



TO: Members of the **Denver City Council**
FROM: Tina Axelrad, Principal City Planner
DATE: June 10, 2011
RE: Denver Zoning Code Text Amendment #6: Food Producing Animals

Staff Report and Recommendation

Pursuant to Section 12.4.11 (Text Amendment) of the Denver Zoning Code, the Denver City Council will review and take final action on Text Amendment 6 to the Denver Zoning Code after a public hearing on June 13, 2011.

Based on the criteria for review stated for text amendments in Section 12.4.11.9 of the Denver Zoning Code, CPD staff recommends that City Council approve this Amendment 6 to the Denver Zoning Code, which addresses the procedure and minimum zoning standards for keeping Food Producing Animals (chickens, ducks, and goats).

I. Summary and Purpose

City Council President Chris Nevitt is sponsoring a text amendment to the Denver Zoning Code ("DZC") and to Chapter 8 (Animals) of the Denver Revised Municipal Code to revise the city's provisions for the keeping of food producing animals ("FPAs"). Councilmember Nevitt worked cooperatively with staff from CPD, DEH, and the City Attorney's Office to draft the legislation. This staff report will address only the proposed changes to the Denver Zoning Code. Please see the full City Council packet for a summary from the Department of Environmental Health ("DEH") about the proposed changes to Chapter 8 of the DRMC.

Keeping FPAs, such as chickens, ducks, and goats, is currently allowed under the Denver Zoning Code through an administrative "zoning permit review with informational notice (ZPIN)" process, found in the DZC, Section 12.4.2. Through the ZPIN process, and subject to additional provisions in DZC, Section 11.8.6.1 (Animal Keeping Exceptions), an applicant must:

1. Notify in writing relevant Registered Neighborhood Organizations and the appropriate City Council member(s);
2. Post a sign on the property stating that an application for keeping FPAs has been submitted, and inviting the public to send comments to the Zoning Administrator;
3. Inform adjacent neighbors about the application and solicit their support (however, the regulations do not require actual support from those neighbors); and
4. Show that all applicable approvals and permits from DEH's animal control division have been granted.

This text amendment proposes a change that would **allow up to a maximum number and type of FPAs without the notification and zoning permit process** described above. Under this allowance, an owner must comply with a set of newly proposed limitations to ensure compatibility with existing land uses and minimize adverse impacts on neighboring properties. This change in zoning process and approach would make the zoning treatment of FPAs similar to the keeping of domestic honey bees under the DZC.

The overarching intent of the proposed Denver Zoning Code amendments is to promote the keeping of food producing animals and its concurrent food access and food security benefits where most appropriate, while assuring compatibility with existing land uses and minimization of any adverse impacts on neighboring properties or neighborhood character.

A summary of specific zoning changes is provided in the following table. A copy of the proposed, redlined text amendment is attached to this staff report for your review.

Summary of Denver Zoning Code Text Amendments Proposed changes are shown in Green	
Allowed As Accessory to Residential and Nonresidential Uses	<p>Limited keeping of FPAs as accessory to both Primary Residential and Nonresidential Uses, subject to the following limits:</p> <ol style="list-style-type: none"> 1. Maximum of 8 chickens/ducks (no roosters or drakes) per zone lot. 2. Maximum 2 dwarf goats and any number of their offspring younger than 6 months, per zone lot. No intact male dwarf goat older than 6 weeks may be kept on the zone lot. <p>Male animals are prohibited primarily to minimize noise and odor impacts. "Dwarf goats" will be defined in the Animal Code to allow only Nigerian Dwarf or African Pygmy species (commonly raised for their milk).</p>
Where Allowed – Zone Districts	Limited keeping of FPAs as described above is allowed in all zone districts
Zoning Review Process	<p>For the limited keeping of FPAs as described above:</p> <ol style="list-style-type: none"> 1. No zoning permit required 2. No public notification required <p>Requests to keep more than the maximum allowed number of FPAs described above (e.g., 20 chickens), or to keep FPAs different than described above (e.g., cows), will be reviewed as follows:</p> <ol style="list-style-type: none"> 1. When the requested use is accessory to a Primary Residential Use, review is according to the Zoning Permit Review with Informational Notice (ZPIN) procedure, which requires written and posted notice to the public. 2. When the requested use is accessory to a Primary Nonresidential Use, review is according to the ZPIN process in (a) all Residential Zone Districts, (b) all MX/MS-2x Zone Districts, and (b) all other nonresidential zone districts when the subject property is adjacent to a Residential Zone District. 3. In all other cases, the requested use is reviewed according to the Zoning Permit process (no notification required).
Use Limitations	<ol style="list-style-type: none"> 1. Slaughtering is prohibited as part of the Keeping of FPAs. 2. Structures housing the FPAs must be located at least 15 feet from any structure containing a dwelling unit on abutting properties, or from a dwelling unit (not occupied by the animal keeper) located on the same zone lot. 3. As accessory to a primary residential use, FPA use must be maintained within the rear 50% of the zone lot.
Zoning Enforcement	No Change. Neighborhood Inspection Services (NIS) will inspect after complaints; work with owner to correction violations; issue notice of violation orders; follow-up with more formal, court-ordered remedies as necessary.

II. Criteria for Review and CPD Analysis

The criteria for review of a proposed text amendment are found in Section 12.4.11.9 of the Denver Zoning Code. CPD analyzed the proposed text amendment for compliance with the review criteria stated below and finds that the proposed Amendment 6 satisfies each of the criteria.

A. Amendment 6 is Consistent with the City's Adopted Plans and Policies

Amendment 6 is consistent with the city's adopted plans and policies in the following ways:

- Denver Comprehensive Plan 2000: Amendment 6 is consistent with the following policy goals and objectives stated in the Denver Comprehensive Plan:
 - *Neighborhoods Objective 1: A City of Neighborhoods* – Strategy 1-E: Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles.
- Greenprint Denver: Amendment 6 is consistent with the following policy goals and objectives stated in Greenprint Denver:
 - Encourage sustainable land use practices in the City of Denver through amendments to the Denver Zoning Code, as necessary.

Both the Comprehensive Plan and Greenprint Denver establish policies that support the future of Denver as a healthy and sustainable community. Both plans encourage zoning revisions to accommodate changing community lifestyles and preferences. The growing demand by residents for more convenient access to fresh and healthy foods is an emerging shift in lifestyle preferences. Providing the choice for Denver residents to enjoy “backyard” access to fresh eggs and dairy foods, through the limited keeping of FPAs, is one way to assure access to healthy foods and a more sustainable lifestyle.

B. Amendment 6 Furthers the Public Health, Safety, and General Welfare

Amendment 6 furthers the general welfare of Denver by:

- Improving Denver residents' access to locally produced, healthy food.
- Mitigating the potential for adverse impacts on neighboring properties and overall neighborhood character through limits on the number, species, and gender of FPAs as well as limits that ensure structures housing animals are kept a reasonable distance from adjacent residential uses.

C. The Proposed Text Amendment Results in Regulations that are Uniform within Each Zone District

Amendment 6's proposed treatment of Food Producing Animals establishes standards for the keeping of FPAs and the siting of attendant shelters that result in uniform treatment of this accessory use within each zone district.

III. Public Outreach and Comments

Below is a summary of the CPD's public outreach for this amendment. It begins with meetings and outreach conducted upon creation of a detailed outline of the approach to the amendment:

January 22, 2011, Councilman Nevitt and city staff from CPD, DEH, and the City Attorney's office presented a summary of the proposed FPA ordinance changes to the Zoning and Planning Committee of INC. Staff answered questions from committee members. In addition, a detailed outline of the proposed zoning and animal code changes was distributed at the meeting and emailed to INC committee leadership to distribute to their members.

February 26, 2011, CPD, DEH, and City Attorney staff returned to the INC Zoning and Planning Committee for a more in-depth discussion of the proposed FPA ordinance changes and to answer committee member questions. Discussion and questions at the INC meeting focused primarily on the change in public notification procedures for keeping FPAs and on concerns regarding potential impacts on residential neighborhoods, including the handling of animal waste, odors, and noise, and fears about increased predator attraction.

March 7, 2011, CPD and DEH staff participated in a community forum organized by three local advocacy groups, Transition Denver/Grow Local Colorado, Slow Food Denver and CROP. CPD and DEH staff answered a variety of questions from the audience about the proposed FPA ordinance changes and possible impacts.

March 9, 2011, CPD posts a copy of the redlined changes to the text of the zoning code, together with a summary of the animal code changes and CPD staff report for Planning Board, on the CPD website.

RNO Position Statements and Other Public Comment: As of the date of this staff report, CPD has received four formal RNO Position Statements:

- 2 in opposition to the proposed FPA ordinance changes from the board of the Inter-Neighborhood Cooperation (INC), dated April 14, 2011, and Crestmoor Park Home Association, dated February 28, 2011; and
- 2 in support from La Alma/Lincoln Park RNO and Stapleton United Neighbors (SUN).

In addition, CPD has received several email letters in mixed support and opposition to the ordinance changes as the amendment proceeded through the adoption process.

All RNO Position Statements and public comments are attached to this staff report.

III. Planning Board Public Hearing & Recommendation to City Council

On February 22, 2011, CPD notified by email all Registered Neighborhood Organizations about the Planning Board hearing on March 16th. A detailed outline of the proposed zoning and animal code changes was included in the RNO notification.

On March 16, 2011, the Denver Planning Board held a public hearing on proposed Text Amendment #6. After sponsor and CPD staff presentations, a total of 22 persons testified to the Board. Of those 22 persons, 20 persons spoke in favor of the proposed amendment; 1 person spoke in opposition based on the change in the chicken/duck/goat-keeping process from a ZPIN process with public notification, to a "by-right" allowance without a zoning permit requirement;

and 1 person requested a delay in the Planning Board's recommendation action to provide more time for her RNO to consider the draft ordinance and take a formal position.

After the close of the public hearing, the Planning Board deliberated and voted 7-0 to recommend **approval** of Text Amendment #6 to the CPD Manager and to City Council.

IV. LUTI Committee Actions

On March 22, 2011, the proposed FPA amendments to both the Denver Zoning Code and the Denver Animal Code were presented to the Land Use, Transportation and Infrastructure Committee of the City Council. Staff from both CPD and DEH/Animal Control presented a summary of the amendment, and answered committee member questions. At the conclusion of the presentation, LUTI Committee members voted to hold the amendment in committee for two weeks to provide additional time for public outreach and comment.

On April 5, 2011, the LUTI Committee reconsidered the FPA amendment. At this time, Councilman Nevitt offered several amendments to the ordinance in response to RNO and public comment and concerns. Specifically, the following changes were proposed:

1. The spacing standard in the Denver Zoning Code use limitations (Article 11) was increased to 15 feet from 10 feet. This is spacing required between any structure used to house FPAs and any structure containing a dwelling unit on abutting properties.
2. The permeable surface area required per chicken, a new standard proposed in the Animal Code, was increased to 16 square feet from 10 square feet.
3. A requirement for a one-time, low-fee (approx. \$20) license for keeping of FPAs was added to the Animal Code. This license would not have to be renewed annually. A license would enable the city to provide information to applicants, ensure that the animal owner is aware of the city's requirements (both animal control and zoning), and ensure that if animals are lost from their property, that a database exists so that the city's animal enforcement officers can return them to their owners.
4. The shelter requirement in the Animal Code was revised to remove the minimum square footage requirements, and replaced with a requirement that then owner provide "adequate shelter" that protects the animals from inclement weather and from predators at night. DEH/Animal Control staff will review an owner's shelter proposal at the time of licensing to ensure its adequacy, taking into account the specific lot configuration and number/types of animals being proposed.

After additional discussion, LUTI Committee members voted to pass the FPA amendment, with the above-described revisions, out of committee for consideration and action by the full city council.

V. CPD Staff Recommendation to the City Council

Based on the criteria for review as described above, CPD Staff recommends that City Council **approve** proposed Text Amendment 6 to the Denver Zoning Code, regarding Food Producing Animals.

In addition, CPD staff supports the proposed changes to D.R.M.C., Chapter 8 (Animals), proposed by the Department of Environmental Health to complement and supplement the proposed zoning code changes. The changes to Chapter 8, and the rationale for supporting those changes, is set forth in DEH memo to the Denver Planning Board, dated March 7, 2011, and found in City Council's packets.

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)	S-SU-A S-SU-D S-SU-F S-SU-Fx S-SU-Ix S-SU-I	S-SU-A S-SU-D S-SU-F S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5	APPLICABLE USE LIMITATIONS
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION												
(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	L	Not Applicable - See Allowed Primary Uses	NP	NP	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	\$11.7; §11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	Not Applicable - See Allowed Primary Uses						\$11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$11.7; §11.10.5
	College accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See Allowed Primary Uses			L	Not Applicable - See Allowed Primary Uses			\$11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	L	L	NP	NP	L	L	\$11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales,Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.8
	Garden*	L	L	L	L	L	L	L	L	L	L	\$11.7; §11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	\$11.7; §11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	Not Applicable						\$11.7; §11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	\$11.7; §11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; §11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	\$11.7; §11.10.13
	Outdoor Retail Sale and Display*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	\$11.7; §10.8
	Outdoor Storage*	NP	NP	NP	NP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$11.7; §10.8
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	NP	L	L	L	L	L	L	\$11.7; §11.10.14	

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)	E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5	APPLICABLE USE LIMITATIONS	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION												
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										§ 11.7; § 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	Not Applicable - See Allowed Primary Uses	L	Not Applicable - See Allowed Primary Uses	NP	NP	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	Not Applicable - See Allowed Primary Uses							§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	NP	§ 11.7; § 11.10.5
	College accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See Allowed Primary Uses			L	Not Applicable - See Allowed Primary Uses			§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	L	L	L	NP	NP	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Garden*	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.10.9
	<u>Keeping of Animals</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZP/L-ZPIN</u>	<u>L/L-ZP/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZP/L-ZPIN</u>	<u>L/L-ZP/L-ZPIN</u>	<u>L/L-ZP/L-ZPIN</u>	<u>§ 11.7; § 11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	Not Applicable - See Allowed Primary Uses	Not Applicable						§ 11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.10. <u>11</u>
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.7; § 11.10. <u>12</u>
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	§ 11.7; § 11.10. <u>13</u>
	Outdoor Retail Sale and Display*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 10.8
	Outdoor Storage*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.7; § 10.8
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	L	L	L	L	L	L	L	§ 11.7; § 11.10. <u>14</u>	

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)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
--------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------	-----------------------------	---------------------	--------	--------------------	------------------	--------	------------------	----------------------------

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

<p>Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)</p>	Unlisted Accessory Uses	L - Applicable to all Zone Districts								§11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	Not Applicable - See Allowed Primary Uses	NP	NP	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	§11.7; §11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	Not Applicable - See Allowed Primary Uses	L	L	L	L	§11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	L-ZP	NP	NP	L-ZP	NP	§11.7 §11.10.5
	College Accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See Allowed Primary Uses	L	Not Applicable - See Allowed Primary Uses			§11.7 §11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	L	NP	NP	L	L	§11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.8
	Garden*	L	L	L	L	L	L	L	L	§11.7; §11.10.9
	<u>Keeping of Animals</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>§11.7; §11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	Not Applicable - See Allowed Primary Uses	Not Applicable				§11.7; §11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	§11.7; §11.10. <u>11</u>
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§11.7; §11.10. <u>12</u>
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	L-ZPIN/ZPSE	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	§11.7; §11.10. <u>13</u>
	Outdoor Retail Sale and Display*	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§11.7; §10.8
	Outdoor Storage*	NP	NP	NP	NP	NP	NP	NP	NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	L	L	L	L	L	§11.7; §11.10. <u>14</u>

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 mea- surement •Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION									
(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§ 11.7; § 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	Not Applicable - See Allowed Primary Uses			§11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services or Hotel Uses	NP	NP	NP	NP	L-ZP	L-ZP	NP	§ 11.7; § 11.10.5
	College Accessory to a Place for Religious Assembly	L	Not Applicable - See Allowed Primary Uses		L	Not Applicable - See Allowed Primary Uses			§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	L	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales,Service, and Repair Uses*	NP	NP	NP	NP	NP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Garden*	L	L	L	L	L	L	L	§ 11.7; § 11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	§ 11.7; § 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	Not Applicable - See Allowed Primary Uses	Not Applicable		§ 11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	§ 11.7; § 11.10. 11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZP/ ZPSE	L-ZP/ZPSE	L-ZP/ ZPSE	§ 11.7; § 11.10. 12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§ 11.7; § 11.10. 13
	Outdoor Retail Sale and Display*	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 10.8
	Outdoor Storage*	NP	NP	NP	NP	NP	NP	NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	NP	L	L	L	§ 11.7; § 11.10. 14

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					APPLICABLE USE LIMITATIONS
	• Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION						
Accessory to Primary Non-residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				\$11.7; 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/ University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	Not Applicable - See Allowed Primary Uses	NP	\$11.7; \$11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	Not Applicable - See Allowed Primary Uses				\$11.7; \$11.10.4
	Car Wash Bay Accessory to Automobile Services or Hotel Uses	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	Not Applicable - See Allowed Primary Uses				\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	NP	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales,Service, and Repair Uses*	NP	L-ZP	L-ZP	NP	\$11.7; \$11.10.8
	Garden*	L	L	L	L	\$11.7; \$11.10.9
	<u>Keeping of Animals</u>	<u>L/L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>\$11.7; \$ 11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable - See Allowed Primary Uses	Not Applicable			\$11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	\$11.7; \$11.10. <u>11</u>
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10. <u>12</u>
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10. <u>13</u>
	Outdoor Retail Sale and Display*	NP	L-ZP	L-ZP	NP	\$11.7; \$10.8
	Outdoor Storage*	NP	NP	NP	NP	\$11.7; \$10.8
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	\$11.10. <u>14</u>

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 Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only •Vehicle Parking Reqmt: # spaces per unit of measurement •Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-CV	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION							
<div>Accessory to Primary Nonresi- dential Uses</div> <div>(Parking is Not Required for Accessory Uses Unless Specifi- cally Stated in this Table or in an Applicable Use Limitation)</div>	Unlisted Accessory Uses	L - Applicable to all Zone Districts					\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Allowed Primary Uses				NP	
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	\$11.7
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	L	L	L	L	L	\$11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	\$11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	L-ZP	NP	\$11.7; §11.10.8
	Garden*	L	L	L	L	L	\$11.7; §11.10.9
	<u>Keeping of Animals</u>	<u>L-ZP/ ZPIN</u>	<u>L-ZP/ ZPIN</u>	<u>L-ZP/ ZPIN</u>	<u>L-ZP/ ZPIN</u>	<u>L-ZP/ ZPIN</u>	<u>\$11.7; § 11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable					
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	\$11.7; §11.10. <u>11</u>
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10. <u>12</u>
	Outdoor Entertainment Accessory to an Eating/Drinking Establish-ment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; §11.10. <u>13</u>
	Outdoor Retail Sale and Display*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §10.8
	Outdoor Storage*	NP	NP	NP	NP	NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	\$11.7; §11.10. <u>14</u>

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
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L - ZPIN - Applicable in all Zone Districts			\$11.9; \$11.9.5
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION					
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	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Allowed Primary Uses			\$11.7; \$11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	Not Applicable - See Allowed Primary Uses	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	Not Applicable - See Allowed Primary Uses			\$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; \$11.10.9
	<u>Keeping of Animals</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>\$11.7; \$11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable			
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	\$11.7; \$11.10. <u>11</u>
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10. <u>12</u>
	Outdoor Entertainment Accessory to an Eating/ Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10. <u>13</u>
	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. <u>14</u>
	Unlisted Accessory Uses	L - Applicable in all Zone Districts			\$11.7; \$11.10.1

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
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION					
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 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; § 11.10.4
	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; §11.10.9
	<u>Keeping of Animals</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>\$11.7; § 11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable			
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	\$11.7; §11.10. <u>11</u>
	Outdoor Eating and Serving Area Accessory to Eating / Drinking Establishments Use*	L-ZP	L-ZP	L-ZP	\$11.7; §11.10. <u>12</u>
	Outdoor Entertainment Accessory to Eating / Drinking Establishments Use*	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	L-ZPIN/ ZPSE	\$11.7; §11.10. <u>13</u>
	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
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	\$11.7; §11.10. <u>14</u>
	Unlisted Accessory Uses	L - Applicable to all Zone Districts			\$11.7; §11.10.1

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				APPLICABLE USE LIMITATIONS
	• 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)	OS-A	OS-B	OS-C	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION					
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
	<u>Keeping of Animals</u>		<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>§11.7; § 11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses		Not Applicable		
	Occasional Sales, Services Accessory to Places of Religious Assembly*		L	NP	§11.7; §11.10. <u>11</u>
	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

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	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION				
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
	<u>Keeping of Animals</u>		<u>L/L-ZP/ L-ZPIN</u>	<u>§11.7; §11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses		Not Applicable	
	Occasional Sales, Services Accessory to Places of Religious Assembly*		NP	
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*		NP	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*		NP	
	Outdoor Retail Sale and Display*		L-ZP	§11.7; §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

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)	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	APPLICABLE USE LIMITATIONS
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION							
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Un- less Specifically Stated in this Table or in an Ap- plicable Use Limitation)	Amusement Devices Accessory to Eat- ing/Drinking Establishments, College/ University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	Not Applicable - See Primary Uses				§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	Not Applicable - See Allowed Primary Uses				§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.5
	College Accessory to a Place for Reli- gious Assembly	L	Not Applicable - See Allowed Primary Uses				§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales,Service, and Repair Uses*	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Garden*	L	L	L	L	L	§ 11.7; § 11.10.9
	<u>Keeping of Animals</u>	<u>L/L-ZPIN</u>	<u>L/L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>L/L-ZP/ L-ZPIN</u>	<u>§ 11.7; § 11.10.10</u>
	Nonresidential Uses in Existing Business Structures In Residential Zones - Acces- sory Uses	NP	Not Appli- cable - See Allowed Primary Uses	Not Applicable			
	Occasional Sales, Services Accessory to Places of Religious As- sembly*	L	L	L	L	L	§ 11.7; § 11.10. <u>11</u>
	Outdoor Eating and Serving Area Ac- cessory to Eating/Drinking Establish- ment Use*	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.7; § 11.10. <u>12</u>
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.7; § 11.10. <u>13</u>
	Outdoor Retail Sale and Display*	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 10.8
	Outdoor Storage*	NP	NP	L-ZP	NP	L-ZP	§ 11.7; § 10.8
	Rental or Sales of Adult Material Acces- sory to a Permitted Bookstore Retail Sales Use	NP	L	L	L	L	§ 11.7; § 11.10. <u>14</u>
	Unlisted Accessory Uses	L - Applicable in all Zone Districts					§11.7; §11.10.1

SECTION 11.8.3 DOMESTIC EMPLOYEES

In all Zone Districts, where permitted with limitations, housing of one or more domestic employee(s), as defined in Article 13, Rules of Measurement and Definitions, is allowed as accessory to all primary residential household living uses.

SECTION 11.8.4 GARDEN

11.8.4.1 All Zone Districts

In all Zone Districts, where permitted with limitations, the growing of medical marijuana shall comply with the following:

- A. No more than 6 plants may be grown for each patient registry identification card holder residing in a dwelling unit, not to exceed 12 plants per dwelling unit.
- B. Growing and/or storage of medical marijuana shall occur within a completely enclosed structure.
- C. Growing and/or storage of medical marijuana shall not occur in a common area associated with the dwelling unit.
- D. Growing shall be for personal use only by patient registry identification card holders residing in the dwelling unit; retail or wholesale sales of goods or products derived from the growing of medical marijuana and any off-site distribution of such plants or derived products are prohibited.

This subsection 11.8.4.1 shall expire on November 1, 2012.

11.8.4.2 All Residential Zone Districts

In a Residential Zone District, where permitted with limitations, retail or wholesale sales of goods or products derived from a Garden accessory to a primary residential use are prohibited in a Residential Zone District.

SECTION 11.8.5 KEEPING OF HOUSEHOLD ANIMALS

11.8.5.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. ~~Types of Animals Allowed~~ **Without a Zoning Permit**
The keeping of domestic ~~or household~~ animals is allowed as accessory to a primary dwelling unit use, subject to compliance with the following standards regarding number and kinds of animals:

KIND OF ANIMAL ALLOWED	PERMITTED NUMBER OF ANIMALS ALLOWED / STANDARDS
Dogs	3 maximum
Cats	5 maximum
Combination of dogs and cats	No more than 5 dogs and cats combined provided there are no more than 3 dogs as part of the total.
Rabbits	2 maximum
Pigeons or doves	25 maximum
Horses	No more than 1 horse for each 1/2 acre of zone lot area
Small rodents--Rats, mice, guinea pigs, hamsters and other similar animals	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.
Fish	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.

KIND OF ANIMAL ALLOWED	PERMITTED NUMBER OF ANIMALS ALLOWED / STANDARDS
Small reptiles and amphibians. The types of these animals is regulated by chapter 8 of the Revised Municipal Code	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.
Domestic Honey Bees	<ul style="list-style-type: none"> • 2 hives per zone lot; • Hives must be in rear 1/3 of zone lot with a 5 foot setback from side and rear zone lot lines; • the hives must be screened so that the bees must surmount a six6 foot barrier, which may be vegetative, before leaving the property; • nNo outdoor storage of any bee paraphernalia or hive materials not being used as a part of a hive.
<u>Chickens and Ducks</u>	<ul style="list-style-type: none"> • <u>No more than 8 chickens and ducks combined per zone lot.</u> • <u>No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot.</u> • <u>On any residential zone lot, the animals shall be maintained in the rear 50% of the Zone Lot Depth.</u> • <u>Slaughtering of the animals as part of keeping such animals is prohibited.</u>
<u>Dwarf Goats</u>	<ul style="list-style-type: none"> • <u>No more than 2 Dwarf Goats, except any number of their offspring younger than 6 months, may be kept per zone lot.</u> • <u>No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot.</u> • <u>On any residential Zone Lot, the goats shall be maintained in the rear 50% of the Zone Lot Depth.</u> • <u>Slaughtering of the animals as part of keeping such animals is prohibited.</u>

B. Animals Allowed With a Zoning Permit Keeping Exceptions

In addition to the animals permitted specifically by this Section 11.8.6, the Zoning Administrator may authorize, upon application in specific cases, an exception permitting the keeping of animals in connection with the operation of a primary residential use. Such exception shall be subject to the general provisions stated in Section 11.8.1, Unlisted Accessory Uses, except that all animal keeping exceptions shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice. In addition, all animal keeping exceptions shall comply with the following limitations:

The application shall be filed in the name of the land owner.

The owner/tenant seeking the exception must occupy the subject property as his/her primary residence:

The Zoning Administrator may allow the accessory keeping of animals of a type or number other than allowed in Section 11.8.6.1.A above, upon finding that the use complies with Section 11.7.1, General Provisions Applicable to All Accessory Uses, and subject to the following limitations:

1. Section 12.4.2, Zoning Permit Review with Informational Notice, is required.
2. The Zoning Administrator may not approve the keeping of animals otherwise prohibited by federal, state, or other city law.
3. The animal shall be kept solely as a pet; a hobby; for educational, research, rehabilitation or propagation purposes; or for the production of food products for personal consumption by the resident.
4. Slaughtering of the animals as part of keeping such animals is prohibited.
5. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot.

11.8.5.2 Related Animal-Keeping Provisions

Related provisions governing the keeping of animals are found in D.R.M.C., Chapter 8 (Animals).

The application shall contain provisions which ensure that the exception will not substantially or permanently injure the appropriate use of adjacent conforming property. In determining that this condition will be met, the Zoning Administrator shall consider the following factors:

The type of animal to be kept;

The number to be kept;

The maximum size of the animal;

The space or area in which the animal is to be kept and whether or not other animals may occupy that same space;

The methods by which any sanitation problems will be controlled;

The methods by which abutting residents will be protected from any nuisance; and

The applicant's intent to allow reproduction.

The applicant shall have written approval from the City of Denver Department of Environmental Health.

The applicant shall have written approval from the Division of Wildlife, Colorado Department of Natural Resources, if applicable, for species of animals considered to be wildlife.

The applicant shall have notified abutting owners about the proposed animal and shall have requested letters of support or petitions of consent from such owners. If any of said owners fail to consent, the Zoning Administrator shall consider the circumstances, including any letters or petitions of opposition. Further, the Zoning Administrator shall give serious consideration to any letter from a physician stating that a resident living nearby is allergic to some feature of the proposed animal and may have a serious reaction if exposed to such animal.

Any structure erected for the shelter of such animal shall comply with all regulations for the Zone District in which such property is located. If a variance is required for any such structure, an application for a variance must be made to the Board of Adjustment. Any such structure shall be maintained in accordance with the building and housing codes and shall be subject to inspection by the Building Inspection Division and the Department of Environmental Health.

An approved exception for an animal shall not be valid until the applicant has executed an agreement listing the terms and conditions fixed by the Zoning Administrator and the applicable conditions set forth above. Such agreement shall be recorded with the Denver City Clerk and Recorder. The permit for an approved exception shall expire at such time as the applicant no longer resides at the property, or discontinues the keeping of subject animal.

SECTION 11.8.6 KENNEL OR EXERCISE RUN

11.8.6.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor kennels and exercise runs shall not exceed 200 square feet in area;
- B. The use shall be located not less than 20 feet from any habitable building on an adjacent zone lot;
- C. The use shall be located in the rear one-half of the zone lot;
- D. The use shall be visually screened from adjacent residential property by a solid fence or wall; and
- E. The number of animals allowed on-site shall comply with the limit on the number and kinds of animals stated in Section 11.8.6, Keeping of Household Animals, of this Code.

SECTION 11.10.9 GARDEN

11.10.9.1 All Zone Districts

In all Zone Districts, where accessory garden uses are permitted with limitations:

- A. Bee keeping is allowed as incidental to the accessory Garden use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.6, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District or Open Space Context Zone District, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.
- B. In a Residential Zone District, retail or wholesale sales of goods or products derived from a Garden are allowed when such use is accessory to a primary nonresidential use, including but not limited to a permitted Public, Institutional and Civic Use. In all other Zone Districts, retail or wholesale sales of goods or products derived from a Garden are allowed when such use is accessory to a primary nonresidential use.

SECTION 11.10.10 KEEPING OF ANIMALS

11.10.10.1 All Zone Districts

In all Zone Districts, where accessory keeping of animals is allowed with limitations:

A. Animals Allowed Without a Zoning Permit

Keeping of no more than 8 chickens and ducks combined per zone lot, and no more than 2 Dwarf Goats, except any number of their offspring younger than 6 months, per zone lot may be kept, provided:

1. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot; and
2. Slaughtering of the animals as part of keeping such animals is prohibited.

B. Animals Allowed With a Zoning Permit

The Zoning Administrator may allow the accessory keeping of animals of a type or number other than allowed in Section 11.10.10.1.A above, upon finding that the use complies with Section 11.7.1, General Provisions Applicable to All Accessory Uses, and subject to the following additional limitations:

1. Section 12.4.2, Zoning Permit Review with Informational Notice, is required when the subject property is in a:
 - a. Residential Zone District;
 - b. MS-2x and MX-2x Zone District; or
 - c. Mixed Use Commercial Zone District where the subject property is adjacent to a Residential Zone District.
2. For all other requests, Section 12.4.1, Zoning Permit Review, is required.
3. The Zoning Administrator may not approve the keeping of animals otherwise prohibited by federal, state, or other city law;

4. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot; and
5. Slaughtering of the animals as part of keeping such animals is prohibited.

11.10.10.2 Related Animal-Keeping Provisions

Related provisions governing the keeping of animals are found in D.R.M.C., Chapter 8 (Animals).

SECTION 11.10.11 OCCASIONAL SALES, SERVICES ACCESSORY TO PRIMARY PLACES OF RELIGIOUS ASSEMBLY OR PRIMARY USES OPERATED BY NON-PROFIT ORGANIZATIONS

11.10.11.1 All Zone Districts

In all Zone Districts, where permitted with limitations, occasional sales of goods and services, including unenclosed occasional sales of goods and services, are allowed as accessory to the following primary uses:

- A. A primary Religious Assembly use; or
- B. A primary use operated by a non-profit organization.

SECTION 11.10.12 OUTDOOR EATING AND SERVING AREAS ACCESSORY TO EATING/DRINKING ESTABLISHMENT USE

11.10.12.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor Eating and Serving Areas are allowed as accessory to an Eating and Drinking Establishment use, and shall comply with all applicable limitations stated for primary Eating and Drinking Establishments in Section 11.4.6, Eating and Drinking Establishments - All Types. In case of conflict with the use limitations stated in this section specific to Outdoor Eating and Serving Areas, the more restrictive limitation shall apply.
- B. All Outdoor Eating and Serving Areas shall comply with the following limitations:
 1. The Outdoor Eating and Serving Area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.
 2. The Outdoor Eating and Serving area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 42 inches tall, except that temporary canvas awnings or umbrellas may serve as sun shades.
 3. Any part of the Outdoor Eating and Serving Area located outside of a completely enclosed structure shall have a hard, all weather surface.
 4. No required off-street parking spaces shall be used for the Outdoor Eating and Serving Area.

11.10.12.2 All RX; CC-3x, -3, -5x; MX-2x, -2A, -2, -3A, -3; MS-2x, -2, -3; I-MX, -A, -B; M-RX, -IMX, -GMX Zone Districts

A. Applicability

This Section 11.10.12's limitations shall apply to all accessory Outdoor Eating and Serving Areas, where allowed with limitations, in the following Zone Districts:

Drive or Driveway: An improved and maintained way providing vehicular access from the public street to a parking area or to dwellings, or other uses.

Dwarf Goat: See Denver Revised Municipal Code section 8-4(4.5).

Dwelling: Any building or portion of building that is used as the residence of one or more households, but not including hotels and other lodging accommodation uses, hospitals, tents, or similar uses or structures providing transient or temporary accommodation.

Dwelling Unit: One or more habitable rooms constituting a unit for permanent occupancy, having but one kitchen together with facilities for sleeping, bathing, and which unit occupies a structure or a portion of a structure.