

## **ARTICLE 9. SPECIAL CONTEXTS AND DISTRICTS**

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# Contents

## ARTICLE 9. SPECIAL CONTEXTS AND DISTRICTS

<b>DIVISION 9.1 INDUSTRIAL CONTEXT (I-MX, I-A, I-B)</b> .....	<b>9-5</b>
Section 9.1.1 Industrial Context Description .....	9-5
Section 9.1.2 Districts Established .....	9-6
Section 9.1.3 Design Standards .....	9-7
Section 9.1.4 Uses and Required Minimum Parking .....	9-19
Section 9.1.5 Applicable Use Limitations & Standards .....	9-30
<b>DIVISION 9.2 CAMPUS CONTEXT (CMP)</b> .....	<b>9-37</b>
Section 9.2.1 Campus Context Description .....	9-37
Section 9.2.2 Districts Established .....	9-38
Section 9.2.3 Campus Healthcare and Healthcare 2 (CMP-H, H2) .....	9-38
Section 9.2.4 Campus-Education/Institution (CMP-EI, EI2) .....	9-44
Section 9.2.5 Campus- Entertainment (CMP-ENT) .....	9-50
Section 9.2.6 Design Standard Exceptions CMP-H, H2, EI, EI2, ENT .....	9-53
Section 9.2.7 Uses and Required Minimum Parking .....	9-55
<b>DIVISION 9.3 OPEN SPACE CONTEXT (OS-A, OS-B, OS-C)</b> .....	<b>9-67</b>
Section 9.3.1 Open Space Context Description .....	9-67
Section 9.3.2 Districts Established .....	9-68
Section 9.3.3 Primary Building Building Form Standards .....	9-68
Section 9.3.4 Uses and Required Minimum Parking .....	9-70
Section 9.3.5 Applicable Use Limitations & Standards .....	9-80
<b>DIVISION 9.4 OVERLAY ZONE DISTRICTS</b> .....	<b>9-83</b>
Section 9.4.1 General Intent .....	9-83
Section 9.4.2 Overlay Zone Districts Established .....	9-83
Section 9.4.3 Conservation Overlay District (CO-) .....	9-83
Section 9.4.4 Use Overlay Districts (UO-) .....	9-86
Section 9.4.5 Design Overlay Districts (DO-) .....	9-90
<b>DIVISION 9.5 DENVER INTERNATIONAL AIRPORT ZONE DISTRICTS AND O-1 ZONE DISTRICT</b> .....	<b>9-95</b>
Section 9.5.1 Districts Established .....	9-95
Section 9.5.2 Denver International Airport Zone District (DIA) .....	9-96
Section 9.5.3 DIA Influence Area Overlay Zone (AIO-) .....	9-96
Section 9.5.4 O-1 Zone District .....	9-97
Section 9.5.5 Uses and Required Minimum Parking .....	9-98
Section 9.5.6 Applicable Use Limitations & Standards .....	9-107
<b>DIVISION 9.6 PLANNED UNIT DEVELOPMENT DISTRICT (PUD)</b> .....	<b>9-109</b>
Section 9.6.1 Planned Unit Development District (PUD) .....	9-109
<b>DIVISION 9.7 MASTER PLANNED CONTEXT (M-RH, M-RX, M-MX, M-IMX, <u>M-GMX</u>)</b> ..	<b>9-113</b>
Section 9.7.1 Master Planned Context Description .....	9-113
Section 9.7.2 Districts Established .....	9-114
Section 9.7.3 Design Standards .....	9-116



## 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 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.

## SECTION 9.1.2 DISTRICTS ESTABLISHED

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

### Industrial Context

I-MX-3, -5, -8	Industrial Mixed Use District
I-A	Light Industrial District
I-B	General Industrial District

### 9.1.2.1 Purpose

The following paragraphs explain the general purpose and intent of the industrial zone districts.

#### A. I-MX Industrial Mixed Use Districts (I-MX-3,-5, -8)

##### 1. General

- a. The Industrial Mixed Use districts are intended to develop in a pedestrian-oriented pattern, with buildings built up to the street and active an ground story.
- b. The Industrial Mixed Use districts are also intended to provide a transition between mixed use areas and I-A or I-B Industrial Districts.
- c. The Industrial Mixed Use districts accommodate a variety of industrial, commercial, civic and residential uses.

##### 2. Industrial Mixed Use 3 (I-MX-3)

I-MX-3 applies to industrially-dominated areas served primarily by local or collector streets with a maximum building height of 3 stories.

##### 3. Industrial Mixed Use 5 (I-MX-5)

I-MX-5 applies to industrially-dominated areas served primarily by collector streets with a maximum building height of 5 stories.

##### 4. Industrial Mixed Use 8 (I-MX-8)

I-MX -8 applies to industrially-dominated areas served primarily by collector or arterial streets with a maximum building height of 8 stories.

#### B. I-A Light Industrial District

This district is intended to be an employment area containing offices, business and light industrial uses that are generally compatible with adjacent residential or mixed use zone districts. No new residential uses may be established in the I-A zone district in order to promote a stable employment base for the city. Accordingly, I-A zoned areas serve as a land use buffer between more residential areas and more intensive industrial areas, which may be zoned I-B General Industrial. All uses conducted in this zone district must be enclosed within a structure, unless specifically allowed to operate out of doors.

#### C. I-B General Industrial District

This district is intended to be an employment area containing industrial uses that are generally more intensive than uses permitted in the I-A Zone District. The overall purpose of the district is to promote industrial development and economic activity. No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city.

**SECTION 9.1.3 DESIGN STANDARDS**

**9.1.3.1 Primary Building Form Standards**

**A. Generally Applicable Standards**

1. In addition to the context-specific standards included in this article, all development must comply with the general design standards in Article 10.
2. One building form and the associated standards shall be selected for each structure on a zone lot. Combining standards from different building forms for the same structure is prohibited.
3. For multiple buildings on a zone lot, see Article 10, Division 10.3.
4. Unenclosed uses shall comply with all building form standards as applicable.
5. The districts allow a variety of building forms appropriate for the Industrial Context, as set out below.

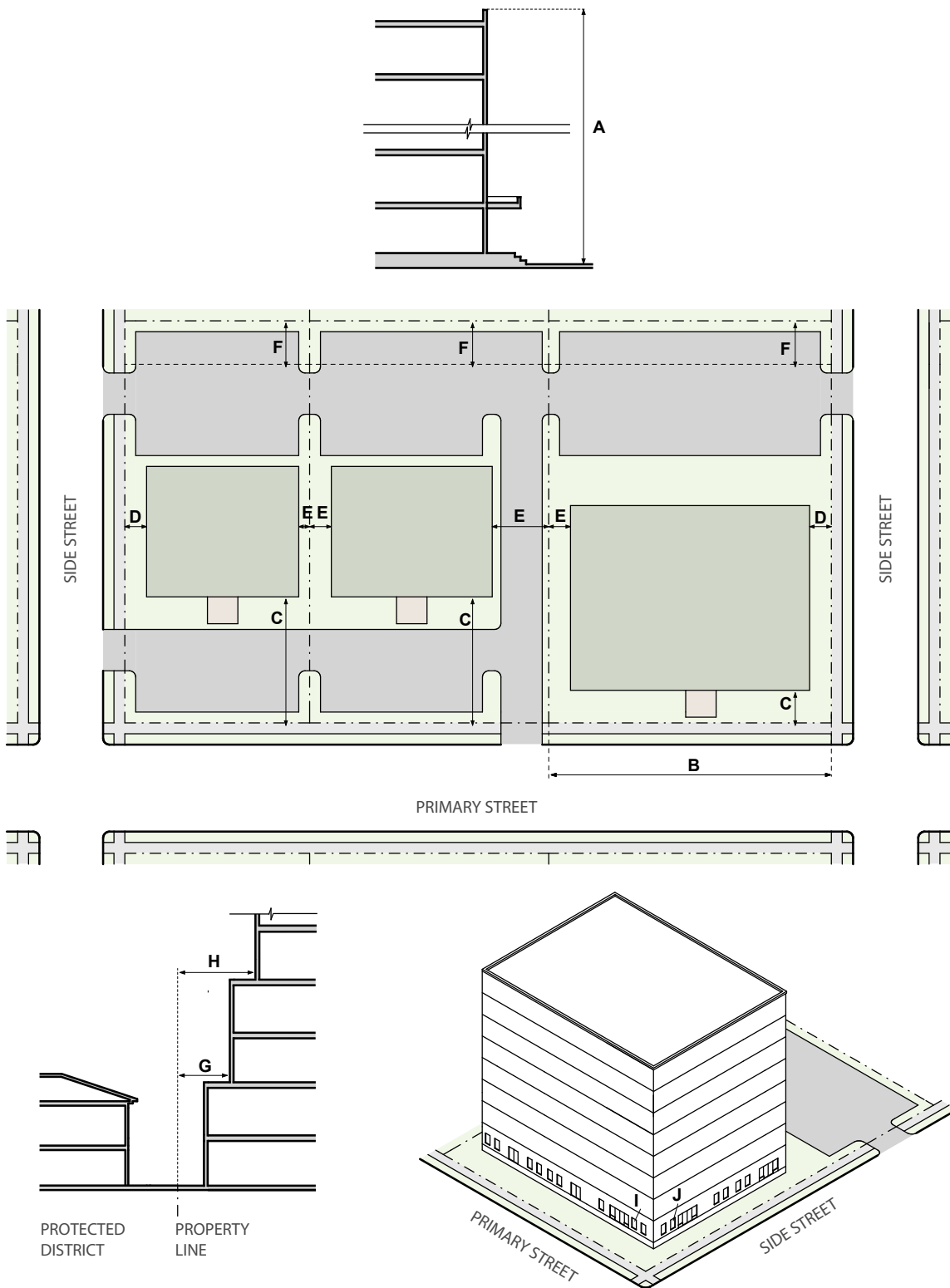
**B.**

Neighborhood Context	District		General	Industrial
			General	Industrial
Industrial	I-MX 3, 5, 8	Industrial Mixed Use	■	■
	I-A	Light Industrial	■	■
	I-B	General Industrial	■	■

■ = Allowed

### 9.1.3.2 District Specific Standards

#### A. General





**GENERAL**

**HEIGHT**

	I-MX-3	I-MX-5	I-MX-8	I-A	I-B
<b>A</b> Stories (max)	3	5	8	na	na
Feet (max)	45'	70'	110'	na	na
Feet within 175' of a Protected District (max)	na	na	75'	75'	75'

**SITING**

**ZONE LOT**

	I-MX-3	I-MX-5	I-MX-8	I-A	I-B
Floor Area Ratio (FAR) (max)	na	na	na	2.0	2.0

**USE**

Use Restrictions	na				
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**REQUIRED BUILD-TO**

<b>B</b> Primary Street (min % within min/max)	50% (0/10')	50% (0/10')	50% (0/10')	na	na
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**SETBACKS**

<b>C</b> Primary Street (min)	0'	0'	0'	20' 10'	20' 10'
<b>D</b> Side Street (min)	0'	0'	0'	Can reduce to 5' on lot less than 100ft in width on the long side of the block	Can reduce to 5' on lot less than 100ft in width on the long side of the block
<b>E</b> Side Interior (min)	0'	0'	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
<b>F</b> Rear (min)	0'	0'	0'	0'	0'
Rear Setback adjacent to Protected District alley, no alley (min)	5'/10'	5'/10'	5'/10'	10'	10'

**PARKING**

Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed			Allowed/Allowed	
Screening	See Sec 10.5.4.3				
Surface Parking Setback	See Sec 9.1.3.6				

**DESIGN ELEMENTS**

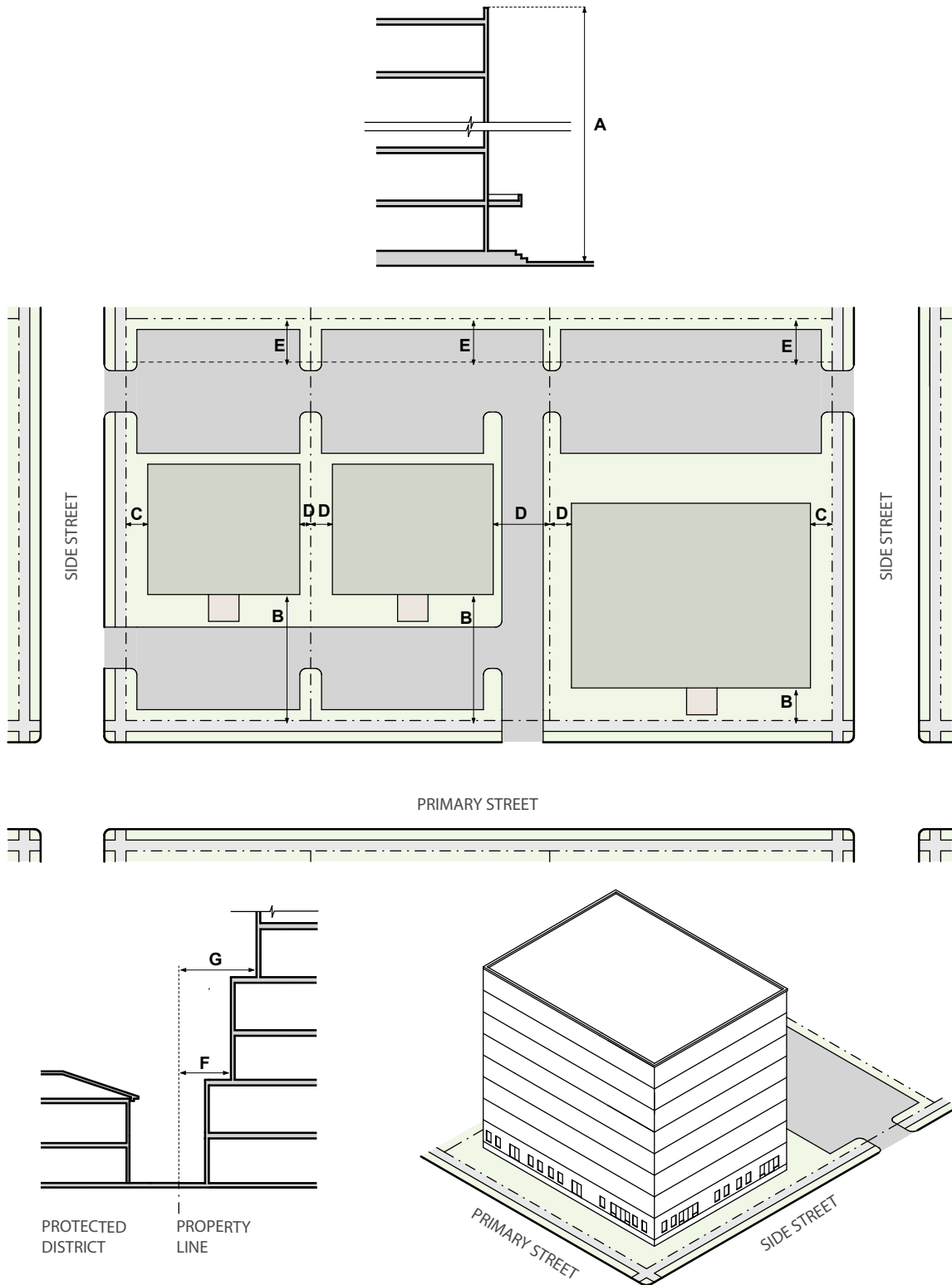
	I-MX-3	I-MX-5	I-MX-8	I-A	I-B
<b>G</b> Upper Story Setback Above 27'; adjacent to Protected District: alley/no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
<b>H</b> Upper Story Setback Above 51'; adjacent to Protected District: alley/no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'

**GROUND STORY ACTIVATION**

<b>I</b> Transparency, Primary Street (min)	40%	40%	40%	na	na
Transparency, Side Street (min)	25%	25%	25%	na	na
Pedestrian Access, Primary Street	Entrance			na	na

### B. Industrial

Not to Scale. Illustrative Only.



# 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>USE</b>						
	Use Restrictions	Vehicle/Equipment Sales, Rentals, Service & Repair and Industrial, Manufacturing & Wholesale Primary Uses Only			na	na
<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 Setback	See Sec 9.1.3.6				
	Screening	See Sec 10.5.4.3				

<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>GROUND STORY ACTIVATION</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

### 9.1.3.3 Detached Accessory Buildings and Structure Standards

- A. Detached accessory buildings shall meet the Primary Building Form Standards and shall not exceed 10% of the area of the zone lot.
- B. Detached accessory structures shall meet the Primary Building Form Standards and do not count toward the floor area ratio requirement. Detached accessory structures shall be screened in accordance with Section 9.1.3.8.C.

### 9.1.3.4 Supplemental Design Standards

#### A. Pedestrian Access

##### 1. Entrance

Where required in I-MX zone districts, an Entrance shall provide a clear, obvious, publicly accessible connection between the Primary Street and the primary uses within the building. An entrance shall be located either on the Primary Street facing facade or located on a facade other than a Primary Street facing facade but within 15 feet of the zone lot line abutting the Primary Street. An entrance shall be one of the following three types:

- a. Door - An entrance on the same plane as the building facade.
- b. Recessed Entrance - An entrance inset behind the plane of the building facade by no more than 15 feet.
- c. Corner Entrance - An angled street-facing entrance located on the corner of a building at approximately 45 degrees to the intersecting streets.

##### 2. Pedestrian Connection

Where required in the I-MX zone districts, a Pedestrian Connection shall provide a clear, obvious, publicly accessible connection between the Primary Street and the primary uses within the building. The Pedestrian Connection shall comply with the following:

- a. Fully paved and maintained surface not less than 5' in width.
- b. Unit pavers or concrete distinct from the surrounding parking and drive lane surface.
- c. Located either within a raised median or between wheel stops to protect pedestrians from vehicle overhangs where parking is adjacent.
- d. The portions of pedestrian connection that cross drive lanes within parking areas shall not exceed 25' in length

### 9.1.3.5 Design Standard Alternatives

#### A. Required Build-To Alternatives

##### 1. Garden Walls

In all I-MX zone districts, Garden Walls may count toward 25% of the Required Build-To and 30% when covered seating for pedestrians is incorporated, provided the garden wall meets the following standards:

- a. Garden Walls must be between 30" and 42" in height with the following exceptions;
  - i. Decorative and/or structural piers may exceed the allowable height range
  - ii. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division
  - iii. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84"

- b. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.
- c. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.4.5.
- d. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Surface Parking Lot Landscaping Standards in Article 10.5.4.3.

**2. Pergola**

In all I-MX zone districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage provided the pergola meets all of the following standards:

- a. Pergola structure shall be no less than 24" deep as measured perpendicular to the property line.
- b. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
- c. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension.
- d. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center.
- e. Pergola structures and plant materials shall maintain 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" and 84" above grade.
- f. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.

**3. Arcades**

In all I-MX zone districts, Arcades may count toward 100% of the Required Build-to when all of the following conditions are met:

- a. They extend no more than two stories in height,
- b. The exterior face of the arcade column line is within the build-to zone,
- c. The arcade column line generally continues the wall plane of the building above,
- d. The average depth of the arcade is no less than 6 feet clear as measured from the interior face of the columns,
- e. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the columns
- f. The interior wall of the arcade must meet the required Ground Story Activation Standards or Alternatives.

**B. Ground Story Activation Alternatives**

In all I-MX Zone Districts, the following alternatives may be used singularly or in combination. If used in combination, they may count toward no more than 80% of the transparency requirement. The wall design alternative may count toward 100% of the Side Street transparency requirement, provided the entirety of the length and height of the wall is considered.

**1. Windows Outside the Zone of Transparency**

Windows at the ground story but outside the zone of transparency that meet the requirements of may count toward no more than 40% of the transparency requirement. See Section 13.1.3.2.A Rule of Measurement for Transparency.

**2. Display Cases and Automated Teller/Ticket Machines**

The wall area of the following features that are located within the required zone of transparency may count toward no more than 40% of the transparency requirement:

- a. Recessed or wall mounted display cases at least 4 feet in height
- b. Walk-up automated teller machines

**3. Wall Design**

Wall designs that provide visual interest and pedestrian scale may count toward no more than 50% of Primary Street and 50% of Side Street transparency requirements. Wall designs must provide a minimum of three (3) of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations in material module, pattern and/or color
- e. System of integrated architectural ornamentation
- f. Green screen or planter walls
- g. Translucent, fritted, patterned or colored glazing

**4. Outdoor Dining/Seating**

Outdoor Dining/Seating located between the building and the Primary Street zone lot line may count toward no more than 60% of the transparency requirement. Outdoor Dining/Seating located between the building and Side Street zone lot line may count toward no more than 80% of the transparency requirement.

**5. Permanent Art**

Non-Commercial art or graphic design of sufficient scale and orientation to be perceived from the public right of way and rendered in materials or media appropriate to an exterior, urban environment and permanently integrated into the building wall may count toward no more than 40% of the transparency requirement.

**6. Entrance**

In all I-MX zone districts an alternative to an Entrance is permitted. The Entrance Alternative shall provide a clear and obvious, publicly accessible route connecting the Primary Street to the primary uses within the building. An Entrance Alternative shall be one of the following:

- a. Courtyard or Plaza
  - i. Shall be accessible to public during business hours
  - ii. Shall be within 2' of grade at edge of public right-of-way
  - iii. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.
  - iv. Maximum dimension shall not exceed 3 times the minimum dimension
  - v. Required public Entrance shall be visible from the public right-of-way.
  - vi. Perimeter walls of court or plaza shall meet primary facade transparency standards.
- b. Covered Walkway
  - i. Arcades or Pergola/Trellis that meet the following:
    - a) Shall be accessible to public during business hours
    - b) Shall provide continuous covered access to required Entrance from the public right-of-way
    - c) Required public Entrance shall be visible from the public right-of-way

**9.1.3.6 Design Standard Exceptions**

**A. Height Exceptions**

In all Industrial Zone Districts, the following height exceptions apply:

1. No occupied part of any building shall be constructed above the permitted height; however, unoccupied building features such as spires, towers, flagpoles, antennas, chimneys, flues and vents, cooling towers, enclosures for tanks and elevator penthouses serving the roof including any vertical or sloped screen walls may extend a maximum of 28 feet above the permitted height of the building.
2. Unoccupied building features, excluding spires, towers, flagpoles and chimneys, shall be set back from the perimeter of the building a minimum of one foot horizontally for every one foot of vertical height.
3. Elevator penthouses not serving the roof and other enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment shall not exceed a height of 12 feet above the permitted height of the building. The aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
4. Flush-mounted solar panels, as defined in this Article 13, may exceed the maximum permitted height of a building.

**B. Bulk Plane and Upper Story Setback Exceptions**

In all zone districts the following exceptions to any applicable bulk plane or upper story setback are permitted: eaves, spires, unoccupied towers, flagpoles, antennas, chimneys, flues, vents, flush mounted solar panels, evaporative coolers, or accessory water tanks.

**C. Setback Permitted Encroachments**

In all Industrial Zone Districts, permitted encroachments into required setback areas include:

	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt courses, sills, lintel and pilasters	All districts	18"	18"	18"	18"
Brick and Stone veneers above finished grade	All districts	6"	6"	6"	6"
Cornices, eaves, gutters	All districts	3'	3'	3'; if setback is less than 5': 2'	5'
Chimneys and fireplace insert vents, not exceeding 6' in width	All districts	18"	18"	18"	18"
Outside stairways	All districts	5'	3'	3'	10'
Porches: unwallled porches, terraces, decks, patios, porches (including 2-story) and exterior balconies	All districts	8'	not allowed	not allowed	5'
Above-grade stairways associated with front porches	All districts	any distance, provided, minimum 1' between right-of-way and bottom step	not allowed	not allowed	not allowed

	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Access ramps for the handi-capped, provided no alternative location is available and provided the ramp construction is compatible with the character of the structure, as determined by the Zoning Administrator	All districts	any distance	any distance	any distance	any distance
Building elements, such as awnings, designed and intended to control light entering a building and being a permanent part of such building	All districts	5'	3'	3'	10'
Building elements, such as awnings, designed and intended to control light entering a building but not a permanent part of such building	All districts	any distance	any distance	any distance	any distance
Canopies	All districts	any distance	not allowed	not allowed	not allowed
Enclosed structure or part of an enclosed structure that is below the grade of any setback space, except as otherwise restricted by this Code	All districts	any distance	any distance	any distance	any distance
Window well and/or emergency basement egress areas	All districts	Any distance for any width, provided the provisions of Division 10.6 (Site Grading Standards) and Section 10.5.6 (Retaining Wall Requirements) are met	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 4' in length as measured parallel to the side interior/side street zone lot line		Any distance for any width, provided the provisions of Division 10.6 (Site Grading Standards) and Section 10.5.6 (Retaining Wall Requirements) are met
Gas and electric meters	All districts	18"	18"	18"	18"
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment, not exceeding 3' in height	All districts	any distance	any distance	any distance	any distance
Basketball goals on a fixed post	All districts	any distance	any distance	any distance	any distance
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 districts	not allowed	3'	3'	not allowed
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, subject to review according to Section 12.4.2, Zoning Permit Review with Informational Notice	All districts	not allowed	subject to Zoning Permit Review with Informational Notice	subject to Zoning Permit Review with Informational Notice	subject to Zoning Permit Review with Informational Notice
Flush mounted solar panels	All districts	any distance	any distance	any distance	any distance



	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Open walls or fences or chain link security fences not exceeding seven feet in height as measured according to section 13.1.4	All districts	any distance	any distance	any distance	any distance
Surface Parking	All districts	not allowed	not allowed	not allowed	any distance

**9.1.3.7 Landscaping Requirements**

**A. Intent**

The intent of these standards is to improve the appearance and protect the value of adjacent properties, and improve environmental conditions. This is to be achieved by providing for the installation and maintenance of landscaping and other site improvements for screening, aesthetic qualities, and security.

**B. Applicability**

These standards apply in the I-A and I-B Industrial zone districts and to Vehicle/Equipment Sales, Rentals, Service & Repair and Industrial, Manufacturing and Wholesale uses in the I-MX zone districts. All other development in the I-MX zone district shall comply with the landscaping standards of Division 10.5. Landscaped areas equal to 5 percent of the zone lot area shall be installed on the zone lot. Front setback landscaping and the landscaped areas required for on-site parking lots may be counted as part of this requirement. Such landscaping shall be located near the front of the zone lot and shall comply with all applicable general landscaping standards in Division 10.5, Landscaping, Fences, Walls and Screening of this Code.

**C. Irrigation**

Landscaped areas must have properly designed irrigation systems providing full coverage on all plant material areas.

**D. Maintenance**

The owner of the property, his successors, heirs and assignees are responsible for the proper maintenance of the landscaped area. Landscaping must be continuously maintained including necessary watering, weeding, pruning, pest control and replacement of dead or diseased plant material.

**E. General Planting Requirements**

1. Section 10.5.4.5 Plant Material Standards, shall apply.
2. As applicable, the Specific Landscape Requirements of this Section may be double-counted to meet with the landscape requirements of Division 10.5.

**F. Specific Requirements**

PLANTING AREA	MINIMUM WIDTH OF PLANTING STRIP	GROUND COVER REQUIRED	PLANTINGS AND SCREENING REQUIRED
Primary Street Setback	Varies	Minimum 50% of the primary street setback area, exclusive of driveways, shall be live ground cover.	1 shade tree or ornamental tree every 40 ft of linear frontage  Trees may be grouped or spaced to accommodate building placement, driveways or corner triangles
Side and Rear Setback Abutting Residential Zone District  The presence of a street or alley shall not destroy abutment	10ft	na	Create a visual barrier between the industrial zone lot and abutting residentially zoned properties. Such visual barrier shall include:  1. Trees, shrubs, and hedges; 2. Earth berms and plantings; 3. Approved planter boxes, fences or walls; or 4. Any combination of the above which meets these regulations
Perimeter Surface Parking Landscaping	See Section 10.4.4.2		
Internal Surface Parking Landscaping	See Section 10.4.4.3		

### 9.1.3.8 Application of Landscaping Standards to Existing Uses

#### A. General Landscaping for Existing Use

The general landscaping requirement of Section 9.1.3.7 shall apply to the expansion of an existing use if the site area or gross floor area of such use is enlarged more than 15 percent of that existing at the date of the adoption of this subsection. The area of landscaping required shall be the ratio of additional floor or site area to the gross floor area or site area existing at the date of adoption multiplied times five percent. A formula explaining the application of this requirement is shown below.

Assume an industrial use is to be expanded by 23 percent of the present gross floor area or site area:

$$0.23 (23\%) \times 0.05 (5\%) = 0.0115$$

$$0.0115 \times \text{present zone lot area} = \text{area of required new landscaping.}$$

#### B. Existing Fences and Walls

Existing fences, walls and screens that do not meet these standards are not exempt from the requirements listed herein.

### 9.1.3.9 Screening

#### A. Solid Wall or Fence Screens

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 screen.
3. Other materials may be used upon approval by the Zoning Administrator according to the Administrative Adjustment procedures in Section 12.4.5 of this Code.

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. 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 the director of transportation engineering. All walls or fences shall be maintained in good condition at all times.

**B. Outdoor Storage Areas Adjacent to Certain Zoned Areas**

The following screening and containment standards shall apply in the I-A, I-B and I-MX zone districts instead of the general standards in Article 10, Division 10.8, Outdoor Sales, Display, Storage and Waste Disposal.

1. All outdoor storage areas or facilities for fuel, raw materials, equipment and products shall be enclosed by a solid wall or fence adequate to conceal such facilities from abutting Residential and Mixed Use Zone Districts. Materials and products stored within 100 feet of a residential or business zoned property shall not be stacked to a height above that of the wall or fence surrounding the storage area.
2. Such storage areas and unenclosed solid waste collection areas which are located within 200 feet of and abutting a Residential and Mixed Use Zone Districts shall be screened by a 7 to 10 foot high solid wall or fence.
3. Junkyard uses must be entirely surrounded by a solid wall or fence as described above by Section 9.1.3.9.A for outdoor storage areas. The height of such fence or wall shall screen the view of the stored material and need 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.

**9.1.3.10 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

**SECTION 9.1.4 USES AND REQUIRED MINIMUM PARKING**

**9.1.4.1 Overview - Summary Use and Parking Table**

The Summary Use and Parking Table below sets forth the general land use classifications, land use categories, and specific types of primary, accessory and temporary land uses allowed within the Suburban Neighborhood Context zone districts. In addition, required off-street parking and off-street bicycle amounts are stated for each specific primary use type allowed within each zone district. See Article 10, Division 10.4, Parking and Loading for additional vehicle and bicycle parking requirements and standards.

#### 9.1.4.2 Organization - Summary Use and Parking Table

##### A. Organized by Primary, Accessory and Temporary Uses

The Summary Use and Parking Table first presents all primary uses, then all accessory uses, and finally all temporary uses. Primary uses are arranged hierarchically within the table by use classification, category of primary uses, and then by specific use type. Accessory uses are organized by whether such use is accessory to a primary residential use or to a primary nonresidential use. Temporary uses are presented alphabetically ordered in the last division of the table.

##### B. Primary Use Classifications, Categories & Specific Use Types

###### 1. Primary Use Classifications

All primary land uses in the Summary Use and Parking Table are organized into one of the following five general land use classifications:

- a. Residential Uses
- b. Civic, Public & Institutional Uses
- c. Commercial Sales, Service & Repair Uses
- d. Industrial, Manufacturing & Wholesale Uses
- e. Agriculture

###### 2. Primary Use Categories & Specific Use Types

Primary uses are further organized into use categories and specific use types listed under each general primary land use classification. The Summary Use and Parking Table is organized into the above five general land use classifications, use categories and specific use types.

###### 3. Classifications & Categories Are Mutually Exclusive

The general land use classifications and use categories listed in the Summary Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as "lodging accommodations," cannot be classified in a different use category, such as "group living," unless otherwise expressly allowed by this Code.

#### 9.1.4.3 Explanation of Table Abbreviations

##### A. General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations or standards apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry "L-ZPIN" means, first, the use is subject to use standards and limitations (the "L"), and, second, that the use is subject to zoning permit review with information notice (the "ZPIN") prior to its establishment.

##### B. Permitted Use - No Use Limitations Apply ("P")

A "P" in a table cell indicates that the use is permitted in the respective zone district, and is not subject to use limitations or standards.

##### C. Permitted Use - Subject to Use Limitations and Standards ("L")

"L" in a table cell indicates the use is permitted in the zone district subject to compliance with the use limitations and standards referenced in the last column of the use table ("Applicable Use Limitations").

##### D. Use Subject to Zoning Permit Review ("ZP")

"ZP" in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

**E. Use Subject to Zoning Permit Review with Informational Notice (“ZPIN”)**

“ZPIN” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

**F. Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)**

“ZPSE” in a table cell indicates that use is generally appropriate in the neighborhood context and zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.

**G. Uses Not Permitted (“NP”)**

“NP” in a table cell indicates that the use is not permitted in the specific zone district.

**H. Applicable Use Limitations**

The last column of the table, entitled “Applicable Use Limitations,” contains one or more cross-references to use limitations and standards applicable to the specific use, as indicated by a “L” cell entry in the Summary Use and Parking Table. Applicable limitations and standards specific to the use are found in Article 11 of this Code.

**I. Unlisted Uses**

Uses not listed in the Use Table are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to the procedures and criteria in Section 12.4.6, Code Interpretation & Determination of Unlisted Uses.

**9.1.4.4 Compliance with Other Code Provisions Required**

The establishment of all uses is subject to compliance with all applicable design and development standards stated in this Code, including but not limited to the zone district building form and design standards found in this Article 9, and the standards stated in Article 10, General Design Standards.

**9.1.4.5 Applicable Procedures Prior to Establishment of Use**

- A. A Zoning Permit is required prior to establishment of any use permitted by this Code. See Article 12, Zoning Procedures & Enforcement, and Sections 12.4.1, Zoning Permit Review and 12.4.2, Zoning Permit Review with Informational Notice.
- B. The development or establishment of a permitted use may also require Site Development Plan Review prior to issuance of a Zoning Permit. Please refer to Section 12.4.3, Site Development Plan Review, to determine whether site plan review is applicable to a particular use or development. Site Development Plan Review may occur prior to, or concurrent with, any other applicable review procedure, such as Special Exception Review or Zoning Permit Review.

### 9.1.4.6 Allowed Uses by District and Minimum Parking Requirements

KEY: 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  
 \* = Need Not be Enclosed

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 AND STANDARDS
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>							
Household Living	Dwelling, Single Unit • No Parking Requirement	P-ZP	L-ZP	L-ZP			§9.1.5.1
	Dwelling, Two Unit • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit	P-ZP	L-ZP	L-ZP			§9.1.5.2
	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			§9.1.5.3
	Dwelling, Mixed Use • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	P-ZP			NP	NP	
	Dwelling, Live / Work • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	L-ZP			NP	NP	§11.2.3
Group Living	Assisted Living Facility				NP	NP	
	Community Correctional Facility • Vehicle - I-MX only: 0.125/unit • Vehicle: .25/unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP			§9.1.5.4
	Nursing Home, Hospice				NP	NP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP			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	§ 11.2.4
	Shelter for the Homeless • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN			§ 11.2.5
Student Housing • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1 / 5 units (80/20)	P-ZP			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			§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP			§ 11.3.2

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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 USE LIMITATIONS AND STANDARDS
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	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	
	Postal Facility, Neighborhood • 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	
	Postal Processing Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 20,000 s.f. GFA (20/80)	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)	P-ZP	P-ZP	P-ZP	
	Hospital Correctional Institution	NP NP	NP NP	NP NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery • No Parking Requirement	L-ZP	L-ZP	L-ZP	§9.1.5.5
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	City Park • No Parking Requirements	NP	NP	NP	
	Open Space - Recreation • Vehicle - I-MX only: 0.375/ 1,000 s.f. GFA • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation • No Parking Requirement	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle - I-MX only: 1/ 1,000 s.f. GFA • Vehicle- Elementary: 1/ 1,000 s.f. GFA • Bicycle-Elementary: 1/ 10,000 s.f. GFA (0/100) • Vehicle- Secondary: 2/1,000 s.f. GFA • Bicycle: 1/ 20,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.6
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	NP	

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USE CATEGORY	SPECIFIC USE TYPE <ul style="list-style-type: none"> <li>• Vehicle Parking Requirement -# of spaces per unit of measurement</li> <li>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)</li> </ul>	I-MX-3	I-MX-5	I-MX-8	I-A	I-B	APPLICABLE USE LIMITATIONS AND STANDARDS
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>							
Adult Business	All Types	NP	NP	NP			
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA</li> <li>• Vehicle: 2.5/ 1,000 s.f. GFA</li> <li>• Bicycle: 1/20,000 s.f. GFA(20/80)</li> </ul>	L-ZP	L-ZP	L-ZP			§11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA</li> <li>• Vehicle: 2.5/ 1,000 s.f. GFA</li> <li>• Bicycle: 1/20,000 s.f. GFA (20/80)</li> </ul>	P-ZP	L-ZP	L-ZP			§11.4.2
	Sports and/or Entertainment Arena or Stadium* <ul style="list-style-type: none"> <li>• Vehicle: 2.5/ 1,000 s.f. GFA</li> <li>• Bicycle: 1/20,000 s.f. GFA(20/80)</li> </ul>	L-ZP	P-ZP	P-ZP			§9.1.5.6
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)		Not Applicable					
Parking of Vehicles	Parking, Garage <ul style="list-style-type: none"> <li>• No Parking Requirement</li> </ul>	P-ZP	P-ZP	P-ZP			
	Parking, Surface* <ul style="list-style-type: none"> <li>• No Parking Requirement</li> </ul>	P-ZP	P-ZP	P-ZP			
Eating & Drinking Establishments	All Types <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 3.75/ 1,000 s.f. GFA</li> <li>• Vehicle: 5/ 1,000 s.f. GFA</li> <li>• Bicycle: 1/5,000 s.f. GFA (0/100)</li> </ul>	P-ZP	P-ZP	P-ZP			
Lodging Accommodations	Bed and Breakfast Lodging <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 1/guest room or unit</li> <li>• Vehicle: 1.25/guest room or unit</li> <li>• Bicycle: 1/5 guest room or unit (80/20)</li> </ul>	P-ZP	NP	NP			
	Lodging Accommodations, All Others <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 1/guest room or unit</li> <li>• Vehicle: 1.25/guest room or unit</li> <li>• Bicycle: 1/5 guest rooms or units (80/20)</li> </ul>	P-ZP	P-ZP	P-ZP			
Office	Dental / Medical Office or Clinic <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA</li> <li>• Vehicle: 2.5/ 1,000 s.f. GFA</li> <li>• Bicycle: 1/20,000 s.f. GFA (60/40)</li> </ul>	L-ZP	P-ZP	P-ZP			§11.4.7
	Office, All Others <ul style="list-style-type: none"> <li>• Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA</li> <li>• Vehicle: 2.5/ 1,000 s.f. GFA</li> <li>• Bicycle: 1/20,000 s.f. GFA (60/40)</li> </ul>	P-ZP	P-ZP	P-ZP			



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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 AND STANDARDS			
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
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	\$9.1.57
	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	\$11.4.10
	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	P-ZP	
	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)	L-ZP	L-ZP	L-ZP	\$11.4.12
	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	\$11.4.14
	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	P-ZP	P-ZP	
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	P-ZP		
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	\$11.4.16; \$11.4.17
	Automobile Services, Heavy • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.4.16; \$11.4.18
	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	\$11.4.19
	Heavy Vehicle/ Equipment Sales, Rentals. & Service* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	L-ZPIN	P-ZP	\$11.4.20

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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 AND STANDARDS			
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>					
Communications and Information	Communication Services • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Telecommunications Towers* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/PIN	L-ZP/PIN	L-ZP/PIN	§11.5.2
	Telecommunication Facilities -- All Others* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPIN	L-ZP	L-ZP	§11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§9.1.5.8
	Food Preparation and Sales, Commercial • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Laboratory, Research, Development and Technological Services • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Service/Repair, Commercial • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.5.5
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	L-ZP	L-ZP	§11.5.6; §11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	§9.1.5.9 §11.5.6
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§9.1.5.10
	Sand or Gravel Quarry* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	§9.1.5.11
	Wind Energy Conversion Systems* • No Parking Requirement	L-ZP	L-ZP	L-ZP	§11.5.8
Transportation Facilities	Airport* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	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)	I-MX-3	I-MX-5	I-MX-8	I-A	I-B	APPLICABLE USE LIMITATIONS AND STANDARDS
Transportation Facilities	Helipad, Helistop, Heliport* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.9
	Railroad Facilities* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.12
	Railway Right-of-Way* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Freight, Air Courier Services • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.13
Waste Related Services	Automobile Parts Recycling Business • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.14
	Junkyard* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.15
	Recycling Center • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.16
	Recycling Collection Station • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Recycling Plant, Scrap Processor • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.17
	Solid Waste Facility • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	P-ZPIN	P-ZP	P-ZP	P-ZP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.18
	Mini-storage Facility • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Vehicle Storage, Commercial* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.12
	Wholesale Trade or Storage, General • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§9.1.5.19
	Wholesale Trade or Storage, Light • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	P-ZP	P-ZP	P-ZP	P-ZP	§11.5.13

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		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>					
Agriculture	Agriculture, Limited* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	\$9.1.5.20
	Aquaculture* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.6.1
	Greenhouse • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Husbandry* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	\$9.1.5.21
	Nursery, Plant* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$9.1.5.22
<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)	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
	Greenhouse	P	P	P	
	Keeping of Household Animals	L	L	L	\$11.7; \$11.8.6
	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; \$11.8.7
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	NP	NP	\$11.7; \$11.8.8
	Off-Street Parking of Vehicles in Garages on Zone Lots by Non-Residents of Zone Lot	NP	NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	\$11.8.9
	Vehicle Storage, Repair and Maintenance	NP	NP	NP	
	Yard or Garage Sales	L	L	L	\$11.7; \$11.8.10
	Unlisted Accessory Uses	L - Applicable in all Zone Districts			\$11.7; \$11.8.1

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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)	I-MX-3 I-MX-5 I-MX-8			I-A	I-B	APPLICABLE USE LIMITATIONS AND STANDARDS
<b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>							
Accessory to Primary Nonresidential Uses	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP			§11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses	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			§11.7
	Car Wash Bay Accessory to Automobile Services	L-ZP	L-ZP	L-ZP			§11.7; §11.10.5
	College Accessory to a Place for Religious Assembly	L	L	NP			§11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	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			§11.7; §11.10.8
	Garden	L	L	L			§11.7
	Greenhouse	L	L	L			§11.7
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L			§11.7; §11.10.10
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE			§11.7; §11.10.12
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE			§11.7; §11.10.11
	Outdoor Retail Sale and Display*	L-ZP	L-ZP/ZPSE	L-ZP/ZPSE			§11.7; §10.8
	Outdoor Storage*	L-ZP	L-ZP	L-ZP			§11.7; §10.8
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Use	L	NP	NP			§11.7; §11.10.13
Unlisted Accessory Uses	L - Applicable in all Zone Districts						§11.7; §11.10.1
<b>HOME OCCUPATION CLASSIFICATION</b>							
Home Occupations	Child Care Home, Large (7-12)	L-ZPIN	NP	NP			§11.7; §11.9
	Home Occupations, All Types	L-ZP	NP	NP			§11.7; §11.9

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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 AND STANDARDS			
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
<b>TEMPORARY USE CLASSIFICATION</b>					
Temporary Uses	Ambulance Service - Temporary	L-ZP	L-ZP	L-ZP	§11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	L-ZP	L-ZP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	§11.11.10
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	§11.11.16
	Tent for Religious Services	L-ZP	L-ZP	L-ZP	§11.11.17
Unlisted Temporary Uses	L - Applicable to all Zone Districts			§11.11.1	

## SECTION 9.1.5 APPLICABLE USE LIMITATIONS & STANDARDS

### 9.1.5.1 Dwelling, Single Unit

Single unit dwellings uses are permitted in the I-A and I-B zone districts subject to compliance with the following standards:

- 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 district.
- C. Accessory uses, accessory structures, uses allowed by temporary permit, 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 district.
- D. The external effects of such uses shall be regulated by Division 10.11 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.

### 9.1.5.2 Dwelling, Two Unit

Two unit dwelling uses are permitted in the I-A and I-B zone districts subject to compliance with the following standards:

- 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 district.
- C. Accessory uses, accessory structures, uses allowed by temporary permit, 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 district.
- D. A two unit dwelling use in an Industrial zone district 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 Section 10.11 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.

#### **9.1.5.3 Dwelling, Multi-Unit**

Multi-unit dwelling uses are permitted in the Industrial (“I”) zone districts subject to compliance with the following standards:

- A. There is an existing structure that was erected as a multiple 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 multiple unit dwelling use shall comply with the provisions of this Code as it applies to a building form allowed in the G-MU-3 zone district.
- C. Accessory uses, accessory structures, uses allowed by temporary permit, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a multi-unit dwelling use in the G-MU-3 zone district.
- D. A multi-unit dwelling use in an Industrial zone district shall be subject to the same limitations as a multi-unit dwelling use located in any Residential Zone District.
- E. The external effects of such uses shall be regulated by Section 10.11 and shall not be exempt from these provisions due to the industrial zoning.
- F. The zone lot containing a multi-unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

#### **9.1.5.4 Community Corrections Facility**

In the Industrial Zone Districts, community corrections facilities shall comply with the following standards:

- A. Community Corrections Subject to Large Residential Care Use Standards  
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 11.2.4 below, in addition to the following use-specific standards. In case of conflict with the requirements of Section 11.2.4, the more specific standards in this subsection shall apply.
  - 1. 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 in the Industrial Zone Districts, and shall be located more than:

- a. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;
  - b. 1,500 feet from a Residential Zone District; and
  - c. 1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.
2. Limits on Number of Residents
- a. The proposed number of residents shall not exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents in the permitted zone districts; provided, however, if a proposed facility is located in an Industrial Zone District, such facility may have up to 60 residents, provided further, however, that if such facility is located in an Industrial Zone District and 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.
  - b. After April 30, 2008, no new community corrections facility shall begin operation until May 1, 2018.
  - c. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to the procedures for Zoning Permit Review with Informational Notice in Section 12.4.2 of this Code.
3. 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.

#### **9.1.5.5 Cemetery**

Cemeteries are allowed subject to compliance with the following standards:

- A. A cemetery may include a crematorium. Any such crematorium shall be a minimum of 500 feet from a Residential Zone District.
- B. Cemetery use shall be limited to columbariums only.

#### **9.1.5.6 Sports and/or Entertainment Arena or Stadium**

Sports and/or Entertainment Arena or Stadium uses shall comply with the following standards:

- 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 13.1.6.
- 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.



#### **9.1.5.7 Animal Services and Sales, All Others**

- 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.

#### **9.1.5.8 Contractors, Special Trade-Heavy/Contractor Yard\***

Separation Requirement: A contractors, special trade/heavy use in an Industrial (I) Zone District 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.

#### **9.1.5.9 Manufacturing, Fabrication, and Assembly, Heavy**

Heavy Manufacturing, Fabrication and Assembly uses are allowed subject to compliance with the following standards:

- A. Special Exception review is required for the manufacturing, fabrication, and assembly of:
  - 1. (SIC 3631) Household cooking equipment;
  - 2. (SIC 3632) Household refrigerators and freezers;
  - 3. (SIC 3633) Household laundry equipment; or
  - 4. (SIC 3639) Household appliances.
- B. Petroleum refining is prohibited except for the following activities, which are allowed only in the I-B Zone District:
  - 1. (SIC 295) Asphalt paving and roofing materials; or
  - 2. (SIC 299) Miscellaneous products of petroleum and coal.

#### **9.1.5.10 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.

#### **9.1.5.11 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.

#### **9.1.5.12 Railroad Facilities**

- A. In an Industrial Zone District, any 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. In an Industrial Zone District, all mass transit railroad facilities, except rail tracks, guideways, and overhead power lines, located within 200 feet of a conforming residential structure shall be subject to the site development plan review procedures in Section 12.4.3 of this Code.

#### **9.1.5.13 Terminal, Freight, Air Courier Service**

- 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.

#### **9.1.5.14 Automobile Parts Recycling Business**

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.

#### **9.1.5.15 Junkyard**

All junkyard uses shall comply with the following standards:

- A. The junkyard use shall be completely enclosed by a solid wall or fence in accordance with Section 10.5.7.3;
- B. The use shall be a minimum of 1,000 feet from any Residential Zone District, Mixed Use Zone District, or Downtown Neighborhood Context Zone District.

#### **9.1.5.16 Recycling Center**

- A. Separation Requirement -- All Zone Districts
- B. 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.
- C. Enclosure Required
- D. The recycling center, facility shall be completely enclosed by a solid wall or fence meeting the minimum requirements of Section 10.5.7.3.

#### **9.1.5.17 Recycling Plant, Scrap Processor**

- A. Separation Requirement
- B. 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.
- C. Enclosure Required  
The recycling plant shall be completely enclosed by a solid wall or fence meeting the requirements of Section 10.5.7.3.

#### **9.1.5.18 Automobile Towing Service Storage Yard**

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.

#### **9.1.5.19 Wholesale Trade or Storage, General**

All wholesale trade or storage, general uses shall be located a minimum of 500 feet from a Residential Zone District.

#### **9.1.5.20 Agriculture, Limited**

All agriculture, limited uses shall be located at least 500 feet from a Residential Zone District.

#### **9.1.5.21 Husbandry, Plant or Animal**

- A. This use shall be located at least 500 feet from a Residential Zone District.
- B. Limited to plant husbandry only.

#### **9.1.5.22 Nursery, Plant**

- A. This use is limited to plant husbandry and/or the sale of produce and plants raised on the premises.
- B. This use shall be located at least 500 feet from a Residential Zone District.

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## DIVISION 9.2 CAMPUS CONTEXT (CMP)

### SECTION 9.2.1 CAMPUS CONTEXT DESCRIPTION



**General Character:** The Campus Context generally consists of midsize to large medical, institutional, educational, or entertainment sites. The context is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements that may be recognized through an urban design plan that expresses stakeholder visions for the campus and its surrounding area. Campus contexts tend to have transitional areas that taper off in intensity towards adjacent residential neighborhood contexts, but can also incorporate and be adjacent to more intense development.

**Street, Block, and Access Patterns:** While Campus sites are often connected to the City via the traditional street grid, transportation and access patterns within the campus site are widely varied.

**Building Placement and Location:** Campus buildings are typically placed to accommodate the specific activity, with multiple buildings often oriented in a way appropriate to their use. Buildings may be oriented toward an internal public space or central courtyard. In some cases, buildings are used to line the perimeter of a campus to introduce pedestrian-oriented uses.

**Building Height:** Buildings are compatible with the scale of the surrounding neighborhood context with greater variation in massing and height in the interior of the site.

**Mobility:** Priority is often given to pedestrians. Vehicular access can be disconnected from the grid within the campus zone, but pedestrian and vehicular permeability should be encouraged. Shared structured and surface parking often exist internal to the campus to serve multiple buildings and uses, while internal pedestrian ways connect the campus structures. The Campus Context often has high levels of access to the multi-modal transit system.

## SECTION 9.2.2 DISTRICTS ESTABLISHED

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

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

## SECTION 9.2.3 CAMPUS HEALTHCARE AND HEALTHCARE 2 (CMP-H, H2)

### 9.2.3.1 Intent

These districts are intended to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities and their related uses. Buildings should be designed to orient outward to the surrounding area to encourage public safety.

The CMP-H district is intended to include the principal structures and related facilities of each healthcare institution. The district is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements while providing compatible transitions between the campus and adjacent neighborhoods.

The CMP-H2 district is generally adjacent to a single unit, two unit, or row house residential zone district to act as a transition zone by requiring more open space and limiting building height more than in the CMP-H zone. In all other respects, the CMP-H2 is similar to the CMP-H district. Any CMP-H2 District shall be incorporated into the Zone Lot plan for the adjacent CMP-H District.

### 9.2.3.2 Generally Applicable Design Standards

#### A. Site Design Standards

Article 10 and Section 12.4.3, Site Development Plan Review standards apply unless otherwise exempted through Section 12.4.3.9, Review and Final Decision by Planning Board.

#### B. Campus Design Standards

Campus design review processes and standards (such as those outlined in campus master plans, design guidelines, or neighborhood plans) that address campus building height transitions, architectural elements, parking plans, and vehicular and pedestrian access shall be applied during Site Plan Review when available.

#### C. Zone Lot

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.2.1 and Division 1.2. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

#### D. Reference to Article 10 Design Standards

Refer to the following Divisions for other applicable design standards

1. Parking and Loading: Division 10.4
2. Landscaping, Screening, Fences and Walls: Division 10.5
3. Site Grading: Division 10.6

4. Outdoor Lighting: Division 10.7
5. Signs: Division 10.10

### **9.2.3.3 Construction Subject to Review and Final Decision by Planning Board**

#### **A. Applicability**

Construction of the following in the CMP-H and CMP-H2 districts shall be subject to the review procedures described below:

1. A new or modified rotorcraft landing or take-off area;
2. An emergency vehicle access point; or
3. Principal point of vehicular or pedestrian access.

#### **B. Applicable Procedure**

Construction applicable to this Section 9.2.3.3 shall be allowed only after review and final decision by Planning Board on a site development plan, according to the procedures and criteria stated in Section 12.4.3 (Site Development Plan Review).

### **9.2.3.4 Primary Building Form Standards**

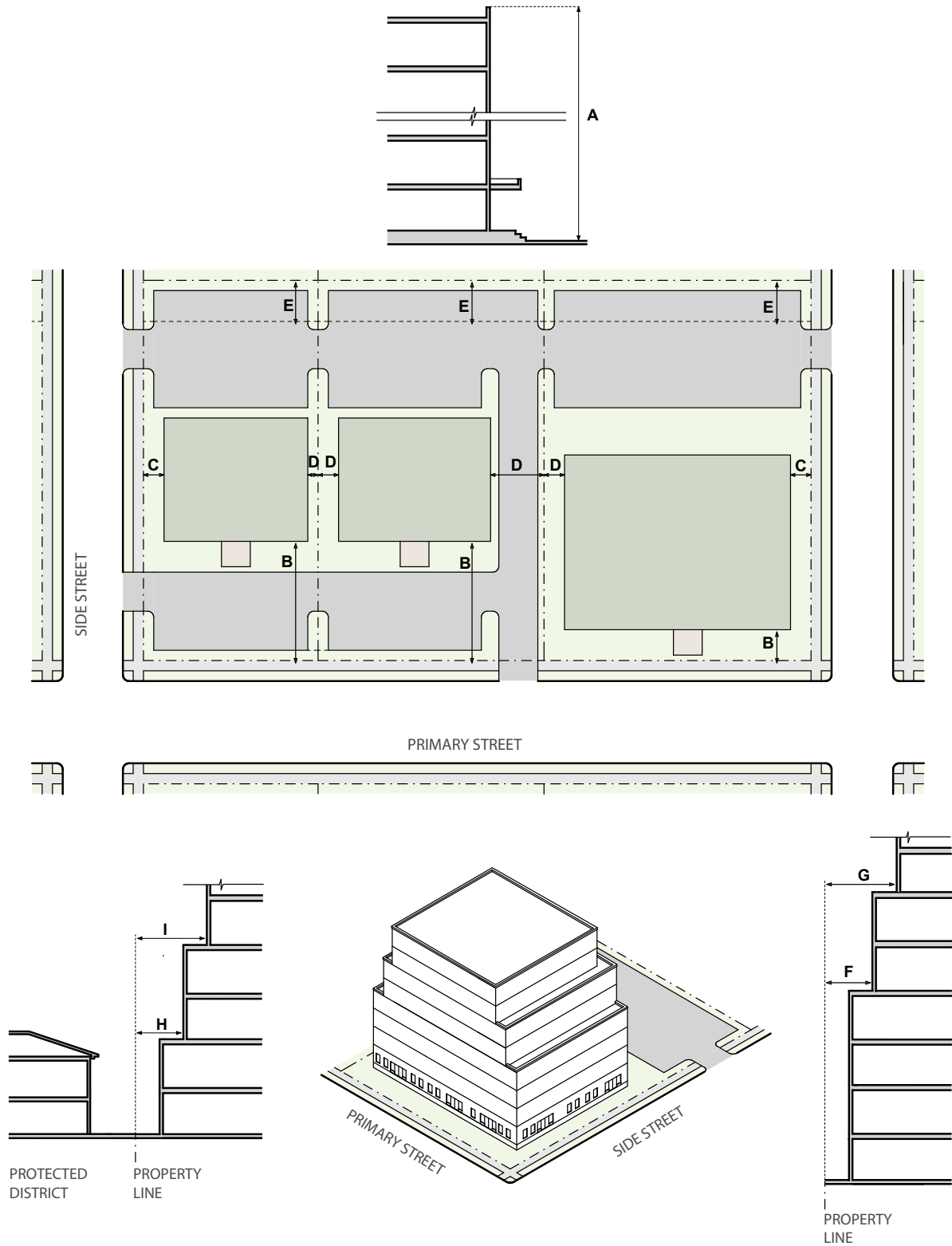
#### **A. Generally Applicable Standards**

1. In addition to the neighborhood context-specific standards included in this article, all development must comply with the general design standards in Article 10.
2. One building form and the associated standards shall be selected for each structure on a zone lot. Combining standards from different building forms for the same structure is prohibited.
3. For multiple buildings on a zone lot, see Article 10, Division 10.3
4. Unenclosed uses shall comply with all building form standards as applicable.
5. The districts allow a variety of building forms appropriate for the Campus Healthcare and Healthcare 2 Context, as set out below.

### 9.2.3.5 District Specific Standards

#### A. General (1 of 2)

*Not to Scale. Illustrative Only.*





**GENERAL (1 OF 2)**

<b>HEIGHT</b>		<b>CMP-H</b>
<b>A</b>	Feet, (max)	200'
<b>A</b>	Feet, within 125' of Protected District (max)	75'

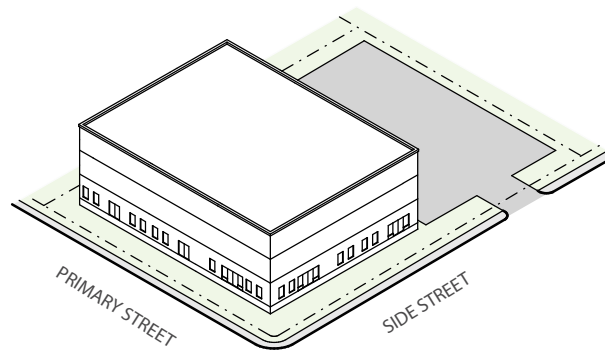
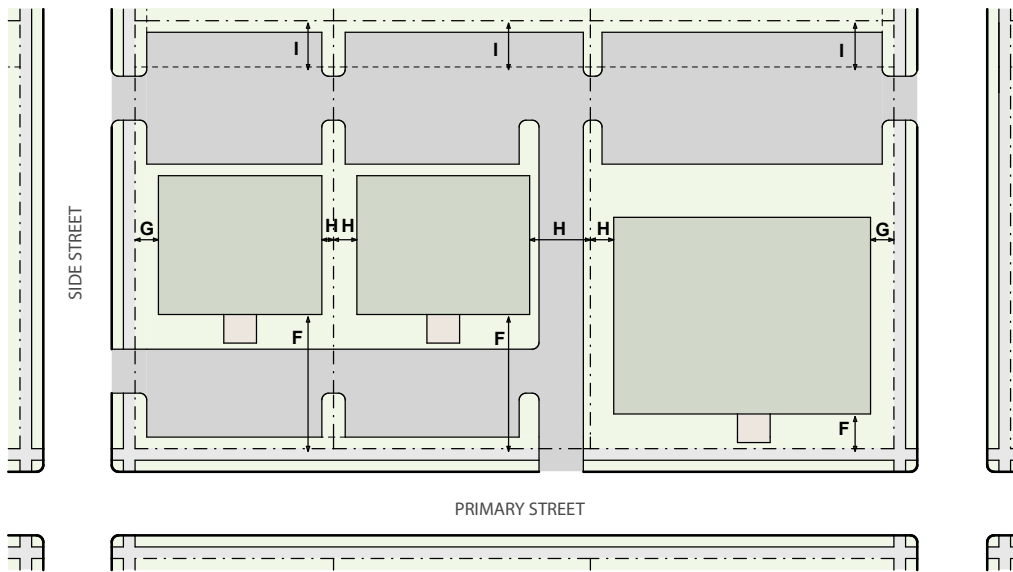
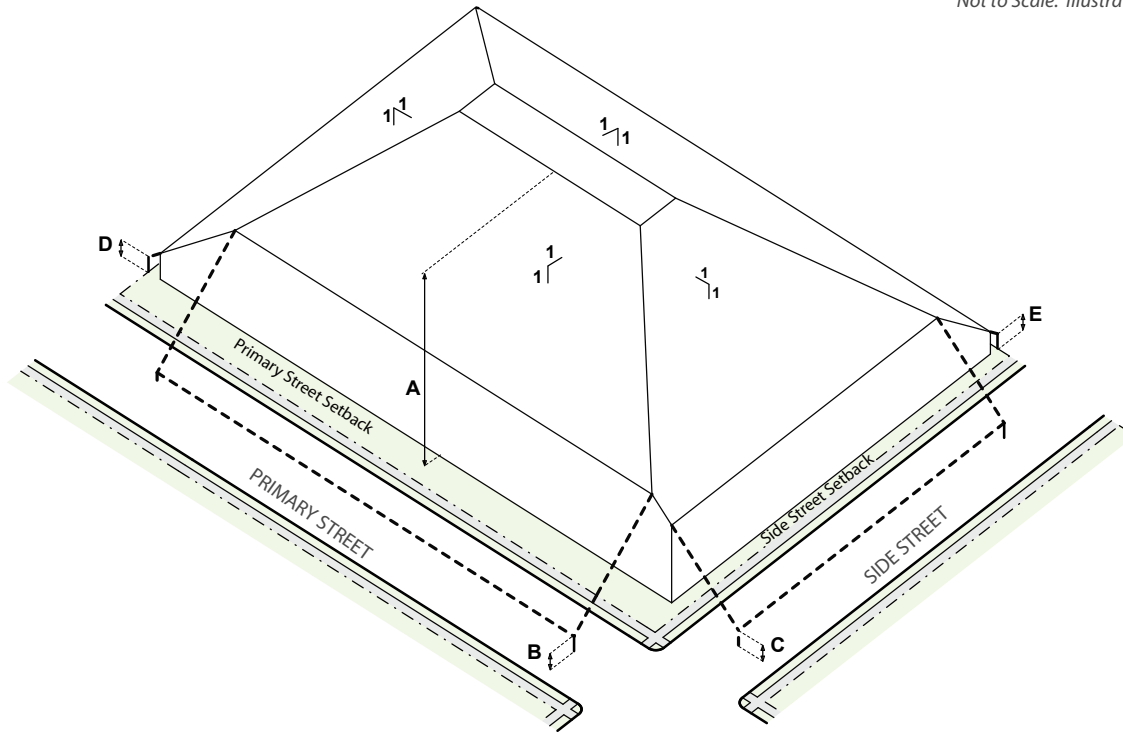
<b>SITING</b>		<b>CMP-H</b>
<b>SETBACKS</b>		
<b>B</b>	Primary Street (min)	10'
<b>C</b>	Side Street (min)	7.5'
<b>D</b>	Side Interior (min)	7.5'
	Side Interior, adjacent to Protected District (min)	10'
<b>E</b>	Rear, alley/rear no alley, (min)	10'/20'

<b>DESIGN ELEMENTS</b>		<b>CMP-H</b>
<b>F</b>	Upper Story Setback Above 40', Side Interior (min)*	15'
<b>G</b>	Upper Story Setback Above 65', Rear, alley/rear, no alley and side interior (min)*	20'/30'
<b>H</b>	Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
<b>H</b>	Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/Rear, no alley (min)	30'/40'
<b>I</b>	Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'

\* When CMP-H and CMP-H2 are abutting, the bulk plane and upper story setback required along that shared zone district boundary are not applicable

**B. General (2 of 2)**

*Not to Scale. Illustrative Only.*



**GENERAL (2 OF 2)**

<b>HEIGHT</b>		<b>CMP-H2</b>
<b>A</b>	Feet, (max)	140'
<b>A</b>	Feet, within 125' of Protected District (max)	75'
<b>B</b>	Bulk Plane Vertical Height at Centerline of Primary Street*	10'
<b>C</b>	Bulk Plane Vertical Height at Centerline of Side Street*	10'
<b>D</b>	Bulk Plane Vertical Height at Side Interior Property Line*	10'
<b>E</b>	Bulk Plane Vertical Height at Rear Property Line, or Centerline of alley if present	10'
	Bulk Plane Slope*	45°

<b>SITING</b>		<b>CMP-H2</b>
	Building Coverage, including all accessory structures (max)	60%
<b>SETBACKS</b>		
<b>F</b>	Primary Street (min)	20'
<b>G</b>	Side Street (min)	7.5
<b>H</b>	Side Interior (min)	7.5'
<b>I</b>	Rear, alley/no alley (min)	10'/20'

\* When CMP-H and CMP-H2 are abutting, the bulk plane and upper story setback required along that shared zone district boundary are not applicable

## **SECTION 9.2.4 CAMPUS-EDUCATION/INSTITUTION (CMP-EI, EI2)**

### **9.2.4.1 Intent**

The Campus Education/Institution Districts are intended for educational institutions that incorporate primary, intermediate, high school, college and university uses and associated programming including student boarding facilities. This district also accommodate other types of large scale civic, public and institutional uses such as museums, public and religious assembly uses. The district is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements while providing compatible transitions between the campus and adjacent neighborhoods.

### **9.2.4.2 Generally Applicable Design Standards**

#### **A. Site Design Standards**

Article 10 and Division 12.4.3, Site Development Plan Review standards apply.

### **9.2.4.3 Campus Design Standards**

Campus design review processes and standards (such as those outlined in campus master plans, design guidelines, or neighborhood plans) that address campus building height transitions, architectural elements, parking plans, and vehicular and pedestrian access shall be applied during Site Development Plan Review where available.

#### **A. Zone Lots**

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.2.1 and Division 1.2. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

#### **B. Reference to Article 10 Design Standards**

Refer to the following Divisions for other applicable design standards

1. Parking and Loading: Division 10.4
2. Landscaping, Screening, Fences and Walls: Division 10.5
3. Site Grading: Division 10.6
4. Outdoor Lighting: Division 10.7
5. Signs: Division 10.10

### **9.2.4.4 Primary Building Form Standards**

#### **A. Generally Applicable Standards**

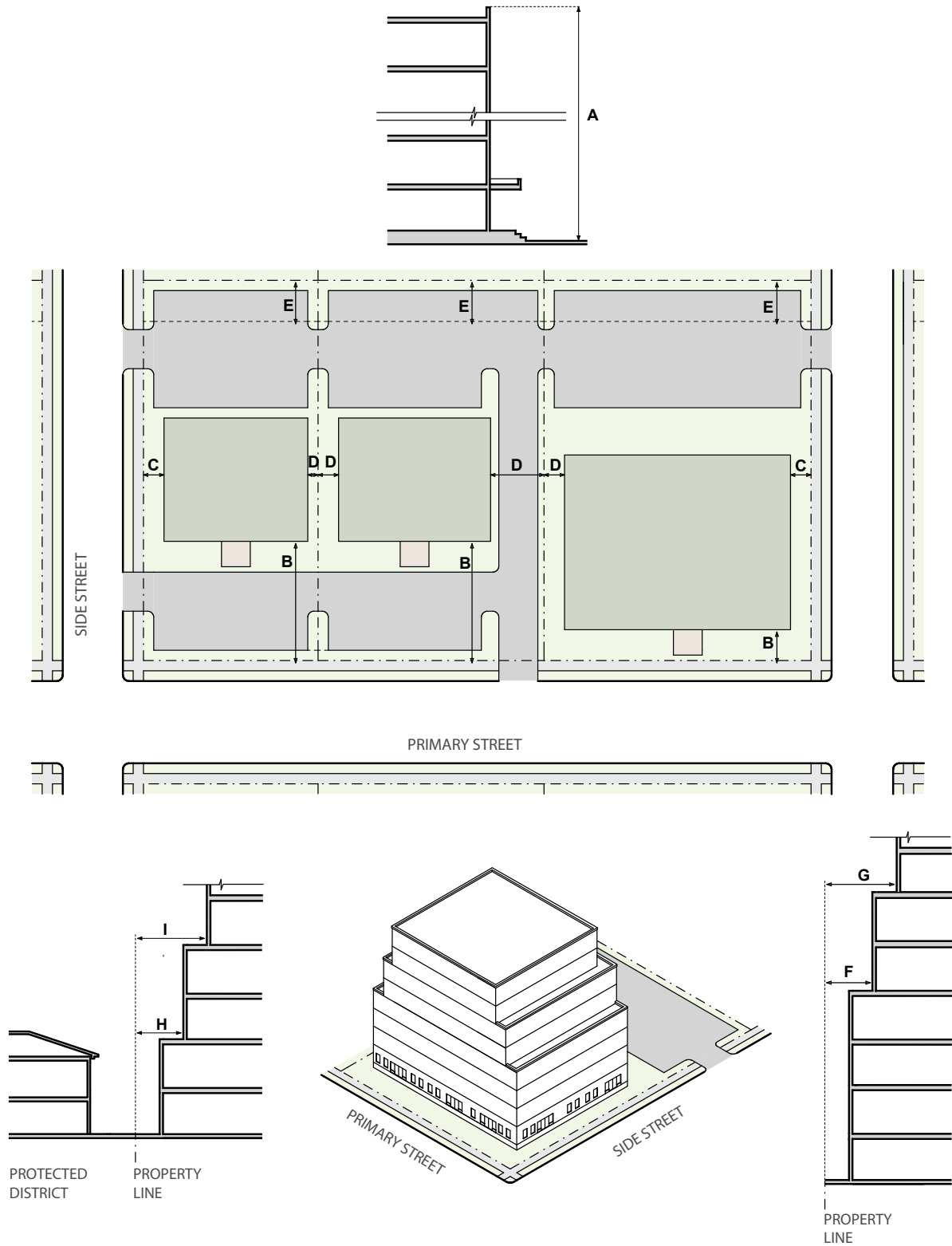
1. In addition to the neighborhood context-specific standards included in this article, all development must comply with the general design standards in Article 10.
2. One building form and the associated standards shall be selected for each structure on a zone lot. Combining standards from different building forms for the same structure is prohibited.
3. For multiple buildings on a zone lot, see Article 10, Division 10.3
4. Unenclosed uses shall comply with all building form standards as applicable.
5. The districts allow a variety of building forms appropriate for the Campus-Education/Institution Context, as set out below.

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### 9.2.4.5 District Specific Standards

#### A. General (1 of 2)

*Not to Scale. Illustrative Only.*



**GENERAL (1 OF 2)**

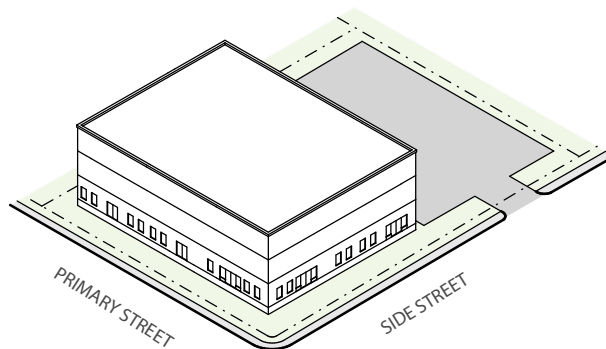
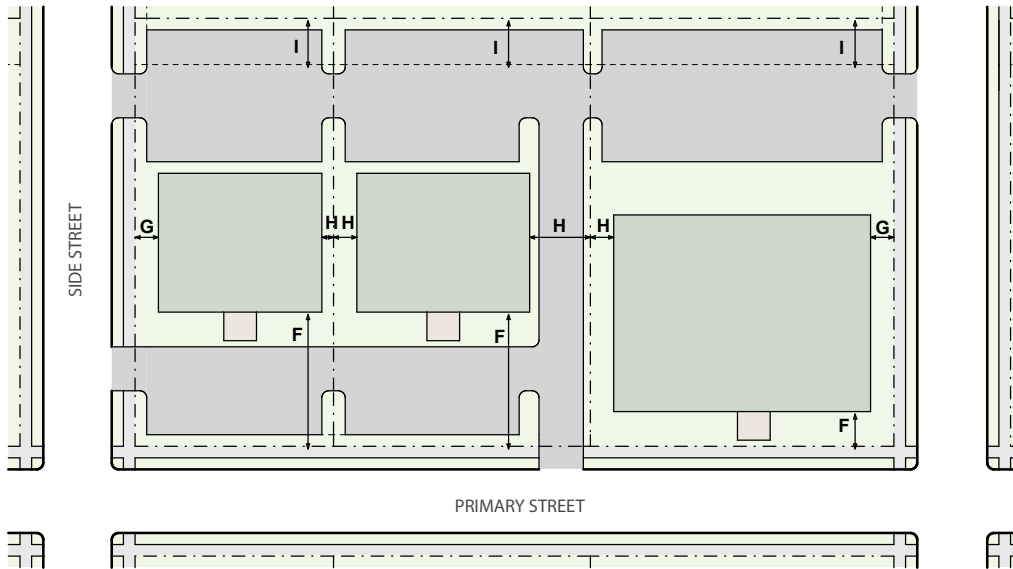
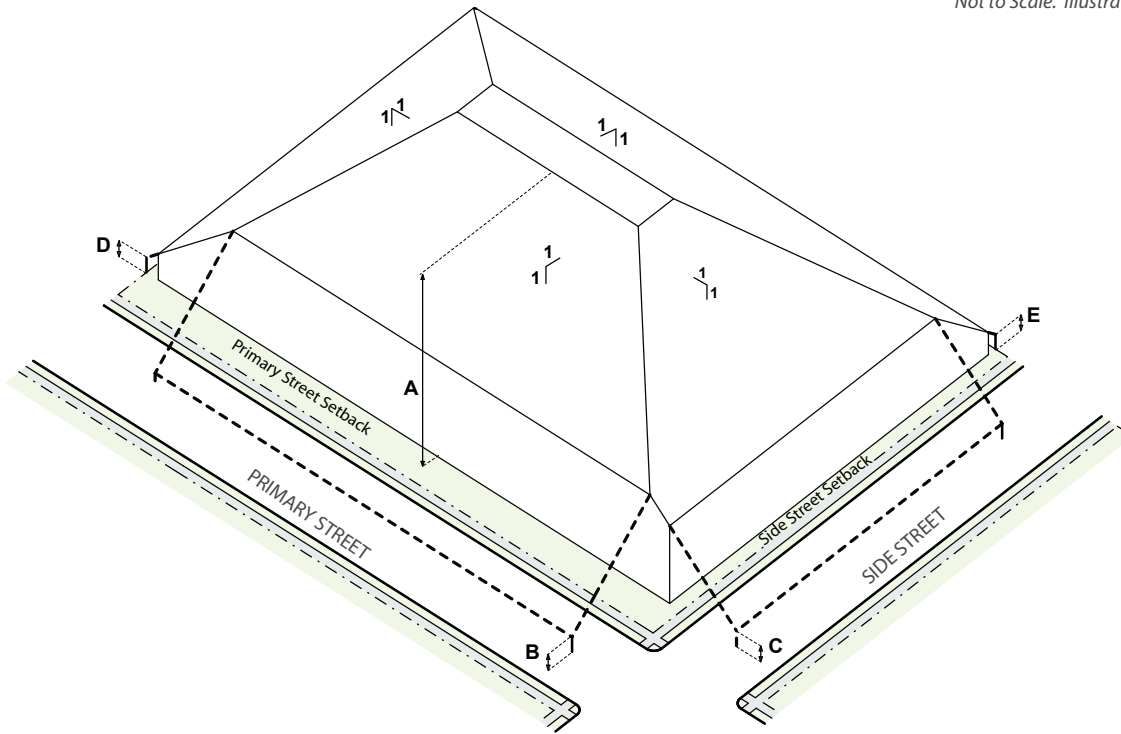
<b>HEIGHT</b>		<b>CMP-EI</b>
<b>A</b>	Feet, (max)	150'
<b>A</b>	Feet, within 175' of Protected District (max)	75'

<b>SITING</b>		<b>CMP-EI</b>
<b>SETBACKS</b>		
		10'
<b>B</b>	Primary Street (min)	0', adjacent to Speer Boulevard, Auraria Parkway, or 5th Street or 7th Street between Auraria and Colfax
<b>C</b>	Side Street (min)	7.5'
<b>D</b>	Side Interior (min)	7.5'
	Side Interior, adjacent to Protected District (min)	10'
<b>E</b>	Rear, alley/no alley (min)	10'/20'

<b>DESIGN ELEMENTS</b>		<b>CMP-EI</b>
<b>F</b>	Upper Story Setback Above 40', Side Interior (min)	15'
<b>G</b>	Upper Story Setback Above 65', Rear, alley/rear, no alley and side interior (min)	20'/30'
<b>H</b>	Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
<b>H</b>	Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/Rear, no alley (min)	30'/40'
<b>I</b>	Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'

**B. General (2 of 2)**

*Not to Scale. Illustrative Only.*





<b>HEIGHT</b>		<b>CMP-EI2</b>
<b>A</b>	Feet (max)	150'
<b>A</b>	Feet, within 175' of Protected District (max)	75'
<b>B</b>	Bulk Plane Vertical Height at Centerline of Primary Street	10'
<b>C</b>	Bulk Plane Vertical Height at Centerline of Side Street	10'
<b>D</b>	Bulk Plane Vertical Height at Side Interior Property Line	10'
<b>E</b>	Bulk Plane Vertical Height at Rear Property Line, or Centerline of alley if present	10'
	Bulk Plane Slope	45°

<b>SITING</b>		<b>CMP-EI2</b>
	Building Coverage, including all accessory structures (max)	60%
<b>SETBACKS</b>		
<b>F</b>	Primary Street (min)	20'
<b>G</b>	Side Street (min)	7.5'
<b>H</b>	Side interior (min)	7.5'
<b>I</b>	Rear, alley/no alley (min)	10'/20'

## **SECTION 9.2.5 CAMPUS- ENTERTAINMENT (CMP-ENT)**

### **9.2.5.1 Intent**

This district is intended to promote and encourage the maintenance and concentration of existing and proposed entertainment venues, including sports arenas and amusement parks. The CMP-ENT district is intended to include primary buildings, independent amusement structures and associated accessory buildings. The maximum height within this district is 200 feet subject to a bulk plane to place taller structures and buildings toward the interior of the site unless otherwise exempted through the Special Review process outlined in this Article.

### **9.2.5.2 Generally Applicable Standards**

#### **A. Site Design Standards**

Article 10 and Division 12.4.3, Site Development Plan Review standards apply.

#### **Campus Design Standards**

Campus design review processes and standards (such as those outlined in campus master plans, design guidelines, or neighborhood plans) that address campus building height transitions, architectural elements, parking plans, and vehicular and pedestrian access shall be applied during Site Plan Review where available.

#### **B. Zone Lot**

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.2.1 and Division 1.2. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

#### **C. Reference to Article 10 Design Standards**

Refer to the following Divisions for other applicable design standards  
Parking and Loading:  
Division 10.4

1. Landscaping, Fences, Walls and Screening: Division 10.5
2. Site Grading: Division 10.6
3. Outdoor Lighting: Division 10.7
4. Signs: Division 10.10

### **9.2.5.3 Primary Building Standards**

#### **A. Generally Applicable Standards**

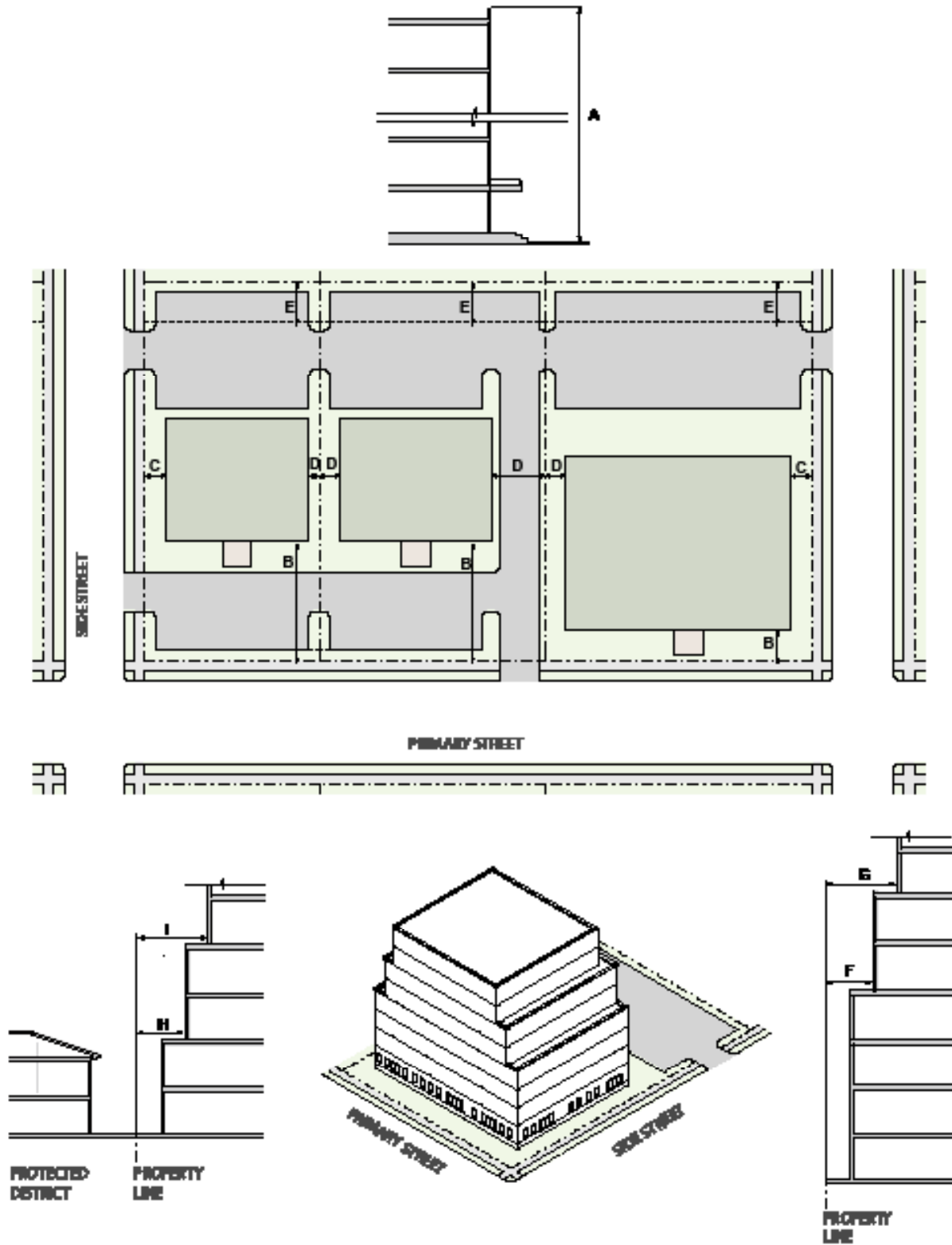
1. In addition to the neighborhood context-specific standards included in this article, all development must comply with the general design standards in Article 10.
2. One building form and the associated standards shall be selected for each structure on a zone lot. Combining standards from different building forms for the same structure is prohibited.
3. For multiple buildings on a zone lot, see Article 10, Division 10.3
4. Unenclosed uses shall comply with all building form standards as applicable.
5. The districts allow a variety of building forms appropriate for the Campus - Entertainment Context, as set out below.

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### 9.2.5.4 District Specific Standards

#### A. General

Not to Scale. Illustration Only.



**GENERAL**

<b>HEIGHT</b>		<b>CMP-ENT</b>
<b>A</b>	Feet (max)	200'
<b>A</b>	Feet, within 175' of Protected District (max)	75'

<b>BULK AND SITING</b>		<b>CMP-ENT</b>
<b>B</b>	Primary Street (min)	10'
<b>C</b>	Side Street (min)	7.5'
<b>D</b>	Side Interior (min)	7.5'
<b>D</b>	Side Interior, adjacent to Protected District (min)	10'
<b>E</b>	Rear, alley/no alley(min)	10'/20'

<b>DESIGN ELEMENTS</b>		<b>CMP-ENT</b>
<b>F</b>	Upper Story Setback Above 40', Side Interior (min)	15'
<b>G</b>	Upper Story Setback Above 65', Rear, alley/rear, no alley and side interior (min)	20'/30'
<b>H</b>	Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
	Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/Rear, no alley (min)	30'/40'
<b>I</b>	Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'

**SECTION 9.2.6 DESIGN STANDARD EXCEPTIONS CMP-H, H2, EI, EI2, ENT**

**9.2.6.1 Height Exceptions**

- A. No occupied part of any building shall be constructed above the permitted height; however, unoccupied building features such as spires, towers, flagpoles, antennas, chimneys, flues and vents, cooling towers, enclosures for tanks and elevator penthouses serving the roof including any vertical or sloped screen walls may extend a maximum of 28 feet above the permitted height of the building.
- B. Unoccupied building features, excluding spires, towers, flagpoles and chimneys, shall be set back from the perimeter of the building a minimum of one foot horizontally for every one foot of vertical height.
- C. Elevator penthouses not serving the roof and other enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment shall not exceed a height of 12 feet above the permitted height of the building. The aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- D. Flush-mounted solar panels, as defined in Article 13, may exceed the maximum permitted height of a building.

**9.2.6.2 Bulk Plane and Upper Story Setback Exceptions**

In all zone districts the following exceptions to any applicable bulk plane or upper story setback are permitted: eaves, spires, unoccupied towers, flagpoles, antennas, chimneys, flues, vents, flush mounted solar panels, evaporative coolers, or accessory water tanks.

### 9.2.6.3 Setback Permitted Encroachments

Permitted encroachments into required setback areas include:

	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt courses, sills, lintel and pilasters	All districts	18"	18"	18"	18"
Brick and Stone veneers above finished grade	All districts	6"	6"	6"	6"
Cornices, eaves, gutters	All districts	3'	3'	3'; if setback is less than 5': 2'	5'
Chimneys and fireplace insert vents, not exceeding 6' in width	All districts	18"	18"	18"	18"
Outside stairways	All districts	5'	3'	3'	10'
Porches: unwallied porches, terraces, decks, patios, porches (including 2-story) and exterior balconies	All districts	8'	not allowed	not allowed	5'
Above-grade stairways associated with front porches	All districts	any distance, provided, minimum 1' between right-of-way and bottom step	not allowed	not allowed	not allowed
Access ramps for the handicapped, provided no alternative location is available and provided the ramp construction is compatible with the character of the structure, as determined by the Zoning Administrator	All districts	any distance	any distance	any distance	any distance
Building elements, such as awnings, designed and intended to control light entering a building and being a permanent part of such building	All districts	5'	3'	3'	10'
Building elements, such as awnings, designed and intended to control light entering a building but not a permanent part of such building	All districts	any distance	any distance	any distance	any distance
Canopies	All districts	any distance	not allowed	not allowed	not allowed
Enclosed structure or part of an enclosed structure that is below the grade of any setback space, except as otherwise restricted by this Code	All districts	any distance	any distance	any distance	any distance
Window well and/or emergency basement egress areas	All districts	Any distance for any width, provided the provisions of Division 10.6 (Site Grading Standards) and Section 10.5.6 Retaining Wall Requirements) are met	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 4' in length as measured parallel to the side interior/side street zone lot line		Any distance for any width, provided the provisions of Division 10.6 (Site Grading Standards) and Section 10.5.6 Retaining Wall Requirements) are met
Gas and electric meters	All districts	18"	18"	18"	18"

	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment, not exceeding 3' in height	All districts	any distance	any distance	any distance	any distance
Basketball goals on a fixed post	All districts	any distance	any distance	any distance	any distance
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 districts	not allowed	3'	3'	not allowed
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, subject to review according to Section 12.4.2, Zoning Permit Review with Informational Notice	All districts	not allowed	subject to Zoning Permit Review with Informational Notice	subject to Zoning Permit Review with Informational Notice	subject to Zoning Permit Review with Informational Notice
Flush mounted solar panels	All districts	any distance	any distance	any distance	any distance
Open walls or fences or chain link security fences not exceeding seven feet in height as measured according to section 13.1.4	All districts	any distance	any distance	any distance	any distance

**SECTION 9.2.7 USES AND REQUIRED MINIMUM PARKING**

**9.2.7.1 Overview - Summary Use and Parking Table**

The Summary Use and Parking Table below sets forth the general land use classifications, land use categories, and specific types of primary, accessory and temporary land uses allowed within the Suburban Neighborhood Context zone districts. In addition, required off-street parking and off-street bicycle amounts are stated for each specific primary use type allowed within each zone district. See Article 10, Division 10.4, Parking and Loading, for additional vehicle and bicycle parking requirements and standards.

**9.2.7.2 Organization - Summary Use and Parking Table**

**A. Organized by Primary, Accessory and Temporary Uses**

The Summary Use and Parking Table first presents all primary uses, then all accessory uses, and finally all temporary uses. Primary uses are arranged hierarchically within the table by use classification, category of primary uses, and then by specific use type. Accessory uses are organized by whether such use is accessory to a primary residential use or to a primary nonresidential use. Temporary uses are presented alphabetically ordered in the last division of the table.

**B. Primary Use Classifications, Categories & Specific Use Types**

**1. Primary Use Classifications**

All primary land uses in the Summary Use and Parking Table are organized into one of the following five general land use classifications:

- a. Residential Uses
- b. Civic, Public & Institutional Uses

- c. Commercial Sales, Service & Repair Uses
- d. Industrial, Manufacturing & Wholesale Uses
- e. Agriculture

**2. Primary Use Categories & Specific Use Types**

Primary uses are further organized into use categories and specific use types listed under each general primary land use classification. The Summary Use and Parking Table is organized into the above five general land use classifications, use categories and specific use types.

**3. Classifications & Categories Are Mutually Exclusive**

The general land use classifications and use categories listed in the Summary Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as “lodging accommodations,” cannot be classified in a different use category, such as “group living,” unless otherwise expressly allowed by this Code.

**9.2.7.3 Explanation of Table Abbreviations**

**A. General Explanation of Table Cell Entries**

In each of the table cells, the entry will indicate first whether use limitations or standards apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry “L-ZPIN” means, first, the use is subject to use standards and limitations (the “L”), and, second, that the use is subject to zoning permit review with information notice (the “ZPIN”) prior to its establishment.

**B. Permitted Use - No Use Limitations Apply (“P”)**

A “P” in a table cell indicates that the use is permitted in the respective zone district, and is not subject to use limitations or standards.

**C. Permitted Use - Subject to Use Limitations and Standards (“L”)**

“L” in a table cell indicates the use is permitted in the zone district subject to compliance with the use limitations and standards referenced in the last column of the use table (“Applicable Use Limitations”).

**D. Use Subject to Zoning Permit Review (“ZP”)**

“ZP” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

**E. Use Subject to Zoning Permit Review with Informational Notice (“ZPIN”)**

“ZPIN” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

**F. Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)**

“ZPSE” in a table cell indicates that use is generally appropriate in the neighborhood context and zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.



**G. Uses Not Permitted (“NP”)**

“NP” in a table cell indicates that the use is not permitted in the specific zone district.

**H. Applicable Use Limitations**

The last column of the table, entitled “Applicable Use Limitations,” contains one or more cross-references to use limitations and standards applicable to the specific use, as indicated by a “L” cell entry in the Summary Use and Parking Table. Applicable limitations and standards specific to the use are found in Article 11 of this Code.

**I. Unlisted Uses**

Uses not listed in the Use Table are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to the procedures and criteria in Section 12.4.6, Code Interpretation & Determination of Unlisted Uses.

**9.2.7.4 Compliance with Other Code Provisions Required**

The establishment of all uses is subject to compliance with all applicable design and development standards stated in this Code, including but not limited to the zone district building form and design standards found in this Article 9, and the standards stated in Article 10, General Design Standards.

**9.2.7.5 Applicable Procedures Prior to Establishment of Use**

- A. A Zoning Permit is required prior to establishment of any use permitted by this Code. See Article 12, Zoning Procedures & Enforcement, and Sections 12.4.1, Zoning Permit Review and 12.4.2, Zoning Permit Review with Informational Notice.
- B. The development or establishment of a permitted use may also require Site Development Plan Review prior to issuance of a Zoning Permit. Please refer to Section 12.4.3, Site Development Plan Review, to determine whether site plan review is applicable to a particular use or development. Site Development Plan Review may occur prior to, or concurrent with, any other applicable review procedure, such as Special Exception Review or Zoning Permit Review.

### 9.2.7.6 Allowed Uses by District and Minimum Parking Requirements

KEY: 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 Review ZPSE = Subject to Zoning Permit with Special Exception  
 \* = Need Not be Enclosed

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	APPLICABLE USE LIMITATIONS AND STANDARDS
		CMP-H2	CMP-EI2		
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>					
Household Living	Dwelling, Single Unit • No Parking Requirements	NP	P-ZP	NP	
	Dwelling, Two Unit • Vehicle: 0.75/unit	NP	P-ZP	NP	
	Dwelling, Multi-Unit • Vehicle: 0.75/unit • Bicycle: 1/ 2 units (80/20)	P-ZPIN	EI: P-ZP EI2: P-ZPIN	P-ZP	
	Dwelling, Mixed Use • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	NP	NP	NP	
	Dwelling, Live / Work • Vehicle: 0.75/unit • Bicycle: 1/ 2 units (80/20)	NP	NP	NP	
Group Living	Assisted Living Facility • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	NP	
	Community Correctional Facility • Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZPIN	NP	
	Residence for Older Adults • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	NP	
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.4
	Shelter for the Homeless • Vehicle: No requirement • Bicycle: No requirement	NP	L-ZP	NP	§ 11.2.5
	Student Housing • Vehicle: 1.25/unit • Bicycle: 1 / 5 units (100/0)	P-ZPIN	P-ZPIN	P-ZP	
<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	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§ 11.3.2

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Community/ Public Services	Community Center • No Parking requirements	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	
	Postal Facility, Neighborhood • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	
	Postal Processing Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Hospital	P-ZP	NP	NP	
	Correctional Institution • No Parking Requirements	NP	NP	NP	
Cultural/Special Purpose/ Public Parks & Open Space	Cemetery • No Parking Requirements	NP	NP	NP	
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	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	
	City Park • No Parking Requirements	NP	NP	NP	
	Open Space - Recreation • No Parking Requirements	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation • No Parking Requirements	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle- Elementary: 1/1,000 s.f. GFA • Bicycle-Elementary: 1/ 10,000 s.f. GFA (0/100) • Vehicle- Secondary: 1/1,000 s.f. GFA • Bicycle: 1/ 5,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	L-ZP	NP	§ 11.3.6
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>					
Adult Business	All Types	NP	NP	NP	

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	NP	L-ZP	L-ZP	§ 11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	L-ZP	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium* • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	P-ZP	
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)		Not Applicable			
Parking of Vehicles	Parking, Garage • No Parking Requirements	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	P-ZP	§ 11.4.5
Eating & Drinking Establishments	All Types • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/1,500 s.f. GFA (0/100)	NP	NP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 0.875/guest room or unit • Bicycle: 1/2 guest room or unit (100/0)	P-ZP	EI: P-ZP EI2: NP	P-ZP	
	Lodging Accommodations, All Others • Vehicle: 0.5/ guest room or unit • Bicycle: 1/2 guest rooms or units (100/0)	P-ZPIN	EI: P-ZPIN EI2: NP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (60/40)	L-ZP	L-ZP/P-ZPIN	NP	§11.4.7
	Office, All Others • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
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	
	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	
	Body Art Establishment • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	NP	
	Food Sales or Market • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	NP	
	Liquor Store, Including Drugstores Licensed to Sell Liquor • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	NP	
	Pawn Shop • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	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	
	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	
	Retail Sales, Service & Repair, All Others • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	PIN	NP	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	
	Automobile Services, Light • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Automobile Services, Heavy • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Heavy Vehicle/ Equipment Sales, Rentals. & Service* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>					
Communications and Information	Communication Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.5.2
	Telecommunications Tower - Alternative Structure • No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Contractors, Special Trade - Heavy/ Contractor Yard* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Food Preparation and Sales, Commercial • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Laboratory, Research, Development and Technological Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	PIN	EI: P-ZPIN EI2: NP	P-ZP	
	Service/Repair, Commercial • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Manufacturing, Fabrication & Assembly -- Heavy • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Sand or Gravel Quarry* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.5.8

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Transportation Facilities	Airport* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.5.9 CMP-H,H2: See Sec. 9.2.3.3 for Process
Transportation Facilities	Railroad Facilities* • No Parking Requirements	NP	NP	NP	
	Railway Right-of-Way* • No Parking Requirements	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	NP	NP	NP	
	Terminal, Freight, Air Courier Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
Waste Related Services	Automobile Parts Recycling Business • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Junkyard* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Recycling Center • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Recycling Collection Station • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Recycling Plant, Scrap Processor • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Solid Waste Facility • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Mini-storage Facility • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Vehicle Storage, Commercial* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Wholesale Trade or Storage, Light • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>					
Agriculture	Agriculture, Limited* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Aquaculture* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	§11.6.1
	Greenhouse • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	P-ZP	P-ZP	
	Husbandry* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	
	Nursery, Plant* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	



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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
<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)	Accessory Dwelling Unit - Accessory to Primary Single Unit Dwelling Use Only • Vehicle: 1 / Unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	§11.8.3
	Garden	L	L	L	§11.7; §11.8.4
	Greenhouse	L	L	L	§11.7
	Keeping of Household Animals	L	L	L	§11.7; §11.8.6
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles	NP	NP	NP	§11.7; §10.9
	Kennel or Exercise Run	L	L	L	§11.7; §11.8.7
	Limited Commercial Sales, Services	L-ZP	L-ZP	L-ZP	§11.7; §11.8.8
	Off-Street Parking of Vehicles in Garages on Zone Lots by Non-Residents of Zone Lot	NP	NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	§11.7; §11.8.9
	Vehicle storage, repair and maintenance accessory to a Dwelling Use	P	P	P	
	Yard or Garage Sales	L	L	L	§11.7; §11.8.10
Unlisted Accessory Uses	L - Applicable to all Zone Districts			§11.7; §11.8.1	
<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)	Amusement Devices	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2
	Automobile Rental Services Only	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	§ 11.7; § 11.10.4
	Car Wash Bay	L-ZP	L-ZP	L-ZP	§11.7; §11.10.5
	College Accessory to a Place for Religious Assembly	L	L	L	§11.7; §11.10.6
	Conference Facilities	L	L	L	§11.7; §11.10.7
	Drive Through Facility	L-ZP	L-ZP	L-ZP	§11.7; §11.10.8
	Garden	L	L	L	§11.7; §11.10.9
	Greenhouse	L	L	L	§11.7
	Occasional Sales, Services Accessory to Places of Religious Assembly	L	L	L	§11.7; §11.10.10
	Outdoor Eating and Serving Area*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.7; §11.10.11
	Outdoor Entertainment*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.7; §11.10.12
	Outdoor Retail Sale and Display	L-ZP	L-ZP	L-ZP	§11.7; §10.8
Outdoor Storage*	L-ZP	L-ZP	L-ZP	§11.7; §10.8	

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Accessory to Primary Non-residential Uses	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Use	L	L	L	§11.7; §11.10.13
(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
<b>HOME OCCUPATION CLASSIFICATION</b>					
Home Occupations	Child Care Home, Large (7-12)	L-ZPIN	L-ZPIN	L-ZPIN	§11.7; §11.9
	Home Occupations, All Types	L-ZP	L-ZP	L-ZP	§11.7; §11.9
<b>TEMPORARY USE CLASSIFICATION</b>					
Temporary Uses	Ambulance Service - Temporary	L-ZP	L-ZP	L-ZP	§11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	L-ZP	L-ZP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	§11.11.10
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	§11.11.16
Tent for Religious Services	L-ZP	L-ZP	L-ZP	§11.11.17	
Unlisted Temporary Uses	L - Applicable in all Zone Districts			§11.11.1	

## DIVISION 9.3 OPEN SPACE CONTEXT (OS-A, OS-B, OS-C)

### SECTION 9.3.1 OPEN SPACE CONTEXT DESCRIPTION



**General Character:** The Open Space Context consists of all forms of public and private parks and open spaces. The context accommodates sites ranging from very active to completely passive, and from those embedded in a neighborhood to sites that are large enough to stand alone. Active sites may include high use areas such as ball fields, while passive areas focus on resource protection, trails, walking and biking.

**Street, Block, and Access Patterns:** The Open Space Context can be widely varied, ranging from active parks with extensive access to environmentally sensitive areas where only limited access is appropriate.

**Building Placement and Location:** Buildings in the Open Space Context are typically placed where access is highest, and are often located away from view of the general public.

**Building Height:** Buildings are typically low in scale, although some open space areas with active recreational uses support large-scale facilities.

**Mobility:** Priority is given to pedestrians and bicyclists. The automobile is accommodated through fringe parking areas. The Open Space Context has varying levels of access to the multi-modal transit system.

## SECTION 9.3.2 DISTRICTS ESTABLISHED

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

### Open Space Context

OS-A	Open Space Public Parks District
OS-B	Open Space Recreation District
OS-C	Open Space Conservation District

### 9.3.2.1 Purpose

The following paragraphs explain the general purpose and intent of the individual zone districts.

#### A. Open Space Public Parks District (OS-A)

The OS-A district is intended to protect and preserve public parks owned, operated or leased by the City and managed by the City's Department of Parks and Recreation ("DPR") for park purposes.

#### B. Open Space Recreation District (OS-B)

The OS-B district is intended to protect and promote open space and parks not otherwise owned, operated or leased by the City, and generally intended for active or passive recreation use. The district allows more building coverage and a variety of active recreational facilities than in the OS-C district.

#### C. Open Space Conservation District (OS-C)

To allow for conservation of open space and natural areas, regardless of ownership, which are not intended for development. Limited passive recreation is allowed, and only limited structures incidental to and supportive of the conservation purpose of the zone district, such as visitor's/educational center, are allowed.

## SECTION 9.3.3 PRIMARY BUILDING BUILDING FORM STANDARDS

### 9.3.3.1 Primary Building Forms in the OS-A District

In the OS-A zone district, the City Council shall have final approval authority over the form of certain building according to D.R.M.C., Chapter 39 (Parks). For all other buildings or structures, the Manager of Parks and Recreation shall determine all applicable building form standards.

**9.3.3.2 Primary Building Forms in OS-B and OS-C**

Building form standards are applicable in the OS-B and OS-C zone districts, as set forth below.

HEIGHT	OS-B, OS-C
Stories (max)	3
Feet, pitched or flat roof (max)	40'

SITING	OS-B, OS-C
<b>SETBACKS</b>	
Primary Street (min)	20'
Side Street (min)	20'
Side, interior (min)	20'
Rear (min)	20'
<b>PARKING</b>	
Primary Street Setback (min)	30'
Side Street Setback (min)	10'
Setback Adjacent Protected District (min)	5'

DESIGN ELEMENTS	OS-B, OS-C
Required Entrance, Primary Street	No

**9.3.3.3 Design Standards**

**A. OS-A Zone District**

Design and development standards governing structures in the OS-A Zone District, including but not limited to landscaping, parking, and signage, shall be determined by either the City Council according to their authority in D.R.M.C., Chapter 39 (Parks) or by the Manager of Parks and Recreation.

## **SECTION 9.3.4 USES AND REQUIRED MINIMUM PARKING**

### **9.3.4.1 Uses in the OS-A Zone District**

Permitted uses in the OS-A Zone District, and any applicable use limitations and standards, shall be determined by the manager of Parks and Recreation.

### **9.3.4.2 Overview - Summary Use and Parking Table**

The Summary Use and Parking Table below sets forth the general land use classifications, land use categories, and specific types of primary, accessory and temporary land uses allowed within the Open Space zone districts. In addition, required off-street parking and off-street bicycle amounts are stated for each specific primary use type allowed within each zone district. See Article 10, Division 10.4, Parking and Loading, for additional vehicle and bicycle parking requirements and standards.

### **9.3.4.3 Organization - Summary Use and Parking Table**

#### **A. Organized by Primary, Accessory and Temporary Uses**

The Summary Use and Parking Table first presents all primary uses, then all accessory uses, and finally all temporary uses. Primary uses are arranged hierarchically within the table by use classification, category of primary uses, and then by specific use type. Accessory uses are organized by whether such use is accessory to a primary residential use or to a primary nonresidential use. Temporary uses are presented alphabetically ordered in the last division of the table.

#### **B. Primary Use Classifications, Categories & Specific Use Types**

##### **1. Primary Use Classifications**

All primary land uses in the Summary Use and Parking Table are organized into one of the following five general land use classifications:

- a. Residential Uses
- b. Civic, Public & Institutional Uses
- c. Commercial Sales, Service & Repair Uses
- d. Industrial, Manufacturing & Wholesale Uses
- e. Agriculture

##### **2. Primary Use Categories & Specific Use Types**

Primary uses are further organized into use categories and specific use types listed under each general primary land use classification. The Summary Use and Parking Table is organized into the above five general land use classifications, use categories and specific use types.

##### **3. Classifications & Categories Are Mutually Exclusive**

The general land use classifications and use categories listed in the Summary Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as "lodging accommodations," cannot be classified in a different use category, such as "group living," unless otherwise expressly allowed by this Code.

### **9.3.4.4 Explanation of Table Abbreviations**

#### **A. General Explanation of Table Cell Entries**

In each of the table cells, the entry will indicate first whether use limitations or standards apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry "L-ZPIN" means, first, the use is subject to use standards and limitations (the "L"), and, second, that the use is subject to zoning permit review with information notice (the "ZPIN") prior to its establishment.

**B. Permitted Use - No Use Limitations Apply (“P”)**

A “P” in a table cell indicates that the use is permitted in the respective zone district, and is not subject to use limitations or standards.

**C. Permitted Use - Subject to Use Limitations and Standards (“L”)**

“L” in a table cell indicates the use is permitted in the zone district subject to compliance with the use limitations and standards referenced in the last column of the use table (“Applicable Use Limitations”).

**D. Use Subject to Zoning Permit Review (“ZP”)**

“ZP” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

**E. Use Subject to Zoning Permit Review with Informational Notice (“ZPIN”)**

“ZPIN” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

**F. Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)**

“ZPSE” in a table cell indicates that use is generally appropriate in the neighborhood context and zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.

**G. Uses Not Permitted (“NP”)**

“NP” in a table cell indicates that the use is not permitted in the specific zone district.

**H. Applicable Use Limitations**

The last column of the table, entitled “Applicable Use Limitations,” contains one or more cross-references to use limitations and standards applicable to the specific use, as indicated by a “L” cell entry in the Summary Use and Parking Table. Applicable limitations and standards specific to the use are found in Article 11 of this Code.

**I. Unlisted Uses**

Uses not listed in the Use Table are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to the procedures and criteria in Section 12.4.6, Code Interpretation & Determination of Unlisted Uses.

**9.3.4.5 Compliance with Other Code Provisions Required**

The establishment of all uses is subject to compliance with all applicable design and development standards stated in this Code, including but not limited to the zone district building form and design standards found in this Article 9, and the standards stated in Article 10, General Design Standards.

**9.3.4.6 Applicable Procedures Prior to Establishment of Use**

- A. A Zoning Permit is required prior to establishment of any use permitted by this Code. See Article 12, Zoning Procedures & Enforcement, and Sections 12.4.1, Zoning Permit Review and 12.4.2, Zoning Permit Review with Informational Notice.

- B. The development or establishment of a permitted use may also require Site Development Plan Review prior to issuance of a Zoning Permit. Please refer to Section 12.4.3, Site Development Plan Review, to determine whether site plan review is applicable to a particular use or development. Site Plan Review may occur prior to, or concurrent with, any other applicable review procedure, such as Special Exception Review or Zoning Permit Review.

### 9.3.4.7 Allowed Uses by District and Minimum Parking Requirements

KEY: 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  
 \* = Need Not be Enclosed

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 AND STANDARDS			
		OS-A	OS-B	OS-C	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>					
Household Living	Dwelling, Single Unit	See Section 9.3.4.1 for permitted uses	NP	NP	
	Dwelling, Two Unit		NP	NP	
	Dwelling, Multi-Unit		NP	NP	
	Dwelling, Mixed Use		NP	NP	
	Dwelling, Live / Work		NP	NP	
Group Living	Assisted Living Facility		NP	NP	
	Community Correctional Facility		NP	NP	
	Nursing Home, Hospice		NP	NP	
	Residence for Older Adults		NP	NP	
	Residential Care Use, Small or Large		NP	NP	
	Shelter for the Homeless	NP	NP		
	Student Housing	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	See Section 9.3.4.1 for permitted uses	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement		L-ZP	NP	§ 11.3.2



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		OS-A	OS-B	OS-C		
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	See Section 9.3.4.1	L-ZP	NP	§ 11.3.3	
	Day Care Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP		
	Postal Facility, Neighborhood • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (60/40)		NP	NP		
	Postal Processing Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)		NP	NP		
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP		
	Hospital		NP	NP		
	Correctional Institution		NP	NP		
Cultural/Special Purpose/Public Parks & Open Space	Cemetery • No requirement	See Section 9.3.4.1	L-ZP	NP	§ 9.3.5.1; § 9.3.5.2	
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP		
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP		
	Performing Arts Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		NP	NP		
	City Park		P-ZP	NP	NP	
	Open Space - Recreation • Vehicle: 0.5/ 1,000 s.f. GFA • No Requirement		See Section 9.3.4.1	L-ZP	NP	§9.3.5.2
Open Space - Conservation • No requirement	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)	See Section 9.3.4.1	L-ZP	NP	§ 11.3.6	
	University or College		NP	NP		
	Vocational or Professional School		NP	NP		
Public and Religious Assembly	All Types • Vehicle: 0.5/ 1,000 s.f. GFA • No Requirement		P-ZP	NP		

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		OS-A	OS-B	OS-C	
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>					
Adult Business	All Types	See Section 9.3.4.1	NP	NP	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (60/40)		L-ZP	NP	\$ 9.3.5.3
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (60/40)		L-ZPSE	NP	\$ 9.3.5.3; §11.4.2
	Sports and/or Entertainment Arena or Stadium* • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		L-ZPSE	NP	\$9.3.5.4
Nonresidential Uses in Existing Business Structures In Residential Zones			Not Applicable		
Parking of Vehicles	Parking, Garage • No requirement		P-ZP	NP	
	Parking, Surface* • No requirement		NP	NP	
Eating & Drinking Establishments	All Types		NP	NP	
Lodging Accommodations	Bed and Breakfast Lodging		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		
	Liquor Store, Including Drugstores Licensed to Sell Liquor	NP	NP		
	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			

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		OS-A	OS-B	OS-C	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility	See Section 9.3.4.1	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	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>					
Communications and Information	Communication Services	See Section 9.3.4.1	NP	NP	
	Telecommunications Towers* • No requirement		L-ZPSE	NP	\$11.5.2
	Telecommunications Tower - Alternative Structure • No requirement		L-ZP/L-ZPIN	NP	\$11.5.2
	Telecommunication Facilities -- All Others* • No requirement		L-ZPIN	NP	\$11.5.2
Industrial Services	Contractors, Special Trade - General		NP	NP	
	Contractors, Special Trade - Heavy/Contractor Yard*		NP	NP	
	Food Preparation and Sales, Commercial		NP	NP	
	Laboratory, Research, Development and Technological Services		NP	NP	
	Service/Repair, Commercial		NP	NP	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom		NP	NP	
	Manufacturing, Fabrication & Assembly -- General		NP	NP	
	Manufacturing, Fabrication & Assembly -- Heavy		NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*		NP	NP	
	Sand or Gravel Quarry*	NP	NP		
	Wind Energy Conversion Systems* No Parking Requirements	L-ZP	NP	\$11.5.8	

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		OS-A	OS-B	OS-C	
Transportation Facilities	Airport*	See Section 9.3.4.1	NP	NP	
	Helipad, Helistop, Heliport*		NP	NP	
	Railroad Facilities*		NP	NP	
	Railway Right-of-Way* • No requirement		P-ZP	P-ZP	
	Terminal, Station or and Service Facility for Passenger Transit System		NP	NP	
	Terminal, Freight, Air Courier Services		NP	NP	
Waste Related Services	Automobile Parts Recycling Business		NP	NP	
	Junkyard*		NP	NP	
	Recycling Center		NP	NP	
	Recycling Collection Station		NP	NP	
	Recycling Plant, Scrap Processor		NP	NP	
	Solid Waste Facility		NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP		
	Mini-storage Facility	NP	NP		
	Vehicle Storage, Commercial*	NP	NP		
	Wholesale Trade or Storage, General	NP	NP		
	Wholesale Trade or Storage, Light	NP	NP		
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>					
Agriculture	Agriculture, Limited* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement	See Section 9.3.4.1	L-ZP	NP	\$9.3.5.5
	Aquaculture* • Vehicle: 0.5 / 1,000 s.f. GFA • Bicycle: No requirement		P-ZP	NP	
	Garden, Urban* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		L-ZP	NP	\$11.6.1
	Greenhouse • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		P-ZP	NP	
	Husbandry* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		L-ZP	NP	\$9.3.5.6
	Nursery, Plant* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		L-ZP	NP	\$9.3.5.7

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		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)	Accessory Dwelling Unit	See Section 9.3.4.1	NP	NP	
	Domestic Employee		NP	NP	
	Garden		NP	NP	
	Greenhouse		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	
	Off-Street Parking of Vehicles in Garages on Zone Lots by Non-Residents of Zone Lot		NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	NP	
	Vehicle Storage, Repair and Maintenance		NP	NP	
	Yard or Garage Sales		NP	NP	
	Unlisted Accessory Uses		n/a		\$11.7; §11.8.1

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		OS-A	OS-B	OS-C	
<b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Nonresidential Uses	Amusement Devices Accessory to Eating/ Drinking Establishments, College/University and Theater Uses	See Section 9.3.4.1	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; § 11.10.4
	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
	Greenhouse		L	NP	§11.7
	Occasional Sales, Services Accessory to Places of Religious Assembly*		L	NP	§11.7; §11.10.10
	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*		NP	NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use		NP	NP	
	Unlisted Accessory Uses		L - Applicable to all Zone Districts		§11.7; §11.10.1

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		OS-A	OS-B	OS-C	
<b>HOME OCCUPATION CLASSIFICATION</b>					
Home Occupations	Child Care Home, Large (7-12)	See Section 9.3.4.1	NP	NP	
	Home Occupations, All Types		NP	NP	
<b>TEMPORARY USE CLASSIFICATION</b>					
Temporary Uses	Ambulance Service - Temporary	See Section 9.3.4.1	NP	NP	
	Amusement / Entertainment - Temporary*		NP	NP	
	Bazaar, Carnival, Circus or Special Event*		L-ZP	NP	§11.11.4
	Building or yard for construction materials*		L-ZP	NP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*		L-ZP	NP	§11.11.6
	Fence for Demolition or Construction Work		L-ZP	NP	§11.11.7
	Health Care Center			NP	§11.11.8
	Noncommercial Concrete Batching Plant*		L-ZP	NP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*		NP	NP	
	Outdoor Retail Sales*		L-ZP	NP	§11.11.11
	Outdoor Sales, Seasonal*		L-ZP	NP	§11.11.12
	Parking Lot Designated for a Special Event*		L-ZP	NP	§11.11.13
	Retail Food Establishment, Mobile*		L-ZP	NP	§11.11.14
	Temporary Construction Office		L-ZP	NP	§11.11.15
	Temporary Office - Real Estate Sales		NP	NP	
	Tent for Religious Services		L-ZP	NP	§11.11.17
Unlisted Temporary Uses	L	L	§11.11.1		

## **SECTION 9.3.5 APPLICABLE USE LIMITATIONS & STANDARDS**

### **9.3.5.1 Cemetery**

Cemeteries are allowed subject to compliance with the following standards:

- A. A cemetery may include a crematorium. Any such crematorium shall be a minimum of 500 feet from a Residential Zone District.

### **9.3.5.2 Cultural/Special Purpose/Public Parks & Open Space Uses in the OS-B District**

In the OS-B zone district, all permitted cultural/special purpose/public parks and open space uses shall comply with the following standards:

- A. Accessory uses and structures permitted by-right are limited to:
  - 1. Swimming pools and customary associated buildings;
  - 2. Tennis, basketball, or other similar playing courts;
  - 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 10:00 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.
- D. Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Section 11.7 of this Code and finds that the proposed structure or use will not adversely affect properties adjoining the OS-B zone district. See Section 12.4.6 for the applicable procedure to determine unlisted uses.

### **9.3.5.3 Arts, Entertainment and Recreation Uses in the OS-B District**

In the OS-B zone district, all permitted arts, entertainment and recreation uses shall comply with the following standards:

- A. Accessory uses and structures permitted by-right 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 13.1.3.
- D. Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Section 11.2.1 of this Code and finds that the proposed structure or use will not adversely affect properties adjoining the Open Space zone district. See Section 12.4.6 for the applicable procedure to determine unlisted uses.

#### **9.3.5.4 Sports and/or Entertainment Arena or Stadium**

Sports and/or Entertainment Arena or Stadium uses shall comply with the following standards:

- 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 13.1.4.
- 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.

#### **9.3.5.5 Agriculture, Limited**

All agriculture, limited uses shall be located at least 500 feet from a Residential Zone District.

#### **9.3.5.6 Husbandry, Plant or Animal**

- A. This use shall be located at least 500 feet from a Residential Zone District.
- B. In the Open Space Zone Districts, this use is limited to:
  - 1. Plant husbandry, and
  - 2. Animal husbandry, excluding the operation of a feed lot.

#### **9.3.5.7 Nursery, Plant**

- A. This use is limited to plant husbandry and/or the sale of produce and plants raised on the premises.
- B. This use shall be located at least 500 feet from a Residential Zone District.

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## 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.

#### 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 character and the development of vacant or underused 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.

#### 9.4.3.2 Minimum Requirements for Establishment

In addition to the minimum criteria for official map amendment applications specified in Article 12, Section 12.4.10, an application for a rezoning to apply a Conservation Overlay District shall comply with the following provisions:

**A. Multiple Conservation Overlays Prohibited**

A property may only be located within one Conservation Overlay District.

**B. Application Requirements**

An application to rezone to a Conservation Overlay District shall include, in addition to other rezoning submittal requirements, the following information:

1. A statement of purpose and an explanation of how the zone district criteria stated in this Section are met.
2. An ordinance and map indicating the boundaries of all lots in the proposed Conservation Overlay District and the underlying zone districts contained within the proposed overlay zone district.
3. A Conservation Overlay District map and such other textual and graphic material as may be necessary to indicate and govern building forms and features, site development requirements, circulation, off-street parking and modifications to underlying zone district development and design standards.

**C. Review Criteria for Approval of District**

In addition to the review criteria applicable to rezonings stated in Section 12.4.10 of this Code and to text amendments stated in Section 12.4.11 of this Code, the Conservation Overlay District shall meet one or more of the following criteria:

1. The district contains distinctive building features, such as period of construction, style, size, scale, detailing, mass, color and material; and/or
2. The district contains distinctive site planning and natural features, such as lot platting, building lot coverage, street layout, setbacks, alleyways, sidewalks, creek beds, parks and gardens.

**9.4.3.3 Modification of Underlying Zone District Standards**

**A. Modification of Permitted Uses Not Allowed**

Uses permitted in the underlying zone district shall not be modified in any way.

**B. Modification of Standards Allowed**

A Conservation Overlay District may allow for the modification of any of the following standards within this Code to enhance the area's identity and character consistent with the plan criteria stated above in Sec. 9.4.3.2.B:

**1. Use Standards**

Use limitations and standards otherwise applicable to permitted uses in the underlying zone district may be modified.

**2. Building Form Standards**

- a. Building form standards otherwise applicable to new development in the underlying zone district may be modified.
- b. A Conservation Overlay District may add new restrictions on building form and building or site design, including but not limited to restrictions on building materials and architectural style.

**3. All Other Design Standards**

All other development and design standards applicable to new development in the underlying zone district may be modified.

**9.4.3.4 Conservation Overlay Districts Established**

The following conservation overlay zone districts are established:

CONSERVATION OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Hilltop Heritage Conservation Overlay District	CO-1
Curtis Park Conservation Overlay District	CO-2

**9.4.3.5 Effect of Approval**

**A. Zoning Map Designator**

Each Conservation Overlay District shall be shown on the official map by an “CO-#” designator and an appropriate number placed after the underlying zone district designation.

**B. Limitation on Permit Issuance**

No zoning permit for development or for a use within a Conservation Overlay District shall be issued by Community Planning and Development unless the development or use meets the standards set forth in the adopted Conservation Overlay District.

**9.4.3.6 Hilltop Heritage Conservation Overlay District (CO-1)**

**A. Creation**

There is hereby created a conservation overlay zone district designated as Hilltop Heritage Conservation Overlay District CO-1.

**B. Limitation on the Establishment of Zone Lots in the Overlay District**

Any zone lots in this overlay zone district that existed on July 21, 2000, may be amended or subdivided only if each of the zone lots that are created or result therefrom is not less than 75 feet wide at the primary street (front) setback line for structures and are not less than 9,300 square feet in area.

**C. Exceptions Inapplicable**

The exceptions from zone lot width and area requirements for zone lots in Section 1.2.3.3, Flag Lots, of this Code shall not apply in this overlay zone district, provided however, zone lots containing at least 27,900 square feet existing on March 7, 2000, may be amended into zone lots in compliance with the zone lot width reduction for flag lots contained in Section 1.2.3.3, Flag Lots, if the resultant zone lots contain at least 9,300 square feet.

**D. Corner Lots**

For corner lots, the shorter dimension of the zone lot shall be the width of the lot.

**9.4.3.7 Curtis Park Conservation Overlay District (CO-2)**

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Curtis Park Conservation Overlay District.

**B. Intent**

Accommodate detached accessory structures in a manner that respects the character of the Curtis Park neighborhood.

**C. Building Form Standards for Detached Accessory Structures**

A detached garage building form and/or Detached Accessory Dwelling Unit building form may be constructed on any zone lot in this overlay zone district, even if in violation of any maximum building coverage provisions of the underlying zone district, provided:

1. The zone lot must be zoned to an RH zone district;
2. The zone lot shall be occupied by a historic structure, as “historic structure” is defined in Article 13 of this Code; and

3. The detached garage or Detached Accessory Dwelling Unit building form shall meet the following standards:
  - a. The building footprint shall be no greater than 650 square feet;
  - b. The building shall be built in the rear one-half of the zone lot; and
  - c. The design and location of the building shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

## 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 allowed in an underlying zone district is most appropriately the focus of a legislative rezoning or an amendment to the underlying 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 Standards 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 standards 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. No properties may be rezoned to either the Adult Use Overlay District or to the Billboard Use Overlay District after June 25, 2010.
- C. 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.

**B. Limitation on Permit Issuance**

No zoning permit for development or a use within a Use Overlay District shall be issued by the City unless the development or use meets the standards set forth in this Section, as applicable.

**9.4.4.6 Adult Use Overlay District (UO-1)**

**A. Creation**

There is hereby created a Use Overlay District designated as the Adult Use Overlay District.

**B. Allowance for Adult Business Uses**

Notwithstanding the limitations applicable in the underlying zone district, adult business uses shall be permitted in this overlay zone district. See Section 11.12.4.1.A for the definition of “adult business use.”

**C. Distance and Spacing Requirements**

All Adult Business uses shall comply with the following distance and spacing requirements, shown in the table below. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.6.

ADULT BUSINESS OR OTHER RESTRICTED USE	DISTANCE OR SPACING REQUIREMENT
Adult Amusement or Entertainment Adult Bookstore Adult Photo Studio Adult Theater Eating place with adult amusement or entertainment	No adult business use listed in this table row shall be established within 500 feet of one or more of the following zone districts or uses (see related definitions in subsection C below): <ul style="list-style-type: none"> <li>• All Residential Zone Districts</li> <li>• Dwelling Use, Single-Unit</li> <li>• Dwelling Use, Multi-Unit</li> <li>• Dwelling Use, Two-Unit</li> <li>• Religious Assembly</li> <li>• Elementary or Secondary School</li> <li>• Arts Education Center</li> <li>• Learning Center</li> <li>• Day Care Center</li> <li>• Amusement or Special Interest Park</li> <li>• Children’s Indoor Play Center</li> </ul>
Adult Amusement or Entertainment Adult Bookstore Adult Photo Studio Adult Theater Amusement Center Body Art Establishment Eating place with adult amusement or entertainment	Not more than 2 of the uses listed in this table row shall be established within 1,000 feet of each other

**D. Use Definitions for Purposes of Distance/Spacing Requirements**

For purposes of applying the distance and spacing requirements for adult business uses stated in this section, the uses listed below shall be defined as follows:

1. “Arts education center” shall mean a place where instruction is regularly provided to persons less than 18 years of age in the fields of painting, drawing, sculpture, etching, craft

work, fine arts, dance, drama, photography, music, martial arts, or other similar fields of art.

2. “Amusement center” shall mean a commercial establishment having four or more amusement devices.
3. “Amusement/special interest park” shall mean 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.
4. “Children’s indoor play center” shall mean a commercial establishment providing active play facilities for children generally under the age of 12 years old. Such facilities shall consist generally of muscle-powered equipment. No pinball, foosball, video or electronic games or similar equipment shall be permitted.
5. “Learning center” shall mean a commercial business that regularly provides on site, specialized or intensive educational services or tutoring to persons less than 18 years of age. Parking Requirement

NEIGHBORHOOD CONTEXT	VEHICLE PARKING Vehicle Parking Requirement: # of spaces per unit of measurement	BICYCLE PARKING Bicycle Parking Requirement: # of spaces per unit of measurement (% required spaces in indoor facility / % required spaces in fixed facility)
Suburban (S-)	2.5 / 1,000 ft <sup>2</sup> GFA MS only: 2 / 1,000 ft <sup>2</sup> GFA	1 / 20,000 ft <sup>2</sup> GFA (20/80)
Urban Edge (E-)	2.5 / 1,000 ft <sup>2</sup> GFA MS only: 2 / 1,000 ft <sup>2</sup> GFA	1 / 20,000 ft <sup>2</sup> GFA (20/80)
Urban (U-)	2.5 / 1,000 ft <sup>2</sup> GFA MS only: 2 / 1,000 ft <sup>2</sup> GFA	1 / 10,000 ft <sup>2</sup> GFA (20/80)
General Urban (G-)	1.875 / 1,000 ft <sup>2</sup> GFA	1 / 10,000 ft <sup>2</sup> GFA (20/80)
Urban Center (C-)	1.25 / 1,000 ft <sup>2</sup> GFA	1 / 7,500 ft <sup>2</sup> GFA (20/80)
Downtown (D-) D-GT & D-AS only	1.25 / 1,000 ft <sup>2</sup> GFA	1 / 7,500 ft <sup>2</sup> GFA (20/80)
Industrial (I-)	2.5 / 1,000 ft <sup>2</sup> GFA	1 / 20,000 ft <sup>2</sup> GFA (20/80)
Campus (CMP-)	1.25 / 1,000 ft <sup>2</sup> GFA	1 / 7,500 ft <sup>2</sup> GFA (20/80)
Master Planned (M-)	1.875 / 1,000 ft <sup>2</sup> GFA	1 / 10,000 ft <sup>2</sup> GFA (20/80)

#### 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 10.10.17, Outdoor General Advertising Devices, 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 allowed only in a 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 landmark preservation commission 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. 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.
6. All uses allowed 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 allowed only in a Historic Structure, as "Historic Structure" is defined in Article 13 of this Code, 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 of this Code.
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 continuously 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 of this Code 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 provide uniformity in the design standards applicable to arterial streets or to river corridors having varied underlying zoning;
- C. To provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses;
- D. To provide for the enactment of urban design standards for specific segments of designated parkways and boulevards, and areas with cohesive design characteristics; and
- E. To reinforce the desired character for newly developing areas.

### **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 includ-

ing new limitations or standards 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, of this Code.

**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 or standards applicable to specific permitted uses in the underlying zone district.

**2. All Other Applicable Standards -- Modification Allowed**

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 design overlay zone district, in which case the standard in the design overlay zone district shall apply.

**9.4.5.3 Design Overlay Districts Established**

The following Design Overlay Districts are established:

DESIGN OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Uptown	DO-1
Washington Street	DO-2
Lafayette Street	DO-3

**9.4.5.4 Effect of Approval**

**A. Official Map Designator**

Each Design Overlay District shall be shown on the official map by an “DO-” designator and an appropriate number placed after the underlying zone district designation.

**B. Limitation on Permit Issuance**

No zoning permit for development or a use within an Design Overlay District shall be issued by the City unless the development or use meets the standards set forth in this Section, as applicable, and the applicable approved Rules and Regulations.

**9.4.5.5 Uptown Design Overlay District (DO-1)**

**A. Creation**

There is hereby created an design overlay district designated as the Uptown Design Overlay District.

**B. Lower Floor Building Design**

All new structures and all structures renovated where (1) the renovation is valued at more than 50 percent of the replacement cost of the existing building excluding land costs, and (2) the renovation includes alterations to the exterior of the building other than restoration of original design features with original materials, shall be subject to the design standards set forth below; provided, however, that if property is a designated historic structure, or is a contributing structure in a designated historic district, such property shall not be subject to the design standards and design review procedures set forth below.

**1. Lower Floor Design Standards**

All new structures and all renovated structures, where the renovation meets the requirements set forth in this Section 9.4.5.5.B, shall be subject to rules and regulations estab-

lishing design standards applicable to the lower eighty (80) feet of the building above street level, unless the applicant elects to participate in the design review process set forth in Section 9.4.5.5.B.2 below. Rules and regulations establishing design standards shall be prepared by Community Planning and Development and adopted by the Planning Board. The design standards are intended to promote consistent, continuous and active street frontages, to reflect Denver's history of primarily solid and masonry building material, and shall address the following:

- a. The percentage of the building that must be built within a short distance of property lines along public streets and sidewalks;
- b. Building and building entry orientation;
- c. Appearance of parking garages;
- d. The percentage of glass to solid materials;
- e. The required use of scaling elements, insets, and projections to break up flat or monotonous facades, to emphasize entries, and to respond to older buildings nearby;
- f. Building and glazing materials;
- g. Location and appearance of access ramps for the handicapped;
- h. Location of adjacent structures; and
- i. Fence height, appearance and materials.

**2. Optional Lower Floor Design Review**

As an alternative to compliance with specific design standards adopted pursuant to this subsection, any new structure or any renovated structure meeting the conditions set forth in Section 9.4.5.5.B. may elect to have the lower 80 feet of the building above street level reviewed by the Zoning Administrator through a site development plan review process under Section 12.4.3 of this Code, and guided by the following standards:

- a. To allow more variation and architectural creativity than the design standards described in Section 9.4.5.5.B.1 above;
- b. To provide human scale through change, contrast, and intricacy in facade form, color, and/or material where lower levels of buildings face public streets and sidewalks;
- c. To spatially define the street space in order to promote pedestrian activity; and
- d. To require building facades to respond to existing building types in the area.

**9.4.5.6 Washington Street Design Overlay (DO-2)**

**A. Creation**

There is hereby created a Design Overlay District designated as the Washington Street Design Overlay District.

**B. Intent**

To provide additional height limitations that create a transition from the adjacent residential properties along Clarkson Street.

**C. Building Height Standard**

The maximum building height in the DO-2 district shall be 45 feet.

**9.4.5.7 Lafayette Design Overlay (DO-3)**

**A. Creation**

There is hereby created a Design Overlay District designated as the Lafayette Design Overlay District (DO-3). The DO-3 District includes Lots 1 through 3, and Lots 20 through 38, Block 27, Park Avenue Addition to Denver.

**B. Intent**

To provide additional height and upper story setback form standards that create a transition from the adjacent residential properties along Humboldt Street.

**C. Height and Upper Story Setback Building Form Standard**

1. The maximum building height shall be 60 feet
2. There shall be an upper story building setback that shall prevent any portion of a building on the eastern 55 feet of lots 20 through 36, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high
  - a. Terraces at the level of the upper story setback may extend no closer than 35 feet to the eastern lot lines
  - b. Unwalled balconies in the upper story building setback may extend no closer than 45 feet to the eastern lot lines
  - c. Flush mounted solar panels may encroach any distance into the upper story setback space.
3. There shall be an upper story building setback that shall prevent any portion of a building on lots 2 and 3, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high
  - a. Terraces at the level of the upper story setback may extend no closer than 30 feet to the southern lot lines
  - b. Unwalled balconies in the upper story building setback may extend no closer than 40 feet to the southern lot lines.
  - c. Flush mounted solar panels may encroach any distance into the upper story setback space.
4. There shall be an upper story building setback that shall prevent any portion of a building on the southern 25 feet of the eastern 55 feet of lot 37, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high.
  - a. Terraces at the level of the upper story setback may extend no closer than 35 feet to the eastern lot lines
  - b. Unwalled balconies in the upper story building setback may extend no closer than 45 feet to the eastern lot lines.
  - c. Flush mounted solar panels may encroach any distance into the upper story setback space.

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# DIVISION 9.5 DENVER INTERNATIONAL AIRPORT ZONE DISTRICTS AND O-1 ZONE DISTRICT

## SECTION 9.5.1 DISTRICTS ESTABLISHED

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

DIA	Denver International Airport Zone
AIO	DIA Influence Area Overlay Zone
O-1	O-1 Zone District

### 9.5.1.1 Purpose

The following paragraphs explain the general purpose and intent of the individual zone districts.

#### A. Denver International Airport Zone (DIA)

The Denver International Airport (DIA) encompasses 53 square miles of land. This large land area is designed to limit the impacts of airport activity on the airport’s neighbors and provides room for the airport to expand and grow. The enormous potential of DIA to serve a prominent role in the global aviation system is due primarily to the airport’s room to grow. With this ability to grow in a city that is otherwise landlocked, development within the DIA Zone District provides a path to markets around the world and providing a stimulus for economic growth in the region. Accordingly, the intent of the DIA Zone District is to:

1. Ensure public safety and security.
2. Reduce exposure of residential and other sensitive land uses to airport operations.
3. Minimize noise impacts of the airport on residential or sensitive land uses in the DIA Influence Area
4. Maintain consistency with DIA’s vision, mission and goals
5. Maintain consistent and coordinated development patterns that match City and regional development plans
6. Minimize impacts to airport operations
7. Optimize airport operational efficiency and flexibility
8. Allow the airport to respond to the changing needs of a dynamic aviation industry
9. Continue to support DIA’s role as the key economic engine for the region and the state
10. Reserve and maintain land uses on and near the airport to permit logical, phased development that is both flexible and responsive to airport and public needs

#### B. DIA Influence Area Overlay Zone (-AIO)

The Denver International Airport is the largest airport in North America. This large land area is designed to limit the impacts of airport activity on the airport’s neighbors and provides room for the airport to expand and grow. However, even at its extensive size, the influence of the airport extends beyond the property owned as part of the airport itself (see the Denver International Airport Zone District). Accordingly, the intent of the DIA Influence Area Overlay Zone is to:

1. Reduce exposure of residential and other sensitive land uses to airport operations.
2. Minimize noise impacts of the airport on residential or sensitive land uses in the DIA Influence Area.

## SECTION 9.5.2 DENVER INTERNATIONAL AIRPORT ZONE DISTRICT (DIA)

### 9.5.2.1 Building Forms

The Denver Manager of Aviation shall determine all design and development standards applicable to new development in the DIA Zone District.

### 9.5.2.2 Design Standards

Design and development standards governing uses and structures in the DIA Zone District shall be determined by the Denver Manager of Aviation .

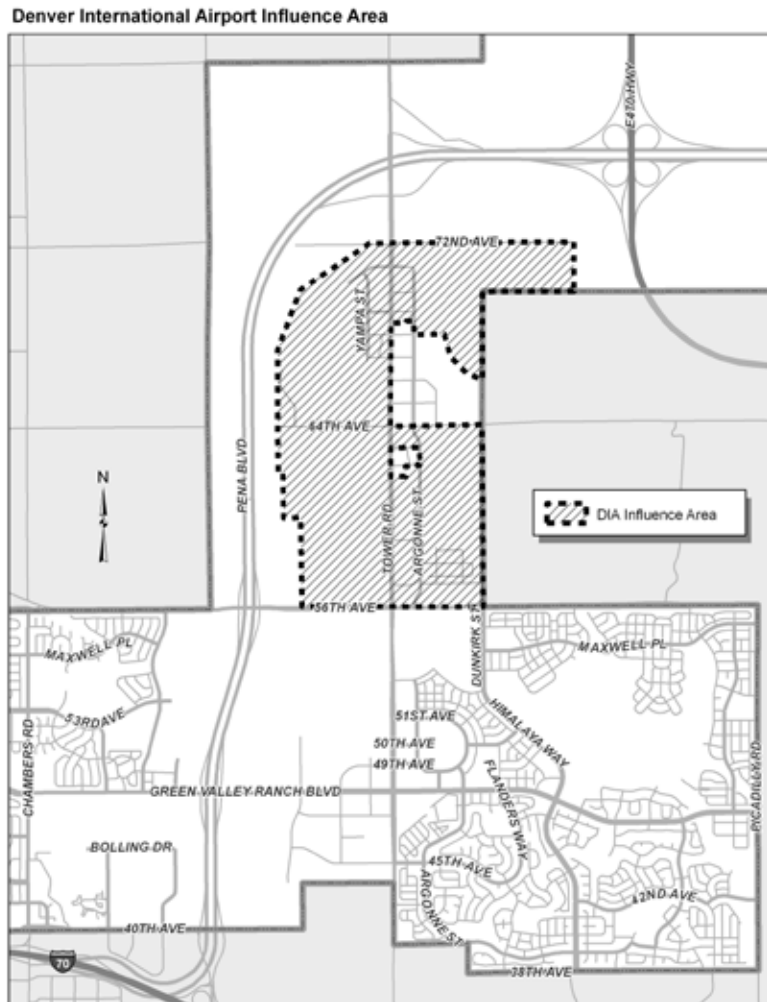
### 9.5.2.3 Allowed Uses in the DIA Zone District

See Section 9.5.5.1, Allowed Uses in the DIA Zone District.

## SECTION 9.5.3 DIA INFLUENCE AREA OVERLAY ZONE (AIO-)

### 9.5.3.1 DIA Influence Area

The DIA Influence Area is defined as the land area located north of 56<sup>th</sup> Avenue in the City and County of Denver’s DIA statistical neighborhood, as shown in the figure below, and on the Official Map.





### 9.5.3.2 Effective Date of Overlay District Standards

The standards and limitations applicable in the DIA Airport Influence Area Overlay Zone District shall apply only to properties rezoned according to this Code after June 25, 2010.

### 9.5.3.3 Land Use Restrictions

- A. Single unit and two unit dwellings are not permitted in the DIA Influence Area Overlay Zone District.
- B. Multi-unit dwellings, mixed use dwellings, live/work dwellings, all uses categorized as group living uses in this Code, hospitals, bed and breakfasts, and all educational uses that include residential accommodations are not permitted in the DIA Influence Area Overlay Zone District north of 62<sup>nd</sup> Avenue.
- C. Surface parking of vehicles is not permitted as a primary use of land in the DIA Influence Area Overlay Zone District. Garge parking is permitted.

### 9.5.3.4 Easement and Right-of-Way Required

Simultaneously with the rezoning of property or approval of a site plan for development in the DIA Airport Influence Area Overlay Zone District, the property owner shall be required to grant an easement and right-of-way to DIA for passage of aircraft in a form established by DIA and recorded in the Office of the Denver Clerk and Recorder.

## SECTION 9.5.4 O-1 ZONE DISTRICT

### 9.5.4.1 Permitted Structures

#### A. Setbacks

All structures shall be set in a distance of not less than 20 feet from each front, rear and side line of the zone lot; provided, however, that no setback shall be required for electric substations, gas regulator stations and utility pumping stations except from such lines of the zone lot as abut public right-of-way. The space resulting from the foregoing setbacks shall be open and unobstructed; provided, however:

1. Fences or walls not exceeding 6 feet in height may be erected on any part of the zone lot. The height of such walls or fences shall be determined as stated in Section 13.1.4, Fence and Wall Height Measurement.
2. Any structure or part thereof which is below the grade of any setback space may project any distance into such setback space.
3. Canopies may project any distance into the front setback space.

#### B. Residential Protection Standards

1. Maximum Height Within 175 feet of Protected District: 75 feet
2. When Adjacent to Protected District:
  - a. Upper Story Setback Above 27 ft (at rear alley, rear no alley or side interior): 20ft/25ft
  - b. Upper Story Setback Above 51 feet (at rear alley, no alley or side interior): 35'/40'

### 9.5.4.2 Other Applicable Regulations

- A. Signs: Refer to Division 10.10 Signs for preglations pertaining to permitted signs.
- B. Loading: Refer to Division 10.4 for regulations pertaining to loading.

## SECTION 9.5.5 USES AND REQUIRED MINIMUM PARKING

### 9.5.5.1 Allowed Uses in the DIA Zone District

Permitted uses in the DIA Zone District, and any applicable use limitations and standards, shall be determined by the Denver Manager of Aviation.

### 9.5.5.2 Overview - Summary Use and Parking Table

The Summary Use and Parking Table below sets forth the general land use classifications, land use categories, and specific types of primary, accessory and temporary land uses allowed within the DIA and O-1 zone districts. In addition, required off-street parking and off-street bicycle amounts are stated for each specific primary use type allowed within each zone district. See Article 10, Division 10.4, Parking and Loading, for additional vehicle and bicycle parking requirements and standards.

### 9.5.5.3 Organization - Summary Use and Parking Table

#### A. Organized by Primary, Accessory and Temporary Uses

The Summary Use and Parking Table first presents all primary uses, then all accessory uses, and finally all temporary uses. Primary uses are arranged hierarchically within the table by use classification, category of primary uses, and then by specific use type. Accessory uses are organized by whether such use is accessory to a primary residential use or to a primary nonresidential use. Temporary uses are presented alphabetically ordered in the last division of the table.

#### B. Primary Use Classifications, Categories & Specific Use Types

##### 1. Primary Use Classifications

All primary land uses in the Summary Use and Parking Table are organized into one of the following five general land use classifications:

- a. Residential Uses
- b. Civic, Public & Institutional Uses
- c. Commercial Sales, Service & Repair Uses
- d. Industrial, Manufacturing & Wholesale Uses
- e. Agriculture

##### 2. Primary Use Categories & Specific Use Types

Primary uses are further organized into use categories and specific use types listed under each general primary land use classification. The Summary Use and Parking Table is organized into the above five general land use classifications, use categories and specific use types.

##### 3. Classifications & Categories Are Mutually Exclusive

The general land use classifications and use categories listed in the Summary Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as "lodging accommodations," cannot be classified in a different use category, such as "group living," unless otherwise expressly allowed by this Code.

### 9.5.5.4 Explanation of Table Abbreviations

#### A. General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations or standards apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry "L-ZPIN" means, first, the use is subject to use standards and limitations (the "L"), and, second, that the use is subject to zoning permit review with information notice (the "ZPIN") prior to its establishment.

**B. Permitted Use - No Use Limitations Apply (“P”)**

A “P” in a table cell indicates that the use is permitted in the respective zone district, and is not subject to use limitations or standards.

**C. Permitted Use - Subject to Use Limitations and Standards (“L”)**

“L” in a table cell indicates the use is permitted in the zone district subject to compliance with the use limitations and standards referenced in the last column of the use table (“Applicable Use Limitations”).

**D. Use Subject to Zoning Permit Review (“ZP”)**

“ZP” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

**E. Use Subject to Zoning Permit Review with Informational Notice (“ZPIN”)**

“ZPIN” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

**F. Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)**

“ZPSE” in a table cell indicates that use is generally appropriate in the neighborhood context and zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.

**G. Uses Not Permitted (“NP”)**

“NP” in a table cell indicates that the use is not permitted in the specific zone district.

**H. Applicable Use Limitations**

The last column of the table, entitled “Applicable Use Limitations,” contains one or more cross-references to use limitations and standards applicable to the specific use, as indicated by a “L” cell entry in the Summary Use and Parking Table. Applicable limitations and standards specific to the use are found in Article 11 of this Code.

**I. Unlisted Uses**

Uses not listed in the Use Table are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to the procedures and criteria in Section 12.4.6, Code Interpretation & Determination of Unlisted Uses.

**9.5.5.5 Compliance with Other Code Provisions Required**

The establishment of all uses is subject to compliance with all applicable design and development standards stated in this Code, including but not limited to the zone district building form and design standards found in this Article 9, and the standards stated in Article 10, General Design Standards.

**9.5.5.6 Applicable Procedures Prior to Establishment of Use**

- A. A Zoning Permit is required prior to establishment of any use permitted by this Code. See Article 12, Zoning Procedures & Enforcement, and Sections 12.4.1, Zoning Permit Review and 12.4.2, Zoning Permit Review with Informational Notice.

- B. The development or establishment of a permitted use may also require Site Development Plan Review prior to issuance of a Zoning Permit. Please refer to Section 12.4.3, Site Development Plan Review, to determine whether site plan review is applicable to a particular use or development. Site Plan Review may occur prior to, or concurrent with, any other applicable review procedure, such as Special Exception Review or Zoning Permit Review.

### 9.5.5.7 Allowed Uses by District and Minimum Parking Requirements

KEY: 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  
 \* = Need Not be Enclosed

USE CATEGORY	SPECIFIC USE TYPE	DISTRICT		APPLICABLE USE LIMITATIONS AND STANDARD IN THE O-1 ZONE DISTRICT ONLY
		DIA	O-1	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>				
Household Living	Dwelling, Single Unit	See Section 9.5.5.1 for permitted uses	NP	
	Dwelling, Two Unit		NP	
	Dwelling, Multi-Unit		NP	
	Dwelling, Mixed Use		NP	
	Dwelling, Live / Work		NP	
Group Living	Assisted Living Facility		NP	
	Community Correctional Facility		NP	
	Nursing Home, Hospice		NP	
	Residence for Older Adults		NP	
	Residential Care Use, Small or Large		L-ZPIN	§ 11.2.4
	Shelter for the Homeless	L-ZP	§ 11.2.5	
	Student Housing	NP		

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS AND STANDARD IN THE O-1 ZONE DISTRICT ONLY	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>					
Basic Utilities	Utility, Major Impact*	See Section 9.5.5.1 for permitted uses	L-ZPSE	§ 11.3.1	
	Utility, Minor Impact*		L-ZP	§ 11.3.2	
Community/ Public Services	Community Center		L-ZP	§ 11.3.3	
	Day Care Center		P-ZPIN		
	Postal Facility, Neighborhood		NP		
	Postal Processing Center		NP		
	Public Safety Facility		P-ZP		
	Hospital		NP		
	Correctional Institution		P-ZP		
Cultural/Special Purpose/Public Parks & Open Space	Cemetery		P-ZP		
	Library		P-ZP		
	Museum		P-ZP		
	City Park		NP		
	Open Space - Recreation		P-ZP		
	Open Space - Conservation		P-ZP		
Education	Elementary or Secondary School		P-ZP		
	University or College		NP		
	Vocational or Professional School		NP		
Public and Religious Assembly	All Types		NP		
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>					
Adult Business	All Types		See Section 9.5.5.1 for permitted uses	NP	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor			NP	
	Arts, Recreation and Entertainment Services, Outdoor*			L-ZP	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP			
Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable			
Parking of Vehicles	Parking, Garage	P-ZP			
	Parking, Surface*	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			

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS AND STANDARD IN THE O-1 ZONE DISTRICT ONLY
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only	See Section 9.5.5.1 for permitted uses	NP	
	Animal Sales and Services, All Others		NP	
	Body Art Establishment		NP	
	Food Sales or Market		NP	
	Liquor Store, Including Drugstores Licensed to Sell Liquor		NP	
	Pawn Shop		NP	
	Retail Sales, Service & Repair -- Outdoor*		NP	
	Retail Sales, Service & Repair - Firearms Sales		NP	
	Retail Sales, Service & Repair, All Others		NP	
	Automobile Emissions Inspection Facility		NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	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	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USES CLASSIFICATION</b>				
Communications and Information	Communication Services	See Section 9.5.5.1 for permitted uses	NP	
	Telecommunications Towers*		L-ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure		L-ZP/ZPIN	§11.5.2
	Telecommunication Facilities -- All Others*		L-ZPIN	§11.5.2
Industrial Services	Contractors, Special Trade - General		NP	
	Contractors, Special Trade - Heavy/Contractor Yard*		NP	
	Food Preparation and Sales, Commercial		NP	
	Laboratory, Research, Development and Technological Services		NP	
	Service/Repair, Commercial		NP	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom		NP	
	Manufacturing, Fabrication & Assembly -- General		NP	
	Manufacturing, Fabrication & Assembly -- Heavy		NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*		L-ZP	§9.5.6.1
	Sand or Gravel Quarry*		NP	
	Wind Energy Conversion Systems*		NP	

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USE CATEGORY	SPECIFIC USE TYPE			APPLICABLE USE LIMITATIONS AND STANDARD IN THE O-1 ZONE DISTRICT ONLY
		DIA	O-1	
Transportation Facilities	Airport*	P-ZP	NP	
	Helipad, Helistop, Heliport*	See Section 9.5.5.1 for permitted uses	NP	
	Railroad Facilities*		NP	
	Railway Right-of-Way*		P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System		NP	
	Terminal, Freight, Air Courier Services		NP	
Automobile Parts Recycling Business	NP			
Waste Related Services	Junkyard*	See Section 9.5.5.1 for permitted uses	NP	
	Recycling Center		NP	
	Recycling Collection Station		NP	
	Recycling Plant, Scrap Processor		NP	
	Solid Waste Facility		NP	
	Automobile Towing Service Storage Yard*		See Section 9.5.5.1 for permitted uses	NP
Mini-storage Facility	NP			
Vehicle Storage, Commercial*	NP			
Wholesale Trade or Storage, General	NP			
Wholesale Trade or Storage, Light	P-ZP			
Agriculture	Agriculture, Limited*	See Section 9.5.5.1 for permitted uses	NP	
	Aquaculture*		NP	
	Garden, Urban*		L-ZP	§11.6.1
	Greenhouse		NP	
	Husbandry*		L-ZP	§9.5.6.3
	Nursery, Plant*		L-ZP	§9.5.6.4

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS AND STANDARD 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)	Accessory Dwelling Unit Accessory to Single-Unit Dwelling Use	See Section 9.5.5.1 for permitted uses	NP	
	Domestic Employee		L	\$11.7; \$11.8.3
	Garden		L	\$11.7; \$11.8.4
	Greenhouse		NP	
	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	
	Off-Street Parking of Vehicles in Garages on Zone Lots by Non-Residents of Zone Lot		NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	
	Vehicle Storage, Repair and Maintenance		NP	
	Yard or Garage Sales		NP	
	Unlisted Accessory Uses		L	\$11.7; \$11.8.1



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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS AND STANDARD 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	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	See Section 9.5.5.1 for permitted 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; § 11.10.4
	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
	Greenhouse		NP	
	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; §10.8
	Outdoor Storage*		NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use		NP	
	Unlisted Accessory Uses		L	§11.7; §11.10.1

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS AND STANDARD IN THE O-1 ZONE DISTRICT ONLY
<b>HOME OCCUPATION CLASSIFICATION</b>				
Home Occupations	Child Care Home, Large (7-12)	See Section 9.5.5.1 for permitted uses	NP	
	Home Occupations, All Types		NP	
<b>TEMPORARY USE CLASSIFICATION</b>				
Temporary Uses	Ambulance Service - Temporary	See Section 9.5.5.1 for permitted uses	L-ZP	§11.11.2
	Amusement / Entertainment - Temporary*		NP	
	Bazaar, Carnival, Circus or Special Event*		L-ZP	§11.11.4
	Building or yard for construction materials*		L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*		L-ZP	§11.11.6
	Fence for Demolition or Construction Work		L-ZP	§11.11.7
	Health Care Center		NP	
	Noncommercial Concrete Batching Plant*		L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*		NP	
	Outdoor Retail Sales*		NP	
	Outdoor Sales, Seasonal*		L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*		L-ZP	§11.11.13
	Retail Food Establishment, Mobile*		NP	
	Temporary Construction Office		L-ZP	§11.11.15
	Temporary Office - Real Estate Sales		L-ZP	§11.11.16
	Tent for Religious Services		NP	
Unlisted Temporary Uses	L	§11.11.1		

## **SECTION 9.5.6 APPLICABLE USE LIMITATIONS & STANDARDS**

### **9.5.6.1 Oil, Gas, Production, Drilling**

#### **A. O-1 and DIA Zone Districts**

1. In the O-1 and DIA zone districts, 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.
2. 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:
  - a. 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;
  - b. The applicant shall provide appropriate protection of the natural environment and adjacent land uses; and
  - c. The applicant shall assure avoidance of any adverse impact on other uses by right allowed in the subject zone district.

### **9.5.6.2 Husbandry, Plant or Animal**

This use shall be located at least 500 feet from a Residential Zone District.

### **9.5.6.3 Nursery, Plant**

- A. This use is limited to plant husbandry and/or the sale of produce and plants raised on the premises.
- B. This use shall be located at least 500 feet from a Residential Zone District.

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## **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 historic 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, of this Code.

##### **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 9.7.1.5, Vested Property Rights, below.

### **9.6.1.3 Requirement for PUD District Plan**

All applications for rezoning to a PUD District shall contain the information and representations required by this Division 9.6 and by Section 12.4.10 (Official Map Amendment), and a PUD District Plan that complies with the following:

#### **A. Choice of PUD District Plan Type**

##### **1. General PUD District Plan**

If development is to proceed in phases or over an extended period of time, or if more general zoning is desired prior to preparation of more detailed site development and pre-construction plans, the applicant may submit a “General PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a General PUD District Plan is approved, one or more site development plans shall be submitted for each phase of development and shall follow the general development concept established in the General PUD District Plan. See Section 12.4.3, Site Development Plan, for the procedure and review criteria applicable to site development plans.

##### **2. Detailed PUD District Plan**

If development is not to be completed in phases or over an extended period of time, or if an applicant is prepared to submit more detailed site development plan or pre-construction plans, the applicant may submit a “Detailed PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a Detailed PUD District plan is approved, the Detailed PUD District Plan shall constitute a site development plan, enabling the applicant to proceed directly to final zoning / building permit approval (no intervening site development plan review step under Section 12.4.3).

#### **B. PUD District Plan Contents -- Permitted Uses and Procedures**

All PUD District Plans shall specify allowable primary, accessory and temporary uses, and may specify applicable use and development review procedures, in compliance with the following standards.

1. A PUD District Plan shall permit any use which is a permitted use in any zone district when such use is provided for, enumerated, and approved in the PUD District Plan.
2. All use limitations and standards in this Code shall apply to the uses in the PUD District unless expressly waived or modified in the PUD District Plan.
3. A PUD District Plan may subject the establishment of an allowed use or the development of an allowed building form to any procedure established in Article 12 of this Code, including Zoning Permit Review with Information Notice, Special Exception review, Site Development Plan review, or Administrative Adjustment. However, a PUD District Plan shall not establish or include any use or development review procedure different from a procedure established in Article 12 of this Code.
4. A PUD District Plan may provide for future amendment by subarea, platted lots, or metes and bounds parcels, as allowed in Section 9.6.1.4, Amendments to Approved PUD District Plans.

#### **C. PUD District Plan Contents -- Applicable Design Standards**

##### **1. Required PUD District Plan Elements**

While the level of detail will vary between a General PUD District Plan and a Detailed PUD District Plan, all PUD District Plans shall include or address the following elements, through specific standards wherever possible. All design standards stated in Article 10 of this Code shall apply in the PUD District Plan unless expressly waived or modified in the PUD District Plan.

- a. A written statement of development and design intent for the proposed PUD District Plan, consistent with the purpose and intent of the PUD District stated in Section 9.6.1.1. above.
- b. Relationship of the PUD District Plan to existing Neighborhood Context of surrounding properties
- c. Building form standards, including building height, siting, and design element standards formatted similarly to the Primary Building Form Standards found in Articles 3 through 7 of this Code.
- d. Appropriate building, use, or other transitions to adjacent properties, development, and uses.
- e. Parking for vehicles and bicycles.
- f. Vehicle, bicycle, and pedestrian access and circulation, including connections to adjacent properties and public amenities or facilities (e.g., public parks, transit, open space, schools).
- g. Off-street loading.
- h. Landscaping, screening, fence and wall standards.
- i. Grading, including tree preservation and removal.
- j. Outdoor lighting.
- k. Outdoor storage, sales and display.
- l. Signs.
- m. Limitations on external effects.
- n. Mitigation of potential adverse impacts on surrounding properties.

**2. Optional PUD District Plan Elements**

In addition to the required elements stated in this subsection, a PUD District Plan may include design standards different than the type and subject matter of standards included in this Code, including without limitation, enhanced streetscape standards, minimum open space configuration or design standards, and minimum architectural design standards for buildings in the PUD District.

**D. Effect of Approval of PUD District Plan**

**1. Conformance with PUD District Plan Required**

All development in a PUD District shall conform to the approved PUD District Plan. Minor deviations may be permitted only in accordance with this subsection.

**2. Minor Deviations from Approved PUD District Plans**

The Zoning Administrator, Manager, and Manager of Public Works jointly may authorize minor deviations from previously approved PUD District Plans during the site development plan review (see Section 12.4.3) only when such deviations are necessary in light of technical or engineering considerations. Such deviations from an approved PUD District Plan shall not include any changes that constitute “amendments” under Section 12.3.7.2, Amendments to Approved Applications, Plans and Permits, of this Code. Minor deviations approved according to this subsection shall not affect the vested rights status of the PUD District under Section 9.6.1.5 below.

**9.6.1.4 Amendments to Approved PUD District Plans**

Where by its terms, a registered and recorded PUD District Plan states that it may be amended by subarea, platted lots, or metes and bounds parcels, any application to amend such PUD District Plan by subarea, platted lots, or metes and bounds parcels, including an amendment to rezone any such subarea, platted lots or metes and bounds parcels to any other classification:

- A. Shall include only that portion of the land area of the PUD District Plan to which the proposed amendment applies;
- B. Shall contain only the names and addresses of the owners and holders of deeds of trust of the property within the subarea, platted lots, or metes and bounds parcels to which the proposed amendment applies; and
- C. Shall be filed and signed only by all the owners or agents of the owners of the property within the subarea, platted lots, or metes and bounds parcels to which the proposed amendment applies.
- D. All required notices relating to an application to amend any such PUD District Plan shall state that the PUD District Plan being amended allows for amendment by subarea, platted lots, or metes and bounds parcels.
- E. The process for approving an amendment to a PUD District Plan is the same as for approving an application for rezoning to a PUD District. See Section 12.4.10, Official Zone Map Amendment.

#### **9.6.1.5 Vested Rights**

##### **A. Approval of a PUD District**

- 1. Approval of a PUD District by City Council, whether approved with a General PUD District Plan or a Detailed PUD District Plan, following notice and a public hearing shall constitute a site specific development plan under this Code.
- 2. Such property right shall not vest until 90 days after the effective date of the ordinance approving the PUD District. The City Clerk shall publish notice advising the general public of the PUD District approval and the creation of a vested property right no later than 14 days after the effective date of the ordinance approving the PUD District. At a minimum, final publication of the ordinance approving the PUD District shall constitute this required publication.
- 3. Every PUD District shall contain a statement that a vested property right shall be created 90 days after the effective date of the ordinance approving the PUD District.

##### **B. Vesting Period**

A property right that has been vested through approval of a PUD District shall remain vested for a period of 3 years. A property right may be vested, or an extension of a vested property right may be granted, for a period greater than 3 years only if approved by City Council through an approved PUD District Plan or PUD District Plan amendment or through a development agreement after a public hearing.



## DIVISION 9.7 MASTER PLANNED CONTEXT (M-RH, M-RX, M-MX, M-IMX, M-GMX)

### SECTION 9.7.1 MASTER PLANNED CONTEXT DESCRIPTION



**General Character:** The Master Planned Context is intended for developing areas that will develop or redevelop in phases over an extended period of time into entirely new residential and mixed use neighborhoods covering multiple blocks. Examples of areas in Denver that may be appropriately zoned within the Master Planned Context are the Stapleton and Gateway neighborhoods. Development may consist of single-unit, two-unit and multi-unit residential uses, mixed use centers embedded in residential areas, larger town centers, high density transit oriented developments, as well as commercial office and mixed-use industrial employment centers. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial streets but may be located at or between intersections of local streets. Office, research and industrial parks are primarily located near arterials and major highways.

**Street, Block, and Access Patterns:** The Master Planned Context consists of a variety of block shapes and patterns, often depending on the intended land use. In all cases, there is a high degree of vehicle and pedestrian connection through this context. In residential neighborhoods and town centers, blocks are sized to promote circulation and include detached sidewalks, tree lawns and/or streetscape elements, street and surface parking. Block sizes may be very large in industrial areas.

Single- and two-unit residential access is from a primary or side street, or an alley when present. Multi-unit residential access is typically from an alley, primary, side street or shared rear access lane to a surface parking lot, carport parking lot or parking structure. Commercial and industrial access is typically from a primary or side street via a shared or private drive to a surface or structured parking lot.

**Building Placement and Location:** Single- and two-unit buildings typically have consistent landscaped front setbacks along primary streets and consistent shallow setbacks along side streets. Multi-unit buildings typically have consistent landscaped front setbacks along primary streets and consistent shallow setbacks along side streets. Commercial development in town centers and transit oriented developments is typically built up to the street on at least one side of the block with buildings on other sides of the block sometimes having parking located between the building and the street. Commercial development in office, research or industrial parks may be set back from the street with parking or landscape areas between the building and the street.

**Building Height:** Single- and two-unit residential structures are 1 to 2.5 stories. Row house and town house structures are 2 to 5 stories. Multi-unit residential structures and mixed-use buildings are 1 to 8 stories. In the most intensive transit oriented development or commercial business/office centers, building heights may reach 12.

**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
M-RX-5	Residential Mixed Use 5
<u>M-RX-5A</u>	<u>Residential Mixed Use 5A</u>
<u>M-CC-5</u>	<u>Commercial Corridor 5</u>
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
<u>M-GMX</u>	<u>General Mixed Use</u>

### 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 allowed uses and building forms are further defined to provide clarity and predictable development outcomes.
- B. B. The building form standards and use standards support medium to high density development and are organized into five 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 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 internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

#### C. Residential Mixed Use 5A (M-RX-5A)

M-RX-5A is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Distinguished from the M-RX-5 Zone District, the M-RX-5A Zone District allows the suburban house and town house building forms to allow development in a master planned community consistent with a more Suburban or Urban Edge neighborhood context as described elsewhere in this Code. 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.

**D. Commercial Corridor (M-CC-5)**

M-CC-5 is a mixed use district where a building scale of 1 to 5 stories is desired, and which is intended to allow predominantly commercial development along arterial or collector street corridors, or at major intersections with such streets, in a master planned community consistent with a more Suburban or Urban Edge neighborhood context as described elsewhere in this Code. The M-CC-5 district is intended to balance the need for safe, active, and pedestrian-scaled mixed use areas with the need for convenient automobile access. The M-CC-5 District standards have minimum setbacks to allow maximum flexibility in building placement, vehicle circulation and parking lot layout, while ensuring new development contributes positively to adjacent residential neighborhoods and ensures appropriate transitions between commercial development and such adjacent residential neighborhoods.

**E. Commercial Mixed Use 5 (M-MX-5)**

M-MX-5 is a mixed-use district intended to promote development of new town centers and mixed-use neighborhoods up to 5 stories in height. The district is intended to be primarily commercial. Complementary uses may be embedded within the district and primarily residential uses may be located near district boundaries. Buildings are often built to the sidewalk edge, but some commercial buildings may be set back with parking located between the building and the street.

**F. Industrial Mixed Use 5 (M-IMX-5)**

M-IMX-5 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 5 stories.

**G. Industrial Mixed Use 8 (M-IMX-8)**

M-IMX-8 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 8 stories.

**H. Industrial Mixed Use 12 (M-IMX-12)**

M-IMX-5 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 12 stories.

**I. General Mixed Use (M-GMX)**

M-GMX is a mixed use district that provides, in comparison to the other Master Planned zone districts, the widest range of allowed building forms and land uses. The M-GMX District is intended to allow maximum flexibility in certain master planned communities with an extended build-out period, in order to respond to changes and innovations in market demand over time. The M-GMX District may be applied to properties only when a more detailed Regulating Plan is approved prior to site development, or when a General Development Plan for the subject property contains the same level of detail as a Regulating Plan. A Regulating Plan assigns specific building forms, allowable building heights, and a more limited range of land uses to specific blocks and zone lots within the M-GMX District.

**9.7.2.3 Minimum Requirements for Establishment**

The following requirements shall apply in addition to the requirements set forth in Section 12.4.10, Official Map Amendment (Rezoning). Where a conflict exists, the requirements of this section shall supersede those in Section 12.4.10.

**A. General Development Plan Required**

A General Development Plan that meets the minimum standards stated Section 12.4.12, General Development Plan, shall be completed and approved prior to the City Council's approval of a rezoning to a Master Planned (M-) zone district.

**B. Regulating Plan Required for Development in the M-GMX District**

An official map amendment to a M-GMX District is contingent upon completion of one or more Regulating Plans that meet the minimum standards stated Section 12.4.13 prior to or concurrent with development of all or a portion of the approved M-GMX District. Alternately, if an approved General Development Plan for the subject property contains the same level of detail and information as required in a Regulating Plan, a rezoning to a M-GMX District may be approved without completion of a Regulating Plan.

## **SECTION 9.7.3 DESIGN STANDARDS**

The following Intent Statements are intended to provide further information regarding intent and performance expectations for the district, site and building design standards.

### **9.7.3.1 General Intent**

**A. Urban Design and Building Form Standards**

The Intent of Urban Design and Building Form Standards in all Districts are to:

1. Implement the Denver Comprehensive Plan.
2. To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
3. Improve compatibility with and respect for the existing character and context of Denver and its varied neighborhoods.
4. Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
5. Give equal prominence to pedestrian realm as a defining element of neighborhood character.
6. Spatially define public streets and their associated open space as positive, useable features around which to organize land use and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
7. Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.

~~Transit Oriented Development~~

~~The Intent of Transit Oriented Development Design Standards are to:~~

~~Provide easily identifiable pedestrian connections between private development, public rights-of-way and multiple modes of transit.~~

~~Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.~~

~~Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.~~

~~Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.~~

### **9.7.3.2 Building Form Intent**

**A. Height**

1. Encourage buildings whose forms are responsive to opportunities to reinforce evolving nodes of mixed-use, pedestrian and transit activity as well as the existing surrounding context.
2. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

## **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.

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**9.7.3.3 Primary Building Form Standards**

**A. Generally Applicable Standards**

1. In addition to the neighborhood context-specific standards included in this article, all development must comply with the general design standards in Article 10.
2. One building form and the associated standards shall be selected for each structure on a zone lot. Combining standards from different building forms for the same structure is prohibited.
3. For multiple buildings on a zone lot, see Article 10, Division 10.3
4. Unenclosed uses shall comply with all building form standards, as applicable.
5. The districts allow a variety of building forms appropriate for the Master Planned Context, as set out below.

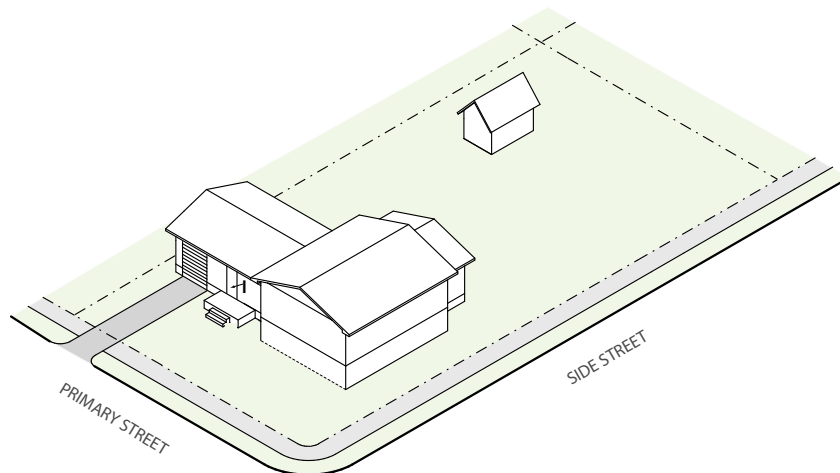
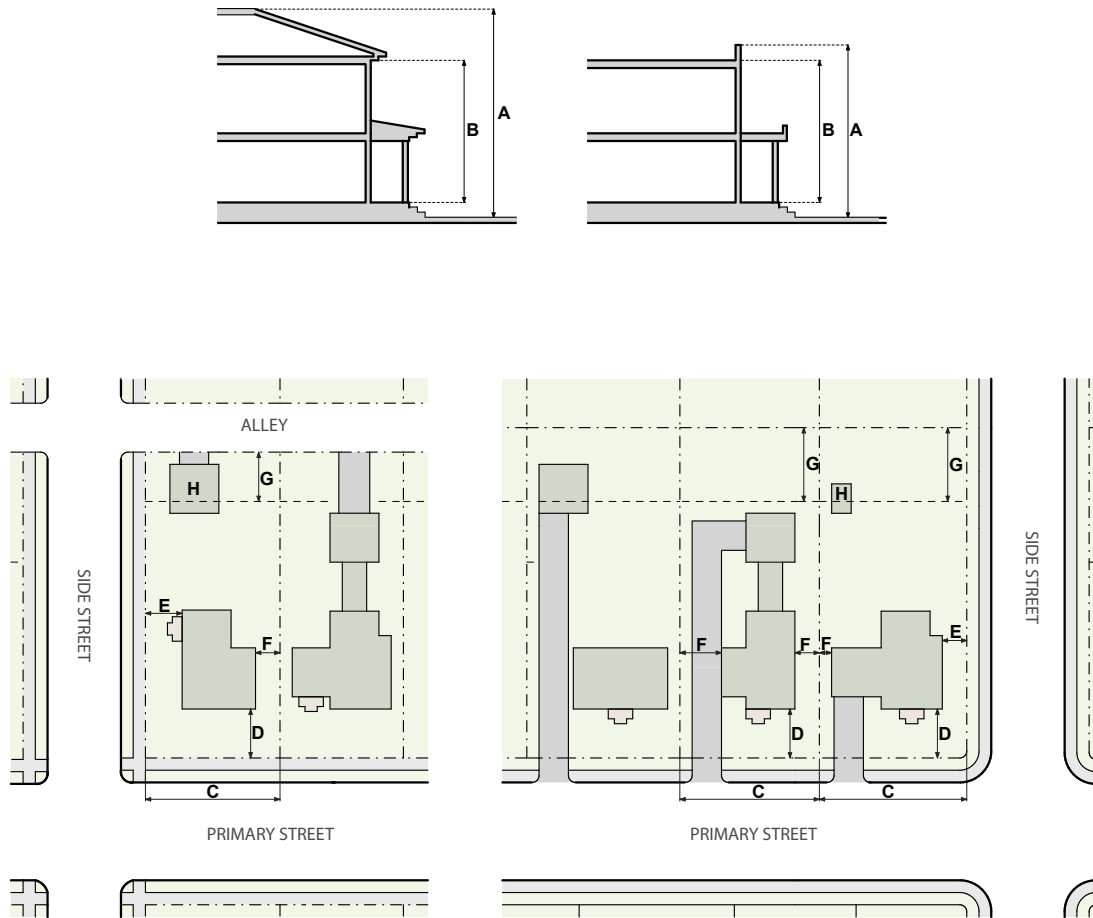
Neighborhood Context	District		Suburban House	Urban House	Detached Acc. Dwelling Unit	Duplex	Tandem House	Town House	Garden Court	Row House	Courtyard Apartment	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Industrial
	Master Planned	M-RH-3	Row House 3		■	■	■	■		■	■					
M-RX-5		Residential Mixed Use 5		■	■	■	■		■	■	■	■			□	
<u>M-RX-5A</u>		<u>Residential Mixed Use 5</u>	■	■	■	■	■	■	■	■	■	■			□	
<u>M-CC-5</u>		<u>Commercial Corridor 5</u>										■	■	■	■	
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								■	■	■	■	■	■	■
<u>M-GMX</u>	<u>General Mixed Use</u>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	

■ = Allowed □ = Allowed subject to limitations on the location of the building form. See Section 9.7.3.3.K, building form standards for the General building form.

### 9.7.3.4 District Specific Standards

#### A. Suburban House

Not to Scale. Illustrative Only.



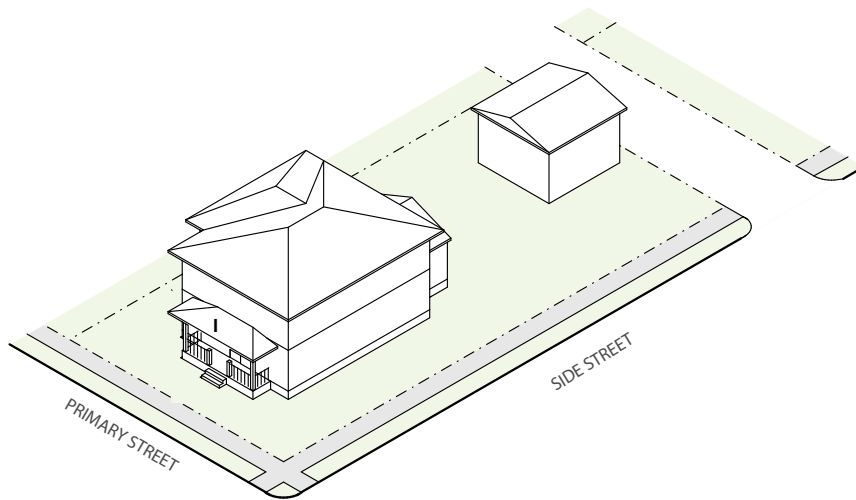
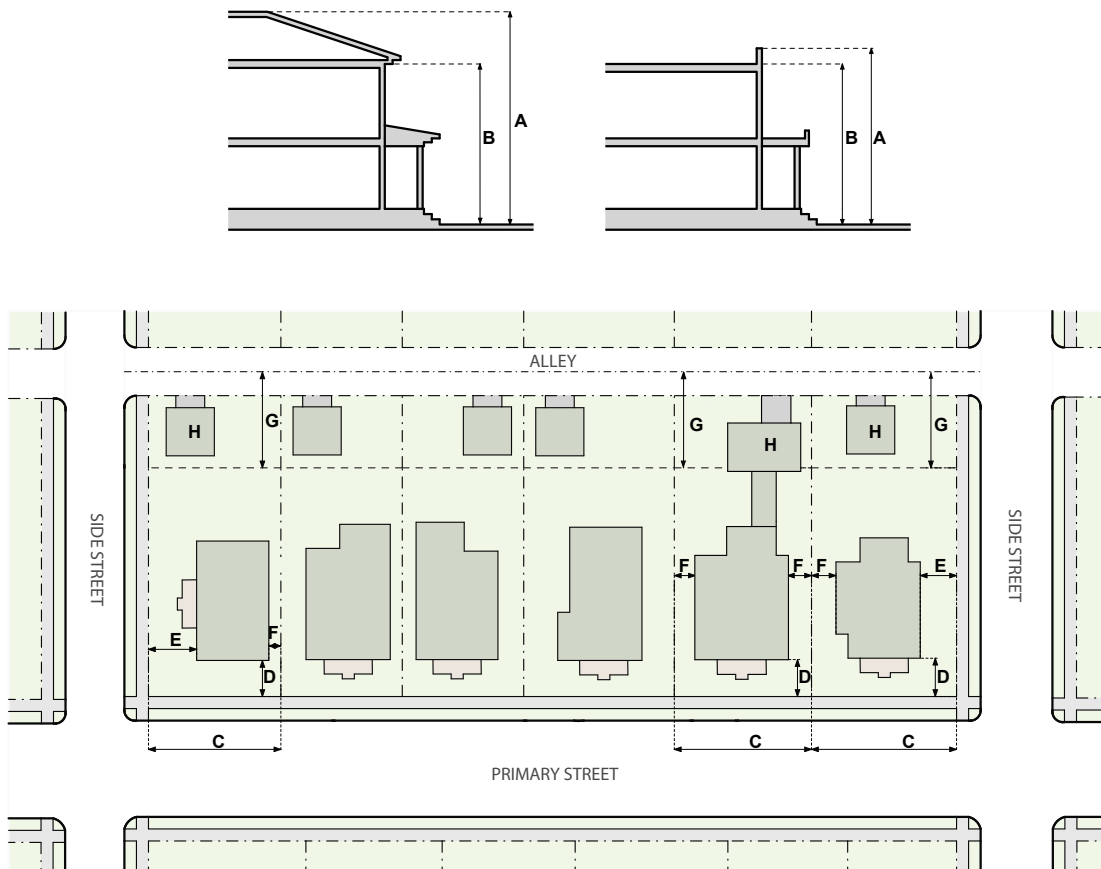


**SUBURBAN HOUSE**

<b>HEIGHT</b>		M-RX-5A M-GMX
A	<u>Stories (max)</u>	2.5
A	<u>Feet (max)</u>	35'
B	<u>Side Wall Height (Max)</u>	30'
<b>SITING</b>		M-RX-5A M-GMX
<b>ZONE LOT</b>		
	<u>Zone Lot Size (min)</u>	3,000 ft <sup>2</sup>
C	<u>Zone Lot Width (min)</u>	25'
	<u>Dwelling Units per Primary Structure (max)</u>	1
<b>SETBACKS</b>		
D	<u>Primary Street (min)</u>	10'
E	<u>Side Street (min)</u>	10'
F	<u>Side, interior (min)</u>	3'
G	<u>Rear (min)</u>	10'
	<u>Building Coverage, including all accessory structures (max)</u>	50%
<b>PARKING</b>		
	<u>Parking and Drive Lot Coverage in Primary Street Setback (max)</u>	2 Spaces and 320 SF
	<u>Vehicle Access</u>	From alley; or Street access allowed when no alley present See Sec 9.7.3.3
<b>ACCESSORY STRUCTURES</b>		
H	<u>Detached Accessory Structures Allowed</u>	see Sec. 9.7.4
<b>DESIGN ELEMENTS</b>		M-RX-5A M-GMX
<b>BUILDING CONFIGURATION</b>		
	<u>Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)</u>	35% of the entire width of the facade of the dwelling or 16', whichever is greater Front facing garage door shall not project closer to the primary street frontage of the zone lot than does any other part of the front facade of the dwelling, which for purposes of this form, may include a front porch
	<u>Attached Garage Allowed</u>	
<b>GROUND STORY ACTIVATION</b>		
I	<u>Pedestrian Access, Primary Street</u>	Entry Feature

### B. Urban House

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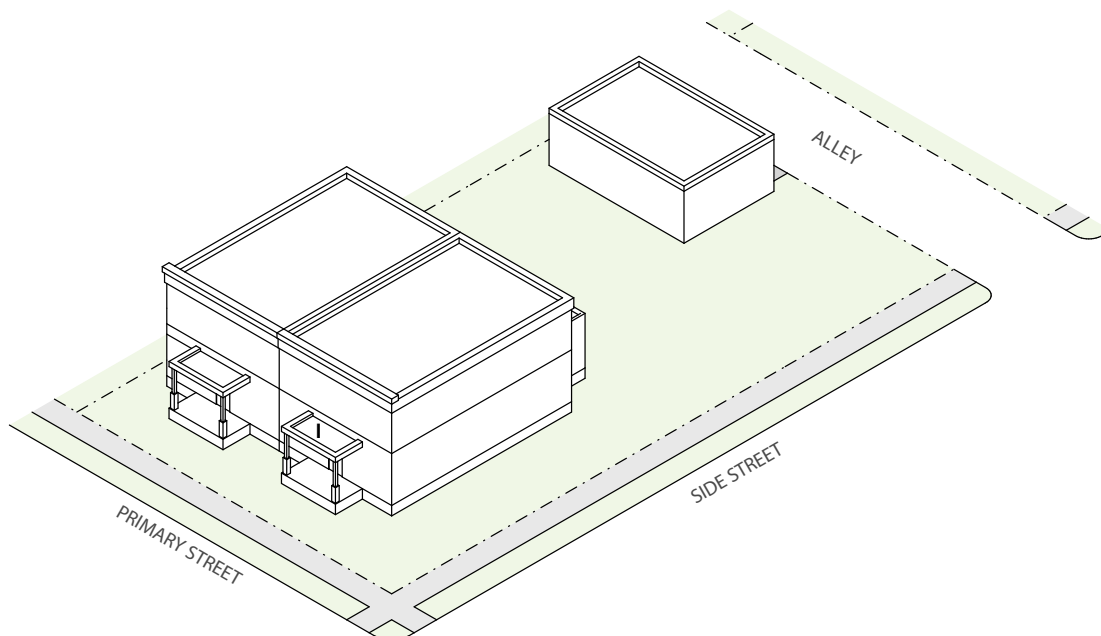
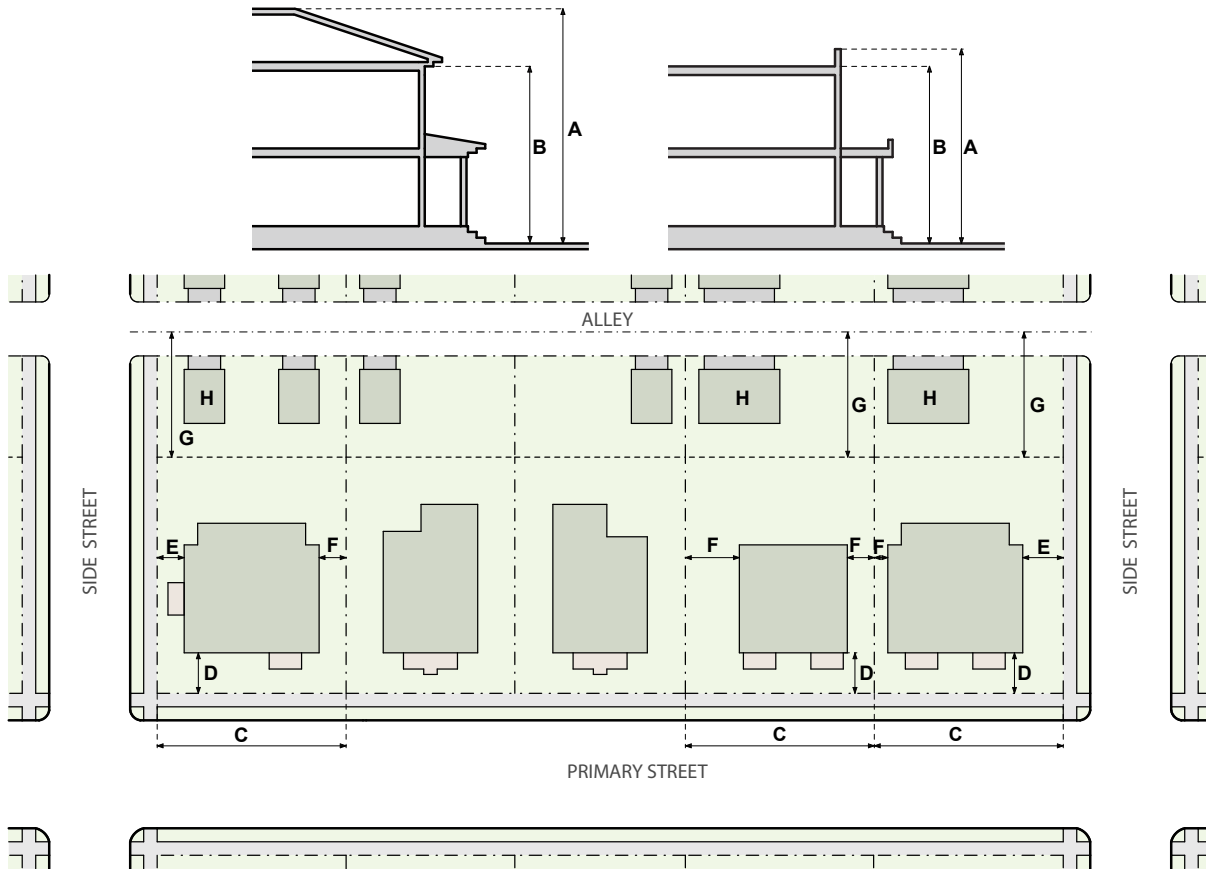


**URBAN HOUSE**

		M-RH-3
<b>HEIGHT</b>		M-RX-5, <b>M-RX-5A</b> , <b>M-GMX</b>
A	Stories (max)	2.5
A	Feet (max)	40'
B	Side Wall Height (Max)	34'
<b>SITING</b>		M-RH-3
<b>ZONE LOT</b>		M-RX-5, <b>M-RX-5A</b> , <b>M-GMX</b>
	Zone Lot Size (min)	3,000 ft <sup>2</sup>
C	Zone Lot Width (min)	25'
	Dwelling Units per Primary Structure (min/max)	1/2
<b>SETBACKS</b>		
D	Primary Street (min)	10'
E	Side Street (min)	10'
F	Side, interior (min)	3'
G	Rear (min)	<u>0'</u>
	Building Coverage, 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 Sec 9.7.3.3
<b>ACCESSORY STRUCTURES</b>		
H	Detached Accessory Structures Allowed	see Sec. 9.7.3.2
<b>DESIGN ELEMENTS</b>		M-RH-3
<b>BUILDING CONFIGURATION</b>		M-RX-5, <b>M-RX-5A</b> , <b>M-GMX</b>
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the facade of the dwelling or 16', whichever is greater
	Attached Garage Allowed	Shall not project closer to the front line of the zone lot than does any other part of the front facade of the dwelling
<b>GROUND STORY ACTIVATION</b>		
I	Pedestrian Access, Primary Street	Entry Feature

### C. Duplex

Not to Scale. Illustrative Only.



**DUPLEX**

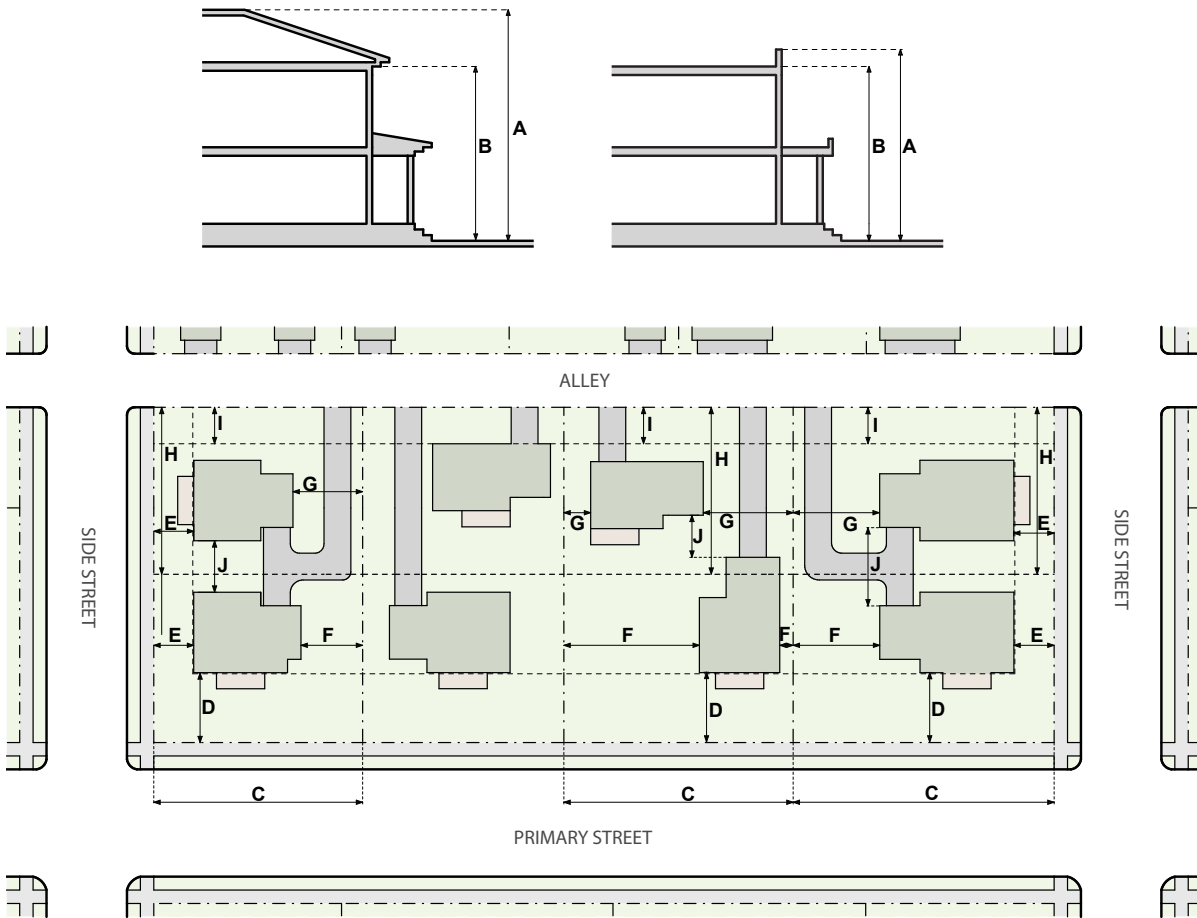
<b>HEIGHT</b>		M-RH-3	M-RX-5 M-MX-5 <i>M-RX-5A, M-GMX</i>
<b>A</b>	Stories (max)	2.5	2.5
<b>A</b>	Feet (max)	40'	40'
<b>B</b>	Side Wall Height (Max)	34'	34'

<b>SITING</b>		M-RH-3	M-RX-5 M-MX-5 <i>M-RX-5A, M-GMX</i>
<b>ZONE LOT</b>			
	Zone Lot Size (min)	4,000 ft <sup>2</sup>	4,000 ft <sup>2</sup>
<b>C</b>	Zone Lot Width (min)	45'	45'
	Dwelling Units per Primary Structure (min/max)	2/2	2/2
<b>SETBACKS</b>			
<b>D</b>	Primary Street (min)	10'	10'
<b>E</b>	Side Street (min)	10'	10'
<b>F</b>	Side, interior (min)	5'	5'
<b>G</b>	Rear (min)	0'	0'
	Building Coverage, 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 Sec 9.7.3.3	
<b>ACCESSORY STRUCTURES</b>			
<b>H</b>	Detached Accessory Structures Allowed	see Sec. 9.7.3.2	

<b>DESIGN ELEMENTS</b>		M-RH-3	M-RX-5 M-MX-5 <i>M-RX-5A, M-GMX</i>
<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 facade of the dwelling or 16', whichever is greater	
	Attached Garage Allowed	Shall not project closer to the front line of the zone lot than does any other part of the front facade of the dwelling	
<b>GROUND STORY ACTIVATION</b>			
<b>I</b>	Pedestrian Access, Primary Street	Entry Feature	

### D. Tandem House

*Not to Scale. Illustrative Only.*



# TANDEM HOUSE

HEIGHT	M-RH-3	M-RX-5 M-MX-5 <u>M-RX-5A, M-GMX</u>
	A Stories (max)	2.5
A Feet (max)	40'	40'
B Side Wall Height (Max)	34'	34'

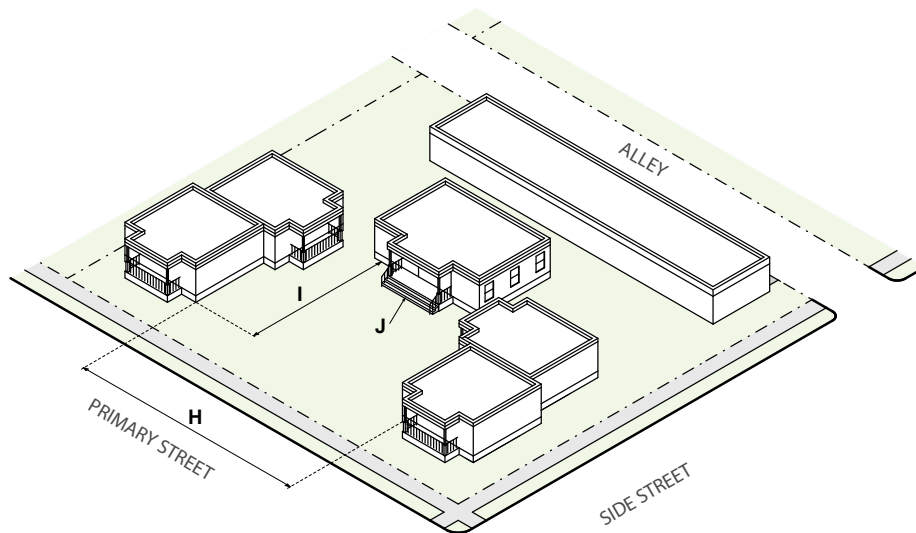
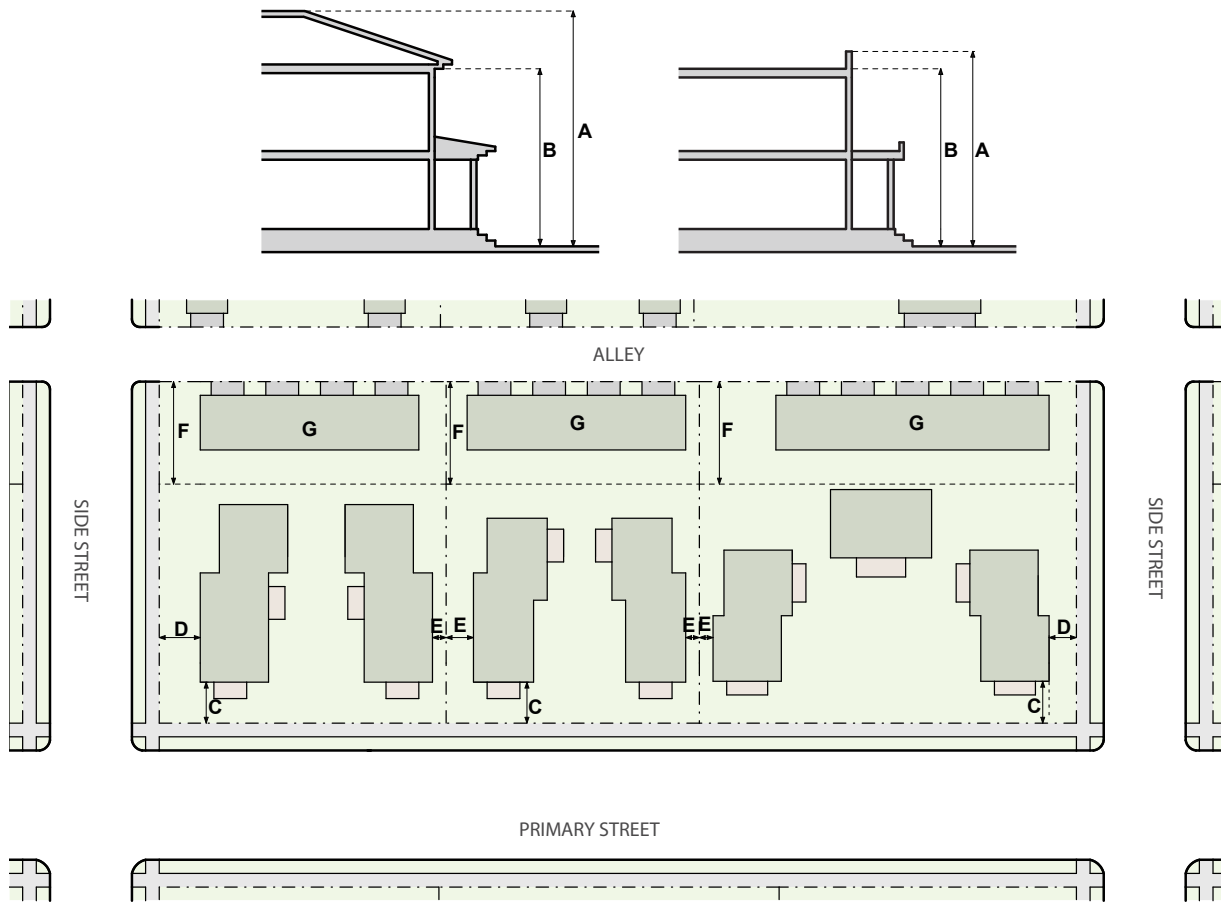
SITING	M-RH-3	M-RX-5 M-MX-5 <u>M-RX-5A, M-GMX</u>
	<b>ZONE LOT</b>	
Zone Lot Size (min)	4,500 ft <sup>2</sup>	4,500 ft <sup>2</sup>
C Zone Lot Width (min)	50'	50'
Dwelling Units per Primary Structure (min/max)	1	1
<b>SETBACKS</b>		
D Primary Street (min)	10'	10'
E Side Street (min)	10'	10'
F Side, interior, for Primary Structure #1 (min one side/min combined)*	5'/15'	5'/15'
G Side, interior, for Primary Structure #2 (min one side/min combined)*	5'/15'	5'/15'
H Rear, for Primary Structure #1, as a % of lot depth (min)	50%	50%
I Rear, for Primary Structure #2 alley/no alley (min)	5'/10'	5'/10'
J Required Separation Between Primary Structures (min)	6'	6'
<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 Sec 9.7.3.3	
<b>ACCESSORY STRUCTURES</b>		
Detached Accessory Structures Allowed	see Sec. 9.7.3.2	

DESIGN ELEMENTS	M-RH-3	M-RX-5 M-MX-5 <u>M-RX-5A, M-GMX</u>
	<b>CONFIGURATION</b>	
K Overall Structure Width (max)	36'	36'
L Overall Structure Length (max)	42'	42'
Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the facade of the dwelling or 16', whichever is greater	
Attached Garage Allowed	Shall not project closer to the front line of the zone lot than does any other part of the front facade of the dwelling	
<b>GROUND STORY ACTIVATION</b>		
M Pedestrian Access, Primary Street	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement	

\*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)

### E. Garden Court

Not to Scale. Illustrative Only.





**GARDEN COURT**

<b>HEIGHT</b>		M-RH-3	M-RX-5 M-MX-5 <i>M-RX-5A, M-GMX</i>
A	Stories (max)	2.5	2.5
A	Feet (max)	40'	40'
B	Side Wall Height (Max)	34'	34'

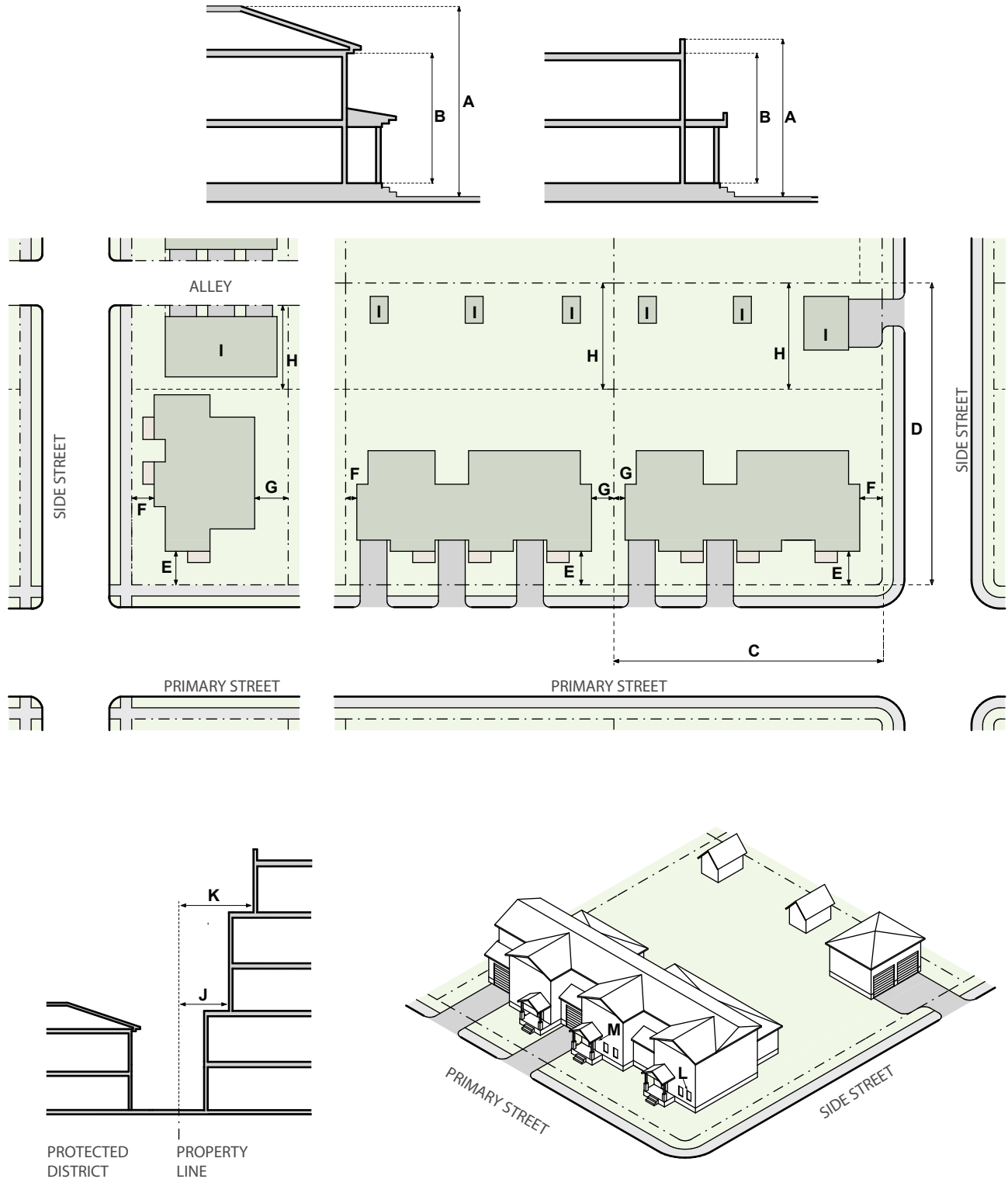
<b>SITING</b>		M-RH-3	M-RX-5 M-MX-5 <i>M-RX-5A, M-GMX</i>
<b>ZONE LOT</b>			
	Zone Lot Size (min)	6,000 ft <sup>2</sup>	na
<b>SETBACKS</b>			
C	Primary Street (min)	10'	10'
D	Side Street (min)	10'	10'
E	Side, interior (min)	5'	5'
F	Rear alley/no alley (min)	5'/15'	0'/0'
	Building Coverage, including all accessory structures (max)	75%	na
<b>PARKING</b>			
	Surface Parking Location	No surface parking between building and Primary Street	
	Vehicle Access	From alley; or Street access allowed when no alley present See Sec 9.7.3.3	
<b>ACCESSORY STRUCTURES</b>			
G	Detached Accessory Structures Allowed	see Sec. 9.7.3.2	

<b>DESIGN ELEMENTS</b>		M-RH-3	M-RX-5 M-MX-5 <i>M-RX-5A, M-GMX</i>
H	Street-Facing Courtyard Width (min)	15'	15'
I	Street-Facing Courtyard Depth (min)	30'	30'
	Garden Court Design Standards	See Sec. 9.7.5.2	
<b>GROUND STORY ACTIVATION</b>			
J	Pedestrian Access, Primary Street	Each dwelling unit shall have a ground story Entrance. At least two Entrances shall be facing Primary Street and all others shall face the interior courtyard.	

**F. Town House**

*Not to Scale. Illustrative Only.*

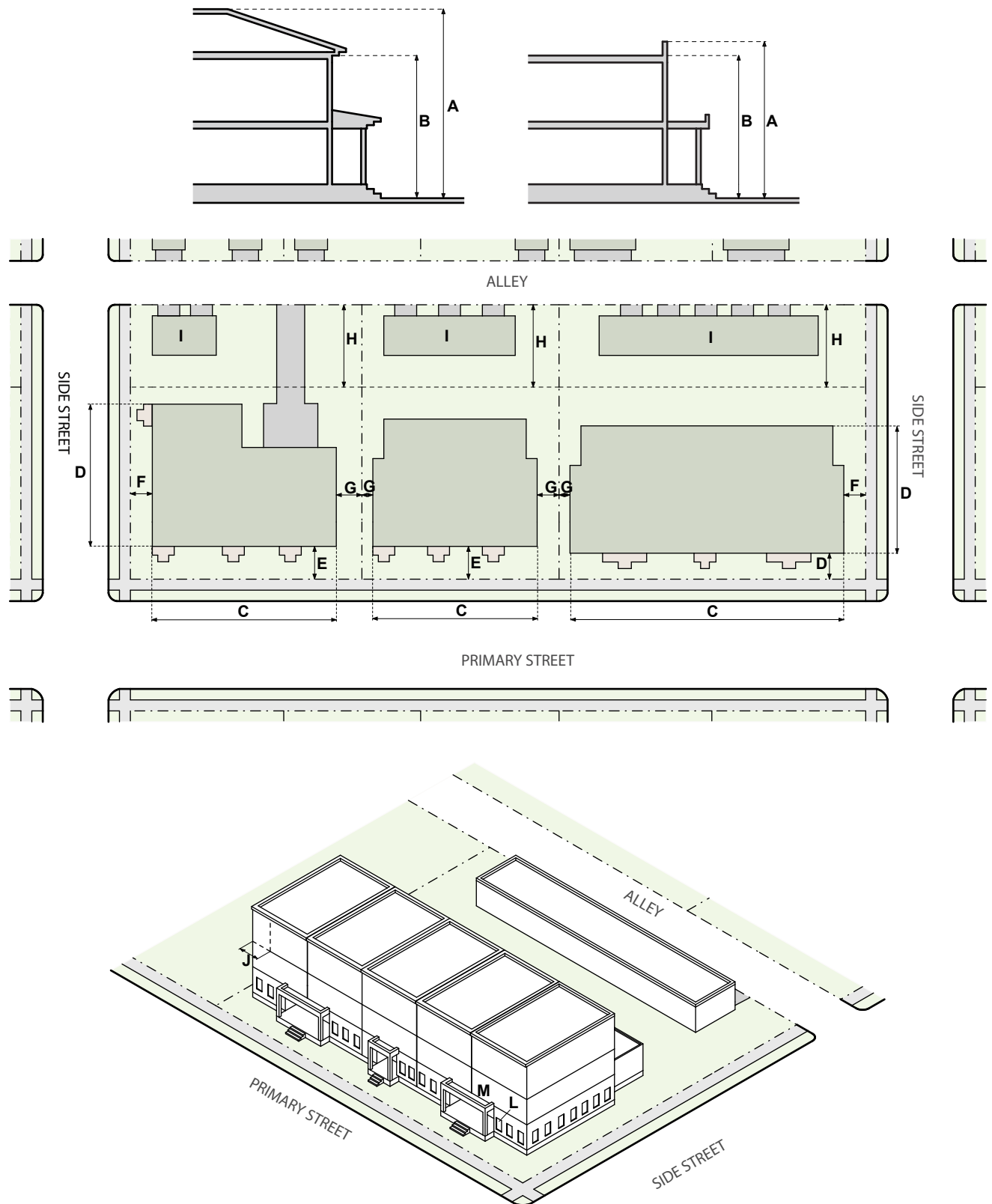


**TOWN HOUSE**

		<b>M-RMX-5A</b>
<b>HEIGHT</b>		<b>M-GMX</b>
A	<u>Stories (max)</u>	5
A	<u>Feet (max)</u>	65'
		<b>M-RMX-5A</b>
<b>SITING</b>		<b>M-GMX</b>
<b>ZONE LOT</b>		
	<u>Zone Lot Size (min)</u>	na
	<u>Dwelling Units per Primary Structure (min/max)</u>	3/na
<b>REQUIRED BUILD-TO</b>		
C	<u>Primary Street (min % within min/max)</u>	50% 0'/80'
<b>SETBACKS</b>		
E	<u>Primary Street (min)</u>	10'
F	<u>Side Street (min)</u>	10'
G	<u>Side, interior (min)</u>	5'
	<u>Side, interior, adjacent to Protected District (min)</u>	10'
H	<u>Rear, alley/no alley (min)</u>	10'/20'
<b>PARKING</b>		
	<u>Surface Parking Setback (min)</u>	See Section 9.7.7.5
	<u>Vehicle Access</u>	From alley; or Street access allowed when no alley present See Sec 9.7.3.3
<b>ACCESSORY STRUCTURES</b>		
I	<u>Detached Accessory Structures Allowed</u>	see Sec. 9.7.3.2
		<b>M-RMX-5A</b>
<b>DESIGN ELEMENTS</b>		<b>M-GMX</b>
<b>BUILDING CONFIGURATION</b>		
	<u>Primary Street-Facing Attached Garage Door Width (max per unit)</u>	16'
<b>GROUND STORY ACTIVATION</b>		
L	<u>Transparency, Ground Story, Primary Street (min)*</u>	20%
M	<u>Pedestrian Access</u>	Entrance or Pedestrian Connection
<u>* Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street</u>		

### G. Row House

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# ROW HOUSE

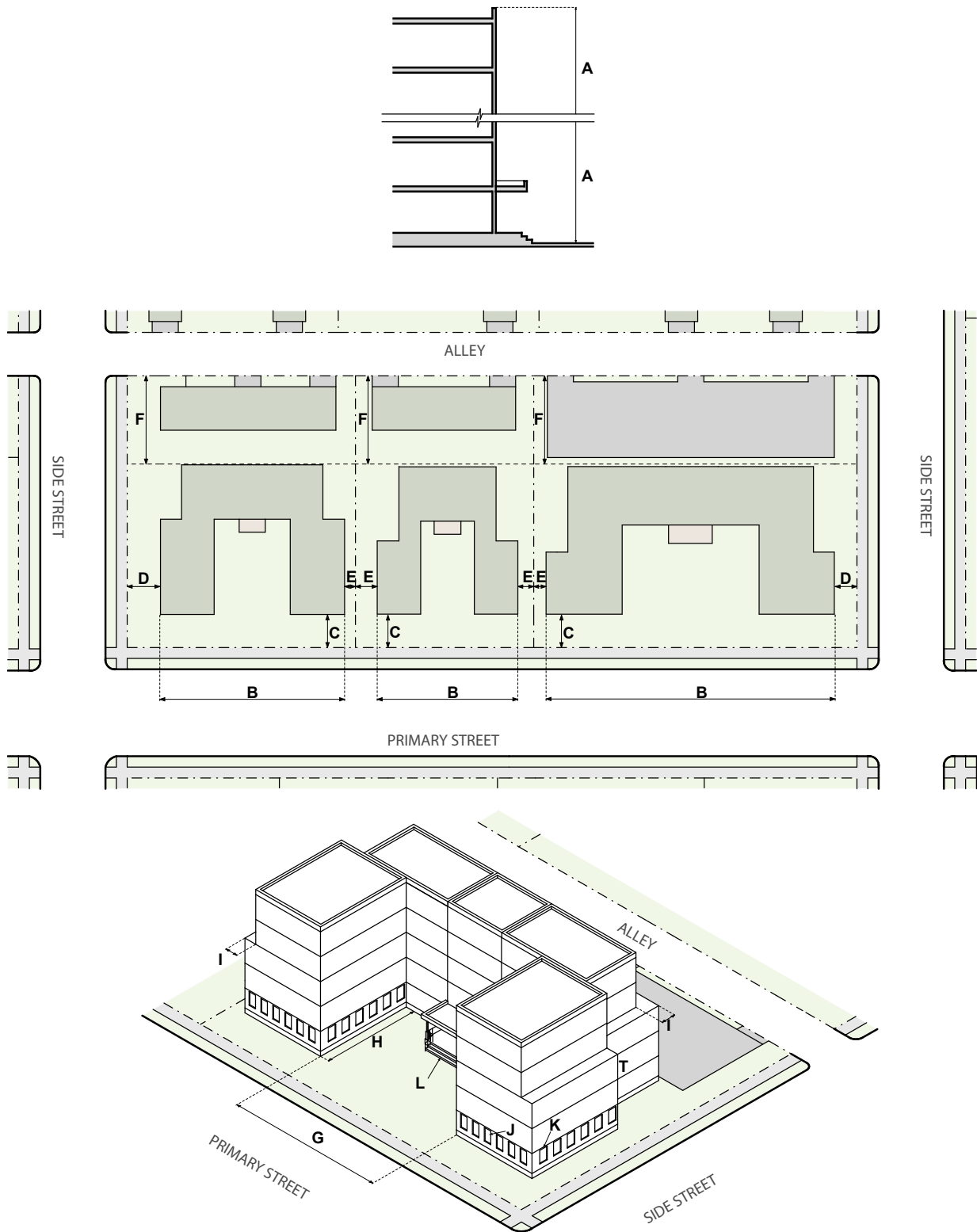
		M-MX-5 M-IMX-5 M-IMX-8		
<b>HEIGHT</b>		M-RH-3	M-RX-5 <u>M-RX-5A</u>	M-IMX-12 <u>M-GMX</u>
<b>A</b>	Stories (max)	3	<u>5</u>	5
<b>A</b>	Feet (max)	55'	70'	70'
<b>B</b>	Side Wall Height (max)	49'	na	na

		M-MX-5 M-IMX-5 M-IMX-8		
<b>SITING</b>		M-RH-3	M-RX-5 <u>M-RX-5A</u>	M-IMX-12 <u>M-GMX</u>
<b>ZONE LOT</b>				
	Zone Lot Size (min)	6,000 ft <sup>2</sup>	na	na
	Dwelling Units per Primary Structure (min/max)	3/10	3/na	3/na
<b>REQUIRED BUILD-TO</b>				
<b>C</b>	Primary Street (min % within min/max)	na	60% 0'/15'	60% 0'/15'
<b>D</b>	Side Street (min % within min/max)	na	na	na
<b>SETBACKS</b>				
<b>E</b>	Primary Street (min)	10'	0'	0'
<b>F</b>	Side Street (min)	10'	0'	0'
<b>G</b>	Side, interior (min)	5'	0'	0'
	Side, interior, adjacent to Protected District (min)	na	5'	5'
<b>H</b>	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	na	5'/10'	5'/10'
<b>PARKING</b>				
	Surface Parking Location	Not allowed between the building and the Primary Street		
	Vehicle Access	From alley; or Street access allowed when no alley present See Sec 9.7.3.3		
<b>ACCESSORY STRUCTURES</b>				
<b>I</b>	Detached Accessory Structures Allowed	see Sec. 9.7.3.2		

		M-MX-5 M-IMX-5 M-IMX-8		
<b>DESIGN ELEMENTS</b>		M-RH-3	M-RX-5 <u>M-RX-5A</u>	M-IMX-12 <u>M-GMX</u>
<b>BUILDING CONFIGURATION</b>				
<b>J</b>	Upper Story Setback Above 27' adjacent to Protected District, Rear, alley/Rear, no alley /Side, interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'
<b>K</b>	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley/Side Interior (min)	na	na	30'/35'/40'
	Street facing garage door width per Primary Structure (max)	20'	20'	20'
<b>GROUND FLOOR ACTIVATION</b>				
<b>L</b>	Transparency, Ground Story, Primary Street (min)	20%	20%	20%
<b>M</b>	Pedestrian Access, Primary Street	Entrance or Pedestrian Connection		

### H. Courtyard Apartment

Not to Scale. Illustrative Only.



# COURTYARD APARTMENT

<b>HEIGHT</b>		<b>M-RX-5</b> <b>M-RX-5A</b>	<b>M-MX-5</b> <b>M-IMX-5</b>	<b>M-IMX-8</b>	<b>M-IMX-12</b> <b>M-GMX</b>
<b>A</b>	Stories (max)		5	8	12
<b>A</b>	Feet (max)	70'	70'	100'	140'

<b>SITING</b>		<b>M-RX-5</b> <b>M-RX-5A</b>	<b>M-MX-5</b> <b>M-IMX-5</b>	<b>M-IMX-8</b>	<b>M-IMX-12</b> <b>M-GMX</b>
<b>REQUIRED BUILD-TO</b>					
<b>B</b>	Primary Street (% within min/max)*	50% 0'/15'	50% 0'/15'	60% 0'/15'	50% 0'/15'
<b>SETBACKS</b>					
<b>C</b>	Primary Street (min)	0'	0'	0'	0'
<b>D</b>	Side Street (min)	0'	0'	0'	0'
<b>E</b>	Side, interior (min)	0'	0'	0'	0'
	Side, interior, adjacent to Protected District (min)	10'	10'	10'	10'
<b>F</b>	Rear (min)	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	5'/10'	5'/10'	5'/10'	5'/10'
<b>PARKING</b>					
	Surface Parking Location	Not allowed between the building and the Primary Street			
	Vehicle Access	Shall be determined as part of Site Development Plan Review			

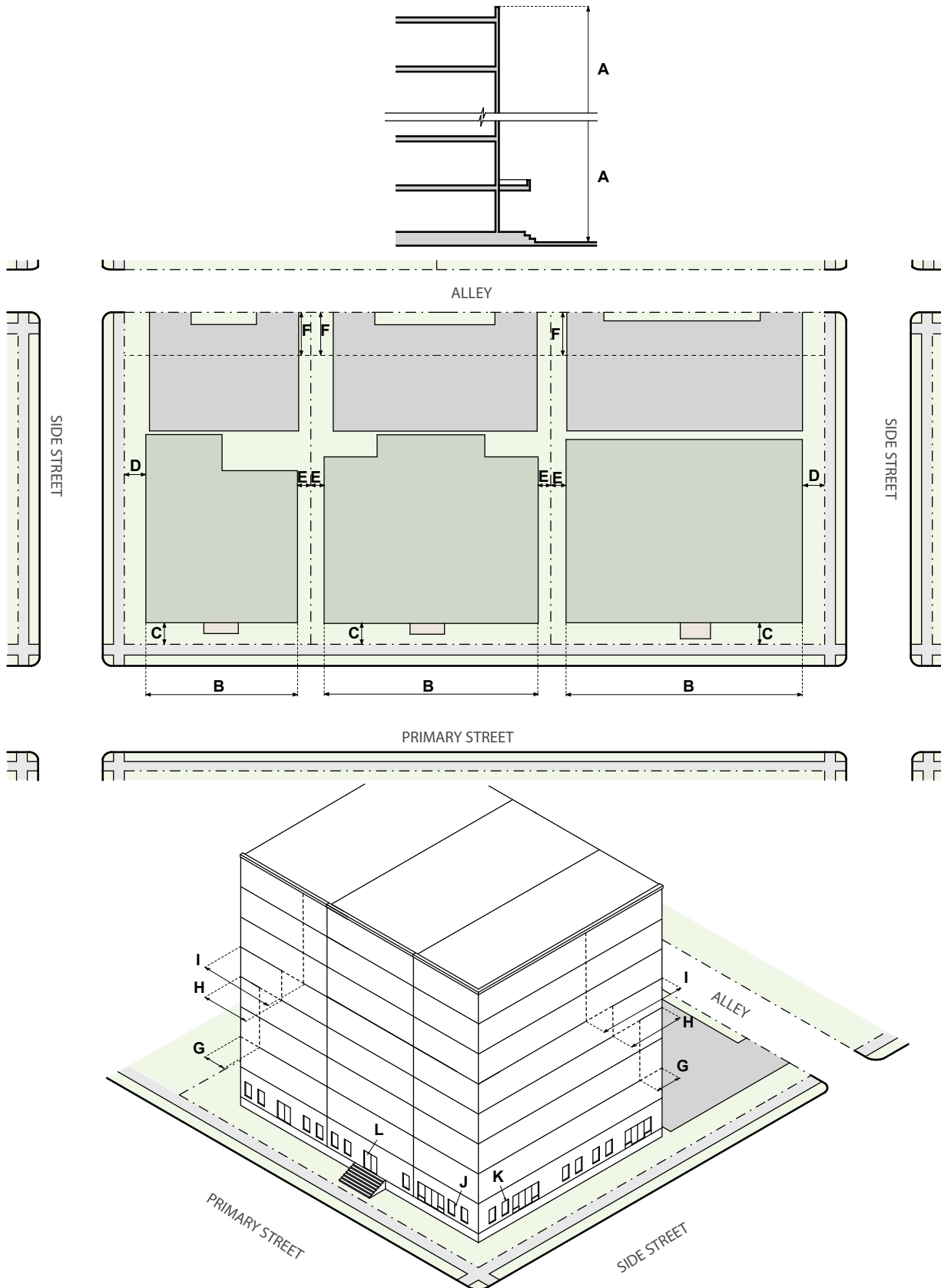
  

<b>DESIGN ELEMENTS</b>		<b>M-RX-5</b> <b>M-RX-5A</b>	<b>M-MX-5</b> <b>M-IMX-5</b>	<b>M-IMX-8</b>	<b>M-IMX-12</b> <b>M-GMX</b>
<b>CONFIGURATION</b>					
<b>G</b>	Street-Facing Courtyard Width (min)	15'	15'	15'	15'
<b>H</b>	Street-Facing Courtyard Depth (min)	30'	30'	30'	30'
<b>I</b>	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15/20/25'	15/20/25'	15/20/25'	15/20/25'
	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	30/35/40'	30/35/40'	30/35/40'
	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na	90'/90'/90'	90'/90'/90'
<b>GROUND STORY ACTIVATION</b>					
<b>J</b>	Transparency, Ground Story, Primary Street (min)	30%	30%	30%	30%
<b>K</b>	Transparency, Ground Story, Side Street (min)	25%	25%	25%	25%
<b>L</b>	Pedestrian Access, Primary Street	Entrance			

\*Courtyard Width counts toward the required Build-To

### I. Apartment

*Not to Scale. Illustrative Only.*





**APARTMENT**

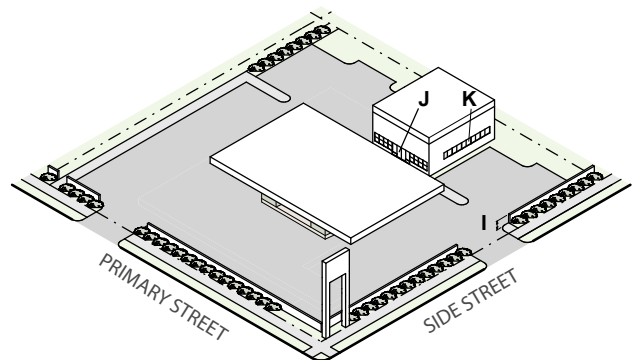
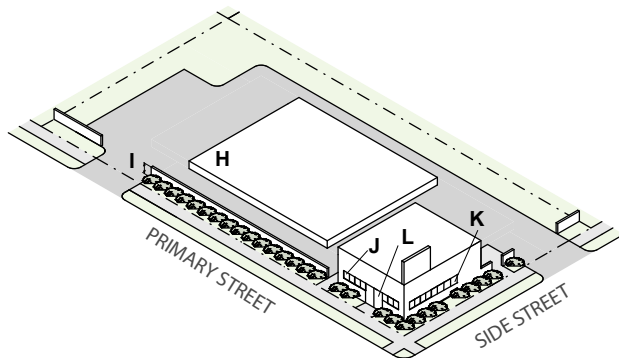
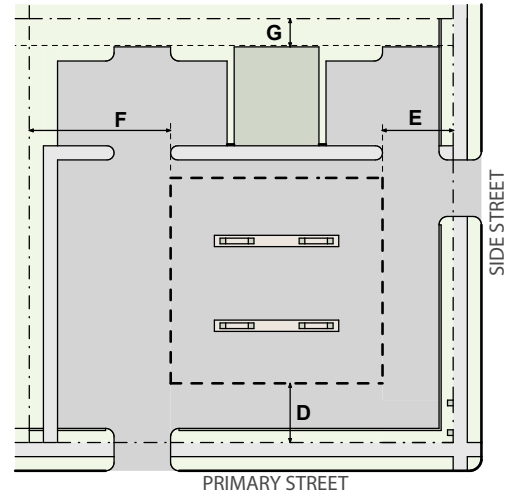
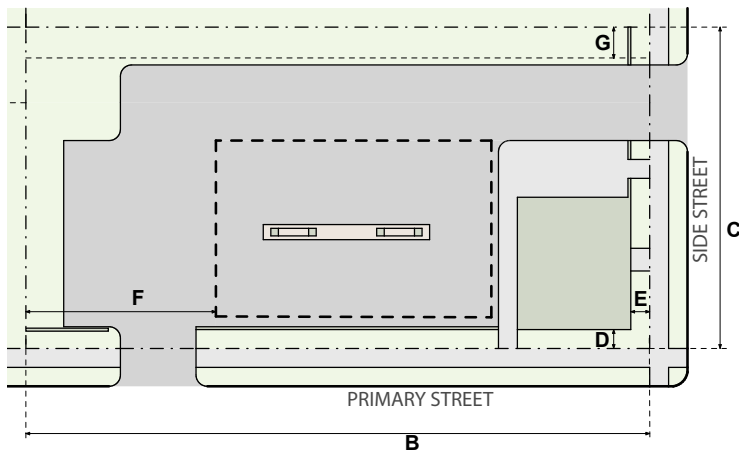
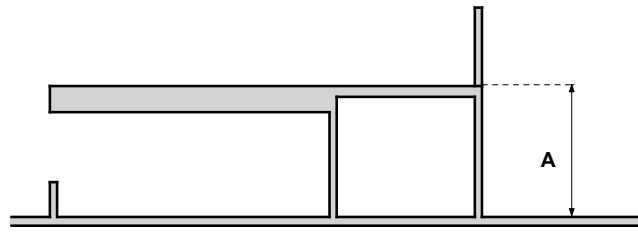
		<b>M-CC-5</b>			
		M-RX-5	M-MX-5	M-IMX-12	
<b>HEIGHT</b>		M-RX-5A	M-IMX-5	M-IMX-8	M-GMX
A	Stories (max)	5	5	8	12
A	Feet (max)	70'	70'	100'	140'

		<b>M-CC-5</b>			
		M-RX-5	M-MX-5	M-IMX-12	
<b>SITING</b>		M-RX-5A	M-IMX-5	M-IMX-8	M-GMX
<b>ZONE LOT</b>					
Permitted Uses		Residential Uses Only			
<b>REQUIRED BUILD-TO</b>					
B	Primary Street (% within min/max)	50% 0'/20'	50% 0'/15'	60% 0'/15'	50% 0'/15'
<b>SETBACKS</b>					
C	Primary Street (min)	0'	0'	0'	0'
D	Side Street (min)	0'	0'	0'	0'
E	Side, interior (min)	0'	0'	0'	0'
	Side, interior, adjacent to Protected District (min)	10'	10'	10'	10'
F	Rear (min)	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	5'/10'	5'/10'	5'/10'	5'/10'
<b>PARKING</b>					
Surface Parking Location		Not allowed between the building and the Primary Street			
Vehicle Access		Shall be determined as part of Site Development Plan Review			

		<b>M-CC-5</b>			
		M-RX-5	M-MX-5	M-IMX-12	
<b>DESIGN ELEMENTS</b>		M-RX-5A	M-IMX-5	M-IMX-8	M-GMX
<b>CONFIGURATION</b>					
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	30'/35'/40'	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na	90'/90'/90'	90'/90'/90'
<b>GROUND STORY ACTIVATION</b>					
J	Transparency, Ground Story, Primary Street (min)	30%	30%	30%	30%
K	Transparency, Ground Story, Side Street (min)	25%	25%	25%	25%
L	Pedestrian Access, Primary Street	Pedestrian Connection			

### J. Drive Thru Services

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**DRIVE THRU SERVICES**

	M-MX-5	M-IMX-5	M-IMX-8	M-IMX-12	M-CC-5	M-GMX
<b>HEIGHT</b>						

<b>A</b> Stories (max)				3		3
<b>A</b> Feet, pitched or flat roof (max)				45'		45'

	M-MX-5	M-IMX-5	M-IMX-8	M-IMX-12	M-CC-5	M-GMX	Option A	Option B	Option C
<b>SITING</b>									

**USE RESTRICTION** Automobile Services, Light and/or Primary Use with Accessory Drive Thru Uses, excluding Eating/Drinking Establishments

**REQUIRED BUILD-TO**

<b>B</b> Primary Street (min % within min/max)*	50% 0'/15'			50% 0'/15'			na
<b>C</b> Side Street (min % within min/max)*	50% 0'/15'			na			na

**SETBACKS**

<b>D</b> Primary Street (min)	0'			0'			0'
<b>E</b> Side Street (min)	0'			0'			0'
<b>F</b> Side Interior (min)	0'			0'			0'
Side Interior, adjacent to Protected District (min)	10'			10'			10'
<b>G</b> Rear (min)	0'			0'			0'
Rear, adjacent to Protected District , alley/no alley (min)	0'/10'			0'/10'			0'/10'

**PARKING**

Surface Parking Location <u>between building and Primary Street/Side Street</u>	Not allowed between building and Primary Street	Allowed between building and Primary or Side Street	Allowed/Allowed
<b>H</b> Screening Required	Not Allowed/Allowed	Allowed/Allowed	Garden Wall

	M-MX-5	M-IMX-5	M-IMX-8	M-IMX-12	M-CC-5	M-GMX	Option A and Option B	M-CC-5	M-GMX	Option C
<b>DESIGN ELEMENTS</b>										

**BUILDING CONFIGURATION**

<b>H†</b> *Canopy	<u>Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may count toward Required Build-To if it is aligned with the required Garden Wall</u>						na
<b>I</b> <u>Screening Required</u>	<u>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 10.5.4.3</u>						See Article 10

Upper Story Setback Above 27', adjacent to Protected District , Rear, alley/ Rear, no alley /and Side interior (min)	10'/15'/25'						15'/25'/25'
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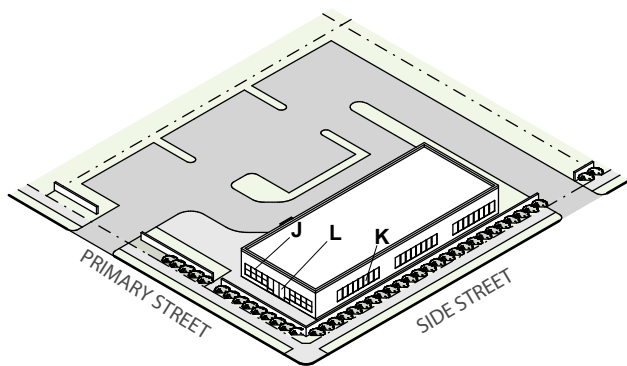
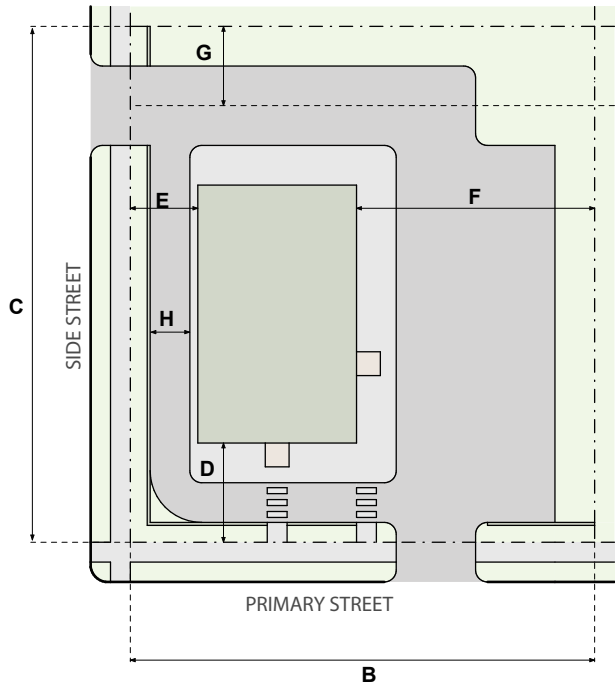
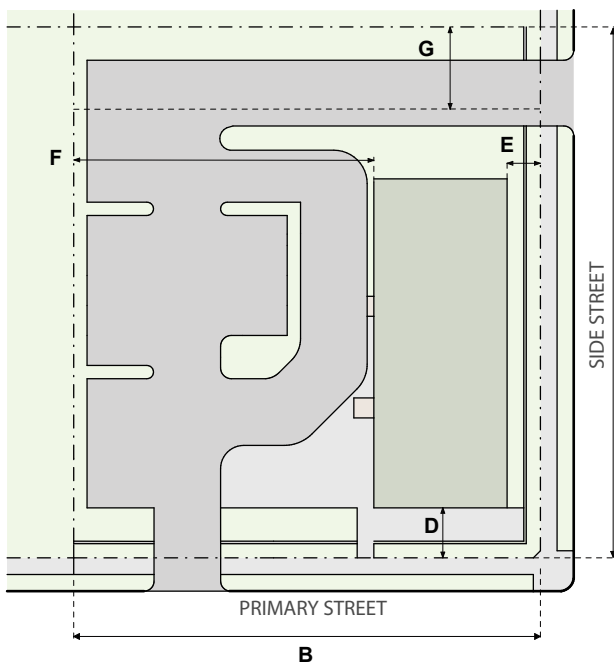
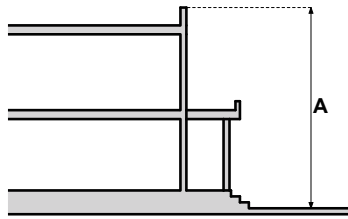
**GROUND STORY ACTIVATION**

<b>J</b> Transparency, Ground Story, Primary Street (min)	40%						40%*
<b>K</b> Transparency, Ground Story, Side Street (min)	25%						
<b>L</b> Pedestrian Access, Primary Street						<u>Pedestrian Connection</u>	

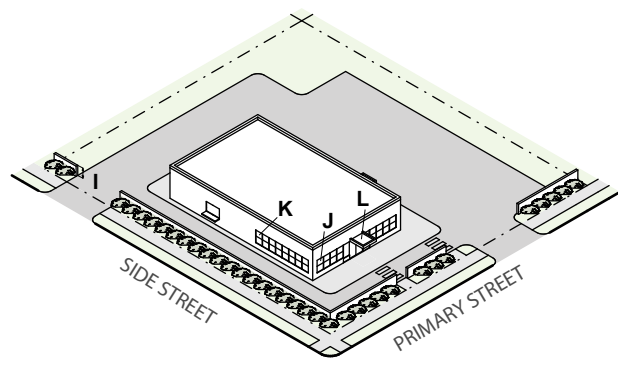
\* Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

### K. Drive Thru Restaurants

Not to Scale. Illustrative Only.



OPTION - A



OPTION - B

**DRIVE THRU RESTAURANT**

	<b>M-CC-5</b>	
	<b>M-MX-5</b>	
	<b>M-IMX-5</b>	
	<b>M-IMX-8</b>	
	<b>M-IMX-12</b>	
	<b>M-GMX</b>	
<b>HEIGHT</b>		
A Stories (max)	3	
A Feet, pitched or flat roof (max)	45'	

	<b>M-CC-5</b>		
	<b>M-MX-5</b>	<b>M-CC-5</b>	
	<b>M-IMX-5</b>	<b>M-IMX-5</b>	
	<b>M-IMX-8</b>	<b>M-IMX-8</b>	
	<b>M-MX-12</b>	<b>M-MX-12</b>	<b>M-CC-5</b>
	<b>M-GMX</b>	<b>M-GMX</b>	<b>M-GMX</b>
	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>

<b>USE RESTRICTION</b>	<u>Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use Only</u>		
<b>REQUIRED BUILD-TO</b>			
B Primary Street (min % within min/max)	50% 0'/10'	50% 0'/25'	<u>na</u>
C Side Street (min % within min/max)	50% 0'/10'	50% 0'/15'	<u>na</u>
<b>SETBACKS</b>			
D Primary Street (min/max)	0'/na	0'/na	<u>0</u>
E Side Street (min/max)	0'/15'	0'/na	<u>0'</u>
F Side Interior (min)	0'	0'	<u>0'</u>
Side Interior, adjacent to Protected District (min)	10'	10'	<u>0'</u>
G Rear (min)	0'	0'	<u>0'</u>
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	<u>0'/10'</u>
<b>PARKING</b>			
Surface Parking Location <u>between building and Primary Street/Side Street</u>	Not allowed / <u>Not allowed between building and street</u>	Not allowed / <u>Not allowed between building and street</u>	<u>Allowed/Allowed</u>
Drive Through Lane Location	Not allowed between building and street	Allowed between building and street	<u>na</u>
H Drive Through Lane Width (max)	12'	12'	<u>na</u>
I <u>Drive Thru Lane Screening Required (see Article 10)</u>	Garden Wall, following the standards of Article 10, Section 10.5.3.3	<u>Yes Garden Wall, following the standards of Article 10, Section 10.5.3.3</u>	<u>na</u>

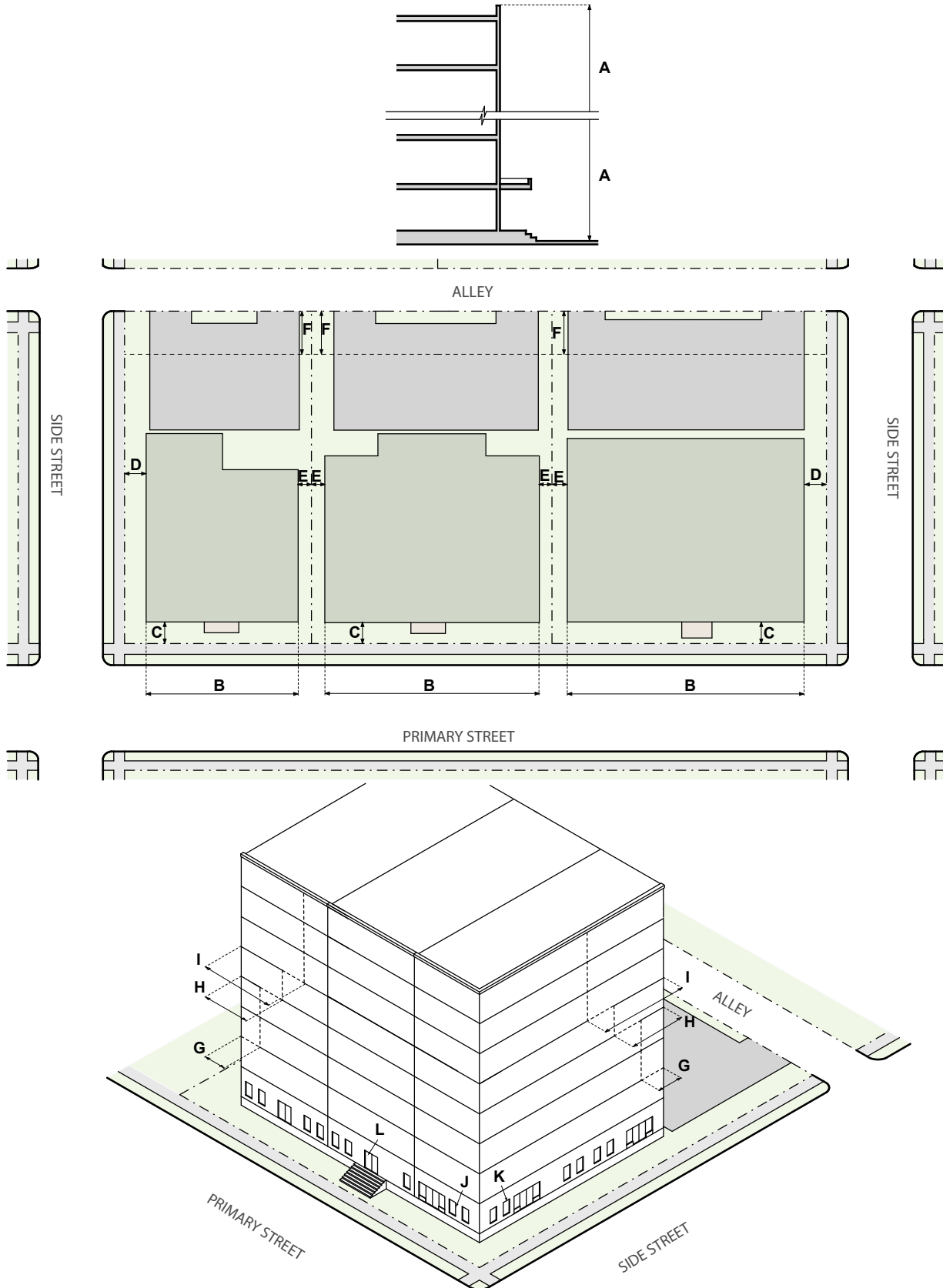
	<b>M-CC-5</b>	
	<b>M-MX-5</b>	
	<b>M-IMX-5</b>	
	<b>M-IMX-8</b>	<b>M-CC-5</b>
	<b>M-IMX-12</b>	<b>M-GMX</b>
	<b>M-GMX</b>	
	<b>Option A and Option B</b>	<b>Option C</b>
<b>DESIGN ELEMENTS</b>		

<b>BUILDING CONFIGURATION</b>		
Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	<u>15'/25'</u>
<b>GROUND STORY ACTIVATION</b>		
J Transparency, Ground Story, Primary Street (min)	40%	<u>40%*</u>
K Transparency, Ground Story, Side Street (min)	25%	<u>25%*</u>
L Pedestrian Access, Primary Street	Pedestrian Connection	<u>Pedestrian Connection</u>

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

**L. General**

*Not to Scale. Illustrative Only.*



**GENERAL**

		<u>M-RX-5*</u> <u>M-RX-5A*</u>	M-MX-5	M-IMX-8	M-IMX-12
<b>HEIGHT</b>		<u>M-CC-5</u>	M-IMX-5	M-IMX-8	<u>M-GMX</u>
<b>A</b>	Stories (max)	<u>5</u>	5	8	12
<b>A</b>	Feet (max)	<u>70'</u>	70'	100'	140'

		<u>M-RX-5*</u> <u>M-RX-5A*</u>	M-MX-5	M-IMX-8	M-IMX-12
<b>SITING</b>		<u>M-CC-5</u>	M-IMX-5	M-IMX-8	<u>M-GMX</u>
<b>REQUIRED BUILD-TO</b>					
<b>B</b>	Primary Street (% within min/max)	<u>na</u>	na	na	na
<b>SETBACKS</b>					
<b>C</b>	Primary Street (min)	<u>0'</u>	0'	0'	0'
<b>D</b>	Side Street (min)	<u>0'</u>	0'	0'	0'
<b>E</b>	Side, interior (min)	<u>0'</u>	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	<u>10'</u>	10'	10'	10'
<b>F</b>	Rear (min)	<u>0'</u>	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	<u>5'/10'</u>	5'/10'	5'/10'	05'/10'
<b>PARKING</b>					
	Surface Parking Location	Surface parking allowed between building and street			
	Screening Required	<u>See Article 10, Section 10.5.4.3</u>			
	Vehicle Access	Access determined as part of Site Development Plan Review			

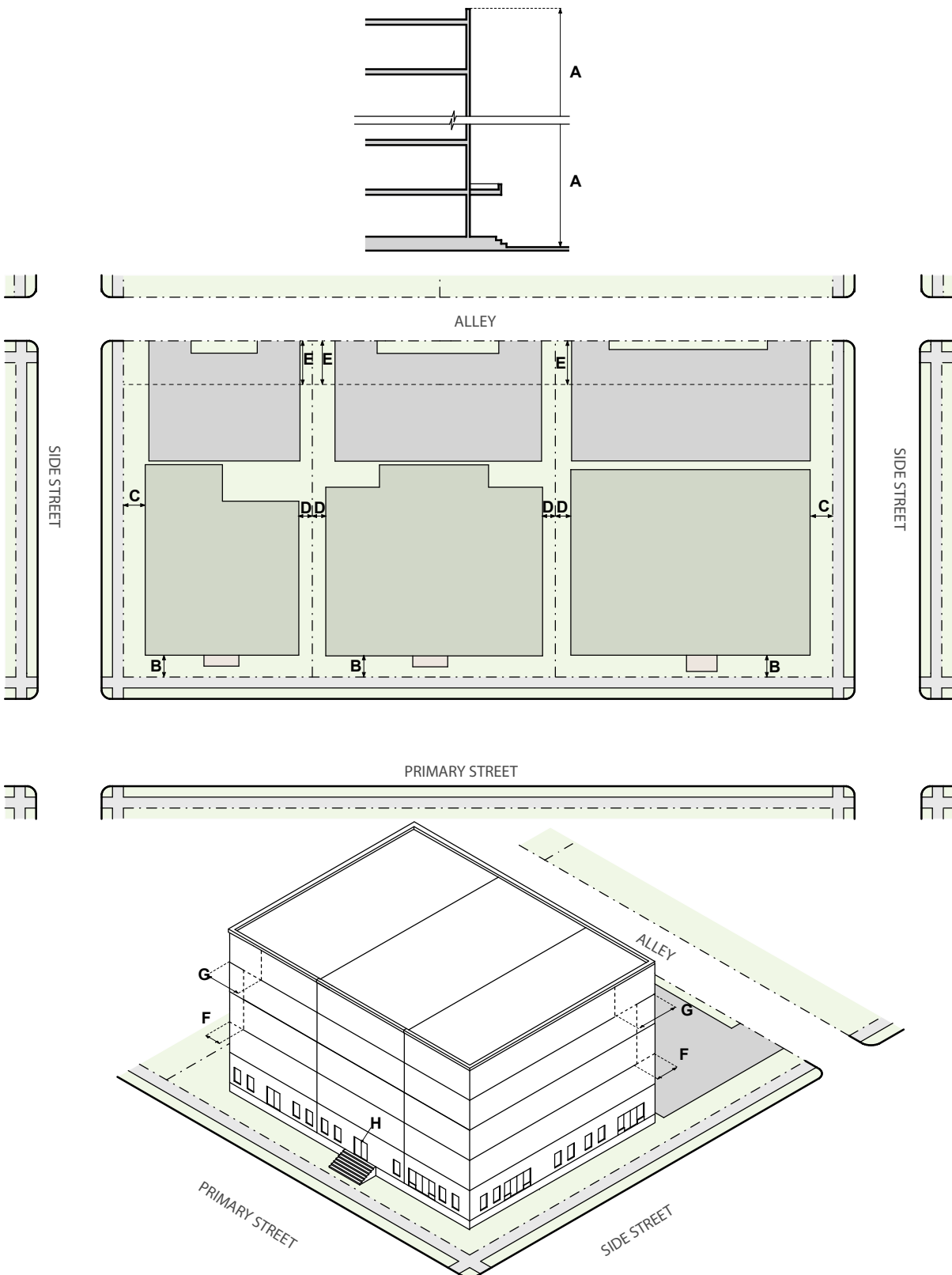
		<u>M-RX-5*</u> <u>M-RX-5A*</u>	M-MX-5	M-IMX-8	M-IMX-12
<b>DESIGN ELEMENTS</b>		<u>M-CC-5</u>	M-IMX-5	M-IMX-8	<u>M-GMX</u>
<b>CONFIGURATION</b>					
<b>G</b>	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	<u>15'/20'/25'</u>	15'/20'/25'	15'/20'/25'	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>30'/35'/40'</u>	30'/35'/40'	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	90'/90'/90'	90'/90'/90'
<b>GROUND STORY ACTIVATION</b>					
<b>J</b>	Transparency, Ground Story, Primary Street (min)	<u>40%**</u>	40%**	40%**	40%**
<b>K</b>	Transparency, Ground Story, Side Street (min)	<u>25%**</u>	25%**	25%**	25%**
<b>L</b>	Pedestrian Access, Primary Street	Pedestrian Connection			

\* 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.

### M. Industrial

Not to Scale. Illustrative Only.





**INDUSTRIAL**

				M-IMX-12
<b>HEIGHT</b>		M-IMX-5	M-IMX-8	<b>M-GMX</b>
<b>A</b>	Stories (max)	5	8	8
<b>A</b>	Feet, pitched or flat roof (max)	70'	110'	110'
	Feet, pitched or flat roof, within 175' of a Protected District (max)	na	75'	75'

				M-IMX-12
<b>SITING</b>		M-IMX-5	M-IMX-8	<b>M-GMX</b>
<b>ZONE LOT</b>				
	Floor Area Ratio (FAR) (max)	na	na	na
<b>USE</b>				
	Use Restrictions	Industrial, Manufacturing & Wholesale Primary Uses Only		
<b>SETBACKS</b>				
<b>B</b>	Primary Street (min)	20'	20'	20'
<b>C</b>	Side Street (min)	10'	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'
	Side Interior adjacent to Protected District (min)	10'	10'	10'
<b>E</b>	Rear (min)	0'	0'	0'
	Rear Setback adjacent to Protected District (min)	10'	10'	10'
<b>PARKING</b>				
	Primary Street Setback (min)	10'	10'	10'
	Side Street Setback (min)	5'	5'	10'
	Setback adjacent to Protected District (min)	10'	10'	20'

				M-IMX-12
<b>DESIGN ELEMENTS</b>		M-IMX-5	M-IMX-8	<b>M-GMX</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
<b>G</b>	Upper Story Setback Above 51', adjacent to Protected District, alley/no alley and side, interior (min)	35'/40'	35'/40'	35'/40'
	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	90'/90'/90'	90'/90'/90'

## SECTION 9.7.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 9.7.4.1 General Allowance - Compliance with Building Form Standards Required

Accessory structures shall comply with the provisions of this Section 3.3.4 and the permitted building form standards of the particular zone district in which the accessory structure is located. Accessory structures may be designed, erected, used, or occupied only by permitted accessory uses.

### 9.7.4.2 Accessory Structures Specifically Allowed

The following accessory structures are specifically allowed, subject to compliance with all applicable standards, including but not limited to all applicable building form standards stated in Articles 3 through 9 of this Code.

**A. Detached Accessory Garage**

**B. Detached Accessory Dwelling Unit Building**

**C. Carports and Off-Street Parking Areas**

**D. Detached Utility Buildings**

**E. Playhouses, Patios, Cabanas, Pool Houses, Porches, Decks, and Gazebos**

**F. Fences, Walls and Retaining Walls**

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, Section 10.5.5, Fences and Walls, of this Code.

**G. Gates and Guard Houses**

**H. Storm and Fallout Shelters**

**I. 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.

**J. Swimming Pools and Other Recreational and Play Facilities for the Use of Residents**

**K. Solar and Photo-Voltaic Energy Systems**

**L. Ground- or Roof-Mounted Solar Energy Collection Devices**

1. Flush mounted solar panels may encroach any distance into a required setback space.
2. Flush mounted solar panels are exempt from application of any maximum building or structure height standard otherwise applicable in the subject zone district.

**M. Non-Commercial Barbecues, Outside Fireplaces, Eating Areas**

### 9.7.4.3 Accessory Structures Not Specifically Listed as Allowed

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 Interpretation & 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 use by right, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific use by right.

- 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 structures accessory to a use by right, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 11.2.5.

#### **9.7.4.4 Additional Standards for Detached Accessory Structures in All Zone Districts**

##### **A. 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.

##### **B. 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).

##### **C. Permitted Number**

In a Residential Zone District, the number of detached accessory structures with vehicle access doors on a single zone lot shall not exceed one per dwelling unit. Any number of other types of detached accessory structures may be located on the same zone lot, subject to the limits in this section.

#### **9.7.4.5 Additional Standards for Detached Structures Accessory to Single Unit Dwellings**

##### **A. Required Building Materials**

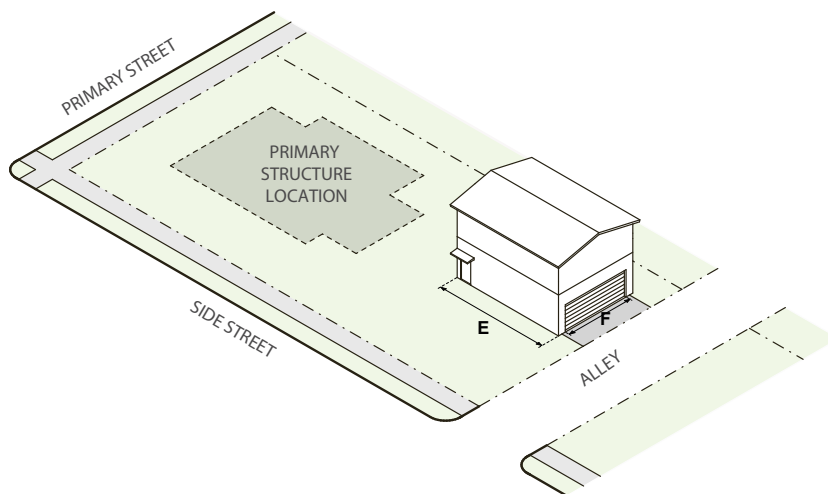
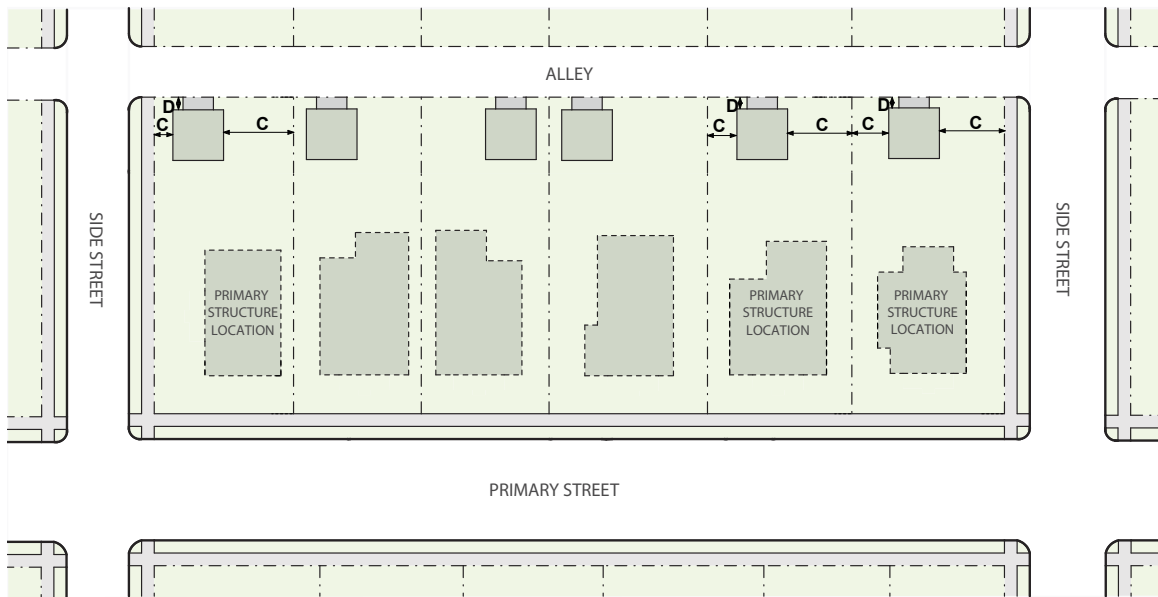
All detached structures accessory to primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials used on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

##### **B. 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.

### C. Detached Accessory Dwelling Unit

Not to Scale. Illustrative Only.

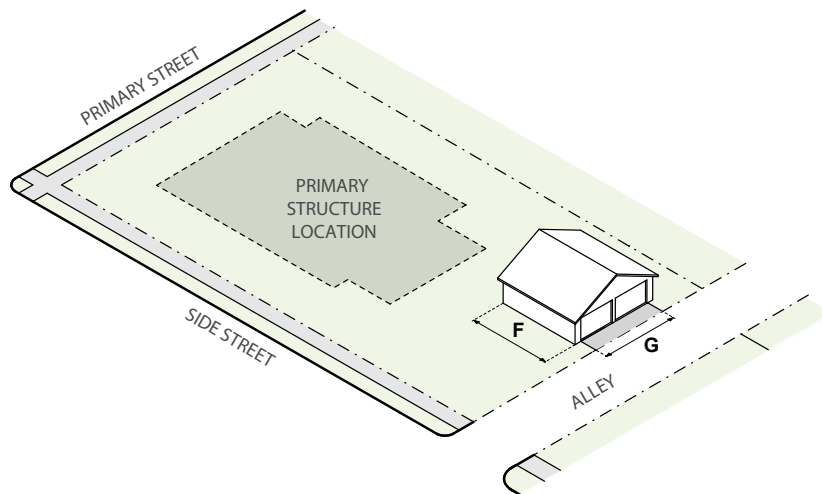
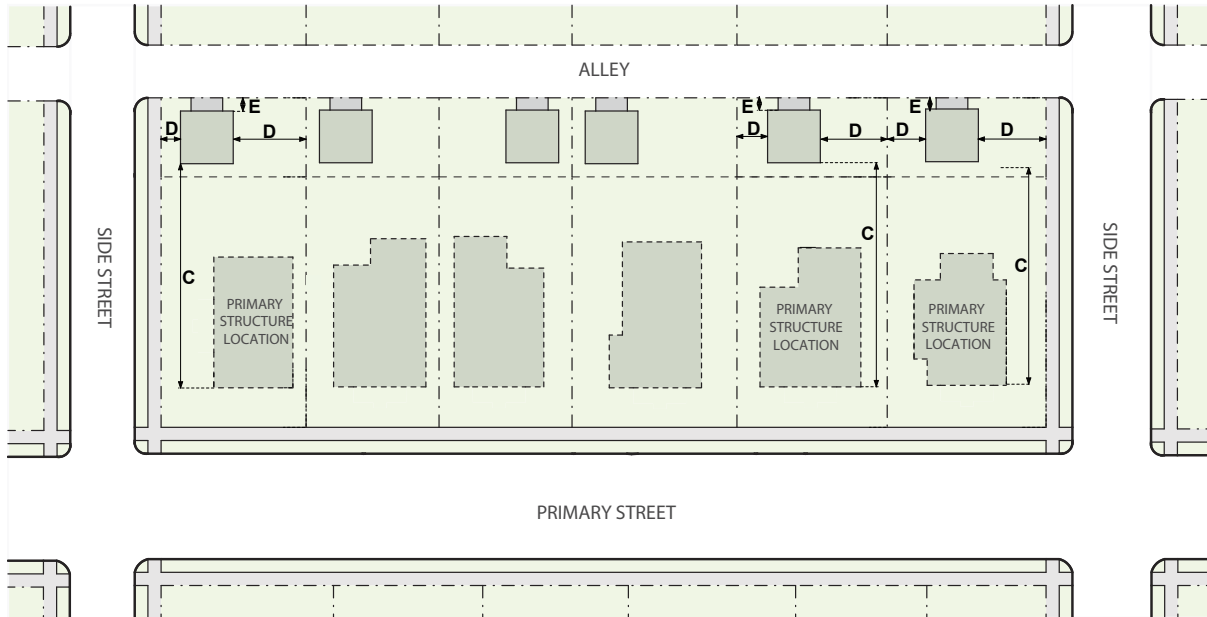


## DETACHED ACCESSORY DWELLING UNIT

	M-RH-3 M-RX-5 M-RX-5A M-GMX
<b>HEIGHT</b>	
A Stories (max)	2
A Feet (max)	35'
B Side Wall Height (max)	25'
	M-RH-3 M-RX-5 M-RX-5A M-GMX
<b>SITING</b>	
<b>USE RESTRICTION</b>	Accessory Uses Only, including accessory dwelling units and home occupations. See Section 9.7.5 for permitted Accessory Uses
<b>ZONE LOT</b>	
Zone Lot Size for ADU (min)	3,000 ft <sup>2</sup>
Building Coverage Credit (Lesser of)	50%/500 ft <sup>2</sup>
	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 ft <sup>2</sup> . To qualify, the ADU form shall be separated by at least 15' from the primary dwelling on the zone lot and at least 80% of the ground floor 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	<a href="#">See Section 9.7.4</a>
<b>USE</b>	
Allowed Number of Dwelling Units (min/max)	0/1
<b>SETBACKS</b>	
C Side Interior and Side Street (min)	5'
	Accessory Dwelling Unit forms exceeding one story or 17' shall be located adjoining the southern most side setback line
D Rear (min)	0'
<b>PARKING</b>	
Parking Access (see Sec. 5.3.4 for exemptions)	From alley; or Street access allowed when no alley present
	M-RH-3 M-RX-5 M-RX-5A M-GMX
<b>DESIGN ELEMENTS</b>	
<b>CONFIGURATION</b>	
Building Footprint (max)	1,000 ft <sup>2</sup>
E Horizontal Dimension (max)	36'

### D. Detached Garage\*

Not to Scale. Illustrative Only.



# DETACHED GARAGE

	M-RH-3 M-RX-5 M-RX-5A M-GMX
<b>HEIGHT</b>	
A Stories (max)	1.5
A Feet, pitched roof (max)	20'
A Feet, flat roof (max)	12'
B Side Wall Height (max)	10'

	M-RH-3 M-RX-5 M-RX-5A M-GMX
<b>SITING</b>	
<b>USE RESTRICTION</b>	Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 9.7.5 for permitted Accessory Uses
<b>ZONE LOT</b>	
Building Coverage Credit (lesser of)	50% / 500 ft <sup>2</sup>
	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 ft <sup>2</sup> . To qualify, the detached garage form shall be separated by at least 15' from the primary dwelling on the zone lot and at least 80% of the ground floor GFA of the building form shall be used for vehicle parking.
Allowed Number of Dwelling Units (min/max)	0/0
Additional Standards	<a href="#">See Section 9.7.4</a>
<b>SETBACKS</b>	
C Front Setback (min), from primary structure front façade	10'
D Side Interior <del>and Side Street</del> (min), for struct. entirely in rear setback area*	0'
D Side Interior <del>and Side Street</del> (min), for struct. not entirely in rear setback area	5'
Side Street (min)	5'
E Rear (min)	0'

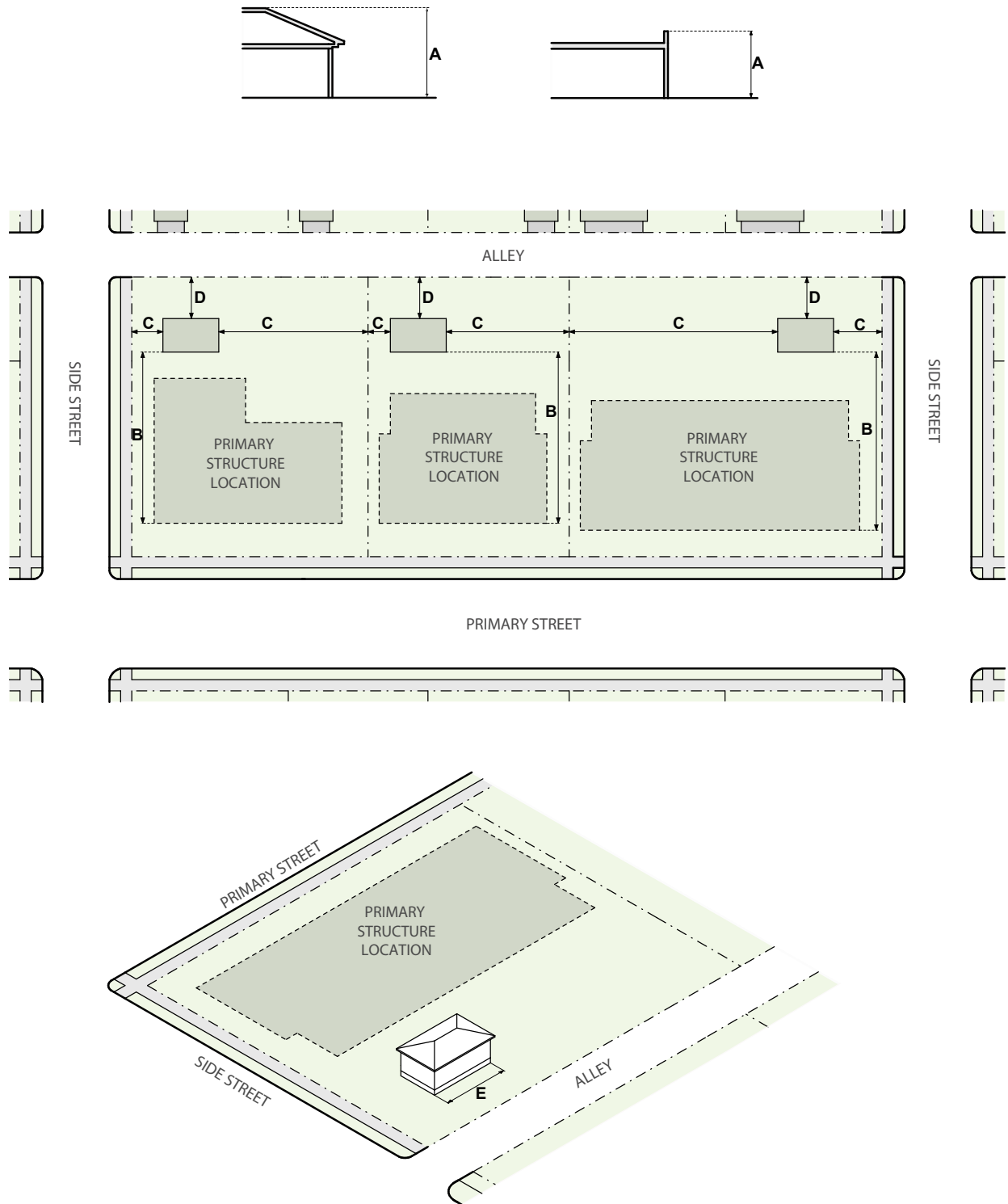
	M-RH-3 M-RX-5 M-RX-5A M-GMX
<b>DESIGN ELEMENTS</b>	
<b>BUILDING CONFIGURATION</b>	
Building Footprint (max)	864 ft <sup>2</sup> per unit**
F Horizontal Dimension (max)	no max
Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	no max
G Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	no max

\*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 ft<sup>2</sup>

### E. Detached Accessory Structures

Not to Scale. Illustrative Only.





**DETACHED ACCESSORY STRUCTURES**

<b>HEIGHT</b>	M-RH-3 M-RX-5, <b>M-RX-5A</b> <b>M-CC-5</b> M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 <b>M-GMX</b>
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<b>A</b>	Stories (max)	1
<b>A</b>	Feet, pitched or flat roof (max)	17'

<b>SITING</b>	M-RH-3 M-RX-5, <b>M-RX-5A</b> <b>M-CC-5</b> M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 <b>M-GMX</b>
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<b>ZONE LOT</b>	
Permitted Uses	Accessory Uses Only
Allowed Number of Dwelling Units (min/max)	0/0

<b>SETBACKS</b>		
<b>B</b>	Front Setback (min), from primary structure front façade	10'
<b>C</b>	Side Interior and Side Street (min)	5'
<b>D</b>	Rear (min)	5'
	Rear, when garage doors face alley	5'

<b>DESIGN ELEMENTS</b>	M-RH-3 M-RX-5, <b>M-RX-5A</b> <b>M-CC-5</b> M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 <b>M-GMX</b>
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<b>BUILDING CONFIGURATION</b>		
Building Footprint (max)	1,000 ft <sup>2</sup>	
<b>E</b>	Horizontal Dimension (max)	36'
	Gross Floor Area (max)	Shall not Exceed 10% of the Zone Lot Area

## **SECTION 9.7.5 SUPPLEMENTAL DESIGN STANDARDS GENERAL**

### **9.7.5.1 Site Development Plan Review Standards and Criteria**

Site development plan review shall be based on the following standards and criteria:

#### **A. General Design Criteria**

1. Continue Denver's physical character, including mixed use development, access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
2. Provide an adaptable and interconnected transportation system that encourages multiple modes of transportation, disperses traffic, and provides streets that accommodate multiple transportation modes including motor vehicles, transit, bicycles and pedestrians.
3. Use man-made and natural features, such as open spaces, drainage corridors, parkways, streets and alleys, as development edges, transitions and interconnections.
4. Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
5. Create spatial definition of the streets with buildings and landscaping to promote pedestrian activity.
6. Design early phases of development so as to promote long-term quality and character.
7. Encourage housing in a range of densities, sizes, and types.
8. Be consistent with an approved GDP, if applicable.

#### **B. Site Design Criteria**

1. Locate, screen, and buffer service, storage, delivery and refuse areas to minimize the view from streets, adjacent zone lots, and open spaces.
2. Minimize the visual impacts of parking areas, parking structures, and residential garages on streets, open spaces, and adjoining development.
3. Improve the efficiency of parking areas by allowing multiple uses to share parking spaces, curb cuts, and circulation drives.
4. Provide safe and attractive pedestrian and bicycle connections to building entries and public sidewalks within parking lots and transit facilities.
5. Site and design the use or utilize other technology to reduce potential adverse impacts between otherwise potentially incompatible uses.
6. Incorporate required water quality and stormwater management features into the overall site design.

#### **C. Building Design Criteria**

1. Create buildings that provide human scale and interest through use of varied forms, materials, details, and colors.
2. Provide architecturally finished and detailed elevations for all exposures of the building with the primary facade, typically the street-facing elevation, having appropriate architectural expression.
3. Provide a primary building entrance facing or clearly visible from the public sidewalk.
4. Use durable materials that complement Denver's tradition as a city of brick and masonry

### 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.
- 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 Courtyard

- A. The courtyard portion of the Courtyard Apartment building form is intended primarily for pedestrian use and shall include all of the following physical characteristics:
  - 1. No more than one-half story above or below grade at the zone lot line adjoining the primary street; may be on the structure;
  - 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 connected building facades.
- B. The courtyard portion of the Courtyard Apartment building form may be used for any of the following:
  - 1. Single or multiple entries to uses within the building;
  - 2. Public or private landscaped area;
  - 3. Outdoor seating area; or
  - 4. Motor Court, which is intended primarily for pedestrian activity but may include shared space for limited vehicular circulation for loading/unloading and access to parking areas outside the courtyard area. The vehicular circulation areas must meet enhanced or upgraded paving standards, including but not limited to unit pavers, or integrally colored concrete with a module of not more than 4 feet.

### 9.7.5.4 Pedestrian Access

#### A. Entrance

Where required in Master Planned Context zone districts, an operable Entrance to a building that provides a clear, obvious connection between the Primary Street and the primary uses within the building. An entrance shall be located either on the Primary Street facing facade or located on a facade other than a Primary Street facing facade but within 15 feet of the zone lot line abutting the Primary Street. An entrance shall be one of the following three types:

- a. Door - An entrance on the same plane as the building facade.
- b. Recessed Entrance - An entrance inset behind the plane of the building facade by no more than 15 feet.
- c. Corner Entrance - An angled street-facing entrance located on the corner of a building at approximately 45 degrees to the intersecting streets.

**B. Entry Feature**

Where required in Master Planned Context zone districts, an Entry Feature shall signal the connection between the Primary Street and the primary uses within the building. An entry feature shall be located either on the Primary Street facing facade or be visible from the Primary Street. An entry feature shall be one of the following:

1. Door
2. Gates
3. Front Porch
4. Front Stoop
5. Front Terrace
6. Canopy
7. Arcade

**C. Pedestrian Connection**

Where required in Master Planned Context zone districts, a Pedestrian Connection shall provide a clear and obvious, uninterrupted and publicly accessible route connecting the Primary Street and the Entrance, or when an Entrance is not required, the primary uses within the building. The Pedestrian Connection shall consist of:

1. Fully paved and maintained surface not less than 5 feet in width
2. Unit pavers or concrete distinct from the surrounding parking and drive lane surface.
3. Located either within a raised median or between wheel stops to protect pedestrians from vehicle overhangs where parking is adjacent.
4. Crosswalks not exceeding 25 feet in length providing pedestrian connections across drive lanes within parking areas.

## **SECTION 9.7.6 DESIGN STANDARD ALTERNATIVES**

### **9.7.6.1 Required Build-To Alternative**

**A. Garden Walls**

In all Master Planned Context Zone Districts, Garden Walls may count toward 25% of the Required Build-To and 30% when covered seating for pedestrians is incorporated, provided the garden wall meets the following standards:

1. Garden Walls must be between 30" and 42" in height with the following exceptions;
  - a. Decorative and/or structural piers may exceed the allowable height range Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division
  - b. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84"
2. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.

3. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.
4. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Section 10.5.4.3.

**B. Pergola**

In all Master Planned Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage when meeting the following standards:

1. Pergola structure shall be no less than 24" deep perpendicular to the property line
2. Pergola structure shall maintain at least 8' between structure and grade over any public Rights-of-Way or pedestrian walkways
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6 inch vertical dimension
4. Pergola structure must be supported by vertical columns, posts or piers not less than 15 feet on center
5. Pergola structures and plant materials must maintain 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" and 84" above grade
6. Garden walls, seating and/or landscaping may be incorporated between the vertical supports

**C. Arcades**

In all Master Planned Context Zone Districts, Arcades may count toward 100% of the Required Build-to when all of the following conditions are met:

1. They extend no more than two stories in height,
2. The exterior face of the arcade column line is within the build-to zone,
3. The arcade column line generally continues the wall plane of the building above,
4. The average depth of the arcade is no less than 6 feet clear as measured from the interior face of the columns,
5. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the columns
6. The interior wall of the arcade must meet the required Ground Story Activation Standards or Alternatives.

**9.7.6.2 Ground Story Activation**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard. If used in combination, the alternatives may count toward no more than 80% of the transparency requirement. In the M-MX and M-IMX zone districts, the Wall Design alternative may count toward 100% of the Side Street transparency requirement, provided the wall design elements are applied to the entirety (100%) of the length and height of the ground story wall .

**1. Windows Outside the Zone of Transparency**

Windows at the ground story but located outside the zone of transparency may count toward 40% of the transparency requirement, provided the windows comply with Article 13, Section 13.1.3.2.A.3.

**2. Display Cases and Automated Teller/Ticket Machines**

The wall area of the following features, when located within the required zone of transparency, may count toward a maximum of 40% of the total transparency requirement:

- a. Recessed or wall mounted display cases at least 4 feet in height
- b. Walk-up automated teller machines.

**3. Wall Design**

Wall designs that provide visual interest and pedestrian scale may count toward 50% of Primary Street and 50% of Side Street transparency requirements if they provide a minimum of three (3) of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations in material module, pattern and/or color
- e. System of integrated architectural ornamentation
- f. Green screen or planter walls
- g. Translucent, fritted, patterned or colored glazing

**4. Outdoor Eating/Serving Areas**

Accessory outdoor eating/serving areas located between the building and the Primary Street zone lot line may count toward 60% of the transparency requirement. Outdoor Dining/Seating located between the building and Side Street zone lot line may count toward 80% of the transparency requirement.

**5. Permanent Art**

Non-Commercial art or graphic design of sufficient scale and orientation to be perceived from the public right of way and rendered in materials or media appropriate to an exterior, urban environment and permanently integrated into the building wall may count toward no more than 40% of the transparency requirement.

## **SECTION 9.7.7 DESIGN STANDARD EXCEPTIONS**

### **9.7.7.1 Height Exceptions**

- A. No occupied part of any building shall be constructed above the permitted height; however, unoccupied building features such as spires, towers, flagpoles, antennas, chimneys, flues and vents, cooling towers, enclosures for tanks and elevator penthouses serving the roof including any vertical or sloped screen walls may extend a maximum of 28 feet above the permitted height of the building.
- B. Unoccupied building features, excluding spires, towers, flagpoles and chimneys, shall be set back from the perimeter of the building a minimum of one foot horizontally for every one foot of vertical height.
- C. Elevator penthouses not serving the roof and other enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment shall not exceed a height of 12 feet above the permitted height of the building. The aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- D. Flush-mounted solar panels, as defined in Article 13, may exceed the maximum permitted height of a building.

**9.7.7.2 Bulk Plane and Upper Story Setback Exceptions**

In all zone districts the following exceptions to any applicable bulk plane or upper story setback are permitted: eaves, spires, unoccupied towers, flagpoles, antennas, chimneys, flues, vents, flush mounted solar panels, evaporative coolers, or accessory water tanks.

**9.7.7.3 Required Build-To Exceptions**

Civic Uses are not required to meet the Primary Street and Side Street Build-To standard.

**9.7.7.4 Building Coverage Exception**

- A. Area on a zone lot occupied by a front porch accessory to a suburban house, urban house, town house, or row house building form may be excluded from the calculation of building coverage, up to a maximum of 400 square feet.
- B. 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, as specifically allowed in the applicable zone district. The exclusion shall be for an area up to one-half the area of the zone lot occupied by the building form, up to a maximum of 500 square feet. To qualify for this exclusion, the detached building form shall be separated by at least 15 feet from the primary residential building on the zone lot, measured as the distance between the two closest exterior building walls. Zone lots containing both a Detached Accessory Dwelling Unit and a Detached Garage building forms may exclude the coverage of both detached accessory buildings from the calculation of maximum building coverage, subject to the limits in this subsection, provided the Detached Accessory Dwelling Unit form does not include floor area for vehicle parking.

**9.7.7.5 Setback Permitted Encroachments**

Permitted encroachments into required setback areas include:

	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt courses, sills, lintel and pilasters	All districts	18"	18"	18"	18"
Brick and Stone veneers above finished grade	All districts	6"	6"	6"	6"
Cornices, eaves, gutters	All districts	3'	3'	3'; if setback is less than 5': 2'	5'
Chimneys and fireplace insert vents, not exceeding 6' in width	All districts	18"	18"	18"	18"
Outside stairways	All districts	5'	3'	3'	10'
Porches: unwallled porches, terraces, decks, patios, porches (including 2-story) and exterior balconies	All districts	8'	0	0	5'
Above-grade stairways associated with front porches	All districts	any distance, provided, minimum 1' between right-of-way and bottom step	0	0	0
Access ramps for the handi-capped, provided no alternative location is available and provided the ramp construction is compatible with the character of the structure, as determined by the Zoning Administrator	All districts	any distance	any distance	any distance	any distance

	ZONE DISTRICTS	PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS (MAX)			
		PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Building elements, such as awnings, designed and intended to control light entering a building and being a permanent part of such building	All districts	5'	3'	3'	10'
Building elements, such as awnings, designed and intended to control light entering a building but not a permanent part of such building	All districts	any distance	any distance	any distance	any distance
Canopies	All districts	any distance	0	0	0
Enclosed structure or part of an enclosed structure that is below the grade of any setback space, except as otherwise restricted by this Code	All districts	any distance	any distance	any distance	any distance
Window well and/or emergency basement egress areas	All districts	Any distance for any width, provided the provisions of Division 10.5 (Site Grading Standards) and Section 10.4.5.2 (Retaining Walls General Requirements) are met	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 4' in length as measured parallel to the side interior/side street zone lot line	Any distance for any width, provided the provisions of Division 10.5 (Site Grading Standards) and Section 10.4.5.2 (Retaining Walls General Requirements) are met	
Gas and electric meters	All districts	18"	18"	18"	18"
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment, not exceeding 3' in height	All districts	any distance	any distance	any distance	any distance
Basketball goals on a fixed post	All districts	any distance	any distance	any distance	any distance
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 districts	0	3'	3'	0
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, subject to review according to Section 12.4.2, Zoning Permit Review with Informational Notice	All districts	none	subject to Zoning Permit Review with Informational Notice	subject to Zoning Permit Review with Informational Notice	subject to Zoning Permit Review with Informational Notice
Flush mounted solar panels	All districts	any distance	any distance	any distance	any distance
<a href="#">Surface Parking for the Town House building form</a>	<a href="#">All M-RX-5A and M-GMX Districts</a>	<a href="#">Not allowed</a>	<a href="#">Not allowed</a>	<a href="#">Not allowed</a>	<a href="#">Not allowed</a>



### 9.7.7.6 Vehicle Access

#### A. Applicability

1. This section's alley access requirements shall apply only to suburban house, duplex house, tandem house, town house, or row house building forms.
2. For all other building form development allowed in a Suburban (S-) context zone district, vehicle access shall be determined as part of site development plan review.

#### B. Vehicle Access From Alley Required - Exceptions

Where applicable, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley if the zone lot is bounded by an alley, unless:

1. The alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The alley is less than 12 feet in width;
3. At least 60 percent of the existing dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street; or
4. The Department of Public Works prohibits the use of the alley for vehicular access to the zone lot based upon a determination that the alley cannot safely or operationally accommodate additional vehicular traffic.

## 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

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

## SECTION 9.7.9 USES AND REQUIRED MINIMUM PARKING

### 9.7.9.1 Overview - Summary Use and Parking Table

The Summary Use and Parking Table below sets forth the general land use classifications, land use categories, and specific types of primary, accessory and temporary land uses allowed within the Suburban Neighborhood Context zone districts. In addition, required off-street parking and off-street bicycle amounts are stated for each specific primary use type allowed within each zone district. See Article 10, Division 10.4, Parking and Loading, for additional vehicle and bicycle parking requirements and standards.

### 9.7.9.2 Organization - Summary Use and Parking Table

#### A. Organized by Primary, Accessory and Temporary Uses

The Summary Use and Parking Table first presents all primary uses, then all accessory uses, and finally all temporary uses. Primary uses are arranged hierarchically within the table by use classification, category of primary uses, and then by specific use type. Accessory uses are organized by whether such use is accessory to a primary residential use or to a primary nonresidential use. Temporary uses are presented alphabetically ordered in the last division of the table.

#### B. Primary Use Classifications, Categories & Specific Use Types

##### 1. Primary Use Classifications

All primary land uses in the Summary Use and Parking Table are organized into one of the following five general land use classifications:

- a. Residential Uses
- b. Civic, Public & Institutional Uses
- c. Commercial Sales, Service & Repair Uses
- d. Industrial, Manufacturing & Wholesale Uses
- e. Agriculture

##### 2. Primary Use Categories & Specific Use Types

Primary uses are further organized into use categories and specific use types listed under each general primary land use classification. The Summary Use and Parking Table is organized into the above five general land use classifications, use categories and specific use types.

##### 3. Classifications & Categories Are Mutually Exclusive

The general land use classifications and use categories listed in the Summary Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as "lodging accommodations," cannot be classified in a different use category, such as "group living," unless otherwise expressly allowed by this Code.

### 9.7.9.3 Explanation of Table Abbreviations

#### A. General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations or standards apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry "L-ZPIN" means, first, the use is subject to use standards and limitations (the "L"), and, second, that the use is subject to zoning permit review with information notice (the "ZPIN") prior to its establishment.

#### B. Permitted Use - No Use Limitations Apply ("P")

A "P" in a table cell indicates that the use is permitted in the respective zone district, and is not subject to use limitations or standards.

**C. Permitted Use - Subject to Use Limitations and Standards (“L”)**

“L” in a table cell indicates the use is permitted in the zone district subject to compliance with the use limitations and standards referenced in the last column of the use table (“Applicable Use Limitations”).

**D. Use Subject to Zoning Permit Review (“ZP”)**

“ZP” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

**E. Use Subject to Zoning Permit Review with Informational Notice (“ZPIN”)**

“ZPIN” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

**F. Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)**

“ZPSE” in a table cell indicates that use is generally appropriate in the neighborhood context and zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.

**G. Uses Not Permitted (“NP”)**

“NP” in a table cell indicates that the use is not permitted in the specific zone district.

**H. Applicable Use Limitations**

The last column of the table, entitled “Applicable Use Limitations,” contains one or more cross-references to use limitations and standards applicable to the specific use, as indicated by a “L” cell entry in the Summary Use and Parking Table. Applicable limitations and standards specific to the use are found in Article 11 of this Code.

**I. Unlisted Uses**

Uses not listed in the Use Table are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to the procedures and criteria in Section 12.4.6, Code Interpretation & Determination of Unlisted Uses.

**9.7.9.4 Compliance with Other Code Provisions Required**

The establishment of all uses is subject to compliance with all applicable design and development standards stated in this Code, including but not limited to the zone district building form and design standards found in this Article 9, and the standards stated in Article 10, General Design Standards.

**9.7.9.5 Applicable Procedures Prior to Establishment of Use**

- A. A Zoning Permit is required prior to establishment of any use permitted by this Code. See Article 12, Zoning Procedures & Enforcement, and Sections 12.4.1, Zoning Permit Review and 12.4.2, Zoning Permit Review with Informational Notice.
- B. The development or establishment of a permitted use may also require Site Development Plan Review prior to issuance of a Zoning Permit. Please refer to Section 12.4.3, Site Development Plan Review, to determine whether site plan review is applicable to a particular use or development. Site Plan Review may occur prior to, or concurrent with, any other applicable review procedure, such as Special Exception Review or Zoning Permit Review.

### 9.7.9.6 Allowed Uses by District and Minimum Parking Requirements

KEY: 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  
\* = Need Not be Enclosed

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 AND STANDARDS
		M-RH-3	M-RX-5 <u>M-RX-5A</u>	<u>M-CC-5</u>	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 <u>M-GMX</u>	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>							
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Dwelling, Two Unit • Vehicle: 1/unit	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Dwelling, Mixed Use • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	NP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.2.3
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	P-ZPIN	P-ZP	<u>P-ZP</u>	P-ZP	NP	
	Community Correctional Facility • Vehicle: .0.125/unit • Bicycle: No requirement	NP	NP	<u>NP</u>	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	P-ZP	<u>P-ZP</u>	P-ZP	NP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: .0.125/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	L-ZPIN	§ 11.2.4
	Shelter for the Homeless • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	L-ZPIN	§ 11.2.5
	Student Housing • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	NP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
<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	<u>L-ZPSE</u>	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.3.2

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 \*= Need Not be Enclosed

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-IMX-5 M-IMX-8 M-IMX-12 M-GMX	APPLICABLE USE LIMITATIONS AND STANDARDS
		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5			
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	<u>L-ZP</u>	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	<u>P-ZP</u>	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	<u>P-ZP</u>	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	<u>P-ZP</u>	P-ZP	P-ZP		
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
	Hospital	NP	NP	<u>NP</u>	NP	NP		
	Correctional Institution	NP	NP	<u>NP</u>	NP	NP		
Cultural/Special Purpose/Public Parks & Open Space	Cemetery	NP	NP	<u>NP</u>	NP	NP		
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
	City Park • No Parking Requirements	NP	NP	<u>NP</u>	NP	NP		
	Open Space - Recreation • Vehicle: .375/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
	Open Space - Conservation • No Parking Requirements	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
Education	Elementary or Secondary School • Vehicle- Elementary: 1/1,000 s.f. GFA • Bicycle-Elementary: 1/ 10,000 s.f. GFA (0/100) • Vehicle- Secondary: 1/1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP		
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.3.6	
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	<u>P-ZP</u>	P-ZP	P-ZP	§ 11.3.8	

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 \*= Need Not be Enclosed

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)	COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION					APPLICABLE USE LIMITATIONS AND STANDARDS
		M-RH-3	M-RX-5 <u>M-RX-5A</u>	<u>M-CC-5</u>	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 <u>M-GMX</u>	
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>							
Adult Business	All Types	NP	NP	<u>NP</u>	NP	NP	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	<u>P-ZP</u>	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)	SE	SE	<u>SE</u>	SE	L-ZP	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP	NP	<u>NP</u>	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	<u>P-ZP</u>	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	P-ZP	§ 11.4.5
Eating & Drinking Establishments	All Types • Vehicle - MS only: 2.0 / 1,000 sf. GFA • Vehicle: 3.75/ 1,000 s.f. GFA • Bicycle: 1/3,000 s.f. GFA (0/100)	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.4.6
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/4 guest room or unit (80/20)	NP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/4 guest room or unit (80/20)	NP	P-ZP	<u>P-ZP</u>	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	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.4.7
	Office, All Others • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	<u>P-ZP</u>	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 AND STANDARDS
		M-RH-3	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	§ 11.4.9
	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	§ 11.4.10
	Food Sales or Market • 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	
	Liquor Store, Including Drugstores Licensed to Sell Liquor • 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	§ 11.4.12
	Pawn Shop • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	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	§ 11.4.14
	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	L-ZP	§11.4.15
	Automobile Services, Light • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.16; § 11.4.17
	Automobile Services, Heavy Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	NP	NP	L-ZP	§ 11.4.16; § 11.4.18
	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	§ 11.4.19
	Heavy Vehicle/ Equipment Sales, Rentals. & Service* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP	§11.4.20

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		M-RH-3	M-RX-5 <u>M-RX-5A</u>	<u>M-CC-5</u>	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 <u>M-GMX</u>	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>							
Communications and Information	Communication Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZPSE	<u>L-ZPSE</u>	L-ZPSE	P-ZP	§ 11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZPSE	L-ZPSE	<u>L-ZPSE</u>	L-ZPSE	L-ZPSE	§ 11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	L-ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	L-ZPIN	§ 11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.1.4.3.A
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	<u>NP</u>	NP	L-ZP	§ 9.7.10.2.A
	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	<u>P-ZP</u>	P-ZP	P-ZP	
	Service/Repair, Commercial • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.5.5
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	P-ZPIN	<u>P-ZP</u>	P-ZPIN	P-ZP	
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	<u>NP</u>	NP	P-ZP	§ 11.5.6; § 11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	<u>NP</u>	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	<u>NP</u>	NP	L-ZP	§ 9.7.10.2.B
	Sand or Gravel Quarry*	NP	NP	<u>NP</u>	NP	L-ZP	§ 9.7.10.2.B
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.5.8



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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5		
Transportation Facilities	Airport*	NP	NP	<u>NP</u>	NP	NP	
	Helipad, Helistop, Heliport* No Parking Requirements	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	L-ZP	§ 11.5.9
	Railroad Facilities*	NP	NP	<u>NP</u>	NP	P-ZP	
	Railway Right-of-Way* No Parking Requirements	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	L-ZP	§ 11.5.10
	Terminal, Freight, Air Courier Services	NP	NP	<u>NP</u>	NP	L-ZP	§ 9.7.10.2.C
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	<u>NP</u>	NP	NP	
	Junkyard*	NP	NP	<u>NP</u>	NP	NP	
	Recycling Center	NP	NP	<u>NP</u>	NP	L-ZPIN	§ 9.7.10.2.D
	Recycling Collection Station	NP	NP	<u>NP</u>	NP	P-ZP	
	Recycling Plant, Scrap Processor	NP	NP	<u>NP</u>	NP	NP	
	Solid Waste Facility	NP	NP	<u>NP</u>	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	<u>NP</u>	NP	NP	
	Mini-storage Facility Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	<u>L-ZP</u>	L-ZP	P-ZP	§ 11.5.11
	Vehicle Storage, Commercial* Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	<u>NP</u>	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Wholesale Trade or Storage, General Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	<u>NP</u>	NP	P-ZP	
	Wholesale Trade or Storage, Light Vehicle: .5 / 1,000 s.f. GFA Bicycle: No requirement	NP	L-ZPSE	<u>L-ZP/ L-ZPSE</u>	<u>L-ZP/ L-ZPSE</u>	P-ZP	§ 11.5.13
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>							
Agriculture	Agriculture, Limited*	NP	NP	<u>NP</u>	NP	NP	
	Aquaculture*	NP	NP	<u>NP</u>	NP	P-ZP	
	Garden, Urban* Vehicle: .5 / 1,000 s.f. GFA Bicycle: No requirement	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.6.1
	Greenhouse Vehicle: .5 / 1,000 s.f. GFA Bicycle: No requirement	NP	NP	<u>P-ZP</u>	P-ZP	P-ZP	
	Husbandry*	NP	NP	<u>NP</u>	NP	NP	
	Nursery, Plant*	NP	NP	<u>NP</u>	NP	P-ZP	

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		M-RH-3	M-RX-5 <u>M-RX-5A</u>	<u>M-CC-5</u>	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 <u>M-GMX</u>	
<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)	Accessory Dwelling Unit Accessory to Single-Unit Dwelling Use	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.7; § 11.8.2
	Domestic Employee	L	L	<u>L</u>	L	L	§ 11.7; § 11.8.3
	Garden	L	L	<u>L</u>	L	L	§ 11.7; § 11.8.4
	Greenhouse	NP	NP	<u>P</u>	P	P	
	Keeping of Household Animals	L	L	<u>L</u>	L	L	§ 11.7; § 11.8.6
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles	L	L	<u>L</u>	L	L	§ 11.7; § 10.9
	Kennel or Exercise Run	L	L	<u>L</u>	L	L	§ 11.7; § 11.8.7
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.7; § 11.8.8
	Off-Street Parking of Vehicles in Garages on Zone Lots by Non-Residents of Zone Lot	NP	NP	<u>L</u>	L	NP	§11.7; §10.9
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	NP	§ 11.7; § 11.8.9
	Vehicle Storage, Repair and Maintenance	L	L	<u>L</u>	L	NP	§ 11.7; § 10.9
	Yard or Garage Sales	L	L	<u>L</u>	L	L	§ 11.7; § 11.8.10
Unlisted Accessory Uses	L - Applicable in all Zone Districts					§11.7; §11.8.1	
<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)	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses	NP	NP	<u>L</u>	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	<u>L</u>	L	L	§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.7; § 11.10.5
	College Accessory to a Place for Religious Assembly	NP	L	<u>L</u>	L	L	§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	<u>L</u>	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	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.7; § 11.10.8

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		M-RH-3	M-RX-5 <u>M-RX-5A</u>	<u>M-CC-5</u>	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 <u>M-GMX</u>	
Accessory to Primary Nonresidential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Garden	L	L	<u>L</u>	L	L	§ 11.7; § 11.10.9
	Greenhouse	L	L	<u>L</u>	L	L	§ 11.7
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	<u>L</u>	L	L	§ 11.7; § 11.10.10
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	L-ZPIN/ ZPSE	<u>L-ZPIN/ ZPSE</u>	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.7; § 11.10.11
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	L-ZPIN/ ZPSE	<u>L-ZPIN/ ZPSE</u>	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.7; § 11.10.12
	Outdoor Retail Sale and Display*	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.7; § 10.8
	Outdoor Storage*	NP	NP	<u>NP</u>	NP	L-ZP	§ 11.7; § 10.8
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	L	<u>L</u>	L	L	§ 11.7; § 11.10.13
	Unlisted Accessory Uses	L - Applicable in all Zone Districts					§ 11.7; § 11.10.1

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		M-RH-3	M-RX-5 <u>M-RX-5A</u>	<u>M-CC-5</u>	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 <u>M-GMX</u>	
<b>HOME OCCUPATION CLASSIFICATION</b>							
Home Occupations	Child Care Home, Large (7-12)	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	L-ZPIN	§ 11.9
(Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Home Occupations, All Types	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§ 11.9
<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)	Ambulance Service - Temporary	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	<u>NP</u>	NP	L-ZP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.7
	Health Care Center	L-ZP	L-ZP	<u>P-ZP</u>	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	<u>NP</u>	NP	L-ZP	§11.11.10
	Outdoor Retail Sales*	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	NP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	L-ZP	§11.11.16
	Tent for Religious Services	NP	NP	<u>NP</u>	NP	L-ZP	§11.11.17
Unlisted Temporary Uses	L - Applicable in all Zone Districts					§11.11.1	

## SECTION 9.7.10 APPLICABLE USE LIMITATIONS AND STANDARDS

### 9.7.10.1 Commercial Sales, Services, and Repair Uses

#### 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 standards:

- 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 13.1.6.
- 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

**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

#### 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

**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**

**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**

**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 Required**

The recycling center, facility shall be completely enclosed by a solid wall or fence meeting the minimum requirements of Section 10.5.7.3.