buildings with tall ceilings that accommodate industrial processes, loading bays, and specialized equipment. Industrial uses are primarily located along or in proximity to highway or arterial streets, and often include heavy rail access.

**Street, Block, and Access Patterns:** The Industrial Context consists of an irregular pattern of large blocks. Vehicle access is typically a drive from the street to a surface parking lot. Truck access, loading, and parking are important attributes. The Industrial Mixed Use Districts have a more urban context with a rectangular street grid and alley access.

**Building Placement and Location:** Industrial buildings are typically placed to accommodate the specific activity, often with parking surrounding the building. In many cases, the Industrial Context incorporates existing buildings with raised loading docks presenting particular access and parking challenges. Building placement in the Industrial Mixed Use districts is closer to the street with parking, loading and access in the rear of the site. Reuse of existing industrial buildings with street facing loading presents design challenges.

**Building Height and Form:** Building heights range from 1-8 stories which utilize simple forms to maximize open floor space to accommodate warehousing, although older industrial areas include multi-story warehouse buildings, manufacturing uses, adaptive re-use of industrial structures, and multi-storied mixed use buildings.

**Mobility:** The Industrial Context has typically had a relatively low level of access to the multi-modal transit system, although many areas are adjacent to transitioning Areas of Change associated with new or existing rail transit lines.

## INDUSTRIAL

<b>HEIGHT</b>		<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8</b>	<b>I-A</b>	<b>I-B</b>
<b>A</b>	Stories (max)	3	5	8	na	na
<b>A</b>	Feet (max)	45'	70'	110'	na	na
	Feet within 175' of a Protected District (max)	na	na	75'	75'	75'

<b>SITING</b>		<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8</b>	<b>I-A</b>	<b>I-B</b>
<b>ZONE LOT</b>						
	Floor Area Ratio (FAR) (max)	na	na	na	2.0	2.0
<b>SETBACKS</b>						
<b>B</b>	Primary Street (min)	0'	0'	0'	20'	20'
<b>C</b>	Side Street (min)	0'	0'	0'	10'	10'
		Can reduce to 5' on lot less than 100ft in width on the long side of the block				
<b>D</b>	Side Interior (min)	0'	0'	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
<b>E</b>	Rear (min)	0'	0'	0'	0'	0'
	Rear Setback adjacent to Protected District (min)	10'	10'	10'	10'	10'
<b>PARKING</b>						
	Surface Parking Screening	See Sec. 10.5.4.4				
	Vehicle Access, 3 or more side-by side dwelling units in one structure	From Alley, or Street access allowed when <b>no</b> Alley present (Sec. 9.1.3.8)				
	Vehicle Access	Access determined as part of Site Development Plan Review				

<b>DESIGN ELEMENTS</b>		<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8</b>	<b>I-A</b>	<b>I-B</b>
<b>F</b>	Upper Story Setback Above 27', adjacent to Protected District: alley/no alley and side, interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
<b>G</b>	Upper Story Setback Above 51', adjacent to Protected District: alley/no alley and side, interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'

<b>STREET LEVEL ACTIVATION</b>		<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8</b>	<b>I-A</b>	<b>I-B</b>
	Transparency, Primary Street (min)	na	na	na	na	na
	Transparency, Side Street (min)	na	na	na	na	na
	Pedestrian Access, Primary Street	Pedestrian Connection			na	na

<b>USE</b>		<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8</b>	<b>I-A</b>	<b>I-B</b>
		<u>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010 Vehicle/Equipment Sales, Rentals, Service &amp; Repair Use Category Uses and Industrial, Manufacturing &amp; Wholesale Primary Use Classification Uses Only.</u>			All permitted Primary Uses shall be allowed within this building form. See Section 9.1.4 Uses and Parking	

See Sections 9.1.3.5 - 9.1.3.9 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## **B. Required Build-To Exceptions**

### **1. Civic, Public & Institutional Uses**

#### **a. Intent**

To accommodate signature entrance architecture, gathering spaces, plazas, or community amenities along the front facades of structures containing civic, public and institutional uses.

#### **b. Standard**

Structures containing one or more uses in the Civic, Public & Institutional Uses Classification are not required to meet the Primary Street and Side Street Build-To standards.

### **2. Parkways**

#### **a. Intent**

To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code's build-to range.

#### **b. Standard**

Where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

## **C. Setback Exceptions**

### **1. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code's setbacks.

### **2. Standard**

In all I- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

- a. The street setback required by the applicable building form standards in this Code; or
- b. The required Parkway setback established under D.R.M.C., Chapter 49.

## **D. Setback Permitted Encroachments [bulleted lists created in following tables]**

### **1. Intent**

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.


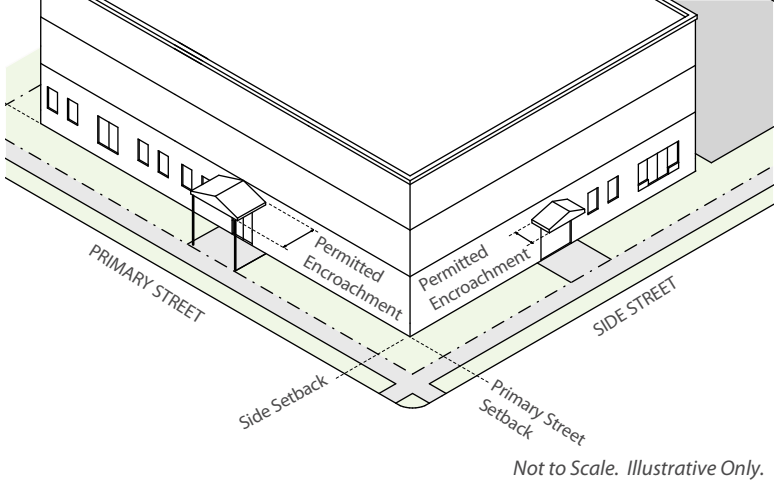

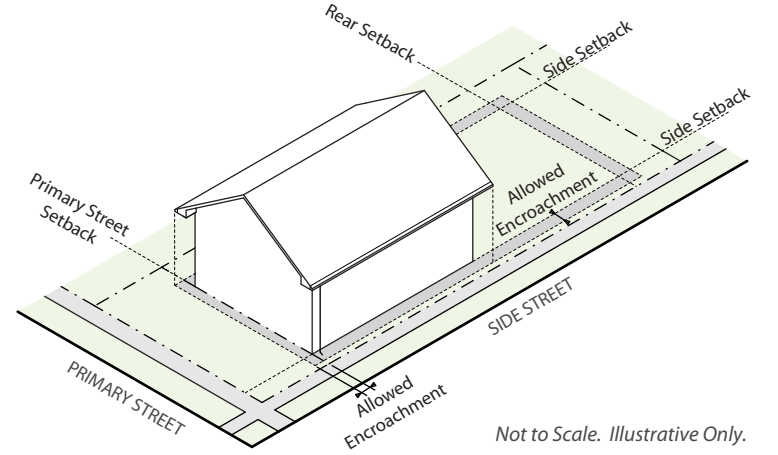
### **2. Standard**

Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:

#### **a. Architectural Elements**

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>• Shall be open on three sides.</li> </ul>	All I- Zone Districts	Any distance	Any distance	Not allowed	Not allowed
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>	All I- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

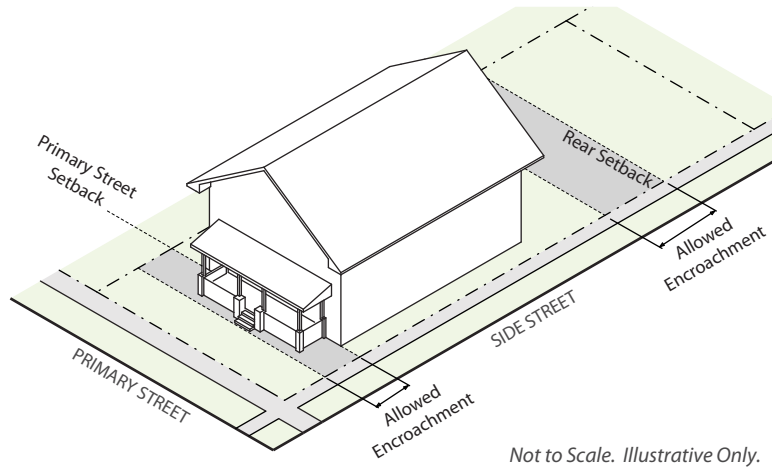


	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <u>Street Level ground story</u> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul>	All I- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'

Intent: To promote elements which provide for street activation.



Illustrative only



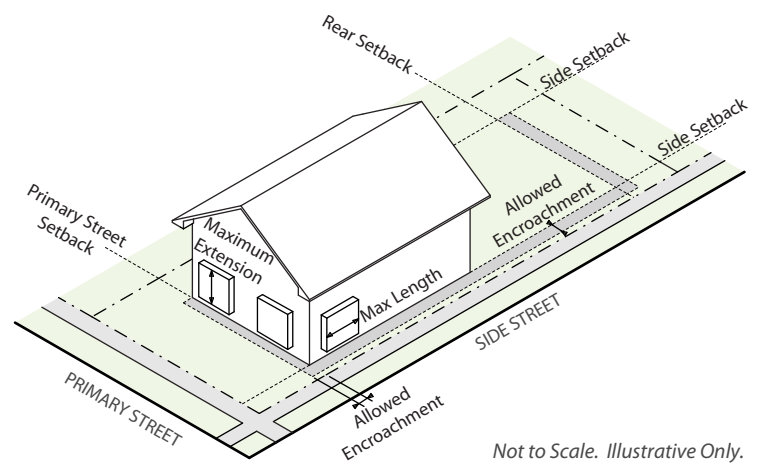
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	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All I- Zone Districts	1.5'	1.5'	Not allowed	1.5'

Intent: To allow for improved interior daylighting.




Illustrative only



Not to Scale. Illustrative Only.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Surface Parking	All I- Zone Districts	I-A and I-B: 10'; 15' when garden wall screening is provided following Section 10.5.4.4  I-MX: Not applicable	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Drive or Driveway</u>	<u>All I- Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Not allowed</u>	<u>Any distance</u>
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <i>Illustrative only</i>					

	<b>ZONE DISTRICTS</b>	<b>PRIMARY STREET</b>	<b>SIDE STREET</b>	<b>SIDE INTERIOR</b>	<b>REAR</b>
<u>Flatwork providing pedestrian access to entrances and buildings:</u>	<u>All I- Zone Districts</u>	<u>Any distance, but may not exceed 50% of the area within the setback</u>	<u>Any distance, but may not exceed 50% of the area within the setback</u>	<u>Maximum of 5' wide: Any distance</u>	<u>Maximum of 5' wide: Any distance</u>
<p><u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u></p>  <p><i>Illustrative only</i></p>	 <p>Not to Scale. Illustrative Only.</p>				

**c. Service & Utility Elements**

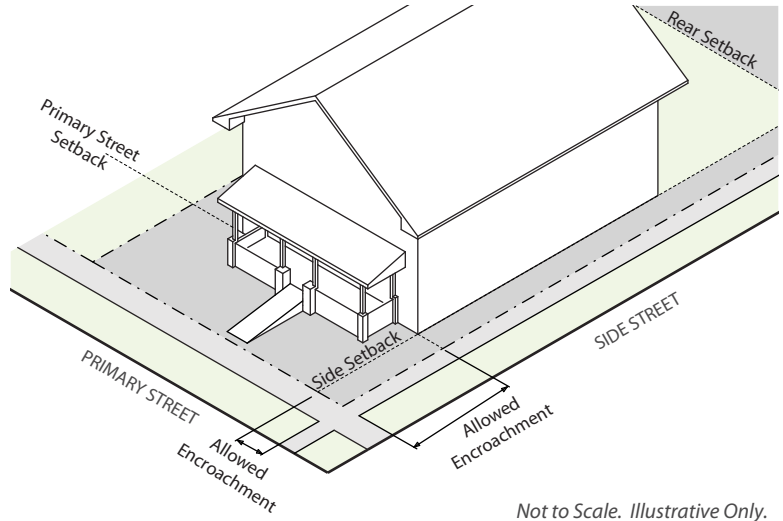
To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access <b>ramps structures</b> providing access to <b>existing</b> buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available. <ul style="list-style-type: none"> <li>• Setback encroachments for required barrier-free access <b>ramps structures</b> are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>• Such <b>ramps barrier-free access structures</b> shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All I- Zone Districts	Any distance	Any distance	Any distance

Intent: To provide flexibility in the location of required barrier-free access to **existing** buildings.

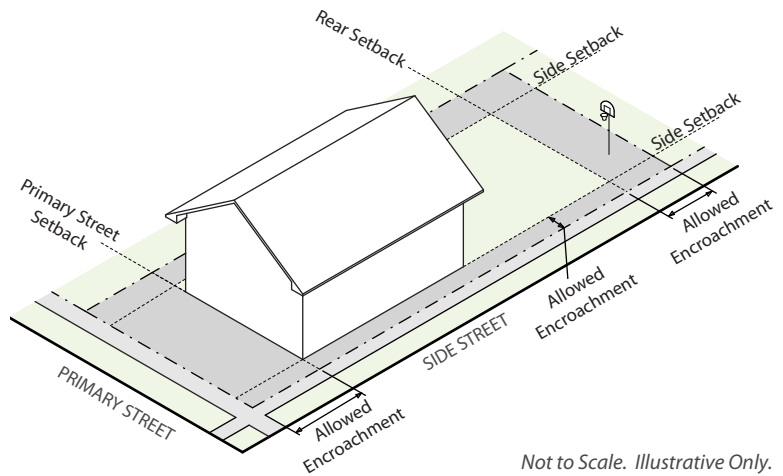


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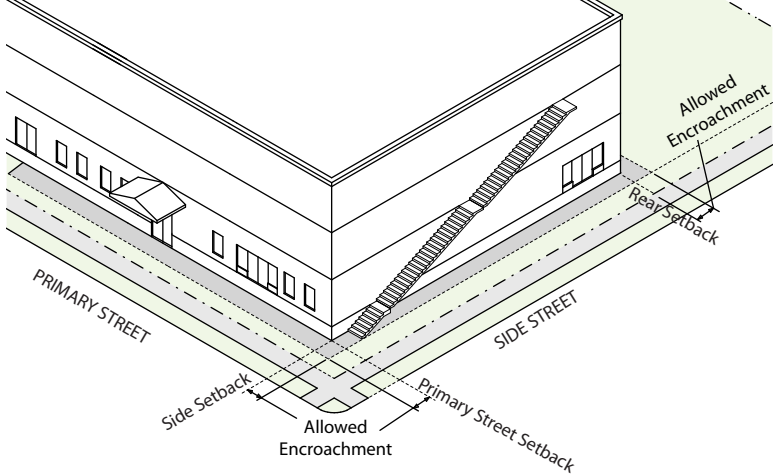

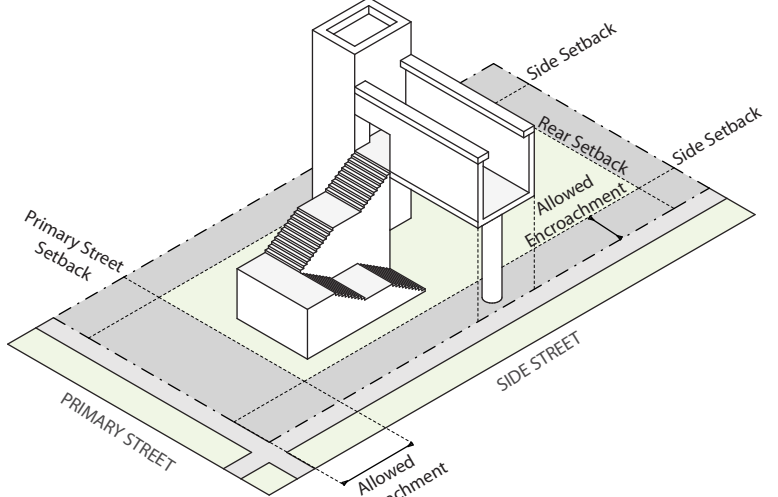
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ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All I- Zone Districts	Any distance	Any distance	Any distance


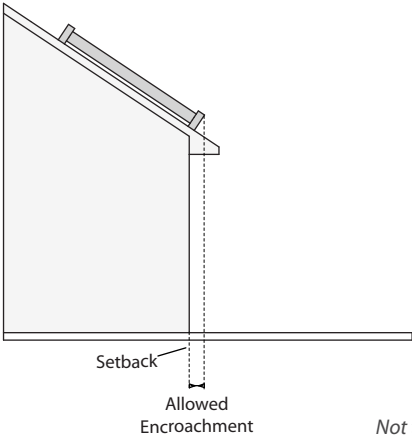
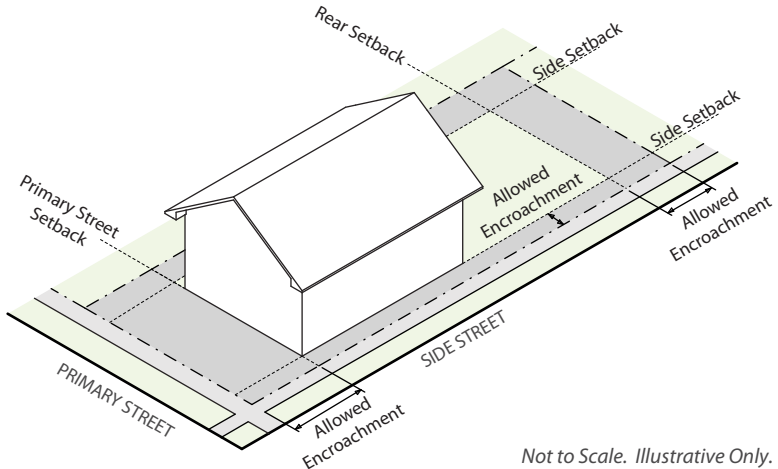


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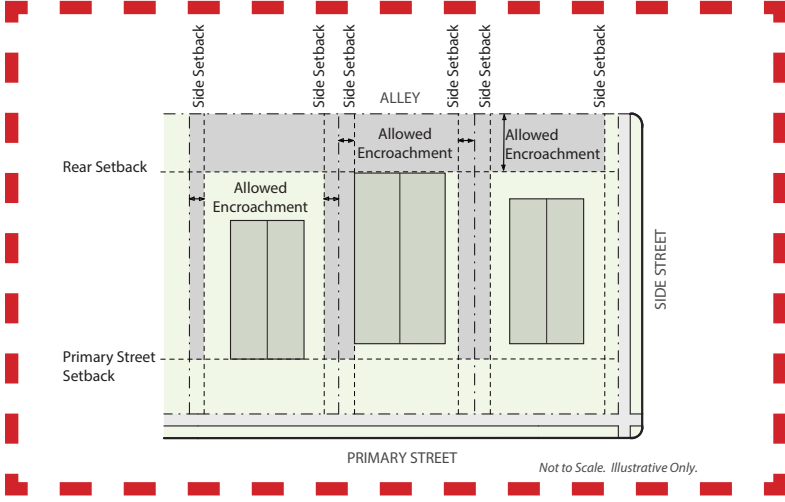

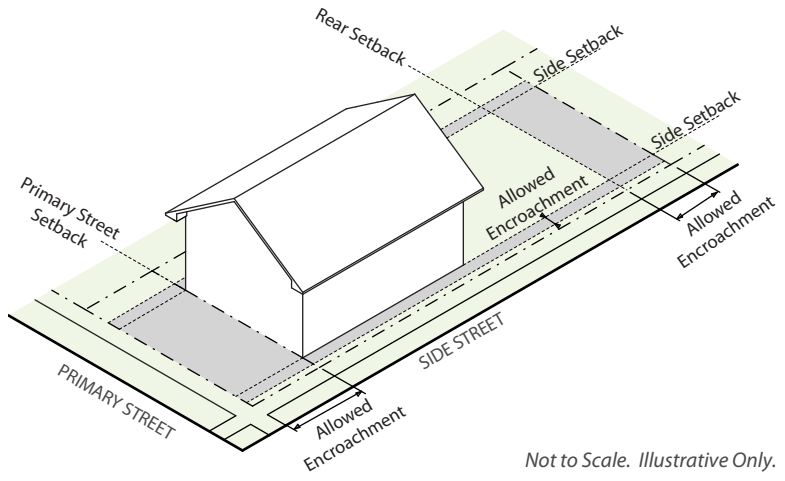
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:	All I- Zone Districts	Not allowed	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice	3'; subject to Zoning Permit Review with Informational Notice
<ul style="list-style-type: none"> <li>• Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;</li> <li>• Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>• Does not exceed 2 units per zone lot;</li> <li>• Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and</li> <li>• The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>					
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers <ul style="list-style-type: none"> <li>• located behind the front of the primary structure and</li> <li>• screened from adjacent properties and public rights-of-way, and</li> <li>• not to exceed the noise standards of D.R.M.C. Section 36-6</li> </ul>	All I- Zone Districts	Not allowed	3'	3'	Not allowed
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

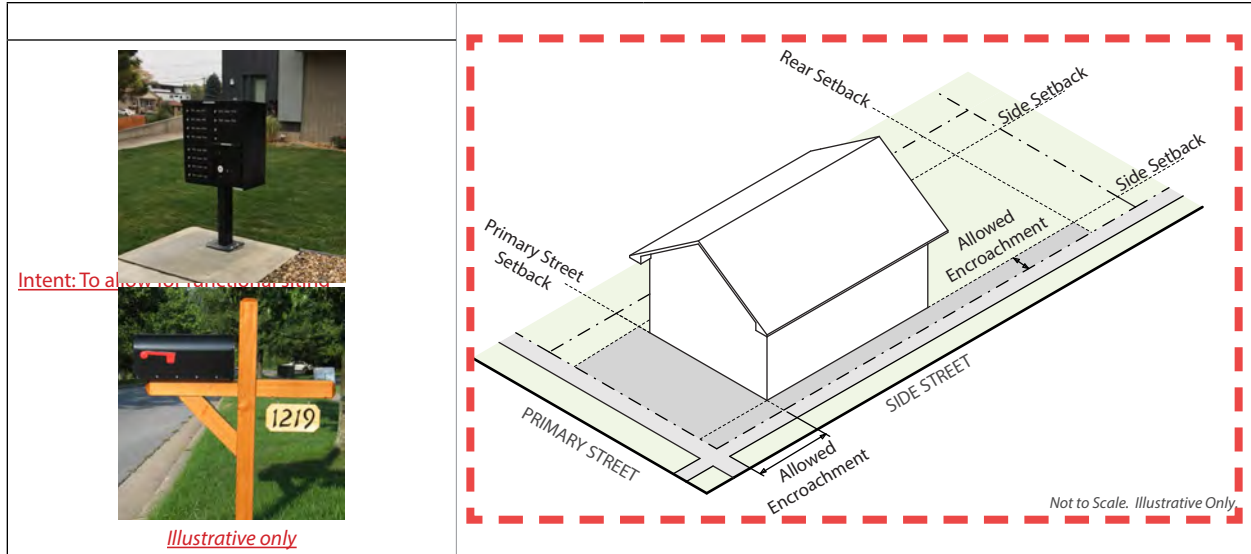
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p> <p>Intent: To provide for egress from a building only for emergency purposes</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	All I- Zone Districts	5'	3'	3'	10'
 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station:</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul> <p>Intent: To allow for above-grade connections to and from transit stations</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	All I- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, Flush Mounted Roof	All I- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p><i>Illustrative only</i></p>	 <p>Setback                      Allowed Encroachment  <i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 3' in height.	All I- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for functional siting.</p>	 <p>Primary Street Setback                      Rear Setback                      Side Setback                      Allowed Encroachment                      Allowed Encroachment                      Allowed Encroachment                      PRIMARY STREET                      SIDE STREET  <i>Not to Scale. Illustrative Only.</i></p>				



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>• Greater than 3' in height but not exceeding 8' in height above Finished Grade.</li> </ul> <p><u>Intent: To allow for functional siting.</u></p>	All I- Zone Districts	Not allowed	Not allowed	Any distance	Any distance
 <p><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas:</p> <ul style="list-style-type: none"> <li>• Shall be below grade.</li> </ul> <p><u>Intent: To allow for emergency egress</u></p>	All I- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
 <p><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u></p>	All I- Zone Districts	Any distance	Any distance	Not allowed	Not allowed



**9.1.3.7 Required Screening and Enclosure Standards**

**A. Solid Wall or Fence Screens**

When required by this Code, screening shall comply with the following minimum requirements:

1. Fences and walls used for required screening shall be a minimum of 6 feet in height.
2. Fences and walls must be of wood, brick, masonry, textured concrete or aggregate concrete. Materials such as corrugated or sheet metal, tires, car doors, or other discarded materials are not permitted. Chain link or wire mesh may be used only in combination with plant material of sufficient density to create a year round opaque screen.
3. Other materials may be used upon approval by the Zoning Administrator according to Section 12.4.5, Administrative Adjustment.
4. In flood-prone areas, the Zoning Administrator may approve the use of open materials, such as open bars or chain link, at the bottom of required screening up to the flood elevation.
5. The requirement for a solid wall or fence may be satisfied by an equivalent visual barrier consisting of chain link fence containing an approved sight-obscuring material.
6. Within 50 feet of the intersection of the right-of-way lines of intersecting streets, the height and location of such walls or fences shall be determined by Public Works.
7. All walls or fences shall be maintained in good condition at all times.

**9.1.3.8 Vehicle Access From Alley Required - Exceptions**

**A. No Alley**

Where a building form specifies “street access allowed when no **aAlley** present”, vehicle access from the street is allowed when a **Zzone Llot** is not bounded by an **aAlley**.

**B. Alley**

Where a building form specifies vehicle access from **aAlley** is required, and the **Zzone Llot** is bounded by an **aAlley**, any newly constructed **Ddriveways**, **Off-Street Parking Area driving aisle**, **Ggarage**, **Cearport**, or other parking facility shall be accessed solely from an **aAlley**, unless:

1. The ~~a~~Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The ~~a~~Alley is less than 12 feet in width;
3. At least 60 percent of the existing ~~dwelling units~~ Zone Lots on the same ~~F~~face ~~B~~block are served by ~~D~~riveways, ~~Off-Street Parking Areas~~ driving aisles, ~~Garages, Carports~~, or other parking facilities accessed ~~directly~~ from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
4. The Department of Public Works prohibits the use of the ~~a~~Alley for vehicular access to the ~~Z~~zone ~~L~~ot based upon a determination that the ~~a~~Alley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that ~~vehicular~~ access is needed from the street; ~~or~~
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 9.1.3.8, then vehicular Alley access is required.

#### 9.1.3.9 Reference to other Design Standards

##### A. Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards:

1. Parking and Loading: Division 10.4
2. Landscaping, Fences, Walls and Screening: Division 10.5
3. Site Grading: Division 10.6
4. Outdoor Lighting: Division 10.7
5. Signs: Division 10.10

### 9.1.4.5 District Specific Standards

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with  
 Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3	I-MX-5	I-MX-8	I-A	I-B	APPLICABLE USE LIMITATIONS
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>							
Household Living	Dwelling, Single Unit •No Parking Requirements	P-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.2.1
	Dwelling, Two Unit •Vehicle - I-MX only: 1/unit •Vehicle: 1.25/unit •Bicycle: No requirement	P-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.2.2
	Dwelling, Multi-Unit •Vehicle - I-MX only: 1/unit •Vehicle: 1.25/unit •Bicycle: 1/ 5 units (80/20)	P-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.2.3
	Dwelling, Live / Work •Vehicle - I-MX only: 1/unit •Vehicle: 1.25/unit •Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.2.4
Group Living	Assisted Living Facility	<del>NP</del> P-ZP	NP	NP	NP	NP	<del>§ 11.2.6; § 11.2.8</del>
	Community Corrections Facility •Vehicle - I-MX only: 0.125/unit •Vehicle: .25/unit •Bicycle: No requirement	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	<del>§11.2.6</del> §11.2.9
	Nursing Home, Hospice	NP	NP	NP	NP	NP	
	Residence for Older Adults •Vehicle: .75/unit •Bicycle: No requirement	P-ZP	NP	NP	NP	NP	
	Residential Care Use, Small or Large •Vehicle - I-MX only: 0.125/unit •Vehicle: .25/unit •Bicycle: No requirement	L-ZPIN	NP	NP	NP	NP	§ 11.2.8
	Rooming and Boarding House •Vehicle: 3.75/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	NP	NP	NP	NP	
	Shelter for the Homeless •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.910
	Student Housing •Vehicle - I-MX only: 1/unit •Vehicle: 1.25/unit •Bicycle: 1 / 5 units (80/20)	P-ZP	NP	NP	NP	NP	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>							
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2

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 Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3	I-MX-5	I-MX-8	I-A	I-B	APPLICABLE USE LIMITATIONS
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	P-ZP			P-ZP	P-ZP	
	Animal Sales and Services, All Others • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA(20/80)	L-ZP			L-ZP	L-ZP	§11.4.11
	Body Art Establishment • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP			NP	NP	§11.4.13
	Food Sales or Market • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	P-ZP			P-ZP	L-ZP	§11.4.14
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	<del>Liquor Store, Including Drugstores Licensed to Sell Liquor • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)</del>	<del>L-ZP</del>			<del>L-ZP</del>	<del>L-ZP</del>	<del>§11.4.15; §11.4.10</del>
	Pawn Shop	NP			NP	NP	
	Retail Sales, Service & Repair -- Outdoor* • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP			L-ZP	L-ZP	§11.4.17; §11.4.10
	Retail Sales, Service & Repair - Firearms Sales • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	P-ZP			L-ZP	L-ZP	§11.4.10
	Retail Sales, Service & Repair, All Others • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	P-ZP			P-ZP	L-ZP	§11.4.10
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP			P-ZP	P-ZP	
	Automobile Services, Light • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP			L-ZP	L-ZP	§11.4.19; §11.4.20
	Automobile Services, Heavy • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ZPSE			L-ZP/ZPSE	L-ZP/ZPSE	§11.4.19; §11.4.21
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP			L-ZP	L-ZP	§11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE			L-ZPIN	L-ZP	§11.4.23

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Special Exception Review

When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>					
Agriculture	Aquaculture* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	§11.6.3
	Husbandry, Plant* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	§11.6.4
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP*	L-ZP*	§11.6.5
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Residential Uses  In the I-A and I-B Zone Districts, see Sections 9.1.5.1 through 9.1.5.3 for additional limitations on accessory uses.  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts			§11.7
	Accessory Dwelling Unit	L-ZP	NP	NP	§11.7; §11.8.2
	Domestic Employee	L	NP	NP	§11.8.3
	Garden*	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	NP	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses	NP	NP	§11.7; §11.8.7
	<u>Outdoor Storage, Residential*</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.8</u>
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	§11.8.8
	Short-term Rental	L	L	L	§11.7; §11.8.9
	Vehicle Storage, Repair and Maintenance*	L	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses			
Yard or Garage Sales*	L	L	L	§11.7; §11.8.9	

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All CMP- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All CMP- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All CMP- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All CMP- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All CMP- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All CMP- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All CMP- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All CMP- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All CMP- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All CMP- Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

**9.2.7.2 Setback Exceptions**

**A. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

**B. Standard**

In all CMP zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**9.2.7.3 Setback Permitted Encroachments [bulleted lists created in following tables]**

Permitted encroachments into required setback areas include:

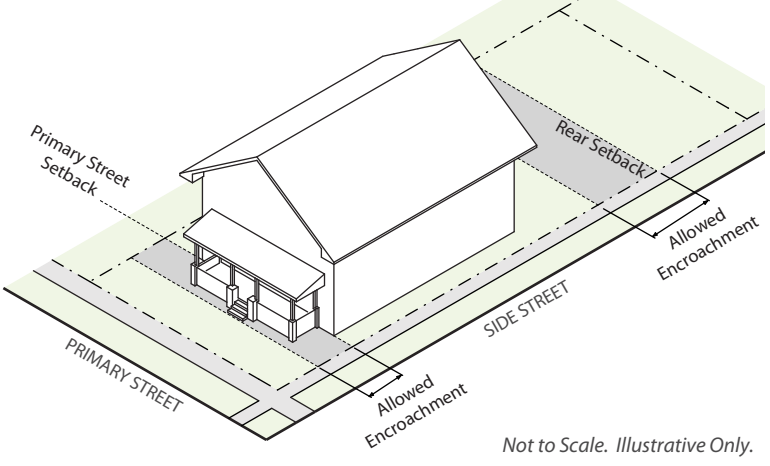
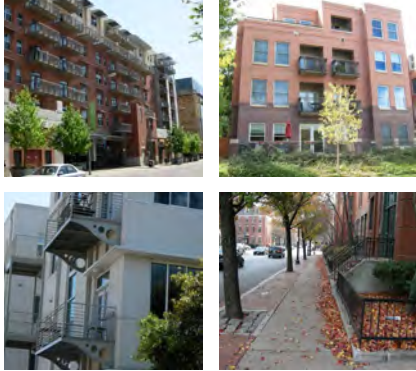
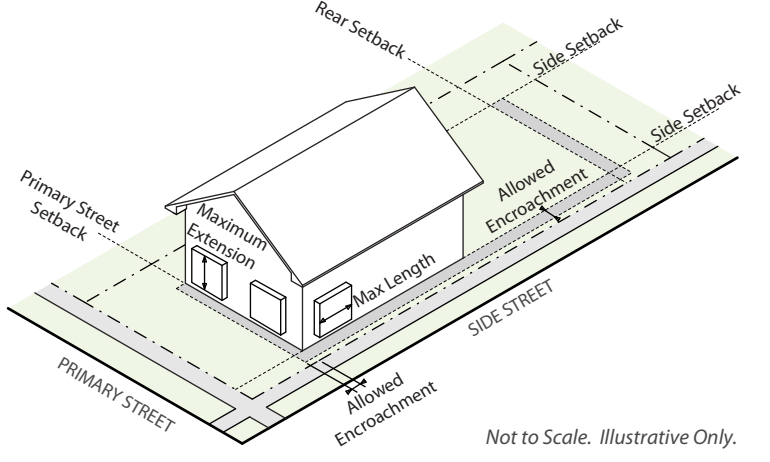

**1. Intent**

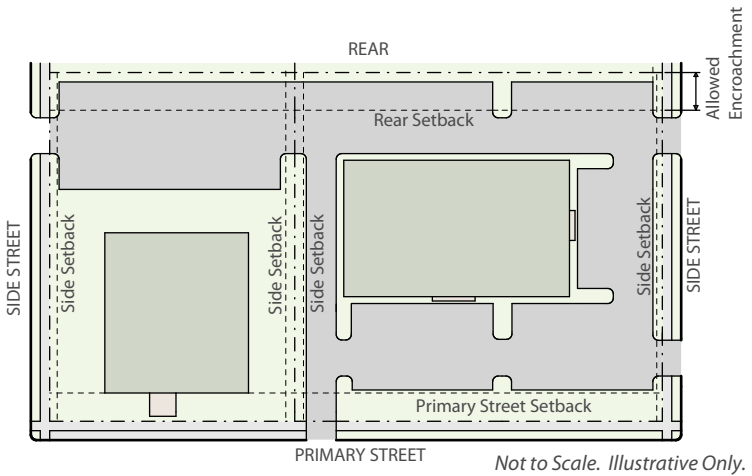
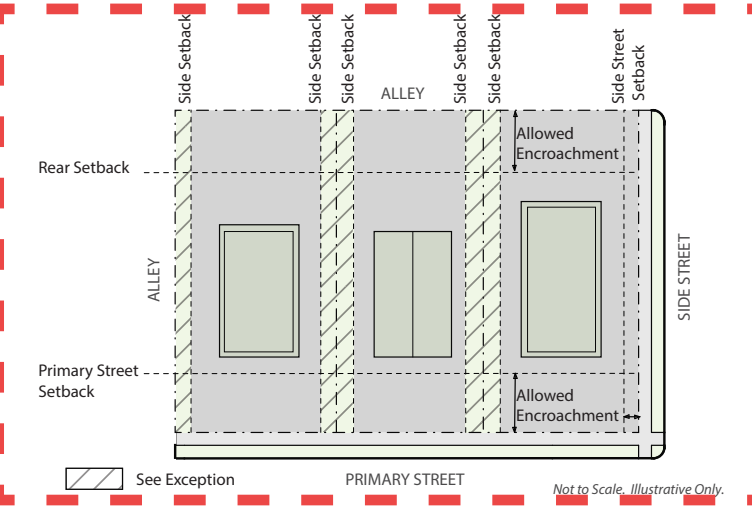

To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.


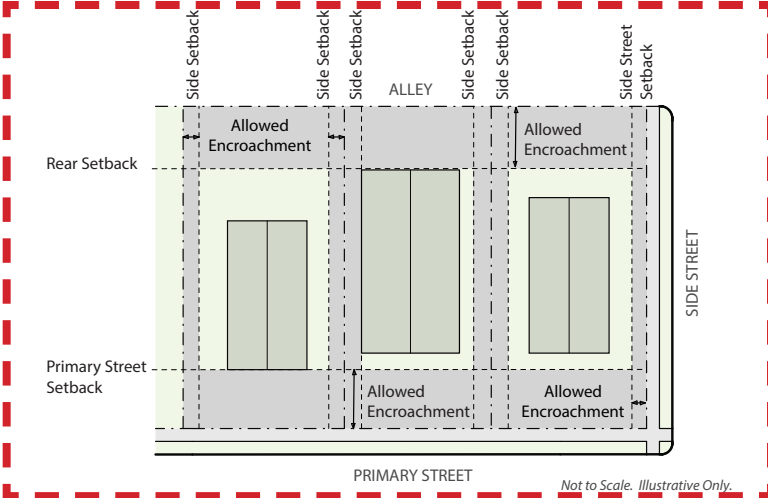


	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>• Shall be open on three sides.</li> </ul>	All CMP- Zone Districts	Any distance	Any distance	Not allowed	Not allowed
<p>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>	<p>Diagram illustrating permitted encroachments for canopies. The diagram shows a building corner with a primary street and a side street. A canopy is shown extending over the primary street, labeled 'Permitted Encroachment'. Another canopy is shown extending over the side street, also labeled 'Permitted Encroachment'. Dashed lines indicate 'Side Setback' and 'Primary Street Setback'.</p> <p><i>Not to Scale. Illustrative Only.</i></p>				
<p><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p>	All CMP- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
<p>Intent: To allow features of structures intended to repel weather</p>	<p>Diagram illustrating allowed encroachments for gutters and roof overhangs. The diagram shows a building with a primary street and a side street. A dashed line indicates 'Rear Setback'. Dashed lines also indicate 'Side Setback' on both the primary and side streets. The area between the building and the side street is labeled 'Allowed Encroachment'. The area between the building and the primary street is also labeled 'Allowed Encroachment'. A 'Primary Street Setback' is also indicated.</p> <p><i>Not to Scale. Illustrative Only.</i></p>				
<p><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <b>Street Level ground story</b> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul>	All CMP- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All CMP- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening				
Surface Parking	All CMP- Zone Districts	Not allowed	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<u>Drive or Driveway</u>	<u>All CMP- Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Not allowed (*see exception below)</u>	<u>Any distance</u>
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p><i>Illustrative only</i></p> 					
<p><b>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</b></p> <ul style="list-style-type: none"> <li>• The Side Interior setback Abuts a public Alley;</li> <li>• Other public right-of-way, or an easement for public access Abutting a public Alley; or</li> <li>• Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</li> </ul>					

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Flatwork providing pedestrian access to entrances and buildings:</u></p>	<p><u>All CMP- Zone Districts</u></p>	<p><u>Any distance, but may not exceed 50% of the area within the setback</u></p>	<p><u>Any distance, but may not exceed 50% of the area within the setback</u></p>	<p><u>Maximum of 5' wide: Any distance</u></p>
<p><u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u></p>  <p><i>Illustrative only</i></p>	 <p>Not to Scale. Illustrative Only.</p>			


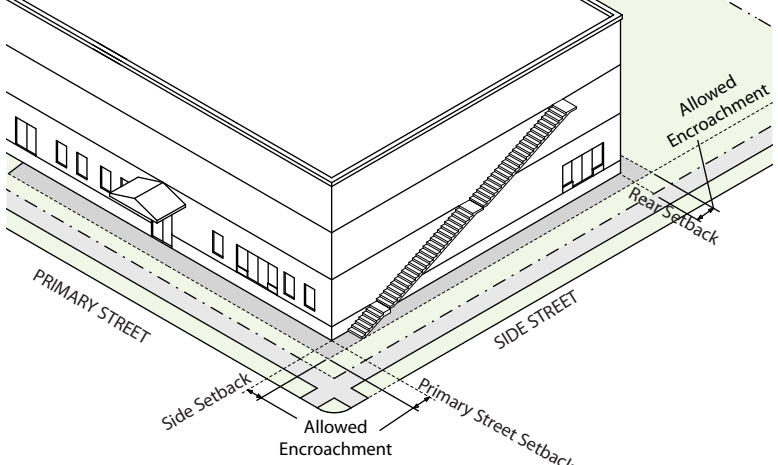

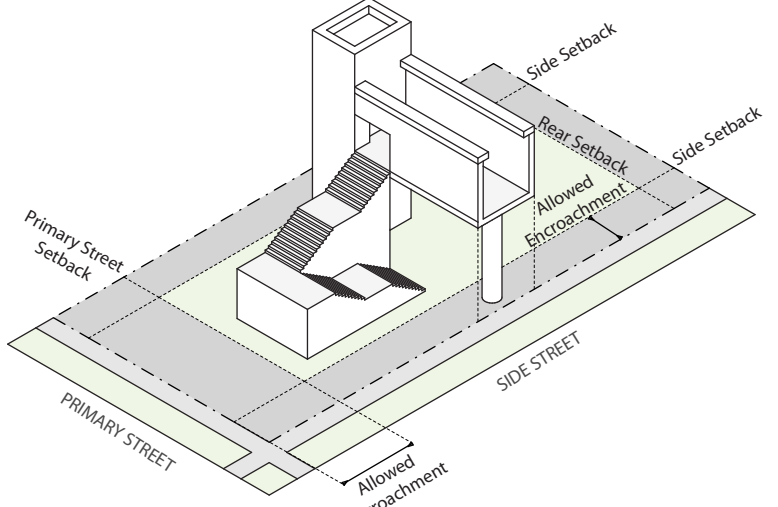
**c. Service & Utility Elements**

To allow for minor service and utility elements while maintaining an open and unobstructed setback space.


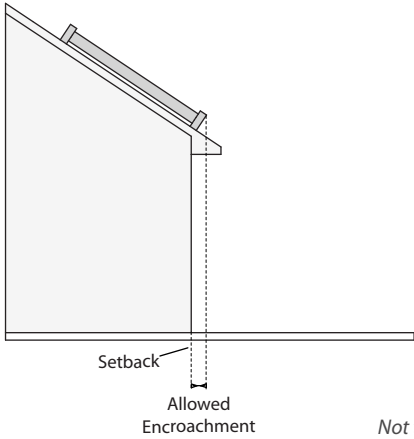
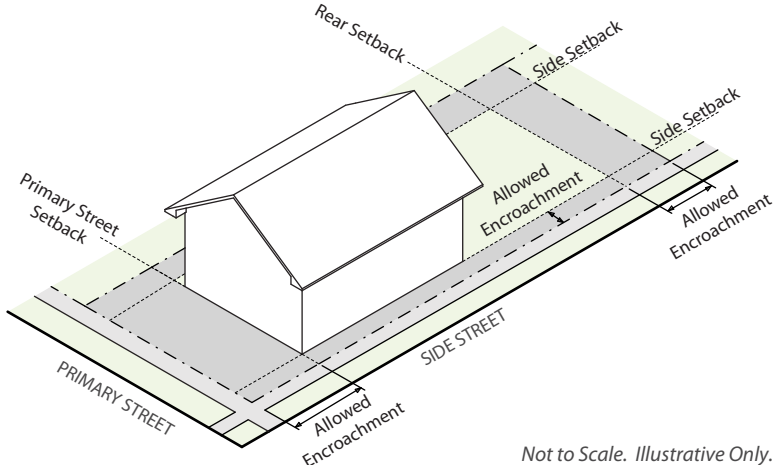
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access <b>ramps structures</b> providing access to <b>existing</b> buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</p> <ul style="list-style-type: none"> <li>• Setback encroachments for required barrier-free access <b>ramps structures</b> are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>• Such <b>ramps barrier-free access structures</b> shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To provide flexibility in the location of required barrier-free access to <b>existing</b> buildings.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				


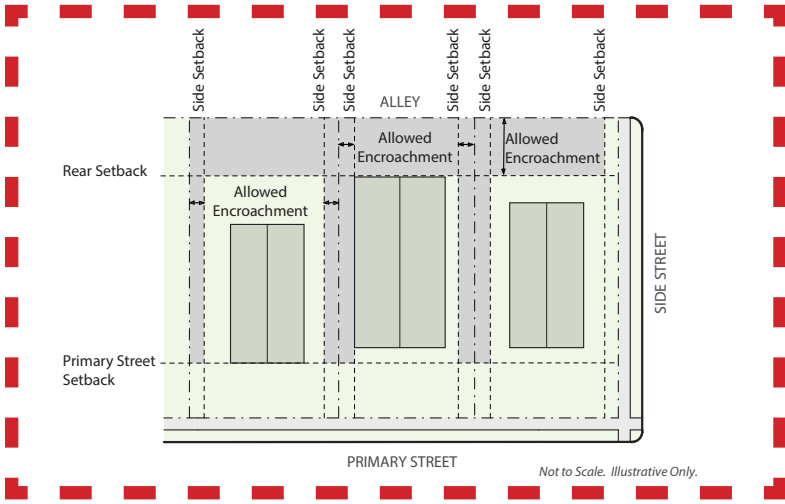

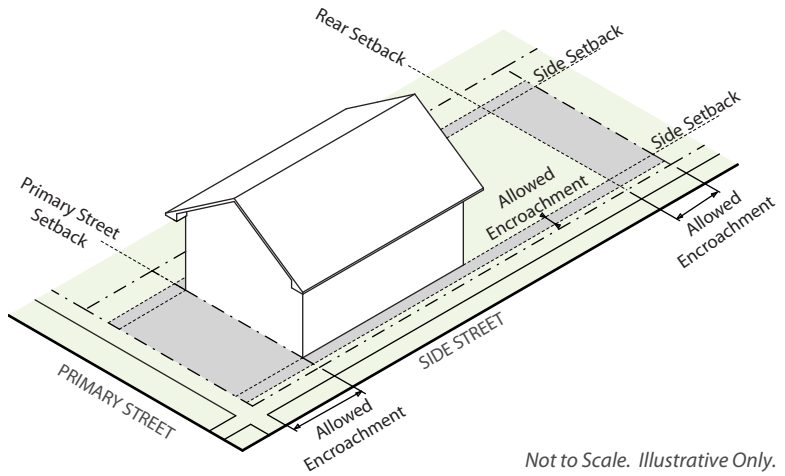
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:</p> <ul style="list-style-type: none"> <li>• Does not generate more than 75 decibels of ambient sound according to the manufacturer’s specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;</li> <li>• Does not exceed 4’ in height or 10 square feet in area per unit;</li> <li>• Does not exceed 2 units per zone lot;</li> <li>• Has adequate screening to conceal it from view from adjacent properties and public rights-of way by means of landscaping and/or fencing; and</li> <li>• The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>	All CMP- Zone Districts	Not allowed	3’; subject to Zoning Permit Review with Informational Notice	3’; subject to Zoning Permit Review with Informational Notice	3’; subject to Zoning Permit Review with Informational Notice
<p>Intent: To allow for functional siting.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground mounted evaporative coolers</p> <ul style="list-style-type: none"> <li>• located behind the front of the primary structure and</li> <li>• screened from adjacent properties and public rights-of-way, and</li> <li>• not to exceed the noise standards of D.R.M.C. Section 36-6</li> </ul>	All CMP- Zone Districts	Not allowed	3’	3’	Not allowed
<p>Intent: To allow for functional siting.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

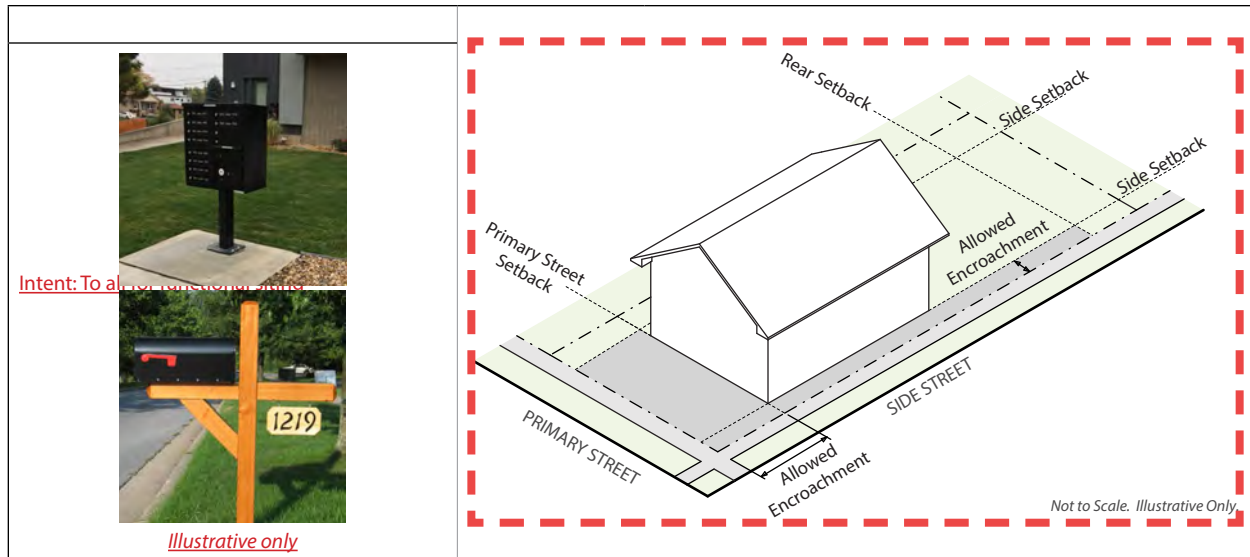


	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p> <p>Intent: To provide for egress from a building only for emergency purposes</p>  <p><i>Illustrative only</i></p>	All CMP- Zone Districts	5'	3'	3'	10'
	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station:</p> <ul style="list-style-type: none"> <li>• Provided Public Works has approved a right-of-way encumbrance.</li> <li>• Shall not include elevators, stairways or other vertical circulation elements.</li> </ul> <p>Intent: To allow for above-grade connections to and from transit stations</p>  <p><i>Illustrative only</i></p>	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
	 <p><i>Not to Scale. Illustrative Only.</i></p>				



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, Flush Mounted Roof	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.</p>  <p><i>Illustrative only</i></p>	 <p>Setback</p> <p>Allowed Encroachment</p> <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: <ul style="list-style-type: none"> <li>• Shall not exceed 3' in height.</li> </ul>	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for functional siting.</p>	 <p>Primary Street Setback</p> <p>Rear Setback</p> <p>Side Setback</p> <p>Allowed Encroachment</p> <p>Allowed Encroachment</p> <p>Allowed Encroachment</p> <p>PRIMARY STREET</p> <p>SIDE STREET</p> <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>• Greater than 3' in height but not exceeding 8' in height above Finished Grade.</li> </ul> <p>Intent: To allow for functional siting.</p>	All CMP- Zone Districts	Not allowed	Not allowed	Any distance	Any distance
 <p><i>Illustrative only</i></p>	 <p>Not to Scale. Illustrative Only.</p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas:</p> <ul style="list-style-type: none"> <li>• Shall be below grade.</li> </ul> <p>Intent: To allow for emergency egress</p>	All CMP- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
 <p><i>Illustrative only</i></p>	 <p>Not to Scale. Illustrative Only.</p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u></p>	All I-Zone Districts	Any distance	Any distance	Not allowed	Not allowed



#### 9.2.7.4 Vehicle Access From Alley Required - Exceptions

##### A. No Alley

Where a building form specifies “street access allowed when no aAlley present”, vehicle access from the street is allowed when a Zzone Llot is not bounded by an aAlley.

##### B. Alley

Where a building form specifies vehicle access from aAlley is required, and the Zzone Llot is bounded by an aAlley, any newly constructed Ddriveways, Off-Street Parking Area driving aisle, Ggarage, Ccarport, or other parking facility shall be accessed solely from an aAlley, unless:

1. The aAlley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The aAlley is less than 12 feet in width;
3. At least 60 percent of the existing dwelling units Zone Lots on the same Fface Bblock are served by Ddriveways, Off-Street Parking Areas driving aisles, Garages, Carports, or other parking facilities accessed directly from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
4. The Department of Public Works prohibits the use of the aAlley for vehicular access to the Zzone Llot based upon a determination that the aAlley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; ~~or~~
6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 9.2.7.4, then vehicular Alley access is required.

### 9.2.8.5 District Specific Standards

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review  
 ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	CMP-H	CMP-EI	CMP-ENT	CMP-NWC	APPLICABLE USE LIMITATIONS
		CMP-H2	CMP-EI2			
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>						
Household Living	Dwelling, Single Unit • No Parking Requirements	NP	P-ZP	NP	P-ZP	
	Dwelling, Two Unit • Vehicle: 0.75/unit • Bicycle: No requirement	NP	P-ZP	NP	P-ZP	
	Dwelling, Multi-Unit • Vehicle: 0.75/unit • Bicycle: 1/2 units (80/20)	P-ZPIN	EI: P-ZP EI2: P-ZPIN	P-ZP	P-ZP	
	Dwelling, Live / Work • Vehicle: 0.75/unit • Bicycle: 1/2 units (80/20)	NP	NP	NP	P-ZP	
Group Living	Assisted Living Facility • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	<del>NPP-ZP</del>	P-ZP	§ 11.2.6; § 11.2.8
	Community Corrections Facility	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZPIN	NP	P-ZP	
	Residence for Older Adults • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	NP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ <del>11.2.8</del> 11.2.7
	Rooming and Boarding House • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • No Parking Requirements	L	L-ZPIN/L	L	L	§ 11.2.9
Student Housing • Vehicle: 1.25/unit • Bicycle: 1 / 5 units (100/0)	P-ZPIN	P-ZPIN	P-ZP	P-ZP		

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		CMP-H2	CMP-EI2	CMP-ENT	CMP-NWC	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	
	Animal Sales and Services, All Others • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	L-ZP	§11.4.12
	Body Art Establishment • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	L-ZP	§11.4.13
	Food Sales or Market* • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	
	<del>Liquor Store, Including Drugstores Licensed to Sell Liquor</del> <del>• Vehicle: 1.25/1,000 s.f. GFA</del> <del>• Bicycle: 1/7,500 s.f. GFA (20/80)</del>	<del>NP</del>	<del>NP</del>	<del>NP</del>	<del>L-ZP</del>	<del>§11.4.15</del>
	Pawn Shop	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* • Vehicle: 1.25/1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	L-ZP	§11.4.17
	Retail Sales, Service & Repair - Firearms Sales • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	ZPIN	NP	P-ZP	P-ZP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility	NP	NP	NP	NP	
	Automobile Services, Light	NP	NP	NP	NP	
	Automobile Services, Heavy	NP	NP	NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*	NP	NP	NP	NP	
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>						
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.2
	Communication Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	§11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure • No Parking Requirements	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	§11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.2

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE ZONING DISTRICTS				APPLICABLE USE LIMITATIONS
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>						
Agriculture	Aquaculture* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	§11.6.3
	Husbandry, Plant*	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	§11.6.5
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>						
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7
	Accessory Dwelling Unit • Vehicle: 1 / Unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	§11.8.3
	Garden*	L	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	NP	NP	NP	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.7
	<u>Outdoor Storage, Residential</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.8</u>
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.8
	Short-term Rental	L	L	L	L	§11.7; §11.8.9
	Vehicle Storage, Repair and Maintenance Accessory to a Dwelling Use*	L	L	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses				
Yard or Garage Sales*	L	L	L	L	§11.7; §11.8.9	
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>						
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN - Applicable to all Zone Districts				§11.9; §11.9.5

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	
<b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>						
Accessory to Primary Non-residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7; §11.10.1
	Amusement Devices Accessory to Eating / Drinking Establishments, College / University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	L	L	L	L	§11.7; §11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	§ 11.7; <del>§11.10.4</del>
	Car Wash Bay Accessory to Automobile Services	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.10.5
	College Accessory to a Place for Religious Assembly	L	L	NP	L	§11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	§11.7; §11.10.7
	Drive Through Facility Accessory to Eating / Drinking Establishments and to Retail Sales, Service, and Repair Uses*	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.8
	Garden*	L	L	L	L	§11.7; §11.10.9
	Keeping of Animals	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§11.7; § 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable				
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	§11.7; §11.10.11
	Outdoor Eating and Serving Area Accessory to Eating / Drinking Establishments Use*	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.12
	Outdoor Entertainment Accessory to Eating / Drinking Establishments Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.7; §11.10.13
	Outdoor Retail Sale and Display*	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	
	Outdoor Storage, Limited*	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.16
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	§11.7; §11.10.17	



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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	
<b>TEMPORARY USE CLASSIFICATION</b>						
Temporary Uses	Unlisted Temporary Uses	L - Applicable in all Zone Districts				§11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses				§11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	<del>L-ZP-P-ZP</del>	<del>L-ZP-P-ZP</del>	L-ZP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or Yard for Construction Materials*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.10
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.16
Tent for Religious Services	<del>L-ZP-P-ZP</del>	<del>L-ZP-P-ZP</del>	<del>L-ZP-P-ZP</del>	L-ZP	§11.11.17	

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 ZPSE = Subject to Zoning Permit with Special Exception Review When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
Lodging Accommodations	Bed and Breakfast Lodging	See Section 9.3.4.1	NP	NP	
	Lodging Accommodations, All Others		NP	NP	
Office	Dental / Medical Office or Clinic		NP	NP	
	Office, All Others		NP	NP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only		NP	NP	
	Animal Sales and Services, All Others		NP	NP	
	Body Art Establishment		NP	NP	
	Food Sales or Market		NP	NP	
	<del>Liquor Store, Including Drugstores Licensed to Sell Liquor</del>		<del>NP</del>	<del>NP</del>	
	Pawn Shop		NP	NP	
	Retail Sales, Service & Repair -- Outdoor*		NP	NP	
	Retail Sales, Service & Repair - Firearms Sales		NP	NP	
	Retail Sales, Service & Repair, All Others		NP	NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility		NP	NP	
	Automobile Services, Light		NP	NP	
	Automobile Services, Heavy	NP	NP		
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*	NP	NP		
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP		

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		OS-A	OS-B	OS-C	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.3.4.1	NP	NP	
	Accessory Dwelling Unit		NP	NP	
	Domestic Employee		NP	NP	
	Garden*		NP	NP	
	Keeping of Household Animals*		NP	NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	NP	
	Kennel or Exercise Run*		NP	NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	NP	
	<u>Outdoor Storage, Residential*</u>		NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	NP	
	Short-term Rental		NP	NP	
	Vehicle Storage, Repair and Maintenance*		NP	NP	
	Wind Energy Conversion Systems*		Not Applicable - See Permitted Primary Uses		
Yard or Garage Sales*	NP	NP			
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Home Occupations	Child Care Home, Large	See Section 9.3.4.1	NP	NP	
	All Other Types		NP	NP	
	Unlisted Home Occupations		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		OS-A	OS-B	OS-C	
<b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Nonresidential Uses	Unlisted Accessory Uses	See Section 9.3.4.1	L - Applicable to all Zone Districts		\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses		NP	NP	
	Automobile Rental Services Accessory to Certain Retail Uses*		NP	NP	
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities		L	NP	§ 11.7; <del>§11.10.4</del>
	Car Wash Bay Accessory to Automobile Services		NP	NP	
	College accessory to a Place for Religious Assembly		NP	NP	
	Conference Facilities Accessory to Hotel Use		NP	NP	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*		NP	NP	
	Garden*		L	L	§11.7; §11.10.9
	Keeping of Animals		L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§11.7; §11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses		Not Applicable		
	Occasional Sales, Services Accessory to Places of Religious Assembly*		L	NP	§11.7; §11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*		NP	NP	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*		NP	NP	
	Outdoor Retail Sale and Display*		NP	NP	
	Outdoor Storage, General*		NP	NP	
	Outdoor Storage, Limited*		NP	NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use		NP	NP	

## DIVISION 9.4 OVERLAY ZONE DISTRICTS

### SECTION 9.4.1 GENERAL INTENT

Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable zone district standards with additional use or design limits, allowances, and prohibitions.

### SECTION 9.4.2 OVERLAY ZONE DISTRICTS ESTABLISHED

To carry out the provisions of this Code, the following overlay zone districts have been established and are applied to property as set forth on the Official Map.

OVERLAY ZONE DISTRICTS	
CO-	Conservation Overlay District
UO-	Use Overlay District
DO-	Design Overlay District

#### 9.4.2.1 Process to Establish Overlay Zone Districts - Text Amendment & Rezoning Required

Creation of an overlay zone district shall be by text amendment according to Section 12.4.11, Text Amendment, to codify the standards established within the overlay, and by an official map amendment (rezoning) according to Section 12.4.10. With the Manager's approval, the map amendment may be filed and reviewed concurrent with the text amendment according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall the map amendment be approved until the text amendment creating the overlay zone district is approved.

#### 9.4.2.2 Effect of Underlying Zone District Designation

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable overlay zone district; provided, however, except in an approved use overlay zone district (-UO), an overlay zone district shall not be used to add to the specific permitted uses in the underlying district, nor shall it be used to prohibit specific permitted uses in the underlying district.

#### 9.4.2.3 Effect of Overlay Zone District Designation

All zoning applications within a specific overlay zone district shall comply with the applicable provisions of that overlay zone district, and the underlying zone district, and shall be reviewed under this Code to assure such compliance. Where the provisions of the overlay zone district are different from (e.g., in the case of an overlay use district), or more restrictive than (e.g., in the case of a neighborhood conservation overlay zone district) the provisions of the underlying zoning designation, the provisions of the overlay zone district shall apply. A change in the underlying zone district does not change the content or applicability of the overlay zone provisions.

### SECTION 9.4.3 CONSERVATION OVERLAY DISTRICT (CO-)

#### 9.4.3.1 Purpose

The Conservation Overlay District is intended to provide a vehicle to initiate and implement programs for the revitalization or conservation of specific areas within Denver possessing distinctive features, identity, or character worthy of retention and enhancement. A Conservation Overlay District takes effect through adoption of area specific standards that will facilitate maintenance and protection of the area's existing character and the development of vacant or under used lots. The overlay may also be used to establish specific design guidelines that are more detailed than the standards of this Code for use during review of development within the overlay zone district.

**D. Building Form Standards for Zone Lots with a Historic Structure**

For any zone lot occupied by a ~~h~~Historic ~~s~~Structure, as ~~“historic structure” is~~ defined in Article 13, Rule of Measurements and Definitions, development of a detached accessory structure is allowed subject to the following allowances and conditions:

1. The structure may comply with the U-RH-2.5 Detached Garage building form standards and exceed the maximum building coverage; and
2. The structure may comply with the U-RH-2.5 Detached Accessory Dwelling Unit building form standards and:
  - a. May exceed the maximum building coverage,
  - b. Shall be exempt from the bulk plane, and
  - c. May exceed the maximum height in stories not to exceed two stories.
3. The structure shall be located in the rear one-half of the zone lot; and
4. The design and location of the building shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

**E. Building Form Standards for Zone Lots without a Historic Structure**

For zone lots not occupied by a ~~h~~Historic ~~s~~Structure, development of a detached accessory structure is allowed using the U-RH-2.5 Detached Accessory Dwelling Unit building form, subject to the following allowances and conditions:

1. The structure shall be exempt from the bulk plane,
2. The structure may exceed the maximum height in stories not to exceed two stories,
3. The structure shall be located in the rear one-half of the zone lot, and
4. The design and location of the structure shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

**9.4.3.8 Scottish Village Conservation Overlay (CO-3)**

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Scottish Village Conservation Overlay (CO-3).

**B. Intent**

To allow setback, building coverage, and lot depth building form standards that are consistent with the character of the Scottish Village.

**C. Applicability**

This Scottish Village Conservation Overlay shall apply only to those areas designated as CO-3 on the Official Zone Map.

**D. Primary Building Form Standards Applicable to Urban House, Duplex and Tandem House Building Forms Only**

**1. Side Interior Setback**

The minimum side interior setback shall be 3 feet.

**2. Building Coverage**

- a. Building coverage maximum per zone lot shall be 60%.
- b. An exemption from the maximum building coverage shall not be given for a portion of the zone lot area occupied by a Detached Accessory Dwelling Unit or a Detached Garage form.

### 3. Rooftop Decks

- a. Rooftop deck on roof of second story or above
  - i. Any unenclosed deck, patio, terrace, porch, exterior balcony, or similar unenclosed building element located on the roof of the second story or on the roof of any story above the second story of a structure shall be prohibited in 100% of zone lot depth.
- b. Rooftop deck on roof of ~~Street Level ground~~ story
  - i. Any unenclosed deck, patio, terrace, porch, exterior balcony, or similar unenclosed building element located on the roof of the ~~Street Level ground~~ story of a structure shall be permitted in the front 65% of zone lot depth.

### 4. Flat Roof Height Limit and Bulk Plane Exception

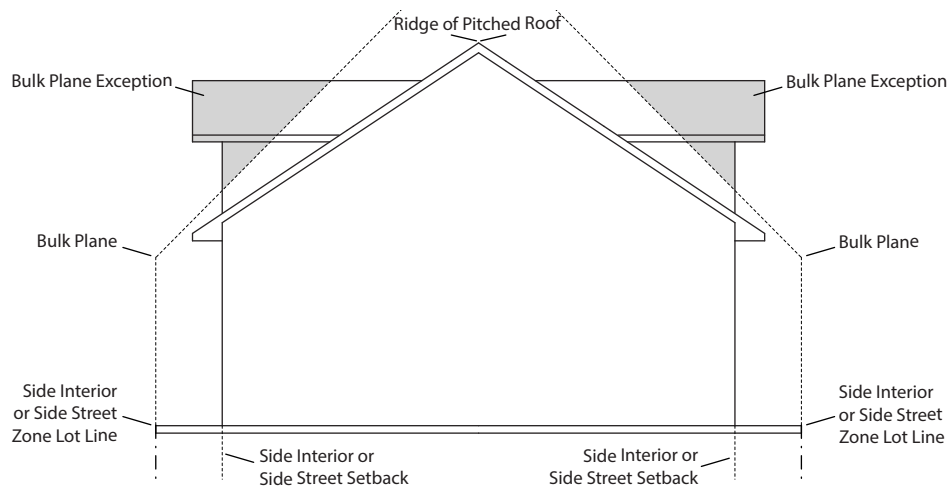
- a. In the front 65% of zone lot depth:
  - i. Flat Roof structures shall have a maximum height of 25 feet.
  - ii. Bulk Plane shall not apply to structures having a Flat Roof.
- b. In the rear 35% of zone lot depth:
  - i. Flat roof structures shall have a maximum height of 14 feet.
  - ii. Bulk Plane shall not apply to structures having a Flat Roof.

### 5. Bulk Plane Exception

Any portion of structures extending through and exceeding bulk plane standards shall be subject to the following limitations:

- a. The highest point of an exception shall not exceed the height of the ridge of the pitched roof. (See Figure 9.4-1)

Figure 9.4-1

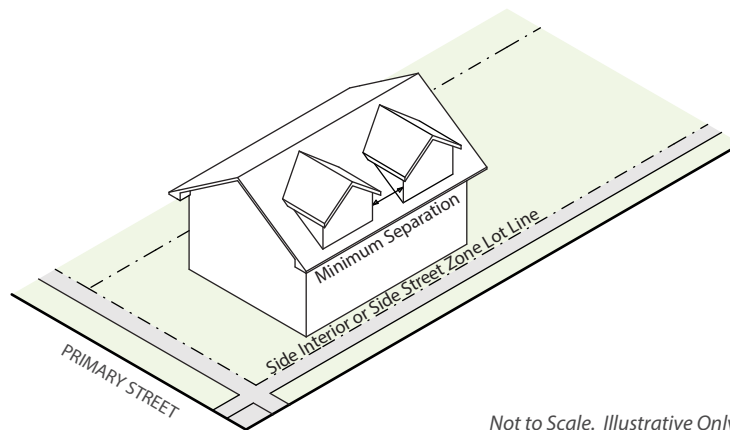


*Not to Scale. Illustrative Only.*

- b. An exception shall contain at least one window that faces a side interior or side street zone lot line.
- c. An exception may only project through and exceed bulk plane standards in the front 65% of zone lot depth.
- d. An exception shall not have a Flat Roof.



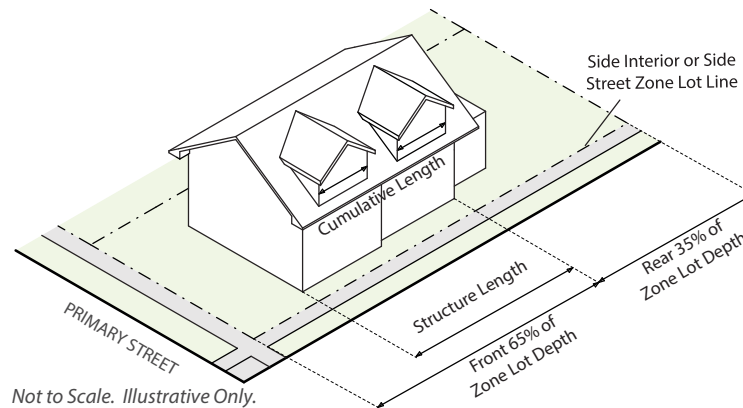
Figure 9.4-4



Not to Scale. Illustrative Only.

- j. The maximum cumulative length of all exceptions shall not exceed 50% of the overall structure length facing the side interior or side street zone lot line within the front 65% of zone lot depth. Maximum cumulative length shall be calculated using the sum of the length of all exceptions divided by the structure length in the front 65% of zone lot depth facing the side interior or side street zone lot line. (See Figure 9.4-4)

Figure 9.4-5



Not to Scale. Illustrative Only.

## E. Primary Building Form Standards Applicable to Structures Containing Two Unit Dwelling Uses

### 1. Applicability

- a. Two Unit Dwelling uses legally established and ~~e~~Continuously ~~m~~Maintained prior to July 10, 2015 shall be considered conforming uses and shall not be subject to the zone lot standards in this subsection 9.4.3.9.E. A structure containing such a Two Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards of the underlying zone district, provided:
  - i. The zone lot shall not be reduced, expanded, or enlarged, and
  - ii. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- b. Two Unit Dwelling uses established after July 10, 2015 shall be subject to the standards in this subsection 9.4.3.9.E.

## SECTION 9.4.4 USE OVERLAY DISTRICTS (UO-)

### 9.4.4.1 Purpose

Use Overlay districts are a vehicle to permit or prohibit specific land uses in delineated parts of the city that otherwise are included in a variety of underlying zone districts and portions of zone districts. The purpose of the Adult Use and Billboard Use overlay zone districts created herein is to maintain the status quo of entitlement relating to the establishment, maintenance, and operation of adult uses and billboard uses as those rights existed before June 25, 2010. The purpose of the Historic Structure Use Overlay District is to encourage the continuing preservation and adaptive reuse of landmark and historic structures. Because variation of permitted uses in an underlying zone district is most appropriately the focus of a legislative rezoning or an amendment to the underlying zone district, future application of the use overlay zone districts created herein is strictly limited and the establishment of new use overlay zone districts is prohibited.

### 9.4.4.2 Modification of Underlying Zone District Standards

#### A. Modification of Permitted Uses and Use Limitations Allowed

1. A Use Overlay District may be used to add to the specific permitted uses in the underlying zone district, or prohibit specific permitted uses in the underlying district.
2. Use limitations otherwise applicable to permitted uses in the underlying zone district may be modified.

#### B. Applicable Standards -- Modification Not Allowed

All of the provisions of the underlying zone district shall be in full force and effect, and shall not be modified by the provisions of the applicable overlay zone district.

### 9.4.4.3 Use Overlay Districts Established

The following Use Overlay Districts are established:

USE OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Adult Use Overlay District	UO-1
Billboard Use Overlay District	UO-2
Historic Structure Use Overlay District	UO-3

### 9.4.4.4 Limitation on Applicability of Use Overlay Zone Districts

- A. Except for the three use overlay zone districts expressly established in Section 9.4.4.6, 9.4.4.7, and 9.4.4.8 below, no new use overlay zone districts may be established after June 25, 2010.
- B. As applied on the Official Zoning Map to properties retaining underlying zone district designations pursuant to Former Chapter 59, a use overlay district's standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying zone district pursuant to this Code.
- C. No properties may be rezoned to either the Adult Use Overlay District or to the Billboard Use Overlay District after June 25, 2010.
- D. The Historic Structure Use Overlay District may be applied to properties through a rezoning application approved after June 25, 2010.

### 9.4.4.5 Effect of Approval

#### A. Official Map Designator

Each Use Overlay District shall be shown on the official map by an "UO-" designator and an appropriate number placed after the underlying zone district designation.

#### 9.4.4.7 Billboard Use Overlay District (UO-2)

**A. Creation**

There is hereby created a use overlay district designated as the Billboard Use Overlay District.

**B. Allowance for Billboards**

Notwithstanding the limitations applicable in the underlying zone district, “outdoor general advertising device” signs, also known as “billboards”, shall be permitted in this overlay zone district. See Article 13 for the definition of “outdoor general advertising device.”

**C. Applicable Use Limitations**

All outdoor general advertising device uses in this Use Overlay District shall comply with the sign standards and limitations applicable to “outdoor general advertising devices” stated in Division 10, Signs, and Section 10.10.20, Outdoor General Advertising Devices in the Billboard Use Overlay District, including but not limited to minimum separation and distance requirements.

#### 9.4.4.8 Historic Structure Use Overlay District (UO-3)

**A. Creation**

There is hereby created a use overlay district designated as the Historic Structure Use Overlay District.

**B. Establishment**

The Historic Structure Use Overlay District may only be established in conjunction with an underlying Residential Zone District.

**C. Allowance for Certain Commercial Uses**

Notwithstanding the limitations applicable in the underlying zone district, the following commercial uses shall be permitted in this overlay zone district:

1. Office, not including dental/medical office or clinic
2. Art studio
3. Bed and breakfast lodging

**D. Applicable Use Limitations - Office and Art Studio Uses**

Office (not including dental/medical office or clinic) or art studio uses in this overlay zone district are permitted only in an ~~Historic Structure structure designated for preservation by the Landmark Preservation Commission according to Chapter 30 (Landmarks) of the D.R.M.C.,~~ and subject to compliance with the following conditions:

1. The applicant for establishment of the office or art studio use is the owner of record of the subject structure.
2. The subject structure was legally erected.
3. The subject structure contains a minimum of 5,000 square feet of gross floor area.
4. For any modifications to the structure that require landmark approval, the modification shall have been reviewed and approved by the ~~HLandmark pP~~ ~~eC~~ommission before submittal for zoning approval.
5. All uses in the structure involved shall comply with the limitations on external effects applicable to uses in the district in which the structure is located.
6. All uses operated in the structure involved shall comply with this Code’s off-street parking and off-street loading requirements for each such use in the MS-2 zone district; provided, however, that upon proof that full compliance could not be achieved, the Zoning Administrator may waive so much of those requirements as are impossible of fulfillment according to the Administrative Adjustment procedures in Section 12.4.5. The parking

exemption for ~~h~~Historic ~~s~~Structures in Section 10.4.5.1.C of this Code shall not be applicable to office and art studio uses permitted in an UO-3 overlay zone district.

7. All uses permitted in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x zone district.

**E. Applicable Use Limitations - Bed and Breakfast Lodging**

Bed and breakfast lodging uses in this overlay zone district are permitted only in a Historic Structure, as ~~“Historic Structure” is~~ defined in Article 13, Rules of Measurement and Definitions, and subject to compliance with the following conditions:

1. The applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence.
2. The subject structure contains no more than 10 guest rooms or suites and that the use of the dining room shall be restricted to use by overnight guests, employees, the owner’s family and/or nonpaying guests.
3. Off-street parking shall be provided at a ratio of 1 parking space for each of the following: Each guest room or suite, each nonresident employee and the owner. The Zoning Administrator may reduce this ratio by up to 20 percent of the requirement according to the Administrative Adjustment procedure in Section 12.4.5, Administrative Adjustment. The parking exemption for ~~h~~Historic ~~s~~Structures in Section 10.4.5.1.C of this Code shall not be applicable to bed and breakfast lodging uses permitted in an UO-3 overlay zone district.
4. No other such lodging is located within 500 feet of the proposed use as measured along the same face block from zone lot line to zone lot line.
5. The structure contains a minimum of 1,000 square feet of gross floor area and no guest room or suite contains less than 100 square feet of floor area.
6. The lodging shall provide breakfast as part of the room price.
7. The interior and exterior of the structure shall be maintained in a manner that reflects the original architectural character of the building, and the property shall be landscaped in a manner that protects the appearance and value of surrounding properties and neighborhoods and improves environmental conditions, thereby promoting the general welfare. The landscaping shall be ~~e~~Continuously ~~m~~Maintained which includes necessary watering, weeding, pruning, pest control and replacement of dead or diseased plant material. Replacement shall occur in the next planting season; but, in any event, replacement time shall not exceed one year.
8. The sign regulations of Division 10.10, Signs, shall apply; provided, however, the maximum sign area permitted on any one street front shall not exceed 10 square feet. The maximum height of any ground sign shall be 4 feet.
9. Related retail sales may be conducted within the structure; however, the floor area allocated to this retail use shall not exceed 10 percent of the gross floor area of the structure. Access to this retail area shall be limited to use by overnight guests only.
10. No social activities, such as weddings, receptions, private parties or similar events, will be permitted unless at least 90 percent of the participants are overnight guests.

## SECTION 9.4.5 DESIGN OVERLAY DISTRICTS (DO-)

### 9.4.5.1 General Purpose

Design Overlay Districts are intended to serve one or more of the following purposes:

- A. To implement land use and urban design recommendations and standards set forth in neighborhood or small area plans, which plans have been adopted as part of the Comprehensive Plan;
- B. ~~To reinforce the desired character for newly developing or redeveloping areas.~~
- C. To provide uniformity in the design standards applicable to arterial streets or to river corridors having varied underlying zoning;
- D. To provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses;
- E. To provide for the enactment of urban design standards for specific segments of designated parkways and boulevards, and areas with cohesive design characteristics; and
- F. ~~To reinforce the desired character for newly developing areas.~~
- G. To implement design standards in a geographically specific area or multiple areas or districts with similar conditions and objectives throughout the city.

### 9.4.5.2 Applicable Standards and Modifications Allowed

#### A. Applicable Standards - In General

A design overlay zone district includes standards that modify otherwise applicable standards in the underlying zone district. Modifications include but are not limited to reducing or increasing a quantitative zoning standard, such as building height or setback standards, and may include new zoning standards not otherwise applicable in the underlying zone district, but not including new limitations on a permitted use. Any changes or modifications to the standards in a design overlay zone district are considered zoning text amendments subject to the review procedures stated in Section 12.4.11, Text Amendments.

#### B. Modification of Underlying Zone District Standards

##### 1. Modification of Permitted Uses and Use Limitations Not Allowed

A Design Overlay District shall not be used to add to the specific permitted uses in the underlying zone district, nor shall it be used to prohibit specific permitted uses in the underlying district, nor shall it be used to add, revise, or delete use limitations applicable to specific permitted uses in the underlying zone district.

### 9.5.5.5 District Specific Standards

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USE CATEGORY	SPECIFIC USE TYPE	DIA		O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY		
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>							
Household Living	Dwelling, Single Unit	See Section 9.5.5.1 for permitted uses and required parking		NP			
	Dwelling, Two Unit			NP			
	Dwelling, Multi-Unit			NP			
	Dwelling, Live / Work			NP			
Group Living	Assisted Living Facility			See Section 9.5.5.1 for permitted uses and required parking		<del>NPP-ZP</del>	<u>§ 11.2.6; § 11.2.8</u>
	Community Corrections Facility					NP	
	Nursing Home, Hospice					NP	
	Residence for Older Adults					NP	
	Residential Care Use, Small or Large •Vehicle: .25/unit •Bicycle: No requirement	L-ZPIN	<del>§ 11.2.8</del> <u>§ 11.2.7</u>				
	Rooming and Boarding House	NP					
	Shelter for the Homeless •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	L-ZPIN/L	§ 11.2.9				
	Student Housing	NP					

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USE CATEGORY	SPECIFIC USE TYPE	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY			
		DIA	O-1		
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>					
Adult Business	All Types	See Section 9.5.5.1 for permitted uses and required parking	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor		NP		
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 2.5/ 1,000 sf GFA • Bicycle: 1/20,000 sf GFA (20/80)		L-ZP	§ 11.4.3	
	Sports and/or Entertainment Arena or Stadium*		NP		
Nonresidential Uses in Existing Business Structures In Residential Zones				Not Applicable	
Parking of Vehicles	Parking, Garage • No Parking Requirements			P-ZP	
	Parking, Surface* • No Parking Requirements			P-ZP	
Eating & Drinking Establishments	All Types			NP	
Lodging Accommodations	Bed and Breakfast Lodging			NP	
	Lodging Accommodations, All Others			NP	
Office	Dental / Medical Office or Clinic			NP	
	Office, All Others			NP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only			NP	
	Animal Sales and Services, All Others			NP	
	Body Art Establishment		NP		
	Food Sales or Market		NP		
	<del>Liquor Store, Including Drugstores Licensed to Sell Liquor</del>		NP		
	Pawn Shop		NP		
	Retail Sales, Service & Repair -- Outdoor*		NP		
	Retail Sales, Service & Repair - Firearms Sales		NP		
	Retail Sales, Service & Repair, All Others		NP		
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility		NP		
	Automobile Services, Light		NP		
	Automobile Services, Heavy		NP		
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*		NP		
	Heavy Vehicle/ Equipment Sales, Rentals & Service*		NP		



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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>				
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.5.5.1 for permitted uses and required parking	L	§11.7
	Accessory Dwelling Unit		NP	
	Domestic Employee		L	§11.7; §11.8.3
	Garden*		L	§11.7; §11.8.4
	Keeping of Household Pets*		NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	
	Kennel or Exercise Run*		NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	
	<u>Outdoor Storage, Residential*</u>		L	§11.7; §11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	
	Short-term Rental		NP	
	Vehicle Storage, Repair and Maintenance*		NP	
	Wind Energy Conversion Systems*		Not Applicable - See Permitted Primary Uses	
Yard or Garage Sales*	NP			
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>				
Home Occupations	Child Care Home, Large (7-12)	See Section 9.5.5.1 for permitted uses and required parking	NP	
	All Other Types		NP	
	Unlisted Home Occupations		NP	

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice  
ZPSE = Subject to Zoning Permit with Special Exception Review When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
<b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>				
Accessory to Primary Nonresidential Uses Accessory to Primary Nonresidential Uses	Unlisted Accessory Uses	See Section 9.5.5.1 for permitted uses and required parking	L	§11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses		NP	
	Automobile Rental Services Accessory to Certain Retail Uses*		NP	
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities		L	§ 11.7; <del>§ 11.10.4</del>
	Car Wash Bay Accessory to Automobile Services		NP	
	College accessory to a Place for Religious Assembly		NP	
	Conference Facilities Accessory to Hotel Use		NP	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*		NP	
	Garden*		L	§11.7; §11.10.9
	Keeping of Animals		L/L-ZP/ L-ZPIN	§11.7; §11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses		Not Applicable	
	Occasional Sales, Services Accessory to Places of Religious Assembly*		NP	
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*		NP	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*		NP	
	Outdoor Retail Sale and Display*		L-ZP	§11.7; §11.10.14
	Outdoor Storage, Limited*		NP	
	Outdoor Storage, General*		NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use		NP	

## DIVISION 9.6 PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

### SECTION 9.6.1 PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

#### 9.6.1.1 General Purpose and Intent

- A. The general purpose of a Planned Unit Development zone district (“PUD District”) District is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and substituting procedural protections for the more prescriptive requirements in this Code. The PUD District is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.
- B. “Unique and extraordinary circumstances” that justify use of a PUD District include, but are not limited to, the following:
  - 1. Where a development site has special physical characteristics, including but not limited to irregular or odd-shaped lots, or lots with significant topographical barriers to standard development or construction practices;
  - 2. Where a customized zoning approach is necessary to protect and preserve the character of a **h**Historic **s**Structure or historic district;
  - 3. Where a development site is subject to an existing PUD and rezoning to a new PUD District will bring the site closer to conformance with current zoning regulations and adopted plans; or
  - 4. Where the proposed scale or timing of a development project demands a more customized zoning approach to achieve a successful, phased development.
- C. A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.
- D. In return for the flexibility in site design with respect to the arrangement, heights, and setbacks of buildings, densities, open space and circulation elements, development under a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.

#### 9.6.1.2 Application Process

##### A. Rezoning Required

Creation of a PUD District shall be by an official map amendment (rezoning) according to the process and review criteria stated in Section 12.4.10, Official Map Amendment.

##### B. Concurrent Processing

At the applicant’s option, and with the Manager’s approval, a site development plan for one or more stages of a General PUD District Plan (see Section 9.6.1.3 below) may be submitted with the filing of a PUD District rezoning application, according to Section 12.3.3.9, Concurrent Applications.

##### C. Vested Rights

City Council approval of a PUD District confers vested property rights, as stated in Section 9.6.1.5, Vested Property Rights, below.

**Mobility:** Equal priority is given to pedestrians, automobile and transit activity. This context will often have access to the multi-modal transit system in at least a portion of the context.

## SECTION 9.7.2 DISTRICTS ESTABLISHED

To carry out the provisions of this Code, the following zone districts have been established in the Master Planned Context and are applied to property as set forth on the Official Map.

### Master Planned Context

M-RH-3	Row House 3
<u>M-RX-3</u>	<u>Residential Mixed Use 3</u>
M-RX-5	Residential Mixed Use 5
M-RX-5A	Residential Mixed Use 5A
M-CC-5	Commercial Corridor 5
M-MX-5	Commercial Mixed Use 5
M-IMX-5	Industrial Mixed Use 5
M-IMX-8	Industrial Mixed Use 8
M-IMX-12	Industrial Mixed Use 12
M-GMX	General Mixed Use

### 9.7.2.1 General Purpose

- A. The intent of zone districts within the Master Planned Context is to provide flexibility for master planned development of large sites to respond to evolving market opportunities over time. The zone district regulations support phased mixed-use development and allow for a wide variety of uses and building forms. As development proceeds, the permitted uses and building forms are further defined to provide clarity and predictable development outcomes.
- B. The building form standards and use standards support medium to high density development and are organized into nine distinct zone districts. Multiple building forms are allowed on a single zone lot.

### 9.7.2.2 Specific Intent

#### A. Row House 3 (M-RH-3)

M-RH-3 is a residential district intended to promote development of new neighborhoods up to 3 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. There is a consistent front yard setback with buildings oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

#### B. Residential Mixed Use 3 (M-RX-3)

M-RX-3 is a residential mixed-use district intended to promote development of new neighborhoods up to 3 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

#### C. Residential Mixed Use 5 (M-RX-5)

M-RX-5 is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to

## **B. Siting**

### **1. Required Build-To**

- a. Provide a more consistent street edge to enhance the character, quality and accessibility of new development.
- b. Improve the relationship between new development and public streets to promote pedestrian activity and establish a sense of place.
- c. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

### **2. Setbacks**

- a. Site buildings to be consistent with intended character and functional requirements of the context.
- b. Improve connections between varied uses and the public street.

### **3. Parking Location**

- a. Minimize the visual impacts of parking areas on streets and adjoining property.
- b. Minimize conflicts between pedestrian and vehicles.

## **C. Design Elements**

### **1. Configuration**

- a. Promote variation in building form that enhances access to sunlight, air and views from within and around new structures.
- b. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
- c. Main Street setback: Consider the proportional scale of new development necessary to establish a well defined edge to the public street.
- d. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

### **2. Transparency**

- a. Maximize window area at Street Level to help activate the street.
- b. To create rhythms and patterns on building facades that provide visual interest and reflect the uses within the building.
- c. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

### **3. Entrances**

- a. Give prominence to pedestrian realm as a defining element of district and neighborhood character.
- b. Provide convenient access to buildings and pedestrian active uses from the street.
- c. Create a clearly articulated and varied visual hierarchy of building entrances as an aid in way-finding.
- d. Provide a positive relationship to the street through access, orientation and placement consistent with the context.

### 9.7.3.3 Primary Building Form Standards

**A. Applicability**

All development, except detached accessory structures, in all the Master Planned Context zone districts

**B. General Standards**

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

**C. District Specific Standards Summary**

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Master Planned (M-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms											
			Suburban House	Urban House	Detached Acc. Dwelling Unit	Duplex	Town House	Garden Court	Row House	Apartment	General	Industrial		
Row House (RH)	M-RH-3	no max		■	■	■			■	■				
Residential Mixed Use (RX)	M-RX- <del>3</del> , -5	no max		■	■	■						■		
	M-RX-5A	no max	■	■	■	■	■	■	■	■	□			
Commercial Corridor (CC)	M-CC-5	no max	■		■	■					■	■		
Commercial Mixed Use (MX)	M-MX-5	no max		■	■	■						■		
Industrial Mixed Use (IMX)	M-IMX-5, -8, -12	no max			■					■	■	■	■	
General Mixed Use (GMX)	M-GMX	no max	■	■	■	■	■	■	■	■	■	■	■	■

■ = Allowed   □ = Allowed subject to limitations.

## URBAN HOUSE

		M-RH-3
<b>HEIGHT</b>		<b>M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5</b>
A	Stories (max)	2.5
A	Feet (max)	42'
<b>SITING</b>		<b>M-RH-3</b>
<b>ZONE LOT</b>		<b>M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5</b>
	Zone Lot Size (min)	3,000 sf
C	Zone Lot Width (min)	25'
<b>SETBACKS</b>		
D	Primary Street (min)	10'
E	Side Street (min)	10'
F	Side, interior (min)	3'
G	Rear (min)	0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%
<b>PARKING</b>		
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 SF
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6)
H	<b>DETACHED ACCESSORY STRUCTURES</b>	(See Section 9.7.4)
<b>DESIGN ELEMENTS</b>		<b>M-RH-3</b>
<b>BUILDING CONFIGURATION</b>		<b>M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5</b>
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater
	Attached Garage Allowed	Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) Shall be setback 20' from back of sidewalk for building walls with garage doors that are facing a street
<b>STREET LEVEL ACTIVATION</b>		
	Design Criteria	(See Section 9.7.5.1)
I	Pedestrian Access, Primary Street	Entry Feature
<b>USES</b>		<b>M-RH-3, M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5</b>
		All permitted Primary Uses shall be allowed within this building form. (See Section 9.7.9 Uses and Parking)
		See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions



## DUPLEX

		M-RH-3 <u>M-RX-3</u>	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
<b>HEIGHT</b>			
A	Stories (max)	2.5	2.5
A	Feet (max)	42'	42'
<b>SITING</b>			
<b>ZONE LOT</b>			
	Zone Lot Size (min)	4,000 sf	4,000 sf
C	Zone Lot Width (min)	45'	45'
<b>SETBACKS</b>			
D	Primary Street (min)	10'	10'
E	Side Street (min)	10'	10'
F	Side, interior (min)	5'	3'
G	Rear (min)	0'	0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%	na
<b>PARKING</b>			
	Parking and Drive Lot Coverage in Primary Street Setback (max)		50%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6)	
H	<b>DETACHED ACCESSORY STRUCTURES</b>	(See Section 9.7.4)	
<b>DESIGN ELEMENTS</b>			
<b>BUILDING CONFIGURATION</b>			
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater	
	Attached Garage Allowed	Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.	
<b>STREET LEVEL ACTIVATION</b>			
	Design Criteria	(See Section 9.7.5.1)	
I	Pedestrian Access, Primary Street	Entry Feature	
<b>USES</b>		M-RH-3, <u>M-RX-3</u> , M-RX-5, M-RX-5A, M-MX-5, M-CC-5, M-GMX All permitted Primary Uses shall be allowed within this building form (See Section 9.7.9 Uses and Parking)	

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## GENERAL (1 OF 3)

<b>HEIGHT</b>		<b>M-RX-3</b>	<b>M-RX-5</b>	<b>M-RX-5A*</b>
<b>A</b>	Stories (max)	<u>3</u>	5	5
<b>A</b>	Feet (max)	<u>45'</u>	70'	70'

<b>SITING</b>		<b>M-RX-3</b>	<b>M-RX-5</b>	<b>M-RX-5A*</b>
<b>SETBACKS</b>				
<b>C</b>	Primary Street (min)	<u>0'</u>	0'	0'
<b>D</b>	Side Street (min)	<u>0'</u>	0'	0'
<b>E</b>	Side, interior (min)	<u>0'</u>	0'	0'
	Side Interior, adjacent to Protected District (min)	<u>0'</u>	10'	10'
<b>F</b>	Rear (min)	<u>0'</u>	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	<u>5'/10'</u>	5'/10'	5'/10'
<b>PARKING</b>				
	Surface Parking between building and Primary Street / Side Street	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed		
	Surface Parking Screening Required	See Article 10, Section 10.5.4.4		
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6)		
	Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review		

<b>DESIGN ELEMENTS</b>		<b>M-RX-3</b>	<b>M-RX-5</b>	<b>M-RX-5A*</b>
<b>CONFIGURATION</b>				
<b>G</b>	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	<u>15'/20'/25'</u>	15'/20'/25'	15'/20'/25'
<b>H</b>	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	<u>na</u>	30'/35'/40'	30'/35'/40'
<b>I</b>	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	<u>na</u>	na	na
<b>STREET LEVEL ACTIVATION</b>				
	Design Criteria	See Section 9.7.5.1 <del>See Section 9.7.5.1</del>		
		40%**		
<b>J</b>	Transparency, Primary Street (min)	Residential Only buildings: 30%** <del>40%**</del> <del>Residential Only buildings: 30%**</del>		
<b>K</b>	Transparency, Side Street (min)	25%** <del>25%**</del>		
<b>L</b>	Pedestrian Access, Primary Street	Pedestrian Connection		

<b>USES</b>		<b>M-RX-3, M-RX-5, M-RX-5A</b>
		All permitted Primary Uses shall be allowed within this building form, except Single Unit and Two Unit Dwelling uses. (See Section 9.7.9 Uses and Parking)

\* Form is permitted only on corner zone lots where at least one of the intersecting streets is an arterial or collector street, according to the functional street classifications adopted by the Public Works Department.

\*\*Applies only to buildings located within 80' of a Primary and/or Side Street.

## SECTION 9.7.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 9.7.4.1 Applicability

All detached accessory structures in all the Master Planned Context zone districts

### 9.7.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

#### B. Detached Accessory Structures **Specifically Allowed**

~~Allowed~~ The following detached accessory structures include, but are not limited to the following: are specifically allowed:

**1. Buildings Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses, and other similar Completely Enclosed Structures.~~

**2. Underground Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures. Swimming pools, storm and fallout shelters~~

**3. Unenclosed Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)**

~~Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.~~

**4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

Examples include, but are not limited to the following:

- a. ~~Carports~~
- b. ~~Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas~~
- c. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- d. Solar thermal and photo-voltaic energy systems
- e. Air conditioning units
- f. Pool pumps, heating and water filtration systems
- g. Mailboxes including individual mailbox structures and cluster box units (CBUs)
- h. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

**5. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 9.7.4, Detached Accessory Building Form Standards.

**6. Accessory Structures Not Specifically Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in Article 11 or this Section.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 9.7.4.

**9.7.4.3 Supplemental Standards**

**A. Additional Standards for Detached Accessory Structures in All Zone Districts**

**1. Gross Floor Area**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

**2. Building Coverage**

All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

**B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings**

**1. Required Building Materials**

All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials used on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

**2. Access and Contiguity**

Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

**9.7.4.4 District Specific Standards Summary**

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

Master Planned (M-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms		
			Detached Accessory Dwelling Unit	Detached Garage	Detached Accessory Structures
Rowhouse (RH)	M-RH-3	no max*	■	■	■
Residential Mixed Use (RX)	M-RX-3, -5, -5a	no max*	■	■	■
Commercial Corridor (CC)	M-CC-5	no max			■
Mixed Use (MX)	M-MX-5	no max			■
Industrial Mixed Use (IMX)	M-IMX-5, -8, -12	no max			■
General Mixed Use (GMX)	M-GMX	no max	■	■	■

■ = Allowed \*One per dwelling unit for structures with vehicle access doors. See Section 1.2.3.5

## DETACHED ACCESSORY DWELLING UNIT

		M-RH-3 M-RX- <del>3</del> , -5 M-RX-5A M-GMX
<b>HEIGHT</b>		
A	Stories (max)	2
A	Feet (max)	42'
		M-RH-3 M-RX- <del>3</del> , -5 M-RX-5A M-GMX
<b>SITING</b>		
<b>ZONE LOT</b>		
	Zone Lot Size for ADU (min)	3,000 sf
	Building Coverage Credit (Lesser of)	50%/500 sf
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the Detached Accessory Dwelling Unit form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 sf. To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <u>Street Level ground-story</u> GFA of the ADU form shall be used for vehicle parking.
	Detached Accessory Dwelling Unit Location	Located in the rear 35% of the zone lot depth
	Additional Standards	See Section 9.7.4.3
<b>SETBACKS</b>		
C	Side Interior (min)	3'
	Side Street (min)	5'
D	Rear (min)	0'
<b>PARKING</b>		
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6 for exceptions)
		M-RH-3 M-RX- <del>3</del> , -5 M-RX-5A M-GMX
<b>DESIGN ELEMENTS</b>		
<b>CONFIGURATION</b>		
	Building Footprint (max)	1,000 sf
E	Horizontal Dimension (max)	36'
	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3
	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'
		M-RH-3; M-RX- <del>3</del> , -5, -5A; M-GMX
<b>USES</b>		
		Accessory Uses Only <u>Accessory to a Primary Single Unit Dwelling Use</u> , including accessory dwelling units <u>where permitted</u> , parking of vehicles, and home occupations. (See Section 9.7.9 for permitted Accessory Uses)

## DETACHED GARAGE

	M-RH-3 M-RX- <del>3</del> , -5 M-RX-5A M-GMX
<b>HEIGHT</b>	
A Stories (max)	2
A Feet (max)	42'

	M-RH-3 M-RX- <del>3</del> , -5 M-RX-5A M-GMX
<b>SITING</b>	
<b>ZONE LOT</b>	
Building Coverage Credit (lesser of)	50% / 500 sf  An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 sf. To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the <u>Street Level ground story</u> GFA of the building form shall be used for vehicle parking.
Allowed Number of Dwelling Units (min/max)	0/0
Additional Standards	See Section 9.7.4.3

<b>SETBACKS</b>	
C Setback from Primary Street Facing Facade of Primary Structure (min)	10'
Side Street (min)	5'
D Side Interior (min), for structure entirely in rear 35% of zone lot depth*	0'
D Side Interior (min), for structure not entirely in rear 35% of zone lot depth *	5'
E Rear (min)	0'
Vehicle Access	From Alley; or Street access allowed when no Alley present See 9.7.7.6 for exceptions

	M-RH-3 M-RX- <del>3</del> , -5 M-RX-5A M-GMX
<b>DESIGN ELEMENTS</b>	
<b>BUILDING CONFIGURATION</b>	
Building Footprint (max)	864 sf per unit**
F Horizontal Dimension (max)	no max
Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3
G Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'

<b>USES</b>	M-RH-3; M-RX- <del>3</del> , -5, -5A; M-GMX
	Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 9.7.9 for permitted Accessory Uses

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

\*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5' \*\*When used with the Urban House building form, the permitted building footprint for a detached garage may be increased to 1,000 sf



## DETACHED ACCESSORY STRUCTURES

<b>HEIGHT</b>	M-RH-3 M-RX- <del>3</del> , <del>5</del> , M-RX-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
A Stories (max)	1
A Feet (max)	17'
<b>SITING</b>	M-RH-3 M-RX- <del>3</del> , <del>5</del> , M-RX-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
<b>SETBACKS</b>	
B Setback from Primary Street Facing Facade of Primary Structure (min)	10'
C Side Street (min)	5'
Side Interior (min)	0'
D Rear (min)	5'
<b>DESIGN ELEMENTS</b>	M-RH-3 M-RX- <del>3</del> , <del>5</del> , M-RX-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
<b>BUILDING CONFIGURATION</b>	
Gross Floor Area (max)	Shall not Exceed 10% of the Zone Lot Area
<b>USES</b>	ALL M- Zone Districts  Accessory Uses Only, excluding accessory dwelling unit accessory to single and two unit primary uses and parking of vehicles accessory to single unit and two unit primary uses.  See Division 9.7.9 for permitted Accessory Uses
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions	

### 9.7.5.2 Garden Court

- A. The courtyard portion of the Garden Court building form shall include all of the following characteristics:
  - 1. Located at natural grade;
  - 2. Visually and physically accessible from the primary street; may be secured for private use;
  - 3. Open to the sky; and
  - 4. Bounded on not less than 3 sides with related building facades on the same ~~parcel~~ Zone Lot.
- B. The courtyard portion of the Garden Court building form area may be used for any of the following:
  - 1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or
  - 2. Public or private landscaped area; may also include entries.
- C. Vehicular access is not permitted through the Garden Court area.

### 9.7.5.3 Attached Garages

- A. Intent**

To provide adequate space for parking of vehicles on driveways without blocking sidewalks.
- B. Applicability**

This section shall apply to an attached garage accessory to a Dwelling, Single Unit, or Dwelling, two unit, primary use.
- C. Standard**

The minimum primary street setback for an attached garage with a door facing the primary street shall be 20 feet.

## SECTION 9.7.7 DESIGN STANDARD EXCEPTIONS

### 9.7.7.1 Height Exceptions

#### A. Intent

To allow building features to exceed maximum height for utility purposes and/or limited recreation or building amenities in the higher intensity zone districts/larger forms.

#### B. Applicability and Standards

1. The following building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 9.7.7.1.B.
2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.
3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All M- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All M- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All <u>5-Story or greater</u> M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	M-RH-3, <u>M-RX-3</u>	Yes	Yes	12'	1 story	Not allowed	Not allowed

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All <u>5-Story or greater</u> M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	M-RH-3, <u>M-RX-3</u>	Yes	Yes	12'	1 story	Not allowed	Not allowed
Elevator lobbies	All <u>5-Story or greater</u> M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	M-RH-3, <u>M-RX-3</u>	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Open Structures	All <u>5-Story or greater</u> M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All <u>5-Story or greater</u> M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All M- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All M- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All M-CC, M-MX, M-IMX, M-GMX Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

### 9.7.7.2 Required Build-To Exceptions

#### A. Civic, Public & Institutional Uses

##### 1. Intent

To accommodate signature entrance architecture, gathering spaces, plazas, or community amenities along the front facades of structures containing civic, public and institutional uses.

##### 2. Standard

Structures containing one or more uses in the Civic, Public & Institutional Use Classification are not required to meet the Primary Street and Side Street Build-To standards.

#### B. Parkways

##### 1. Intent

To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code's build-to range.

**2. Standard**

Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

**9.7.7.3 Setback Exceptions**

**A. Intent**

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

**B. Standard**

In all M- zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

**9.7.7.4 Setback Permitted Encroachments [bulleted lists created in following tables]**

**1. Intent**


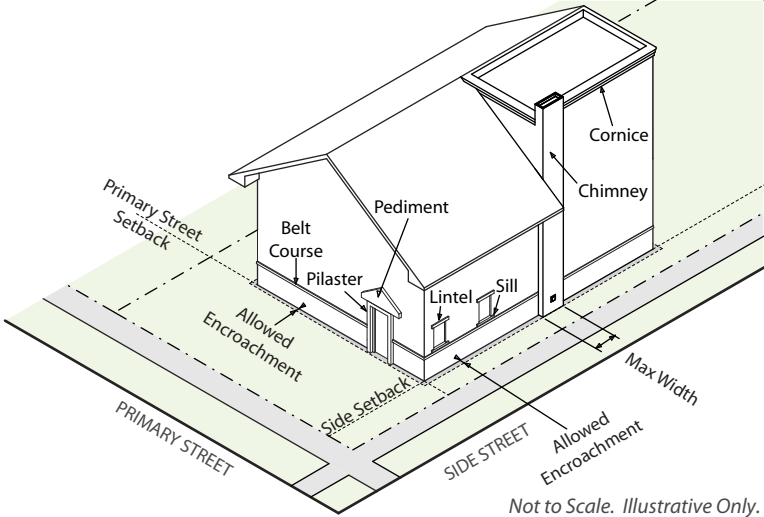
To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.

**2. Standard**

Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:

**a. Architectural Elements**

To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.

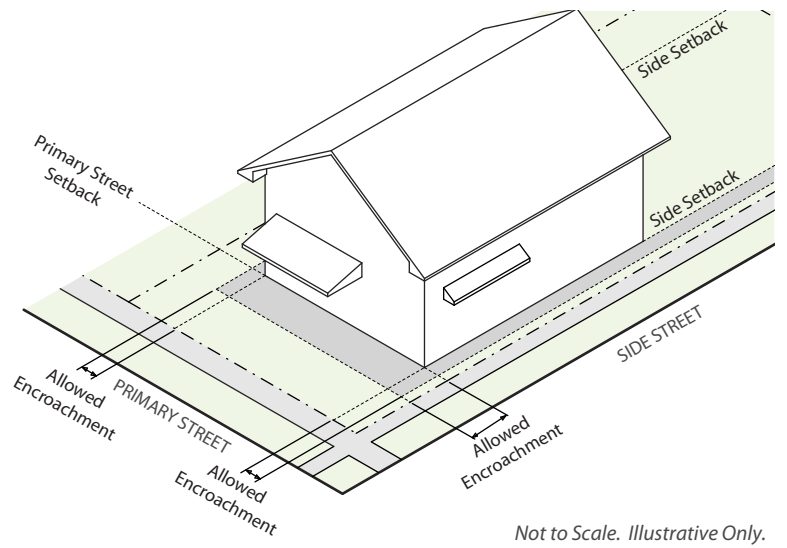
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width	All M- Zone Districts	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’	1.5’ Cornices only: 3’; if setback is less than 5’: 2’	1.5’ Cornices only: 5’
<p>Intent: To allow common, minor decorative elements which are integral to a building.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All M- Zone Districts	6"	6"	6"	6"
Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: Shall be no more than 8' maximum in horizontal width; • Shall be open on three sides; • May include an at-grade landing.	All M-RH districts	3'	3'	3'; if setback is less than 5': 2' and at no point closer than 2' to a property line.	Not allowed

Intent: To provide for covering over an entrance to protect from weather. Unlike the Porch encroachment, canopy is allowed in Side Interior.



Illustrative only



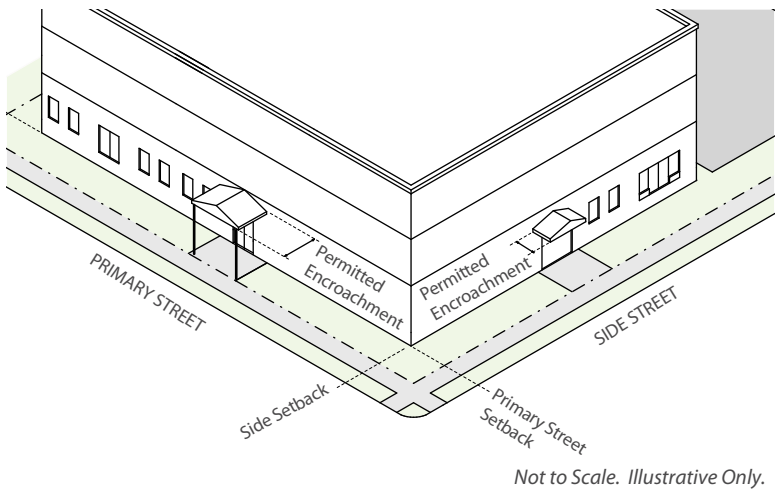
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	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: <ul style="list-style-type: none"> <li>The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>Shall be open on three sides.</li> </ul>	All M- districts, except M-RH	Any distance	Any distance	Not allowed	Not allowed

Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.


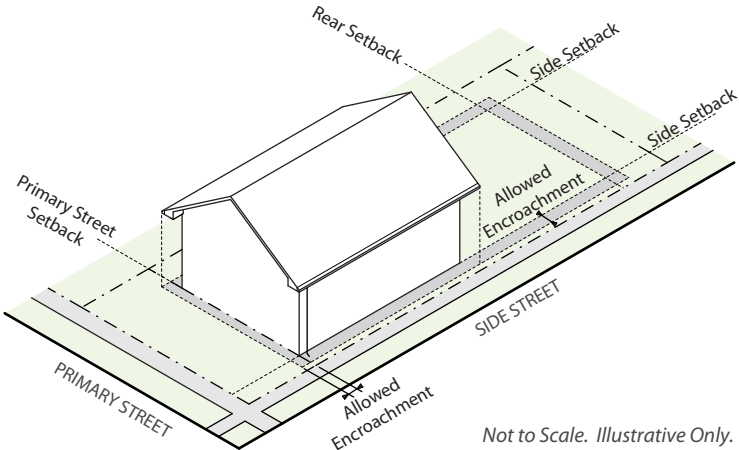

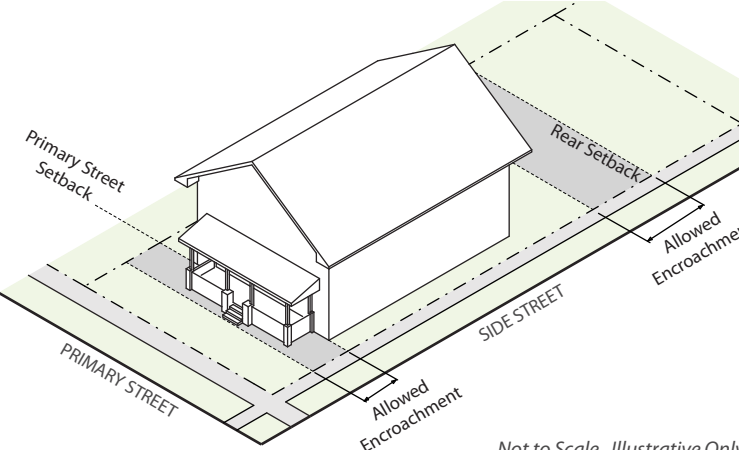



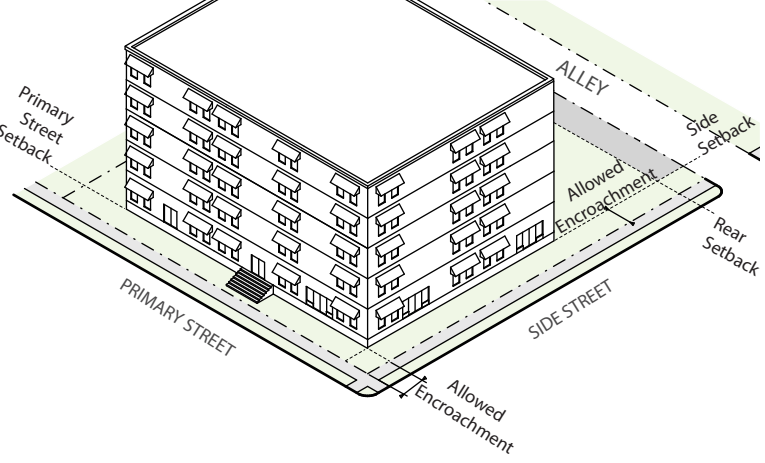
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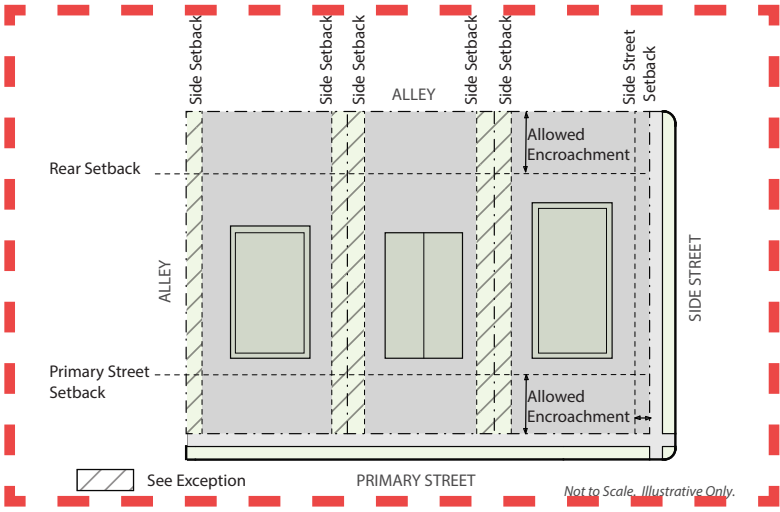

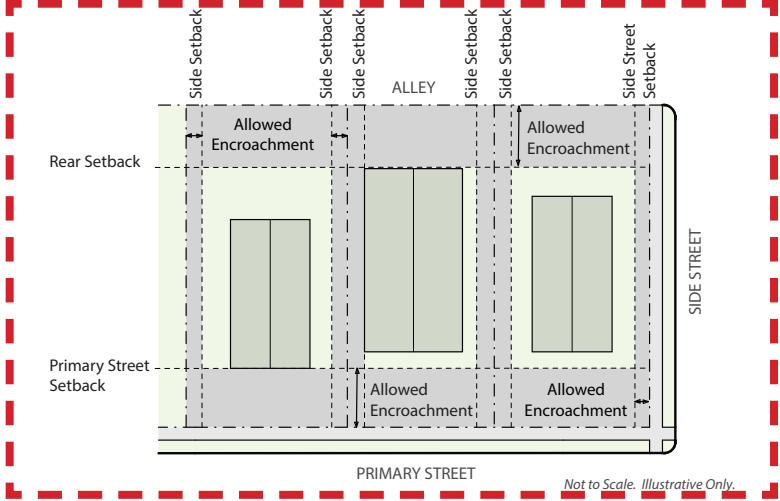
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	All M- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the <b>Street Level ground story</b> connected to a porch:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade.</li> </ul> <p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	All M- Zone Districts	Any distance provided a minimum of 1' between right-of-way and first riser of above- grade stairway	Any distance provided a minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows:</p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All M- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Shading devices: building elements, such as awnings, designed and intended to control light entering a building</p>	All M- Zone Districts	5'	5'	3'	10'
<p>Intent: To allow for elements either integral or attached to a building which control light through windows.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

**b. Site Elements**

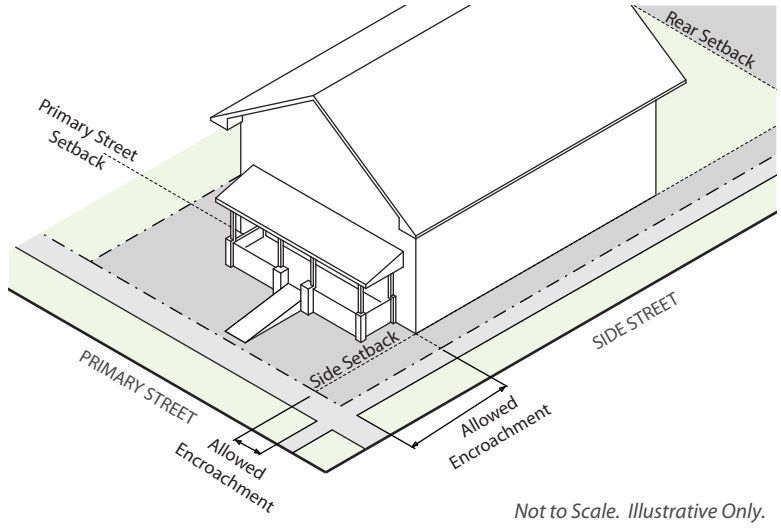

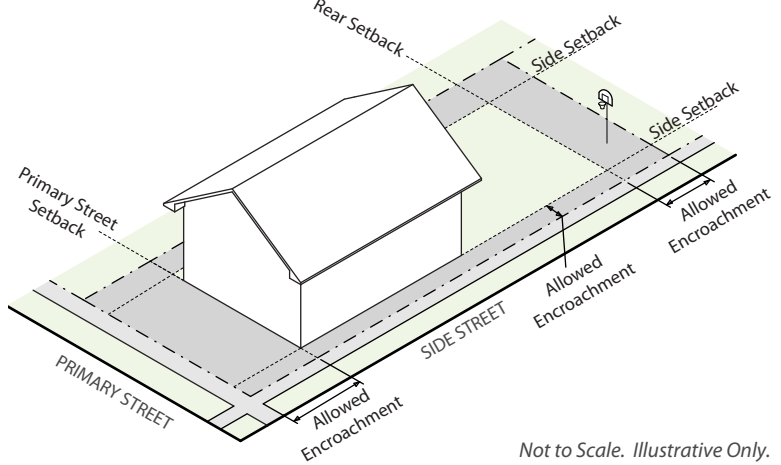
To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Garden Court, Town House, Rowhouse, and Apartment building forms	All M-RH, M-RX, M-MX, M-IMX, M-GMX Zone Districts	Not allowed	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Drive or Driveway for Suburban House, Urban House, Duplex, and Tandem House building forms</u>	<u>All M-RH, M-RX, M-MX, M-IMX, M-GMX Zone Districts</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>
<u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area.</u>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

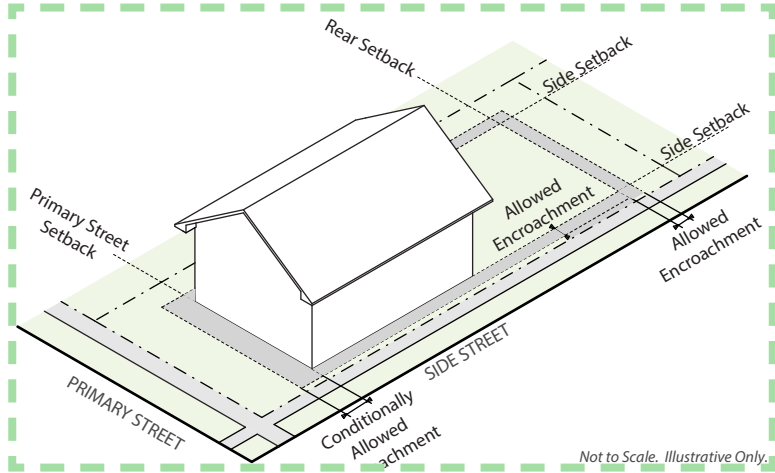
	<b>ZONE DISTRICTS</b>	<b>PRIMARY STREET</b>	<b>SIDE STREET</b>	<b>SIDE INTERIOR</b>	<b>REAR</b>
<p><u>Drive or Driveway for Garden Court, Town House, Rowhouse, and Apartment building forms</u></p>	<p><u>All M-RH, M-RX, M-MX, M-IMX, M-GMX Zone Districts</u></p>	<p><u>Any distance</u></p>	<p><u>Any distance</u></p>	<p><u>Not allowed</u>                      (*see exception below)</p>	<p><u>Any distance</u></p>
<p><u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.</u></p>  <p><i>Illustrative only</i></p>	 <p>Not to Scale, Illustrative Only.</p>				
<p><u>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</u></p> <ul style="list-style-type: none"> <li><u>The Side Interior setback Abuts a public Alley;</u></li> <li><u>Other public right-of-way, or an easement for public access Abutting a public Alley; or</u></li> <li><u>Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</u></li> </ul>					
	<b>ZONE DISTRICTS</b>	<b>PRIMARY STREET</b>	<b>SIDE STREET</b>	<b>SIDE INTERIOR</b>	<b>REAR</b>
<p><u>Flatwork providing pedestrian access to entrances and buildings:</u></p>	<p><u>All M- Zone Districts</u></p>	<p><u>Any distance, but may not exceed 50% of the area within the setback</u></p>	<p><u>Any distance, but may not exceed 50% of the area within the setback</u></p>	<p><u>Maximum of 5' wide:</u>  <u>Any distance</u></p>	<p><u>Maximum of 5' wide:</u>  <u>Any distance</u></p>
<p><u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u></p>  <p><i>Illustrative only</i></p>	 <p>Not to Scale, Illustrative Only.</p>				

**c. Service & Utility Elements**

To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access <b>ramps structures</b> providing access to <b>existing</b> buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</p> <ul style="list-style-type: none"> <li>• Setback encroachments for required barrier-free access <b>ramps structures</b> are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>• Such <b>ramps barrier-free access structures</b> shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All M- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To provide flexibility in the location of required barrier-free access to <b>existing</b> buildings.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All M- Zone Districts	Any distance	Any distance	Any distance	Any distance
		 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			



ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:</p>	<p>All M- Zone Districts</p>	<p>For Primary Structure "facing" the street: Not allowed For Primary Structure not "facing" the street: 5' and shall be screened from public right-of-way by a solid fence at least 3' in height</p>	<p>5' and shall be screened from public right-of-way by a solid fence at least 3' in height</p>	<p>3'</p>
<ul style="list-style-type: none"> <li>• Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;</li> <li>• Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>• Does not exceed 2 units per zone lot;</li> <li>• Has adequate screening to conceal it from view from adjacent properties and public rights-of way by means of landscaping and/or fencing; and</li> <li>• The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>				
<p>Intent: To allow for functional siting.</p> <p>(ZPIN reference removed from graphic and setback areas updated to reflect existing standards)</p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground mounted evaporative coolers</p> <ul style="list-style-type: none"> <li>• located behind the front of the primary structure and</li> <li>• screened from adjacent properties and public rights-of-way, and</li> <li>• not to exceed the noise standards of D.R.M.C. Section 36-6</li> </ul>	All M- Zone Districts	For Primary Structure "facing" the street: Not allowed For Primary Structure not "facing" the street: 5' and shall be screened from public right-of-way by a solid fence at least 3' in height	3'	3'	5'
<p>Intent: To allow for functional siting.</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p>	All M- Zone Districts	5'	3'	3'	10'
<p>Intent: To provide for egress from a building only for emergency purposes</p>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

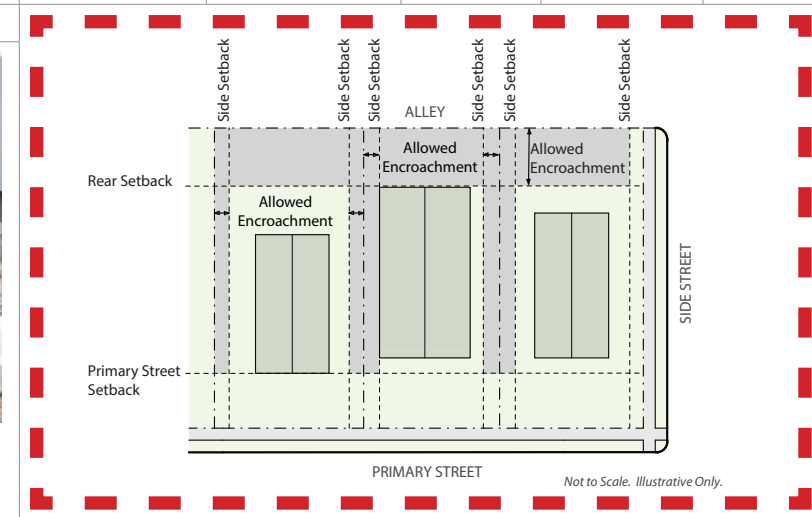


	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 3' in height.	All M- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u> • <u>Greater than 3' in height but not exceeding 8' in height above Finished Grade.</u>	All M- Zone Districts	<u>Not allowed</u>	<u>Not allowed</u>	<u>Any distance</u>	<u>Any distance</u>

Intent: To allow for functional siting.

*Illustrative only*



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: • Shall be below grade.	All M- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs).</u>	All I-Zone Districts	<u>Any distance</u>	<u>Any distance</u>	<u>Not allowed</u>	<u>Not allowed</u>

Intent: To allow for functional siting	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

**9.7.7.5 Building Coverage Exception**

**A. Applicability**

All M- zone districts where a building coverage standard applies.

## B. Front Porch

### 1. Intent

To promote street activation.

### 2. Standard

Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

## C. Detached ADU or Detached Garage

### 1. Intent

To promote openness between buildings located in the front and back of the lot.

### 2. Standard

Area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See those building forms for the applicable zone district.

## 9.7.7.6 Vehicle Access From Alley Required - Exceptions

### A. No Alley

Where a building form specifies “street access allowed when no ~~a~~Alley present”, vehicle access from the street is allowed when a ~~Z~~zone ~~L~~lot is not bounded by an ~~a~~Alley.

### B. Alley

Where a building form specifies vehicle access from ~~a~~Alley is required, and the ~~Z~~zone ~~L~~lot is bounded by an ~~a~~Alley, any newly constructed ~~D~~driveways, ~~Off-Street Parking Area~~ driving aisle, ~~G~~garage, ~~C~~carport, or other parking facility shall be accessed solely from an ~~a~~Alley, unless:

1. The ~~a~~Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The ~~a~~Alley is less than 12 feet in width;
3. At least 60 percent of the existing ~~dwelling units~~ ~~Zone Lots~~ on the same ~~F~~face ~~B~~block are served by ~~D~~driveways, ~~Off-Street Parking Areas~~ driving aisles, ~~Garages~~, ~~Carports~~, or other parking facilities accessed ~~directly~~ from a primary street. ~~Additionally, the Department of Public Works shall have approved the location of any such vehicular access;~~
4. The Department of Public Works prohibits the use of the ~~a~~Alley for vehicular access to the ~~Z~~zone ~~L~~lot based upon a determination that the ~~a~~Alley cannot safely or operationally accommodate additional vehicular traffic; ~~or~~
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that ~~vehicular~~ access is needed from the street; ~~or~~
6. ~~The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.~~

~~If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 9.7.7.6, then vehicular Alley access is required.~~

## SECTION 9.7.8 REFERENCE TO OTHER DESIGN STANDARDS

### 9.7.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

### 9.7.9.4 Enclosure of Uses

All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a completely enclosed structure by including an asterisk "\*" next to the specific use type. For example, the asterisk following the "Telecommunication Tower\*" use type in the tables indicates that a telecommunication tower land use need not be enclosed.

### 9.7.9.5 District Specific Standards

KEY: \*= Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice  
 ZPSE = Subject to Zoning Permit with Special Exception Review When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>							
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.2.4
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	P-ZPIN	P-ZP	P-ZP	P-ZP	<del>NP-PP-ZP</del>	§ 11.2.6; § 11.2.8
	Community Corrections Facility	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	P-ZP	P-ZP	P-ZP	NP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: 0.125/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ <del>11.2.8</del> 11.2.7
	Rooming and Boarding House • Vehicle: 3.75/ 1,000 s.f. GFA • Bicycle: No requirement	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.9
	Student Housing • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	NP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Reqmt: # spaces per unit of measurement •Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>							
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	P-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Public Safety Facility •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	
	Library •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	
	Open Space - Recreation* •Vehicle: .375/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School •Vehicle: 1/1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	Vocational or Professional School •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.10

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		M-RH-3	<del>M-RX-3</del> M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>							
Adult Business	All Types	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor •Vehicle - Artist Studio: 0.3/1000 sf GFA •Vehicle - All Others: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZPIN	L-ZP	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	L-ZP	§ 9.7.10.1.A
Nonresidential Uses in Existing Business Structures In Residential Zones)		NP	NP	not applicable			
Parking of Vehicles	Parking, Garage •No Parking Requirements	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* •No Parking Requirements	L-ZP	<del>L-ZP</del> L-ZPP-ZP	P-ZP	NP	P-ZP	§ 11.4.7
Eating & Drinking Establishments	All Types •Vehicle: 3.75/ 1,000 s.f. GFA •Bicycle: 1/3,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging •Vehicle: 1/guest room or unit •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Lodging Accommodations, All Others •Vehicle: 1/ guest room or unit •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.9
	Office, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	

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		M-RH-3	<del>M-RX-3</del> M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.11
	Animal Sales and Services, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (60/40)	NP	NP	NP	NP	L-ZP	§ 9.7.10.1.B.1
	Body Art Establishment •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.13
	Food Sales or Market •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.14
	<del>Liquor Store, Including Drugstores Licensed to Sell Liquor</del> •Vehicle: <del>1.875/1,000 s.f. GFA</del> •Bicycle: <del>1/10,000 s.f. GFA (60/40)</del>	<del>NP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>L-ZP</del>	<del>§ 11.4.15</del>
	Pawn Shop	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	NP	NP	NP	L-ZP	§ 11.4.17
	Retail Sales, Service & Repair - Firearms Sales •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	NP	P-ZP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	NP	NP	P-ZP	
	Automobile Services, Light •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.19; § 11.4.20
	Automobile Services, Heavy Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	L-ZP/ZPSE	NP	L-ZP/ZPSE	§ 11.4.19; § 11.4.21
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	P-ZPSE	NP	L-ZP	§ 11.4.23



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		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>							
Communications and Information	Antennas Not Attached to a Tower* •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.2
	Communication Services •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZPSE P-ZP	L-ZPSE P-ZP	L-ZPSE P-ZP	P-ZP	§ 11.5.1
	Telecommunications Towers* •No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ZPSE	§ 11.5.2
	Telecommunications Tower - Alternative Structure* •No Parking Requirements	L-ZP/ ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* •No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.5.2
Industrial Services	Contractors, Special Trade - General •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.3.
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.A
	Food Preparation and Sales, Commercial •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.6
	Service/Repair, Commercial •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.5.8
	Manufacturing, Fabrication & Assembly -- General •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.B
	Sand or Gravel Quarry*	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.B
	Wind Energy Conversion Systems* •No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.5.13

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		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.5.14
	Railroad Facilities*	NP	NP	NP	NP	P-ZP	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.5.16
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.C
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	L-ZPIN	§ 9.7.10.2.D
	Recycling Collection Station	NP	NP	NP	NP	P-ZP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	
	Mini-storage Facility • Vehicle: 0.1 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZP	L-ZP	P-ZP	§ 11.5.23
	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZPIN	NP	P-ZP	
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	P-ZP/ZPIN/ZPSE	§ 11.5.26
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>							
Agriculture	Aquaculture*	NP	NP	NP	NP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP*	§11.6.5; §9.7.10.3

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	APPLICABLE USE LIMITATIONS	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>								
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts						§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.8.2	
	Domestic Employee	L	L	L	L	L	§ 11.7; § 11.8.3	
	Garden*	L	L	L	L	L	§ 11.7; § 11.8.4	
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§ 11.7; § 11.8.5	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	§ 11.7; § 10.9	
	Kennel or Exercise Run*	L	L	L	L	L	§ 11.7; § 11.8.6	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	L-ZP	Not Applicable - See Permitted Primary Uses			§ 11.7; § 11.8.7	
	<u>Outdoor Storage, Residential*</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.8</u>	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	NP	§ 11.7; § 11.8.8	
	Short-term Rental	L	L	L	L	L	§ 11.7; § 11.8.9	
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	§ 11.7; § 10.9	
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses			§ 11.7; § 11.5.13	
Yard or Garage Sales*	L	L	L	L	L	§ 11.7; § 11.8.9		
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>								
Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; §11.9.3	
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.9; § 11.9.4	
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; § 11.9.5	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
<b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>							
Accessory to Primary Nonresidential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts					§11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	Not Applicable - See Primary Uses				§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	Not Applicable - See Permitted Primary Uses				§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.5
	College Accessory to a Place for Religious Assembly	L	Not Applicable - See Permitted Primary Uses				§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Garden*	L	L	L	L	L	§ 11.7; § 11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§ 11.7; § 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	NP	Not Applicable - See Permitted Primary Uses	Not Applicable			
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	§ 11.7; § 11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.7; § 11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.7; § 11.10.13
	Outdoor Retail Sale and Display*	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	M-IMX: NP M-GMX: L-ZP	§ 11.7; § 11.10.15
	Outdoor Storage, Limited*	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.16
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	L	L	L	L	§ 11.7; § 11.10.17	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	APPLICABLE USE LIMITATIONS
<b>TEMPORARY USE CLASSIFICATION</b>							
Temporary Uses  (Parking is Not Required for Temporary Uses Un- less Specifically Stated in this Table or in an Ap- plicable Use Limitations)	Unlisted Temporary Uses	L - Applicable in all Zone Districts					\$11.11.1
	Ambulance Service - Temporary	NP	L-ZP	Not Applicable - See Permitted Primary Uses			\$11.11.2
	Amusement / Entertainment - Tempo- rary*	NP	NP	NP	NP	L-ZP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	L-ZP	\$11.11.10
	Outdoor Retail Sales*	NP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.11
	Outdoor Sales, Seasonal*	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile*	NP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.16
	Tent for Religious Services	NP	NP	NP	NP	L-ZP	\$11.11.17

## SECTION 9.7.10 ~~APPLICABLE USE LIMITATIONS~~

### 9.7.10.1 ~~Commercial Sales, Services, and Repair Uses~~ (Moved to 11.4.1.2)

#### A. ~~Arts, Entertainment and Recreation Uses~~

##### 1. ~~All M-IMX and M-GMX Zone Districts~~

~~In the M-IMX and M-GMX Zone Districts, Sports and/or Entertainment Arena or Stadium uses, where permitted with limitations, shall comply with the following limitations:~~

- a. ~~All sports and/or entertainment arena or stadium uses shall be a minimum of 500 feet from a Residential Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.~~
- b. ~~The minimum spacing requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~

#### B. ~~Retail Sales, Service and Repair~~ (Moved to 11.4.12.2)

##### 1. ~~All M-IMX and M-GMX Zone Districts~~

~~In the M-IMX and M-GMX Zone Districts, Animal Services and Sales, All Others uses, where permitted with limitations, shall comply with the following limitations:~~

- a. ~~Wild or dangerous animal boarding and breeding services are prohibited.~~
- b. ~~No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.~~
- c. ~~Overnight accommodations are allowed.~~
- d. ~~Where located abutting a Residential Zone District, a minimum 50 foot wide landscaped buffer shall be provided, as approved by the Zoning Administrator. Such buffer is intended to substantially mitigate potential adverse effects from the animal service use, including but not limited to noise and odor.~~

### 9.7.10.2 ~~Industrial, Manufacturing and Wholesale Uses~~ (Moved to 11.5.3.4)

#### A. ~~Industrial Services~~

##### 1. ~~All M-IMX and M-GMX Zone Districts~~

~~In the M-IMX and M-GMX Zone Districts, a contractors, special trade/heavy use, where permitted with limitations, shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.~~

#### B. ~~Mining and Extraction and Energy Producing Systems~~ (Moved to 11.5.16.2)

##### 1. ~~All M-IMX and M-GMX Zone Districts~~

~~In the M-IMX and M-GMX Zone Districts, where permitted with limitations, mining and extracting and energy producing system uses shall comply with the following limitations:~~

###### a. ~~Oil, Gas, Production, Drilling~~

~~Oil gas, production, drilling uses area limited to geophysical services only. As part of the Site Development Plan review process, the Zoning Administrator shall determine the separation between the proposed use and any adjacent Residential Zone District based on the external effects of the proposed use.~~

b. **Sand or Gravel Quarry**

A sand or gravel quarry use shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

C. **Transportation Facilities (Moved to 11.5.16.2)**

1. **All M-IMX and M-GMX Zone Districts**

In the M-IMX and M-GMX Zone Districts, where permitted with limitations, Terminal, Freight, Air Courier Service uses shall comply with the following limitations;

- a. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.
- b. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

D. **Waste-Related Services (Moved to 11.5.19.2)**

1. **All M-IMX and M-GMX Zone Districts**

In the M-IMX and M-GMX Zone Districts, where permitted with limitations, waste related service uses shall comply with the following limitations:

a. **Recycling Center**

The recycling center facility shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

b. **Enclosure and Screening Required**

The recycling center facility shall comply with the screening and enclosure requirements of Section 11.5.20.

9.7.10.3 **Agricultural Uses (Moved to 11.5.30.4)**

A. **Plant Nursery**

1. **All M-IMX and M-GMX Zone Districts**

In the M-IMX and M-GMX Zone Districts, where permitted with limitations, unenclosed Plant Nursery uses shall be located at least 500 feet from a Residential Zone District.



## DIVISION 10.1 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

In addition to the zoning design standards applicable to development under this Code, design standards found in other parts of the Denver Revised Municipal Code may apply. An applicant for development is encouraged to investigate whether these other standards may apply, and to work with Community Planning and Development and other agencies to determine how all applicable standards interplay with applicable zoning regulations. Other applicable design standards include, but are not limited to:

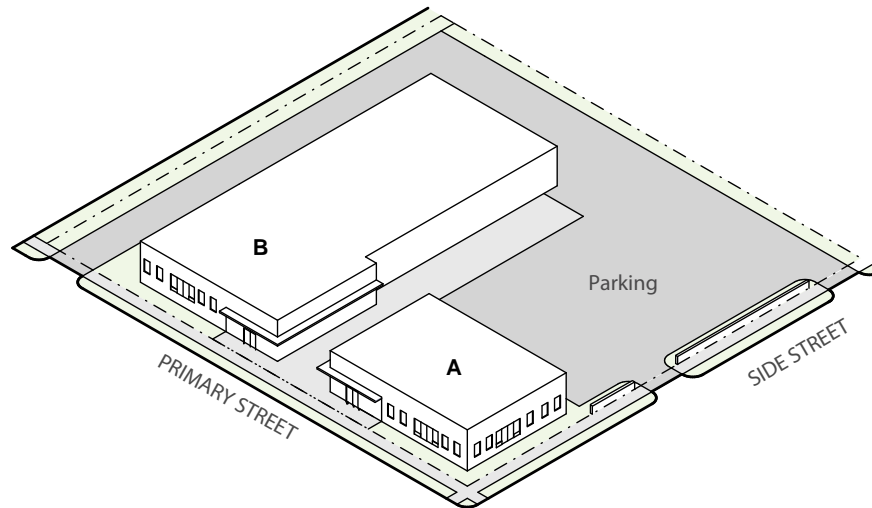
- 10.1.1 Chapter 49 (Streets, Sidewalks and Other Public Ways), D.R.M.C., regarding the designation of Parkway and the establishment of Parkway setbacks for buildings and structures.
- 10.1.2 Chapter 30 (Landmark Preservation), D.R.M.C., regarding the designation of ~~landmarked structures~~Historic Structures and historic districts;
- 10.1.3 Chapter 10 (Buildings and Building Regulations), D.R.M.C., regarding the establishment of view plane protection areas, which may restrict the height of structures more stringently than the applicable zoning.
- 10.1.4 Chapter 8 (Animals), D.R.M.C., regarding licensing and permitting for the keeping of animals, including but not limited to dogs, cats, livestock, and fowl, within the City of Denver.
- 10.1.5 Chapter 56 (Utilities), D.R.M.C., regarding water, drainage, sanitary and floodplain regulations affecting land development.
- 10.1.6 Chapter 57 (Vegetation), D.R.M.C., regarding maintenance of landscaping in general, and maintenance of plantings in the public rights-of-way.
- 10.1.7 Chapter 27 (Housing), D.R.M.C., regarding requirements for certain developments to include a minimum number of moderately priced affordable housing units.
- 10.1.8 Chapter 24 (Health and Sanitation), Article XI (Medical Marijuana Dispensaries) for regulations relating to the establishment and operation of medical marijuana retail dispensaries, a type of retail sales and service land use.
- 10.1.9 Chapter 6 (Alcohol Beverages and Retail Marijuana), Article IV (Malt, Vinous and Spirituous Liquors), D.R.M.C., for regulations relating to the establishment and operation of Liquor Stores, a type of retail sales and service land use.
- 10.1.10 Chapter 6 (Alcohol Beverages and Retail Marijuana), Article V (Denver Retail Marijuana Code), D.R.M.C., for regulations relating to the establishment and operation of retail marijuana dispensaries, a type of retail sales and service land use.
- 10.1.11 Rules and regulations adopted by the Manager according to D.R.M.C., Chapter 12, including but not limited to Urban Design Standards and Guidelines and the Denver Streetscape Manual.

### 10.3.3.2 Exception for Surface Parking Location in Main Street

In the Main Street (-MS) zone districts only, when a Side Street build-to is met with a building (A), surface parking is allowed between additional buildings on the zone lot (B) and that Side Street. See Figure 10.3-2.

Figure 10.3-2

*Not to Scale. Illustrative Only.*



### 10.3.3.3 Exception for Phased Development

When multiple buildings on the zone lot will be developed in phases, and the first phase(s) of development would not meet applicable build-to, surface parking location, and ground-story Street Level activation standards as required above, an applicant shall reserve an area along the street frontage for future building phases that will comply with such standards, provided the following conditions are met:

- A. The reserved area shall include the entire zone lot frontage abutting the Primary Street or Side Street for a depth of no less than 60 feet, measured from the zone lot line except for approved vehicular access lanes.
- B. Parking of vehicles is not allowed within the reserved area.
- C. Water quality and detention/retention facilities, or utilities, are not allowed within the reserved area.
- D. The reserved area shall be improved with at least 50% live landscape material, following Section 10.5.4.6 Landscaping Material Standards.
- E. Required pedestrian access and circulation shall be provided, following Section 10.3.4.

## SECTION 10.3.4 PEDESTRIAN ACCESS & CIRCULATION

### 10.3.4.1 Intent

This Section's Pedestrian Access & Circulation standards are intended to:

- A. Provide safe, convenient pedestrian access and circulation patterns within and between developments.
- B. Create a continuous network of pedestrian walkways within and between developments, providing pedestrians the opportunity to walk (rather than drive) between destinations.

## DIVISION 10.4 PARKING AND LOADING

### SECTION 10.4.1 INTENT

The intent of Parking Standards, in conjunction with the building form standards according to Articles 3 through 9, is to:

- 10.4.1.1 Balance the provision of adequate off-street parking to meet demand with city-wide objectives to encourage pedestrian-friendly environments and the use of multiple modes of transportation, including mass transit and bike parking requirements to reduce vehicle parking demand.
- 10.4.1.2 Provide a variety of mechanisms to meet parking needs while promoting development and reinvestment in existing buildings, including ~~h~~Historic ~~s~~Structures.
- 10.4.1.3 Recognize, through parking reductions, the parking efficiencies gained through mixed use development, mixed income development, development proximate to rail and bus transit, and their impact on parking demand.
- 10.4.1.4 Promote bicycle use by providing safe and convenient bike parking through minimum requirements for type of bike parking facility and amount of bicycle spaces.
- 10.4.1.5 Encourage comprehensive, efficient, multi-site parking strategies.
- 10.4.1.6 Minimize the visual impacts of Off-Street Parking Areas, structures and garages on streets, open spaces, and adjoining development.
- 10.4.1.7 Design surface parking and parking structures to be visually compatible with the surrounding development, convenient for users, and mitigate the negative impact of vehicle noise, headlights, lighting and mechanical systems.
- 10.4.1.8 Integrate the function and appearance of parking structures into building groups so as to minimize negative impacts on public space and the pedestrian environment.
- 10.4.1.9 Design parking structure facades to reflect the predominant fenestration patterns of area buildings and to the extent possible wrap street facing elevations with active uses, especially at the Street Level ground story.

## B. Applicability

1. This Section 10.4.4.4 shall apply to all uses located within 1/4 mile of the outer boundary of a ~~r~~Rail ~~t~~Transit ~~s~~Station Platform in all zone districts except the CMP zone districts; and
2. This Section 10.4.4.4 shall apply only to limit the amount of Surface Parking.
3. If a structure or use is exempt according to Section 10.4.5 Vehicle Parking Exceptions, from minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum amount otherwise required for such use or structure absent any exemption or reduction.
4. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.

## C. Maximum Vehicle Surface Parking Permitted

For all applicable zone districts, Surface Parking spaces shall not exceed 110 percent of the minimum parking spaces required by the subject property's zone district, except that up to 1 vehicle surface parking space per dwelling unit shall be allowed even if exceeding the 110 percent.

### 10.4.4.5 Location of Required Vehicle Parking

Required ~~V~~vehicle parking spaces shall be located on the same zone lot as the primary use for which provided, except as allowed below:

A. As allowed in Section 10.4.5.4, Shared Vehicle Parking, or

#### B. Off-Site Vehicle Parking

~~A primary use's r~~Required vehicle parking ~~spaces~~ may be located on a ~~Z~~zone ~~L~~lot different ~~than~~ the primary use for which provided from the Zone Lot containing the primary use ("off-site vehicle parking"), subject to compliance with the following standards:

1. The subject ~~property may locate required vehicle parking on an "off-site zone lot" provided it uses the off-site zone lot's excess parking, and not its required parking. Primary Use may provide off-site vehicle parking provided that the parking spaces on the off-site Zone Lot are not required vehicle parking spaces for any other Primary Use(s)~~ (See Section 10.4.5.4 Shared Vehicle Parking for that scenario).
2. Parking requirements may be met off the zone lot by ownership or a current lease of parking spaces on another zone lot and dedicated to the primary use being served. Divesting ownership or terminating lease of the required parking spaces shall result in termination of the zoning permit until the parking deficiency is remedied.
3. Off-site parking shall be located within a "walking distance" of 1,500 feet from the use served by the remote parking. "Walking distance" shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.

**B. Reductions Allowed**

The Zoning Administrator shall allow an applicant to apply reductions to the minimum number of required vehicle parking spaces upon finding that the additional requirements and special review process stated in the following table have been met:

TYPE OF REDUCTION	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	REDUCTION ALLOWED	SPECIAL REVIEW PROCESS
Affordable Housing	All Zone Districts, except Main Street Zone Districts	Primary Residential Uses	Compliance with the provisions of Article IV Affordable Housing, Chapter 27 Housing, of the Denver Revised Municipal Code	20% reduction in the total number of required vehicle parking spaces	See Section 10.4.5.3.A.3
Assisted Living Facility	All Zone Districts	Assisted Living Primary Use	The reduction shall be allowed only upon finding that the assisted living facility generates less parking need or demand due to the specific nature and character of the facility, its occupants, and/or visitors; and If a reduction is permitted under this provision, no additional parking reduction otherwise available under this Code shall be granted	0.5 space per unit reduction in the total number of required vehicle parking spaces	Section 12.4.2, Zoning Permit with Informational Notice
Proximity to Multi-Modal Transportation	Suburban (S-), Urban Edge (E-), Urban (U-), or General Urban (G-), Industrial (I-), or Master Planned (M-) Zone District	Any Primary Use	Any Primary Use located <u>on a Zone Lot having its nearest point</u> within 1/4 mile of the outer boundary of a <u>rRail tTransit sStation Platform</u> or 1/4 mile of an enhanced transit corridor as defined in Blueprint Denver	25% reduction in the total number of required vehicle parking spaces	See Section 10.4.5.3.A.3
On-Site Car Sharing	All Zone Districts, except Campus Zone Districts	Any Residential Primary Use	Where an active car-sharing program is available in the same building or on the same zone lot as that Primary Use and is made available to the residents in the same building where the residential units are located	5 required vehicle parking spaces reduced for each 1 car share space provided	See Section 10.4.5.3.A.3
	Campus Zone Districts	Any Primary Use			
Off-Site Car Sharing	All Zone Districts	Any Primary Use	The car sharing program shall be: (1) Located on a zone lot and not within public right-of-way; (2) Located within a walking distance no greater than 1,500' of the zone lot containing the subject primary use; (3) Either in existence or being developed concurrently with the proposed development; and (4) Has the capacity to meet a portion of the vehicle parking needs of the subject primary use	Determined by the Zoning Administrator	See Section 10.4.5.3.A.3
Bike Sharing	All Zone Districts, except Campus Zone Districts	Any Nonresidential Use	The bike share program shall be located in the same building, on the same zone lot, or in the public right-of-way abutting the subject zone lot.	1 required vehicle parking space reduced for each 5 bike share parking spaces provided	See Section 10.4.5.3.A.3
	Campus Zone Districts	Any Primary Use			

### C. Vehicle Parking Reduction for Small Lots in the C-CCN Zone Districts

1. In the C-CCN zone districts, zone lots which are equal to or smaller than 9,375 square feet in area on October 27, 2014, shall be granted a 67 percent reduction in the total number of required vehicle parking spaces.
2. This vehicle parking reduction shall not be allowed in combination with any vehicle parking reduction allowed under section 10.4.5.3.B.

### 10.4.5.4 Shared Vehicle Parking

#### A. Applicability

1. An applicant may request shared parking to meet the minimum vehicle parking requirements for mixed use developments, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
2. Parking spaces that may be shared according to this subsection:
  - a. Shall be located on a zone lot (on-street parking spaces are not eligible), and
  - b. Shall be capable of being specifically allocated or reserved for the primary uses served (spaces in a surface lot or garage that are accessible by the general public are not eligible);
  - c. However, in the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the zone lot will count toward the vehicle parking requirement. Although allocated to a specified zone lot, said spaces need not be reserved for said specified zone lot.
  - d. When located on a Zone Lot subject to a vehicle Surface Parking maximum, each shared vehicle Surface Parking space shall be counted only once in the calculation of vehicle Surface Parking spaces that contribute to the maximum.

#### B. Shared Amount Allowed

The Zoning Administrator shall determine the total amount of parking allowed to be shared based upon the shared parking analysis.

#### C. Process for Review and Approval

Requests for shared parking shall be processed according to Section 12.4.3, Site Development Plan Review. In addition to the requirements for a Site development plan, requests for shared parking shall comply with this Section's standards and criteria.

#### D. Shared Parking Analysis Required

A parking analysis shall be submitted as part of the Site development plan application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a Qualified Professional. A shared parking study shall, at a minimum, address:

1. The intensity and type of activities and the composition of uses;
2. Hours of operation of the uses;
3. The rate of turnover for proposed shared spaces;
4. Distances of shared parking spaces from the uses they serve; and
5. The anticipated peak parking and traffic loads for the site.
6. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.

- D. For additional standards applicable to the parking of vehicles, see Division 10.9, Parking, Keeping and Storage of Vehicles.

#### 10.4.7.2 Fee for Required Parking Allowed

Required parking may be available as free parking, contract parking, or on an hourly or daily fee basis.

#### 10.4.7.3 Flexibility in Use of Accessory Parking Areas

##### A. Intent

1. Provide flexibility in a property owner's use of accessory parking spaces when such spaces are not fully utilized by the owner for the subject primary use(s).
2. Allow for the limited sharing of otherwise unused or under-utilized accessory parking spaces to satisfy parking demand in areas near the subject Off-Street Parking Area where the supply of on-street or off-street parking may be insufficient to meet such demand.

##### B. Applicability

This Section 10.4.7.3 allowance shall apply only under the following conditions:

1. Shall be applied only to the use of existing Accessory Parking spaces, where the subject zone lot contains both a Primary Use and Accessory Parking serving that Primary Use.
2. Shall not apply to a zone lot containing a primary Surface Parking land use, regardless of the legal status of such Surface Parking use, and the BOA shall not have the authority to issue a variance to allow application of this Section 10.4.7.3 to such zone lots.
3. This allowance shall not be used to meet the minimum parking requirements of any primary use. (For that scenario, see Section 10.4.5.4, Shared Vehicle Parking, or Section 10.4.4.5.B, Off-Site Vehicle Parking.)

##### C. Flexible Use of Accessory Parking Spaces Allowed with Zoning Permit

1. At any time when Accessory Parking spaces are not needed to meet the parking demand of the subject Primary Use (e.g., when the Primary Use is closed for business), the property owner may make available any unused or under-utilized Accessory Parking spaces to serve the parking needs of one or more Primary Uses not located on the same zone lot.
2. At all times, regardless of the option for flexible use allowed under this Section 10.4.7.3, the property owner shall maintain adequate Accessory Parking during all operating hours to serve the Primary Use(s) for which the Accessory Parking spaces are provided.
3. Such unused or under-utilized Accessory Parking spaces may be made available for a fee, at the property owner's option.
4. Such unused or under-utilized Accessory Parking spaces may be made available to serve a Primary Use located on a different zone lot whose parking is otherwise capped by a maximum parking standard.
5. A Zoning Permit is required according to Section 12.4.1, Zoning Permit Review.

### SECTION 10.4.8 LOADING

#### 10.4.8.1 Intent

The intent of this Section's loading standards is to assure the provision of adequate off-street areas to allow vehicle to access, circulate, and service one or more Primary Uses on the zone lot.



DOWNTOWN NEIGHBORHOOD CONTEXT - D-LD, D-GT, D-AS, D-AS-12+, D-AS-20+ ZONE DISTRICTS ONLY		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Commercial Medium	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

## DIVISION 10.5 LANDSCAPING, FENCES, WALLS AND SCREENING

### SECTION 10.5.1 INTENT

The intent of this Division’s landscaping, fences, walls, and screening standards is to:

- 10.5.1.1 Establish an attractive landscaped edge and screening adjacent to street right-of-way and residential.
- 10.5.1.2 Increase Denver’s urban tree canopy, reduce heat island effects, and improve air quality.
- 10.5.1.3 Preserve existing trees and vegetation.
- 10.5.1.4 Promote and enhance the community’s appearance as viewed from the public realm.
- 10.5.1.5 Improve site permeability and reduce stormwater runoff.
- 10.5.1.6 Incorporate required water quality and storm water management features into the overall site and landscape design in way that is attractive and a positive part of an integrated landscape design.
- 10.5.1.7 Mitigate visual impacts on surrounding properties, open spaces, and public rights-of-way arising from roof-top mechanical equipment, outdoor storage of materials and waste, surface parking lots, and other similar outdoor uses and activities.

### SECTION 10.5.2 GENERAL STANDARDS

#### 10.5.2.1 Corner Sight Triangles

Corner sight triangles are areas at intersection corners of streets, driveways, or alleys where the height of landscaping, fences, walls, and screening may be limited to preserve clear vehicle sight lines to oncoming vehicular and pedestrian traffic. Any landscaping, fence, or wall, or screening within a corner sight triangle shall be approved by Public Works.

#### 10.5.2.2 Maintenance

##### A. Responsibility

The owner of the property, his successors, heirs and assignees are responsible for the proper maintenance of required landscaping, fences, walls and screening.

##### B. Continuous Maintenance Required

Required landscaping, fences, walls and screening must be continuously maintained including necessary watering, weeding, pruning pest control and replacement of dead or diseased plant material or damaged fence and wall materials.

##### C. Replacement of Planting Material

Replacement of dead or diseased plant material shall be of the same type of plant material as set forth in the approved landscape plan. Replacement of dead or diseased plant material shall occur within 30 days of such event during the growing season of April 1 to October 1. At all

#### 10.5.4.6 Landscaping Material Standards

When required by this Division, landscaping materials shall meet the following minimum standards:

##### A. Live Plant Material Standards

1. Where live plant material is required, the amount of area coverage (e.g. 50%) shall be calculated for plant maturity, rather than the coverage at time of planting.
2. All required live plant material must be kept ~~e~~Continuously ~~m~~Maintained in live and growing condition.
3. Applicants are encouraged to incorporate drought-resistant plants and shrubs into required landscaping areas, including but not limited to ornamental grasses.
4. The following materials are allowed and shall meet the following size specifications at time of planting:
  - a. Deciduous trees are at least 2-inch caliper measured 4 inches above the ground;
  - b. Ornamental and flowering trees are at least 1 and 1/2 inches caliper measured 4 inches above the ground;
  - c. Evergreen trees are at least 5 feet tall;
  - d. Evergreen spreaders and broadleaf evergreens are 5-gallon size minimum, with spreads no less than 18 to 24 inches;
  - e. Shrubs are 5-gallon size minimum, with heights no less than 2 to 3 feet;
  - f. Vines and ornamental grasses are 1 gallon in size, minimum;
  - g. Ground Cover;
  - h. Turf or sod; and
  - i. Other similar quality and size live plant material.

##### B. Non-Live Landscaping Material Standards

Where non-live landscaping material is required on a zone lot, the following materials are allowed:

1. Organic mulch; or
2. Gravel or stone that is designed or placed so as to allow permeability.

### 10.5.7.2 Screening Required by Specific Use Limitations

- A. Wherever this Code requires screening as a condition or limitation on an allowed use, such screening shall be comprised of landscaping, fences, or walls of a design and density adequate to screen the use or activity from adjacent residences, rights-of-way, city parks, and open spaces.
- B. Fence and wall materials required for screening shall comply with the material requirements of the zone district in which it is located.

### 10.5.7.3 Screening of Rooftop Equipment

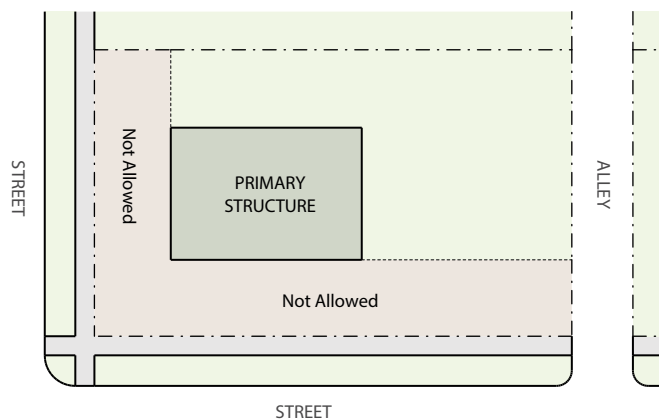
- A. Rooftop mechanical equipment, shall be screened from ground level view, as viewed from an any abutting Primary Street's right of way, perpendicular to the zone lot line. See Article 13, Rules of Measurement and Definitions for rooftop mechanical equipment screening measurement.
- B. Screening shall be of a material similar in quality and appearance to other areas of the building facade. For example, a parapet wall may be used to screen rooftop equipment.
- C. Development in a Campus (CMP) zone district is exempt but shall be reviewed as part of Site Development Plan approval and shall meet the intent of this Division.
- D. The submittal of a plan and section/elevation drawing must document that the rooftop mechanical equipment is not visible from the opposite side of the abutting Primary Street's right of way. Submitted drawings shall indicate the point of measure and height of the mechanical screening, where applicable. See Article 13, Rules of Measurement and Definitions for rooftop mechanical equipment screening measurement.

### 10.5.7.4 Screening of Outdoor Trash Storage Areas - Multi-Unit and Nonresidential Development

#### A. Siting

- 1. In all zone districts except the MS zone districts, outdoor trash and recycling collection and storage areas accessory to a multi-unit dwelling or nonresidential development shall be placed either flush or behind any street facing facade of the Primary Structure.

Figure 10.5-15



- 2. In a MS zone district, all outdoor trash and recycling collection and storage areas shall be setback at least 20 feet from the zone lot line abutting a named or numbered street, or from the zone lot line abutting a Residential Zone District.

## DIVISION 10.6 SITE GRADING STANDARDS

### SECTION 10.6.1 INTENT

The maintenance of natural site contours helps to preserve neighborhood characteristics as viewed from the street and minimize potential adverse impacts of grade changes and retaining walls on adjacent properties.

### SECTION 10.6.2 APPLICABILITY

All development ~~subject to a Block Sensitive Primary Street Setback~~ requiring a ~~zoning permit or~~ site development plan application according to Article 12, Zoning Procedures and Enforcement or development that is subject to a Block Sensitive Primary Street Setback requiring a zoning permit shall be required to meet the site grading standards provided in this Section, except that development located on a zone lot or lots that comprise at least one complete face block, where development of the entire face block is under the control of a single property owner or master developer, is exempt from this Division 10.6.

### SECTION 10.6.3 REFERENCE TO GENERAL DRAINAGE STANDARD

Site grading shall not adversely impact adjacent properties as stated in Section 10.11.3, Change in Drainage Patterns.

### SECTION 10.6.4 QUALIFIED PROFESSIONAL CERTIFICATION REQUIRED FOR EXCEPTIONS

Any exception to the setback area grading standards in this Division 10.6 shall be requested in writing by the applicant, and shall include a report prepared by a Qualified Professional certifying that the exception is necessary and will not result in adverse drainage or grading impacts on abutting properties.

### SECTION 10.6.5 PRIMARY STREET SETBACK AREA GRADING STANDARDS

Re-grading of the primary street setback area shall not result in a difference between original and finished grade of more than 1 foot at any point that is within 10 feet of the primary street zone lot line, except as specifically permitted below:

- 10.6.5.1 Site grade may be altered by more than 1 foot if the Zoning Administrator finds the grade change is necessary to provide proper site drainage and avoid adverse effects on adjacent properties.
- 10.6.5.2 Only when required by Public Works, “proper site drainage” may include installation of up to a 4-foot high berm and/or above-ground walls, and/or up to 6 feet of excavation below street grade. All such drainage structures shall be sited to be hidden and/or screened with landscaping. Any retaining wall shall have an architectural finish of equal or better quality than the primary building’s architectural finish, as determined by the Zoning Administrator. Above-ground walls shall be finished on both sides and be limited to 24 inches tall on at least one side abutting a pedestrian access.
- 10.6.5.3 Site grade may be altered by more than 1 foot to allow for required or permitted landscaping and retaining walls under this Code, and where such landscaping/retaining walls restore finished grade closer to the Front Primary Base Plane. See Article 13 for definition of the term “finished grade” and the rule of measurement for Front Primary Base Plane. This exception shall not be used to allow a grade change to accommodate an unenclosed porch, raised or sunken patio, or any other similar building feature within 10 feet of the front property line.
- 10.6.5.4 Where parking access is allowed from the street, site grade may be altered by more than 1 foot for 50% or 20 feet of the linear lot frontage (whichever is less) to allow for excavation associated with a driveway where the primary street setback area within 10 feet of the zone lot line is raised above the level of the street.
- 10.6.5.5 Site grade may be altered by more than 1 foot if the Zoning Administrator finds the grade change is necessary to allow for barrier-free access to a building as required by the Americans with Disabilities Act or Denver Accessibility Standards, and when no alternative location is reasonably available.

- 10.6.5.6 Site grade may be altered by more than 1 foot if the Zoning Administrator finds the grade change is necessary to allow for exterior stairs and/or ramps connecting to a pedestrian access/entrance that is required to comply with Denver Building Code standards, and when no alternative location is reasonably available.

## **SECTION 10.6.6 SIDE INTERIOR SETBACK AREA GRADING STANDARDS**

Re-grading of side, interior setback areas is not permitted except as described below:

- 10.6.6.1 Site grade may be altered if the Zoning Administrator finds the grade change is necessary to provide proper site drainage and avoid adverse effects on adjacent properties. "Proper site drainage" may include those features according to Section 10.6.5.2.
- 10.6.6.2 Site grade may be altered to allow for window well and/or emergency basement egress areas that are each no more than 3 feet in depth as measured perpendicular to the side property line and 6 feet in length as measured parallel to the side property line.
- 10.6.6.3 Site grade may be altered by more than 1 foot if the Zoning Administrator finds the grade change is necessary to allow for barrier-free access to a building as required by the Americans with Disabilities Act or Denver Accessibility Standards, and when no alternative location is reasonably available due to lot width. The applicant must demonstrate to the Zoning Administrator that the building design cannot be modified to accommodate the accessible route within existing grades.

## **DIVISION 10.9 PARKING, KEEPING AND STORAGE OF VEHICLES**

### **SECTION 10.9.1 PARKING / STORAGE ON RESIDENTIAL ZONE LOTS**

The parking/storage on a residential zone lot in a Residential Zone District of any of the following vehicles is prohibited, except that such vehicles may be parked on a residential zone lot only to render services to the subject zone lot and only for the duration necessary to render such services:

- 10.9.1.1 Tow trucks;
- 10.9.1.2 Large-Scale Motor Vehicles and Trailers;
- 10.9.1.3 Stake body trucks;
- 10.9.1.4 Cube or box vans;
- 10.9.1.5 Backhoes;
- 10.9.1.6 Vehicles towing trailers carrying machinery and supplies; or
- 10.9.1.7 Other similar specialized vehicles.

### **SECTION 10.9.2 PARKING OF VEHICLES ON PUBLIC RIGHT-OF-WAY ADJACENT TO RESIDENTIAL USES**

The vehicles listed below are prohibited from parking for a period of time longer than that noted below during any given week on a public right-of-way abutting any zone lot in a Residential Zone District, or which contains a single unit dwelling use or multi-unit dwelling use. This prohibition does not apply where such vehicle is engaged in rendering services in the immediate area, or where such vehicle is parked adjacent to a motel or hotel where the vehicle operator is a guest.

- 10.9.2.1 A 2-hour period:
  - A. A truck exceeding 6,000 pounds empty weight; or
  - B. A bus exceeding 6,000 pounds empty weight or 22 feet in length; or
  - C. An automobile trailer not attached to a licensed vehicle; or
  - D. A truck-tractor or semi-trailer; or
  - E. A disabled or inoperable vehicle.
- 10.9.2.2 A 24 hour period:
  - A. A truck with an attached camper having a combined overall length exceeding 22 feet; or
  - B. A recreational vehicle exceeding 22 feet in length; or
  - C. An automobile trailer attached to a licensed vehicle.

### **SECTION 10.9.3 KEEPING OF MOTOR VEHICLES ACCESSORY TO A DWELLING UNIT**

#### **10.9.3.1 Number of Motor Vehicles Accessory to a Dwelling Unit**

On any zone lot occupied by a dwelling unit, on any public right-of-way bordering or within the same block on which the dwelling unit is located, or on any public right-of-way bordering or within all adjoining blocks, there shall be, in total, parked and/or stored no more than 1 motor vehicle per licensed driver residing in the dwelling unit plus 1 additional motor vehicle per dwelling unit, except as specifically allowed by this Code.

- A. The vehicles listed below shall not be parked or stored on a zone lot:
1. Large-Scale Motor Vehicles and Trailers; or
  2. An automobile trailer exceeding 22 feet in length;
  3. A bus or motorized recreation vehicle exceeding 22 feet in length; or
  4. A truck-tractor or semi-trailer.

**B. Exceptions**

1. An automobile trailer or motorized recreational vehicle of any length may be stored within a completely enclosed structure located so as to comply with all the requirements for the location of structures on the zone lot.
2. Automobile trailers not exceeding 22 feet in length and detached camper units shall be parked or stored only on the rear one-half of the zone lot. If the rear one-half of the zone lot does not abut an alley, such vehicles may be parked or stored on the front one-half of the zone lot if located so as to comply with front and side setback requirements for structures and screened from the street and adjacent properties by a solid, sight-obscuring fence as high as the maximum height permitted in the district.
3. The owner of a school, religious assembly or pre-school may apply for a temporary permit to park one or more buses or vans on the property containing the subject use. Such vehicle must be used primarily to transport religious assembly members and/or school and pre-school children or students. The Zoning Administrator shall utilize the procedures according to Section 12.4.2, Zoning Permit Review with Informational Notice, in processing such a request and shall approve or deny applications for such permits on the basis of the following criteria:
  - a. The number of buses or vans involved is justified by the method of operation and the size of the Religious Assembly, school or preschool.
  - b. The proposed Off-Street Parking Area is located away from abutting residential structures and will have a minimal impact on the character of surrounding residential properties.
  - c. If the Off-Street Parking Area is located adjacent to residential structures, adequate screening and landscaping will be installed to reduce or eliminate the visual impact of the bus on adjoining residents.

In approving a permit the Zoning Administrator may attach conditions for the protection of adjoining owners and residents.

**10.9.3.7 Non-Resident Off-Street Garage Parking for Dwelling Units**

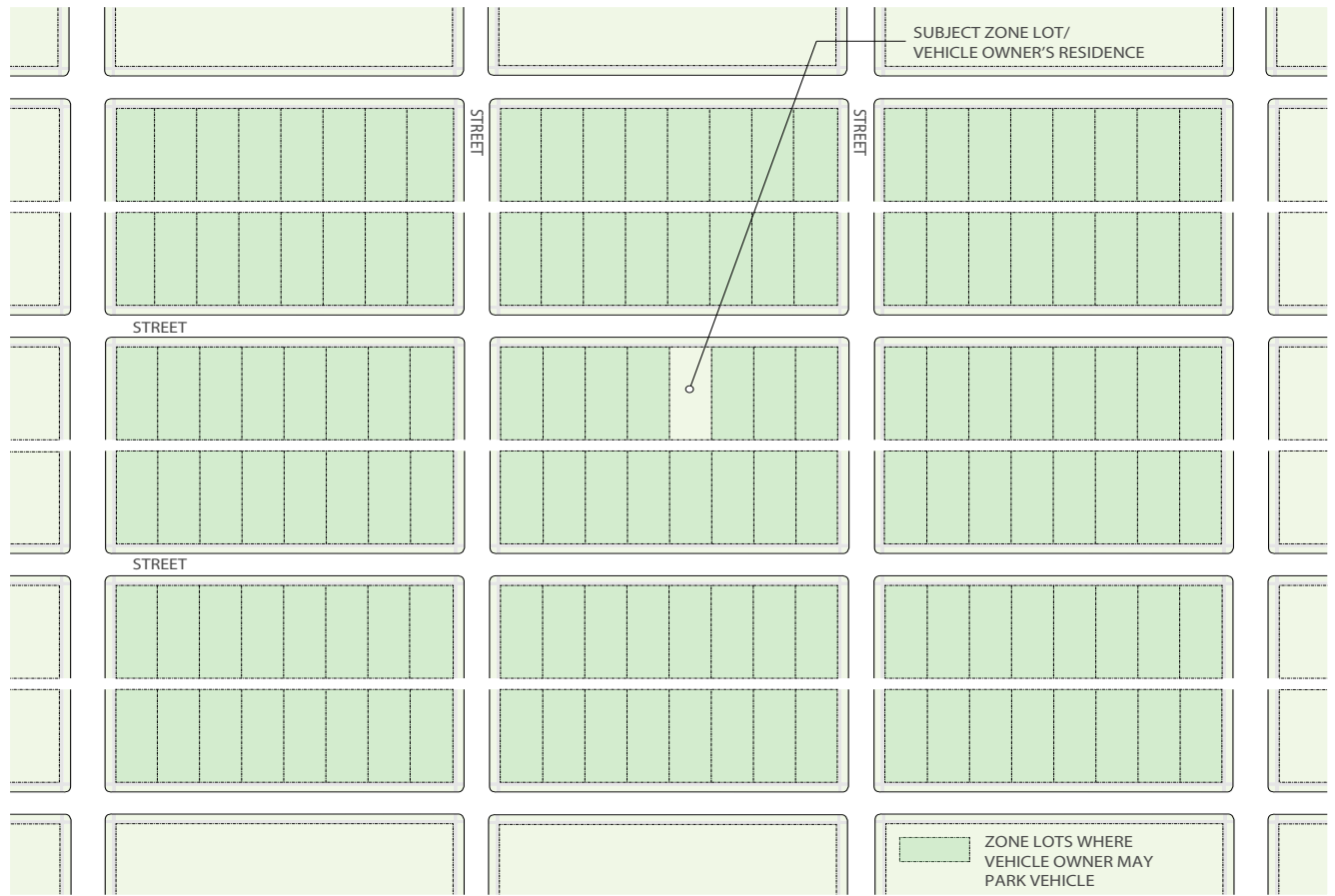
Motor vehicles accessory to a Dwelling Unit may be parked or stored in accessory attached or detached garages on Zone Lots not occupied by the owner of such motor vehicle if the subject garage:

- A. Is located on a Zone Lot on the same Block as the subject vehicle owner resides; or
- B. Is located on a Zone Lot on an immediately adjacent Block from where the subject vehicle owner resides. For the purposes of this provision, named or numbered streets do not destroy adjacency; and
- C. Is not to be used for repair of vehicles by the non-resident owner of the vehicle.

This provision shall not be applied to meet any minimum parking requirements of this Code or result in any violations to Sec. 10.9.3.1 (Number of Motor Vehicles Accessory to a Dwelling Unit) on any Zone Lot, or otherwise impact the adequate provision of off-street parking for any Primary Use.



Figure 10.9-1



## C. Process to Establish Comprehensive Sign Plan

### 1. Plan Submittal

The following items and evidence shall be submitted to the Zoning Administrator to explain a proposed comprehensive sign plan for a facility:

- a. A site plan or improvement survey of the facility drawn to scale showing existing and proposed buildings, Off-Street Parking Areas, landscaped areas, drainage swales, detention ponds, adjoining streets and alleys. A comprehensive sign plan may be a component of a general development plan;
- b. Scaled drawings showing the elevations of existing and proposed buildings and structures that may support proposed signage.
- c. Design descriptions of all signs including allowable sign shapes, size of typography, lighting, exposed structures, colors, and materials, and any information on the frequency of changeable graphics.
- d. All information on sign location shall also be provided: wall elevations drawn to scale showing locations of wall, window, projecting and roof signs, and site plans drawn to scale showing allowable locations and heights of ground signs;
- e. Calculations of sign area and number.

### 2. Notice

The Zoning Administrator shall see that the notices are placed on the property by the applicant no later than 15 days after receipt of the complete application for the proposed plan. The Zoning Administrator shall also send notice of the proposed plan to the neighborhood organizations which are registered pursuant to the provisions of Article III, Chapter 12 of the Revised Municipal Code and whose boundaries are within 3,000 feet of the boundary line of the zone lot of the large facility. The Zoning Administrator shall also send notices to the city council members in whose district the large facility is located and to the at large council members. Such notice shall require that written comments be submitted to the Zoning Administrator by those persons having a concern with respect to the proposal within 30 days of the date of notification. If the facility site falls within a district designated for preservation or the area of a structure designated for preservation pursuant to the provisions of D.R.M.C., Chapter 30 (Landmark Preservation) of the Revised Municipal Code, the Zoning Administrator shall notify the Landmark Preservation Commission landmark approving authority regarding the proposal. Such notice shall require that the landmark approving authority provide a written recommendation, based on adopted standards, policies, and guidelines, to the Planning Board and Zoning Administrator, as set forth in D.R.M.C., Chapter 30 (Landmark Preservation).

### 3. Forwarding of a Proposed Comprehensive Sign Plan

The Zoning Administrator shall consider the concerns expressed by members of the public, neighborhood organizations and council members, and shall evaluate the proposed plan according to the criteria listed below and shall send the proposed plan and a recommendation for approval, denial or approval with conditions to the planning board.

### 4. Criteria for Review

The criteria for reviewing proposed comprehensive sign plans are as follows:

- a. The sign plan shall exhibit design excellence, inventiveness and sensitivity to the context.
- b. Signs shall not be oriented or illuminated so that they adversely affect the surrounding area, particularly existing nearby residential uses or structures. Examples of adverse effects are glare from intense illumination, and large signs or structures which visually dominate and area.

**F. Other Permitted Signs**

Signs described and regulated by Section 10.10.3.2.E, signs giving parking or traffic directions, and inflatables and balloons and/or streamers/pennants as described and regulated by Section 10.10.3.2.I, need not be included in the comprehensive sign plan. However, other signs permitted by Section 10.10.3.2, signs subject to a permit, must be included in the comprehensive sign plan.

**G. Projecting Signs**

Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+ and D-AS-20+ zone districts. Except in districts for preservation or on structures for preservation, determination of compliance with 10.10.16 shall be made by the Zoning Administrator. In districts for preservation or on structures for preservation determination of compliance with 10.10.16 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.

**H. Animation**

Flashing signs and animated signs shall not be allowed except when the sign is a projecting sign which is readable from the 16th Street Mall, in which case the provisions of 10.10.16.4.C shall apply.

**I. Rules and Regulations**

The planning board has the authority to adopt rules and regulations concerning its review of comprehensive sign plans.

**J. Fee**

The applicant shall pay the fee for review of a comprehensive sign plan for large facilities at the same time the application is submitted is \$500.00 per facility.

## **SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT**

### **10.10.4.1 General**

The area of a sign shall be measured in conformance with the regulations according to this Section, provided that the structure or bracing of a sign shall be omitted from measurement, unless such structure or bracing is made part of the message or face of the sign. Where a sign has 2 or more display faces, the area of all faces shall be included in determining the area of the sign unless the display faces join back to back, are parallel to each other and not more than 48 inches apart, or form a V type angle of less than 90 degrees. See special rules for measuring the volume/area of projecting signs below.

### **10.10.4.2 Sign With Backing**

The area of all signs with backing or a background material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

### **10.10.4.3 Signs Without Backing**

The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

#### 10.10.4.4 Projecting Signs

##### A. Sign Volume - Relationship to Maximum Sign Area Allowed

The sign area allowed for projecting signs shall be deducted from the permitted maximum sign area allowed in the applicable zone district. For these purposes, a cubic foot of projecting sign or graphic volume is considered to be equivalent to a square foot of sign area.

##### B. Calculation of Projecting Sign Volume - Minor Sign Elements

1. The volume of a projecting sign shall be calculated as the volume within a rectilinear form constructed to enclose the primary form of the sign.
2. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the Zoning Administrator. Minor elements will be defined as those parts of the sign that add to the design quality without adding significantly to the perceived volume and mass of the sign.
3. No dimension (height, width, or depth) shall be considered to be less than 1 foot and 0 inches for the purposes of calculating projecting sign volume.

##### C. Allocation of Allowable Projecting Sign Volume

###### 1. Applicability

This Section 10.10.4.4.C shall govern the allocation of allowable projecting sign volume among multiple tenants/uses in a single structure in the following zone districts only:

- a. All RX and RO zone districts
- b. All -CC zone districts
- c. All - MX zone districts
- d. All - MS zone districts
- e. All - CMP zone districts
- f. I-MX zone district
- g. All Master Planned (“M”) zone districts

###### 2. Allocation of Allowable Projecting Sign Volume

(a) For uses that are located at the ~~ground-story~~ **Street Level** and have entries with direct access to a public sidewalk, court or plaza, or (b) uses located in the basement or on the second floor that have entries at the ~~ground-story~~ **Street Level** with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:

- a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.
- b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.
- c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.
- d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.

#### 10.10.4.5 All Other Signs or Combinations Thereof

The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle or any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of any of the following combinations: the display surface or face of the sign including all frames, backing, face

## SECTION 10.10.7 CAMPUS ZONE DISTRICTS SIGN STANDARDS

### 10.10.7.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.4.
- B. The sign standards contained within this Section apply to the following zone districts: CMP-H, CMP-H2, CMP-EI, CMP-EI2, CMP-ENT, and CMP-NWC.

### 10.10.7.2 Permanent Signs

Permanent signs shall comply with the following standards:

	CMP-H CMP-EI	CMP-H2 CMP-EI2	CMP-ENT CMP-NWC
<b>Contents</b>	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.	Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.
<b>Sign Types</b>	Wall, window, ground and projecting, except that projecting signs are prohibited for uses without direct street access on the <u>Street Level ground story</u> .	Wall, window, ground, projecting, and arcade, , except that projecting signs are prohibited for uses without direct street access on the <u>Street Level ground story</u> .	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <u>Street Level ground story</u> .
<b>Maximum Number</b>	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.  All Other Signs, including a Mix of Projecting and Other Sign Types: 2 signs for each front line of the zone lot on which the use by right is located.	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.  All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.  All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.

	CMP-H CMP-EI	CMP-H2 CMP-EI2	CMP-ENT CMP-NWC
<b>Maximum Height Above Grade</b>	<p>Wall and window signs: 25’ Ground signs: 12’</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8’ above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15’ above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher.</p>	<p>Wall, window and arcade signs:</p> <ul style="list-style-type: none"> <li>Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25’</li> <li>Lodging accommodations, office and bank: The roof line of the building to which the sign is attached.</li> </ul> <p>Ground signs: 25’</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8’ above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15’ above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher.</p>	<p>Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32’</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8’ above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15’ above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher.</p>
<b>Location</b>	<p>Wall and window signs: Shall be set in from the boundary lines of the zone lot on which it is located, the same distance as a building containing a use by right; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5’ from every boundary line of the zone lot.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>Projecting graphics may project no more than 5’ out from a building.</li> <li>Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>Projecting signs shall not be placed less than 8’ apart.</li> </ul>	<p>Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5’ from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>Projecting graphics may project no more than 5’ out from a building.</li> <li>Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>Projecting signs shall not be placed less than 8’ apart.</li> </ul>	<p>Shall be set back at least 5’ from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with Section 49-436. In no case shall there be more than 5 signs applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>Projecting graphics may project no more than 5’ out from a building.</li> <li>Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>Projecting signs shall not be placed less than 8’ apart.</li> </ul>
<b>Illumination</b>	<p>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>Fully internally-illuminated plastic sign boxes with internal light sources are prohibited</li> <li>Projecting signs may use a variety of illuminated colors.</li> </ul>	<p>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>Projecting signs may use a variety of illuminated colors.</li> </ul>	<p>All Sign Types: May be illuminated. All direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>Projecting signs may use a variety of illuminated colors.</li> </ul>

- C. Permitted sign area: 1 square foot of sign area for each 2 linear feet of street frontage; provided, however, that the total sign area shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a front setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a front setback for structures, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

## SECTION 10.10.8 RESIDENTIAL MIXED USE ZONE DISTRICTS SIGN STANDARDS

### 10.10.8.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.4.
- B. The sign standards contained within this Section apply to the following zone districts:

URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	URBAN CENTER NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
<u>E-RX-3</u>	<u>U-RX-3</u>	G-RO-3	C-RX-5	<u>M-RX-3</u>
E-RX-5	U-RX-5	G-RO-5	C-RX-8	M-RX-5
		<u>G-RX-3</u>	C-RX-12	M-RX-5A
		G-RX-5		

### 10.10.8.2 Permanent Signs

Permanent signs shall comply with the following standards:

<b>Contents</b>	Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.
<b>Sign Types</b>	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <u>Street Level ground-story</u> .
<b>Maximum Number</b>	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right or conditional use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.</p>



<p><b>Maximum Sign Area</b></p>	<p>Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front.</p> <p>Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 20 square feet or the total permitted sign area for each use shall be determined by one of the following provisions; not, however, to exceed 192 square feet of total sign area for any 1 use and not more than 96 square feet of sign area to be applied to any 1 street front:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right or conditional use. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that in computing the area of such signs not more than 2 street fronts, 1 contiguous with the other shall be used.</li> <li>• For a zone lot having 2 or more uses by right or conditional uses. 20 square feet plus 1 square foot of sign area for each 2 horizontal linear feet of that portion of the building frontage occupied by the use by right or conditional use.</li> </ul>
<p><b>Maximum Height Above Grade</b></p>	<p>Wall, window and arcade signs:</p> <ul style="list-style-type: none"> <li>• Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25'</li> <li>• Lodging accommodations, office and bank: The roof line of the building to which the sign is attached.</li> </ul> <p>Ground signs: 25'</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8' above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15' above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher.</p>
<p><b>Location</b></p>	<p>Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5' from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Projecting graphics may project no more than 5' out from a building.</li> <li>• Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>• Projecting signs shall not be placed less than 8' apart.</li> </ul>
<p><b>Illumination</b></p>	<p>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>• Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>• Projecting signs may use a variety of illuminated colors..</li> </ul>
<p><b>Animation</b></p>	<p>Animated signs are prohibited.</p>

## SECTION 10.10.9 MIXED USE 2X, SUBURBAN NEIGHBORHOOD CONTEXT MIXED USE 2A, AND MAIN STREET 2X ZONE DISTRICTS SIGN STANDARDS

### 10.10.9.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right or conditional use in the district in which the signs are located; shall be located on the same zone lot as the use by right or conditional use and shall be clearly incidental, customary and commonly associated with the operation of the use by right or conditional use; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I, and signs identifying home occupations according to Section 11.9.2.4.
- B. The sign standards contained within this Section apply to the following zone districts: S-MX-2x; S-MX-2A; E-MX-2x; E-MS-2x; U-MX-2x; U-MS-2x

### 10.10.9.2 Permanent Signs

Permanent signs shall comply with the following standards:

<b>Contents</b>	Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.
<b>Sign Types</b>	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <del>Street Level</del> ground-story.
<b>Maximum Number</b>	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.  All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.
<b>Maximum Sign Area</b>	Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front.  Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.  University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.  All Others: 20 square feet or the total permitted sign area for each use shall be determined by one of the following provisions; not, however, to exceed 192 square feet of total sign area for any 1 use and not more than 96 square feet of sign area to be applied to any 1 street front: <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right or conditional use. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that in computing the area of such signs not more than 2 street fronts, 1 contiguous with the other shall be used.</li> <li>• For a zone lot having 2 or more uses by right or conditional uses. 20 square feet plus 1 square foot of sign area for each 2 horizontal linear feet of that portion of the building frontage occupied by the use by right or conditional use.</li> </ul>

<b>Maximum Height Above Grade</b>	<p>Wall, window and arcade signs:</p> <ul style="list-style-type: none"> <li>• Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25'.</li> <li>• Lodging accommodations, office and bank: The roof line of the building to which the sign is attached.</li> </ul> <p>Ground signs: 25'.</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8' above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15' above the sidewalk or <u>Street Level ground-story</u> finished floor level, whichever is higher.</p>
<b>Location</b>	<p>Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5' from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Projecting graphics may project no more than 5' out from a building.</li> <li>• Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>• Projecting signs shall not be placed less than 8' apart.</li> </ul>
<b>Illumination</b>	<p>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>• Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>• Projecting signs may use a variety of illuminated colors.</li> </ul>
<b>Animation</b>	<p>Animated signs are prohibited.</p>

### 10.10.9.3 Temporary Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or conditional use or a designated land area; each such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than one successive period at the same location.

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 20 square feet or 2 square feet of sign area for each acre of zone lot or designated land area not to exceed 150 square feet.
- D. Permitted maximum height above grade: 12 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

### 10.10.9.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for 3 or more uses by right or conditional uses on the same zone lot as the signs, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 wall sign or 1 ground sign for each front line of the zone lot.
- C. Permitted sign area: 1 square foot of sign area for each 2 linear feet of street frontage; provided, however, that the total sign area shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a front setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a front setback for structures, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

## SECTION 10.10.10 MIXED USE COMMERCIAL ZONE DISTRICTS-TIER 1 SIGN STANDARDS

### 10.10.10.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.
- B. The sign standards contained within this Section apply to the following zone districts:

SUBURBAN NEIGHBORHOOD CONTEXT	URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	URBAN CENTER NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
S-CC-3x	E-CC-3x	U-MX-2	G-MX-3	C-MX-3	M-MX-5
S-CC-5x	E-MX-2A	U-MX-3		C-MX-5	M-IMX-5
S-MX-2	E-MX-2	U-MS-2		C-MX-8	M-IMX-8
S-MX-3A	E-MX-3A			C-MX-12	M-IMX-12
S-MX-3	E-MX-3			C-MX-16	M-GMX
S-MX-5A	E-MS-2			C-MX-20	
S-MX-5					
S-MX-8A					
S-MX-8					
S-MX-12A					
S-MX-12					

### 10.10.10.2 Permanent Signs

Permanent signs shall comply with the following standards:

<b>Contents</b>	Identification by letter, numeral, symbol or design of the uses by right by name, use, hours of operation, services and products offered, events and prices of products and services.
<b>Sign Types</b>	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <a href="#">Street Level ground story</a> .

<b>Maximum Number</b>	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.</p> <p>Each use by right or conditional use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.</p>
<b>Maximum Sign Area</b>	<p>Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front and no sign shall exceed 300 square feet in size.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 50 square feet, or, the total permitted sign area of each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right. 1 square foot of sign area for each linear foot of street front of the zone lot; provided, however, that in computing the area of such signs, the measurement of not more than 2 front lines, 1 contiguous with the other shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right, 1.5 square feet of sign area for each linear foot of that portion of building frontage occupied by the use by right, for the first 200' of building frontage, then 1 square foot of sign area for each linear foot of building frontage thereafter.</li> </ul>
<b>Maximum Height Above Grade</b>	<p>Arcade signs: 20'. Ground signs: 32'. Wall or window signs: The roof line of the building to which the sign is attached. Projecting signs: The bottom of any projecting sign must be at least 8' above the sidewalk or <b>Street Level ground-story</b> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15' above the sidewalk or <b>Street Level ground-story</b> finished floor level, whichever is higher.</p>
<b>Location</b>	<p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Projecting graphics may project no more than 5' out from a building.</li> <li>• Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>• Projecting signs shall not be placed less than 8' apart.</li> </ul> <p>All Other Signs: Shall be set in at least 5' from every boundary line of the zone lot in zone districts requiring structural setbacks; provided, however, wall signs may project into the required setback space the permitted depth of the sign. In no case shall there be more than 5 signs applied to any street front.</p>
<b>Illumination</b>	<p>All Sign Types: May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>• Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>• Projecting signs may use a variety of illuminated colors.</li> </ul>
<b>Animation</b>	<p>Animated signs are prohibited.</p>

## SECTION 10.10.11 MIXED USE COMMERCIAL ZONE DISTRICTS-TIER 2 SIGN STANDARDS

### 10.10.11.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.
- B. The sign standards contained within this Section apply to the following zone districts:

SUBURBAN NEIGHBORHOOD CONTEXT	URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	URBAN CENTER NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
S-CC-3	E-CC-3	U-MS-3	G-MS-3	C-MS-5	M-CC-5
S-CC-5	E-MS-3	U-MS-5	G-MS-5	C-MS-8	
S-MS-3	E-MS-5			C-MS-12	
S-MS-5					

### 10.10.11.2 Permanent Signs

Permanent signs shall comply with the following standards:

<b>Contents</b>	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.
<b>Sign Types</b>	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <u>Street Level ground story</u> .
<b>Maximum Number</b>	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right or conditional use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.</p>
<b>Maximum Sign Area</b>	<p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that:                      The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100' of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100' of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</li> </ul>

<b>Maximum Height Above Grade</b>	Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32'. Projecting signs: The bottom of any projecting sign must be at least 8' above the sidewalk or <b>Street Level ground-story</b> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15' above the sidewalk or <b>Street Level ground-story</b> finished floor level, whichever is higher.
<b>Location</b>	Projecting Signs: <ul style="list-style-type: none"> <li>• Projecting graphics may project no more than 5' out from a building.</li> <li>• Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>• Projecting signs shall not be placed less than 8' apart.</li> </ul> All Other Signs: Shall be set back at least 5' from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.
<b>Illumination</b>	All Sign Types: May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited. Additional Standards for Projecting Signs: <ul style="list-style-type: none"> <li>• Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</li> <li>• Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>• Projecting signs may use a variety of illuminated colors.</li> </ul>
<b>Animation</b>	Animated signs are prohibited.

### 10.10.11.3 Temporary Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than one successive period at the same location.

- A. Permitted sign types: Wall, window and ground.
- B. Permitted maximum number: 2 signs for each front line of the zone lot or designated land area on which the signs are located.
- C. Permitted sign area: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: No limitations.
- F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

### 10.10.11.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
  - 1. 100 square feet; or



- 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

## SECTION 10.10.12 INDUSTRIAL ZONE DISTRICTS SIGN STANDARDS

### 10.10.12.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.
- B. The sign standards contained within this Section apply to the I-MX-3, -5, -8; I-A, -B zone districts.

### 10.10.12.2 Permanent Signs

Permanent signs shall comply with the following standards:

	I-MX-3, -5, -8	I-A AND I-B
<b>Contents</b>	Identification by letter, numeral, symbol or design of the uses by right by name, use, hours of operation, services and products offered, events and prices of products and services.	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.
<b>Sign Types</b>	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <del>Street Level ground-story</del> .	Wall, window, ground and arcade.
<b>Maximum Number</b>	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.  All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.	Each use by right may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.

	I-MX-3, -5, -8	I-A AND I-B
<b>Maximum Sign Area</b>	<p>Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front and no sign shall exceed 300 square feet in size.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that:                      The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 50 square feet, or, the total permitted sign area of each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right. 1 square foot of sign area for each linear foot of street front of the zone lot; provided, however, that in computing the area of such signs, the measurement of not more than 2 front lines, 1 contiguous with the other shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right, 1.5 square feet of sign area for each linear foot of that portion of building frontage occupied by the use by right, for the first 200' of building frontage, then 1 square foot of sign area for each linear foot of building frontage thereafter.</li> </ul>	<p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that:                      The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100' of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100' of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</li> </ul>
<b>Maximum Height Above Grade</b>	<p>Arcade signs: 20'.                      Ground signs: 32'.                      Wall or window signs: The roof line of the building to which the sign is attached.                      Projecting signs: The bottom of any projecting sign must be at least 8' above the sidewalk or <del>Street Level ground-story</del> finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15' above the sidewalk or <del>Street Level ground-story</del> finished floor level, whichever is higher.</p>	<p>Wall and window signs: The roof line of the building to which the sign is attached.                      Ground and arcade signs: 32'.</p>
<b>Location</b>	<p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>• Projecting graphics may project no more than 5' out from a building.</li> <li>• Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>• Projecting signs shall not be placed less than 8' apart.</li> </ul> <p>All Other Signs: Shall be set in at least 5' from every boundary line of the zone lot in zone districts requiring structural setbacks; provided, however, wall signs may project into the required setback space the permitted depth of the sign. In no case shall there be more than 5 signs applied to any street front.</p>	<p>Shall be set back at least 5' from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.</p>

cy. Therefore, signs subject to the district sign plan shall not be displayed or exhibited in a manner that exposes to public view from the street or sidewalk any of the following:

- A. Any material that exposes to public view any pictorial material that is obscene;
- B. Any statements or words describing explicit sexual acts, sexual organs, or excrement where such statements or words have as their purpose or effect sexual arousal or gratification;
- C. Any pictorial material depicting a person's genitals, pubic hair, perineum, anus, or anal region; or
- D. Any pictorial material depicting explicit sexual acts.

#### **10.10.14.12 Process to Establish a District Sign Plan**

- A. Plan submittal. The applicant will submit the following items to community planning and development to establish a district sign plan for the D-TD district:
  - 1. A site plan or improvement survey of the district drawn to scale showing existing and proposed buildings within the D-TD district, residential uses within existing and proposed buildings, Off-Street Parking Areas, landscaped areas, streets and alleys, and residential uses adjacent to the D-TD district boundary;
  - 2. The district sign plan will include all properties within the D-TD district and clearly identify all buildings which are and are not participating within the district sign plan.
  - 3. The district sign plan will address design review for signage subject to the plan.
  - 4. A map of the D-TD district clearly identifying all ~~landmark buildings~~ Historic Structures, landmark districts, and designated parkways.
  - 5. Scaled drawings or other images showing the elevations of existing and proposed buildings within the D-TD district.
  - 6. Design descriptions of all allowable sign types, including sign shape, size typography, lighting, exposed structure, colors, and materials, and any information on the frequency of changeable graphics.
  - 7. All information on allowable sign locations shall be provided: wall elevations or other images drawn to scale showing locations of wall, window, arcade, and projecting signs, and site plans drawn to scale showing locations and heights of ground signs.
  - 8. Calculations of total sign area per building face.
  - 9. Other items identified by community planning and development as necessary to establish the district sign plan consistent with the stated purposes of this Section.
- B. Information review. Community planning and development will review information received in the applicant's submittal and forward a recommendation to planning board within 21 days from submittal of a complete application for a district sign plan.
- C. Notice to others. The planning board shall send notice of the proposed plan to neighborhood organizations which are registered pursuant to the provisions of Section 12-94 of the Revised Municipal Code and whose boundaries are within 200 feet of the boundary line of the D-TD district. The planning board shall also send notices to council members whose boundaries are within 200 feet of the boundary of the D-TD district. Notices to registered neighborhood organizations and council members shall be sent at least 30 days prior to the hearing.
- D. Adoption or amendment of a district sign plan. The planning board shall review the community planning and development recommendation, public comment, the criteria for review, and make

a final decision to approve, approve with conditions or deny the submittal for a district sign plan.

#### 10.10.14.13 Criteria for Review

The criteria for reviewing the district sign plan are as follows:

- A. Signs shall be oriented or illuminated so that they do not adversely affect existing nearby residential uses or structures. Examples of adverse effects may include but are not limited to glare from intense illumination, and large signs or support structures that visually dominate an area to the detriment of existing or proposed land uses.
- B. Heights, scales and locations of all sign types for buildings within the district will be evaluated taking consideration of possible impacts on adjacent buildings and uses.
- C. Signage, as part of the district sign plan, shall not encroach closer than 240 feet of the centerline of 17th Street.
- D. Roof mounted signs are not allowed within the district sign plan.
- E. Freestanding outdoor general advertising devices may be limited in close proximity to ~~land-~~~~mark~~~~Historic~~ ~~s~~structures, landmark districts, and designated parkways.
- F. Internally illuminated, translucent face box signs are not allowed within the district sign plan.
- G. All signage, subject to the district sign plan, shall be located above first floor commercial storefronts.
- H. All features of the sign, including the illumination, support structure, color, lettering, height, and location, shall be designed to be complementary to the architecture and architectural features of the building on which it is located, as applicable.
- I. Sign design should reflect the existing or desired character of the area. The intent of this subsection is to encourage exciting, iconographic, and inventively illuminated signage to enhance the theater district.
- J. Signs shall be designed and fabricated from quality, durable materials.
- K. Projecting signs must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building. There is no limit as to the number of projecting signs within the district sign plan.
- L. Signs for accessory uses, which are prohibited by other provisions of Division 10.10, are allowed as a part of an approved district sign plan.
- M. A maximum of one district sign plan may be adopted for the D-TD district.

#### 10.10.14.14 Minor Deviations to the District Sign Plan

Sign proposals shall conform to an approved district sign plan, provided however, that community planning and development may authorize minor deviations from the district sign plan for individual signs when such deviations appear necessary in light of technical or engineering considerations, and provided that the council members and registered neighborhood organizations whose boundaries are within 200 feet of the boundary of the D-TD district are first notified. Minor deviations for individual signs shall not be permitted if any of the following circumstances result:

- A. Signs are oriented or illuminated so that they adversely affect existing nearby residential uses or structures.
- B. A change in allowable heights of signs greater than 2 feet above the maximum height above grade or 0 feet below the minimum height above grade.
- C. A projection greater than 6 inches of the maximum allowance.

#### 10.10.15.4 Permitted Maximum Sign Area

The other Sections of this Division 10.10 pertaining to the D-GT district are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. For these purposes, a cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

#### 10.10.15.5 Projecting Graphics Permitted

For the purposes of this Section, a projecting graphic is a sign or street graphic attached to and projecting from the wall of a building at 90 degrees, or the corner of a building at 45 degrees. The projecting graphic may be two- or three-dimensional, and regular or irregular in form.

- A. The following limitations apply to projecting graphics:
1. Each user may display 1 projecting graphic adjacent to every street upon which the user has frontage and an entry or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
  2. Projecting graphics may project no more than 5 feet out from a building.
  3. The bottom of any projecting graphic must be at least 8 feet above the sidewalk or ground floor finished floor level, whichever is higher while the top of any projecting graphics may be no higher than 15 feet above the sidewalk or ground level finished floor level, whichever is higher.
  4. Allocation of allowable sign volume. For uses that are located at the ground-story Street Level and have entries with direct access to a public sidewalk, court or plaza, or uses located in the basement or on the second floor; that have entries at the ground-story Street Level with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:
    - a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.
    - b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.
    - c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.
    - d. Uses that occupy over 50 linear feet of building frontage, that are located in the D-GT zone district on either Broadway or Lincoln Streets and are south of 13th Avenue, may have up to 70 cubic feet of projecting sign volume.
    - e. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.
- B. Calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form constructed to enclose the primary form of the sign.
- C. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the Zoning Administrator. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign.
- D. No dimension (height, width, or depth) shall be considered to be less than 1 foot and 0 inches for the purposes of calculating sign volume.
- E. Projecting signs are prohibited for uses without direct street access on the Street Level ground-story.

- E. Of high quality, durable materials appropriate to an urban setting.

#### 10.10.16.3 Permitted Maximum Sign Area

The other provisions of this Division 10.10 (Signs) pertaining to the D-C, D-TD, D-LD D-AS, D-AS-12+, and D-AS-20+ districts are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. A cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

#### 10.10.16.4 Projecting Graphics Permitted

A projecting graphic is a sign or street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.

- A. The following limitations apply to projecting graphics:
  - 1. Each use may display 1 projecting graphic adjacent to every street upon which the use has frontage, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
  - 2. Projecting graphics must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building.
  - 3. Projecting graphics shall be mounted no less than 6 inches and no more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) which are adjacent to it on the building facade.
  - 4. Allocation of allowable sign volume. For uses that are located at the ground-story Street Level and have entries with direct access to a public sidewalk, court or plaza the allowable projecting sign volume will be allocated on the following basis:
    - a. Uses that occupy up to 49 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume. However, to avoid crowding of signage types, uses that occupy less than 30 linear feet of exterior building frontage will be limited to utilizing either a projecting sign as allowed under these regulations, or any other non projecting sign types as currently allowed.
    - b. Uses that occupy between 50 and 74 linear feet of building frontage may have up to 64 cubic feet of projecting sign volume.
    - c. Uses that occupy 75 linear feet or more of building frontage may have up to 96 cubic feet of projecting sign volume.
    - d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the 1 actual building frontage on which it is placed.
  - 5. The calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form that could be constructed to enclose the primary form of the sign. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the review committee. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign. No dimension (height, width or depth) shall be considered to be less than 1 feet-0 inches for the purposes of calculating sign volume.
  - 6. Multiple projecting signs. The total sign volume allowed for a single use may be broken into multiple projecting signs, not to exceed 1 per 25 linear feet of the actual building frontage adjacent to a public walk, court or plaza only at the discretion of the review committee based on the following criteria:
    - a. Multiple signs significantly enhance the creative impact of the signage concept.
    - b. Multiple signs are not detrimental to the building, the surrounding context or the signage opportunities of adjoining uses.



- b. Signs shall not extend more than 1 story above the building floor on which the use is located unless they are found by the review committee to meet the criteria in item d., below.
- c. Signs for uses located below the ground-story Street Level shall not be located or extend beyond the uppermost part of the second story without the approval of the review committee.
- d. The following conditions will be taken into account when considering exceptions to items a. and b. above:
  - i. The additional height is found to be a factor in the success of the sign's design.
  - ii. The additional height is not a detriment to overall design of the building facade or its immediate context.
  - iii. The additional height will not overshadow or create glare in adjoining properties.
- e. Signs shall not be placed less than 25 feet apart unless they are determined to meet the following criteria:
  - i. The signs work together to make a unified and compatible design that is stronger as a group than it would be as a single sign or multiple signs widely separated.
  - ii. The sign group is compatible with the building architecture, reinforcing the design intent of a significant building feature such as a primary entry.

#### **B. Auxiliary Graphics**

Auxiliary graphics are elements which are complementary but subsidiary to principal graphics. The following auxiliary graphics are permitted, subject to the limitations set forth herein:

- 1. Awnings. Signage on fabric or vinyl type non illuminated awnings that is located on a surface of that awning which is perpendicular to the face of the building will not be considered a projecting sign under this ordinance, but will be allowed, subject to staff review, provided that the total area of typography and graphics does not exceed 2 square feet.
- 2. Banners.
  - a. Short term banners and flags, which provide information related to a specific, temporary event (not more than 60 days in any 365-day period) are permitted provided that they are no more than 64 square feet. Projection shall not exceed 7 feet-0 inches.
  - b. Permanent banners and flags which are graphic in nature, providing color and design interest only and do not directly represent actual goods, services, brands or business names are permitted provided that they are no more than 32 square feet. These banners are not subtracted from the allowable sign area. Projection shall not exceed 7 feet-0 inches.

#### **C. Illumination**

Illumination of graphics as defined herein shall be permitted by direct, indirect, and neon tube illumination. The following additional provisions also apply to the illumination of street graphics:

- 1. Color of light. Graphics as defined herein may use a variety of illuminated colors, provided they do not conflict with traffic signals.
- 2. Flashing signs and animated signs are expressly limited to those properties which are contiguous to the 16th Street pedestrian and transit mall. All such signs must be readable from the 16th Street Mall. Bare bulb illumination is expressly discouraged.



- a. The appropriateness of flashing signs, where otherwise allowed, will be based on the character and uses of the face block, existing uses within the building and the surrounding vicinity, and the protection of public safety.
  - b. Use of flashing signs shall be limited to entertainment uses such as, by way of example and not by way of limitation, theaters, movie houses, restaurants, and cabarets, and is limited to the times the business is open.
3. Fully illuminated plastic sign boxes with internal light sources will not be allowed.

#### 10.10.16.5 Design Review Committee

There is hereby created a separate Design Review Committee for each of the D-C, D-TD, D-LD, D-AS, D-AS-12+ and D-AS-20+ districts, which shall be composed and comprised as hereinafter set forth, and which shall have the powers and authorities described herein.

- A. Within the D-C, D-TD, D-AS, D-AS-12+ and D-AS-20+ zone districts, when signage is proposed on a zone lot with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the Design Review Committee.
- B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the Design Review Committee shall be comprised of 7 members as follows:
  1. 1 property owner, who owns property in the D-C or D-TD district;
  2. 2 business operators, who operate businesses in the D-C or D-TD district;
  3. 1 member of Downtown Denver, Inc., nominated by Downtown Denver, Inc.;
  4. 2 design professionals;
  5. 1 resident of Denver, with preference given to a resident of the D-C or D-TD district; and
  6. The Manager, or his designee, who shall serve as an ex officio member.

Members of the D-C and D-TD Design Review Committee shall be nominated by downtown businesses, residents and property owners in the D-C and D-TD districts and shall be appointed by the mayor. The term of membership on the Design Review Committee is 3 years with initial appointments being of 3 appointees for 1 year terms, 2 appointees for 2 year terms and 2 appointees for 3 year terms.

- C. Within the D-LD district, the ~~H~~Lower ~~d~~Downtown ~~d~~Design ~~r~~Review ~~b~~Board shall comprise the Design Review Committee.
- D. Within the D-AS, D-AS-12+ and D-AS-20+ districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the Design Review Committee.
- E. Each Design Review Committee shall meet monthly or within 14 calendar days of a special request.
- F. Authority is hereby expressly granted to the applicable Design Review Committee to review and recommend approval to the Zoning Administrator of applications for signs and street graphics in the applicable district pursuant to the provisions of this Section.

#### 10.10.16.6 Design Review

Applications for sign permits submitted for approval pursuant to the provisions of this Section shall be forwarded to the applicable Design Review Committee by the department of zoning administration. The applicable Design Review Committee shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable Design Review Committee, the Zoning Administrator shall approve or deny the permit, except that the Zon-

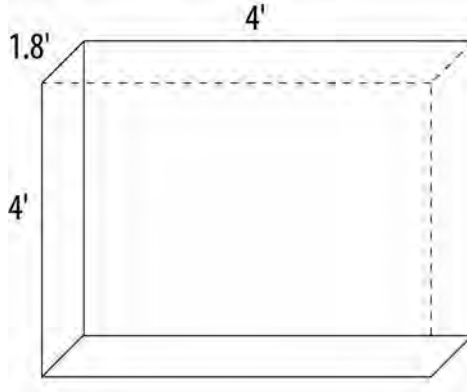
ing Administrator may not approve a permit if the ~~H~~Lower ~~d~~Downtown ~~d~~Design ~~r~~Review ~~b~~Board has recommended denial.

#### 10.10.16.7 Review Provisions

- A. The applicable Design Review Committee may recommend approval of a sign permit for single or multiple uses if the sign(s) is compatible with the theme and overall character to be achieved in the area, and the committee shall base its compatibility determination on the following criteria:
1. The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.
  2. The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.
  3. The similarity or dissimilarity of the sign's size and shape to the size and shape of other street graphics in the area.
  4. The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.
  5. The compatibility of the type of illumination, if any, with the type of illumination in the area.
  6. The compatibility of the materials used in the construction of the sign with the material used in the construction of other street graphics in the area.
  7. The aesthetic and architectural compatibility of the proposed sign to the building upon which the sign is suspended and the surrounding buildings.
  8. The proposed signs shall be of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.
- B. Submission of a single sign or multiple sign application:
1. The application for sign permit shall be forwarded to the applicable Design Review Committee at least 2 weeks prior to the regularly scheduled Design Review Committee meeting.
  2. Recommendations to the Zoning Administrator will be made in writing with reasons for acceptance, rejection, or acceptance with changes within 15 days of each committee meeting; in the event a written recommendation is not made within said 15 days, the application shall be deemed to have a recommendation for rejection.
  3. A graphics plan shall be submitted which shall contain visual representations of the lettering, illumination, color, area and height of graphics and may also indicate the areas and building where they may be placed and located.
  4. Submitted photographic or drawn elevations of a minimum of 266 feet of frontage (context of individual sign) photographic or drawn perspective with the individual sign superimposed and a drawing of the sign at 0.5-inch to 1-inch scale shall be submitted.
  5. Additionally, proof of consent or attempt to get consent, with reasons for failure, of the managers of all properties within the face block must be provided.
  6. The application may also contain such special requirements as approved by the applicable Design Review Committee.

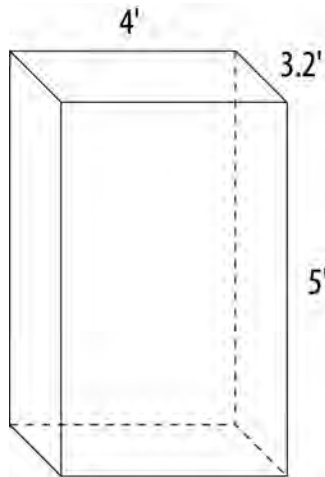
1. Single uses located at the ground-story Street Level having entries and/or windows facing onto a public sidewalk, court or plaza. The total permitted projecting sign volume shall be determined by one of the following provisions:
  - a. Uses by right occupying less than 50 linear feet of building frontage may be permitted up to 30 cubic feet of projecting sign volume, however not to exceed 4 feet in projecting sign height (See Figure 10.10-4).

Figure 10.10-4



- b. Uses by right occupying more than 50 linear feet or more building frontage may utilize up to 64 cubic feet of projecting sign volume, however not to exceed 5 feet in projecting sign height (See Figure 10.10-5).

Figure 10.10-5



- c. For corner locations the maximum permitted volume of the projecting sign shall be calculated using only the length of the building front on which the projecting sign is attached.
  - d. For projecting signs attached directly on the corner of the building the maximum permitted volume of the projecting sign shall be calculated using the length of the longest building front of the 2 building fronts of the building to which the projecting sign is attached.

2. Total maximum permitted projecting sign volume for multiple use buildings. The sum total permitted projecting sign volume of all the uses in a building shall be limited by the following provisions:
    - a. Uses by right with building frontage. The maximum total volume of projecting signs allowed on the exterior of any building frontage facing onto a public street, court or plaza shall not exceed the sum total volume permitted for all the individual uses occupying that frontage and having direct exposure to the street, court or plaza.
    - b. Uses by right without building frontage. In order to accommodate projecting signs for all tenants including those located without direct ~~ground-story~~ Street Level exposure, the sum total volume of permitted projecting sign volume as determined in Section 10.10.18.14.C.1 may be increased by the following amounts, and apportioned among the building tenants through a comprehensive sign plan:
      - i. 12 cubic feet for building frontages less than 75 linear feet.
      - ii. 20 cubic feet for building frontages 75 linear feet or greater.
- D. Permitted numbers of projecting signs.
1. Permitted numbers of projecting signs for buildings containing a single use by right. Limited to 1 projecting sign for every 25 linear feet of exterior building frontage.
  2. Permitted numbers of projecting signs for buildings containing multiple uses by right. Uses occupying less than 30 linear feet of exterior building frontage are limited to either 1 projecting sign as permitted under these regulations or other non projecting signs as allowed under this Section. For uses occupying 30 or more linear feet of exterior building frontage, the permitted number of projecting signs or graphics in Section 10.10.18.14.D.1 shall apply.
- E. Projecting sign location and building attachment. The following limitations shall apply to the location and attachment of projecting signs and graphics to the building wall:
1. Each use by right may display 1 projecting sign or graphic on each building front occupied by the use, provided all other criteria for approval are satisfied as required by Code;
  2. All projecting signs or supporting structures shall be located at least 8 feet above the sidewalk below;
  3. Each projecting sign shall extend not more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) adjacent to such projecting sign on the building facade; and

7. Projecting signs shall not extend above the sill line of the story above the building floor on which the use is located. Projecting signs for uses located below the ground-story Street Level shall not be located or extend above the sill line of the second story (See Figure 10.10-8); and

Figure 10.10-8



8. The following criteria will be considered by the design advisory board in making its recommendation to the Zoning Administrator who shall determine whether to grant an exception to Section 10.10.18.14.E.6 above:
  - a. The additional height is integral to the projecting sign's design;
  - b. The additional height is compatible with the overall design of the building facade; and
  - c. The additional height does not cast shadows or glare on adjoining properties.
- F. Separations between projecting signs. Projecting signs shall be placed not less than 25 feet apart without design review approval. In making its findings and recommendations for approval the design advisory board shall consider the following criteria for determining the location of multiple projecting sign groups:
  1. The projecting signs form a unified and compatible design that is stronger as a group than as a single projecting sign or multiple projecting signs widely separated; and
  2. The projecting sign group is compatible with the building architecture and/or reinforces a significant building feature such as a primary entry.
- G. Permitted illumination. Illumination of projecting signs and graphics is restricted as follows:
  1. Shall be illuminated by indirect sources, including, but not limited to, incandescent fixtures on the projecting sign mounting bracket, on the building face;
  2. Shall be subject to review and recommendation of the design advisory board to the Zoning Administrator as to compatibility with the building, surrounding district and adjoining uses;

## SECTION 10.10.20 OUTDOOR GENERAL ADVERTISING DEVICES IN THE BILLBOARD USE OVERLAY ZONE DISTRICT

### 10.10.20.1 Purpose and Applicability

#### A. Purpose

Upon consideration of a recommendation that an ordinance be enacted for the purpose of preserving and protecting the health, safety and general welfare of the people of the city and their property therein situate, the council finds:

1. That the regulation of outdoor general advertising devices within the city is required in the interests of the economic prosperity, civic pride, quality of life and general welfare of the people;
2. That it is desirable to preserve and perpetuate uncluttered and natural views for the enjoyment and environmental enrichment of the citizens of the community and visitors hereto;
3. That the regulation of outdoor general advertising devices will foster civic pride in the beauty of the city, will enhance the aesthetic values of the city and its economic vitality, will protect property values, will protect and enhance the city's attraction to tourists and visitors and promote good urban design;
4. That the regulation of outdoor general advertising devices will strengthen and preserve the municipality's unique environmental heritage and enhance the quality of life of its citizens; and
5. That the regulation of outdoor general advertising devices within the city is necessary for the promotion of safety upon the streets and highways in the City and County of Denver.

#### B. Applicability

1. This Division shall govern and control the erection, remodeling, enlargement, moving, operation and maintenance of all outdoor general advertising devices, also known as "billboards", as they are permitted in the Billboard Use Overlay District (UO-2) in accordance with Section 9.4.4.7 and may be erected or maintained on a zone lot occupied by a structure containing a use by right; provided, however, it shall be unlawful to erect or remodel within 660 feet of the edge of the right-of-way of a freeway any outdoor general advertising device the face of which is visible from the main-traveled way of the freeway.
2. Outdoor advertising devices may be erected and maintained in the D-TD zone district but only as permitted by a district sign plan authorized pursuant to Section 10.10.14. For such outdoor advertising devices in the D-TD zone district, the provisions of this Section 10.10.20 shall not apply.
3. Outdoor advertising devices may be erected and maintained in the DO-6 zone district but only as permitted by a district plan authorized under Section 9.4.5.10. For such outdoor advertising devices in the DO-6 zone district, the provisions of this Section 10.10.20 shall not apply.
4. Except in the DO-6 Overlay District, outdoor advertising devices may be erected and maintained in the DIA zone district as permitted by the Manager of Aviation pursuant to Section 9.5.2.2. For such outdoor advertising devices in the DIA zone district, the provisions of this Section 10.10.20 shall not apply.
5. Nothing herein contained shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to such devices; ~~however, except that~~ the provisions of

Sections 10.10.1 through 10.10.19 of this Division 10 shall not apply to such devices, except, Section 10.10.2.2, Substitution of Messages Allowed, shall apply to all such devices.

## 10.10.20.2 Permits

### A. Devices Subject to a Permit

Except as provided in Section 10.10.20.2.B., every outdoor general advertising device in existence in the City shall have a zoning permit on file with the Zoning Administrator and no outdoor general advertising device shall be erected without a zoning permit issued by the zoning administrator. Failure to obtain a permit when required shall be a violation of this Code.

#### 1. Permit Required for New Devices.

Prior to the erection of a new general outdoor advertising device a permit shall be required.

#### 2. Annual Permit Required

All permits for outdoor general advertising devices shall be renewed annually prior to March 31 of each successive year. Permits shall be issued without proration for periods of less than one (1) year.

#### 3. City Registration Number

Each permitted device shall be issued a city registration number which shall be displayed on the device in a size, location and manner as prescribed by the Zoning administrator; provided, however, that outdoor general advertising devices existing prior to March 1, 2010, shall have 180 days to be brought into compliance with this requirement. The permittee shall be responsible to ensure that such number is maintained in a readily visible condition.

#### 4. Fees

Outdoor general advertising devices shall be charged a fee ~~of \$225.00~~ at the time of application for a permit for

- a. A new device;
- b. Each annual renewal of a permit that has been previously issued; or
- c. Modification of a device.

#### 5. Permit to Modify an Existing Device

Permits shall be required for any modification of an existing outdoor general advertising device; provided, however, that a permit for modification shall not be issued to or obtained by any party other than the current permit holder. "Modification" shall mean any change to the structure or message surface of the device other than as excepted below in Sections 10.10.20.2.A.5.a., b., and c. No permit shall be required for the following actions by the permit holder for an existing general outdoor advertising device:

- a. Replacing or changing advertising copy including, without limitation: the addition of an extension as allowed in Section 10.10.20.6; and wrapping the message surface(s) of a device, including the perimeter edge of the message surface(s)' frame, with advertising copy, provided that the advertising copy faces the same direction as the existing message surface(s) and the total area of advertising copy does not exceed the total message surface allowed by the current permit for the device plus the addition of an extension as allowed in Section 10.10.20.6;
- b. Replacing or relocating a message surface on an existing device within 1 foot of the previous message surface; and
- c. Customary maintenance and repair including, without limitation: replacing a part with a like part; any repairs necessary to meet current safety standards; replacing electrical wiring and bulbs; painting and routine replacement of bolts, framing, border and trim.



- C. Four outdoor general advertising message surfaces may be placed in 1 location in an I-A or I-B zone district, provided the location is in the Billboard Overlay Use District and provided they are placed on 1 structure, consist of two 300 square foot message surfaces placed side-by-side with two 300 square foot message surfaces placed immediately to the back of the first surfaces, facing the opposite direction, and none of the message surfaces are separated by more than 4 feet.

**10.10.20.5 Permitted Maximum Area Per Message Surface**

No outdoor general advertising device shall have any single message surface more than 672 square feet in area plus up to an additional 80 square feet for extensions.

**10.10.20.6 Permitted Maximum Height**

- A. Except as permitted in Section 10.10.20.6.B, no outdoor general advertising device shall exceed a height of 45 feet above grade.
- B. Outdoor general advertising devices which are located within 200 feet of an elevated street or viaduct and whose messages are oriented to that elevated street or viaduct may have a maximum height not to exceed 25 feet above the roadway of such elevated street or viaduct. This measurement shall be made at the point nearest on the elevated street or viaduct from the outdoor general advertising device. Any outdoor general advertising device having a height in excess of 45 feet above grade which device is located within 200 feet of an elevated street or viaduct and whose message is oriented to that elevated street or viaduct shall be lowered or reconstructed to comply with the 45 feet height limitation as set forth in Section 10.10.20.6.A above or shall be lowered or reconstructed to a height not to exceed 25 feet above the roadway of the elevated street or viaduct if the street or viaduct is still elevated within 1 year after such elevated street or viaduct is lowered or removed.

**10.10.20.7 Permitted Location**

- A. No outdoor general advertising device with a message surface in excess of 79 square feet shall be located less than 500 feet from any other outdoor general advertising device which has a message surface in excess of 79 square feet on the same or opposite side of the street to which the message is oriented.
- B. No outdoor general advertising device with a message surface less than 80 square feet shall be located less than 300 feet from any other outdoor general advertising device which has a message surface less than 80 square feet on the same or opposite side of the street to which the message is oriented nor less than 200 feet from any other outdoor general advertising device which has a message surface in excess of 79 square feet on the same or opposite side of the street to which the message is oriented.
- C. In addition to the provisions of Subsections 10.10.20.7.A and 10.10.20.7.B, no outdoor general advertising device whose message is oriented to an elevated street or viaduct shall be located less than 500 feet from any other outdoor general advertising device on the same or opposite side of the elevated street or viaduct to which the message is oriented.
- D. No outdoor general advertising device shall be erected within a distance of 400 feet of any public park measured from the inner curb line of the street which bounds the park or from the property line of the park, whichever is closer to the outdoor general advertising device.
- E. No outdoor general advertising device shall be erected within 400 feet of any ~~h~~Historic ~~s~~Structure.
- F. No outdoor general advertising device shall be located less than 125 feet from a residential district or a single or multiple unit dwelling.

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## DIVISION 11.2 RESIDENTIAL PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference limitations applicable to permitted primary, accessory, or temporary uses. This Division contains limitations applicable to primary residential uses permitted across multiple zone districts and neighborhood contexts.

### HOUSEHOLD LIVING USE CATEGORY

#### SECTION 11.2.1 DWELLING, SINGLE UNIT

##### 11.2.1.1 I-A, I-B Zone Districts

In the I-A, I-B zone districts, where permitted with limitations, single unit dwellings uses are permitted subject to compliance with the following limitations:

- A. There is an existing structure that was erected for single unit dwelling use prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.
- B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the single unit dwelling shall comply with the provisions of the Denver Zoning Code as it applies to the urban house form in the U-SU-C zone districts.
- C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by the Denver Zoning Code as it applies to a single unit dwelling use in the U-SU-C zone districts.
- D. The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.
- E. The zone lot containing a single unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

#### SECTION 11.2.2 DWELLING, TWO UNIT

##### 11.2.2.1 All SU Zone Districts

In all SU zone districts, where permitted with limitations:

- A. Two Unit Dwelling uses that were legally established and ~~Continuously m~~Maintained on a zone lot shall be considered conforming uses in these districts.
- B. A structure containing such a Two Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards allowed in the subject SU zone districts without regard to the building form's use restrictions, or alternately in conformity with the duplex building form standards applicable in the U-TU-C zone districts, provided:
  1. The zone lot shall not be reduced, expanded or enlarged, and
  2. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- C. Variances may be granted according to Section 12.4.7, Variance.

##### 11.2.2.2 U-SU-A2, -B2, -C2 Zone Districts

In U-SU-A2, -B2, -C2 zone districts, where permitted with limitations, new Two Unit Dwelling uses may be established only on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

### 11.2.2.3 U-TU-B, -B2, -C Zone Districts

In the U-TU-B, -B2, -C zone districts, where permitted with limitations:

- A. A structure containing a two-unit Dwelling use that was legally established and Continuously Maintained, and
- B. Located on a Conforming Zone Lot that meets the minimum Zone Lot size and width standards of the urban house building form, but does not meet the minimum Zone Lot size and width standards of the duplex building form, shall be considered conforming uses in these Zone Districts, subject to the following limitations:
  1. A structure containing such a Two-Unit Dwelling use may be modified or demolished and rebuilt according to the following limitations:
    - a. The rebuilt structure shall comply with the building form standards allowed in the subject zone district without regard to the building form's use restrictions.
    - b. The Zone Lot shall not be reduced, expanded or enlarged.
    - c. The number of dwelling units on the Zone Lot shall not be increased above the number of dwelling units that existed when the use was legally established.
  2. Variances may be granted according to Section 12.4.7, Variances, except the number of dwelling units on the Zone Lot shall not be increased above the number of dwelling units that existed when the use was legally established.

### 11.2.2.4 I-A, I-B Zone Districts

In the I-A, I-B zone districts, where permitted with limitations, Two Unit Dwelling uses are permitted subject to compliance with the following limitations:

- A. There is an existing structure that was erected for two unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.
- B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the two unit dwelling use shall comply with the provisions of this Code as it applies to the duplex or tandem house building forms in the U-TU-C zone districts.
- C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a two unit dwelling use in the U-TU-C zone districts.
- D. A two unit dwelling use in an I-A or I-B zone districts shall be subject to the same limitations as a two unit dwelling use located in any Residential Zone District.
- E. The external effects of such uses shall be regulated by Division 10.11, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.
- F. The zone lot containing a two unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

## SECTION 11.2.3 DWELLING, MULTI-UNIT

### 11.2.3.1 All SU and TU Zone Districts

In all SU and TU zone districts, where permitted with limitations:

- A. Multi-Unit Dwelling uses that were legally established and ~~e~~Continuously ~~m~~Maintained on a zone lot shall be considered conforming uses in these districts.

tion's limitations. In addition, the following commercial activities, when not otherwise specifically listed as permitted in the applicable zone districts, are permitted in a Live/Work Dwelling use:

- A. Art gallery;
- B. Artist studio;
- C. Professional studio;
- D. Office, not including dental/medical office and clinic; and
- E. Other similar activities as determined by the Zoning Administrator according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

#### **11.2.4.2 I-A, I-B Zone Districts**

In the I-A, I-B zone districts, where permitted with limitations:

- A. A Live/Work Dwelling's commercial activity shall be limited to an Artist Studio use only.
- B. The dwelling portion of a Live/Work Dwelling use shall be occupied by no more than 4 unrelated persons, or by any number of persons related by blood, marriage, or adoption.
- C. A Live/Work Dwelling use shall not be considered a "Residential Use" or "Residential Zone District" or "Protected District," nor in any other way be accorded residential protection (e.g., separation) against the effects of surrounding industrial uses as may otherwise be required by this Code.

#### **11.2.4.3 All Zone Districts (Except I-MX, I-A, I-B; M-IMX Zone Districts)**

In all zone districts where permitted with limitations, except in the I-MX, I-A, I-B; M-IMX zone districts, any repair, assembly, or fabrication of goods is limited to the use of hand tools or domestic mechanical equipment.

#### **11.2.4.4 G-RO Zone District; All RX Zone Districts**

In the G-RO zone districts and in all RX zone districts, where permitted with limitations:

- A. The commercial or nonresidential activity shall not exceed 50 percent of the gross floor area of the use.
- B. The commercial activity shall not have more than 2 employees or regular assistants on the premises at one time (such employees or regular assistants may be in addition to residents of the Live/Work Dwelling employed or working in the commercial activity portion of the use).
- C. Signs are limited to not more than 2 non-animated, non-illuminated wall or window signs not exceeding 20 square feet in total area.
- D. Outside storage of any flammable and combustible liquids and flammable gases is prohibited.
- E. Nonresidential storage in the Live/Work Dwelling shall be limited to no more than 10% of the space dedicated to the commercial or nonresidential activity.

### **SECTION 11.2.5 ALL HOUSEHOLD LIVING USES IN C-CCN ZONE DISTRICTS**

In all C-CCN zone districts, where permitted with limitations, Household Living uses shall comply with the following limitations:

#### **11.2.5.1 Intent**

Improve the pedestrian experience along the Street Level in the Cherry Creek North mixed use shopping district by requiring ~~ground-story, pedestrian-friendly~~ **Street Level active** uses in all development. Retain ground stories for nonresidential uses permitted in the C-CCN zone districts that are more likely to invite high-intensity customer, visitor, and resident interactions and that contribute substantially to the activation, economic vitality, and safety of this important mixed-use neigh-

borhood. Street Level area set aside in buildings for uses other than household living according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for pedestrian-friendly active uses.

### **11.2.5.2 Limitation on Location of Household Living Uses**

- A. In a building that does not abut a named or numbered public street, household living uses may be located on any story of such building.
- B. In a building that abuts one or more named or numbered public streets, household living uses may be located:
  - 1. On any building story above or below the Street Level; and/or
  - 2. On the Street Level, but not along the building's street frontage. All of the building's street frontage(s) shall be occupied by one or more primary uses other than a household living use. However, residential lobbies or other similar internal access to the household living use are permitted along street frontages.

*See also* C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted ~~ground-story~~ Street Level active uses in structures or buildings containing parking spaces.

## **GROUP LIVING USE CATEGORY**

### **SECTION 11.2.6 ASSISTED LIVING FACILITY**

#### **11.2.6.1 All SU and TU Zone Districts**

In all SU and TU zone districts, where permitted with limitations, an Assisted Living Facility use is subject to all limitations applicable to Large Residential Care uses in Section 11.2.8.

### **SECTION 11.2.7 RESIDENCE FOR OLDER ADULTS**

#### **11.2.7.1 All SU Zone Districts**

In all SU zone districts, where permitted with limitations, a Residence for Older Adults use shall include no more than 1 dwelling unit per zone lot.

#### **11.2.7.2 All TU Zone Districts**

In all TU zone districts, where permitted with limitations, a Residence for Older Adults use shall include no more than 2 dwelling units per zone lot.

### **SECTION 11.2.8 RESIDENTIAL CARE USE, SMALL OR LARGE**

#### **11.2.8.1 All Zone Districts**

In all zone districts, where permitted with limitations:

##### **A. Intent**

The intent of these limitations for Residential Care uses is:

1. To develop zoning regulations that apply to housing for special populations and which are humane, equitable and enforceable through the regulation of institutions and facilities only, and not individuals;
2. To support and reinforce the viability and continuation of neighborhoods and communities that provide healthy environments for all their residents;
3. To prevent the "institutionalization" of residential neighborhoods by concentrating Residential Care uses so as to allow all residents, including the special populations, to reap the benefits of residential surroundings;

- b. **Community Corrections Facility** – See Sections ~~8.9.5.1, Community Corrections Facility, and 11.2.6.1~~11.2.9.1, Community Corrections Facility, for additional limitations applicable to Community Correction Facility uses, which are a specific type of Large Residential Care Use.
- c. **Shelter for the Homeless** -- See Section 11.2.9, Shelter for the Homeless, for additional limitations applicable to Shelter for the Homeless uses, which are a specific type of Large Residential Care Use.

**E. Limitations for Small Residential Care Use**

All Small Residential Care uses shall comply with the following limitations:

**1. Owner and operational limitations**

- a. The applicant is the owner or has the written approval of the owner of the property.
- b. The applicant and the operator have obtained or will obtain upon granting of the permit any licenses or certifications required by the state and/or the city.

**2. Building and site limitations**

Locating the proposed use in the neighborhood shall not substantially or permanently injure the appropriate use of nearby conforming property, and shall not cause or add to the institutionalization of residential neighborhoods that would prevent all residents, including the special populations, from being able to reap the benefits of residential surroundings.

- 3. Upon issuance of a permit for a Small Residential Care use, the applicant and the operator shall only be required to comply with:
  - a. Division 10.4, Parking and Loading;
  - b. Section 11.2.8.1.C.2, Continuation of Certain Existing Uses - Requirement for ZPIN Review for Floor Area Increases in Existing Structures;
  - c. Section 11.2.8.1.C.3, Continuation of Certain Existing Uses - Requirement for ZPIN Review for Increases in Number of Permitted Residents;
  - d. Section 11.2.8.1.D.4, Minimum lot dimensions; and
  - e. Section 11.2.8.1.D.5, Limitations on external effects.
- 4. No conditions on the number of staff may be placed on the permit for transitional housing except for a condition requiring at least one staff person on-site.

**F. Compliance with Denver Building and Fire Code**

All Residential Care uses shall comply with applicable provisions of the Denver Building and Fire Code.

**G. Approvals Personal to Applicant/Operator**

The permit for an approved Residential Care use shall automatically expire at such time as the operator specified in the permit no longer operates the Residential Care use at the subject property.

## SECTION 11.2.9 COMMUNITY CORRECTIONS FACILITY

### 11.2.9.1 I-MX, I-A, I-B and All Downtown Zone Districts [Downtown moved from 8.10.5.1]

In the I-MX, I-A, I-B and all Downtown zone districts, where permitted with limitations, community corrections facilities shall comply with the following limitations:

**A. Community Corrections Subject to Large Residential Care Use Limitations**

Community corrections facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.8



below, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.8, the more specific limitations in this subsection shall apply.

**B. Moratorium on New Community Corrections Facilities**

After April 30, 2008, no new community corrections facility shall begin operation until May 1, 2018.

**C. Permitted Location**

Community corrections facilities (for purposes of this subsection, hereinafter “facilities” or “facility”) shall be allowed in any I-MX, I-A, I-B, and only in the D-C, D-TD, and D-LD zZone dDis-tricts, and shall be located more than:

1. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;
2. 1,500 feet from a Residential Zone District; and
3. ~~1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.~~

**D. Limits on Number of Residents**

1. The proposed number of residents in a facility shall not exceed the following limits:
  - a. In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents.
  - b. In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.
  - c. ~~In the D-C, D-TD, and D-LD zone districts, The proposed number of residents in a facility shall not to exceed 1 person per 50 square feet of gross floor area in sleeping areas or 40 residents, whichever is less, in the permitted zone districts.~~
2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

**E. Government Supervision Required for Transition Programs in a Community Corrections Facility**

Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

## SECTION 11.2.10 SHELTER FOR THE HOMELESS

### 11.2.10.1 Types of Shelters for the Homeless, Permitted Location, and Applicable Limitations

**A. Types of Shelters for the Homeless**

This Section 11.2.9 establishes the following 3 types of shelters for the homeless:

1. Shelter for the Homeless as a permanent, primary use.
2. Shelter for the Homeless as a primary or accessory use when operated by a place of religious assembly (as “religious assembly” use is defined in Article 11).
3. Shelter for the Homeless when operated in a building owned by a nonprofit corporation or by a governmental entity.

## DIVISION 11.3 CIVIC, PUBLIC AND INSTITUTIONAL PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses within the primary Civic, Public and Institutional Primary Use Classification across multiple zone districts and neighborhood contexts.

### BASIC UTILITIES USE CATEGORY

#### SECTION 11.3.1 UTILITY, MAJOR IMPACT

##### 11.3.1.1 All Residential Zone Districts; All Mixed Use Commercial Zone Districts

In all Residential Zone Districts and in all Mixed Use Commercial Zone Districts, ~~except the Downtown zone districts and the~~ ~~except~~ CMP-NWC zone district, where permitted with limitations, Major Impact Utility uses are limited to water reservoir, which need not be enclosed.

##### 11.3.1.2 All Open Space Context Zone Districts and O-1 Zone District

In all Open Space Context zone districts and the O-1 zone district, where permitted with limitations, Major Impact Utility uses are limited to water reservoir or, in the OS-B and O-1 zone district only, water filtration plant is also permitted.

##### 11.3.1.3 I-A, I-B Zone Districts; All Downtown Neighborhood Context Zone Districts; CMP-NWC Zone District

In the I-A, I-B zone districts, all Downtown Neighborhood Context zone districts, and the CMP-NWC zone district where permitted with limitations:

###### A. Sanitary Service

All sanitary service utilities shall be located a minimum 500 feet from any Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant can prove by a preponderance of evidence that a smaller separation will have no significant effect on the nearby Residential Zone District.

###### B. Solid Waste Facility

All solid waste facilities must be located in a completely enclosed structure and must be located a minimum of 500 feet from any Residential Zone District.

###### C. Above-Ground Power, Gas, and Other Facilities

The expansion of transmission line capacity shall not require a zoning permit provided such expansion may be accomplished within an existing right-of-way or with existing structures or poles.

##### 11.3.1.4 I-A, I-B Zone Districts; CMP-NWC Zone District

In the I-A, I-B, and CMP-NWC zone districts, where permitted with limitations

###### A. Spacing Required

The following major impact utilities shall be located a minimum of 500 feet from any Residential Zone District:

1. Sewage disposal plant.
2. Incinerator, publicly operated.
3. Electric generation plant, excluding nuclear powered plants.

## DIVISION 11.4 COMMERCIAL SALES, SERVICE AND REPAIR PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses within the Commercial Sales, Service, and Repair Primary Use Classification across multiple zone districts and neighborhood contexts.

### ARTS, ENTERTAINMENT AND RECREATION USE CATEGORY

#### SECTION 11.4.1 ARTS, ENTERTAINMENT AND RECREATION USES

##### 11.4.1.1 OS-B Zone District

In the OS-B zone district, where permitted with limitations, all permitted arts, entertainment and recreation uses shall comply with the following limitations:

- A. Permitted accessory uses and structures are limited to:
  1. Swimming pools and customary associated buildings;
  2. Tennis, basketball, or other similar playing court;
  3. Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;
  4. Playground or picnic shelters/areas; and
  5. Water features and public art.
- B. All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.
- C. No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) zone district. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.

##### 11.4.1.2 ~~Arts, Entertainment and Recreation Uses-All M-IMX and M-GMX Zone Districts~~

**[moved from 9.7.10.1.A]**

~~All M-IMX and M-GMX Zone Districts~~ In the M-IMX and M-GMX Zone Districts, Sports and/or Entertainment Arena or Stadium uses, where permitted with limitations, shall comply with the following limitations:

- A. ~~a.~~ All sports and/or entertainment arena or stadium uses shall be a minimum of 500 feet from a Residential Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.
- B. ~~b.~~ The minimum spacing requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

## NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONE DISTRICTS USE CATEGORY

### SECTION 11.4.5 NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONES

#### 11.4.5.1 Limited Nonresidential Uses Permitted

In all Residential Zone Districts, where permitted with limitations:

- A. Primary nonresidential and accessory uses permitted in the MS-2x zone district in the same neighborhood context as the subject property (e.g., U-MS-2x) may be operated in an existing business structure. If there is no MS-2x zone district in the same neighborhood context, the primary and accessory uses established by the U-MS-2x zone district shall apply.
- B. Any use established according to this Section 11.4.5 shall comply with the limitations and use review procedure applicable to such use indicated in the Use and Parking Table for the subject MS-2x zone district.

#### 11.4.5.2 Existing Business Structures Only

The primary nonresidential uses permitted under this Section shall be permitted only within an existing structure meeting all of the following conditions:

- A. The applicant is the owner of the subject structure.
- B. The subject structure was legally erected.
- C. The applicant proves by a preponderance of evidence that the subject structure is a “business structure.” For purposes of this Section, “business structure” shall mean the subject structure or a portion of the subject structure was originally designed and constructed for a primary business use and occupancy, and not for residential occupancy. For structures constructed for both business use and occupancy and for residential occupancy, only the portion of the structure originally designed and constructed for business use and occupancy shall be regulated by this provision. “Primary business use and occupancy” means any use permitted in the U-MS-2x zone district that falls within one of the following primary use classifications as defined in this Code:
  1. Commercial sales, service and repair primary use classification;
  2. Industrial, manufacturing and wholesale primary use classification; or
  3. Agricultural primary use classification.

#### 11.4.5.3 Limitations

A nonresidential use proposed under this Section shall comply with the following limitations:

- A. All uses in the structure involved shall comply with the limitations on external effects applicable to uses in the zone district in which the structure is located.
- B. All uses operated in the structure involved shall comply with Division 10.4, Parking and Loading, for each such use in the MS-2x zone district; provided, however, that upon proof that full compliance could not be achieved, the Zoning Administrator may waive so much of those requirements as are impossible of fulfillment according Section 12.4.5, Administrative Adjustment.
- C. All uses permitted in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x district.

#### 11.4.5.4 Modifications to the Business Structure

The business structure in which a nonresidential use is permitted under this Section shall be occupied, operated, and maintained in a state of good repair. Modifications, alterations, and expansions of the subject business structure shall comply with the following limitations:

- A. Modifications and alterations are permitted that do not change, alter, move, or remove an exterior load-bearing portion of the structure, except for minor alterations of exterior walls to replace or add new windows or doors. Modifications, alterations, or expansions that increase the gross floor area of the existing business structure are prohibited.

For example: (1) Permitted Modifications: Replacement of windows, repairs to an existing roof, or non-structural facade improvements. (2) Prohibited Modifications: Removal of an exterior, load-bearing wall, partial or complete demolition of the structure's roof framing, adding a new floor or adding additional Street Level ground-story floor area, or raising or modifying the existing roof line.

- B. For any modifications to the structure that require landmark approval, the modification shall be reviewed and approved by the Landmark Preservation Commission before submittal for zoning approval.

#### 11.4.5.5 Effect of Approval

- A. The permit for a nonresidential use approved according to this Section 11.4.5 shall automatically expire at such time as the applicant specified in the permit no longer owns or operates the nonresidential use at the subject property.
- B. A zoning permit allowing a nonresidential use under this Section 11.4.5 may be rescinded according to Section 12.11.6, Enforcement Powers, Penalties and Remedies, upon a finding that the structure involved is obsolete or substandard under any applicable ordinance of the City to the extent that the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date of such finding.

### PARKING OF VEHICLES USE CATEGORY

## SECTION 11.4.6 PARKING, GARAGE

### 11.4.6.1 D-C and D-TD Zone Districts

In the D-C and D-TD zone districts, where permitted with limitations, Garage Parking use is permitted provided it meets at least one of the following conditions:

- A. The use was operated in a structure before October 10, 1994; or
- B. The use is operated in a structure constructed or converted from other uses after October 10, 1994, that:
  - 1. Was constructed or converted by or on behalf of a public entity to serve the general public; or
  - 2. Serves only buildings that do not contain office uses; or
  - 3. Serves 1 or more buildings that contain office uses and does not contain more than 2 parking space per 1,000 gross square feet of office space in the building or buildings served by the structure. Parking spaces restricted for use by non-office uses within the building or buildings served by the parking structure shall be exempt from such parking ratio restriction.

### 11.4.6.2 D-GT and D-AS Zone Districts

In the D-GT and D-AS zone districts, where permitted with limitations:

## RETAIL SALES, SERVICE AND REPAIR USE CATEGORY

### SECTION 11.4.10 RETAIL SALES, SERVICE AND REPAIR, ALL **SPECIFIC-USE** TYPES

#### 11.4.10.1 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts

In all MX-2x, -2A, -2; and MS-2x, -2 zone districts, where permitted with limitations:

- A. Lighted signage shall be turned off during non-operating hours.
- B. All outdoor lighting shall be provided with full cut-off fixtures.
- C. Retail Marijuana Stores and Medical Marijuana Centers are prohibited in these zone districts.
- D. Zoning permit review is required according to Section 12.4.2, Zoning Permit Review with Informational Notice for Liquor Stores and Manufacturer Sales Rooms.

#### 11.4.10.2 I-B Industrial Zone District

In the I-B Industrial zone district, where permitted with limitations

- A. Retail Sales are permitted only if:
  1. The commodity sold is manufactured, processed, or fabricated on the site; or
  2. The commodity sold is not manufactured, processed, or fabricated on the site, but is warehoused on the site. Such retail sales use is limited to a maximum of 20 percent of the gross floor area of the warehouse; or
  3. The Retail Sales use or uses is a minimum of 20,000 square feet GFA in any single primary structure on a zone lot and complies with the following limitations:
    - a. The primary structure(s) containing the proposed Retail Sales use shall be located a minimum of 500 feet from any Residential Zone District, and vehicle traffic generated by the proposed Retail Sales use shall not create adverse impacts on nearby residential access streets.
    - b. The Retail Sales use shall comply with the following parking standard instead of the minimum parking required in the Use and Parking Table in Article 9:
      - i. The use shall provide a minimum of 1 parking space for each 600 square feet of Gross Floor Area.
      - ii. The Zoning Administrator may reduce the required parking to 1 space per 1,200 square feet upon finding that characteristics of the proposed Retail Sales use justify a reduction in the parking requirement.
    - c. ~~No Liquor Store, including drugstores licensed to sell liquor, not existing or operating on August 31, 1997, shall be established, operated, or maintained within 1,000 feet of another Liquor Store or drugstore licensed to sell package liquors.~~
    - d. ~~No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on July 31, 2000, shall be established, operated, or maintained within 1,000 feet of a Community Corrections Facility.~~
- B. Retail Repair Services are limited to the following:
  1. Repair of any commodity manufactured, processed, fabricated, stored or sold in the I-B zone district;
  2. Vehicle body shop;

3. Upholstery or top shop;
4. Paint shop;
5. Refrigeration and air conditioning service and repair; or
6. Disinfecting and pest control service.

## **SECTION 11.4.11 ANIMAL SERVICES AND SALES, HOUSEHOLD PETS ONLY**

### **11.4.11.1 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. All sales and services shall be for household pets only. Wild or dangerous animal services and sales are prohibited.
- B. Overnight boarding is permitted within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales, shall have no more than 15 percent of their gross floor area devoted to overnight boarding.
- C. The use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of an enclosed structure off leash (hereinafter "outdoor run") are permitted subject to compliance with the following conditions:
  1. Outdoor runs, including the addition, expansion, or relocation of an existing outdoor run, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
  2. Outdoor runs shall not be permitted within 20 feet of a habitable residential structure on a zone lot in a SU, TU, TH, or RH zone district.
  3. The outdoor run may operate only between the hours of 6:30 a.m. and 9:00 p.m.
  4. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.
- D. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other zone lots provided, however, that existing facilities may continue to be maintained and operated as previously permitted.

## **SECTION 11.4.12 ANIMAL SERVICES AND SALES, ALL OTHERS**

### **11.4.12.1 I-MX, I-A, I-B, M-IMX and M-GMX Zone Districts [M-IMX/M-GMX moved from 9.7.10.1.B]**

In the I-MX, I-A, I-B, M-IMX, and M-GMX zone districts, where permitted with limitations:

- A. Wild or dangerous animal boarding and breeding services are prohibited.
- B. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.
- C. Overnight accommodations are allowed.
- D. Where located abutting a Residential Zone District, a minimum 50 foot wide landscaped buffer shall be provided, as approved by the Zoning Administrator. Such buffer is intended to substantially mitigate potential adverse effects from the animal service use, including but not limited to noise and odor.



## SECTION 11.4.13 BODY ART ESTABLISHMENT

### 11.4.13.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. No more than 2 Body Art Establishments shall be established, operated, or maintained within 1,000 feet of each other.
- B. Body art establishments shall not be established, operated, or maintained within 1,000 feet of any of the following uses:
  1. Adult Amusement or Entertainment on payment of a fee or admission charge;
  2. Adult Bookstore;
  3. Adult Photo Studio;
  4. Adult theater.
  5. Amusement Center; or
  6. Eating & Drinking Establishment with adult amusement or entertainment.

## SECTION 11.4.14 FOOD SALES OR MARKET

### 11.4.14.1 All RX Zone Districts

In all RX zone districts, where permitted with limitations:

- A. Accessory outdoor sales and displays, including outdoor sales of fruits or vegetables, shall occupy no greater than  $\frac{1}{4}$  the gross floor area of the structure containing the Food Sales or Market primary use.
- B. Outdoor storage is prohibited, unless enclosed by a fence or wall adequate to conceal such storage from adjacent residential property or public right-of-way.

## SECTION 11.4.15 ~~LIQUOR STORE, INCLUDING DRUGSTORES LICENSED TO SELL LIQUOR~~

### 11.4.15.1 ~~All Zone Districts~~

~~In all zone districts, where permitted with limitations:~~

- A. ~~No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on August 31, 1997, shall be established, operated, or maintained within 1,000 feet of another Liquor Store or drugstore licensed to sell package liquors.~~
- B. ~~No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on July 31, 2000, shall be established, operated, or maintained within 1,000 feet of a community corrections facility.~~
- C. ~~All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.~~

## SECTION 11.4.16 PAWN SHOP

### 11.4.16.1 All Zone Districts

In all zone districts where permitted with limitations:

- A. No Pawn Shop establishment shall be established, operated, or maintained within 1,000 feet of another Pawn Shop establishment.

**B. Limitations**

1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.
2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

See also C-CCN zone district use limitations related to ~~Street Level ground-story~~ Household Living uses in Section 11.2.5, C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted ~~ground-story~~ ~~Street Level active~~ uses in structures or buildings containing parking spaces and Street Level active use requirements for the D-AS-12+ and D-AS-20+ zone districts in Section 8.8.5.1.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.
4. Accessory trailer rental is prohibited.
5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.
6. In the C-CCN zone districts, when located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
  - a. On any story above or below the Street Level, and/or
  - b. On the Street Level, but only if 100% of the building's street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

**11.4.19.4 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.
- B. Rental or sale of motor vehicles is prohibited, unless otherwise permitted as a primary use in the subject zone district.
- C. Fuel pumps and permitted accessory trailer storage need not be enclosed, except in a RX zone district.
- D. All discarded parts and materials shall be deposited into a completely enclosed container concealed from adjacent properties.
- E. Vehicles being serviced or stored for customers shall not be parked on streets, alleys, public sidewalks or public park strips.
- F. The use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles; outdoor lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic.
- G. All outdoor lighting shall be provided with full cut-off fixtures. The use shall extinguish all outdoor lighting that is not fully shielded at close of business or 11:00 p.m., whichever is earlier.

## B. Applicability and Exceptions

These regulations shall apply to all towers and antennas as defined, except:

1. Any tower, or antenna, not more than 70 feet in height, owned and operated by a federally licensed amateur radio station operator or used exclusively as a receive only facility.
2. High tension electric transmission or distribution line support towers used as mounts for antennas not more than 12 feet in height above the highest point of the said tower shall be permitted in all zone districts and are exempt from the separation requirements contained in this section. However, the requirements in Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities, shall apply.
3. ~~Alternative Tower Structure~~Telecommunications Tower - Alternative Structure  
**Exception**  
~~Alternative tower structures~~Telecommunications Tower - Alternative Structures not more than 50 feet in height shall be permitted in all zone districts subject to:
  - a. Section 11.5.2.1.A, Intent;
  - b. Section 11.5.2.1.C.7, Design Review;
  - c. The setback requirements for like structures in the zone district; and
  - d. Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities.
  - e. If such a ~~an alternative tower structure~~Telecommunications Tower - Alternative Structure is in, or, as measured from the base of the tower to the nearest part of the zone district, within 200 feet of a Residential Zone District, MX-2x, -2A, -2; or MS-2x, -2 zone district, the provisions of Section 12.4.2, Zoning Permit Review with Informational Notice, shall apply.
4. The provisions of this Section 11.5.2.1 shall be of no force and effect in the Open Space Context zone districts.

## C. General Requirements

### 1. Not Utilities

Towers, antennas and telecommunications support facilities shall be regulated and permitted pursuant to this Section and shall not be considered utilities.

### 2. Permitted Uses

Towers, antennas and telecommunication support facilities shall be considered permitted uses and the existence of another structure or use on the same zone lot shall not preclude the installation of towers, antennas and telecommunications support facilities.

### 3. Towers in Nonresidential Zone Districts

Towers are permitted in nonresidential zone districts and shall:

- a. Comply with the regulations contained herein and the zone district regulations for permitted structures in the zone district in which it is located. The dimensions of the entire zone lot shall apply and not the dimensions of the leased parcel; and
- b. Have a diameter of not more than 48 inches measured at the base of the tower.

### 4. Antennas Not Attached to a Tower

Antennas not attached to a tower and their associated telecommunications support facilities may be located in any zone district on:

- a. Any nonresidential structure; or
- b. A multi-unit dwelling structure containing 8 or more dwelling units that is at least 35 feet in height; or

- c. A residential structure other than as provided in 4.b. above, provided any antenna is camouflaged or obscured so as to resemble architectural or natural features commonly associated with the site and district where located.
- 5. Telecommunications Support Facilities**  
Telecommunications support facilities shall comply with Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities.
- 6. Abandonment**  
Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or towers shall remove the same and the accompanying telecommunications support facilities within 90 days of the issue date of the notice to remove the tower or antenna.
- 7. Design Review**
- a. Antennas, towers, and ~~alternative tower structure~~Telecommunications Tower - Alternative Structures, their associated antennas and arrays and telecommunications support facilities shall be subject to design review and approval. Applicants may submit their designs for pre-approval subject to the same procedures outlined herein.
- b. Designs for antennas, towers, ~~alternative tower structure~~Telecommunications Tower - Alternative Structures, their associated antennas and arrays and telecommunications support facilities shall be submitted to the Zoning Administrator for design review.
- c. Upon submission of a complete application for design review, the Zoning Administrator shall establish a schedule for processing the application. Design review shall be completed within 30 days of the date designated in the schedule, except that the review period may be extended by an amount of time equal to any delay caused by the applicant or agreed to by the applicant.
- d. In reviewing the design of towers, the goals and requirements set forth in this Section 11.5.2.1 shall be considered. Within 7 days after completion of the design review, the Zoning Administrator shall approve, approve with conditions or deny the application.
- e. A reasonable design review fee shall be assessed at the time of submittal.
- 8. Screening and Landscaping (Moved from 11.5.2.1.D.4)**  
~~If the a~~ tower is within 200 feet of a Residential Zone District or Mixed Use Commercial Zone District, the installation shall provide screening and landscaping in accordance with the following:
- a. Unless the Zoning Administrator finds that alternative screening is appropriate to the character of the zone district and/or landscaping, including existing vegetation, topography or structures, screening shall be provided in one of the following two ways:
- i. Solid view-obscuring landscaping not less than 6 feet in height and landscaped in accordance with the landscaping requirement of Section 11.5.2.1.E.4.b, Screening and Landscaping; or
- ii. A finished masonry wall of similar material and/or finish to the primary structures on the site or adjacent properties, in which case landscaping shall not be required.
- b. Except as provided in Section 11.5.2.1.E.4.a. above, landscaping shall be provided in accordance with the following requirements:
- i. The area around the tower shall be landscaped with a buffer of plant materials that effectively screens the view of the tower base from property

used for residences. The standard buffer shall consist of a landscaped strip at least 5 feet wide outside the perimeter of the fence described in Section 11.5.2.1.E.4.a.ii, Screening and Landscaping, and shall be composed of at least 50 percent coniferous or broadleaf evergreens that will reach at least 5 feet in height at maturity, and shall provide for and maintain minimal landscaping on the remainder of the zone lot.

- ii. In locations where the visual impact of the tower would be minimal, or where landscaping would not reduce or alleviate the visual impact of the tower, the landscaping requirement may be reduced or waived.
- iii. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. For towers located on large, wooded lots, natural growth around the property perimeter may be considered a sufficient buffer.

**D. Specific Requirements -- All Towers, Antennas and Telecommunications Support Facilities**

The following standards shall apply to all towers, antennas, and telecommunications support facilities, excluding ~~alternative tower structures~~ Telecommunications Tower - Alternative Structures not more than 50 feet in height:

1. The design of towers, antennas, and telecommunications support facilities shall use materials, colors, textures, screening, and landscaping that create compatibility with the natural setting and surrounding structures;
2. Signs shall be limited to those signs required for cautionary or advisory purposes only;
3. The mass of antennas or an antenna on a tower shall not exceed 450 cubic feet per user, with no one dimension exceeding 14 feet per user. The mass shall be determined by the appropriate volumetric calculations using the smallest regular rectilinear, cuboidal, conical, cylindrical or pyramidal geometric shapes encompassing the entire perimeters of the array.

**E. Specific Requirements -- Towers**

The following standards shall apply to all towers, excluding ~~alternative tower structures~~ Telecommunications Tower - Alternative Structures not more than 50 feet in height (see Section 11.5.2.1.B.3, Applicability).

**1. Setbacks**

The minimum zone district setback requirements shall apply to all towers.

**2. Height**

The height and bulk of the tower shall be controlled by the district regulations of the zone district in which the tower is located but in no case shall it exceed the following maximum heights, measured from the lowest grade within 10 feet of the base of the tower to the highest point of the tower or any antenna attached thereto:

- a. Single users: Not more than 75 feet in height;
- b. Two or more users: Not more than 90 feet in height.

**3. Color**

Towers shall be finished in a neutral color to reduce visual obtrusiveness, subject to any applicable standards of the FAA.

**4. Screening and Landscaping - Moved to 11.5.2.1.C.8**

~~If the tower is within 200 feet of a Residential Zone District or Mixed Use Commercial Zone District, the installation shall provide screening and landscaping in accordance with the following:~~

- a. Unless the Zoning Administrator finds that alternative screening is appropriate to the character of the zone district and/or landscaping, including existing vegetation, topography or structures, screening shall be provided in one of the following two ways:
  - i. Solid view-obscuring landscaping not less than 6 feet in height and landscaped in accordance with the landscaping requirement of Section 11.5.2.1.E.4.b, Screening and Landscaping; or
  - ii. A finished masonry wall of similar material and/or finish to the primary structures on the site or adjacent properties, in which case landscaping shall not be required.
- b. Except as provided in Section 11.5.2.1.E.4.a. above, landscaping shall be provided in accordance with the following requirements:
  - i. The area around the tower shall be landscaped with a buffer of plant materials that effectively screens the view of the tower base from property used for residences. The standard buffer shall consist of a landscaped strip at least 5 feet wide outside the perimeter of the fence described in Section 11.5.2.1.E.4.a.ii, Screening and Landscaping, and shall be composed of at least 50 percent coniferous or broadleaf evergreens that will reach at least 5 feet in height at maturity, and shall provide for and maintain minimal landscaping on the remainder of the zone lot.
  - ii. In locations where the visual impact of the tower would be minimal, or where landscaping would not reduce or alleviate the visual impact of the tower, the landscaping requirement may be reduced or waived.
  - iii. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. For towers located on large, wooded lots, natural growth around the property perimeter may be considered a sufficient buffer.

**5. Lighting**

Towers shall not be artificially illuminated unless required by the FAA, other governmental regulation, or as specified in the next two sentences. Towers that are used as flagpoles may be lit at night if they are flying the national flag. Ground level security lighting not more than 20 feet in height may be permitted if it does not project glare onto other properties and is designed to minimize impacts on adjacent properties.

**6. Separation Requirements**

The following separation requirements shall apply to all towers:

- a. Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 1, except as otherwise provided in Table 1. If the requested separation distance is greater than or equal to the distance in Table 1, the Zoning Administrator can proceed to process the application hereunder. If the requested separation distance is less than the separation distances provided in Table 1, but more than or equal to 100 feet, the provisions of Section 11.5.2.5, Separation Allowances, shall apply.

TABLE 1. TOWER SEPARATION FROM CERTAIN USES AND ZONES.	
Off-Site Use/Designated Area	Separation Distance
Single-unit or two-unit dwellings	500' or 3 times the height whichever is greater
Vacant platted or unplatted residentially zoned land	500' or 3 times the height whichever is greater
Existing multi-unit residential units	500' or the height of tower whichever is greater

City park and open space uses	1,000'
Nonresidentially zoned lands with nonresidential uses	None; only setbacks apply

- b. Separation distances between towers shall be maintained and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the base of the proposed tower, pursuant to a site development plan of the proposed tower. If the requested tower separation distance is greater than or equal to the distance in Table 2, the Zoning Administrator can proceed to process the application hereunder. If the requested tower separation is less than the separation distance as provided in Table 2, but more than or equal to 500 feet, the provisions of Section 11.5.2.5, Separation Allowances, shall apply.

TABLE 2. MINIMUM SEPARATION BETWEEN TOWERS (IN FEET)				
Existing Towers--Types	Lattice	Guyed	Monopole 75 feet in height or greater	Monopole not more than 75 feet in height
Lattice	2,500'	2,500'	1,500'	1,000'
Guyed	2,500'	2,500'	1,500'	1,000'
Monopole 75 feet in height or greater	1,500'	1,500'	1,500'	1,000'
Monopole not more than 75 feet in height	1,000'	1,000'	1,000'	1,000'

**F. Specific Requirements - Antennas Installed On Structures Other than Towers**

The following height and bulk plane standards shall apply to antennas installed on a structure other than a tower:

1. The height and bulk plane of the antenna shall be controlled by the district regulations of the zone district in which it is located, provided that antennas, together with any support structure built to hold, camouflage or conceal them, may extend up to 14 feet beyond the highest point of the building or structure to which attached, provided further that antennas for emergency telecommunication services may extend up to 20 feet beyond the highest point of the building or structure to which attached.

**G. Specific Requirements - Telecommunications Support Facilities**

1. Telecommunications support facilities may be located on the roof of a building.
2. If located on a building, telecommunications support facilities shall be a neutral color that is identical to, or closely compatible with, the color of the supporting structure.
3. Telecommunications support facilities shall not contain more than 350 square feet of gross floor area per user or be more than 12 feet in height, measured from the roof upon which the facility is placed to the highest part of the facility, or if on the ground, measured according to Division 13.1, Rules of Measurement.
4. If the telecommunications support facilities are located at grade, they shall comply with all the same requirements as those for towers in Section 11.5.2.1.E.4, Specific Requirements - Towers - Screening and Landscaping.

**11.5.2.2 Application for Towers and Antennas**

Every applicant for a tower, but not ~~alternative tower structures~~ Telecommunications Tower - Alternative Structures 50 feet or less in height according to Section 11.5.2.1.B.3, Applicability, shall provide the Zoning Administrator with:



- A. The first application for a permit by a provider or an applicant for a provider shall include an inventory of all of that provider's existing towers, antennas, or sites approved for towers or antennas, that are either within the city or within 1,000 feet of the border thereof and the provider shall also comply with the inventory and tracking requirement of this section;
- B. The identification of its backhaul providers, updated on at least an annual basis, and the method of providing backhaul, wired or wireless;
- C. A vicinity map drawn to scale showing adjacent land uses that require separation and zoning within 1,000 feet; including those in adjacent municipalities;
- D. Upon the request of the Zoning Administrator, the ~~director of the office of telecommunication-~~Chief Information Officer or a member of city council, or their designees, the telecommunications provider shall meet with the requesting official and provide them with information concerning the proposed system design, which information shall not be reduced to writing and shall be treated as a confidential trade secret;
- E. A scaled set of plans containing the following information:
  - 1. Location and legal description of the proposed site;
  - 2. Type and height of the proposed tower
  - 3. On-site land uses and zoning;
  - 4. Adjacent roadways;
  - 5. Proposed means of access;
  - 6. Setbacks from property lines;
  - 7. Architectural elevation drawings of the proposed tower and any other telecommunications support facilities;
  - 8. Site topography;
  - 9. Parking;
  - 10. A landscape plan showing specific landscape materials;
  - 11. The method of fencing, finished color and, if applicable, the method of camouflage and illumination.
- F. An affidavit from the owner of the property acknowledging that the owner of the property is responsible for the removal of a tower, and the associated telecommunications support facilities, that are abandoned or unused for a period of 12 months.
- G. Every applicant for an antenna shall provide the Zoning Administrator with the information required in Section 11.5.2.2.E, where applicable.
- H. The Zoning Administrator may share information, except for the confidential proposed system design, with other applicants applying for administrative approvals or use exceptions under this section or other organizations seeking to locate towers/antennas in the city, except that the Zoning Administrator is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

### 11.5.2.3 Inventory and Tracking

The Zoning Administrator shall compile a list of towers and maintain and update the same from information furnished by all service providers. The Zoning Administrator shall issue a registration number to be affixed to and displayed on each tower. Reasonable fee as determined by the Zoning Administrator shall be assessed for an initial registration and annual inspections.

#### 11.5.2.4 Collocation and Modifications

##### A. Modifications and Collocations that are not Physically Substantial

1. Any Telecommunications Tower Structure, Telecommunications Tower-Alternative Structure, Annennas Not Attached to a Tower, Telecommunications Facility, Telecommunications Facility-All Others or Base Station may be modified or reconstructed in a manner that does not substantially change the physical dimensions of such structure. A modification shall be determined to be a substantial change to the physical dimensions of the subject structure only if the modification or change meets any of the following criteria:
  - a. It increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
  - b. It involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
  - c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and Base Stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
  - d. It entails any excavation or placement outside the current site of the telecommunications facility;
  - e. It would defeat the concealment elements of the eligible support structure; or
  - f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is not in conformance only in a manner that would not exceed the thresholds identified in this Section 11.5.2.4.B.1.
2. Upon submission of a complete application for collocation or modification that does not substantially change the physical dimensions of the subject structure under this Section 11.5.2.4.B.1, the Zoning Administrator shall approve or approve with conditions the application within 60 days. Conditions of approval may include compliance with previously imposed conditions of approval, generally applicable building, structural, electrical, and safety codes or other laws, including this Code, codifying objective standards reasonably related to health and safety.

##### B. Modifications and Collocations that are Physically Substantial

1. Antennas may be attached to an existing tower that is in compliance with all requirements of Section 11.5.2.1, [Limitations Applicable in] All zone districts], and the requirements of Section 11.5.2.1.E.6.b, Separation Requirements, and Table 2 therein shall not apply as long as the height of the tower is not increased. The new antenna and any telecommunications support facilities must comply with all applicable regulations in Section 11.5.2.1.D., Specific Requirements – All Towers, Antennas and Telecommunication Support Facilities, and Section 11.5.2.1.E., Specific Requirements – Towers. Modifications not defined in Section 11.5.2.4.A shall be considered physically substantial. A tower may

be substantially modified or reconstructed to accommodate the collocation of additional antennas under the following conditions:

- a. The tower shall be the same type as the existing tower, unless the tower is replaced by a monopole not more than 48 inches in diameter, provided, however that an existing alternative tower structure not over 50 feet in height may only be replaced by another alternative tower structure not over 50 feet in height;
- b. An existing tower, to accommodate the collocation of an additional antenna, may be substantially modified or rebuilt only once to a taller height, not to exceed 30 feet more than the tower's existing height, provided, however that this Section 11.5.2.4.A.2- shall not apply to ~~alternative tower structures~~Telecommunications Tower - Alternative Structures not over 50 feet in height;
- c. The additional height referred to in this Section 11.5.2.4.A.2 shall not require an additional distance separation as set forth in Table 2 of Section 11.5.2.1.E.6.b, Separation Requirements. The tower's pre-modification height shall be used to calculate distance separations;
- d. The existing tower shall comply with the separations from certain uses and zones in Table 1 of Section 11.5.2.1.E.6.a, Separation Requirements;
- e. If a tower is replaced to accommodate a physically substantial collocation, only 1 tower may remain on the zone lot; and
- f. If a tower is relocated on-site in compliance with all setback requirements, and within a 25 feet radius of its existing location, under the terms and conditions of this section, it shall not be deemed a violation of the separation requirements of Section 11.5.2.1.E.6, Separation Requirements.

2. Antennas may be attached to an existing tower that is accessory to a police station, fire station or hospital, and said tower may be rebuilt, reconstructed or substantially modified to a height not to exceed 135 feet above grade. No part of any collocated antenna shall be more than 90 feet above grade.

**C. Substantial Modifications to Towers not in Conformance**

Antennas may be attached to an existing tower that is not in ~~compliance~~conformance with all the requirements of Section 11.5.2.1, [Limitations Applicable in] All zone districts, and said tower may be ~~rebuilt, reconstructed or~~ substantially modified, ~~provided with the following limitations:~~

1. ~~The tower as rebuilt or reconstructed or modified is no taller than the existing tower;~~
2. The tower is of the same type as the existing tower, unless the tower is replaced by a monopole tower not more than 48 inches in diameter or a tower that meets the definition of ~~an alternative tower structure~~Telecommunications Tower - Alternative Structure, and;
3. The tower with the attached additional antenna as substantially modified must meet the requirements of Section 11.5.2.1.D., Specific Requirements - All Towers, Antennas and Telecommunication Support Facilities, and Section 11.5.2.1.G, Specific Requirements - Telecommunication Support Facilities.

- D. Moved to 11.5.2.4.B.2 Antennas may be attached to an existing tower that is accessory to a police station, fire station or hospital, and said tower may be rebuilt, reconstructed or modified to a height not to exceed 135 feet above grade. No part of any collocated antenna shall be more than 90 feet above grade.

### 11.5.2.5 Alternative Procedure for Separation Allowances

#### A. Applicability

1. The following provisions shall govern applications where the requested separations are less than the minimum requirements in Tables 1 and 2 of Sections 11.5.2.1.E.6, Separation Requirements, but greater than or equal to 100 feet for Section 11.5.2.1.E.6.a. (Table 1) and greater than or equal to 500 feet for Section 11.5.2.1.E.6.b. (Table 2).
2. This Section 11.5.2.5 shall not apply to ~~alternative tower structures~~Telecommunications Tower - Alternative Structures not over 50 feet in height. See Section 11.5.2.1.B.3, ~~Alternative Tower Structure~~Telecommunications Tower - Alternative Structure Exception, for applicable procedures.
3. This Section 11.5.2.5 shall not apply to towers and antennas where the requested separations are less than 100 feet from a City Park.

#### B. Applicable Review Procedure

In addition to meeting the minimum requirements of Section 12.4.2, Zoning Permit Review with Informational Notice, applications for telecommunication towers and antennas subject to this Section 11.5.2.5 shall comply with the following submittal, notification and certification, public meeting, and review criteria standards. In case of any conflict with the informational notice provisions in Section 12.4.2, this Section's requirements shall apply.

#### C. Submittal Requirements

In addition to the application requirements of Section 11.5.2.2, Applications for Towers and Antennas, and a reasonable review fee, the Zoning Administrator may require that the applicant submit for review the following information or items if applicable:

1. Legal description of the zone lot and leased parcel (if applicable);
2. The setback distance between the base of the proposed tower and the nearest residential dwelling unit, platted residentially zoned properties, and unplatted residentially zoned properties;
3. The separation distance from other towers located within 1,000 feet of the base of the proposed tower shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known;
4. A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users;
5. A description of the suitability of the use of existing towers, other structures or locations ~~or alternative technology not requiring the use of towers or structures~~ to provide the services to be provided through the use of the proposed new tower;
6. Such other information as is deemed by the Zoning Administrator to be necessary to render a determination.

#### D. Notification and Certification Requirements

##### 1. Written Notice Required

- a. Using a notice form supplied by the Zoning Administrator, the applicant shall promptly notify all property owners within 500 feet of the proposed tower and registered neighborhood organizations whose boundaries contain or are within 200 feet of the proposed tower as required in D.R.M.C., Section 12-96.
- b. Such notice shall indicate the boundaries of the property included in the application, shall explain the character and dimensions of the proposed telecommunica-

- h. Availability of suitable existing towers;~~or other structures;~~~~or alternative technologies not requiring the use of towers or structures.~~

**3. Conditions**

In approving with conditions, the Zoning Administrator may place such conditions on the approval as deemed necessary to advance the goals contained in Section 11.5.2.1.A, Intent. Such conditions may include but are not limited to:

- a. Moving the location of the tower to a more appropriate site;
- b. ~~Using a different technology that will lessen the impact of the tower;~~
- c. Requiring an appropriate alternative tower structure; or
- d. Other actions that will disguise or otherwise lessen the impact of the tower.

**F. If a Public Meeting is Requested**

If a request for a public meeting is received from 3 property owners within 500 feet of the proposed tower or from a registered neighborhood association whose boundaries contain or are within 200 feet of the proposed tower, the Zoning Administrator shall refer the application to the ~~director of the Office of Telecommunications~~Chief Information Officer to arrange for a public meeting to be held within 30 days from the date of request.

**1. Committee**

A committee composed of the ~~director of the Office of Telecommunications~~Chief Information Officer, the Manager, and the chairman of the Planning Board, or their designees, shall hold the public meeting.

**2. Notification and Posting**

All persons submitting comments or requests for a public meeting and all registered neighborhood organizations whose boundaries contain or are within 200 feet of the location of the proposed tower shall be notified of the date, time and location of the public meeting. The applicant shall post the property in a conspicuous location or locations determined by the Zoning Administrator with a sign provided by the Zoning Administrator. Such sign shall describe the proposed construction and the date, time and location of the public meeting. The property shall be posted for 15 days prior to the meeting date. Such posted notices shall be removed by the applicant within 45 days after their posting; failure to remove such notices in a timely manner shall constitute a violation of this Code. If the tower is approved by the Zoning Administrator, the property shall be posted for a period of 15 days after approval, indicating that the tower has been approved.

**3. Recommendation**

Within 15 days of the public meeting the committee shall make a recommendation to the Zoning Administrator to approve, approve with conditions or deny the application. In making its recommendation the committee shall consider the comments at the public meeting and the goals of Section 11.5.2.1.A, Intent, and the provisions of Section 11.5.2.5.C.1, Findings Required, Section 11.5.2.5.C.2., Considerations, and Section 11.5.2.5.C.3, Conditions.

**4. Zoning Administrator's Decision**

Within a reasonable time of receiving the recommendation of the committee, the Zoning Administrator shall make a decision according to Section 11.5.2.5.C, If No Public Meeting is Requested, above.

**11.5.2.6 Telecommunications Towers In and Adjacent to Residential Zone Districts or within 500 Feet of Another Tower**

Subject to Section 12.4.9, Zoning Permit with Special Exception Review, telecommunication towers that are either in or within 100 feet of Residential Zone District or within 500 feet of another tower, but not including ~~alternative tower structures~~Telecommunications Tower - Alternative Struc-

tures not more than 50 feet in height, may be permitted subject to compliance with the following standards:

- A. The placement of towers and their associated telecommunications support facilities in Residential Zone Districts, within 100 feet of a Residential Zone District, or within 500 feet of another tower, shall be permitted only if the Board of Adjustment finds that the proposed tower is necessary and essential to providing the applicant's telecommunication service.
- B. The Board of Adjustment may place such conditions on the use as will advance the goals contained in Section 11.5.2.1.A, Intent, including but not limited to:
  1. Moving the location of the tower or antenna to a more appropriate available site;
  2. Using a different technology that will lessen the impact of the tower or antenna;
  3. Requiring an appropriate alternative tower structure; or
  4. Other actions that will disguise or otherwise lessen the impact of the tower or antenna.

## **INDUSTRIAL SERVICES USE CATEGORY**

### **SECTION 11.5.3 CONTRACTORS, SPECIAL TRADE, GENERAL**

#### **11.5.3.1 All Mixed Use Commercial Zone Districts**

In all Mixed Use Commercial Zone Districts, where permitted with limitations:

- A. Trucks having a manufacturer's capacity of more than 2 tons shall not remain on the premises except as necessary to load and discharge contents.
- B. Any unenclosed areas permitted shall be provided with:
  1. A fence or wall constructed to a height adequate to conceal any vehicles, equipment or supplies located on the zone lot;
  2. Proper grading for drainage; and
  3. Asphalt, oil or any other dust-free surfacing. These areas shall be maintained in good condition, free of weeds, dust, trash and debris.

#### **11.5.3.2 All Downtown Neighborhood Context Zone Districts**

In all Downtown Neighborhood Context zone districts, where permitted with limitations, this use shall be operated within a completely enclosed structure.

#### **11.5.3.3 All Industrial Context Zone Districts**

In all Industrial Context zone districts, where permitted with limitations:

- A. The use shall be located at least 500 feet from any Residential Zone District.
- B. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

### **SECTION 11.5.4 CONTRACTOR, SPECIAL TRADE-HEAVY/CONTRACTOR YARD**

#### **11.5.4.1 I-MX, I-A, I-B, M-IMX and M-GMX Zone Districts [M-IMX/M-GMX moved from 9.7.10.2.A]**

In the I-MX, I-A, I-B, M-IMX, and M-GMX Zone Districts, where permitted with limitations, a contractor, special trade/heavy use shall be located at least 500 feet from a Residential Zone District. This



## MINING & EXTRACTION AND ENERGY PRODUCTION SYSTEMS USE CATEGORY

### SECTION 11.5.10 OIL, GAS, PRODUCTION, DRILLING

#### 11.5.10.1 I-MX, I-A, I-B, **M-IMX and M-GMX** Zone Districts

In the I-MX, I-A, I-B, **M-IMX and M-GMX** zone districts, where permitted with limitations, oil gas, production, drilling uses are limited to geophysical services only. As part of the Site Development Plan review process, the Zoning Administrator shall determine the separation between the proposed use and any adjacent Residential Zone District based on the external effects of the proposed use.

#### 11.5.10.2 O-1 and DIA Zone Districts

In the O-1 and DIA zone districts, where permitted with limitations:

- A. All site plan applications for oil and gas uses shall be reviewed according to Section 12.4.3, Site Development Plan Review, with the addition of a representative from the building inspection division of Community Planning and Development, designated by the Manager, and a representative from the Department of Aviation, designated by the Manager of Aviation.
- B. As part of the Site Development Plan Review, the Manager may recommend conditions on the approval of any oil and gas permit application to ensure the following public health, safety, and welfare objectives:
  1. There shall be adequate financial assurances to insure the city against any claims which may arise due to the applicant's operation under any and all permits issued by the city;
  2. The applicant shall provide appropriate protection of the natural environment and adjacent land uses; and
  3. The applicant shall assure avoidance of any adverse impact on other permitted uses in the subject zone district.

### SECTION 11.5.11 SAND OR GRAVEL QUARRY

#### 11.5.11.1 I-MX, I-A, I-B, **M-IMX and M-GMX** Zone Districts [moved from 9.7.10.2.B.1.b]

In the I-MX, I-A, I-B, **M-IMX and M-GMX** zone districts, where permitted with limitations, a sand or gravel quarry use shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

### SECTION 11.5.12 WIND ENERGY CONVERSION SYSTEM ("WECS")

#### 11.5.12.1 All Zone Districts

In all zone districts, where permitted with limitations:

##### A. Zone Lots Containing or Adjacent to Single-Unit or Two-Unit Dwelling Uses or Town House or Row House Building Forms

Establishment of a wind conversion energy system use on a zone lot, or adjacent to a zone lot, that contains a single unit dwelling use or two-unit dwelling use, or that contains a Townhouse or Row House Building Form, is permitted according to Section 12.4.9, Zoning Permit with Special Exception Review. The Board of Adjustment may approve such use only upon findings that the proposed wind energy conversion system complies with the following standards:

1. The applicant is the owner of the property and has submitted a site plan of the property that shows the location of the proposed system;



6. Any system with a capacity in excess of 100 kilowatts shall not be located along the major axis of an existing microwave communications link where the operation of the system is likely to produce an unacceptable level of electromagnetic interference.
7. The proposed system shall not create a detrimental effect on nearby properties through electromagnetic interference, physical appearances or noise, either by loudness or frequency.
8. The proposed system shall not substantially or permanently injure the appropriate use of adjacent conforming property.

## TRANSPORTATION FACILITIES USE CATEGORY

### SECTION 11.5.13 HELIPAD, HELISTOP, HELIPORT

#### 11.5.13.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations, the use shall be limited to landing and take-off area for police and/or emergency rotor craft, not including maintenance, repair, fueling, or hangar facilities.

#### 11.5.13.2 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts, where permitted with limitations:

- A. The use shall be limited to landing and take-off area for police and/or emergency rotor craft, not including maintenance, repair, fueling, or hangar facilities.
- B. The Helipad or Helistop shall be a minimum of 1,000 feet from a Residential Zone District or a PUD District that allows residential uses; except that helipads or helistops in the CMP-H and CMP-H2 zone districts and in the D-GT zone district located south of 8th Avenue shall not be subject to this 1,000 feet distance requirement.

#### 11.5.13.3 I-A, I-B Zone Districts

In the I-A, I-B zone districts, where permitted with limitations, the Helipad or Helistop shall be a minimum of 1,000 feet from a Residential Zone District or a PUD District that allows residential uses.

### SECTION 11.5.14 RAILROAD FACILITIES

#### 11.5.14.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B zone districts, where permitted with limitations:

- A. A railway facility proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.
- B. All mass transit railroad facilities located within 200 feet of a conforming residential structure shall be reviewed according to Section 12.4.3, Site Development Plan Review.

#### 11.5.14.2 **Railroad Facilities All Downtown Zone districts [moved from 8.10.5.2]**

In all Downtown zone districts where permitted with limitations, all mass transit railroad facilities located within 200 feet of a conforming residential structure shall comply with review procedures according to Section 12.4.3, Site Development Plan Review.

## SECTION 11.5.15 TERMINAL, STATION OR SERVICE FACILITY FOR PASSENGER TRANSIT SYSTEM

### 11.5.15.1 All Residential Zone Districts

In all Residential zone district, where permitted with limitations, the use shall be limited to a stop or station for the mass passenger transit system only; and parking provided for the use of passengers or employees of the passenger transit provider.

## SECTION 11.5.16 TERMINAL FREIGHT, AIR COURIER SERVICE

### 11.5.16.1 I-MX, I-A, I-B, M-IMX, M-GMX and All Downtown Zone Districts [moved from 8.10.5.3]

In the I-MX, I-A, I-B, M-IMX, M-GMX and all Downtown Zone ~~z~~ Districts, where permitted with limitations:

- A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.
- B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

## WASTE RELATED SERVICES

## SECTION 11.5.17 AUTOMOBILE PARTS RECYCLING BUSINESS

### 11.5.17.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B zone districts, where permitted with limitations:

- A. The use shall be located no less than 500 feet from a Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, its traffic generation and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.
- B. The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.
- C. Vehicle parts and bodies shall be arranged and/or stacked in an orderly manner. Outdoor aisles shall be graveled or covered with a dust-free surface material, and the site along with abutting street right-of-way areas shall be kept free of weeds and litter. The dismantling area shall not be visible from the street or from abutting residential or business zoned properties. Outdoor storage areas shall be enclosed by a solid wall or fence, except where such business adjoins a similar use along a side or rear lot line. Provision shall be made to control, contain and collect for proper disposal oil, antifreeze and other liquids generated by the dismantling or storage of motor vehicles or parts. Disposal of CFC's (chlorofluorocarbons) from vehicle air conditioners shall be done in accordance with chapter 4 of the Revised Municipal Code and applicable rules and regulations.

## SECTION 11.5.18 JUNKYARD

### 11.5.18.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B zone districts, where permitted with limitations:

**A. Separation**

The use shall be a minimum of 1,000 feet from any Residential Zone District, Mixed Use Commercial Zone District, or Downtown Neighborhood Context zone district.

**B. Screening**

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure. The height of such fence or wall shall screen the view from an abutting Primary Street of the stored material and shall not exceed a height of 10 feet. Existing solid walls or fences consisting of prohibited materials shall be replaced with approved materials no later than June 15, 1993.

**SECTION 11.5.19 RECYCLING CENTER****11.5.19.1 I-MX, I-A, I-B, ~~M-IMX and M-GMX~~ Zone Districts [moved from 9.7.10.2.D]**

In the I-MX, I-A, I-B, ~~M-IMX and M-GMX~~ Zone ~~d~~Districts, where permitted with limitations:

**A. Separation**

The recycling center facility shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

**B. Screening**

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure Standards.

**SECTION 11.5.20 RECYCLING PLANT, SCRAP PROCESSOR****11.5.20.1 I-MX, I-A, I-B Zone Districts**

In the I-MX, I-A, I-B zone districts, where permitted with limitations:

**A. Separation**

The recycling plant shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

**B. Screening**

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure Standards.

**WHOLESALE, STORAGE, WAREHOUSE AND DISTRIBUTION USE CATEGORY****SECTION 11.5.21 AUTOMOBILE TOWING SERVICE STORAGE YARD****11.5.21.1 I-MX, I-A, I-B Zone Districts**

In the I-MX, I-A, I-B zone districts, where permitted with limitations, an automobile towing service storage yard plant shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

zone district, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.

- C. When not operated inside a completely enclosed structure, the Plant Nursery use shall be located at least 500 feet from a Residential Zone District.

#### **11.6.5.2 I-MX Zone Districts**

In the I-MX zone district, where permitted with limitations, a Plant Nursery use shall be operated within a completely enclosed structure.

#### **11.6.5.3 I-A, I-B, OS-B, O-1, M-IMX, M-GMX and DIA Zone Districts [moved from 9.7.10.3]**

In the I-A, I-B, OS-B, O-1, M-IMX, M-GMX and DIA zone districts, where permitted with limitations, an unenclosed Plant Nursery use shall be located at least 500 feet from a Residential Zone District.

3. Eating and Drinking Establishments, completely enclosed, provided no live entertainment or accessory Amusement Devices are permitted; and
4. Office, but not including Dental/Medical Office and/or Clinic.

**B. Applicable Limitations**

The specific accessory uses listed above may be permitted, provided such uses:

1. Are provided principally for the convenience of the owner or owners of the zone lot and the tenants thereof;
2. Do not have outdoor signs of any type;
3. Do not have separate outside entrances to the accessory use facing any street;
4. Are not evident from any street; and
5. Are incidental to the primary use.

**SECTION 11.8.8 OUTDOOR STORAGE, RESIDENTIAL****11.8.8.1 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. The storage of junk, waste, discarded, or salvaged materials, or items customarily associated with indoor use (e.g., upholstered furniture or indoor appliances) shall not be allowed.
- B. Automobile parts and tools, equipment, and supplies used for automobile repair shall not be stored outdoors.
- C. Heavy tools, equipment, and supplies typically used for commercial construction, such as backhoes, excavators, and stock piles of brick, gravel, or lumber, shall not be stored outdoors, except when used in connection with on-site construction and only for the duration of the on-site construction.
- D. For storage of vehicles, see Division 10.9, Parking, Keeping and Storage of Vehicles.

**SECTION 11.8.9 SECOND KITCHEN ACCESSORY TO SINGLE UNIT DWELLING USE****11.8.9.1 Intent**

The allowance for a second kitchen accessory to a single-unit dwelling use is intended to accommodate additional indoor cooking and food preparation areas to supplement a home's primary kitchen.

**11.8.9.2 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. A second kitchen in a primary single unit dwelling building, not otherwise permitted as part of a permitted attached Accessory Dwelling Unit use, is permitted as an accessory use provided a zoning permit is procured according to Section 12.4.1, Zoning Permit Review, prior to establishment of the accessory kitchen and subject to compliance with the following limitations:
  1. The applicant is the owner of the subject structure and uses the structure as his/her primary residence;
  2. The second kitchen shall be used only by the residents or domestic servants; and
  3. The applicant complies with all provisions of the Denver Building and Fire Code in the construction of the kitchen.

4. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot; and
5. Slaughtering of the animals as part of keeping such animals is prohibited.

#### **11.10.10.2 Related Animal-Keeping Provisions**

Related provisions governing the keeping of animals are found in D.R.M.C., Chapter 8 (Animals).

### **SECTION 11.10.11 OCCASIONAL SALES, SERVICES ACCESSORY TO PRIMARY PLACES OF RELIGIOUS ASSEMBLY OR PRIMARY USES OPERATED BY NON-PROFIT ORGANIZATIONS**

#### **11.10.11.1 All Zone Districts**

In all zone districts, where permitted with limitations, occasional sales of goods and services, including unenclosed occasional sales of goods and services, are permitted as accessory to the following primary uses:

- A. A primary Religious Assembly use; or
- B. A primary use operated by a non-profit organization.

### **SECTION 11.10.12 OUTDOOR EATING AND SERVING AREAS ACCESSORY TO EATING/DRINKING ESTABLISHMENT USE**

#### **11.10.12.1 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. Outdoor Eating and Serving Areas are permitted as accessory to an Eating and Drinking Establishment use, and shall comply with all applicable limitations stated for primary Eating and Drinking Establishments in Section 11.4.8, Eating and Drinking Establishments - All Types. In case of conflict with the use limitations stated in this section specific to Outdoor Eating and Serving Areas, the more restrictive limitation shall apply.
- B. All Outdoor Eating and Serving Areas shall comply with the following limitations:
  1. The Outdoor Eating and Serving Area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.
  2. The Outdoor Eating and Serving Area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 42 inches tall, except for the following:
    - a. Temporary canvas awnings or umbrellas may serve as sun shades.
    - b. Permanent structures that form a covering over the Outdoor Eating and Serving Area, provided:
      - i. The entire area of the surface of such covering shall be at least 50% permanently open to the sky and openings shall be evenly dispersed across the surface of the covering; and
      - ii. A detached permanent structure shall comply with the applicable Detached Accessory Structure building form standards except the detached building form's setback standards shall not apply.
  3. ~~Any part of the~~ Outdoor Eating and Serving Area ~~located outside of a completely enclosed structure~~ shall have a hard, all weather surface.
  4. No required off-street parking spaces shall be used for the Outdoor Eating and Serving Area.

## DIVISION 11.11 TEMPORARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific temporary uses across multiple zone districts and neighborhood contexts. Temporary uses are permitted according to Section 12.4.1, Zoning Permit Review, and subject to compliance with this Division's use-specific standards, as applicable.

### SECTION 11.11.1 UNLISTED TEMPORARY USES

#### 11.11.1.1 All Zone Districts

In all zone districts, where permitted with limitations:

- A. The Zoning Administrator may allow and impose limitations on unlisted temporary uses according to this subsection 11.11.1.
- B. All such determinations shall be reviewed according to the procedures and review criteria stated Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

### SECTION 11.11.2 AMBULANCE SERVICE

#### 11.11.2.1 All Zone Districts

In all zone districts, where permitted with limitations:

- A. Not more than 2 ambulances at any one location;
- B. Vehicles to be parked in completely enclosed structure when not in use;
- C. No mechanical or maintenance work is to be done on premises and no gasoline is to be stored there;
- D. No office is to be maintained in connection with the temporary ambulance service use; and
- E. Each permit shall be valid for a period of not more than 6 months, but may be renewed; provided, however, that failure to comply with any of these standards shall be cause for revocation of any permit.

### SECTION 11.11.3 AMUSEMENT / ENTERTAINMENT USES

#### 11.11.3.1 All Industrial Context Zone Districts; O-1 Zone District; **CMP-H Zone Districts;** and **CMP-NWC Zone Districts**

In all Industrial Context zone districts, the O-1 zone district, the CMP-H **and CMP-H2** zone districts, and the CMP-NWC zone district, where permitted with limitations, a temporary amusement, entertainment or recreational use on the payment of a fee or admission charge shall comply with the following standards:

- A. The temporary use shall not be enclosed.
- B. The temporary use shall be a minimum of 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.
- C. Each permit shall be valid for a period of not more than 6 calendar months, but may be renewed.



- b. This use shall not include the uses nursing home, hospice or residence for older adults.
- c. ~~An assisted living facility shall not be considered a Residential Care use.~~
- d. A facility that otherwise meets this definition but has 8 or fewer residents shall be considered a Residential Care use, small, and not an assisted living facility.

**2. Community Corrections Facility**

A structure which provides a residence for three or more persons who have been placed in a community corrections program of correctional supervision, including a program to facilitate transition to a less-structured or independent residential arrangement; and residents of such facilities shall be those persons placed in the community corrections program by the judicial or correctional departments of the city, the state or the federal government. A community corrections facility shall be considered a Large Residential Care use.

**3. Nursing Home, Hospice**

An establishment licensed by the state department of public health, which establishment maintains and operates continuous day and night facilities providing room and board, personal services and skilled nursing care, including hospices, specifically excluding, however, hospitals. A nursing home, hospice shall not be considered a Residential Care use.

**4. Residence for Older Adults**

A single unit dwelling or multi-unit dwelling housing a number of unrelated mobile older adults (individuals fifty-five (55) or more years of age) in excess of the number of unrelated persons permitted per dwelling unit, receiving fewer services than a special care home or assisted living facility. A residence for older adults shall not be considered a Residential Care use.

**5. Residential Care Use**

**a. Definition**

A specific type of group living use where the residents are provided supervised medical, psychological, or developmental care or treatment on a daily, regular basis.

**b. Types of Residential Care Uses**

“Residential care use” is limited to the following specific types of group living uses:

- i. Transitional housing:** A residential structure housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district, where such persons are provided with individual bedrooms, where the primary service offered at the facility is related to transitioning into permanent housing and all services provided are not sufficient to constitute a “special care home” and where occupancy of such housing is primarily made available for more than 30 days and less than 2 years. Transitional housing shall be considered a Small Residential Care use.
- ii. Shelter for the homeless:** See definition of “shelter for the homeless” in subsection 11.12.2.2.A.7.
- iii. Community corrections facility:** See definition of “community corrections facility” in subsection 11.12.2.2.A.2.
- iv. Special care home:** A special care home is a residential structure housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district in which the dwelling unit is located, where such persons are living as a single housekeeping unit and are receiving more than 12 hours per day of on-premises treatment, supervision, custodial care or special care due to physical condition or illness, mental

**5. Open Space - Recreation**

An area of land developed or intended for development with landscaping, specialized structures, and other features that promote passive or active recreational activities. May be accessible to only a segment of the public with or without payment of a fee, or may be open and accessible to the general public. Commercial parking lots or structures and storage areas for vehicles and material shall not be considered an “open space, recreation” use.

**6. Open Space - Conservation**

Any [Zone Lot](#), parcel or area of land or water essentially unimproved with any residential, commercial, or industrial uses or structures, and set aside or reserved for scenic, environmental, or preservation of right-of-way purposes. Conservation open space may include agricultural uses and natural features located on a site, including but not limited to steep slopes, flood plains, hazard areas, unique vegetation and critical plant communities, stream/river corridors, wetlands and riparian areas, wildlife habitat and migration corridors, areas containing threatened or endangered species and archeological, historical, and cultural resources. Commercial parking lots or structures and storage areas for vehicles and material shall not be considered an “open space, conservation” use.

**11.12.3.4 Education**

**A. Definition of Education Use Category**

A public or private facility for the general or specialized education or instruction of children or adults. Education uses may or may not meet the requirements of the State of Colorado compulsory education laws. Education uses include elementary or secondary schools, universities or colleges, and vocational or professional schools.

**B. Specific Education Use Types and Definitions**

**1. Elementary or Secondary School**

A public or private school meeting all requirements of the compulsory education laws of the state and providing instruction to students in kindergarten and grades above. The definition of Elementary or Secondary School also includes “High School.”

**a. High School**

Any school designed for instruction that includes grades 10 through 12, regardless of whether instruction is also provided in other grades.

**2. University or College**

An educational institution that offers specialized instruction in any of several fields of study and/or in a number of professions or occupations and is authorized to confer various degrees such as the bachelor’s degree. University or college uses may be composed of multiple buildings and uses organized on an integrated campus property composed of one or more zone lots and blocks. Education uses may include a variety of uses such as classroom buildings, administrative offices, sports facilities, student housing, research facilities and other related uses operated by the governing board of the institution within the campus or on adjoining zone lots.

**3. Vocational or Professional School**

Education or training in business, commerce, language, or other similar activity or occupational pursuit, or in the use of specialized, technical, or technological equipment or office machines, and not otherwise defined as Home Occupation, college or university, or elementary or secondary school.

- a. **Amusement/Special Interest Parks**  
A complex with both indoor and Outdoor Entertainment, eating places/restaurants and/or limited retail uses, open to the public upon payment of a fee or admission charge.
  - b. **Batting Cages**
  - c. **Go-Cart Raceway**
  - d. **Ice Rinks, Outdoor**
  - e. **Miniature Golf Course**
  - f. **Private Golf Course**  
Private golf course, defined to mean an area of land laid out for the game of golf with a series of holes each including tee, fairway, and putting green and often one or more natural or artificial hazards.
  - g. **Skateboard Centers or Parks**
  - h. **Swimming Pools, Outdoor**
  - i. **Tennis Clubs, Outdoor**
  - j. **Outdoor Theaters, Amphitheaters, or Other Permanent Outdoor Performance Spaces**
3. **Sports and/or Entertainment Arena or Stadium**  
Commercial establishments designed, intended, or used primarily for indoor or outdoor large-scale spectator events including, but not limited to, professional and amateur sporting events, concerts, theatrical presentations, or motor vehicle racing. Typical uses include coliseums, arenas and sports stadiums.

#### 11.12.4.3 Parking of Vehicles

**A. Definition of Parking of Vehicles Use Category**

Parking of Vehicles is a use category including the commercial assembly or standing of vehicles, either in a garage structure or on a surface lot.

**B. Specific Parking of Vehicles Use Types and Definitions**

**1. Parking, Garage**

- a. Any structure, other than a private garage, for the assembling, or standing of vehicles in a structure for relatively temporary periods of time, either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.
- b. The term "Garage Parking" includes underground parking, which means a parking surface that is located a minimum of 8 feet below the ~~Street Level ground-story~~ and is covered by a structure which provides a surface for another use.
- c. A parking garage may include accessory off-street parking spaces required or permitted under this Code.

**2. Parking, Surface**

The assembling or standing of vehicles on a surface parking lot for relatively temporary periods of time either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.

#### 11.12.4.4 Eating & Drinking Establishments

**A. Definition of Eating & Drinking Establishments Use Category**

Commercial establishments engaged primarily in the sale of food or drink to consumers for on-premises or off-premises consumption.

- e. Personal and personal care services (e.g., dry cleaning and laundry services, hair/nail salons, tanning salons, day spas, and funeral homes, and mortuaries including accessory crematory services), and
  - f. Consumer repair services.
3. This land use category excludes motor vehicle and equipment sales, leasing, rental, or repair, except for the sale of motorized vehicles that do not require a license from the Colorado Department of Motor Vehicles.

**B. Specific Retail Sales, Service & Repair Use Types and Definitions -- Not Including Vehicle or Equipment Sales, Services & Repair**

**1. Animal Sales and Services, Household Pets Only**

An establishment engaged in any of the following:

- a. The retail sale, grooming, care, or boarding of domestic or household animals only, and which may include overnight accommodations. The retail sale of domestic animals (e.g., pet store) is permitted.
- b. The maintaining, raising, harboring and/or boarding of 4 or more dogs, or 6 or more cats, or 6 or more dogs and cats shall be considered a primary “animal services and sales - household pets only” use.
- c. Provision of veterinary medicine, dentistry, or surgery services by licensed veterinary practitioners for household or domestic pets only.

**2. Animal Sales and Services, All Others**

An establishment engaged in the retail sale, grooming, care, breeding, or boarding of animals, not restricted to domestic or household pets, and which may include overnight accommodations. Includes provision of veterinary medicine, dentistry, or surgery services by licensed veterinary practitioners and animal kennels or other animal boarding facilities not limited to domestic or household pets.

**3. Body Art Establishment**

A retail establishment where the practice of physical body adornment is performed by artists utilizing, but not limited to, the following techniques: body piercing, and tattooing, but does not include establishments performing only ear piercing.

**4. Food Sales or Market**

Retail establishments primarily engaged in the retail sale of food and beverages for off-site or home consumption. Typical uses include supermarkets, groceries, markets, or delicatessens. This definition includes, but is not limited to, all uses in the following SIC group: 54 Food stores.

**5. ~~Liquor Store (moved to 11.12.4.7.C.3)~~**

~~Retail establishments licensed by the state and/or city to engage in the sale of alcoholic beverages for off-premises consumption.~~

**6. Pawn Shop**

Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property. This definition excludes motor vehicles.

**7. Retail Sales, Service and Repair - Outdoor**

Retail sale of new or used goods or retail provision of consumer, repair, or rental services, excluding the sale, service, or repair of motor vehicle or heavy equipment (and associated vehicle/equipment parts) and firearms, any or all of which primary sale, service or repair activity occurs outside a completely enclosed structure.

**8. Retail Sales, Service & Repair - Firearm Sales**

A retail establishment having at least 25 percent of its gross floor area used for the sale of firearms, ammunition and ammunition components, and hunting or shooting equipment.

**C. Retail Sales, Service & Repair, All Others -- Definition**

This use type includes all other retail sales, service and repair uses not otherwise specifically defined in Section 11.12.4.7.B, Specific Retail Sales, Service & Repair Use Types and Definitions -- Not Including Vehicle or Equipment Sales, Services & Repair, but which are consistent with Section 11.12.4.7.A, Definition of Retail Sales, Service & Repair Use Category -- Not Including Vehicle or Equipment Sales, Services & Repair.

**1. Banking and Financial Services**

A retail establishment engaged in deposit banking or extending credit in the form of loans. This definition includes, but is not limited to, all uses in the following SIC groups:

- a. 60 Depository institutions; or
- b. 61 Non-depository institutions.

**2. Learning Center**

A commercial business that regularly provides on-site, specialized or intensive educational services or tutoring to persons under eighteen (18) years of age.

**3. Liquor Store (moved from 11.12.4.7.B.5)**

Retail establishments licensed by the state and/or city to engage in the sale of alcoholic beverages for off-premises consumption.

**4. Manufacturer Sales Room**

An establishment licensed by the state through the Manufacturers License to engage in the sale of Colorado manufactured alcoholic beverages of their own manufacture and other Colorado manufacturers as enabled by the State license.

**11.12.4.8 Vehicle / Equipment Sales, Rentals, Service & Repair**

**A. Definition of Vehicle / Equipment Sales, Rentals, Service & Repair Use Category**

Vehicle/Equipment Sales, Rental, Service and Repair includes establishments engaged in the sales, rental or service of motor vehicles and equipment for homeowner use and minor residential construction and landscaping projects. Accessory uses may include offices, parking, minor repair services, and storage of equipment and vehicles.

**B. Specific Vehicle / Equipment Sales, Rentals, Service & Repair Use Types and Definitions**

**1. Automobile Emissions Inspection Facility**

A facility that is equipped to enable vehicle exhaust, evaporative, and chlorofluorocarbon emissions inspections and any necessary adjustments and repairs to be performed, and which facility owner or operator is licensed by the State of Colorado to operate as an inspection and/or readjustment station. The use "automobile emissions inspection" does not include a retail establishment engaged in the sale of automotive fuel or motor oil for automobiles.

**2. Automobile Services, Light**

A retail establishment engaged in the provision of one or more of the following types of services, but not including heavy automobile service uses or any servicing of large-scale motor vehicles and trailers:

- a. The sale of automotive fuel, motor oil, and/or services; and/or
- b. Routine maintenance and minor repair serving of automobiles, which may include washing, polishing, greasing, tire repair, wheel alignment, brake repair, muffler re-

**5. Heavy Vehicle / Equipment Sales, Rentals & Service**

- a. The sales, leasing, or rental, and related servicing, of:
  - i. High capacity mechanical devices for moving earth or other materials, and mobile power units including but not limited to: carryalls, graders, loading and unloading devices, cranes, drag lines, trench diggers, tractors, augers, bulldozers, concrete mixers and conveyors, harvester combines and other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower.
  - ii. Trucks in excess of one-and-one-half tons or equipment for use in agriculture, mining, industry, business, transportation, building, or construction; or
  - iii. Automobile hitches or trailers, house trailers, recreational vehicles, and boats, but excluding commercial wrecking, dismantling, or junk yard.
- b. Establishments primarily engaged in servicing, repairing, overhauling, inspecting, licensing, and maintaining aircraft.

**SECTION 11.12.5 PRIMARY INDUSTRIAL, MANUFACTURING & WHOLESALE USES**

**11.12.5.1 Communications and Information**

**A. Definition of Communications and Information Use Category**

Communication and Information includes plant, equipment and property used for the transmission of voice, data, image or video programming.

**B. Specific Communications and Information Use Types and Definitions**

**1. Antennas Not Attached to a Tower**

Any antennas or antennas attached to any structure other than a Telecommunications Tower structure or a Telecommunications Tower, Alternative Structure. This use also includes the antennas' associated telecommunications support facilities.

**2. Base Station**

A structure or equipment at a fixed location that enables Federal Communication Commission-licensed or authorized wireless communications between user equipment and a communications network, including, but not limited to, radio transceivers, antennas, coaxial or fiberoptic cable, regular and backup power supply, and comparable equipment. The term Base Station does not encompass Telecommunications Tower Structure or Telecommunications Tower – Alternative Structure or any equipment associated therewith.

**3. Communication Services**

Establishments engaged in the provision of television and film production, broadcasting, and other information relay services accomplished through the use of electronic and telephone mechanisms; excluding, however, telecommunication facilities major impact utilities. Facilities that broadcast exclusively over the Internet and have no live, in-building audiences to broadcasts shall also be excluded from this definition and shall be classified as non-dental or non-medical "office" uses. Typical uses include: television studios; television and film production studios; broadcast and/or recording studios; telecommunication or telecommuting service centers; or cable services.

**a. Broadcast and/or Recording Studio**

An establishment containing one or more broadcasting studios for the over-the-air, cable or satellite delivery of radio or television programs, or studios for the audio or video recording or filming of musical performances, radio, television programs or motion pictures. This term does not include transmission towers.

4. **Emergency Telecommunication Services**  
Telecommunications established or maintained by any public agency providing emergency services such as but not limited to fire, police, and other rescue or first responders.
5. **Telecommunications Towers**  
Any structure designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and other similar structures, ~~including alternative tower structures~~. This term also includes any antenna or antenna array attached to the tower structure.
6. **Telecommunications Tower - Alternative Structure**  
A man made structure that camouflages or obscures the presence of a tower and is designed to resemble architectural or natural features commonly associated with the site and district where they are located. All such structures shall be subject to the regulatory limitations, such as maximum height and bulk, which are otherwise applicable to like features in the zone district. This term also includes any antenna or antenna array attached to the ~~alternative tower structure~~ Telecommunications Tower - Alternative Structure.
7. **Telecommunication Facilities**  
The plant, equipment and property, including but not limited to, cables, wires, conduits, ducts, pedestals, antennas, towers, ~~alternative tower structures~~, electronics and other appurtenances used to transmit, receive, distribute, provide or offer telecommunications services.
8. **Telecommunication Facilities, All Others**  
This use type includes all other Telecommunications Facilities not otherwise specifically defined in this Section 11.12.5.1.

#### 11.12.5.2 Industrial Services

- A. **Definition of Industrial Services Use Category**  
Industrial Service includes the repair or servicing of industrial, business or consumer goods mainly by providing centralized services for separate retail outlets. Contractors and similar uses perform services off site. Few customers, especially the general public, come to the site.
- B. **Specific Industrial Services Use Types and Definitions**
  1. **Contractor, Special Trades - General**
    - a. An establishment providing general contracting and/or building construction services for residential, farm, industrial, or commercial uses, and which typically does not involve outdoor storage of machinery or equipment. This definition includes the following SIC groups:
      - i. 15 General building contractors;
      - ii. 171 Plumbing, heating, air-conditioning;
      - iii. 172 Painting and paper hanging;
      - iv. 173 Electrical work;
      - v. 174 Masonry, stonework, and plastering;
      - vi. 175 Carpentry and floor work;
      - vii. 176 Roofing, siding, and sheet metal work;
      - viii. 1793 Glass and glazing work;
      - ix. 1796 Installing building equipment;
      - x. 1799 Special trade contractors.



- B. Eating and Drinking Establishment as defined in Section 11.12.4.4.B.1, Eating and Drinking Establishment.
- C. Office as defined in Section 11.12.4.6.A, Definition of Office Use Category.
- D. Retail Sales, Service & Repair uses as defined in Section 11.12.4.7.A, Retail Sales, Service & Repair Use Category.

**11.12.7.5 Outdoor Storage, Residential**

The placement or deposit of any equipment, furniture, machine, material, merchandise, or supplies in an outside location or outside of a Partially or Completely Enclosed Structure. Objects that are customarily placed outside and clearly incidental and commonly associated with the permitted use including, but not limited to, lawn furniture, lawn care equipment, gardening supplies, pool equipment, or food preparation equipment intended for outdoor use, shall not be considered Outdoor Storage, Residential. The storage of vehicles is not included.

**11.12.7.6 Second Kitchen, Accessory to Single Unit Dwelling Use**

A second kitchen accessory to a primary single-unit dwelling use and located in the same primary structure.

**11.12.7.7 Short-term Rental**

The provision of temporary guest housing to non-residents, for compensation, by the person or persons maintaining the primary dwelling unit use as their primary residence. The length of stay per guest visit is less than 30 days. Short-term Rental does not include rental of a dwelling unit for meetings such as luncheons, banquets, parties, weddings, fund raisers, or other similar gatherings for direct or indirect compensation.

**11.12.7.8 Vehicle Storage, Repair and Maintenance**

- 1. Storage of operable automobiles or trucks but not “Large-Scale Motor Vehicles and Trailers,” as defined in this Code, except as specifically permitted in Division 10. 9, Parking, Keeping and Storage of Vehicles.
- 2. Routine maintenance and minor repair servicing of automobiles or trucks that are not “Large-Scale Motor Vehicles and Trailers,” as defined in this Code, where such vehicles are owned by occupants of the primary residential use. Routine maintenance and repair may include washing, polishing, greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other activities of minor repair and servicing.

**11.12.7.9 Wind Energy Conversion Systems**

See Section 11.12.5.4 for definition of “Wind Energy Conversion System.”

**SECTION 11.12.8 DEFINITIONS OF HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES**

**11.12.8.1 General Definition of Home Occupation**

A business use (e.g., personal care services or, office), accessory to a primary residential use, which is conducted entirely within a Dwelling Unit, or in a detached structure accessory to such Dwelling Unit, which is carried on by the occupants thereof, and which is clearly incidental and secondary to the primary use of the Dwelling Unit for Residential Occupancy.

**11.12.8.2 Specific Home Occupation Use Types and Definitions**

**1. Adult Care Home**

A Home Occupation providing less than 24-hour care of 4 or fewer clients, over the age of 16 years.

## SECTION 12.2.9 SUMMARY TABLE OF AUTHORITY AND NOTICE

	REVIEW AND DECISION-MAKING AUTHORITY						TYPE OF PUBLIC NOTICE REQUIRED				
	<b>D = Decision-Making Authority</b> <b>R = Review and Recommendation Authority</b> <b>* = Public Hearing Required</b>						<b>■ = Notice Required</b> <b>Blank Cell = Notice Not Required</b>				
							Informational Notice		Notice of Public Hearing		
Zoning Administrator	Manager	DRC	Board of Adjustment	Planning Board	City Council	Written and Posted Notice of Receipt of Application	Posted Notice of Final Administrative Decision	Written	Posted	Published	
Zoning Permit Review	D										
Zoning Permit Review with Informational Notice	D					■	■				
Site Development Plan Review	R	R	<a href="#">D/R</a> <a href="#">See Sec. 12.4.3 for site development plans where DRC has review and recommendation authority</a>		<a href="#">D*</a> <a href="#">See Sec. 12.4.3 for site development plans that require public notice</a>	■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require notice of a public hearing			
Zone Lot Amendment	D										
Administrative Adjustment	D										
Code Interpretation, Determination of Unlisted Use	D										
Comprehensive Sign Plan	D				R*	■	■	■	■		
Variance	R			D*		Refer to rules of Board of Adjustment					
Appeal of Administrative Decision	R			D*		Refer to rules of Board of Adjustment					
Special Exception	R	R		D*		Refer to rules of Board of Adjustment					
Official Map Amendment (Rezoning)		R			R*	D*	■ - Written Notice Only	■	■	■	
Text Amendment	R	R			R*	D*		■		■	
General Development Plan	R		D		R*			■	■		
Regulating Plan	R	D									

person is presumed to be the owner of record, purchaser under a sale with the owner's consent, or the duly authorized agent of the owner of record, unless otherwise authorized in Division 12.4.

### 12.3.3.2 Applications

Applications shall be submitted only after a pre-application meeting or concept plan review, if mandatory. All applications shall be submitted to Community Planning and Development.

### 12.3.3.3 Application Contents

#### A. Application Contents—General

The Manager is authorized to establish submittal requirements for all applications required by this Code, and to update and amend such requirements as necessary to ensure effective and efficient review.

#### B. Submittal Waivers

The Manager may waive certain application submittal requirements:

1. To tailor the requirements to the information necessary to review a particular application; or
2. Where the Manager finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly justify such waiver.

#### C. Additional Information Requested

The Manager shall have the authority to request additional information from the applicant when necessary to complete review of the application.

### 12.3.3.4 Application Fees

- A. Except as specified in paragraph B. below, the Manager shall adopt, and may amend from time to time, a fee schedule setting forth an assessment of fees to defray the cost of processing applications under this Code.
- B. The Board of Adjustment shall recommend, and the City Council shall approve, processing fees for all applications determined by the Board of Adjustment, including applications for variances, zoning permit with special exception reviews, and appeals from administrative decisions. The application fee schedule for Board of Adjustment applications, as may be amended from time to time, can be found in the rules of the Board of Adjustment.
- C. At the time of submittal, all applications shall include payment of the application fee, except that application fees are not required for an application initiated by the City Council, an individual City Council member, the Manager, or the manager of a city agency or department.
- D. An applicant may submit a written request to the Manager for the waiver of all or a portion of fees. Upon a finding by the Manager that, owing to exceptional or extraordinary circumstances, collection of the required fees will result in unnecessary hardship, the fees may be reduced or waived by the Manager.
- E. Other fees, such as recording fees, may be applicable in addition to Community Planning and Development application fees.

### 12.3.3.5 Statements During Review ~~Are Part of Application~~

- A. Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, ~~all statements that are necessary for compliance with this code that are made in an application required by this Code that are necessary for compliance with this Code's regulations are binding. As applicable, all statements~~ made by the applicant in the course of ~~the application review process and/or~~ public hearings ~~that are not in the application shall be considered a part of the application, shall be written as part of the application, or the review-~~

~~or may, in the sole discretion of the~~ decision-making body, ~~be made should take action to bind~~ such applicant statements by expressing them as specific conditions of approval.

#### 12.3.3.6 False or Misleading Information

Any false or misleading information given by the applicant in an application, or in other statements to staff, or in a public hearing as applicable, may result in suspension or rescission of a permit, as permitted under Division 12.11, Enforcement, Violations and Penalties, of this Article.

#### 12.3.3.7 Complete Applications Required for Processing

- A. All applications shall be complete and sufficient for processing before any review of the application will begin.
- B. An application is complete when the Manager finds that it is submitted in the required form, includes all information necessary to decide whether the application will comply with the requirements of this Code, including all items or exhibits specified during a pre-application meeting or concept plan review, and is accompanied by the applicable fee or fees.
- C. An application shall be considered incomplete if the Manager determines that the submittal is inconsistent or contrary to a previous plan or permit approval that is regulatory and controlling.
- D. An application for an official map amendment (rezoning) shall be considered incomplete if the Manager determines that the submittal does not meet the ~~minimum land area~~ location and adjacency requirements or any other minimum requirements for rezoning to the proposed zone district. See Section 12.4.10, Official Map Amendments.

#### 12.3.3.8 Determination of Complete Application

- A. Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, the Manager shall review the application and make a determination of completeness by no later than 15 days from the date of receipt of the applicant's submittal. Failure to make a determination of completeness within the requisite 15-day time period shall automatically deem the application "complete."
- B. A "complete" application shall be processed according to this Article.
- C. If the Manager determines that the application is incomplete, the Manager shall notify the applicant and specifically identify how the application is deficient and state that Community Planning and Development will not process incomplete applications. The application shall then be classified as "Incomplete."
- D. Community Planning and Development shall not review an incomplete application, and shall not forward such application to any review or decision-making bodies, until the application is made complete. Wherever this Code refers to the forwarding or referral of an application to any review or decision-making body, the obligation to forward or refer the application shall not arise until the application is determined to be complete.

#### 12.3.3.9 Concurrent Applications

- A. Applications may be filed and reviewed concurrently, at the option of the applicant, and with the approval of the Manager. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.
- B. Applications submitted concurrently may be subject to approval of all other related applications. Disapproval of any concurrently submitted application may stop consideration of related applications until the disapproved application is resolved.

**3. Notice to Landmark Preservation Commission**

If the subject property falls within an area designated as a structure or district for preservation according to the D.R.M.C., Chapter 30 (Landmarks Preservation) of the ~~Denver Revised Municipal Code~~, Community Planning and Development shall notify the Denver Landmark Preservation Commission regarding the application within the same time periods specified in paragraphs 1 and 2 above.

**4. General Rules**

- a. The informational notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- b. Notification shall include the location and general description of the application and proposed action; and the process to be followed, including the date, time and place of any related public meeting or hearing, if such has been scheduled; and information concerning, as applicable, when and where written comments may be submitted.
- c. The failure of a registered neighborhood organization for whatever reason to receive a notification required hereunder shall not invalidate any final action by the city.

**B. Posted Notice of Receipt of Application**

When required by Section 12.2.9, Summary Table of Authority and Notice, posted notice of receipt of an application shall be provided in compliance with the following standards:

1. No later than 10 days after receipt of a complete application, the applicant shall post the subject property in a conspicuous location for 10 days with a sign or sign template provided by Community Planning and Development. The start of the 10-day period shall be the first day of the posting of the sign.
2. Such sign shall describe the proposal, give directions for submitting comments to Community Planning and Development within 30 days from the beginning of the posting period, and state that any final decision to approve the application shall be posted at the same location for 15 days as soon as it is effective.
3. Posted notices shall be removed by the applicant from the subject property by no later than 15 days after the end of the posting period. Failure to do so shall constitute a violation of this Code.

**C. Posted Notice of Final Administrative Action**

When required by Section 12.2.9, Summary Table of Authority and Notice, posted notice of final administrative action on an application shall be provided in compliance with the following standards:

1. Within 7 days after reaching a final decision to approve an application subject to informational notice, Community Planning and Development shall cause the applicant to post the property with a copy of the approving decision for a period of 15 days.
2. The applicant shall post the property in a conspicuous location with a sign or sign template provided by Community Planning and Development.
3. The effective date of the final administrative action and the start of the 15-day period during which appeals may be made to the Board of Adjustment shall be the first day of the posting of the sign. Such sign shall describe how an appeal from the final administrative decision may be filed and state that any appeal must be filed within 15 days, and shall provide contact information for obtaining the standards and criteria that will govern the appeal.

## **SECTION 12.3.5 EFFECT OF APPROVED APPLICATIONS, PLANS AND PERMITS**

All applications, plans and permits approved under this Article 12 and this Code shall be binding upon the applicants, their successors and assigns, shall limit and control the issuance and validity of all subsequent site development plans and zoning permits, and shall restrict and limit the construction, location, use, and operation of all land and structures in accordance with such plans or permits. See also Section 12.3.7, Modification and Amendment of Approved Applications, Plans and Permits, below.

## **SECTION 12.3.6 LAPSE OF APPROVAL PROVISIONS AND EXTENSION OF APPROVAL PERIOD**

### **12.3.6.1 In General - Lapse of Approved Applications, Plans and Permits**

An application, site development plan, or zoning permit approved under this Code may lapse if certain actions related to the approved application are not taken within a specified time period as set forth in Division 12.4, Zoning Application and Review Procedures. Specific actions that must be taken with regard to each application, plan or permit to avoid lapsing of the approval are set forth in Division 4 of this Article for each type of zoning application.

### **12.3.6.2 Beginning of Approval Period - General Rule**

Unless otherwise specified in Division 4 of this Article 12, the approval period of an approved application, plan or permit, after which lapse will occur, shall begin on the date of the decision-making body's final action, which shall be interpreted to mean:

- A. Except as stated in Section 12.3.6.2.B regarding site development plans, For approved plans or permits that this Code requires to be recorded: the date of recordation.
- B. For all other approved applications, plans or permits, including site development plans: the date of the decision-making body's final action, which shall be affixed to all approved applications, plans or permits.

### **12.3.6.3 Extension of Approval Period**

- A. The Zoning Administrator may grant an extension of an approval period up to 12 months for good cause, including but not limited to a showing that development was delayed by economic or physical problems beyond the applicant's or property owners' control.
- B. In no case shall the Zoning Administrator grant an extension if, since the date of the original approval, the subject property's zoning designation has changed or the applicant proposes an amendment to the approved application, plan or permit with the request for extension. See Section 12.3.7, Modification or Amendment of Applications, Plans and Permits, below.
- C. All requests for extensions shall be submitted to Community Planning and Development in writing at least 30 days before the expiration of the approval period. An extension request shall include:
  1. Payment of any required fee for the extension review; and
  2. A narrative stating the reasons for the applicant's or owner's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes to the Comprehensive Plan or this Code that have occurred since the original approval date and that affect the subject development, and the anticipated time schedule for completing the development.
- D. Additional review of the application, permit or plan may result in additional conditions placed on the extended approval, application, permit or plan, as applicable.

## DIVISION 12.4 ZONING APPLICATION AND REVIEW PROCEDURES

Division 12.4 contains the specific procedures and review criteria for land use and development applications required by this Code (collectively referred to as “zoning applications”). Applicants should also refer to Division 12.3, Requirements Common to All Zoning Procedures, for procedural requirements generally applicable to all zoning applications, including provisions governing pre-application meetings, application submittals, public notice, and vested rights.

### SECTION 12.4.1 ZONING PERMIT REVIEW

#### 12.4.1.1 Purpose

The purpose of the zoning permit review process is to ensure compliance with the standards and provisions of this Code, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan.

#### 12.4.1.2 Applicability

A zoning permit is required prior to the following:

##### A. Structures

1. The construction or alteration of any structure, not including fences and walls but including retaining walls, that is greater than 12 inches in height.
2. The construction or alteration of any fence and wall greater than 4 feet.
3. The construction or alteration of any fence and wall less than 4 feet when located on property that:
  - a. Contains a structure for preservation designated under D.R.M.C., Chapter 30 ([Landmark Preservation](#)); or
  - b. Contains a structure in a district for preservation designated under D.R.M.C., Chapter 30 ([Landmark Preservation](#)); or
  - c. Abuts a Parkway designated under D.R.M.C., Chapter 49.
4. The erection, alteration, or maintenance of any sign, except where the requirement for a zoning permit is expressly waived in Division 10.10, Signs.
5. Establishment or construction of a new off-street parking area or expansion of an existing off-street parking area.

##### B. Uses

1. Establishment of a primary use.
2. Change of a primary use.
3. Change in the gross floor area of a structure that increases the off-street parking requirements for a use.
4. The establishment of an accessory use, or the change of accessory use, only when a zoning permit is required in the Use and Parking Tables found in Articles 3-9.
5. The establishment of a temporary use of any structure or land.

#### 12.4.1.3 Prohibitions and Requirements Prior to Zoning Permit Issuance

##### A. Prohibitions on Activities Prior to Zoning Permit

No development shall occur on property subject to these requirements for zoning permit review until a zoning permit has been approved, unless the Zoning Administrator allows an exception in writing.



**B. Approval of Required Site Development Plan**

When a Site Development Plan is required by Section 12.4.3, no zoning permit for construction shall be issued until a Site Development Plan is approved.

**C. Payment of Gateway Regional Systems Development Fee**

No zoning permit for an applicable zone lot, except a zoning permit only for a sign or fence and wall, shall be issued until the regional systems development fee established by the Gateway Regional Metropolitan District on land within the Gateway Regional Metropolitan District has been paid for the subject zone lot.

**D. Manager of Parks and Recreation Approval of Uses and Development in the OS-A District**

No zoning permit for an applicable zone lot shall be issued for any use or development in an OS-A zone district until the Manager of Parks and Recreation, or designee, has agreed to the approval of the zoning permit in writing.

**E. Denver International Airport (DIA) Review of Uses and Development in the DIA Influence Area Overlay District (AIO)**

No zoning permit shall be issued for any use, development, or structure in the DIA Influence Area Overlay District until the Manager of Aviation, or designee, has found that the proposed use, development, or structure complies with the DIA Influence Area Overlay District standards in Article 9 of this Code. The Manager of Aviation shall comment within 14 days from the referral of the complete application. Non-response by the Manager of Aviation within the 14-day time period, or any extension agreed to by the Zoning Administrator, shall be deemed a recommendation of approval.

**12.4.1.4 Review Process**

**A. Initiation**

The owner[s] of the subject property or the owner's authorized agent may initiate an application for zoning permit review.

**B. Pre-Application Meeting**

A pre-application meeting is optional before submittal of a zoning permit review application. See Section 12.3.2, Pre-Application Conference/Concept Plan Review.

**C. Application and Fees**

**1. Submittal in Writing**

All applications for zoning permit review shall be submitted in writing to Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

**2. Concurrent Applications**

The applicant may submit a zoning permit review application concurrent with the submittal of other applications according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall a building permit be issued until the zoning permit according to this Section is approved, unless the Zoning Administrator allows an exception in writing.

**D. Review, Referral and Final Decision**

The Zoning Administrator may refer the zoning permit application to other affected or interested agencies and parties for review and comment, as deemed necessary to make a decision on the application. The Zoning Administrator shall make a final decision to approve, approve with conditions, or deny the zoning permit application, taking into consideration relevant agency or other party comments. Wherever higher or more restrictive standards are established by the provisions of any other applicable statute or ordinance than are established by the provisions of this Code, the Zoning Administrator may take the provisions of such other governing statute or ordinance into consideration in making a final decision. For example, the Zoning Administrator may deny a zoning permit application for a plant husbandry use that, while permitted by

the provisions of this Code, is prohibited by D.R.M.C., Chapter 6 Licenses, due to proximity to a school. See Section 1.1.3.3.A, Conflicting Provisions.

#### **12.4.1.5 Review Criteria**

The Zoning Administrator shall use the following criteria in making a decision on an application for zoning permit review:

- A. The zoning permit is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, all zoning permits shall be consistent with a previously approved General Development Plan, Regulating Plan, or Site Development Plan.
- B. The zoning permit complies with all applicable regulations in this Code.

#### **12.4.1.6 Requirements and Limitations After Zoning Permit Issuance**

##### **A. Expiration**

1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.
2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing a permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land except as otherwise restricted by this Code.
3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

##### **B. Modification and Rescission**

The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

##### **C. Modifications and Amendments to an Approved Zoning Permit**

Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

### **SECTION 12.4.2 ZONING PERMIT REVIEW WITH INFORMATIONAL NOTICE**

#### **12.4.2.1 Purpose**

The purpose of the zoning permit review with informational notice process is to ensure compliance with the standards and provisions of this Code, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Zoning permit review with informational notice is intended for specific types of development or establishment of specific permitted uses that are consistent with the intent of the zone district and generally compatible with surrounding building forms and uses, but which have the potential for adverse off-site impacts. Zoning permit review with informational notice provides an opportunity for potentially affected parties to be notified of the city's receipt of the application, the process for making comments, the final decision, and appeal opportunities.

#### **12.4.2.2 Applicability**

Zoning permit review with informational notice is required for the following types of development:

- A. Establishment, expansion or enlargement of a primary, accessory, or temporary use permitted subject to informational notice, as indicated by the designation "ZPIN" (Zoning Permit with

### 12.4.3.6 Requirements and Limitations After Site Development Plan Approval

#### A. Recordation of Approved Site Development Plans

Community Planning and Development shall register a copy of the approved site development plan among its records and shall record the approved site development plan in the real property records of the Denver County Clerk and Recorder.

#### B. Effect of Approval

1. A site development plan approved according to this Section shall regulate the future use and development of the subject property.
2. Approval of a site development plan means a proposed development complies with the standards and provisions of this Code and, consequently, the City may issue zoning permits and building permits to an applicant, assuming all other City standards and regulations have been satisfied.
3. After approval of the site development plan and all requisite zoning permits, if the Zoning Administrator finds that development is not proceeding in accordance with the approved site development plan, the Manager, through its enforcement authority, may immediately issue an order stopping any or all work on the property that does not comply with such plans, until such time as any noncompliance is remedied. See Division 12.11, Enforcement, Violations and Penalties.

#### C. Expiration

1. An approved site development plan shall expire after 18 months from the date of approval recording if an approved zoning permit and building permit (as applicable) has have not been obtained and if construction, (as applicable), has not started. See Article 13, for definition of "start of construction."
2. The Zoning Administrator may extend the original 18-month validity period for site development plans for up to an additional 12 months according to Section 12.3.6.3., Extension of Approval Period.

#### D. Modification and Rescission

The Zoning Administrator may change, modify, or rescind any site development plan decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of an approved site development plan is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

#### E. Modifications and Amendments to or Withdrawal of Approved Site Development Plans

Modifications and amendments to an approved site development plan are allowed according to Section 12.3.7 of this Code. Withdrawal of an approved and recorded site development plan is allowed according to Section 12.3.8 of this Code.

### 12.4.3.7 Site Development Plan Rules and Regulations

The Manager has the authority to adopt rules and regulations to establish alternative procedures for review of different types of site development plans, including but not limited to different review process for relatively less complex site development plans. In no case, however, shall rules and regulations vary the review criteria established in this Section 12.4.3 for approval of a site development plan. Once adopted by the Manager, such rules and regulations shall supersede the process, time frames, and application contents for site development plan review established in this Section 12.4.3.

ZONING STANDARD	MAXIMUM ADJUSTMENT "NA" = NOT APPLICABLE OR AVAILABLE	
	Suburban House, Urban House, Duplex, Tandem House and Any Associated Detached Accessory Structure Building Forms Only	All Other Building Forms
<b>HEIGHT AND BULK STANDARDS:</b>		
<b>1. NON-HISTORIC STRUCTURES</b>		
• Maximum height (in stories or feet)	May exceed maximum standards , but the subject building and its elements shall be no taller in feet than a similar building form located within the "existing neighborhood" as defined in Section 12.4.7.5.C.2, "Compatibility with Existing Neighborhood." In addition, a height adjustment to a Detached Accessory Dwelling Unit building shall not result in more than 2 stories.	na
• Bulk Plane Dimensions		na
<b>2. NON-HISTORIC STRUCTURES IN THE D-GT ZONE DISTRICT ONLY</b>		
• Maximum height (in feet)	Up to an additional 25' permitted, according to Section 8.6.1.3 (Maximum Height) of this Code.	
<b>3. HISTORIC STRUCTURES</b>		
• Maximum height (in stories or feet)  • Bulk Plane Dimensions	The Zoning Administrator may approve an adjustment that results in a structure taller than a similar building form located within the existing neighborhood, as defined in Section 12.4.7.5.C.2, "Compatibility with Existing Neighborhood," if the landmark approving authority (pursuant to D.R.M.C., Chapter 30, Landmarks <u>Preservation</u> ) finds specifically that development on the <u>Zone Lot or parcel</u> conforming to this Code's height or bulk regulations would have an adverse impact upon the historic character of the individual landmark or the historic district, if a historic district is involved.	
<b>SITING STANDARDS:</b>		
Determination of Primary Street Zone Lot Line(s) on Corner Lots of Oblong Blocks or Square Blocks	Zoning Administrator may designate either or both zone lot lines parallel to the intersecting streets as a Primary Street Zone Lot Line, provided the resulting street setback standards shall be more compatible with an established pattern of street setbacks for buildings on the same face blocks containing the subject property.	
Minimum zone lot width requirements	5%	5%
Block sensitive primary street setback	No limit, provided the resulting primary street setback range (min/max) shall be more compatible with an established pattern of primary street setbacks for buildings on the same face block as the subject building.	
Side Interior Setback requirements on Zone Lots from 31 to 40' wide	No limit when based on a finding of neighborhood compatibility (see Section 12.4.7.5.C), provided the adjustment results in a side interior setback no less than 3'.	na
Setback requirements, all others, except primary street setback in the C-CCN Zone Districts	10%	20%
Build-to requirement -- Adjustment applies only to the min/max range of required build-to (e.g., an adjustment is permitted to the 0' to 5' range, but not to the minimum 70% build-to portion of the standard).	na	Adjustment for irregularly shaped lots only, not to exceed a min/max build-to range of 0' to 15'

ZONING STANDARD	MAXIMUM ADJUSTMENT "NA" = NOT APPLICABLE OR AVAILABLE	
	Suburban House, Urban House, Duplex, Tandem House and Any Associated Detached Accessory Structure Building Forms Only	All Other Building Forms
Build-to requirement to accommodate required water quality and/or detention/retention facilities.	na	Adjustment to allow a build-to alternative (e.g., a garden wall) to count up to 40% (e.g., a standard states up to 25% of the 70% build-to may be met by a garden wall - with adjustment, 25% may be increased to 40%)
Build-to requirement - Adjustment applies only to zone lots that are 80' wide or less.	na	Adjustment to the required minimum internal drive dimension for the purposes of public street access required by the City.
Build-to requirement - Adjustment applies only to sites with gas station uses existing on June 25, 2010.	na	Adjustment not to exceed 40%. The adjustment is permitted only when compliance with the build-to requirement is not feasible because of the impracticality of moving existing underground fuel tanks.
Maximum building coverage	5%	na
<b>DESIGN ELEMENT STANDARDS:</b>		
Building Configuration	na	15%
Attached Garage	Attached garage may be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) of the primary structure enclosing the primary use, provided the resulting attached garage shall be more compatible with a predominant established pattern on the same or opposite face block as the subject property.	na
<b>OTHER STANDARDS:</b>		
Garden wall alternative to build-to standards	na	Adjustment permitted for use of alternative garden wall materials when Zoning Administrator finds alternative garden wall materials will better complement primary building materials.
Required Amount of Parking in the Historic Structure Use Overlay District (UO-3) Only	<ul style="list-style-type: none"> <li>Required parking for office/art studio use in a <del>landmarkHistoric s</del>Structure: no maximum limit if applicant can show compliance with required parking is physically impossible.</li> <li>Required parking for bed and breakfast use in a Historic Structure: 20%</li> <li>See Section 9.4.4.8</li> </ul>	
Required Parking for Limited Nonresidential Uses Permitted in Existing Business Structures	Adjustment permitted to relieve hardship due to physical limitations of the site <ul style="list-style-type: none"> <li>See Section. 11.4.5</li> </ul>	na
Required Amount of Parking to Preserve <del>Mature Established</del> Trees	na	Adjustment permitted when Zoning Administrator finds the adjustment is necessary to preserve existing, mature trees See Section 10.4.5. and Section 10.5.3
Required Bicycle Parking and Required Mix of Bicycle Parking Facilities	na	20% See Section 10.4.3.3.

of an existing sign with a sign area up to 50 percent larger than the maximum sign size permitted under the provisions of Division 10.10, Signs, for the primary use in the zone district in which the use by right is maintained may be granted where no other signs are maintained for the same primary use on the same building front and where the total area of signs maintained for the same primary use does not exceed that permitted under the applicable provisions of Division 10.10, Signs; or

8. A greater total area of signs than that which is permitted under the provisions of Division 10.10, Signs, for the primary use in the zone district in which the primary use is or will be maintained.

#### **B. Variances for Signs for Religious Assembly Uses**

Notwithstanding the limitations set forth in this Section 12.4.7.3, Limitations on Variances for Signs, the Board of Adjustment shall have the power to grant variances from the provisions of Division 10.10, Signs, for signs that identify religious assembly uses when such signs are located on the same zone lot as the religious assembly use.

### **12.4.7.4 Review Process**

#### **A. Initiation**

The owner of the subject property or the owner's authorized agent may initiate an application for a variance.

#### **B. Application and Fees**

All applications for variance shall be filed in writing according to the rules of the Board of Adjustment. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Application.

#### **C. Public Hearing and Decision by Board of Adjustment**

1. Following notice and a public hearing according to the rules of the Board of Adjustment, the Board of Adjustment shall approve, approve with conditions, or deny the variance request based on whether the applicant has evidenced an unnecessary hardship according to the review criteria below, and subject to any limitations in Section 12.4.7.7 regarding variances for signs.
2. The Board may attach any condition to a variance approval necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties, including but not limited to a condition changing the location or dimensions of a proposed development directly related to the request for a variance.

### **12.4.7.5 Review Criteria - Showing of Unnecessary Hardship [Section Rearranged]**

The Board of Adjustment may grant a variance only if it finds that there is an unnecessary hardship whereby the application satisfies the criteria of **any one of** paragraph A. **or** B. **or** C. **or** D. **or** E. of this subsection **and** satisfies the criteria of Section 12.4.7.6, Review Criteria - Applicable to All Variance Requests.

#### **A. Unusual Conditions or Disability**

1. There is a disability affecting the owners or tenants of the property or any member of the family of an owner or tenant who resides on the property, which impairs the ability of the disabled person to utilize or access the property; ~~or.~~
2. ~~There are unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property; or~~
3. ~~There are unusual physical circumstances or conditions arising from the existence of an existing, nonconforming or compliant structure on the affected property; and.~~



**B. Unusual Conditions**

1. There are unusual physical circumstances or conditions, including, without limitation:
  - a. Irregularity, narrowness or shallowness of the lot, or
  - b. Exceptional topographical or other physical conditions peculiar to the affected property; or
  - c. ~~There are~~ Unusual physical circumstances or conditions arising from an existing, nonconforming or compliant structure on the affected property, and
2. ~~When the hardship is based on unusual physical circumstances or conditions of the affected property:~~ Outline numbering updated below
3. The circumstances or conditions do not exist throughout the neighborhood or zone district in which the property is located, or the circumstances or conditions relate to drainage conditions and challenges found consistently throughout the neighborhood or zone district in which the property is located; and
4. The development or use of the property cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district; however, loss of a financial advantage, hardship that is solely financial, or the fact that a more profitable use of the property might be had if a variance were granted are not grounds for a variance; and
5. The unusual physical circumstances or conditions have not been created by the applicant.

**C. Designated Historic Property or District**

The property could be reasonably developed in conformity with the provisions of this Code, but the building has been designated as a ~~landmark~~ Historic sStructure or is in a designated historic district. As part of the review pursuant to D.R.M.C., Chapter 30; (~~Landmarks Preservation~~), ~~of the Denver Revised Municipal Code~~, the approving authority has found that development on the Zone Lot or parcel conforming to this Code's regulations would have an adverse impact upon the historic character of the individual landmark or the historic district, if a historic district is involved.

**D. Compatibility with Existing Neighborhood**

1. The property could be reasonably developed in conformity with the provisions of this Code, but the proposed adjustment or variance will result in a building form that is more compatible, in terms of building height, siting, and design elements, with the existing neighborhood in which the subject property is located. In making a determination of whether the subject property, with the proposed variance, would be more compatible with the existing neighborhood, the decision-making body may choose not to consider primary or accessory buildings in the existing neighborhood that have been granted variances or administrative adjustments based on unusual physical circumstances or conditions of such properties.
2. "Existing neighborhood" shall mean:
  - a. For changes in building or site elements within the rear 35% of a zone lot: Any similar zone lot or building on a zone lot which is located on the same face block or on an adjacent face block (i.e., across a rear property line or rear alley).
  - b. For changes in building or site elements within the front 65% of a zone lot: Any zone lot or primary building on a zone lot which is located on the same face block or the face block across a public street from the subject building.
3. For purposes of a variance review only, the Board of Adjustment may consider similar buildings located beyond the same face block, opposite face block, or adjacent face block



#### 12.4.9.4 Requirements and Limitations After Zoning Permit Issuance

##### A. Expiration and Extensions

1. Except as otherwise allowed in subsection A.2. below, a zoning permit with special exception review shall expire 12 months from the date of the Board of Adjustment's decision unless the special exception use begins operating, or a valid building permit is issued. Upon a showing of good cause, the Zoning Administrator may extend the permit for the special exception for additional time periods not to exceed a total of 12 additional months.
2. If a zoning permit with special exception review is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

##### B. Limit on Reapplication for Denied Special Exceptions

No application for a zoning permit with special exception review denied by the Board of Adjustment shall be considered for a period of 1 year from the date of the original denial unless the Zoning Administrator determines that the application contains substantial changes that address the reasons for denial of the application.

### SECTION 12.4.10 OFFICIAL MAP AMENDMENT (REZONING)

#### 12.4.10.1 Applicability

An official map amendment may be required to correct an error in the map or, because of changed or changing conditions in a particular area or in the city generally, to rezone an area to implement adopted plans, or to change the regulations and restrictions of an area as reasonably necessary to promote the public health, safety or general welfare.

#### 12.4.10.2 Zone Districts Not Available for Rezoning

Except as otherwise provided in Section 9.4.2.1 and Section 12.3.3.9, no land may be rezoned into any zone district not established in this Code. In addition, the following zone districts established in this Code, while mapped on the Official Zoning Map, shall not be applied to any lands after June 25, 2010:

- A. D-GT Downtown Golden Triangle zone district
- B. D-AS Downtown Arapahoe Square zone district
- C. O-1 zone district
- D. Adult Use Overlay District (UO-1)
- E. Billboard Use Overlay District (UO-2)

#### 12.4.10.3 Adjacency and Location Requirements

##### A. Requirements

Official Map amendments for the following zone districts shall meet the following requirements:

1. Applications proposed to be zoned to the D-C, D-TD, D-LD, D-CV, D-AS-12+, or D-AS-20+ zone districts shall be adjacent to the same zone district sought for the subject property. For the purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.
2. Applications proposed to be zoned to the DIA zone district shall be adjacent to an existing DIA zone district if the application is not initiated by the Manager of Aviation. For the

purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.

3. Applications proposed to be zoned to all Master Planned Context zone districts shall be located within a General Development Plan area where the GDP area is a minimum of 50 acres, and shall not include lands located within ¼ mile of an existing or planned Rail Transit Station Platform.

**B. Exceptions to Additional Requirements**

The following Official Map amendments are exempt from this section's requirements:

1. An Official Map amendment determined by the City Attorney to be a legislative zone map amendment.
2. An Official Map amendment applying zoning to lands newly included within the city's corporate boundaries after City Council approval of a minor boundary adjustment.

**12.4.10.4 Minimum Area Requirements**

**A. Applicability**

~~This section's minimum area requirements shall apply to all applications for Official Map Amendments to this Code adopted after June 25, 2010, unless specifically exempted in Paragraph B. below:~~

**B. Exemptions from Minimum Area Requirements**

~~In addition to any exemptions specified in Section 12.4.10.3.D's summary table, the following applications for an official map amendment are exempt from this section's minimum area requirements:~~

1. ~~An official map amendment determined by the City Attorney to be a legislative zone map amendment.~~
2. ~~The subject property is adjacent to the same zone district designation sought for the subject property (for example, the subject property seeks a rezoning to G-MU-5 and is adjacent to property already zoned G-MU-5). For the purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.~~
3. ~~The subject property abuts property with the same zone classification except for the permitted maximum height, and the Official Map Amendment seeks a lower building height maximum than such abutting property (for example, the subject property seeks a rezoning to G-MU-5 and abuts property zoned G-MU-12).~~
4. ~~An official map amendment applying zoning to lands newly included within the city's corporate boundaries after City Council approval of a minor boundary adjustment.~~

**C. Calculation of Minimum Area**

1. ~~For the purpose of computing the size of an area for compliance herewith, there shall be added to the minimum area calculations the following:~~
  - a. ~~All land area, including public rights-of-way, within and extending to the centerline of the abutting right-of-way.~~
  - b. ~~The area of any land within the corporate limits of the city that is adjacent to the area being changed and which land already bears the zoning classification sought for the area being changed. For the purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.~~
2. ~~For the purpose of computing the size of an area for compliance herewith, there shall be excluded from the minimum area calculation the following:~~
  - a. ~~That portion of public rights-of-way in excess of 60 feet in width;~~

- b. ~~Water reservoirs, including supporting land, owned by the city, the state, the Denver Water Board, or any agency of the federal government;~~
- c. ~~All land owned by Denver School District No. 1 which is used for school purposes; and~~
- d. ~~All land owned by the city, the state, or any agency of the federal government which is used for public park or recreational purposes.~~

**D. Minimum Area Requirements for Rezoning**

Subject to the foregoing limitations, an area proposed to bear the following zoning classifications shall contain at least the following area:

<b>ZONE-DISTRICT-CLASSIFICATION-PROPOSED</b>	<b>MINIMUM-AREA-REQUIRED</b>
SU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> <li>• Rezone from "A", "B", "C", etc. SU zone to "A1", "B1", "C1" etc. SU Zone District: minimum 1 block</li> <li>• Rezone from "A", "B", "C", etc. SU zone to "A2", "B2", "C2" etc. SU Zone District: 8 acres</li> </ul>
TU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> <li>• Rezone from "A", "B", "C", etc. TU zone to "A1", "B2", "C1" etc. TU Zone District: 8 acres</li> </ul>

TH	2 acres, or at least one face block
RH	2 acres, or at least one face block
MU	2 acres, or at least two facing block faces or one block
RO	No requirement

CC	No requirement
RX	No requirement
MX	No requirement
MS	No requirement
CCN	No requirement

D-C	Must abut an existing D-C District
D-TD	Must abut an existing D-TD district
D-LD	Must abut an existing D-LD district
D-CV	Must abut an existing D-CV district
D-A5-12+ and D-A5-20+	Must abut an existing D-A5-12+ or D-A5-20+ District

I-MX	No requirement
I-A	8 acres
I-B	8 acres
CMP-H, H2	6 acres or no minimum if abutting an existing CMP-H or CMP-H2 district
CMP-EI, EI2	CMP-EI: 6 acres or no minimum if abutting an existing CMP-EI district CMP-EI2: 70,000 square feet or no minimum if adjacent to or across the street from an existing CMP-EI or CMP-EI2 district
CMP-ENT	6 acres
CMP-NWC	No requirement

OS-A	No requirement
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ZONE-DISTRICT-CLASSIFICATION-PROPOSED	MINIMUM-AREA-REQUIRED
OS-B	No requirement
OS-C	No requirement
All Master Planned Context Zone Districts	Must be located within a General Development Plan area where the GDP area is a minimum of 50 acres, and shall not include lands located within ¼ mile of an existing or planned rail transit station platform.
DIA	No requirement if rezoning is initiated by the Manager of Aviation, otherwise must abut an existing DIA district
-AIO Overlay	8 acres
-CO	2 acres and at least two facing block faces
-DO	2 acres and at least two facing block faces
PUD	No requirement
Any Zone District in the Denver Zoning Code when Land is Currently Zoned Under Former Chapter 59	No requirement

### 12.4.10.5 Review Process

#### A. Initiation

##### 1. By City Council

- a. According to its authority under the City Charter, the City Council or any individual member of the City Council may initiate an official map amendment.
- b. The City Council or an individual City Council member may, but is not required to, follow the public notice or procedures in this Section 12.4.10.4. However, the City Council or any individual City Council member shall comply with the public notice and process provisions required by the Charter for an official map amendment (rezoning).

##### 2. By Other Parties

Other than City Council or an individual City Council member, only the following parties may initiate an official map amendment:

- a. The Manager.
- b. All official map amendment applications for a PUD District, or for a zone district with waivers and/or conditions under Section 12.4.10.6, shall be initiated by all the owners of the entire land area subject to the rezoning application, or their representatives authorized in writing to do so.
- c. For official map amendment applications for other than a PUD District or zone district with waivers and/or conditions, an application for an official map amendment may be initiated by either:
  - i. All of the owners of the entire land area subject to the application for an official map amendment or their representatives authorized in writing to do so; or

- b. All approved amendments to a recorded PUD District Plan shall be recorded.

#### **12.4.10.13 Limits on Re-Application for Denied Official Map Amendments**

No application for an official map amendment shall be made concerning any land area, or any portion thereof, that was the subject of a public hearing conducted by City Council within the immediately preceding 12 months period and which public hearing resulted in a rejection of the proposed official map amendment. However, this limitation shall not apply to those land areas or portions thereof for which a different zone district classification is proposed than that which was denied by City Council.

### **SECTION 12.4.11 TEXT AMENDMENT**

#### **12.4.11.1 Applicability**

For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the text of this Code shall not be amended except to correct a manifest error in the chapter, or because of changed or changing conditions in a particular area or in the city generally, including any change to the regulations and restrictions of an area thereof, or to implement adopted plans, or as otherwise reasonably necessary to the promotion of the public health, safety or general welfare.

#### **12.4.11.2 Text Amendments to Create New Use Overlay Zones Not Allowed**

After June 25, 2010, no new Use Overlay District may be established through a text amendment to this Code.

#### **12.4.11.3 Review Process**

##### **A. Initiation**

~~An application for a proposed~~ text amendment may be initiated by:

##### **1. ~~By~~ City Council**

- a. According to its authority under the City Charter, the City Council or any individual member of the City Council may initiate a text amendment. The City Council or an individual City Council member may, but is not required to, follow the public notice or procedures in this Section 12.4.11.3. However, the City Council or any individual City Council member shall comply with the public notice and process provisions required by the Charter for a text amendment.

##### **2. ~~By~~ Other Parties**

- a. The Manager on the Manager's initiative or upon request of private parties may initiate a text amendment; or the manager of any city department or agency may initiate a text amendment.

##### **B. Application**

1. All ~~applications requests~~ for ~~proposed~~ text amendments shall be filed in writing with the Manager. ~~See Section 12.3.3, Submission of Applications.~~ This provision does not apply to text amendments initiated by the Manager.

##### **C. Agency Referral and Recommendation**

1. Upon receipt of ~~an application a written request~~ for a ~~proposed~~ text amendment, the Manager shall transmit copies of the ~~application request~~ to any other agencies, either public or private, which might be affected by the amendment. Any such agency may transmit comments and recommendations concerning the ~~application proposed text amendment~~ to the Manager. Any agency wishing to comment shall do so within 21 days from the referral of the ~~complete application written request~~. Non-response by a review-

ing agency within the 21-day time period, or any extension agreed to by the Manager, shall be deemed a recommendation of approval by such agency.

2. No text amendment shall be forwarded for City Council consideration until the amendment has been referred to affected agencies and the recommendations of those agencies, if any, considered.

**D. Disposition of ~~Applications~~ Initiated Text Amendments**

1. Except as allowed in subsection D.2 below, when ~~an application a request~~ for a proposed text amendment, including agency comments and recommendations, is completely assembled, the Manager shall submit it, along with the Manager's written recommendation, to the Planning Board for the Planning Board's review and recommendation.
2. Where a text amendment is necessary only to correct an error or mistake in fact in the Code language, the Manager may submit the application proposal, including agency comments and recommendations, directly to the Council Committee for its consideration under Section 12.4.11.3.F, below.

**E. Public Hearing and Recommendation by Planning Board**

The Planning Board shall notice and hold a public hearing on the proposed text amendment according to Section 12.3.4, Public Notice Requirements. The Planning Board shall consider the recommendation of the Manager and any comments received, in addition to the review criteria below, in recommending approval, recommending approval with conditions, or recommending denial of a text amendment. The Planning Board shall forward its recommendation to City Council.

**F. Consideration of ~~Application~~ by Council Committee**

1. City Council shall appoint a committee of its members to examine all proposed text amendments ~~applications~~ and agency reports. The Council committee may at that time require additional information from the ~~applicant~~ initiator of the proposed text amendment or from city agencies, including information previously waived.
2. The Council committee shall direct any further action on the ~~application proposed text amendment~~ under this Section and, when deemed ready for hearing, shall forward the application proposal to the City Council.

**G. Public Hearing and Final Decision by City Council**

1. The Manager shall submit the complete application proposal with such supporting material as designated by the Council committee to the City Council for Council action.
2. The City Council shall notice and hold a public hearing on the proposed text amendment according to Section 12.3.4, Public Notice Requirements. The City Council shall consider the recommendations of the Planning Board and Manager, comments received, and the review criteria below, in approving or denying a text amendment.

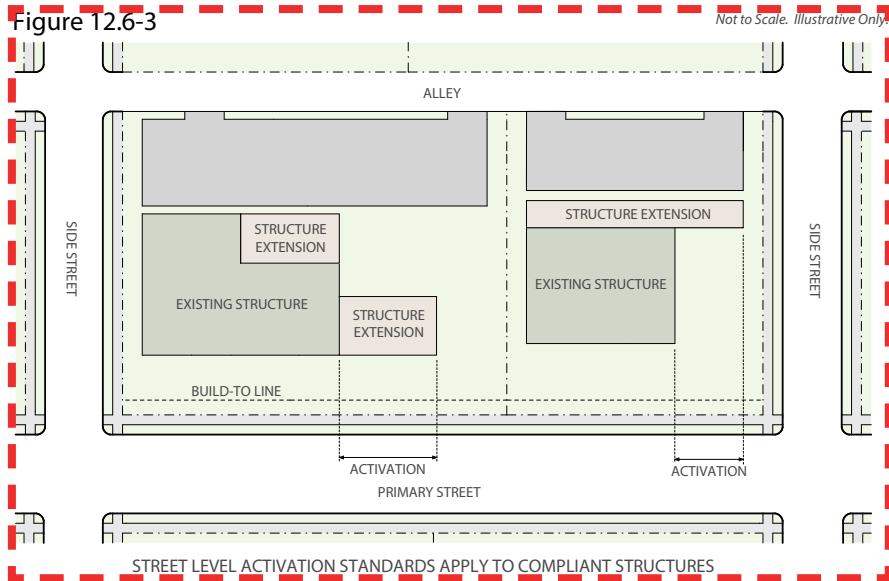
**12.4.11.4 Review Criteria**

**A. Consistency With Adopted Plans**

All text amendments shall be consistent with the City's adopted plans, or the proposed text amendment is necessary to provide for a community need that was not anticipated at the time of the adoption of the Comprehensive Plan.

**B. Public Health, Safety and General Welfare**

All text amendments shall further the public health, safety and general welfare of the City.



GRAPHIC LABEL CHANGED TO READ: "STREET LEVEL ACTIVATION STANDARDS..."

**F. Required Side Setback - Expansions, Enlargements and Alterations Allowed without Full Compliance**

Requirements as to side setbacks lines may be modified to permit an addition to a compliant structure located in a Residential Zone District and used solely for residential purposes if such compliant structure meets the following conditions:

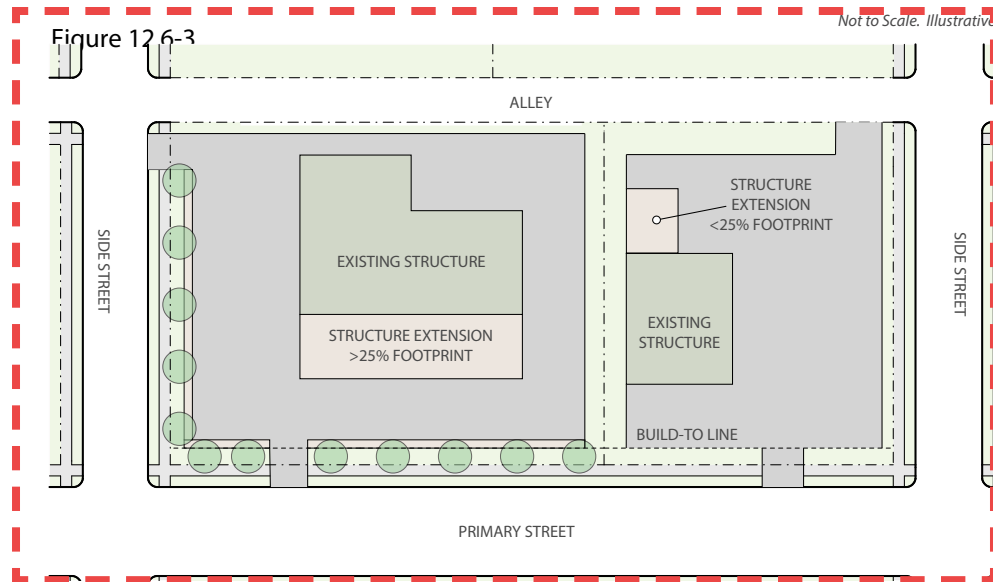
1. The dimension of the structure that causes the structure to be compliant as to side setback exists for at least one-half of the sidewall length of the structure.
2. The length of the proposed addition shall not exceed the length of the existing compliant sidewall.
3. No wall or roof of the proposed addition to be built within the required side setback area shall be higher than the existing wall or roof to which it is attached, except that an existing roof structure may be removed and replaced to provide alignment with the wall or roof of the proposed addition.

**G. Surface Parking Between Primary Street and Side Street - Expansions, Enlargements and Alterations Allowed without Full Compliance**

Compliant Structures that do not meet the Surface Parking between the Primary Street and Side Street standards of this Code may be altered without fully complying with the Surface Parking between Primary Street and Side Street standards. Such compliant Structures may be expanded, enlarged, and altered resulting in parking located between a building and a primary or side street provided that:

1. Off-Street Parking may be established or expanded only if it meets the Surface Parking between the Primary Street and Side Street standards; and
2. Any expansion or enlargement that expands the building's Gross Floor Area by more than 25% cumulatively after June 25, 2010 shall comply with perimeter parking lot landscaping standards for Surface Parking located between the building and any street set forth in Division 10.5. See figure 12.6.3:





### 12.6.3.3 Voluntary Demolition and Reconstruction

#### A. Compliance Required

A compliant structure that is voluntarily demolished shall be reconstructed only in full compliance with all applicable zone district standards, unless eligible for the limited exception in Section 12.6.3.3.B below.

#### B. Exception in the CC, MX, MS and I-MX Zone Districts

##### 1. Applicability

- This Section 12.6.3.3 applies only in the CC, MX, MS, and I-MX zone districts.
- This Section 12.6.3.3 applies only to structures that were conforming on June 24, 2010 and shall not apply to structures that were nonconforming on June 24, 2010.
- This Section 12.6.3.3 shall not apply to any additions or expansions built under Section 12.6.3.3
- A compliant structure that has been rebuilt per this Section 12.6.3.3 may thereafter be voluntarily demolished and rebuilt per this Section 12.6.3.3, or in full compliance with all applicable zone district standards.

##### 2. General Rules for Reconstruction After Voluntary Demolition

A compliant structure that is voluntarily demolished may be reconstructed either:

- In full conformance with all applicable zone district standards; or
- According to Section 12.6.3.3.B.3, below.

##### 3. "As Was" Reconstruction of Compliant Structures

After voluntary demolition, a compliant structure may be reconstructed as it existed on June 24 2010, in compliance with the following conditions:

- The area and dimensions of the zone lot on which the replacement structure will be constructed are the same that existed on June 24, 2010.
- The applicant provides an improvement location survey prepared by a Qualified Professional describing the area and dimensions of the zone lot and the compliant structure's dimensions and location relative to zone lot lines. Documentation shall also include the dimensions and location of surface parking serving the compliant structure, dimensions and location of other structures and landscape features,

an individual trailer or mobile home with a trailer or mobile home of substantially similar construction and size (not including HUD labeled and HUD compliant manufactured homes) may be permitted only if the Zoning Administrator first approves a zoning permit for the replacement trailer or mobile home,

4. Replacement of an individual trailer or mobile home with a trailer, mobile home, or other manufactured or modular home that is placed on a permanent foundation (the use of tie-downs or ground anchors only is not considered a "permanent foundation").

### 12.7.3.2 Zoning Administrator Authority to Allow Limited Expansions

#### A. Zoning Administrator Authority in Special Cases Only

1. The Zoning Administrator may authorize, upon application in specific cases, an exception permitting an increase in either or both the zone lot area or the floor area in a structure or structures occupied by a nonconforming use as are necessary and essential to enable the owner of the use to comply with lawful requirements of the federal, state, or municipal governments; or
2. As a result of an act of government through vacation of right-of-way that creates private land area abutting an existing zone lot, for that newly created private land, the Zoning Administrator may authorize, upon application in specific cases, an exception permitting the existing nonconforming use on the existing zone lot to expand in zone lot area, but not floor area in a structure or structures, onto the newly created private land.

#### B. Procedure and Required Findings

All applications for an allowance under this Section 12.7.3.2 shall be reviewed according to the procedures stated in Section 12.4.1, Zoning Permit Review. In addition to the review criteria stated in Section 12.4.1, the Zoning Administrator shall grant an allowance only upon finding the following conditions exist:

1. That the use is a nonconforming use as defined in this Code, is in full compliance with all requirements of this Code applicable to nonconforming uses, and is not a nonconforming use which, by the provisions of this Code, is to be terminated by operation of law; and
2. The Zoning Administrator has found that the application complies with Section 12.7.3.2.A.

#### C. Allowance Personal to Owner

Every allowance authorized by this Section 12.7.3.2 shall be personal to the applicant and shall not be transferable, and shall run with the land only after construction of any authorized structure or structures and only for the life of such structure or structures.

### 12.7.3.3 Board of Adjustment Authority to Grant Variances for Expansion

The Board of Adjustment is authorized under its power to grant variances to permit an increase in the floor area occupied by a nonconforming use in an existing structure, subject to the procedures and applicable criteria stated in Section 12.4.7, Variance.

## SECTION 12.7.4 COMPLIANCE WITH LIMITATIONS ON EXTERNAL EFFECTS OF USES

Every nonconforming use shall comply with the limitations on external effects of uses established for the zone district in which such use is located.

## SECTION 12.7.5 ZONE LOT FOR STRUCTURES CONTAINING NONCONFORMING USES

Whenever a nonconforming use or uses is operated in a structure, a separate zone lot shall be designated, provided, and continuously maintained for the structure containing the nonconforming use or uses. Each zone lot shall have at least one Primary Street zone lot line. Upon application to and approval by the Zoning

## DIVISION 12.10 NONCONFORMING ZONE LOTS

### SECTION 12.10.1 INTENT

This Division 12.10 is intended to promote the use, development, and redevelopment of pre-existing zone lots throughout the City of Denver, while recognizing that such zone lots do not generally fit the predominant lot patterns of their surrounding neighborhood context. Accordingly, this Division makes clear that nonconforming zone lots can be used and developed in compliance with existing zoning rules, but the range of permitted building forms is limited to mitigate possible adverse impacts on surrounding properties.

### SECTION 12.10.2 DEFINITION

See Article 13 for definition of "Zone Lot, Nonconforming."

### SECTION 12.10.3 USE & DEVELOPMENT ALLOWED

#### 12.10.3.1 Applicability

This Section 12.10.3 applies to: ~~all nonconforming zone lots except for a nonconforming zone lot that qualifies as a "carriage lot", as defined in Article 13 of this Code. All carriage lots shall comply with the standards in Section 12.10.4 below.~~

- A. All Nonconforming Zone Lots that do not qualify as Carriage Lots; and
- B. All Nonconforming Zone Lots that qualify as Carriage Lots that contain a legally established Primary Dwelling Unit use in the event of Involuntary Demolition
- C. All other Carriage Lots shall comply with the standards in Section 12.10.4 below

#### 12.10.3.2 Use of Nonconforming Zone Lots

A nonconforming zone lot may be used only for uses permitted in the zone district in which the zone lot is located. Establishment of a permitted use on a nonconforming zone lot shall comply with all applicable standards for that zone district and for the specific use.

#### 12.10.3.3 Development of Nonconforming Zone Lots in a Residential Zone District

Development of a permitted use on a nonconforming zone lot shall comply with all applicable standards for that zone district, except any applicable minimum zone lot area or minimum zone lot width standard, and except as prohibited in Section 12.10.3.3.B below. Development on a nonconforming zone lot shall comply with the following:

- A. Compliance with one of the following primary building forms, as permitted in the zone district, according to the Setback and Building Coverage by Zone Lot Width form standards that align with the nonconforming zone lot's width:
  1. Suburban House building form;
  2. Urban House building form;
  3. Duplex building form; or
  4. Tandem house building form, excluding in the S-SU-F1 zone district.
- B. Compliance with the accessory building forms, as permitted in the zone district, with the following exception:
  1. Where permitted, the Detached Accessory Dwelling Unit building form may only be constructed on a nonconforming zone lot that meets the minimum zone lot size standards for the detached accessory dwelling unit building form within the zone district.

#### 12.10.3.4 Examples

- A. For example, in the U-SU-C1 zone district, a zone lot of 4,500 square feet in total area and with a lot width of 40 feet, is nonconforming. The owner may develop an Urban House building form on the nonconforming zone lot, despite the lot's noncompliance with the 5,500 square foot area and 50 foot width standards otherwise required for an Urban House form in that zone district. Development of the urban house on the existing 4,500 square foot zone lot must still comply with all other building height, siting, and design element form standards. Certain siting form standards, such as primary street and rear building setbacks or building coverage for an Urban House, are keyed to the lot width of the subject zone lot, including a nonconforming zone lot. In this example, the Urban House would be subject to setback and building coverage standards key a 40-foot wide zone lot, as shown in the Urban House Building Form Table in Article 5 of this Code.
- B. For example, in the U-SU-C1 zone district, a zone lot of 4,500 square feet in total area and with a lot width of 40 feet, is nonconforming. The building form standards for a Detached Accessory Dwelling Unit building requires a minimum of 5,500 square feet of zone lot area as a prerequisite for development of such form. In this case, the owner could not develop a Detached Accessory Dwelling Unit building on her lot because the lot is less than the 5,500 square feet required in the U-SU-C1 zone district for that form.

### SECTION 12.10.4 DEVELOPMENT ON CARRIAGE LOTS

This Section 12.10.4 applies to:

- A. All Nonconforming Zone Lots that qualify as Carriage Lots and do not contain a legally established Primary Dwelling Unit use; and
- B. All Nonconforming zone lots that qualify as Carriage Lots that contain a legally established Primary Dwelling Unit use in the event of Voluntary Demolition

Notwithstanding the requirement for zone lots to have frontage on a named or numbered public street, the Zoning Administrator may grant a zoning permit for detached accessory structures used for the noncommercial parking of motor vehicles (residential vehicle garages) or used to house accessory dwelling units on carriage lots in specific cases, provided the following procedures and conditions are satisfied:

12.10.4.1 The permit application under this subsection shall be subject to Zoning Permit Review with Information Notice, according to Section 12.4.2 of this Code.

12.10.4.2 In deciding to approve, approve with conditions, or deny the application, the Zoning Administrator shall consider written comments of all interested parties and the impact of the proposed detached accessory structure and proposed use on adjoining properties.

12.10.4.3 The Zoning Administrator may grant the zoning permit provided the proposed detached accessory structure complies with the following standards:

**A. Ownership of the Subject Carriage Lot**

The applicant shall be the owner of the subject carriage lot or portion thereof, and shall have their principal residence located in the block surrounding the subject carriage lot or portion thereof. The granting of the zoning permit shall be personal to the applicant.

**B. Accessory Dwelling Unit Use of Detached Structure**

The detached accessory structure may be used for an accessory dwelling unit provided such accessory dwelling unit use is permitted in the applicable zone district, and provided the proposed accessory dwelling unit use complies, to the maximum extent feasible, with the accessory dwelling unit standards in Section 11.8.2, except as stated in this Section 12.10.4.3.

### **SECTION 12.11.3 OFFENSES AND LIABILITIES PRESERVED**

All offenses committed and all liabilities incurred prior to June 25, 2010 shall be treated as though all prior applicable zoning ordinances and amendments thereto were in full force and effect for the purpose of sustaining any proper suit, action or prosecution with respect to such offenses and liabilities.

### **SECTION 12.11.4 CONTINUING VIOLATIONS**

Every day on which a violation exists shall constitute a separate violation of this Code, and a separate offense.

### **SECTION 12.11.5 STATUTE OF LIMITATIONS FOR CITY ONLY**

All actions by the City to restrain, correct or abate the unlawful location, bulk, or gross floor area of or in a structure and alleged to result from the unlawful issuance of a permit to erect or alter such structure shall be brought within 3 years after the issuance of the particular permit alleged to have been unlawfully issued and not after that period.

### **SECTION 12.11.6 ENFORCEMENT POWERS, PENALTIES AND REMEDIES**

#### **12.11.6.1 Enforcement Powers**

The Manager shall have the duty of enforcing this Code and the power necessary for such enforcement, incidental to which duty and power the Manager may exercise the following authority:

- A. Conduct investigations and surveys to determine compliance or noncompliance with the provisions of this Code, including reinvestigations of any land or structure to determine if a violation under an earlier notice or order has been corrected. Incidental to such investigations and surveys, an authorized representative of the department may enter into and upon and cause any land or structure to be inspected and examined. ~~A failure or a refusal to permit such entry and inspection, after the issuance by the department of an order therefor, shall constitute a violation of this Code. Additionally, t~~The right to entry and inspection may be enforced by application to and proper orders from a court of proper jurisdiction;
- B. Issue written orders requiring compliance with the provisions of this Code. Such orders shall be served personally or by mail upon the person deemed by the department to be violating the provisions of this Code; provided, however, that if such person is not the owner of the land on or the structure in which the violation is deemed to exist or have occurred, a copy of the order shall be sent by mail to the owner of such land or structure, the owner to be determined from the tax roll for the preceding tax year in the office of the deputy county treasurer. In the case of a structure containing individual units owned by different owners, a copy of the order shall be sent by mail to the individual unit owner deemed by the department to be violating the provisions of this Code; and a copy of the order shall be sent to the corporation, organization, or association that either owns or controls the common areas. In case a violation occurs in the common areas of such a development, the order shall be sent by mail to the officers of the corporation, organization or association which either owns the common areas or is responsible under the condominium declaration for the maintenance and control of such common areas. The date of mailing shall be deemed the date of service of any order served by mail;
- C. Issue notices of violation for noncompliance with the provisions of this Code; and
- D. Institute, in courts of proper jurisdiction, proceedings to enforce the provisions of this Code, administrative orders and determinations made hereunder; and settlement agreements made hereunder.

#### **12.11.6.2 General Penalties Apply**

Any person violating any provision of this Code shall be subject to the general penalties provided by D.R.M.C., Section 1-13, by action brought in a court of appropriate jurisdiction.

### 13.1.5.2 Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, C-CCN, D-AS-12+ and D-AS-20+ Zone Districts

#### A. **General Provisions** (Entirety of Section 13.1.5.2 renumbered)

##### 1. Intent

To provide a reference of measurement for standards related to form and building placement (e.g. Build-to, Setback).

##### 2. General Requirements

- a. A primary street zone lot line or a side street zone lot line may abut a zone lot line abutting a private street if approved by the Zoning Administrator.
- b. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the zone district can be met.

##### 3. Criteria for Zoning Administrator Determinations

- a. Where identified in the following sections, the Zoning Administrator shall designate a zone lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, based on an analysis, at a minimum, of:
  - i. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
  - ii. Block and lot shape;
  - iii. The functional street classification of all abutting streets as adopted by the Public Works Department;
  - iv. The future street classification of all abutting streets as adopted in Blueprint Denver;
  - v. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
  - vi. In a Campus zone district, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.
- b. The Zoning Administrator shall have authority to designate a Zone Lot's Primary Street Zone Lot Line(s) contrary to the results in Section 13.1.5.2 when:
  - i. The Zone Lot contains a Historic Structure, and
  - ii. The Zone Lot is located within a Residential Zone District, and
  - iii. The strict application of Section 13.1.5.2 will result in adverse impacts on the established development pattern within the subject property's Existing Neighborhood (as defined in Section 12.4.7.5.D), and
  - iv. The resulting Primary Street Zone Lot Line(s) will be more compatible with an established pattern of setbacks for buildings on the same face block(s) containing the subject property.

**B. Determination of Zone Lot Lines**

**1. Interior Zone Lots: Primary Street, Side Street, Side Interior and Rear Zone Lot Lines**

On an interior zone lot, the following figures shall be used to determine the Primary Street or Block Sensitive Primary Street (“P”), Side Street (“SS”), Side Interior zone lot line (“SI”), and Rear zone lot line (“R”). See Figure 13.1-35.

- a. The Primary Street shall be the zone lot line abutting the name or numbered street.
- b. The Rear shall be the zone lot line opposite the Primary Street.
- c. The remaining zone lot lines shall be Side Interior.
- d. There shall be no Side Street designation.
- e. For zone lots which have unique conditions such as, but not limited to, more than four zone lot lines, two or more abutting alleys, or irregular shaped lots, the Zoning Administrator may designate the zone lot lines, following criteria listed above. See Figure 13.1-36.

Figure 13.1-35

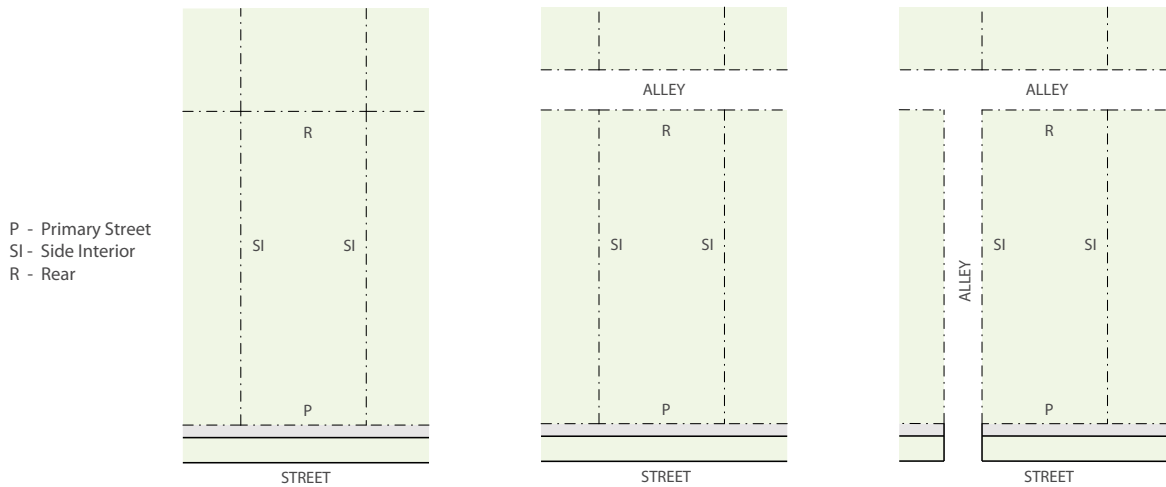
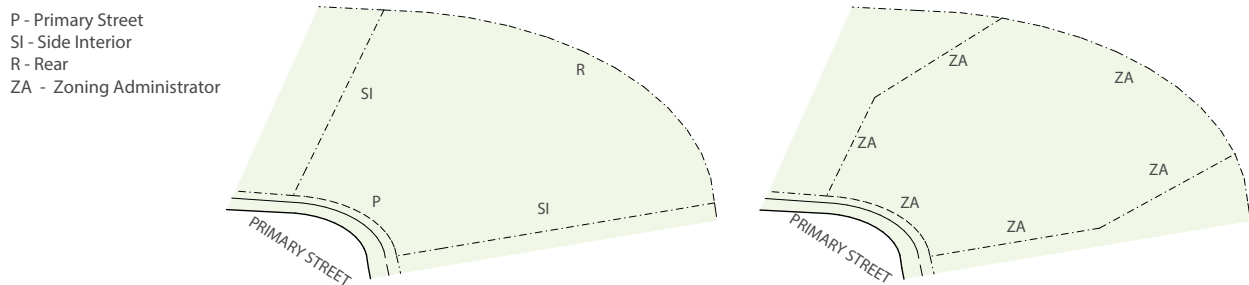


Figure 13.1-36





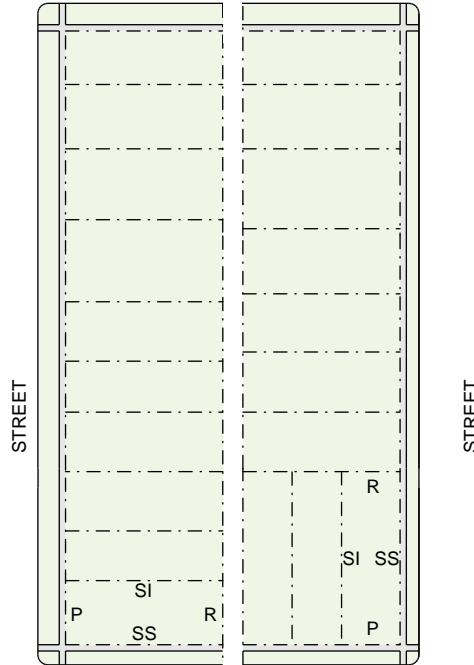
## 2. Corner Lots: Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines

### a. Corner Zone Lots of Oblong Blocks

- i. The zone lot line abutting the “long side of an oblong block” shall be the Primary Street and the zone lot line abutting the “short side of an oblong block” shall be the Side Street, with the following exceptions:
  - a) The zone lot line abutting the “short side of the oblong block” may be the Primary Street if;
    - a. Three or more existing zone lots, including the subject property, are present along the short side of the oblong block; and
    - b. The zone lot line abutting the short side of the oblong block is 50% or less of the length of the other zone lot line abutting the long side of the block
  - b) The applicant may request an Administrative Adjustment to designate the zone lot line abutting the “long side of the block” as the Side Street. See Article 12, Section 12.4.5.3, Permitted Types of Administrative Adjustments.
  - c) On a Zone Lot containing a Historic Structure, the Zoning Administrator may designate the Primary Street Zone Lot Line and may designate more than one Primary Street Zone Lot Line in accordance with Sec. 13.1.5.2.b.
- ii. The Rear shall be the zone lot line opposite the shorter of the two zone lot lines parallel and abutting a street.
  - a) If they are of equal length, the Zoning Administrator shall designate the rear zone lot line.
  - b) The applicant may request the Zoning Administrator designate a different zone lot line as the Rear, following criteria in Section 13.1.5.2.C.
  - c) In no case shall a zone lot line parallel and abutting a street be determined as the Rear.
- iii. The remaining zone lot lines shall be designated Side Interior.  
See Figure 13.1-37

Figure 13.1-37

P - Primary Street  
SS - Side Street  
SI - Side Interior  
R - Rear

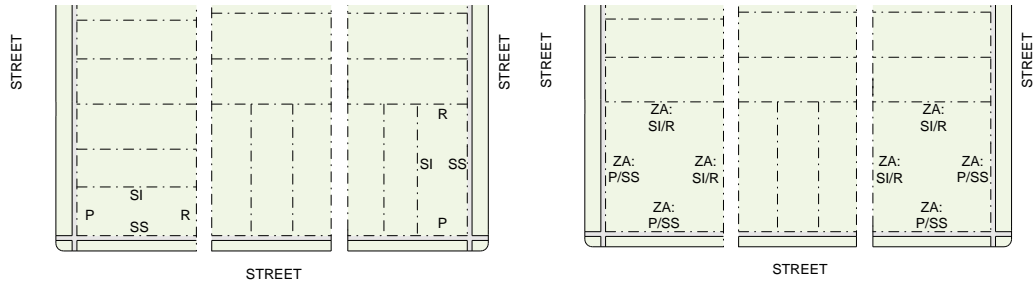


**b. Corner Zone Lots of Square Blocks**

- i. The Primary Street shall be the zone lot line abutting the street frontage, between any intervening rights-of-way (including alleys), on which a greater number of primary buildings face. If they have equal number of primary structures, the Zoning Administrator shall designate the Primary Street. The Side Street shall be the zone lot line abutting the other street.
  - a) The applicant may request an Administrative Adjustment to designate a different zone lot line as the Primary Street zone lot line. See Article 12, Section 12.4.5.3, Permitted Types of Administrative Adjustments.
  - b) On a Zone Lot containing a Historic Structure, the Zoning Administrator may designate the Primary Street Zone Lot Line and may designate more than one Primary Street Zone Lot Line in accordance with Sec. 13.1.5.2.b.
- ii. The Rear shall be the zone lot line opposite the shorter of the two zone lot lines parallel and abutting a street.
  - a) If they are of equal length, the Zoning Administrator shall designate the rear zone lot line.
  - b) The applicant may request the Zoning Administrator designate a different zone lot line as the Rear, following criteria in Section 13.1.5.2.C
  - c) In no case shall a zone lot line parallel and abutting a street be determined as the Rear.
- iii. The remaining zone lot lines shall be designated as Side Interior. See Figure 13.1-38.

Figure 13.1-38

P - Primary Street  
 SS - Side Street  
 SI - Side Interior  
 R - Rear  
 ZA - Zoning Administrator

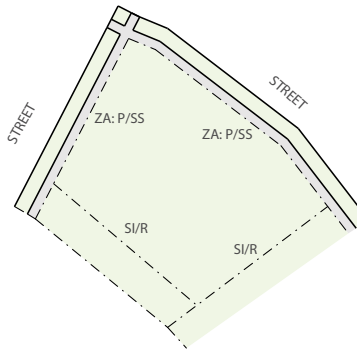


**c. Corner Zone Lots of Curvilinear Blocks**

The following Figure 13.1-39 shall be used to determine the Block Sensitive Primary Street(s) (“P”), Side Street (“SS”), Side Interior (“SI”), and Rear (“R”) of a corner lot on a curvilinear block. “ZA” means the Zoning Administrator shall make the determination of which frontage on the corner lot is the Primary Street in accordance with Sec. 13.1.5.A.3. For purposes of this provision, a “corner lot” is a zone lot that abuts only two intersecting streets. See Figure 13.1-39.

Figure 13.1-39

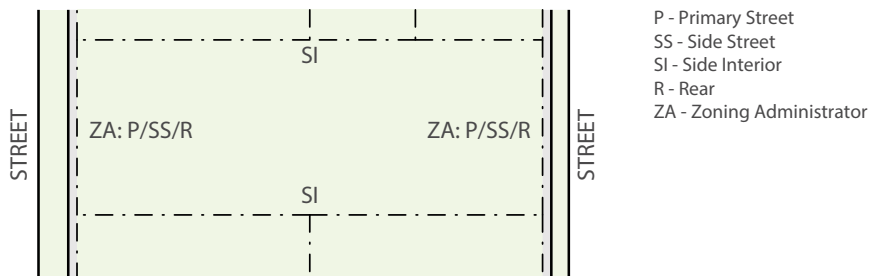
P - Primary Street  
 SS - Side Street  
 SI - Side Interior  
 R - Rear  
 ZA - Zoning Administrator



**3. Double Frontage: Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines**

For zone lots with double frontage, the Zoning Administrator shall determine which frontage is the Primary Street (“P”) and Side Street (“SS”), and which is a Side Interior (“SI”)/Rear (“R”) Zone Lot Line, or if both frontages qualify as Primary Streets. See Figure 13.1-40.

Figure 13.1-40



**4. Zone Lots with Frontage on 3 or More Streets/Full Blocks: Primary Street, Side Street, Side Interior and Rear Zone Lot Lines**

For corner lots with frontage on 3 or more streets, including zone lots with full block frontage, the Zoning Administrator shall determine which frontage is the Primary Street, if one or more frontages qualify as Primary Streets, and the classification of the remain-

### 13.1.5.6 Required Build-To

#### A. Intent

To clearly define the public realm through consistent building placement, massing and orientation.

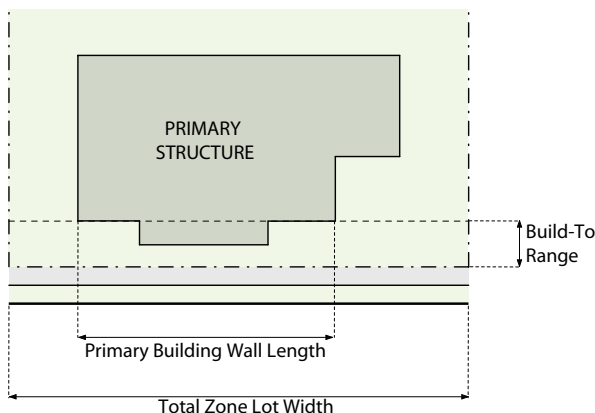
#### B. Applicability

The Primary Building Form Standards in Articles 3 through 9 specify required build-to standards for many Primary Building Forms. Rules of measurement, general requirements, and build-to alternative requirements are provided in this Section 13.1.5.6.

#### C. Rule of Measurement

See Figure 13.1-57

Figure 13.1-57

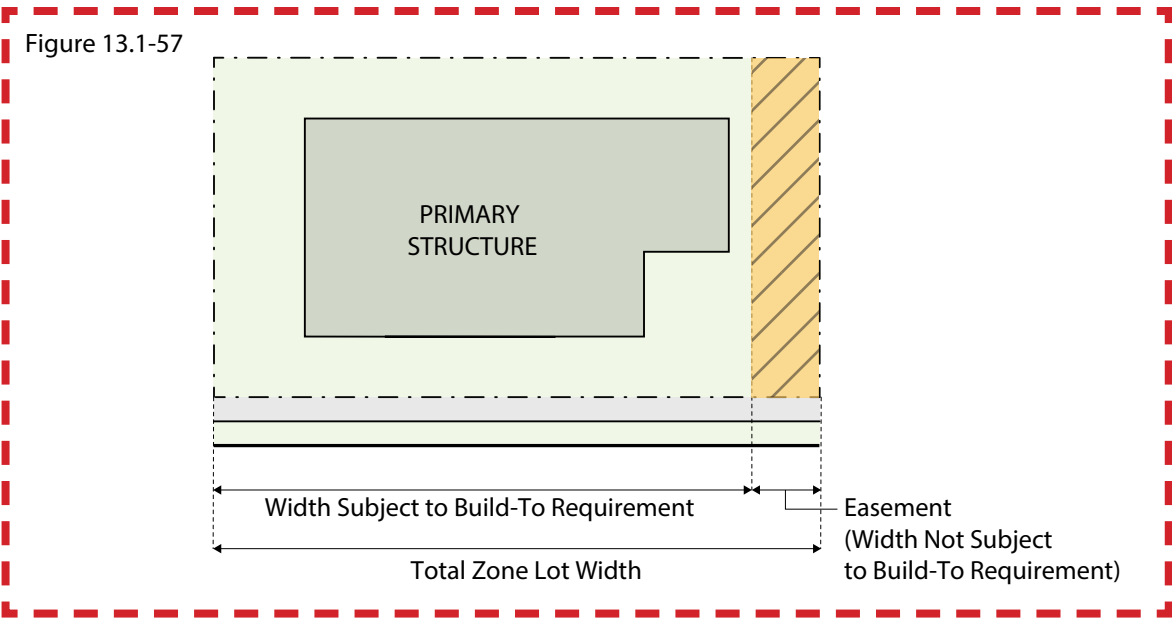


#### 1. Min/Max Range:

- a. Required build-to standards are measured from and perpendicular to the zone lot line abutting a named or numbered street.
- b. Where a zone lot includes an easement for public access or the benefit of a public utility, and such easement abuts the public street right-of-way, a required build-to shall be measured from the easement rather than from the zone lot line.
- c. Where a Zone Lot includes open space meeting the requirements of 12.4.12.5 abutting the public street right-of-way, a required Build-to shall be measured from the open space rather than the zone lot line.
- d. Where a zone lot includes an easement for public access abutting the public street right-of-way, and the dimension between the flow line of the public street and the zone lot line is 5 feet or less, a required build-to may be measured from the public access easement rather than from the zone lot line. In no case, however, shall this exception allow a reduction in the build-to line by more than 5 feet.

#### 2. Minimum Percentage:

- a. Required build-to is calculated as a percentage (%) using the length of the primary building front or side wall, and/or the length of a permitted build-to alternative such as a garden wall, located at or within the range of the Build-To requirement, divided by the total zone lot width at the zone lot line abutting the street right-of-way.
- b. For a Zone Lot including an easement for public access or the benefit of a public utility, the required Build-To is calculated as a percentage (%) using the length of the primary building front or side wall, and/or the length of a permitted build-to alternative located at or within the range of the Build-To requirement, divided by the total zone lot width at the zone lot line abutting the street right of way less the dimension of the easement.



- c. The width in linear feet of recessed pedestrian entries, used to meet a required entrance standard and recessed no deeper than 15 feet from the maximum build-to line, may be added to the length of the applicable wall for purposes of meeting a minimum percentage build-to requirement, not to exceed the width of the doors and typical sidelights, as applicable.
- d. For recessed vehicle garage doors that provide direct entrance to an integrated parking structure, but which are setback farther than the max of the build-to range due to city standards, rules or regulations, the width in linear feet may be added to the length of the applicable building wall for purposes of meeting the minimum percentage build-to requirement.

**D. General Requirements**

- 1. Required build-to standards shall apply only to the Street Level ground floor of the primary structure(s) on a zone lot.
- 2. Buildings, or a permitted alternative, shall be built at or within the Build-To requirement for at least the minimum percentage (%) required along the Primary and/or Side Street frontage.
- 3. Build-to requirements are calculated separately for each separately owned zone lot frontage comprising a development site.

**E. Build-to Alternative Requirements**

Where permitted, the following alternatives may be used singularly or in combination as alternatives to a required build-to minimum percentage standard:

**1. Permanent Outdoor Patio Seating**

Permanent outdoor patio seating shall be placed between the building and the Primary Street zone lot line. Street Level Activation standards shall still apply for portions of the facade behind permanent outdoor patio seating.

- b. Allowed materials are limited to masonry or an ornamental metal fence with masonry piers spaced at not more than 25 feet with landscaping.
  - i. An Administrative Adjustment to the allowed material is permitted to better match the primary building. See Article 12.
- c. Garden walls used as a Required Build-To Alternative may also be counted toward Perimeter Landscaping Requirements in Article 10.

Figure 13.1-59

*Not to Scale. Illustrative Only.*



**4. Pergola**

A pergola shall comply with all of the following standards:

- a. Pergola structure shall consist of an arbor or passageway of columns that is at least 50% open to the sky.
- b. Pergola structure shall be no less than 5 feet deep as measured perpendicular to the Primary or Side Street zone lot line.
- c. Pergola structure shall not be erected over a Drive or Driveway, or over any part of an Off-Street Parking Area.
- d. Pergola structure shall maintain at least 8 feet clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
- e. Pergola structure shall be made of metal, masonry, treated wood, or other materials that are durable in an exterior urban environment.
- f. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15 feet on center, which means the center of each column, post, or pier is a minimum of 15 feet from the center of the next column, post, or pier, and then the next, and so on.
- g. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports, provided that the pergola maintains at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42 inches and 84 inches above grade.

Figure 13.1-60



## 5. Arcade

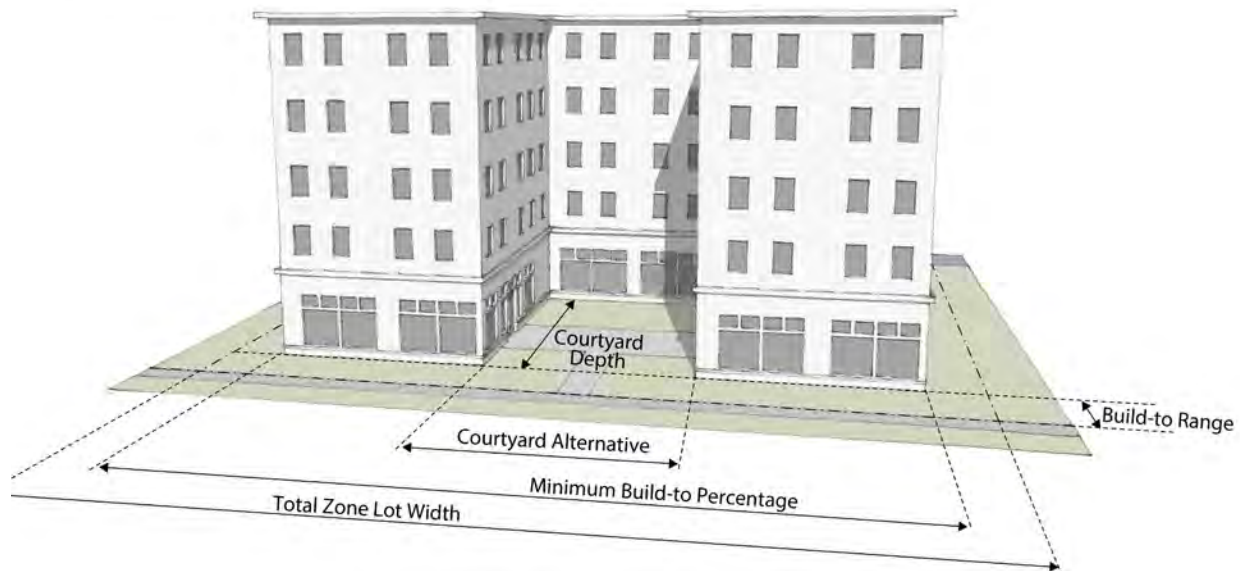
An arcade shall comply with all of the following standards:

- a. An arcade shall be located below an occupied building area,
- b. The arcade column line shall generally align with, and run parallel to, the wall plane of the building above,
- c. An arcade shall extend no more than 2 stories in height,
- d. The exterior face of the arcade column line shall be within the required build-to range,
- e. The average depth of the arcade shall be no less than 6 feet clear; as measured from the interior face of the columns (benches, trash receptacles and other non-permanent features may be located in the clear area),
- f. The average depth of the arcade shall be no more than  $2/3$  of the average height of unobstructed arcade openings, as measured from the front face of the columns
- g. The interior wall of the arcade shall meet the required Ground Story Street Level activation standards or alternatives.



Figure 13.1-62

Not to Scale. Illustrative Only.



### 13.1.5.7 Setbacks

#### A. Intent

To provide adequate separation for privacy and access to sunlight.

#### B. Rules of Measurement

Setbacks provide a minimum horizontal distance between a zone lot line and the location of uses and structures on a zone lot, measured as follows: See Figure 13.1-63

1. Primary and Side Street setbacks are measured perpendicular to the zone lot line at the edge of the right-of-way abutting a name or numbered street or an easement for public access Abutting the right-of-way of a named or numbered street.
2. Side Interior and Rear setbacks are measured perpendicular to the side interior or rear zone lot line abutting ~~either~~ another zone lot, ~~or~~ a public alley, or an easement for public access Abutting an Alley.
3. Where a Side Interior setback standard is stated as “min one side/min combined:”
  - a. One side interior setback shall meet the standard meeting the “min one side” and the total of both side interior setbacks shall be equal to or greater than the standard of the “min combined.”
  - b. If zone lot has only one Side Interior Zone Lot Line, the “min one side” standard shall apply.
4. Primary street and rear setbacks extend across the full width of the zone lot, overlapping with the side interior and side street setbacks as applicable.
5. Side interior and side street setbacks extend the full length of the side zone lot lines, overlapping with both the primary street and rear setbacks.

### 13.1.5.8 Setback Encroachments

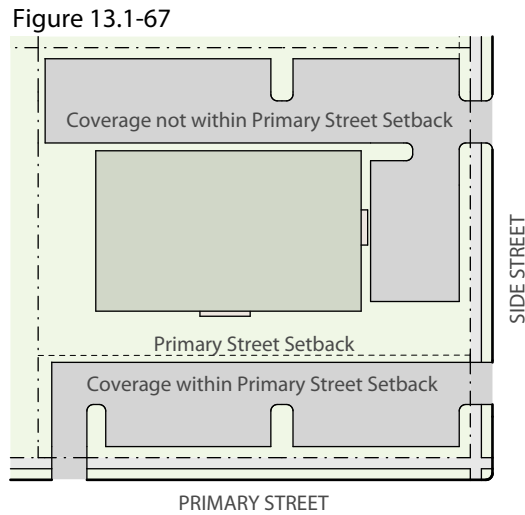
#### A. Rule of Measurement

1. Each setback encroachment shall be measured from the required minimum setback line.
2. Setback encroachments are not cumulative in that they are always measured from the same point.

### 13.1.5.11 Parking and Drive Lot Coverage in Primary Street Setback

#### A. Rule of Measurement

Parking and drive lot coverage in the primary street setback is measured as the total amount of material used for vehicle access or vehicle storage within the primary street setback area of a zone lot. See Figure 13.1-67.

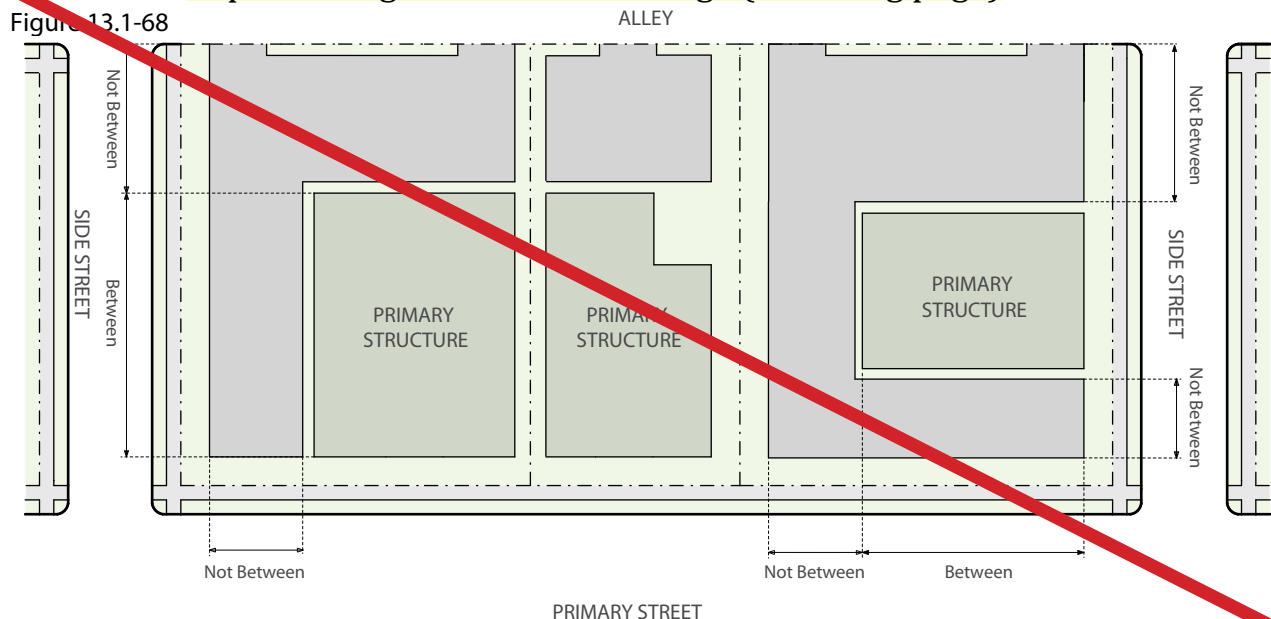


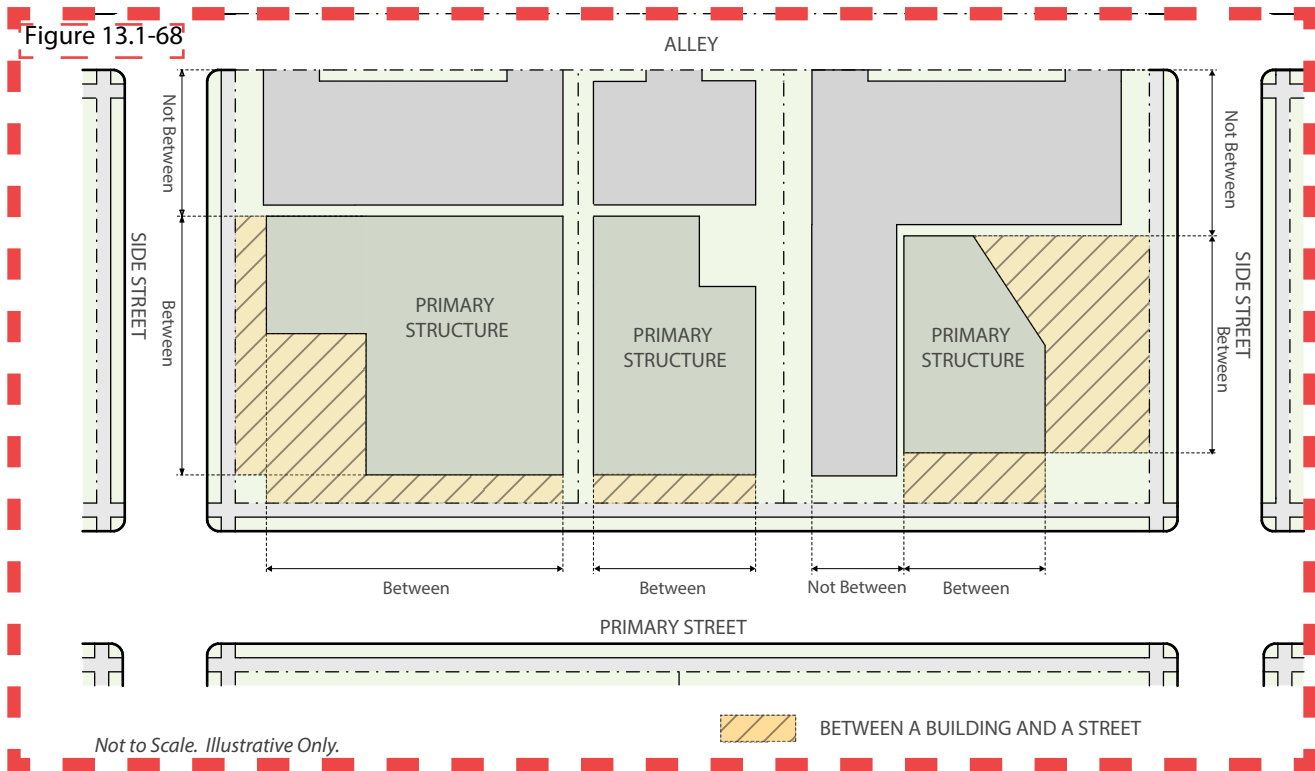
### 13.1.5.12 Surface Parking Between Building and Primary Street/Side Street

#### A. Rule of Measurement

~~For the purposes of determining if an area is Where surface parking is not permitted between a building and a zone lot line with the designation of Primary Street and/or Side Street, extend a line perpendicular from the Primary or Side Street Zone Lot Line. If any portion of said line touches the Building Facade, then said line is between the Building and such Street. parking shall not be located in the area directly between any building walls and the street.~~ See Figure 13.1-68.

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**13.1.5.13 Floor Area Ratio (FAR)**

**A. Rule of Measurement - FAR**

Floor area ratio (FAR) is the ratio of gross floor area of a building to the area of the zone lot on which the building is located. For example, 43,560 square feet of building on one acre of land (43,560 sq. ft.) would equal a 1:1 floor area ratio. See Figure 13.1-69

**B. Calculation of Gross Floor Area**

For purposes of calculating FAR, “gross floor area” means the sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured by the exterior faces of walls of each such floor. The floor area of a building shall include the floor area of accessory buildings on the same zone lot, measured the same way. In computing gross floor area there shall be excluded the following:

1. Any floor area devoted to mechanical equipment serving the building, provided that the floor area of such use occupies not less than 75 percent of the floor area of the story in which such mechanical equipment is located;
2. Any floor area in a story in which the floor above is less than 6 feet above the finished grade for more than 50% of the total building perimeter;
3. Any floor area used exclusively as parking space for motor vehicles; and
4. Any floor area that serves as a pedestrian mall or public access way to shops and stores.
5. For purposes of calculating parking amounts, see rule provided in Article 10, Division 10.4 Parking and Loading.

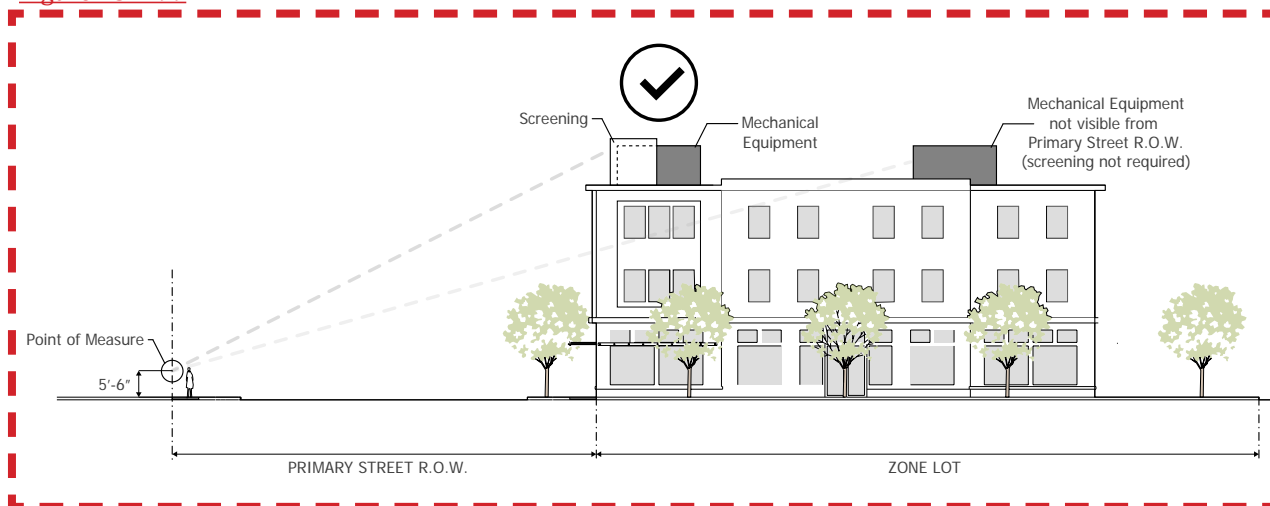
## SECTION 13.1.7 FENCE AND WALL HEIGHT MEASUREMENT

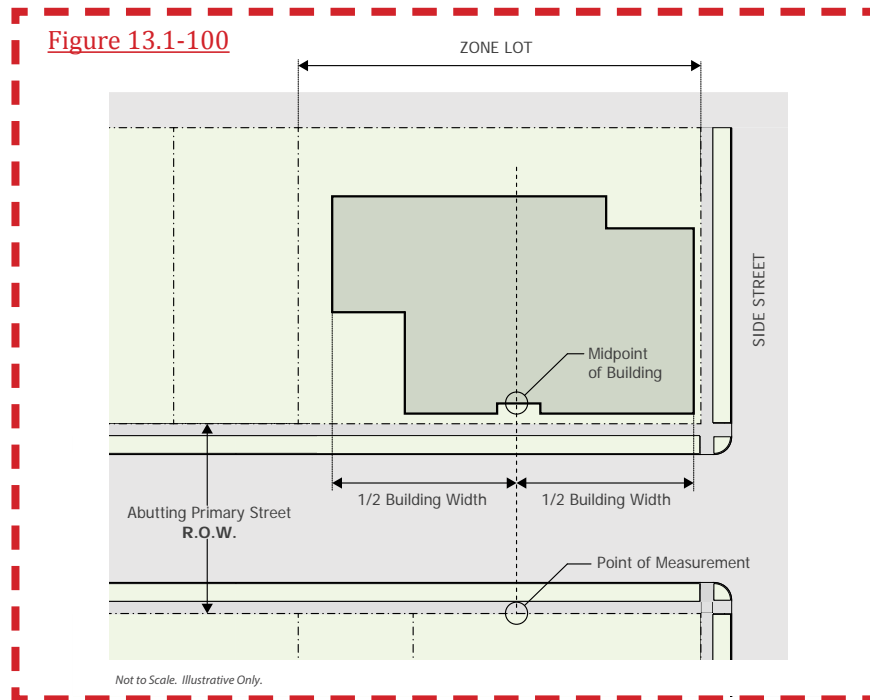
Fence and wall height shall be measured from the base of the fence or wall at the higher of the finished grade at the inside or outside of the fence or wall, to the topmost point of the fence or wall.

## SECTION 13.1.8 ROOFTOP MECHANICAL EQUIPMENT SCREENING MEASUREMENT

Rooftop mechanical equipment screening shall be measured from the opposite side of the abutting Primary Street's public right of way at the edge of the right of way, measured 5'-6" above grade, as measured perpendicular to the midpoint of each building. The midpoint is measured at the widest point of the building parallel to the Primary Street Zone Lot Line.

Figure 13.1-99





## SECTION 13.1.9 MEASUREMENT OF MOTOR VEHICLE OR TRAILER LENGTH

When measuring the permitted length of a motor vehicle, including but not limited to recreational vehicles, trailers, buses, or trucks, the following rule of measurement shall apply: The distance measured from the front-most to the rear-most portion of the vehicle (e.g., to the front and rear bumper), except, however, when extensions or projections are added beyond the front-most or rear-most portion of the vehicle, then the measurement shall include such extensions or projections.

## SECTION 13.1.10 MEASUREMENT OF SEPARATION OR DISTANCE

### 13.1.10.1 Measurement of Separation or Distance Between Uses

- A. When measuring a required separation between uses, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.
- B. Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the zone lot occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

### 13.1.10.2 Measurement of Separation or Distance Between a Use and Zone District

- A. When measuring a required separation between a use and a zone district, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.
- B. Only when a significant part of the primary use requiring separation is operated outside of a completely enclosed structure shall the separation be measured from the nearest point of the

zone lot occupied by the primary use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.

- C. In the case of an outdoor accessory use requiring separation from a zone district (for example, an accessory outdoor eating or serving area), distance shall be measured from the nearest point of the outdoor accessory use to the nearest point of the zone district boundary from which the separation is to be effected or established.

**13.1.10.3      Measurement of Separation or Distance Between a Rail Transit Station Platform and a Zone Lot**

When measuring distance between a Rail Transit Station Platform and uses for which Section 10.4 applies, distance shall be determined from the nearest point of the Rail Transit Station Platform to the nearest point of the Zone Lot.

## DIVISION 13.2 RULES OF INTERPRETATION

### A. Meaning and Intent

1. Words, phrases, terms, and uses defined in this Code shall be given the defined meaning.
2. Words, phrases terms, and uses not defined in this Code, but defined in the building code of the city, shall be construed as defined in such building code.
3. Words, phrases, terms, and uses neither defined in this Code nor in the building code of the city shall be given their usual and customary meanings except where the context clearly indicates a different meaning.

### B. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as “for example,” “including,” and “such as,” or similar language, are intended to provide examples and shall not be interpreted as exhaustive lists of all possibilities.

### C. Text Controls

In case of conflict, the text of this Code shall control over graphics, figures, illustrations, captions, titles and maps; however, the use and parking standards contained in the Use and Parking Tables found in Articles 3 through 9 shall control over any conflict in the text.

### D. Fractions

Unless specifically stated otherwise and only where the Zoning Administrator finds the result is not contrary to the intent of the subject standard, where any requirement of this Code results in a fraction of a unit, a fraction of five-tenths or more shall be considered a whole unit and a fraction of less than five-tenths shall be disregarded.

### E. Mandatory and Permissive Terms

The words “shall,” “must,” and “will” are mandatory and not permissive; the word “may” or “should” area always permissive and not mandatory.

### F. Burden of Proof on Applicant

Whenever this Code places the burden of proof on an applicant, that burden shall be met by, at a minimum, a preponderance of the evidence.

### G. Computation of Time

Periods defined by a number of days shall mean a number of consecutive calendar days, including all weekend days, holidays, and other non-business/working days. However, if the last day falls on a Saturday, Sunday, or legal holiday, the period extends to the next day that is not a Saturday, Sunday, or legal holiday.

### H. Delegation of Authority

Whenever this Code requires the Manager, Zoning Administrator, or other official to perform an act or duty, the Manager, Zoning Administrator, or other official may delegate the responsibility to subordinates, unless this Code specifies otherwise.

### I. Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. “And” indicates that all connected items, conditions, provisions, limitations, or events shall apply; and
2. “Or” indicates that one or more of the connected items, conditions, provisions, limitations, or events shall apply.

### J. Cross References

Cross references are provided in the this Code for the user’s convenience only and are not intended to be exclusive of other applicable standards in this Code.





**Camper Units, Detached:** A shell designed to be mounted on a pickup or truck chassis for use as a temporary shelter for travel, recreation and vacation use.

**Campus:** A large tract of contiguous land that is planned, developed, and operated as an integrated facility for a number of individual uses, with special attention to coordinated circulation, parking, utility needs, aesthetics, and compatibility. For purpose of this definition, the contiguity of any land area involved shall not be deemed to be destroyed by the presence of public rights-of-way. Examples of campuses may include, but are not limited to: hospitals, educational facilities, industrial or business parks, and performing arts complexes.

**Canopy:** A structure, fully supported by the building wall, providing shade and cover from the weather for a sidewalk, stoop or terrace.

**Carport:** An accessory structure space used for the housing or storage of motor vehicles and enclosed on not more than two sides by walls.

**Carriage House:** A Structure of more than one Habitable Story originally constructed as an Accessory Structure prior to November 8th, 1956 and located on the same Zone Lot as an existing Primary Structure.

**Carriage Lot:** A parcel of land completely surrounded by alleys in the center of a block and which has no public street frontage on a named or numbered street. A “carriage lot,” by definition, is a nonconforming zone lot for failure to comply with this Code’s requirement that all zone lots have frontage on a named or numbered public street. See “Zone Lot, Nonconforming.”

**Change of Use:** Any use that substantially differs from the previous use of a building or land, as determined by the Zoning Administrator.

**City:** The City and County of Denver.

**Code or “This Code”:** The Denver Zoning Code, as incorporated by reference in Chapter 59 of the Denver Revised Municipal Code.

**Collocation:** The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

**Commercial:** Pertaining to the buying and selling of commodities and services for a profit.

**Common Area:** Areas within a building or within a residential development that are available for common use by all owners or tenants. Examples of common areas include, but are not limited to: a clubhouse, courtyard or other shared recreation area; building lobbies, corridors, and stairways; parking areas; laundry room; roof; or storage rooms.

**Compatibility or Compatible:** The characteristics of different uses or activities or designs that allow them to be located near or adjacent to each other without adverse effect. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, building materials, and building architecture. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of development proposals in maintaining the character and context of existing development.

**Complete Application:** An application in the form required by this Code, including all information necessary to decide whether the application will comply with the requirements of this Code, including all items or exhibits specified during a pre-application conference or concept plan review, and accompanied by the applicable fee or fees.

**Completely Enclosed Structure:** See “Structure, Completely Enclosed.”

**Concealed Light Source:** An artificial light intended to illuminate a building, the face of a sign, or landscaping, which light is shielded from public view and from adjoining zone lots.

**Conforming Structure:** See “Structure, Conforming.”

**Conforming Use:** See “Use, Conforming.”

**Continuously Maintained** means to continue a condition uninterrupted without cessation in space, time, or sequence. When applied to demolition of a structure containing a legally established use, Continuously Maintained means that the legally established use is presumed to have continued uninterrupted and that a different intervening use was not established on the same Zone Lot, regardless of any length of time that the Zone Lot is vacant.

**Corner Lot or Corner Zone Lot:** See “Zone lot, corner.”

**Corner Triangle:** A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or permitted to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

**Court or Courtyard:** An area open from the ground to the sky that is partly or wholly enclosed by buildings or walls.

**Dormer:** A framed window unit projecting through the sloping plane of a roof.

**Drive Aisle:** An improved and maintained way providing vehicular access within an Off-Street Parking Area.

**Drive or Driveway:** An improved and maintained way providing vehicular access from the public right-of-way to an ~~Off-Street Parking Area~~, to a ~~detached Garage~~ structure, to dwellings, or to other uses. Does not include areas providing direct access to parking stalls or attached Garages for more than one dwelling unit - See Off-Street Parking Area.

**Downtown Ground Floor Pedestrian-Active Use:** Shall include retail sale; banking facility open to the public with at least one employee on site; eating place; personal and business service; hotel lobby; indoor and outdoor entertainment or recreation facility; dedicated public park or open space; arts and cultural facility; and the frontage of entry ways or stairways through which such uses are principally accessed, provided, however, that the following types of retail sales shall not be considered Downtown Ground Floor Active Use pedestrian-active uses: amusement center; sale of automobiles; sale of auto trailers; sale of house trailers; sale of trucks; sale of auto and truck parts, accessories, tires and tubes; automobile gasoline filling station; boat sales; home building materials store; koshering of poultry sold at retail on the premises; motorcycle store; monument and tombstone sales; pawnshop; retail sale of medical and hospital equipment and supplies; and retail sale of packaged coal and wood for household use; and provided, further, that no adult use shall be considered a Downtown Ground Floor Active Use pedestrian-active uses. (moved from "P" in definitions)

**Dwarf Goat:** See Denver Revised Municipal Code section 8-4(4.5).

**Dwelling:** Any building or portion of building that is used as the residence of one or more households, but not including hotels and other lodging accommodation uses, hospitals, tents, or similar uses or structures providing transient or temporary accommodation with the exception of an accessory Short-term Rental.

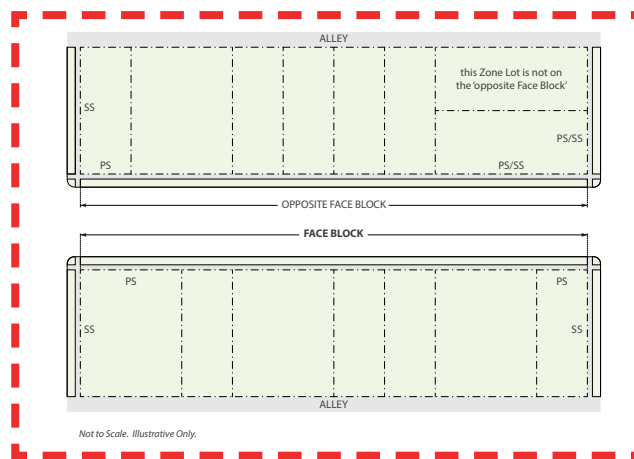
**F**

**FAA:** Federal Aviation Administration.

**FCC:** Federal Communications Commission.

**Facade:** Any exterior wall surface located at the ground level of a building that encloses the interior of the building.

**Face Block:** A zone lot or lots **fronting on Abutting** one side of the block. The “same” block face indicates only those zone lots **fronting on Abutting** the same side of the block as the subject property. The “opposite face block” includes those zone lots located on a different block than the subject property, but located directly across the street from and **fronting Abutting** the same street as the subject property, and bounded by the same intersecting streets as the subject property’s block.



**Fence and Wall:** An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas. For a retaining wall, see definition of “Retaining Wall.”

**Fine Arts:** Individual art pieces not mass produced.

**Finished Grade:** See definition of Grade, finished.

**Fixed Rack Bicycle Parking Facility:** An unenclosed device used for the parking of bicycles that is affixed permanently to the ground. Examples include, but are not limited to, an inverted “U”-style bicycle rack.

**Fixture:** A small structure or part of a structure used by the occupants of the premises for the purpose of containing or holding containers of garbage, trash recycling and similar waste products, or for landscaping such as bird baths, ornamental statuary, arbors, rock gardens, monuments, flagpoles, ornamental lampposts and similar decorative features but not including enclosed buildings.

**Flag Lot:** See “Zone Lot, Flag.”

**Flatwork:** Improved areas constructed of Impervious Material providing pedestrian access to entrances and buildings, including walkways, stairs, and ramps. Shall be located at original grade. Shall not include areas meeting the definition of Patio.

**Floor Area, Habitable:** The aggregate of the horizontal area of all rooms used for habitation, such as living room, dining room, kitchen, and bedroom(s), but not including hallways, stairways, cellars, service rooms, utility rooms, bathrooms, closets, unheated areas such as enclosed porches.

**Floor Area Ratio (FAR):** See the Rule of Measurement within this Article 13.

**Floor Plate:** The sum of the gross horizontal area of a single floor of a building structure, including interior and exterior balconies; all horizontal floor dimensions are measured from the exterior faces of the exterior walls.

**Flush-Mounted Solar Panels:** See “Solar Panels, Flush-Mounted.”

**Food:** Any raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption. For purposes of this Code, “Food” shall not include “Marijuana Concentrate” as defined in this Division 13.3.

**Footcandle (F.C.):** A unit of illuminance equivalent to one lumen per square foot.

**Former Chapter 59:** Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk at City Clerk Filing No. 10-512-A on May 20, 2010. Former Chapter 59 remains in full force and effect for any land not re-zoned to zone districts in the Denver Zoning Code.

**Freeways:** Those streets designed to carry large volumes of through traffic at high speeds by restriction of abutting private property from rights of direct access by vehicles and pedestrians.

**Front Porch:** See “Porch, Front”.

**Frontage:** All of the zone lot fronting on one side of an intersecting or intercepting street, or between a street and right-of-way, end of dead-end street, waterway, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

**Full Cutoff Lighting Fixture:** A light fixture that has a light distribution pattern that results in no light being permitted at or above a horizontal plane located at the bottom of the luminaire.

**Fully Shielded Lighting Fixture:** A light fixture that provides internal or external shields and louvers that prevents light emitted by the light fixture from causing glare or light trespass.

# H

**Habitable Room:** A room in a dwelling unit designed to be used for living, sleeping, eating or cooking, excluding bathrooms, toilet compartments, closets, halls, storage and similar space.

**Habitable Space:** A story that has at least 4 feet between the ground level and the ceiling joists and which has enough area to provide a room with net floor-to-ceiling distance of 7 feet over half the area of the room. A “habitable space” may or may not constitute a habitable room.

**Habitable Story:** See definition of “Story, Habitable,” below.

**Hazardous Materials:** See definition of “Toxic and/or Hazardous Materials” below.

**High-Rise Building:** Any building or structure having any portion of a story used for human occupancy more than 75 feet above the lowest level of fire department vehicle access.

**Historic Structure:** Designated structures for preservation or contributing structures in districts designated for preservation under the provisions of D.R.M.C., Chapter 30 ([Landmark Preservation](#)).



**Occupancy:** The purpose for which a building is used or intended to be used.

**Off-Street Parking Area:** A storage area for motor vehicles, including parking spaces, Drive Aisles, and access routes. Includes areas providing direct access to parking stalls or attached Garages for more than one dwelling unit.

**Off-Street Parking Space:** See “Parking Space.”

**Official Map or Official Zone Map:** A map of the city that depicts the zone districts of all land within the City of Denver, adopted by City Council, and incorporated by reference as part of this Code.

**On-Street Parking Space:** A temporary storage area for a motor vehicle that is located on a dedicated street right-of-way.

**Open Space, Publicly Accessible:** Space that is clearly intended to be usable, publicly accessible, and a visual amenity, but not including parking lots or vestigial landscaped areas left over after the placement of buildings and parking on a zone lot. Publicly accessible open space may be publicly or privately owned, managed or maintained.

**Open Space Zone District:** All Open Space (“OS”) Zone Districts.

**Original Grade:** See definition of “Grade, original.”

**Outdoor General Advertising Device:** A sign relating to products, services or uses not on the same zone lot. Also commonly known as a “billboard.”

**Overlay Zone District:** A set of zoning requirements in a zone district that is described in this Code, which is mapped and imposed in addition to those of the underlying zone district. Development within an overlay zone must conform to the requirements of both zones, or the more restrictive of the two.

**Owner:** Any person with a legal or equitable interest in property, with or without accompanying actual possession thereof; a person who is under contract to purchase property by land installment contract or by a purchase contract; or a person who is acquiring property, or a legal or equitable interest in it, through foreclosure.



**Parkway:** A type of boulevard that the city has designated as a “Parkway” according to Chapter 49 of the D.R.M.C.

**Patio:** A level hard surfaced area at finished grade. (For an above-grade patio, see Deck)

~~**Pedestrian-Active Use:** Shall include retail sale; banking facility open to the public with at least one employee on site; eating place; personal and business service; hotel lobby; indoor and outdoor entertainment or recreation facility; dedicated public park or open space; arts and cultural facility; and the frontage of entry ways or stairways through which such uses are principally accessed, provided, however, that the following types of retail sales shall not be considered pedestrian-active uses: amusement center; sale of automobiles; sale of auto trailers; sale of house trailers; sale of trucks; sale of auto and truck parts, accessories, tires and tubes; automobile gasoline filling station; boat sales; home building materials store; koshering of poultry sold at retail on the premises; motorcycle store; monument and tombstone sales; pawnshop; retail sale of medical and hospital equipment and supplies; and retail sale of packaged coal and wood for household use; and provided, further, that no adult use shall be considered a pedestrian-active use. (moved to “D” in definitions)~~

**Pedestrian and/or Transit Mall:** A public right-of-way and/or public rights-of-way from which general vehicular traffic shall be excluded except that public transportation vehicles, emergency vehicles and other vehicles by special permit may be permitted, and which shall have been specially constructed with amenities to enhance a primarily pedestrian environment.

**Pedestrian Connection:** A clear, obvious, and publicly accessible route and connection between the Primary Street and the primary uses within the building.

**Permanent Occupancy:** The use of housing accommodations or rooms on a month-to-month or year-to-year basis with a fixed rent for each period of occupancy.

**Pergola:** See Rule of Measurement, Division 13.1.

**Permitted Structure:** See definition of “Structure, Permanent,” below.

**Person:** An individual including any receiver, guardian, personal representative, registered agent, fiduciary, or representative of any kind, and any corporation, partnership, firm, association, joint venture, or other legal entity.

**Planned Unit Development (PUD):** A zone district wherein an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, education, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in zone lot size, building form, bulk, use, density, lot coverage, open space, or other restriction to the existing zoning regulations of this Code. See Division 9.6, Planned Unit Development District, of this Code.

**Plaza:** An open area at ground level accessible to the public at all times, and which is unobstructed from its lowest level to the sky. Any portion of a plaza occupied by landscaping, statuary, pools and open recreation facilities shall be considered to be a part of the plaza. The term “plaza” shall not include off-street loading areas, driveways, off-street parking areas.

**Porch, Front:** A one or two-story structure providing access to the primary uses within a primary building. Front porch may be covered and must be unenclosed on the primary street-facing façade of the primary building.

**R**

**Rail Transit Station Platform:** The area of a Mass Transit Railway System station that is intended for passenger queuing, loading and unloading from the rail car and runs parallel to and abutting the rail tracks, the boundary of which is only the area intended for passenger access to the rail car.

**Railroad Facilities:** Terminal related to a freight railway; or a railway yard, maintenance, or fueling facility related to a passenger or freight railway.

**Rear of Zone Lot:** See “Zone Lot, Rear”.

**Recreational Vehicle:** A vehicular-type, portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as living accommodation for recreational, camping and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

**Recyclable Material:** Reusable materials including, but not limited to, metals, glass, plastic, wood, and paper that are intended for remanufacturing or reconstitution. Recyclable materials do not include junk, rubbish, refuse, or hazardous waste.

**Registry Identification Card:** That document issued by a state health agency, which identifies a patient authorized to engage in the medical use of marijuana, as required by Colorado Revised Statutes, Section 25-1.5-107(7), as may be amended.

**Replacement Cost:** The amount it would cost to replace an asset at current market prices.

**Required Entrance:** See “Entrance, Required,” above.

**Residential Accommodations:** Any building or part of a building used or intended to be used for sleeping accommodations by a person or group of persons. Other housekeeping facilities may be provided.

**Residential Development:** See “Development, Residential.”

**Residential Occupancy or Residential Use:** Any building or part of a building in which a person or group of persons are provided with sleeping accommodations. Other housekeeping accommodations may also be provided.

**Residential Structure:** See definition of “Structure, Residential,” below.

**Residential Use:** See definition of “Residential Occupancy,” above.

**Residential Zone District or Residential District:**

1. Any -SU-, -TU-, -TH-, -RH-, -MU, -RO, or -RX zone district.
2. Any zone district retained from Former Chapter 59, mapped on the Official Map, and considered a “Residential district” under Section 59-2(235) of the Former Chapter 59.

**Retail:** Sale to the ultimate consumer for direct consumption or use and not for resale.

**Retaining Wall:** A wall which is designed to, and in fact does, retain the earth on one side at a higher elevation than the earth on the other side. Only that portion of the wall that actually

retains earth shall be considered a retaining wall; the remainder shall be a fence or wall and be measured as set forth in Section 13.1.7.

**Rezoning:** An amendment to the Official Zoning Map.

**Roof:** The structure forming the upper covering of a Completely Enclosed Structure or Partially Enclosed Structure.

**Roof, Flat:** A roof that has no sloping plane greater than 2:12.

**Roof Line:** The highest point on any building or structure where an exterior wall or parapet wall encloses roof or floor area, including floor area provided for housing mechanical equipment.

**Rooftop and/or Second Story Deck:** For purposes of a Supplemental Design Standard within Articles 3-5: Any unenclosed deck, patio, terrace, porch, exterior balcony, or similar unenclosed building element either located on the roof of a primary or detached accessory structure or projecting from the building above the Street Level ground story.

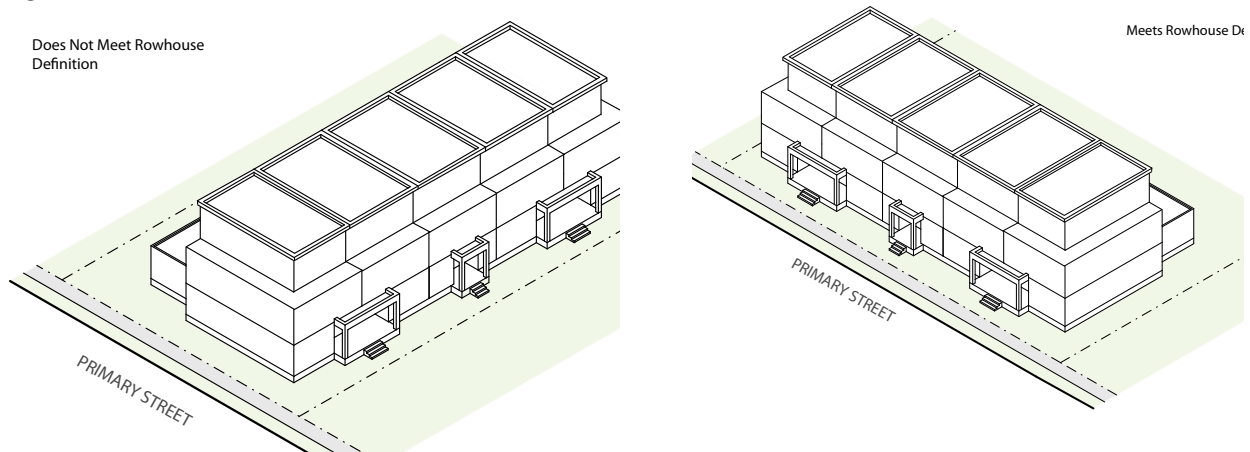
**Roof Overhang:** For purposes of setback encroachments: Eaves or the lower edge of the roof which overhang the walls. This includes the eave or edge of the roof which overhangs the gable end walls.

**Room:** Any enclosed division of a building containing over 70 square feet of floor space and commonly used for living purposes, not including lobbies, halls, closets, storage space, bathrooms, utility rooms and unfinished attics, cellars or basements. An enclosed division is an area in a structure bounded along more than 75 percent of its perimeter by vertical walls or partitions, or by other types of dividers which serve to define the boundaries of the division.

**Rotocraft:** Any aircraft deriving its principal lift or support in the air from one (1) or more rotors or from the vertical component of the force produced by rotating airfoils.

**Row House:** A multiple-unit residential structure consisting of attached dwelling units arranged side-by-side parallel to a named or numbered street. Each dwelling unit has an individual, direct entrance to the exterior which faces the street and no part of any dwelling unit is constructed vertically above any part of another dwelling unit. See Figure 13.3-1

Figure 13.3-1



- iii. Overall structure length
  - iv. Pedestrian access, primary structure
  - v. Private open space
  - vi. Mass reduction
  - vii. Limitation on Visible Parking Above the Street Level
- d. Use Building Form Standards
2. The legally established structure was conforming under Former Chapter 59 on June 24, 2010, but does not currently comply with Denver Zoning Code “building height standards,” “siting form standards,” or “design element form standards,” as those terms are defined in Article 13.

**Structure, Nonconforming:** A structure or building that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements for a conforming structure or a compliant structure in the zone district in which such structure or building is located.

*Structure - Group C:*

**Structure, Accessory:** A subordinate structure located on the same zone lot with the primary building, structure, or use, and which is incidental and customary to the primary building, structure, or use. Accessory structures include man-made structures with walls and roofs, along with man-made structures with no walls or no roofs, including, but not limited to detached garages, fences, walls, gazebos, decks and patios.

**Structure, Detached:** Any structure having no party wall or common wall with another structure. Bridges, tunnels, breezeways and other similar means of connecting one (1) structure to another shall not, for the purpose of this Code, be considered to constitute a party wall or common wall. ~~See Detached accessory dwelling unit, Detached garage and Detached utility building.~~

**Structure, Permanent:** A structure that is built of such materials and in such a way that it would commonly be expected to last and remain useful for a period of time.

**Structure, Permitted:** A structure meeting all the requirements established by this Code for the zone district in which the structure is located.

**Structure, Primary:** The main or primary structure or building in which the primary use of a property is conducted or operated.

**Structure, Principal:** See “Structure, Primary.”

**Structure, Residential:** Any building or part of a building constructed with or as sleeping accommodations for a person or group of persons. Other housekeeping accommodations also may be provided.

**Structure, Temporary:** A structure that is built of such materials and in such a way that it would commonly be expected to have a relatively short life, or is built for a purpose that would commonly be expected to be relatively short, or any structure intended for nonpermanent use or occupancy.

**Studio, Professional:** A specific type of arts, recreation and entertainment service use. A place where works of art are created, displayed and/or sold, and/or where instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craft work, fine arts, photography, music, or similar fields; but not including health treatment.

T

**Tandem Parking:** See “Parking, Tandem.”

**Telecommunications Service:** The providing or offering for rent, sale or lease, or in exchange for other value received, or for the provision of any emergency telecommunications purposes, of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities, with or without benefit of any closed transmission medium.

**Telecommunications Support Facilities:** Support buildings, structures and equipment cabinets containing electrical and mechanical equipment and devices used for the reception of or transmission of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities.

**Telecommunications Tower:** Any structure designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and other similar structures, ~~including alternative tower structures~~. This term also includes any antenna or antenna array attached to the tower structure.

**Tower Height:** The distance measured from the lowest point at grade within ten feet of the tower to the highest point on the tower, including the base pad and any antenna.

**Toxic and/or Hazardous Materials:** Those chemicals or substances that are physical hazards or health hazards as defined and classified by the Denver Fire Code, whether the materials are in usable or waste condition. Substances that are considered “toxic and/or hazardous materials” include, but are not limited to the following:

1. Cryogenic fluids.
2. Corrosive materials.
3. Explosives and blasting agents.
4. Flammable and combustible liquids.
5. Flammable solids and gases.
6. Organic peroxide materials.
7. Oxidizer materials.
8. Pyrophoric materials (Material that ignites spontaneously or emits sparks when scratched or struck especially with steel).
9. Toxic Materials.
10. Unstable (reactive) materials.

**Trailer:** Any vehicle without a motor or other means of self-propulsion designed to carry property primarily on its own structure and to be drawn by a motor vehicle. Trailers shall include but shall not be limited to the following: utility trailers, boat trailers, flatbed trailers, camper trailers, home-made trailers, and fifth-wheel trailers not designed to be used in conjunction with a truck-tractor.