



**TO:** Land Use, Transportation, and Infrastructure Committee  
**FROM:** Abe Barge, Principal City Planner, Kristofer Johnson, Senior City Planner (CPD)  
Laura Brudzynski, Manager of Housing Policy and Programs (OED)  
**DATE:** October 31, 2018  
**RE:** Denver Zoning Code (as amended through October 11, 2018) Text Amendment #3 to  
create the Central Platte Valley – Auraria Zone Districts  
-AND-  
Denver Revised Municipal Code Amendment to revise Chapter 27, Article VI ‘Incentives  
for Affordable Housing’ establishing affordable housing requirements for the Central  
Platte Valley – Auraria Zone Districts

## Staff Recommendation

### 1. Denver Zoning Code Text Amendment #3

Based on the review criteria for text amendments stated in Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), Community Planning and Development (CPD) staff recommend that the Land Use, Transportation, & Infrastructure Committee move Text Amendment #3, establishing new CPV-Auraria zone districts in the Denver Zoning Code, forward for consideration by the full City Council.

### 2. Denver Revised Municipal Code Amendment

Office of Economic Development (OED) and CPD staff recommend that the Land Use, Transportation, & Infrastructure committee move the Denver Revised Municipal Code (DRMC) amendment to revise Chapter 27, Article VI, establishing affordable housing requirements for the CPV-Auraria zone districts, forward for consideration by the full City Council.

## Summary and Purpose

### 1. Denver Zoning Code Text Amendment #3 to Establish CPV-Auraria Zone Districts

The Central Platte Valley (CPV)-Auraria district of Downtown (bordered by I-25, Speer Boulevard, and Auraria Parkway) represents a significant and largely undeveloped land resource not found in many other major metropolitan areas. The district currently includes limited office and residential development along Auraria Parkway and several major cultural venues including the Pepsi Center, Elitch Gardens, Children’s Museum, and Downtown Aquarium. However, most of the district is comprised of open surface parking lots and underutilized areas. At the same time, two existing light rail transit stations, three public parks, and nearly one mile of the South Platte River are within the district boundaries and could add significant value to the livability of a future urban neighborhood. This context led the Department of Community Planning and Development (CPD) to initiate a public process to engage the community in determining the future vision for the district. The culmination of that planning effort was the creation of the Downtown Area Plan Amendment for Central Platte Valley-Auraria, adopted by City Council in June 2018.

To implement the objectives of the Downtown Area Plan Amendment, which call for an intense mixed-use urban neighborhood, City Councilman Albus Brooks (District 9) and City Councilman Rafael Espinoza (District 1) are co-sponsoring a text amendment to the Denver Zoning Code to establish new Downtown zone districts for CPV-Auraria. The text amendment would:

1. **Establish Three New Downtown Zone Districts:** The proposed Downtown – Central Platte Valley-Auraria – Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) zone districts would define the overall development framework for different contexts within CPV-Auraria. Each zone district is tailored to appropriate locations and includes variations in allowed intensity, building forms and massing, and height. All three districts share enhanced design standards for street level setbacks, transparency, active use, visibility of parking structures, and mass reduction to create an active and human-scaled experience at the street.
2. **Establish Design Review:** The proposed text amendment would establish a new Downtown Design Advisory Board to promote Downtown Area Plan Amendment objectives for high quality building design. The board would use new design standards and guidelines (adopted separately as rules and regulations) to review future proposed projects in the CPV-Auraria district.
3. **Establish Incentive Height Standards Linked to Proposed DRMC Affordable Housing Incentive Requirements:** Similar to the 38<sup>th</sup> and Blake Station Area Incentive Overlay district (IO-1), the proposed D-CPV-T, D-CPV-R, and D-CPV-C zone districts would establish a base height threshold. Square footage above this threshold would be required to meet increased affordable housing standards, consistent with adopted citywide Downtown Area Plan Amendment policy objectives. Note that the affordable housing requirements associated with use of incentive height in the D-CPV zone districts are included in a proposed amendment to Chapter 27, Article VI of the Denver Revised Municipal Code, as summarized in “2. Denver Revised Municipal Code Amendment to Establish Affordable Housing Requirements for CPV-Auraria Zone Districts” below.

#### **Relationship of Text and Map Amendments**

City Councilman Albus Brooks and City Councilman Rafael Espinoza have proposed this text amendment to establish new D-CPV zone districts in the Denver Zoning Code, but have not proposed a legislative map amendment to rezone specific properties. Individual landowners will submit map amendment applications to apply the new districts to their properties as the area evolves and market/economic conditions support. Since CPV-Auraria is largely under consolidated land ownership, this approach allows for future flexibility as the area redevelops over several decades.

The City has received one map amendment application, which is proposed for adoption in coordination with the adoption schedule of the text amendment. Proposed map amendment 2018I-00131 for 1901 7<sup>th</sup> Street (addressed in a separate staff report) would rezone a large portion of CPV-Auraria (approximately 58 acres) from CMP-ENT to the new D-CPV-R and D-CPV-C districts.

**D-CPV Zone District and Allowed Building Form Summary**

The proposed D-CPV-T, D-CPV-R and D-CPV-C zone districts would use three building forms to vary design standards according to height, intensity and use. The General building form allowed in all three districts provides a flexible path for buildings developed within specific height limits while the Standard Tower and Point Tower building forms apply heightened design standards for primarily residential development (Point Tower) and primarily non-residential development (Standard Tower) to build to greater heights in the D-CPV-R and D-CPV-C districts.

The table on the following pages provides a high level summary of the intent and allowed building forms in each of the three proposed zone districts. For more details, please see the attached redlined text amendment document.

<b>D-CPV-T (Transition)</b>		
<i>Intent</i>	<i>Allowed Building Forms</i>	<i>Additional Notes</i>
The Transition (D-CPV-T) district would be mapped within approximately 1 block of established neighborhoods and buildings adjacent to and within Central Platte Valley – Auraria. This district applies to areas near Water Street and Interstate 25; along Auraria Parkway between Speer Boulevard and approximately 9th Street; and along Speer Boulevard between Auraria Parkway (including existing residential and office buildings) and approximately Chopper Circle/Wewatta Street. The overall intensity of this district is lower than other D-CPV districts to create an appropriate relationship to surrounding neighborhoods, buildings, and campus environments.	<p>GENERAL</p> <ul style="list-style-type: none"> <li>- 12-story height limit</li> <li>- Mass reduction on all stories</li> </ul>	
<b>D-CPV-R (River)</b>		
<i>Intent</i>	<i>Allowed Building Forms</i>	<i>Additional Notes</i>
The River district (D-CPV-R) would be mapped within approximately 1 to 1.5 blocks along both sides of the South Platte River. This district encourages active uses that engage the river edge, with an emphasis on visual and physical permeability between taller, more slender Point Tower building forms along the river. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to the South Platte River.	<p>GENERAL</p> <ul style="list-style-type: none"> <li>- 5-story height limit</li> <li>- Only allowed on small or narrow lots</li> <li>- Mass reduction on all stories</li> </ul> <p>POINT TOWER</p> <ul style="list-style-type: none"> <li>- No height limit, no floor area ratio (FAR) limit</li> <li>- Mass reduction on podium/base portion of buildings (first 5 stories)</li> <li>- Floor plate area, linear dimension, and separation standards above 5 stories</li> </ul>	<ul style="list-style-type: none"> <li>- Point Tower separation may be reduced via Design Review when towers are clustered near large publicly accessible parks/open space</li> </ul>
<b>D-CPV-R (Center)</b>		
<i>Intent</i>	<i>Allowed Building Forms</i>	<i>Additional Notes</i>
The Center district (D-CPV-C) would be mapped within approximately 2 to 3 blocks of existing light rail transit facilities, the Consolidated Main Line (CML) freight railroad tracks, the Pepsi Center arena, and near the intersection of Interstate 25 and Speer Boulevard. The Center district accommodates the primary center of activity within Central Platte Valley – Auraria where employment, entertainment, and other higher intensity uses are located. This is the most intense D-CPV zone district and provides the greatest flexibility of building forms to accommodate the widest variety of commercial, entertainment, and residential uses.	<p>GENERAL</p> <ul style="list-style-type: none"> <li>- 12-story height limit</li> <li>- Mass reduction on all stories</li> </ul> <p>STANDARD TOWER</p> <ul style="list-style-type: none"> <li>- No height limit, FAR limit = 20.0</li> <li>- Mass reduction on podium/base portion of building (first 8 stories)</li> <li>- Floor plate area, linear dimension, and separation standards above 8 stories</li> <li>- Limit on residential uses in tower (promotes Point Tower for residential uses)</li> </ul> <p>POINT TOWER</p> <ul style="list-style-type: none"> <li>- No height limit, no FAR limit</li> <li>- Mass reduction on podium/base portion of building (first 8 stories)</li> <li>- Floor plate area, linear dimension, and separation standards above 8 stories</li> <li>- Allowance for all uses in tower</li> </ul>	<ul style="list-style-type: none"> <li>- Primarily residential uses must use the slender Point Tower form rather than the Standard Tower</li> <li>- Standard Tower has more flexible upper story standards to accommodate larger commercial office uses</li> <li>- Standard Tower separation may be reduced via Design Review when located near Consolidated Main Line</li> </ul>
<b>Standards that Apply to All Districts, All Forms</b>		
<ul style="list-style-type: none"> <li>- Base Height = 5 stories (Incentive Height per building form)</li> <li>- Increased residential use setback</li> <li>- Majority of structured parking façade must be wrapped by Active Use</li> <li>- Street level non-residential use requirements on Water Street, 7th Street, 9th Street, Elitch Circle, and Chopper Circle</li> </ul>		

## **2. Denver Revised Municipal Code Amendment to Establish Affordable Housing Requirements for CPV-Auraria Zone Districts**

CPD and OED are sponsoring a related amendment to the Denver Revised Municipal Code (DRMC) to revise Chapter 27, Article VI ‘Incentives for Affordable Housing’ to include affordable housing and related requirements associated with structures building above the specified 5-story base height in the proposed CPV-Auraria zone districts.

For policy consistency and administrative efficiency, affordable housing requirements within the proposed revised DRMC Chapter 27, Article VI will continue to extensively cross-reference existing affordable housing requirements. The cross-references create links between Article VI and Article V ‘Dedicated Funding for Affordable Housing’ to relate proposed incentive requirements to formulas and procedures related to Denver’s Affordable Housing Linkage Fee. Key relationships between the existing DRMC Chapter 27 Article V and the proposed Article VI include:

- Affordable housing unit and fee formulas that are tied to citywide linkage fee formulas
  - Incentive formulas require multiples of existing citywide formulas to clearly establish that additional affordable units or fees are required when using incentives.
  - Any future revisions to citywide formulas (including income thresholds or changes related to the consumer price index) will automatically apply to incentive formulas.
- Affordable housing unit location, size and term requirements that are tied to requirements for units provided through the citywide linkage fee ‘build alternative’
  - Affordable housing provided to meet citywide or incentive requirements must be comparable in mix and size to the market rate units that generated the requirement (i.e, if market rate units are one and two bedrooms, cannot be studios or micro units).
  - Affordable housing provided to meet citywide or incentive requirements must be located on site or near the market rate units that generated the requirement (units required for incentive height in the D-CPV districts must be provided on site or within other D-CPV zone districts in the CPV-Auraria plan area boundary).
  - Specific financial arrangements are required to ensure that off-site units promised to meet citywide or incentive requirements are actually delivered.
  - Any future revisions to citywide affordable housing procedures (including terms for restriction on affordability) will apply to affordable housing incentives.

Similar to the 38<sup>th</sup> and Blake Station Area Incentive Overlay (IO-1), DRMC affordable housing requirements for use of incentive height in the D-CPV districts would require construction of on-site affordable housing when constructing residential units and would require either construction of affordable housing, payment of increased linkage fees or execution of a community benefits agreement (a method of providing affordable space for community amenities or community-serving uses). Requirements are based on multiples of fee and ‘build alternative’ (affordable housing unit) formulas already included in the citywide linkage fee system.

Above the base height, citywide requirements would apply, plus additional fees or units calculated at six times the citywide requirement (for comparison the 38<sup>th</sup> and Blake Incentive Overlay requirement is four times the citywide requirement). This means that

development above the base height would generate a requirement for seven times the total fee or build alternative units that would be required for development that does not exceed the base height. Structures exceeding base height in the D-CPV zone districts would make a substantially greater contribution towards affordable housing than structures build in other areas of the city, consistent with policy set forth in the Downtown Area Plan Amendment.

**Option for ‘Large/Phased Projects’ to Prepare an Affordable Housing Plan to Meet Incentive Requirements**

The proposed DRMC Chapter 27, Article VI affordable housing requirements associated with the proposed D-CPV districts include an option for a large/phased project (over 5 acres or 500 residential units) to prepare an affordable housing plan. The plan options would provide flexibility for large projects to meet affordable housing objectives, including units affordable at a variety of income levels, for-sale/for-rent units and units with two or more bedrooms to better accommodate families. It would be required to provide a quantity of affordable housing units that is comparable to, or greater than, the quantity of affordable housing units that would have resulted from application of the incentive height formulas applicable to in a D-CPV zone district that are not subject to an affordable housing plan.

A detailed summary of the proposed DRMC Chapter 27, Article VI affordable housing requirements associated with the proposed D-CPV districts is attached to this staff report.

**Public Process**

Below is a summary of the public process for the proposed DZC and DRMC amendments.

April 2017 – June 2018	Downtown Area Plan Amendment process and adoption (June 11)
July 11, 2018	Planning Board Information Item #1 – reviewed initial zoning tools and concepts to implement plan objectives
July 31, 2018	Community Open House #1 at Commons on Champa – 32 attendees – reviewed and gathered feedback on various zoning tools to implement plan objectives
August 15, 2018	Planning Board Information Item #2 – reviewed refined zoning tools and addressed comments from first Information Item and public feedback from July 31 community open house
September 7, 2018	Public Review Draft of zoning text amendment released for comments
October 1, 2018	CPD written notice of the Planning Board public hearing (at least 15 days prior) sent to all affected members of City Council and registered neighborhood organizations
October 3, 2018	Planning Board Informational Item #3 – reviewed structure and approach for new Design Standards and Guidelines
October 4, 2018	Community Open House #2 at Commons on Champa – 11 attendees – reviewed draft text amendment and concepts for DRMC amendment and gathered final public comment prior to Planning Board Public Hearing
October 16, 2018 (revised Notice with new LUTI date sent 10/23/2018)	CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting
October 17, 2018	Planning Board Public Hearing

November 6, 2018	Land Use, Transportation, and Infrastructure Committee
November 26, 2018 (tentative)	CPD written notice of the City Council public hearing (at least 21 days prior) sent to all affected members of City Council and registered neighborhood organizations
December 17, 2018 (tentative)	City Council Public Hearing

- **Registered Neighborhood Organizations for DZC Text Amendment #3**
  - The RNOs identified on page 1 of this report were notified of proposed DZC Text Amendment #3.
- **Planning Board Public Hearing for DZC Text Amendment #3**
  - Planning Board voted to **recommend that City Council approve** Denver Zoning Code Text Amendment #3 (by a vote of 9 in favor and 1 opposed), finding that the applicable review criteria have been met, with the following condition:
    1. Proposed Section 10.4.5.4.B.4 be removed to simplify the administration of zoning compliance with Parking Maximum standards on phased projects
    2. The Planning Board Review Draft be edited for clarity, correctness, illustrative graphics, section references, and other non-substantive matters as well as any other changes to the Planning Board Review Draft made necessary by such edits.
  - Five members of the public spoke at the Planning Board hearing. Four of the speakers spoke in favor, including representatives from the Downtown Denver Partnership, Greenway Foundation, Revesco Properties (landowner of Elitch Gardens and applicant for associated rezoning application 2018I-00131), and Shears Adkins Rockmore Architects (member of consultant team for rezoning). One speaker, who is representative of a landowner on Water Street, supported the Text Amendment, but requested two areas for additional consideration: 1) offering incentives for sustainable or green building practices and 2) slightly increasing the proposed parking maximum ratios along Water Street. One letter in support of the Text Amendment (and associated rezoning application 2018I-00131) was provided at the Planning Board meeting. The letter is attached to this staff report.
- **Other Public Comment**
  - As of the date of this staff report, CPD has received seven (7) public comment emails. The comments do not state explicit support or opposition for the Text Amendment as a whole, but highlight specific topics addressed by the proposed draft. A summary of the comments is as follows:
    - Building height should be limited to 16 stories particularly along Auraria Parkway and at the corner with Speer Boulevard
    - Excited about future development, but question how affordable housing is being addressed
    - Provide clarification about the mapping and location of various districts
    - Concern regarding increased traffic from new development, the size of proposed parks (too small), and that building height should be limited to 4 stories
    - Create an exception from 5-story base height limitation (up to 7-8 stories) for sustainable building techniques, particularly use of cross-laminated timber (CLT)
    - Increase parking maximum ratios or allowed guest parking for properties on the north side of Water Street
    - Concern regarding reinstatement of vacated right-of-way along 6<sup>th</sup> Street

## Review Criteria and CPD Staff Evaluation for DZC Text Amendment #2

**General Review Criteria for All Denver Zoning Code Text Amendments.** Section 12.4.11 of the Denver Zoning Code (DZC) sets forth the following general review criteria for consideration of any text amendment:

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

### 1. Text Amendment is Consistent with the City's Adopted Plans

The text amendment is consistent with the City's following adopted plans:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Downtown Area Plan (2007)
- Downtown Area Plan Amendment (2018)

#### Denver Comprehensive Plan 2000

The proposed text amendment is consistent with many Denver Comprehensive Plan 2000 objectives, strategies, and recommendations, including:

- Land Use Strategy 3-B: *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. (p 60)*
- Land Use Strategy 4-A: *Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods. (p 60)*
- Mobility Strategy 3-B: *Promote transit-oriented development (TOD) as an urban design framework for urban centers and development areas. Development at transit stations should provide both higher ridership to the transit system and viability and walkability in the area. (p 77)*
- Mobility Strategy 4-E: *Continue to promote mixed-use development, which enables people to live near work, retail and services. (p 78)*
- Legacies Strategy 3-A: *Identify areas in which increased density and new uses are desirable and can be accommodated. (p 99)*
- Environmental Sustainability Strategy 2-F: *Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods; creating more density at transit nodes. (p 39)*
- Housing Strategy 6-B: *Continue to support mixed-income housing development that includes affordable rental and for-purchase housing for lower-income, entry-level and service employees, especially in Downtown and along transit lines. (p. 118)*

Two strategies specifically address the Central Platte Valley:



- Land Use Strategy 1-C: *Incorporate relevant recommendations from neighborhood, corridor and area plans that are supplements to Plan 2000. Examples are the plans for Stapleton, Lowry, Gateway, Federal Boulevard, Central Platte Valley and the Golden Triangle.*
- Mobility Strategy 3-A: *Strengthen multimodal connections and transportation improvements within and between existing and potential urban centers, including Downtown/Central Platte Valley, DIA/Gateway, Stapleton, Cherry Creek/Colorado Boulevard, Denver Tech Center, and the South Wadsworth Corridor.*

The proposed text amendment would enable high intensity, mixed-use development adjacent to the downtown core where transit infrastructure is already in place. It establishes new zone districts that promote affordable housing (through the proposed height incentive system), broaden the variety of uses in the area and enable people to live in an urban neighborhood near retail, services, and employment opportunities and within walking distance to transit, consistent with the objectives of Comprehensive Plan 2000.

### **Blueprint Denver (2002)**

According to the 2002 Plan Map adopted in Blueprint Denver, CPV-Auraria is designated with Downtown and Park concept land uses and is located in an Area of Change.

#### **Future Land Use**

The Downtown land use concept represents “the centerpiece of the city and region with the highest intensity of uses in Colorado. Many uses are attracted to the centralized location — government entities, employers, entertainment venues, educational facilities, restaurants, nightclubs, cultural facilities and hotels. Downtown is not only a significant source of employment, with more than 100,000 employees, but also a unique neighborhood offering a special variety of housing for people who prefer to live in the midst of its activity and amenities” (p 39).

The proposed text amendment would facilitate a dense mix of active uses in building forms that emphasize human-scaled massing at the street level and preserve access to sun, sky, and views, consistent with Blueprint Denver’s Downtown land use concept.

#### **Area of Change / Area of Stability**

“The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Furthermore, “in some cases it may be necessary to change the zoning to establish the appropriate framework for achieving the vision for Areas of Change. For instance, some areas near downtown are zoned for industrial use but are slated for mixed-use development. In this case, the underlying zoning would need to be changed to a mixed-use zone district” (p. 130). Blueprint Denver provides additional specific guidance for the Downtown Area of Change: the individual sub-districts “all emphasize high-quality urban design, pedestrian-friendly design and multi-modal transportation. The vision for downtown is to continue more of the same types of high quality office, hotel, retail, residential and mixed-use development” (p. 134).

The proposed text amendment is consistent with the Blueprint Denver Area of Change recommendations. The proposed text amendment would facilitate additional housing, jobs, and services in close proximity to the two existing light rail stations and several adjacent bus lines, which will encourage fewer auto trips.

**Small Area Plan: Downtown Area Plan (2007)**

The Downtown Area Plan promotes development of a prosperous, walkable, diverse, distinctive, and green downtown. Specific strategies include:

- “Require ground floor active uses throughout Downtown through changes to zoning and design guidelines” (B1b, p. 22)
- “Use distinctive ground floor retail, or other active uses, and the street environment to reinforce district identity” (D1b, p. 33).
- In reference to the Central Platte Valley-Auraria district: “Future opportunities to densify these areas are beginning to emerge as transit use increases and parking demand decreases” (pg. 52).

The proposed text amendment would facilitate mixed-use development with limited parking and active ground floor design/uses, which is consistent with the goals of the Downtown Area Plan.

**Small Area Plan: Downtown Area Plan Amendment (2018)**

The Downtown Area Plan Amendment for Central Platte Valley-Auraria builds on the 2007 Downtown Area Plan, which continues to apply in this area. Within the area bounded by Speer Boulevard, Interstate 25, and Auraria Parkway, the amendment supersedes the Downtown Area Plan where recommendations between the two plans are conflicting. The Amendment also supersedes other previous plan direction within this boundary.

One stated goal of the amendment is to “enable a deliberate mix of uses to create a prosperous neighborhood that is vibrant throughout the day and night,” through strategies such as “update[ing] zoning regulations to encourage an appropriate mix of uses” (p. 31). More specifically, recommendation A5b details “a specific variety of uses that create an active, livable neighborhood,” including uses that make up a complete neighborhood, commercial uses and services, civic and community uses, entertainment and cultural uses, and public spaces (p. 32). The Downtown Area Plan Amendment notes that active uses should be prioritized in strategic locations such as along specific corridors and along the riverfront (A5c, p. 33).

Another aim is to “include a variety of market-rate and affordable housing to accommodate diverse households and incomes” (C5a, p. 60) and to “require additional affordable housing beyond what is required by the citywide linkage fee” and located on-site (C5b, p. 61).

Finally, the goal to “promote new development that creates diverse places and activities through a variety of building densities and intensities within a mixture of building forms that reinforce a comfortable, human-scale pedestrian experience” is supported by a recommendation to “adopt new or updated zoning standards to require a variety of building intensities” (D4a, p. 65). Specifically, the plan recommends “calibrat[ing] allowed building height and intensity by context” with highest intensity near the light rail stations and along the Consolidated Main Line and 7<sup>th</sup> Street, with the lowest intensity along the riverfront, Water Street, and near existing buildings (D4c, p. 66). The amendment also recommends “leverage[ing] increases in allowed building intensity to promote community benefits” (D4d, p. 66), and promoting high quality design through updated zoning and design standards and guidelines (D5a, p. 68).

The Implementation section of the Downtown Area Plan Amendment clearly details important regulatory strategies (p. 90). They include adopting zoning tools to implement plan objectives,

incentivize integration of mixed-income and affordable housing (including a recommendation to “adopt zoning tools that provide incentives for integration of mixed-income and affordable housing”), incentivize higher intensity transit-oriented development near rail stations, and achieve recommendations for a variety of building heights and densities. Additional regulatory implementation strategies detailed in this section are to implement Design Standards and Guidelines and establish a volunteer board to conduct design review.

The proposed text amendment to create new D-CPV zone districts is consistent with Downtown Area Plan Amendment goals, recommendations, and strategies by facilitating the desired mix of uses, including discouraging non-active uses along key streets and the river. The proposed zone districts provide a suite of context-sensitive building forms that promote the detailed design goals of the plan amendment. The proposed zone districts also establish an incentive height system that promotes plan amendment objectives for an equitable neighborhood.

## **2. Text Amendment Furthers the Public Health, Safety and Welfare**

This text amendment furthers the general public health, safety, and welfare of Denver residents, land owners, and businesses by providing clarity and predictability in the zoning regulations, creating standards that reinforce the desired character of the neighborhood, and by implementing the city’s adopted comprehensive, land use and transportation plans through regulatory changes.

## **3. Text Amendment Results in Regulations that are Uniform Across the District**

This text amendment will result in uniform regulations applicable to all new development within the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

### **Attachments**

1. Redline Draft of DZC Text Amendment #3
2. ‘Clean’ Draft of DZC Text Amendment #3
3. Draft amendment to DRMC Chapter 27 Article VI Incentives for Affordable Housing and draft amendment to clarify a related provision of DRMC Chapter 27 Article V Dedicated Funding for Affordable Housing
4. Summary of Proposed Affordable Housing Requirements for D-CPV Districts
5. Consultant Feasibility Evaluation for Affordable Housing Requirements
6. Summary of proposed design standards and guidelines / design review requirements in D-CPV zone districts
7. Seven (7) public comment emails and one (1) RNO letter



Denver Zoning Code Text Amendment #3  
DOWNTOWN AREA PLAN AMENDMENT  
IMPLEMENTATION FOR THE CENTRAL PLATTE VALLEY-AURARIA DISTRICT  
TEXT AMENDMENT

LAND USE, TRANSPORTATION, AND INFRASTRUCTURE COMMITTEE REDLINE REVIEW DRAFT  
10/31/18

This document contains the redlined draft of a proposed text amendment to create three new Downtown context zone districts that implement the objectives of the [Downtown Area Plan Amendment for CPV-Auraria](#). The districts are intended to apply throughout the area addressed by the plan amendment. The City Council Land Use, Transportation and Infrastructure (LUTI) meeting is scheduled for 11/06/2018.

#### Redline Document Conventions

- Text in red underline is proposed new language.
- Text in ~~red strikethrough~~ is proposed deleted language.
- Only pages with changes relevant to this text amendment are included in the review file. You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.
- Additionally, please note that coordination will continue throughout the process to ensure constancy of approach and administration with other ongoing text amendments.

Visit [CPV-Auraria zoning and design review web page](#) to learn more about this proposed text amendment. Please send any questions or comments to Kristofer Johnson, Senior City Planner at [Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)

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

CENTRAL PLATTE VALLEY - AURARIA ZONING TEXT AMENDMENT #3  
CITY COUNCIL REVIEW DRAFT 10/31/2018

## **ARTICLE 2. USING THE CODE**

**CENTRAL PLATTE VALLEY - AURARIA ZONING TEXT AMENDMENT #3**  
**CITY COUNCIL REVIEW DRAFT 10/31/2018**

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

GENERAL URBAN NEIGHBORHOOD CONTEXT		URBAN CENTER NEIGHBORHOOD CONTEXT		DOWNTOWN NEIGHBORHOOD CONTEXT	
G-RH-3	Row House 3	C-RX-5	Residential Mixed Use 5	D-C	Downtown Core District
G-MU-3	Multi Unit 3	C-RX-8	Residential Mixed Use 8	D-TD	Downtown Theater District
G-MU-5	Multi Unit 5	C-RX-12	Residential Mixed Use 12	D-LD	Lower Downtown District
G-MU-8	Multi Unit 8	C-MX-3	Mixed Use 3	D-CV	Downtown Civic District
G-MU-12	Multi Unit 12	C-MX-5	Mixed Use 5	D-GT	Downtown Golden Triangle
G-MU-20	Multi Unit 20	C-MX-8	Mixed Use 8	D-AS	Downtown Arapahoe Square
G-RO-3	Residential Office 3	C-MX-12	Mixed Use 12	D-AS-12+	Downtown Arapahoe Square 12+
G-RO-5	Residential Office 5	C-MX-16	Mixed Use 16	D-AS-20+	Downtown Arapahoe Square 20+
G-RX-3	Residential Mixed Use 3	C-MX-20	Mixed Use 20	<a href="#">D-CPV-T</a>	<a href="#">Downtown Central Platte Valley - Auraria Transition</a>
G-RX-5	Residential Mixed Use 5	C-MS-5	Main Street 5	<a href="#">D-CPV-R</a>	<a href="#">Downtown Central Platte Valley - Auraria River</a>
G-MX-3	Mixed Use 3	C-MS-8	Main Street 8	<a href="#">D-CPV-C</a>	<a href="#">Downtown Central Platte Valley - Auraria Center</a>
G-MS-3	Main Street 3	C-MS-12	Main Street 12		
G-MS-5	Main Street 5	C-CCN-3	Cherry Creek North 3		
		C-CCN-4	Cherry Creek North 4		
		C-CCN-5	Cherry Creek North 5		
		C-CCN-7	Cherry Creek North 7		
		C-CCN-8	Cherry Creek North 8		
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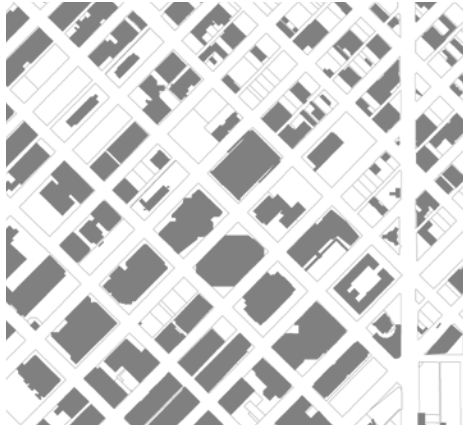
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# ARTICLE 8. DOWNTOWN (D-) NEIGHBORHOOD CONTEXT

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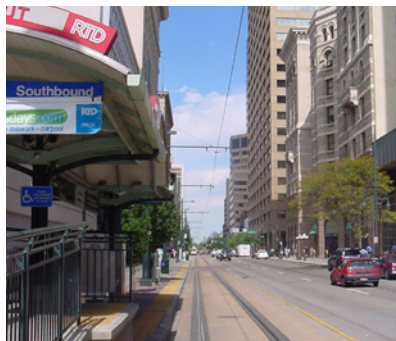


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## **DIVISION 8.1 NEIGHBORHOOD CONTEXT DESCRIPTION**



### **SECTION 8.1.1 GENERAL CHARACTER**

The Downtown context consists of a mix of multi-unit residential, commercial, office, civic, institutional, and entertainment uses in large buildings containing one or more uses. The Downtown Context is comprised of **eight eleven** distinct areas: Downtown Core District, Downtown Theater District, Lower Downtown District, Downtown Civic District, Downtown Golden Triangle, Downtown Arapahoe Square District, Downtown Arapahoe Square District 12+, **and** Downtown Arapahoe Square District 20+, **Downtown Central Platte Valley – Auraria Transition District, Downtown Central Platte Valley – Auraria River District, and Downtown Central Platte Valley – Auraria Center District.** Throughout the context, residential and nonresidential buildings tend to have similar forms, most often that of the Apartment or General Commercial Building Forms. Historic Structures and landmark districts (Lower Downtown, Downtown, Larimer Square, Civic Center, and Speer Boulevard) are important character defining features of the Downtown Context.

### **SECTION 8.1.2 STREET, BLOCK, AND ACCESS PATTERNS**

The Downtown context consists of a regular pattern of block shapes. Orthogonal and diagonal streets provide connection through this context. Block sizes and shapes are consistent and include detached sidewalks, amenity zones or treelawns, and street, surface, and structured parking. Blocks where the two grids—downtown and directional—meet create a varied pattern of triangular lots. While historically most blocks contained alleys, some have been vacated to accommodate full-block developments.

### **SECTION 8.1.3 BUILDING ENTRANCES**

Entrances to office and residential buildings tend to be directly from the public sidewalk into a lobby. Retail stores and restaurants are typically accessed from the public sidewalk. Parking garage and lot access varies. Larger garages are typically accessed from the street, while smaller facilities may be accessed from the alley.

### **SECTION 8.1.4 BUILDING PLACEMENT AND LOCATION:**

Multi-unit buildings typically have consistent shallow front setbacks or build-to lines. Commercial buildings typically have build-to requirements forming a continuous building wall along the sidewalk.

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**SECTION 8.1.5 BUILDING HEIGHT**

The Downtown Context contains the tallest buildings in the City with maximum heights ranging from unlimited in the core of Downtown and portions of Central Platte Valley – Auraria to 55-85 feet in Lower Downtown and Larimer Square. Allowed heights transition from the core and Central Platte Valley – Auraria to lower intensity contexts.

**SECTION 8.1.6 MOBILITY**

The highest priority is given to the pedestrian, transit, and alternative modes of transportation. The Downtown context is the center of the Denver region multi-modal transit transportation system. Key elements of this system are: Denver Union Station as the hub of the regional transit system; 16th Street Mall Shuttle, light rail on downtown streets; local, regional and express bus service; bike lanes and access to the Platte River and Cherry Creek Greenway trails; and detached sidewalks on every street.

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## DIVISION 8.2 DISTRICTS (D-C, D-TD, D-LD, D-CV, D-GT, D-AS-, D-CPV-)

### SECTION 8.2.1 DISTRICTS ESTABLISHED

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

#### Downtown Neighborhood Context

D-C	Downtown Core District
D-TD	Downtown Theater District
D-LD	Lower Downtown (LoDo) District
D-CV	Downtown Civic District
D-GT	Downtown Golden Triangle District
D-AS	Downtown Arapahoe Square District
D-AS-12+	Downtown Arapahoe Square 12+ District
D-AS-20+	Downtown Arapahoe Square 20+ District
<u>D-CPV-T</u>	<u>Downtown Central Platte Valley - Auraria Transition District</u>
<u>D-CPV-R</u>	<u>Downtown Central Platte Valley - Auraria River District</u>
<u>D-CPV-C</u>	<u>Downtown Central Platte Valley - Auraria Center District</u>

### SECTION 8.2.2 DOWNTOWN DISTRICTS

#### 8.2.2.1 General Purpose

The purpose of the Downtown Neighborhood Context Districts is to provide building use, building form, and design standards for this central Denver area. Each of the Downtown Districts is specific to and uniquely applies to a single area within the Downtown Context.

#### 8.2.2.2 Specific Intent

##### A. Downtown Core District (D-C)

The Downtown Core District is and must remain Denver's most prominent public environment; an urban center that is at once comfortable, exciting, and without question the business, entertainment and urban lifestyle center of the region.

##### B. Downtown Theater District (D-TD)

The Downtown Theater District is specific to an area of the Central Business District associated with the Denver Performing Arts Center, and which specifically enables over-scale, lively, and dynamic billboards and signage to promote Denver's preeminent entertainment district.

##### C. Lower Downtown (LoDo) District (D-LD)

The Lower Downtown District is specific to the Lower Downtown Historic District.

##### D. Downtown Civic District (D-CV)

The Downtown Civic District includes primarily public buildings surrounding and in the vicinity of the Civic Center park, and is intended to promote and continue the signature civic architecture and urban design of buildings and public spaces within the district.

##### E. Downtown Golden Triangle District (D-GT)

The Golden Triangle (D-GT) is a neighborhood with a mixture of housing, office, commercial, and retail. It is a neighborhood of active pedestrian-oriented streets and mixed-use development. Historic buildings as well as contemporary structures designed with human scale and detail are a part of the district's unique character.

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**F. Downtown Arapahoe Square District (D-AS)**

The D-AS zone district is specific to a small area of the Curtis Park neighborhood that is adjacent to the Arapahoe Square neighborhood and was previously zoned B-8-A under Former Chapter 59. D-AS is intended to support a mix of uses that provide a pedestrian friendly transition from the surrounding lower scale neighborhoods to the high-rise scale of downtown.

**G. Downtown Arapahoe Square 12+ District (D-AS-12+)**

D-AS-12+ applies to mixed-use areas within the Arapahoe Square neighborhood that provide a cohesive, connected and pedestrian-friendly transition between the Downtown Core, D-AS-20+ district and adjacent lower-scale neighborhoods. The district is intended to facilitate development of Arapahoe Square into a cutting edge, densely populated, area that provides a range of housing types and a center for innovative businesses. Typical building heights range from 8 to about 12 stories, with the Point Tower building form providing an opportunity for building heights of about 20 stories in a slender tower.

**H. Downtown Arapahoe Square 20+ District (D-AS-20+)**

D-AS-20+ applies to mixed-use areas within the Arapahoe Square neighborhood that are adjacent to the Downtown Core and provides a cohesive, connected and pedestrian friendly transition to the Downtown Core and D-AS-12+ district. The district is intended to facilitate the development of Arapahoe Square into a cutting edge, densely populated, area that provides a range of housing types and a center for innovative businesses. Typical building heights range from 12 to about 20 stories, with the Point Tower building form providing an opportunity for building heights of about 30 stories in a slender tower.

**I. Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)**

The Transition district is located within approximately 1 block of established neighborhoods and buildings adjacent to and within Central Platte Valley – Auraria and supports a wide range of downtown neighborhood uses. This district applies to areas near Water Street and Interstate 25; along Auraria Parkway between Speer Boulevard and approximately 9th Street; and along Speer Boulevard between Auraria Parkway and approximately Chopper Circle/Wewatta Street. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to surrounding neighborhoods, buildings, and campus environments.

A diversity of building scales and intensities will define the area with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form will provide flexibility for multiple building types and uses.

**J. Downtown Central Platte Valley – Auraria River District (D-CPV-R)**

The River district is located within approximately 1 to 1.5 blocks along both sides of the South Platte River. This district encourages a wide range of uses, particularly ground-floor active uses that engage the river edge, such as retail, eating and drinking establishments, and residential units. There is an emphasis on visual and physical permeability between taller, more slender buildings along the river. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to the South Platte River.

The Point Tower form is prioritized as the primary building form, with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form is limited in height and is intended to provide architectural variety and flexibility for smaller uses and constrained sites. The Point Tower building form provides an opportunity for buildings to be created without height restriction in a slender format.

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**K. Downtown Central Platte Valley – Auraria Center District (D-CPV-C)**

The Center district is located within approximately 2 to 3 blocks of existing transit facilities, the Consolidated Main Line, and Pepsi Center, and at the intersection of Interstate 25 and Speer Boulevard. The Center district is generally central in its location within Central Platte Valley – Auraria and also represents the primary center of activity where employment, entertainment, and other higher intensity uses are located. This is the most intense D-CPV zone district and provides the greatest flexibility of building forms to accommodate the widest variety of commercial, entertainment, and residential uses.

A diversity of building scales and intensities will define the area, with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form will provide flexibility for multiple building types and uses. The Standard Tower building form will allow taller buildings with more generous massing standards to encourage a wide variety of tenants and uses. The Point Tower building form provides an opportunity for buildings to be created without height restriction in a slender format.

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## **DIVISION 8.3 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS (D-C, D-TD)**

### **SECTION 8.3.1 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS**

#### **8.3.1.1 Generally**

The provisions of this Division apply to all lands, uses and structures in the Downtown Core and Downtown Theater districts.

#### **8.3.1.2 Uses Permitted**

See Division 8.1~~0~~1 for uses permitted in the Downtown Core and Downtown Theater Districts.

#### **8.3.1.3 Required Downtown Ground Floor Active Uses**

In portions of new buildings and outdoor areas along or within 30 feet of the 16th Street pedestrian and transit mall, and in portions of existing buildings and outdoor areas within 30 feet of the 16th Street pedestrian and transit mall that are renovated and where the renovation includes all or a part of the leasable ground floor areas of the building, at least 65 percent of the linear frontage of the property along the 16th Street pedestrian and transit mall shall be occupied by Downtown Ground Floor Active Uses.

#### **8.3.1.4 Permitted Structures**

##### **A. Open Space Required**

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling, there shall be provided a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies, but shall not include space provided for off-street parking; provided however such requirement shall not apply to any structure converted from nonresidential to residential uses.

##### **B. Minimum and Maximum Heights**

- 1. Minimum Heights:** The minimum height of structures shall be 2 stories or 30 feet.
- 2. Maximum Heights:** The maximum heights of buildings are not limited except in the following height areas as shown on Exhibit 8.1:
  - a. Sunlight Preservation Area 1: See Subsection 8.3.1.4.C. below.
  - b. Height Area 1 : 200 feet
  - c. Height Area 2: 400 feet

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**b. Floor area excluded from calculations.**

Gross floor area occupied by Downtown Ground Floor Active Uses (i) which would qualify for a floor area premium pursuant to Section 8.3.1.4.D.2.c, but (ii) for which a floor area premium is not granted because of the restrictions in Section 8.3.1.4.D.2 above limiting the total amount of floor area premiums that may be granted, shall be excluded from the calculation of the gross floor area of a structure or project. Any floor area so excluded from the calculation of gross floor area shall continue to be occupied by Downtown Ground Floor Active Uses.

**8.3.1.5 Off-Street Parking Requirements**

**A. Applicable Standards**

The general off-street parking standards in Division 10.4 of this Code shall apply in the D-C and D-TD and D-CV zone districts, except where the standards stated in this Section 8.3.1.5 conflict, in which case the standards in this Section 8.3.1.5 shall apply.

**B. Amount of Parking Spaces Required**

1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV zone districts.
2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV zone districts shall comply with the use limitations applicable to a “parking, garage” use stated in Section 11.4.46.1.

**C. Accessible Parking**

Whenever off-street parking spaces are provided, a minimum number of accessible parking spaces shall be provided according to the requirements of the Denver Building Code and the federal Americans with Disabilities Act.

**D. Bicycle Parking**

The following standard shall apply instead of the general bicycle parking standards in Article 10, Division 10.4, Parking and Loading.

1. All new parking structures shall contain at least 1 designated bicycle parking space for each 20 automobile parking spaces, provided, however, that in no event shall any new parking structure be required to contain more than 50 bicycle parking spaces.

**8.3.1.6 Design Requirements**

**A. Downtown Ground Floor Active Use Street Frontages**

1. New buildings or renovations of existing buildings in which the renovation includes all or part of the leasable ground floor areas of the building shall be designed and constructed to accommodate Downtown Ground Floor Active Uses for at least 65 percent of the linear frontage along the following streets: 16th Street pedestrian and transit mall, Larimer Street, Curtis Street, Tremont Place, Cleveland Place, and any light rail line operating in a street or fixed-guideway transit line operating in a street.
2. Street-facing ground floors of new buildings on named or numbered streets not included in the paragraph above shall provide 60 to 90 percent transparency as measured from floor to floor for at least 65 percent of the linear frontage of the building,
3. In all cases, transparent glass shall possess a minimum .65 light transmission factor.

**B. Minimum Build-to Requirements**

1. *Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley:* Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than 65% of each separately owned zone lot



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## DIVISION 8.4 LOWER DOWNTOWN DISTRICT (D-LD)

### SECTION 8.4.1 LOWER DOWNTOWN DISTRICT

#### 8.4.1.1 General

The provisions of this Division apply to all lands, uses and structures in the D-LD District.

#### 8.4.1.2 Description of District

The district is intended to provide for and encourage the preservation and vitality of older areas that are significant because of their architectural, historical and economic value. A variety of land uses will be permitted in order to facilitate the reuse of existing structures without jeopardizing or reducing zoning standards promoting the public safety, convenience, health, general welfare and the preservation of the comprehensive plan. New residential development is encouraged. The design of new structures should recognize the style and character of adjoining building exteriors, i.e., cornice lines and building materials and colors should be similar wherever possible.

#### 8.4.1.3 Uses Permitted

See Division 8.1.01, ~~“Uses and Required Minimum Parking,”~~ for uses permitted in the D-LD District.

#### 8.4.1.4 Off-Street Parking Requirements

##### A. Applicable Standards

All development in the D-LD zone district shall comply with the off-street vehicle parking standards and the bicycle parking standards in Division 10.4, Parking and Loading, of this Code except where the standards stated in this Section 8.4.1.4 conflict, in which case the standards in this Section 8.4.1.4 shall apply in the D-LD zone district.

##### B. Amount of Parking Spaces Required

1. There shall be no minimum off-street parking requirement for contributing buildings or residential additions to contributing buildings, as such buildings are designated in D.R.M.C., Article III, (Lower Downtown Historic District), of Chapter 30, (Landmark Preservation);
2. One off-street parking space shall be provided for each residential unit of a new residential building or a residential addition to a noncontributing building; provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted;
3. One off-street parking space shall be provided for each 750 square feet of gross floor area for any nonresidential addition to a contributing or noncontributing building, or a new nonresidential building;
4. For zone lots with a mix of residential and any other primary use, off-street parking spaces shall be provided based on the requirements in Subsections B.1 through B.3 above in proportion to the uses in the building provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted if submitted for approval prior to January 1, 2017. This shall be calculated by first calculating the number of parking spaces otherwise required, multiplying that figure by eight tenths (.8) and rounding up to the nearest whole number;
5. “Additional parking” is parking above the required minimums as set forth in Sections 8.4.1.4.B.1 through 8.4.1.4.B.4 above. All structures may provide up to an additional one-half parking space per residential unit and one space per 1,500 square feet of gross floor area of nonresidential uses;

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## **DIVISION 8.6 DOWNTOWN GOLDEN TRIANGLE DISTRICT**

### **SECTION 8.6.1 GOLDEN TRIANGLE DISTRICT**

#### **8.6.1.1 Generally**

The provisions of this Division apply to all lands, uses and structures in the Golden Triangle district.

#### **8.6.1.2 Uses Permitted**

See Division 8.1~~0~~1 for uses permitted in the Golden Triangle District.

#### **8.6.1.3 Permitted Structures.**

##### **A. Open Space Required**

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-GT district a minimum of 25 square feet of unobstructed open space, for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

##### **B. Setbacks from Abutting Street Frontages**

###### **1. Maximum Setback**

Buildings shall be built at or within 5 feet of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.6 or in Design Standards and Guidelines adopted for the Golden Triangle neighborhood.

###### **2. Setbacks from Speer Boulevard**

All structures on zone lots abutting Speer Boulevard shall be set back from Speer Boulevard a distance of at least 10 feet. In addition, any structure over 100 feet tall that is located on a zone lot containing at least 15,000 square feet of area shall have that portion of the structure that is more than 100 feet above ground level set back at least 20 feet from the right-of-way of Speer Boulevard; provided, however, that in lieu of such additional setback, the owner of such property may choose to have the design of such structure reviewed and approved by Community Planning and Development to avoid overshadowing of the Speer Boulevard right-of-way. Such design review shall be conducted pursuant to Section 8.6.1.4, Design Review, below.

##### **C. Maximum Height**

The maximum height of structures shall not exceed 175 feet above the elevation of Broadway Street as measured at the highest point on Broadway directly east or west of the subject property, as the case may be, as determined by the City Engineer. Upon request by the applicant, the Zoning Administrator, after consulting with the Manager and the chairperson of the Planning Board or their designated representatives, may increase the maximum heights by up to 25 feet according to the Administrative Adjustment procedures in Section 12.4.5, in order to compensate for design constraints imposed by unusually high water tables, irregularly shaped Zone Lots not caused by the property owner, and other unusual site conditions not caused by the property owner.

##### **D. Maximum Gross Floor Area in Structures**

###### **1. Basic Maximum Gross Floor Area**

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

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## **DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE (D-AS) DISTRICT**

### **SECTION 8.7.1 ARAPAHOE SQUARE DISTRICT (D-AS)**

#### **8.7.1.1 Generally**

The provisions of this Division 8.7 apply to all lands, uses and structures in the Downtown Arapahoe Square (D-AS) zone district.

#### **8.7.1.2 Uses Permitted**

See Division 8.1~~0~~1 for uses permitted in the D-AS District.

#### **8.7.1.3 Permitted Structures**

##### **A. Open Space Required**

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-AS district a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

##### **B. Setbacks from Abutting Street Frontages**

Buildings shall be built at or within 10 feet of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.7 or in Design Standards and Guidelines adopted for the D-AS District.

##### **C. Maximum Height**

In the D-AS district, the maximum height of structures shall not exceed 80 feet.

##### **D. Floor Area in Structures**

###### **1. Basic Maximum Gross Floor Area**

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

###### **2. Floor Area Premiums**

In addition to the basic maximum gross floor area permitted under Section 8.7.1.3.D.1. above, a premium of additional floor area may be constructed according to the following formulas:

###### **a. Premium for Housing**

One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses:

###### **b. Premium for Residential Support Uses**

One (1) square foot of floor area premium shall be awarded for each square foot of "Residential support uses", defined to be limited to a retail food sales use, or elementary or secondary school meeting all requirements of the compulsory education laws of the state, or day care center constructed to at least the minimum licensing standards of the Colorado Department of Environmental Health.

###### **c. Premium for Arts, Entertainment, or Cultural Facility**

One (1) square foot of floor area premium shall be awarded for each square foot of "arts, entertainment, or cultural facility", defined to be limited to the provision of amusement or entertainment services upon payment of a fee, art gallery, museum, theater, or other similar uses as determined by the Zoning Administrator.

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**SECTION 8.8.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

**8.8.3.1 Applicability**

All development, except detached accessory structures, in the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) zone districts.

**8.8.3.2 General Standards**

- A. Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.
- B. At an applicant's request, a primary structure with an existing assigned building form may be assigned a different permitted building form if:
  - 1. The structure fully conforms with all applicable standards of the new building form; or,
  - 2. The existing assigned building form is no longer a permitted form in the applicable zone district.

**8.8.3.3 District Specific Standards Summary**

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

Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts	Building Forms													
	Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive-Thru Services	Drive-Thru Restaurant	General	General with Height Incentive	Standard Tower	Point Tower
<b>Max Number of Primary Structures Per Zone Lot</b>	<b>No Maximum</b>													
Downtown Arapahoe Square 12+ District (D-AS-12+)											■	■		■
Downtown Arapahoe Square 20+ District (D-AS-20+)											■	■		■

■ = Allowed    □ = Allowed subject to geographic limitations

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**GENERAL**

HEIGHT	D-AS-12+	D-AS-20+
A Stories (max)	8	12
A Feet (max)	110'	150'
Height Exceptions	See Section 8.910.1.1	

SITING	D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED BUILD-TO BY STREET</b>		
B All Primary Streets (min build-to %)	70%	
21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
Build-to Exceptions and Alternatives	See Sections 8.8.6.1 and 8.8.7.1	
<b>SETBACKS</b>		
Primary Street (min)	0'	
Side Interior (min)	0'	
Rear, alley and no alley (min)	0'	
<b>PARKING</b>		
Surface Parking between building and Primary Street	Not Allowed	
Surface Parking Screening Required	See Section 10.5.4.4	
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	

DESIGN ELEMENTS	D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>		
C 20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
D 21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10'*	
E All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
F All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
<b>STREET LEVEL ACTIVATION</b>		
G Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)	60%/ 40%	
Street Level Transparency Alternatives	See Section 8.8.6.3	
H Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>		
I Limitation on Visible Parking above Street Level	No Limitation on Visible Parking Above Street Level	

USES	D-AS-12+ and D-AS-20+ Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.101 Uses and <a href="#">Minimum/Maximum Parking Requirements</a> ; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.		

\*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

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**GENERAL WITH HEIGHT INCENTIVE**

HEIGHT	D-AS-12+	D-AS-20+
Stories (max)	na	na
<b>A</b> Feet (max)	150'	250'
Height Exceptions	See Section 8.910.1.1	

SITING	D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED BUILD-TO BY STREET</b>		
<b>B</b> All Primary Streets (min build-to %)	70%	
21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
Build-to Exceptions and Alternatives	See Sections 8.8.6.1 and 8.8.7.1	
<b>SETBACKS</b>		
Primary Street (min)	0'	
Side Interior (min)	0'	
Rear, alley and no alley (min)	0'	
<b>PARKING</b>		
Surface Parking between building and Primary Street	Not Allowed	
Surface parking screening required	See Section 10.5.4.4	
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	

DESIGN ELEMENTS	D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>		
<b>C</b> 20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
<b>D</b> 21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10**	
<b>E</b> All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
<b>F</b> All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
<b>STREET LEVEL ACTIVATION</b>		
<b>G</b> Street Level Transparency, Primary Street (min for non-residential/min for residential only buildings)	60%/40%	
Street Level Transparency Alternatives	See Section 8.8.6.3	
<b>H</b> Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>		
<b>I</b> Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zZone tLot wWidth)	70%	
	See Section 8.8.5.2	

USES	All D-AS Districts
------	--------------------

(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.101 Uses and [Minimum/Maximum Parking Requirements](#); and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.

\*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

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**C. Point Tower**

*Not to Scale. Illustrative Only.*

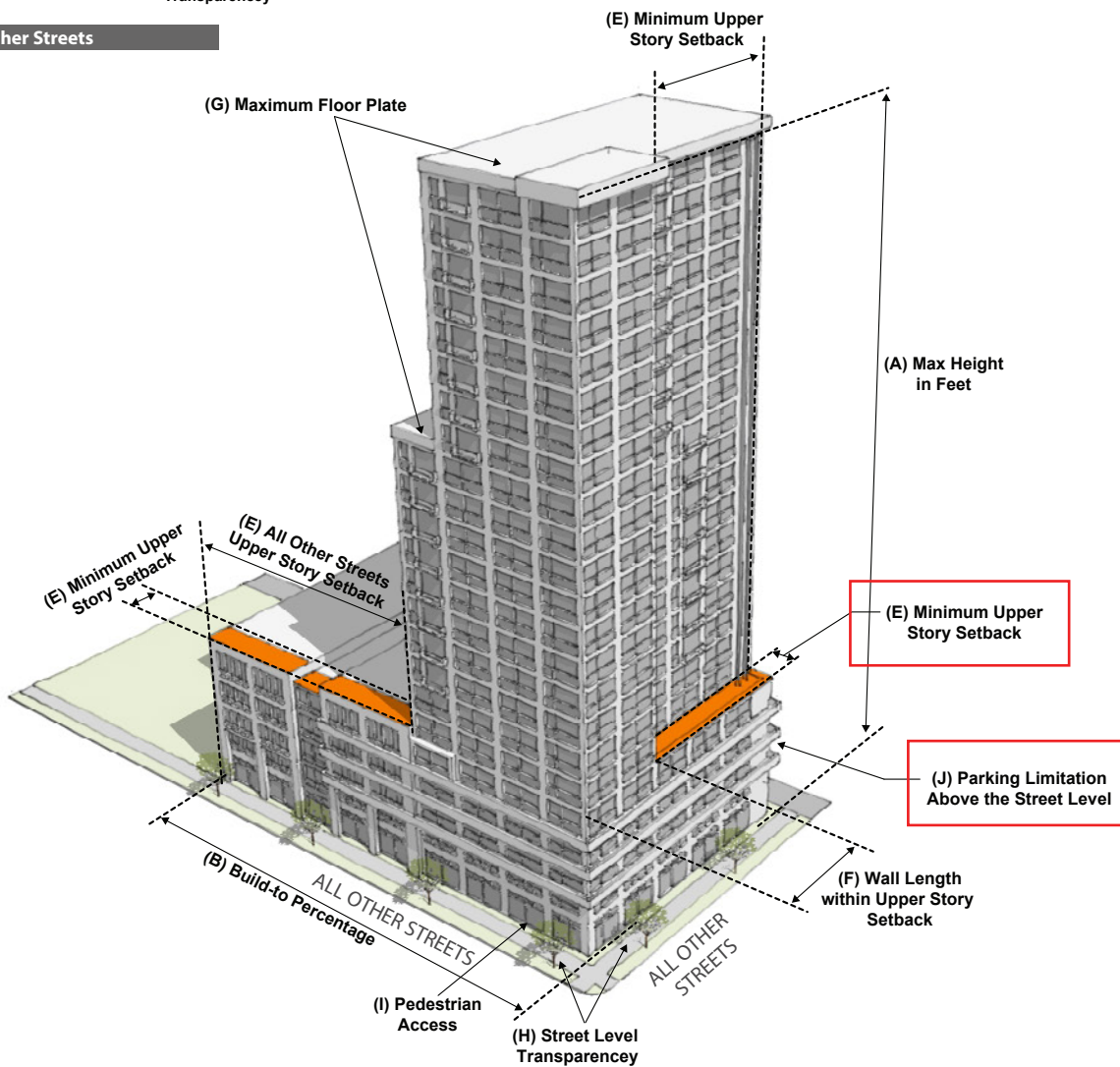
**20th Street or Broadway**



**21st Street or Park Avenue**



**All Other Streets**



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**POINT TOWER**

<b>HEIGHT</b>		<b>D-AS-12+</b>	<b>D-AS-20+</b>
	Stories (max)	na	na
<b>A</b>	Feet (max)	250'	375'
	Height Exceptions	See Section 8.910.1.1	
<b>SITING</b>		<b>D-AS-12+ and D-AS-20+ Districts</b>	
<b>REQUIRED BUILD-TO BY STREET</b>			
<b>B</b>	All Primary Streets (min build-to%)	70%	
	21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
	Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
	All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
	Build-to Exceptions and Alternatives	See Sections 8.8.6.1 and 8.8.7.1	
<b>SETBACKS</b>			
	Primary Street (min)	0'	
	Side Interior (min)	0'	
	Rear, alley and no alley (min)	0'	
<b>PARKING</b>			
	Surface Parking between building and Primary Street	Not Allowed	
	Surface Parking Screening Required	See Section 10.5.4.4	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		<b>D-AS-12+ and D-AS-20+ Districts</b>	
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>			
<b>C</b>	20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
<b>D</b>	21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10'*	
<b>E</b>	All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
	20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
<b>F</b>	All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
	21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
<b>BUILDING CONFIGURATION</b>			
<b>G</b>	Point Tower Floor Plate above 5 stories and 70' (max <u>area</u> / max <u>linear dimension</u> )	<del>10,000</del> 11,000 square feet / 165'	
	<u>Tower Floor Plate Linear Dimension Alternative (max)</u>	180' - See Section 8.8.6.4	
<b>STREET LEVEL ACTIVATION</b>			
<b>H</b>	Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)	60%/ 40%	
	Street Level Transparency Alternatives	See Section 8.8.6.3	
<b>I</b>	Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>			
<b>J</b>	Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing <u>z</u> Zone <u>l</u> Lot <u>w</u> Width)	70% See Section 8.8.5.2	
<b>USES</b>		<b>All D-AS Districts</b>	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.101 Uses and <u>Minimum/Maximum</u> Parking <u>Requirements</u> ; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

\*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)



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**DETACHED ACCESSORY STRUCTURES**

<b>HEIGHT</b>		D-AS-12+ and D-AS-20+ Districts
A	Stories (max)	1
A	Feet (max)	17'

<b>SITING</b>		D-AS-12+ and D-AS-20+ Districts
	Additional Standards	See Section 8.8.4.3

<b>SETBACKS</b>		D-AS-12+ and D-AS-20+ Districts
B	Primary Street	5'
C	Side Interior (min)	0'
D	Rear (min)	0'

<b>DESIGN ELEMENTS</b>		D-AS-12+ and D-AS-20+ Districts
	Gross Floor Area (max)	10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.8.4.3

<b>USES</b>		D-AS-12+ and D-AS-20+ Districts
		Accessory Uses Only

See Section 8.910.1 for Design Standard Exceptions

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**8.8.6.3 Street Level Transparency Alternatives in D-AS-12+ and D-AS-20+ Districts**

**A. Intent**

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

**B. Allowance**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, if all alternatives meet the requirements stated in Section 13.1.6.3.A.5:

TRANSPARENCY ALTERNATIVES				
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
D-AS-12+ D-AS-20+	Primary Street	20%	20%	40%

**8.8.6.4 Tower Floor Plate Linear Dimension Alternative in D-AS-12+ and D-AS-20+ Zone Districts**

**Review Note:**  
 The Arapahoe Square Design Standards and Guidelines are proposed to be updated to include criteria for evaluating the Linear Dimension Alternative. Flexibility for greater linear dimensions may include creative building designs with tapered floor plates, floor plates of a variety of sizes, etc.

**A. Intent**

To allow a flexible alternative in special circumstances for creative designs that do not meet the specific Tower Floor Plate Linear Dimension requirements set forth in the building form tables.

**B. Applicability**

This Section 8.8.6.4 applies to the Tower Floor Plate Linear Dimension maximum above 5 stories/70 feet in the Point Tower building form in the D-AS-12+ and D-AS-20+ zone districts.

**C. Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Linear Dimension that does not meet the specific requirements set forth in the building form table, up to the maximum dimension listed in the Tower Floor Plate Linear Dimension Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Linear Dimension in the Design Standards and Guidelines for Arapahoe Square.

**SECTION 8.8.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

**8.8.7.1 Required Build-To Exceptions in D-AS-12+ and D-AS-20+ Districts**

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

**1. Intent**

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

**2. Standard**

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

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## **DIVISION 8.9 DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS (D-CPV-T, D-CPV-R, D-CPV-C)**

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

### **SECTION 8.9.1 GENERAL INTENT**

The Intent of this Division 8.9 Design Standards for Downtown Central Platte Valley – Auraria Transition, River, and Center zone districts is to:

- 8.9.1.1 Implement the recommendations of applicable adopted plans such as the Denver Comprehensive Plan, Blueprint Denver, and Denver Downtown Area Plan Amendment.
- 8.9.1.2 Implement the General Purpose and Specific Intent for the Downtown Central Platte Valley – Auraria Transition, River, and Center zone districts provided in Section 8.2.2.2.
- 8.9.1.3 Enhance and promote Denver’s physical character, including access to parks and open space, tree lined streets, generous sidewalks and public space, interconnected street networks, and convenient access to transit and alternative modes of transportation.
- 8.9.1.4 Prioritize the pedestrian realm as a defining element of neighborhood character.
- 8.9.1.5 Promote walking, biking, transit, and alternative modes of transportation that decrease reliance on vehicle access and parking.
- 8.9.1.6 Promote development of a vibrant sense of place in Downtown Central Platte Valley – Auraria.
- 8.9.1.7 Further establish a sense of human scale design in Downtown Central Platte Valley – Auraria.
- 8.9.1.8 Encourage innovative and unique design solutions that help define a special character for Downtown Central Platte Valley – Auraria.
- 8.9.1.9 Support context-sensitive relationships within Downtown Central Platte Valley – Auraria and to adjacent buildings and neighborhoods through appropriately scaled building design.
- 8.9.1.10 Promote long-term environmental, social, and economic responsibility.
- 8.9.1.11 Support an integrated arrangement of residential, employment, retail, service, and open space uses that are conveniently located to and compatible with each other.
- 8.9.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.
- 8.9.1.13 Engage the South Platte River as a natural, recreational, and active use amenity that contributes to the character, environmental quality, mobility connections, and vibrancy of the neighborhood.

### **SECTION 8.9.2 BUILDING FORM INTENT FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

#### **8.9.2.1 Height**

- A. Encourage building forms that fully realize the urban character and intensity envisioned for the Downtown context.
- B. Allow a variety of building heights appropriate for a downtown urban location.
- C. Establish a minimum height that is appropriate for a downtown urban location.

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- D. Ensure building heights and scaling elements provide appropriate transitions to surrounding areas.
- E. Allow additional development intensity in exchange for equivalent community benefits.

**8.9.2.2 Floor Area Ratio**

- A. Encourage design creativity and a variety of building configurations.
- B. Include all contributors to building massing, including parking, in the determination of overall building intensity and scale.

**8.9.2.3 Siting**

- A. Required Build-To
  - 1. Provide a consistent street edge to enhance the character of the neighborhood and promote pedestrian activity.
  - 2. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
- B. Setbacks
  - 1. Site buildings to be consistent with the intended character and functional requirements of the Downtown context.
  - 2. Site buildings to define the street edge/public realm consistent with the context.
  - 3. Create appropriate transitions between the public realm and adjacent exterior amenities and building elements.
  - 4. Create appropriate transitions between the public realm and adjacent residential uses.
  - 5. Establish additional visual and physical space adjacent to the South Platte River.
- C. Parking and Service Access Locations
  - 1. Minimize the visual impacts of parking structures on streets and surrounding properties.
  - 2. Minimize conflicts between pedestrians and vehicles.
  - 3. Ensure parking and service access is located appropriately to minimize impacts on the surrounding urban environment.

**8.9.2.4 Design Elements**

- A. Building Configuration
  - 1. Define appropriate sizes and separation distances on upper stories of buildings to support access to sun, sky, and views.
  - 2. Limit excessively long and monotonous building facades.
  - 3. Encourage variation in building form, especially in the design of larger buildings.
- B. Incremental Mass Reduction
  - 1. Provide appropriate pedestrian scale, height, variety, and massing along the street.
  - 2. Maintain the general appearance of a predominantly 2- to 8-story height near the public sidewalk edge.

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3. Proportionally shape and taper building massing as height increases.
4. Support access to sun, sky, and views.
- C. Transparency
  1. Maximize transparency at the Street Level to activate the street.
  2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect uses within the building.
  3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties and promote engagement between building activities and the sidewalk.
- D. Entrances
  1. Prioritize the pedestrian realm as a defining element of neighborhood character.
  2. Provide convenient access to buildings and active uses from the street.
  3. Establish a direct relationship to the street through access, orientation and placement consistent with the context.
  4. Create visually interesting and human-scaled facades.
- E. Limitation on Visible Parking Above the Street Level
  1. Promote structured parking designs that are compatible in character and quality with adjoining buildings, open spaces and streetscapes.
  2. Create visual interest and activity on building facades above the street level.
- F. Street Level Active Uses
  1. Reinforce the character and quality of a vibrant public realm with active uses that support pedestrian activity and sense of place.
  2. Discourage residential uses at street level along key street corridors intended to have the highest concentration of retail commercial activity.

### 8.9.2.5 Specific Building Form Intent

#### A. General

To provide a base set of design standards for the zone districts including enhanced requirements for design elements such as Transparency, Active Use, and Build-To. The building form allows for a variety of site configurations and all uses are allowed.

1. **D-CPV-T**  
To create a transition from higher intensity districts to surrounding established lower-scale neighborhoods, buildings, and campus environments while allowing a variety of building types and uses.
2. **D-CPV-R**  
To allow increased flexibility for the development of smaller buildings, constrained lots, and community-serving uses.
3. **D-CPV-C**  
To allow increased flexibility for the greatest variety of building types and uses in exchange for a relatively low level of intensity.

#### B. Standard Tower

To allow tall buildings that accommodate a variety of building uses by meeting flexible upper story size limitations, applying enhanced design quality standards, and establishing a human

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scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed. Residential uses shall not make up a majority of the gross floor area located within the upper stories.

C. **Point Tower**

To promote tall, slender buildings that preserve access to sun, sky, and views by meeting rigorous upper story size limitations, applying enhanced design quality standards, and establishing a human scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed.

**SECTION 8.9.3    PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN  
CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DIS-  
TRICTS**

**8.9.3.1    Applicability**

All development, except detached accessory structures, in the Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) zone districts shall comply with this Section's primary building form standards.

**8.9.3.2    General Standards**

- A. Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.
- B. At an applicant's request, a primary structure with an existing assigned building form may be assigned a different permitted building form if:
  - 1. The structure fully conforms with all applicable standards of the new building form; or,
  - 2. The existing assigned building form is no longer a permitted form in the applicable zone district.

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**8.9.3.3 District Specific Standards Summary**

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

<u>Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts</u>	<b>Building Forms</b>			
	<u>General</u>	<u>General with Height Incentive</u>	<u>Standard Tower</u>	<u>Point Tower</u>
<u>Max Number of Primary Structures Per Zone Lot</u>	<u>No Maximum</u>			
<u>Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)</u>	■			
<u>Downtown Central Platte Valley – Auraria River District (D-CPV-R)</u>	■			■
<u>Downtown Central Platte Valley – Auraria Center District (D-CPV-C)</u>	■		■	■

■ = Allowed   □ = Allowed subject to geographic limitations

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**8.9.3.4 District Specific Standards**

**A. General**





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**GENERAL**

<b>HEIGHT</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>BASE HEIGHT</b>				
A	<u>Base Stories (max)</u>	5	5	5
A	<u>Base Feet (min/max)</u>	25' / 70'	25' / 70'	25' / 70'
<b>INCENTIVE HEIGHT</b>				
B	<u>Incentive Stories / Feet (max)</u>	na	12 / 150' - See Section 8.9.5.5	
<b>SITING</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>REQUIRED BUILD-TO BY STREET</b>				
C	<u>Primary Street (min build-to %)</u>		70%	
	<u>South Platte River Primary Street (min/max build-to range)</u>		2' / 25'	
			Frontage Subject to a Residential Setback: 15' / 25'	
D	<u>All Other Primary Streets (min/max build-to range)</u>		2' / 15'	
			Frontage Subject to a Residential Setback: 7' / 20'	
<b>SETBACKS</b>				
E	<u>All Primary Streets (min % of Zone Lot width/min Setback)</u>		100%/2' and 50%/5'	
	<u>Side Interior and Rear (min)</u>		0'	
<b>RESIDENTIAL SETBACKS BY STREET</b>				
	<u>South Platte River Primary Street (min)</u>	15'	na	na
E	<u>All Other Primary Streets (min)</u>	7'	7'	7'
<b>OPEN SPACE BY ZONE LOT SIZE OR WIDTH</b>				
	<u>Private Open Space on Lots &gt;50,000 sf or &gt;250' Wide (min)</u>	5%	5%	5%
<b>PARKING</b>				
	<u>Surface Parking between Building and Primary Street/South Platte River Frontage</u>		Not Allowed	
	<u>Surface Parking Screening Required</u>		See Section 10.5.4.4	
	<u>Vehicle Access</u>		Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>BUILDING CONFIGURATION</b>				
F	<u>Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	na	65% / 15'	65% / 15'
	<u>Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)</u>		70% - See Section 8.9.5.4	
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>				
G	<u>Incremental Mass Reduction for Stories 1-5</u>	na	15%	15%
G	<u>Incremental Mass Reduction for Stories 6-8</u>	na	25%	25%
G	<u>Incremental Mass Reduction for Stories 9-12</u>	na	35%	35%
<b>STREET LEVEL ACTIVATION</b>				
	<u>Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)</u>		60% / 40%	
	<u>Pedestrian Access, Primary Street</u>		Entrance	
	<u>Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)</u>		Dwelling Unit Entrance with Entry Feature	
<b>USES</b>		D-CPV-R	D-CPV-T	D-CPV-C
	<u>Permitted Primary Uses</u>	All permitted Primary Uses shall be allowed within this building form		
	<u>Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)</u>		100% - See Section 8.9.5.1	
	<u>Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)</u>		70% - See Section 8.9.5.2	
<u>See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions</u>				

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**B. Standard Tower**



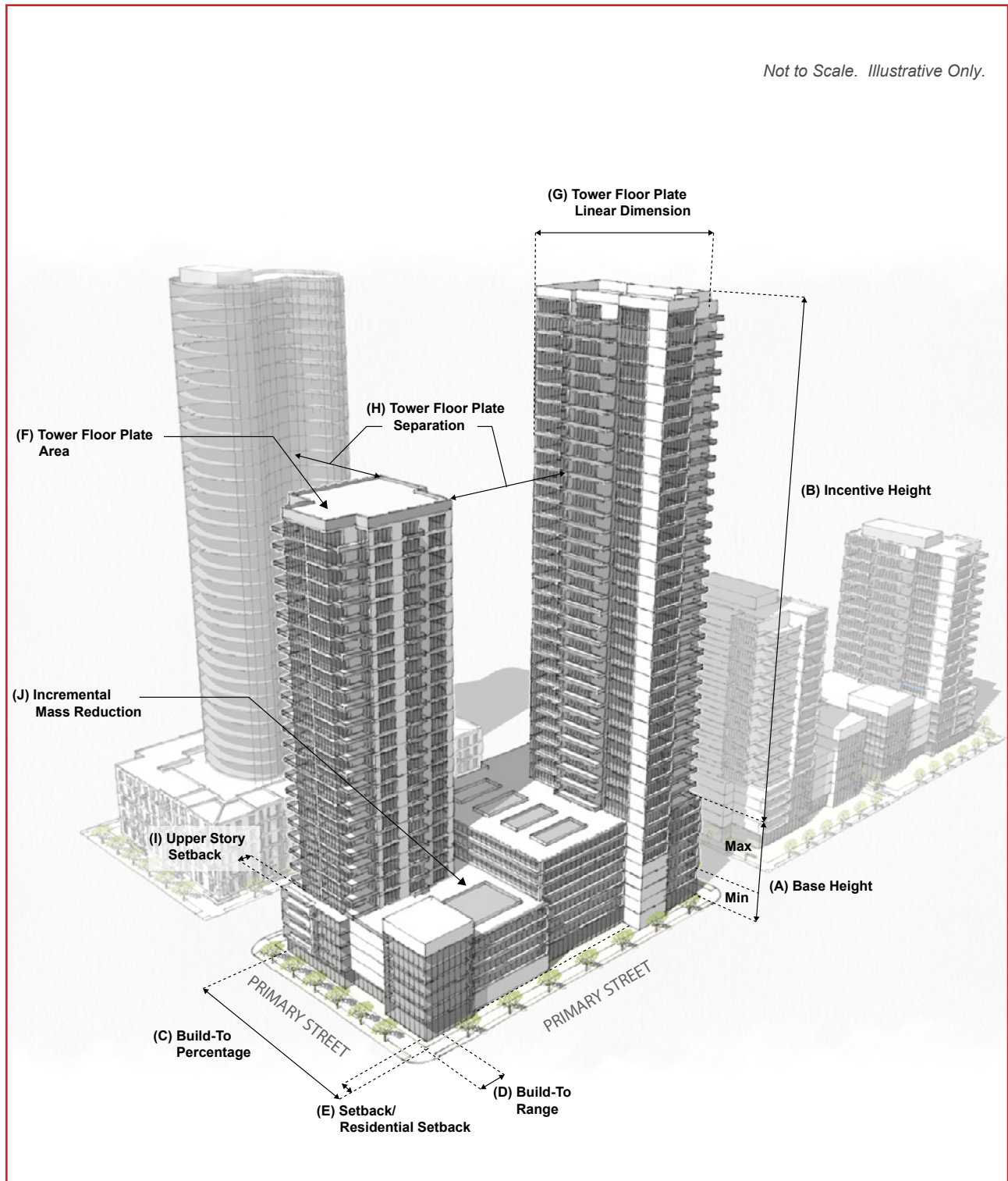
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**STANDARD TOWER**

<b>HEIGHT &amp; FLOOR AREA RATIO</b>		D-CPV-C
<b>BASE HEIGHT</b>		
A	<u>Base Stories (max)</u>	5
A	<u>Base Feet (min/max)</u>	25' / 70'
<b>INCENTIVE HEIGHT</b>		
B	<u>Incentive Stories / Feet (max)</u>	No Maximum - See Section 8.9.5.5
<b>FLOOR AREA RATIO</b>		
	<u>Floor Area Ratio (max)</u>	20.0
<b>SITING</b>		D-CPV-C
<b>REQUIRED BUILD-TO</b>		
C	<u>Primary Street (min build-to %)</u>	70%
D	<u>Primary Street (min/max build-to range)</u>	2' / 15' Frontage Subject to a Residential Setback: 7' / 20'
<b>SETBACKS</b>		
E	<u>Primary Street (min % of Zone Lot width/min Setback)</u>	100%/2' and 50%/5'
	<u>Side Interior and Rear (min)</u>	0'
<b>RESIDENTIAL SETBACKS</b>		
E	<u>Primary Street (min)</u>	7'
<b>OPEN SPACE BY ZONE LOT SIZE OR WIDTH</b>		
	<u>Private Open Space on Lots &gt;50,000 sf or &gt;250' Wide (min)</u>	5%
<b>PARKING</b>		
	<u>Surface Parking between Building and Primary Street/South Platte River Frontage</u>	Not Allowed
	<u>Surface Parking Screening Required</u>	See Section 10.5.4.4
	<u>Vehicle Access</u>	Shall be determined as part of Site Development Plan Review
<b>DESIGN ELEMENTS</b>		D-CPV-C
<b>BUILDING CONFIGURATION</b>		
F/G	<u>Tower Floor Plate above 8 stories and 110' (max area / max linear dimension)</u>	25,000 square feet / 250'
	<u>Tower Floor Plate Linear Dimension Alternative (max)</u>	265' - See Section 8.9.6.3
H	<u>Tower Floor Plate Separation (min)</u>	80' (Floor Plate Area ≤ 22,000 square feet) 100' (Floor Plate Area > 22,000 square feet)
	<u>Tower Floor Plate Separation Alternative (min)</u>	80' - See Section 8.9.6.4
I	<u>Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback)</u>	65% / 15'
	<u>Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)</u>	70% - See Section 8.9.5.4
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>		
J	<u>Incremental Mass Reduction for Stories 1-5</u>	15%
J	<u>Incremental Mass Reduction for Stories 6-8</u>	25%
<b>STREET LEVEL ACTIVATION</b>		
	<u>Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)</u>	60% / 40%
	<u>Pedestrian Access, Primary Street</u>	Entrance
	<u>Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)</u>	Dwelling Unit Entrance with Entry Feature
<b>USES</b>		D-CPV-C
	<u>Permitted Primary Uses</u>	All permitted Primary Uses shall be allowed within this building form;
	<u>Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)</u>	100% - See Section 8.9.5.1
	<u>Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)</u>	70% - See Section 8.9.5.2
	<u>Limitation on Primary Residential Uses (max % of Gross Floor Area above 8 stories and 110')</u>	50% - See Section 8.9.5.3
<u>See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions</u>		

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C. Point Tower



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**POINT TOWER**

<b>HEIGHT</b>		D-CPV-R	D-CPV-C
<b>BASE HEIGHT</b>			
A	<u>Base Stories (max)</u>		<u>5</u>
A	<u>Base Feet (min/max)</u>		<u>25' / 70'</u>
<b>INCENTIVE HEIGHT</b>			
B	<u>Incentive Stories / Feet (max)</u>	<u>No Maximum - See Section 8.9.5.5</u>	
<b>SITING</b>		D-CPV-R	D-CPV-C
<b>REQUIRED BUILD-TO BY STREET</b>			
C	<u>Primary Street (min build-to %)</u>		<u>70%</u>
	<u>South Platte River Primary Street (min/max build-to range)</u>		<u>2' / 25'</u> <u>Frontage Subject to a Residential Setback: 15' / 25'</u>
D	<u>All Other Primary Streets (min/max build-to range)</u>		<u>2' / 15'</u> <u>Frontage Subject to a Residential Setback: 7' / 20'</u>
<b>SETBACKS</b>			
E	<u>Primary Street (min % of Zone Lot width/min Setback)</u>		<u>100%/2' and 50%/5'</u>
	<u>Side Interior and Rear (min)</u>		<u>0'</u>
<b>RESIDENTIAL SETBACKS BY STREET</b>			
	<u>South Platte River Primary Street (min)</u>	<u>15'</u>	<u>na</u>
E	<u>All Other Primary Streets (min)</u>	<u>7'</u>	<u>7'</u>
<b>OPEN SPACE BY ZONE LOT SIZE OR WIDTH</b>			
	<u>Private Open Space on Lots &gt;50,000 sf or &gt;250' Wide (min)</u>		<u>5%</u>
<b>PARKING</b>			
	<u>Surface Parking between Building and Primary Street/South Platte River Frontage</u>		<u>Not Allowed</u>
	<u>Surface Parking Screening Required</u>		<u>See Section 10.5.4.4</u>
	<u>Vehicle Access</u>		<u>Shall be determined as part of Site Development Plan Review</u>
<b>DESIGN ELEMENTS</b>		D-CPV-R	D-CPV-C
<b>BUILDING CONFIGURATION</b>			
F/G	<u>Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)</u>	<u>11,000 square feet / 165'</u>	<u>na</u>
F/G	<u>Tower Floor Plate above 8 stories and 110' (max area / max linear dimension)</u>	<u>na</u>	<u>11,000 square feet / 165'</u>
	<u>Tower Floor Plate Linear Dimension Alternative (max)</u>		<u>180' - See Section 8.9.6.3</u>
H	<u>Tower Floor Plate Separation (min)</u>	<u>120'</u>	<u>80'</u>
	<u>Tower Floor Plate Separation Alternative (min)</u>	<u>80' - See Section 8.9.6.4</u>	<u>na</u>
I	<u>Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	<u>65% / 15'</u>	<u>na</u>
I	<u>Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback)</u>	<u>na</u>	<u>65% / 15'</u>
	<u>Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)</u>		<u>70% - See Section 8.9.5.4</u>
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>			
J	<u>Incremental Mass Reduction for Stories 1-5</u>	<u>15%</u>	<u>15%</u>
J	<u>Incremental Mass Reduction for Stories 6-8</u>	<u>na</u>	<u>25%</u>
<b>STREET LEVEL ACTIVATION</b>			
	<u>Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)</u>		<u>60% / 40%</u>
	<u>Pedestrian Access, Primary Street</u>		<u>Entrance</u>
	<u>Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)</u>		<u>Dwelling Unit Entrance with Entry Feature</u>
<b>USES</b>		D-CPV-R	D-CPV-C
	<u>Permitted Primary Uses</u>	<u>All permitted Primary Uses shall be allowed within this building form</u>	
	<u>Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)</u>		<u>100% - See Section 8.9.5.1</u>
	<u>Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)</u>		<u>70% - See Section 8.9.5.2</u>
<u>See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions</u>			

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**SECTION 8.9.4 DETACHED ACCESSORY BUILDING FORM STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

**8.9.4.1 Applicability**

All detached accessory structures in the Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) zone districts.

**8.9.4.2 General Standards**

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

**B. Detached Accessory Structures Allowed**

Allowed detached accessory structures include, but are not limited to the following:

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

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

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

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

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

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

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

Examples include, but are not limited to the following:

a. 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.

b. Solar thermal and photo-voltaic energy systems

c. Air conditioning units

d. Pool pumps, heating and water filtration systems

e. Mailboxes including individual mailbox structures and cluster box units (CBUs)

f. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

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

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 8.9.4, Detached Accessory Building Form Standards.

**6. Detached Accessory Structures Not Listed**

a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.9.4.

b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted

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Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
  - d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.9.4.
- C. At an applicant's request, a detached accessory structure with an existing assigned building form may be assigned a different permitted detached accessory building form if:
- 1. The structure fully conforms with all applicable standards of the new detached accessory building form; or,
  - 2. The existing assigned detached accessory building form is no longer a permitted building form in the applicable zone district.

**8.9.4.3 Supplemental Standards**

**A. Additional Standards for Detached Accessory Structures in Downtown Central Platte Valley – Auraria Transition, River, and Center Zone Districts**

**1. Public Art**

A detached accessory structure may be allowed to exceed any Detached Accessory Building Form standard if it is a “work of public art” as defined by Section 20-86 of the Denver Revised Municipal Code, as determined by the Zoning Administrator with input from Denver Arts and Venues, and if the Zoning Administrator determines that such exception (1) will have no adverse impacts on abutting property, and (2) shall not substantially harm the public health, safety, and general welfare.

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

**1. Required Building Materials**

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

**C. Additional Standards for Detached Accessory Structure Building Forms**

**1. Applicability**

This section applies to the Detached Accessory Structure accessory building forms only.

**2. Limit on 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 that this limitation shall not apply to detached accessory structures with vehicle access doors.

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**8.9.4.4 District Specific Standards Summary**

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

<u>Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts</u>	<u>Building Forms</u>			
	<u>Detached Accessory Dwelling Unit</u>	<u>Detached Garage</u>	<u>Other Detached Accessory Structures</u>	<u>Detached Accessory Structures</u>
<u>Max Number of Detached Accessory Structures Per Zone Lot</u>	<u>No Maximum</u>			
<u>Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)</u>				■
<u>Downtown Central Platte Valley – Auraria River District (D-CPV-R)</u>				■
<u>Downtown Central Platte Valley – Auraria Center District (D-CPV-C)</u>				■

■ = Allowed □ = Allowed subject to limitations



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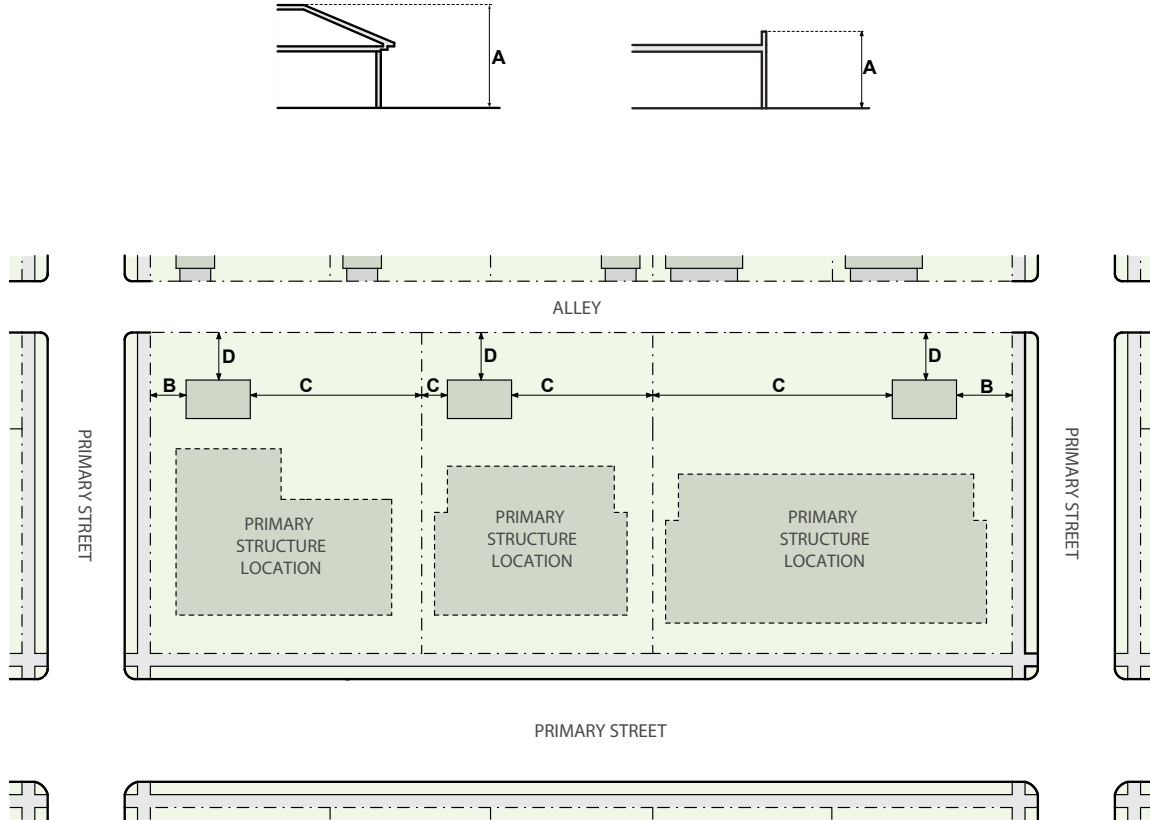
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**8.9.4.5 District Specific Standards**

**A. Detached Accessory Structures**

*Not to Scale. Illustrative Only.*



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**DETACHED ACCESSORY STRUCTURES**

<b>HEIGHT</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
A	<u>Stories (max)</u>	<u>1</u>
A	<u>Feet (max)</u>	<u>17'</u>
<b>SITING</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
	<u>Additional Standards</u>	<u>See Section 8.9.4.3</u>
<b>SETBACKS</b>		
B	<u>Primary Street</u>	<u>5'</u>
C	<u>Side Interior (min)</u>	<u>0'</u>
D	<u>Rear (min)</u>	<u>0'</u>
<b>DESIGN ELEMENTS</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
	<u>Gross Floor Area (max)</u>	<u>10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.9.4.3</u>
<b>USES</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
		<u>Accessory Uses Only</u>

See Section 8.10.1 for Design Standard Exceptions

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**SECTION 8.9.5    SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN  
CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DIS-  
TRICTS**

**8.9.5.1    Street Level Active Uses in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A.    Intent**

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

**B.    Applicability**

This Section 8.9.5.1 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

**C.    Street Level Active Uses**

1.    Street Level active uses include all permitted primary uses except the following:
  - a.    Automobile Services, Light;
  - b.    Mini-storage Facility; or
  - c.    Wholesale Trade or Storage, Light.
2.    Street Level active uses include all permitted accessory uses except the following:
  - a.    Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b.    Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3.    Street Level active uses shall not include Parking Spaces or Parking Aisles.
4.    Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards and insets for building articulation up to 10 feet in depth).
5.    The portion of the building facade that meets the Street Level active use requirement shall contain at least one window or door that meets the transparency requirement standards in Section 13.1.6.3.A.4.

**8.9.5.2    Street Level Active Non-Residential Uses in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A.    Intent**

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment with uses accessible to the general public.

**B.    Applicability**

This Section 8.9.5.2 applies to all Primary Street frontages facing Water Street, 7th Street, 9th Street, Elitch Circle, or Chopper Circle, or renamed extensions thereof if applicable, of all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

**C.    Allowance**

1.    Street Level active non-residential uses include all permitted primary uses except the following:
  - a.    Dwelling, Single Unit;
  - b.    Dwelling, Two Unit
  - c.    Dwelling, Multi-Unit;
  - d.    Dwelling, Live / Work;

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- e. Automobile Services, Light;
  - f. Mini-storage Facility; or
  - g. Wholesale Trade or Storage, Light.
2. Street Level active non-residential uses include all permitted accessory uses except the following:
    - a. Accessory uses associated with primary uses prohibited by Section 8.9.5.2.C.1;
    - b. Outdoor Storage, General;
    - c. Outdoor Storage, Limited;
    - d. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
    - e. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
  3. Street Level active non-residential uses shall not include Parking Spaces or Parking Aisles.
  4. Street Level active non-residential uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
  5. The length of any build-to alternatives permitted by Section 8.9.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by Street Level active non-residential uses.

**8.9.5.3 Limitation on Primary Residential Uses Above 8 Stories in the Standard Tower Building Form in the D-CPV-C Zone District**

**A. Intent**

To promote slender buildings and preserve access to sun, sky, and views by limiting use of the Standard Tower building form to primarily non-residential uses that require greater flexibility in Tower Floor Plate design standards than is allowed in the Point Tower building form.

**B. Applicability**

This Section 8.9.5.3 applies to the Standard Tower building form in the D-CPV-C zone districts.

**C. Limitation on Primary Residential Uses**

1. For purposes of this standard, Primary Residential Uses include all permitted uses listed under the Residential Primary Use Classification in Section 8.11.4, including but not limited to:
  - a. Dwelling, Multi-Unit;
  - b. Dwelling, Live / Work; or
  - c. Student Housing.
2. The total Gross Floor Area of all Primary Residential Uses located above 8 Stories and 110' shall not exceed the maximum percentage, specified in the building form table, of the total Gross Floor Area of the Structure located above 8 Stories and 110'. Note that the percentage of Gross Floor Area of Primary Residential Uses on any individual Story above 8 Stories and 110' may exceed the percentage specified in the building form table.

**8.9.5.4 Limitation on Visible Parking Above Street Level in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A. Intent**

To minimize the visibility, and impacts of structured parking and promote visual interest on upper story building facades.

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**B. Applicability**

This Section 8.9.5.4 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

**C. Allowance**

1. Uses that meet the Limitation on Visible Parking above Street Level shall include all primary uses, but shall not include Parking Spaces or Parking Aisles for the minimum percentage of the Primary Street-facing Zone Lot Width specified in the building form table.
2. Uses that meet the Limitation on Visible Parking above Street Level shall occupy floor area above Street Level for a minimum depth of 15 feet from the Primary Street frontage (may include the depth of recessed balcony or terrace areas and insets for building articulation up to 10 feet in depth).

**8.9.5.5 Incentive Height in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**Review Note:**

*D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing will be proposed for amendment to include increased on-site affordable housing requirements for the D-CPV zone districts, similar to the increased requirements for structures using incentive height in the existing 38th and Blake Station Area Incentive Overlay.*

*The proposed amendment would also require a detailed affordable housing plan for large/phased developments (note that negotiation is underway for such an agreement at River Mile).*

*See the separate 'Draft Summary of Affordable Housing Requirements in D-CPV Zone Districts' attached to this public review draft for more information.*

*Note: Section E.2. at right includes allowance for 80% parking use in incentive height. Existing IO-1 overlay is written to allow only 50%. If we move forward with 80% in D-CPV, it would make sense to adjust to 80% in IO-1 as part of this text amendment.*

**A. Intent**

Implement specific adopted plan policies for the Central Platte Valley - Auraria area to provide affordable housing and other community benefits in excess of standard requirements.

**B. Applicability**

This Section 8.9.5.5 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in conjunction with applicable requirements in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.

**C. Maximum Base Height**

1. Maximum Base Height shall be the maximum height in stories and feet set forth in the building form tables.
2. Structures that do not exceed the maximum Base Height shall not be subject to the requirements set forth in Section 8.9.5.5.E Requirements for Structures Using Incentive Height.

**D. Maximum Incentive Height**

1. Structures that meet the requirements set forth in Section 8.9.5.5.E Requirements for Structures Using Incentive Height may exceed the maximum Base Height and instead develop to the maximum Incentive Height set forth in the building form tables.

**E. Requirements for Structures Using Incentive Height**

1. No building permit for development of a Structure exceeding Base Height within the D-CPV-T, D-CPV-R, or D-CPV-C districts shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.
2. No building permit for development of a Structure exceeding Base Height within the D-CPV-T, D-CPV-R, or D-CPV-C districts shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of the total gross square footage of all uses located above the maximum Base Height, with the exception of a Structure exceeding Base Height that is on a zone lot covered by an affordable housing plan as described in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.

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**SECTION 8.9.6 DESIGN STANDARD ALTERNATIVES FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

**8.9.6.1 Required Build-To Alternatives in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A. Intent**

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

**B. Allowance**

The following alternative may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided it meets the requirements stated in Section 13.1.5.7.E]

REQUIRED BUILD-TO ALTERNATIVE	
ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)
D-CPV-T D-CPV-R D-CPV-C	25%

**8.9.6.2 Street Level Transparency Alternatives in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A. Intent**

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

**B. Allowance**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, if all alternatives meet the requirements stated in Section 13.1.6.3.A.5:

TRANSPARENCY ALTERNATIVES				
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
D-CPV-T D-CPV-R D-CPV-C	Primary Street	20%	30%	30%

**8.9.6.3 Tower Floor Plate Linear Dimension Alternative in D-CPV-R and D-CPV-C Zone Districts**

**A. Intent**

To allow a flexible alternative in special circumstances for creative designs that do not meet the specific Tower Floor Plate Linear Dimension requirements set forth in the building form tables.

**B. Applicability**

This Section 8.9.6.3 applies to the Tower Floor Plate Linear Dimension maximum above 5 stories/70 feet in the Point Tower building form in the D-CPV-R zone district and Tower Floor Plate Linear Dimension maximum above 8 stories/110 feet in the Standard Tower and Point Tower building forms in the D-CPV-C zone district.

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C. **Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Linear Dimension that does not meet the specific requirements set forth in the building form tables, up to the maximum dimension listed in the Tower Floor Plate Linear Dimension Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Linear Dimension in the Design Standards and Guidelines for Downtown Central Platte Valley – Auraria.

**8.9.6.4 Tower Floor Plate Separation Alternative in D-CPV-R and D-CPV-C Zone Districts**

**Review Note:**

*New Design Standards and Guidelines for the D-CPV districts are proposed in parallel with the Text Amendment.*

*See the separate 'Draft Summary of Design Standards and Guidelines / Design Review in D-CPV Zone Districts' attached to this public review draft for more information.*

A. **Intent**

To allow a flexible alternative in special circumstances for creative designs that do not meet the specific Tower Floor Plate Separation requirements set forth in the building form tables.

B. **Applicability**

This Section 8.9.6.4 applies to the Tower Floor Plate Separation minimum above 5 stories/70 feet in the Point Tower building form in the D-CPV-R zone district and Tower Floor Plate Separation minimum above 8 stories/110 feet in the Standard Tower building forms in the D-CPV-C zone district.

C. **Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Separation that does not meet the specific spacing requirements set forth in the building form tables, up to the minimum separation listed in the Tower Floor Plate Separation Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Separation in the Design Standards and Guidelines for Downtown Central Platte Valley – Auraria.

**SECTION 8.9.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

**8.9.7.1 Required Build-To Exceptions in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

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

1. **Intent**

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

2. **Standard**

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

**8.9.7.2 Setback Encroachments**

A. **Intent**

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

B. **Standard**

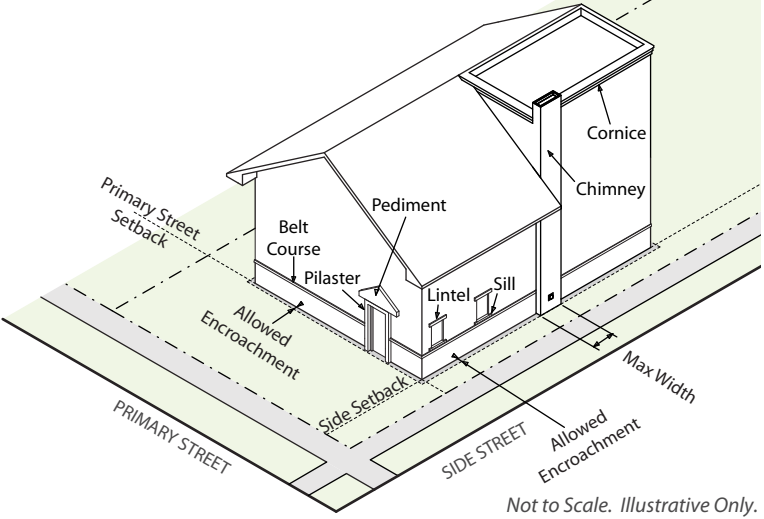

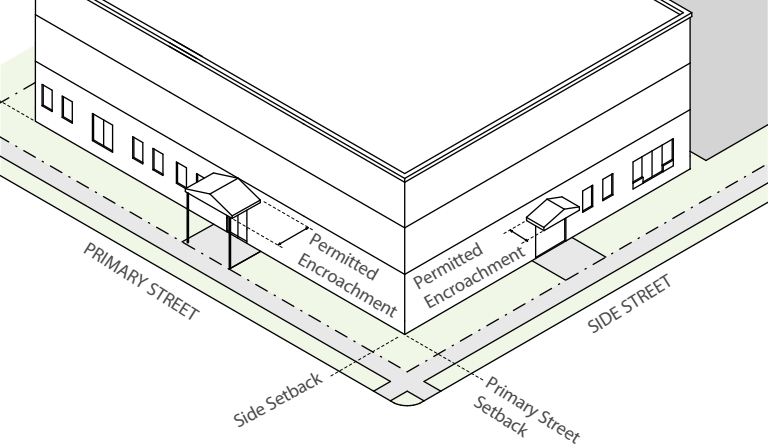

Required minimum setbacks shall be open and unobstructed. The following setback encroachments, including residential setbacks but excluding required upper story setbacks, are allowed:




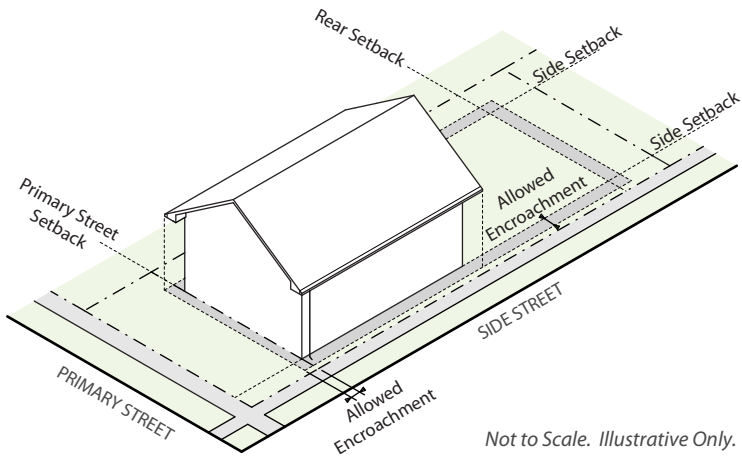

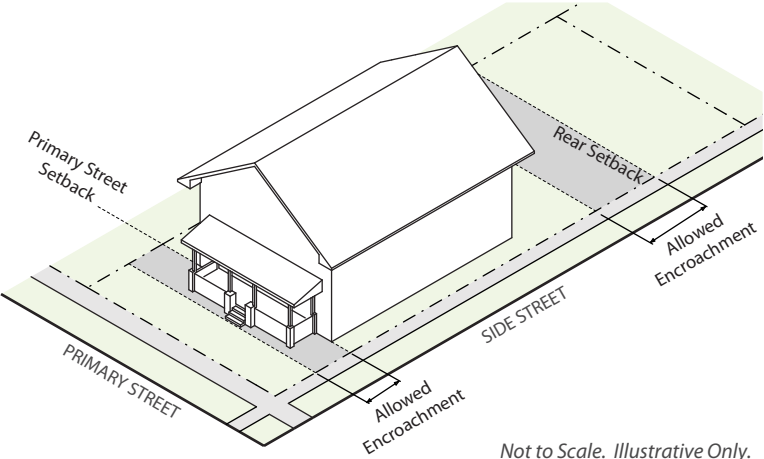
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**1. Architectural Elements**

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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6' in width</u></p>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>1.5'</u> <u>Cornices only: 3'</u></p>
<p><u>Intent: To allow common, minor decorative elements which are integral to a building.</u></p>			
 <p><i>Illustrative only</i></p>			
<p><u>Canopies providing cover to an entrance:</u></p> <ul style="list-style-type: none"> <li><u>The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</u></li> <li><u>Shall be open on three sides.</u></li> </ul>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>Any distance</u></p>
<p><u>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</u></p>			
 <p><i>Illustrative only</i></p>			

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	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Gutters and Roof Overhang</u></p> <p><u>Intent: To allow features of structures intended to repel weather</u></p>  <p><i>Illustrative only</i></p>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>3'</u></p>  <p><i>Not to Scale. Illustrative Only.</i></p>
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch:</u></p> <ul style="list-style-type: none"> <li>• <u>May be covered;</u></li> <li>• <u>All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</u></li> </ul> <p><u>Intent: To promote elements which provide for street activation and human scale.</u></p>  <p><i>Illustrative only</i></p>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>6' and minimum of 1' between right-of-way and first riser of above-grade stairway</u></p>  <p><i>Not to Scale. Illustrative Only.</i></p>

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

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**2. Site Elements**


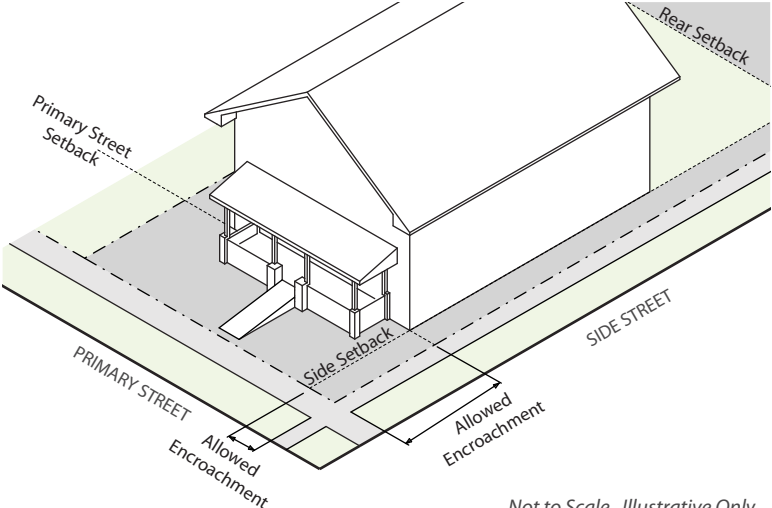
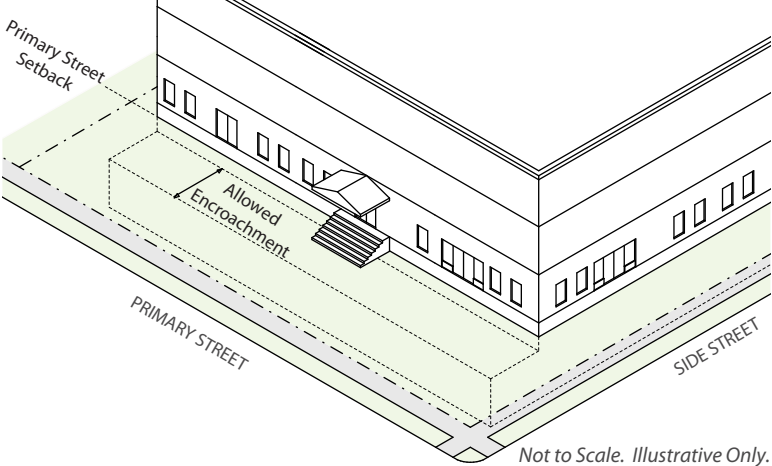
To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<u>Fences and Walls</u>	<u>See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening</u>		
<u>Surface Parking</u>	<u>Not Allowed</u>		
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<u>Drive or Driveway</u>	<u>All D-CPV-T/R/C Zone Districts</u>	<u>All building forms</u>	<u>Any distance</u>
<u>Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.</u>	<p>Side Setback, Side Setback, Side Setback, ALLEY, Side Setback, Side Setback, Side Street Setback, Rear Setback, Primary Street Setback, Allowed Encroachment, SIDE STREET, PRIMARY STREET, See Exception, Not to Scale. Illustrative Only.</p>		
 <i>Illustrative only</i>			
<p><u>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</u></p> <ul style="list-style-type: none"> <li><u>The Side Interior setback Abuts a public Alley;</u></li> <li><u>Other public right-of-way, or an easement for public access Abutting a public Alley; or</u></li> <li><u>Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</u></li> </ul>			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<u>Flatwork providing pedestrian access to entrances and buildings:</u>	<u>All D-CPV-T/R/C Zone Districts</u>	<u>All building forms</u>	<u>Any distance</u>
<u>Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness</u>	<p>Side Setback, Side Setback, Side Setback, ALLEY, Side Setback, Side Setback, Side Street Setback, Rear Setback, Primary Street Setback, Allowed Encroachment, SIDE STREET, PRIMARY STREET, Not to Scale. Illustrative Only.</p>		
 <i>Illustrative only</i>			

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**3. Service & Utility Elements**

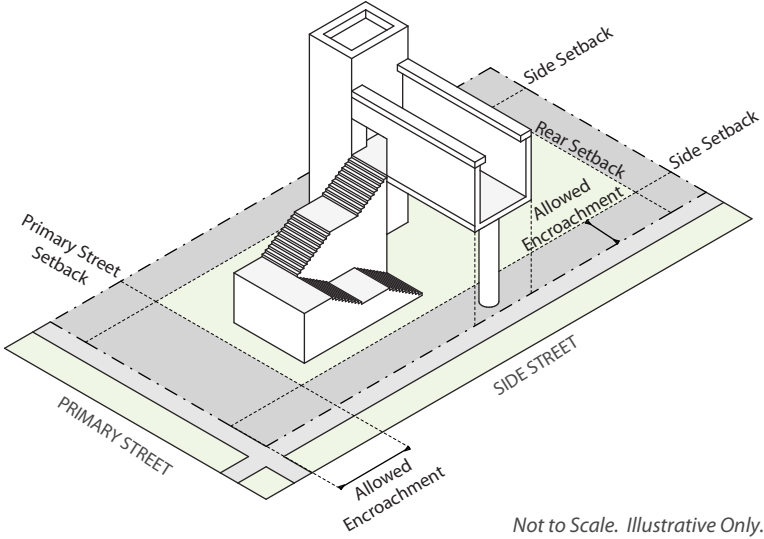

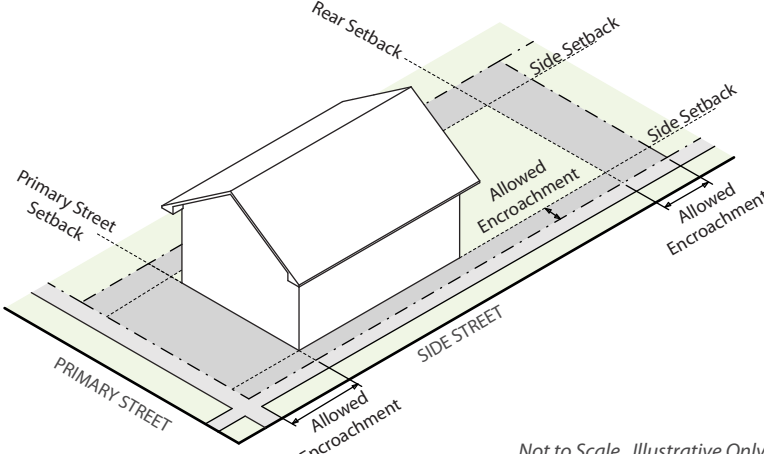
To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Barrier-free access structures providing access to existing buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</u></p> <ul style="list-style-type: none"> <li>• <u>Setback encroachments for required barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.</u></li> <li>• <u>Such barrier-free access structures shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</u></li> </ul>	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
<p><u>Intent: To provide flexibility in the location of required barrier-free access to existing buildings.</u></p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>		
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Enclosed structure that is below the original grade and completely underground, of any setback space, except as otherwise restricted by this Code</u></p>	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
<p><u>Intent: To allow below grade structures that do not disrupt the streetscape.</u></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>		

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	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Gas and electric meters	<a href="#">All D-CPV-T/R/C Zone Districts</a>	<a href="#">All building forms</a>	1.5'
Intent: To allow for functional siting.	<p style="text-align: right;">Not to Scale. Illustrative Only.</p>		
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways	<a href="#">All D-CPV-T/R/C Zone Districts</a>	<a href="#">All building forms</a>	5'
Intent: To provide for egress from a building only for emergency purposes	<p style="text-align: right;">Not to Scale. Illustrative Only.</p>		

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	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Pedestrian Bridge where the encroachment is necessary to complete a connection for a continuous, publicly accessible pedestrian/bicycle route provided Public Works has approved a right-of-way encumbrance.</u></p>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>Any distance</u></p>
<p><u>Intent: To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes.</u></p>	 <p>Not to Scale. Illustrative Only.</p>		
 <p><i>Illustrative only</i></p>			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:</u></p> <ul style="list-style-type: none"> <li>• <u>Shall not exceed 3' in height.</u></li> </ul>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>Any distance</u></p>
<p><u>Intent: To allow for functional siting.</u></p>	 <p>Not to Scale. Illustrative Only.</p>		

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	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><u>Window well and/or emergency basement egress areas:</u></p> <ul style="list-style-type: none"> <li>• <u>Shall be below grade.</u></li> </ul>	<p><u>All D-CPV-T/R/C Zone Districts</u></p>	<p><u>All building forms</u></p>	<p><u>Any distance for any width</u></p>
<p><u>Intent: To allow for emergency egress</u></p>	<p style="text-align: right;">Not to Scale. Illustrative Only.</p>		
<p style="text-align: center;"><i>Illustrative only</i></p>			



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## DIVISION 8.10 DESIGN STANDARDS

### SECTION 8.10.1 DESIGN STANDARD EXCEPTIONS

#### 8.10.1.1 Height Exceptions

**A. Intent**

To allow building features to exceed maximum height for utility purposes and/or limited recreation or building amenities in the higher intensity zone districts/larger forms.

**B. Applicability and Standards:**

1. The following building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 8.910.1.1.B.
2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.
3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.
5. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All D- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All D- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed

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BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All D- Zone Districts	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All D- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All D- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All D- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All D- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Not Allowed
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	Not Allowed
Pedestrian bridge	All D- Zone Districts	Not applicable	Not applicable	28'	Any number	Any distance	Any distance

**8.10.1.2 Setback Exceptions**

**A. Intent**

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

**B. Standard**

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

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

**SECTION 8.10.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS**

See Article 10, General Design Standards.

**SECTION 8.10.3 SURFACE PARKING LOT LANDSCAPING**

**A. Applicability**

1. Surface Parking as a primary use in the D-C, D-TD, D-LD, D-GT, D-AS and D-CV zones shall be landscaped according to this Section 8.910.3.

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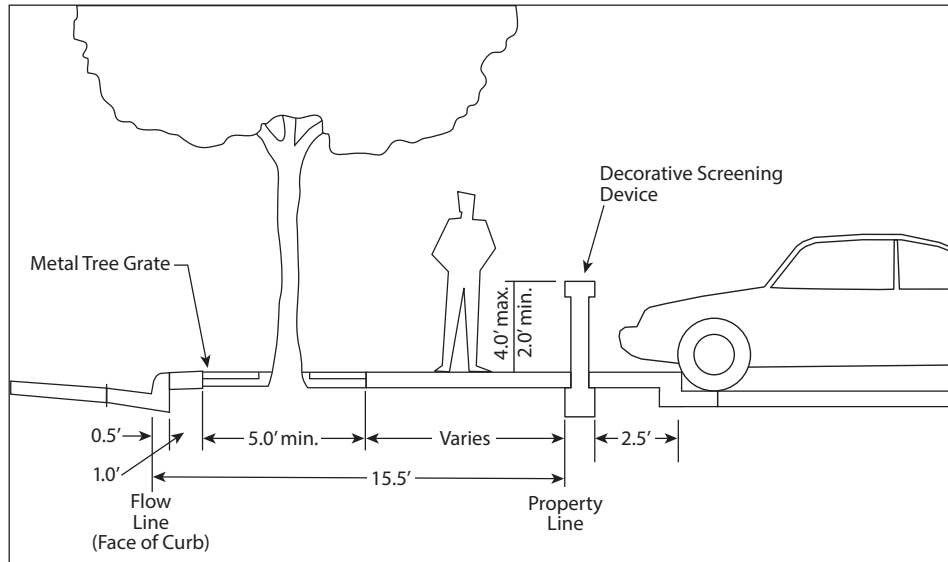
**B. Street Tree Planting Required**

1. Street trees shall be required on all street frontages for all proposed new parking areas.
2. Such trees shall be located on the public right-of-way where the available space between the flow line (face of curb) and the right-of-way/private property line is at least 10 feet wide and where no unusual problem or physical constraint exists. If such problem or constraint does occur in this situation, then the trees shall be located on private property.

**C. Screening Device Required**

1. In addition to required street tree planting, a decorative screening device is required that conforms to city design concepts or a similar screening device as may be acceptable to the Zoning Administrator. The height of such device may vary between 2 feet and 4 feet. Such screening device shall be located on private property.
2. Except for required street tree planting and additional standards in Section 8. 910.3.D, no tree lawn, landscaping or interior landscaping is required; however, owners may submit for Zoning Administrator review proposals for alternative designs that incorporate landscaping (sod and/or shrubs) with the screening device.

Illustration 1: D-C, D-TD, D-LD, D-CV, and D-AS and D-GT Zone Districts



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**D. Additional D-GT and D-AS Zone District Parking Lot Landscaping Requirements**

**1. Tree Lawn Required**

- a. In addition to required street tree planting, a street front tree-lawn at least 8 feet wide shall be required between the flow line and the parking lot. If the space between the flow line and the property line is inadequate to install an 8-foot wide tree lawn, the width of such tree lawn may be reduced; however, in no case shall it be reduced to less than 5 feet in width. Further, if such 5-foot wide tree lawn is located partially on private property, that portion on private property shall be counted toward the satisfaction of the 5% area requirement of Section D.2 below.
- b. "Tree lawn" for the purposes of this provision is defined as a linear strip of ground which contains trees as required by Section 8.910.3.B above.
- c. A tree lawn is generally located on the public right-of-way, but may in some cases be partially located on private property.

**2. Additional Parking Lot Landscaping Requirement**

An area of landscaping equal to 5% of the parking area shall be provided in addition to street tree and tree lawn landscaping areas. This additional landscaped area may be located:

- a. In the interior of the parking area according to the standards in Section 10.5.4.5, Interior Surface Parking Lot Landscaping Standards; or
- b. Along the street front as an addition to the tree lawn in the case of attached sidewalks; or
- c. With detached sidewalks, this area may be in the form of a landscaped planting strip with a minimum width of 5 feet located between the sidewalk and the parking area.

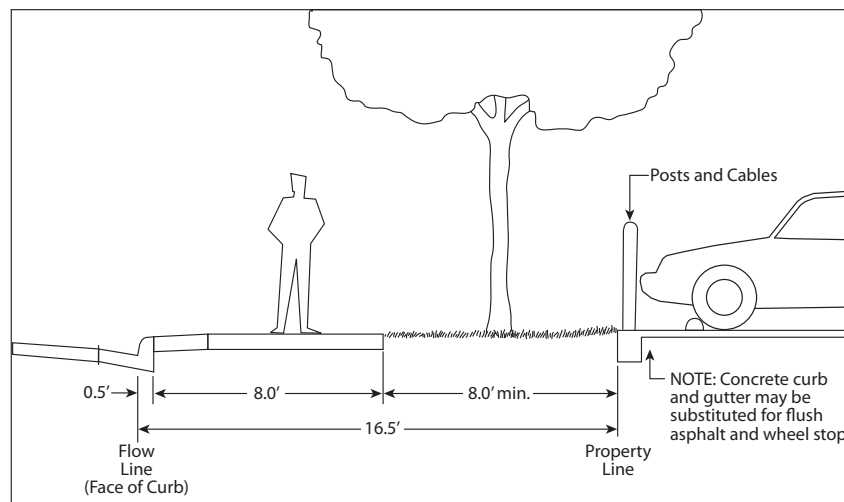
**3. Pedestrian Access**

A 3-foot-wide opening for pedestrians shall be located a maximum of 80 feet apart along all public street and alley frontages of the parking lot.

**4. Variations Allowed**

Variations in the arrangement or location of the tree lawn may be allowed depending on the location of existing sidewalks or on the quality of design proposals made by the developer according to the minimum widths set forth in Section 8.910.3.D.1 above.

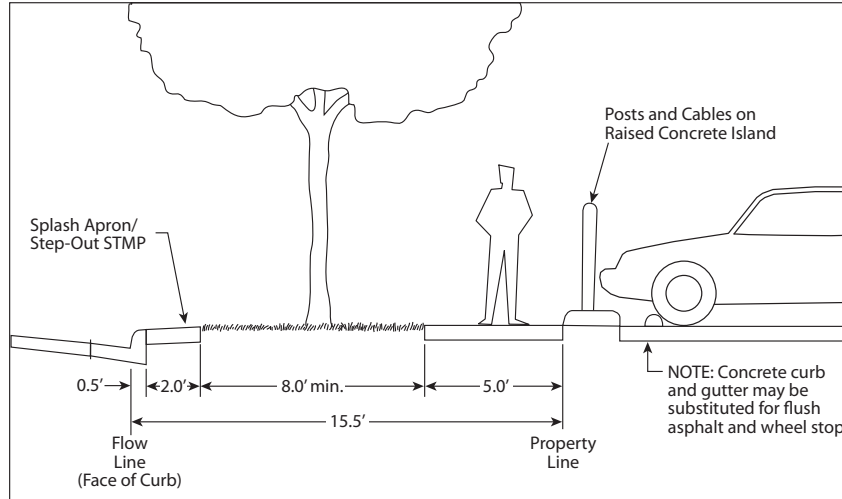
Illustration 2: D-C, D-TD, D-LD, D-CV, and D-AS and D-GT Zone Districts



Applicable where right-of-way (flow line to property line) is at least 16.5' or more and sidewalk is attached.

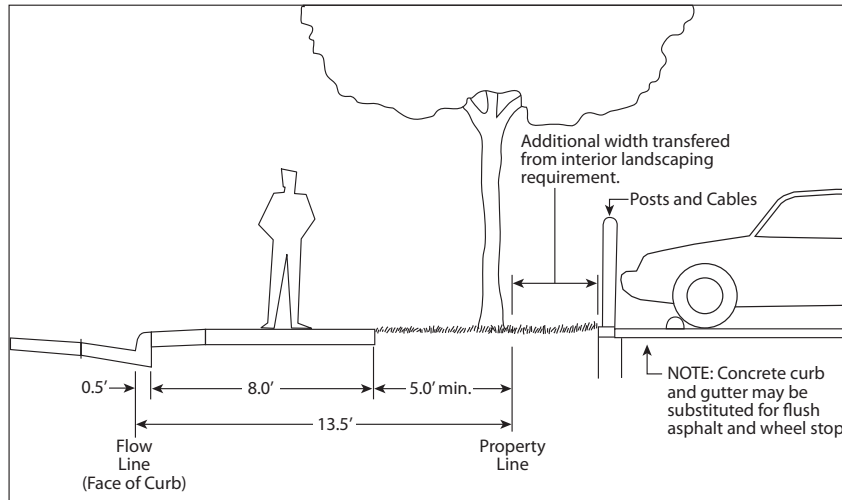
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**Illustration 3: D-C, D-TD, D-LD, D-CV, and D-AS and D-GT Zone Districts**



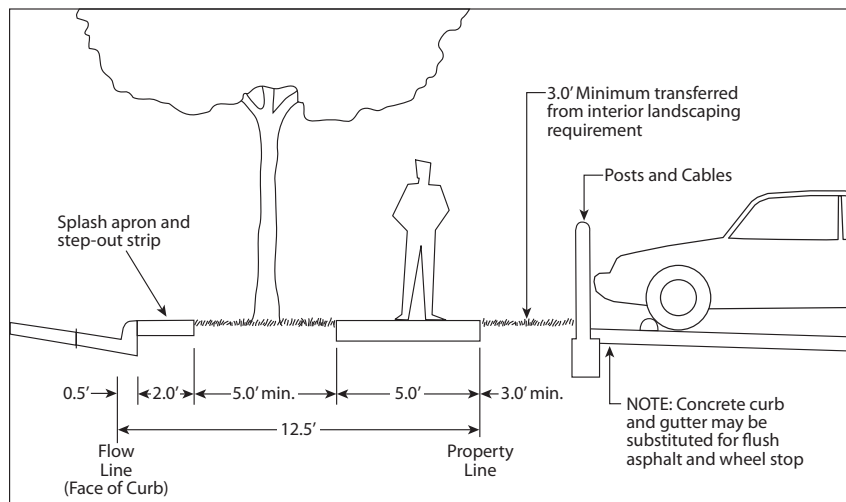
Applicable where right-of-way (flow line to property line) is 15.5' or more and sidewalk is detached.

**Illustration 4: D-C, D-TD, D-LD, D-CV, and D-AS and D-GT Zone Districts**



Applicable where right-of-way (flow line to property line) is at least 13.5' and sidewalk is attached.

**Illustration 5: D-C, D-TD, D-LD, D-CV, and D-AS and D-GT Zone Districts**



Applicable where right-of-way (flow line to property line) is at least 12.5' or more and sidewalk is attached.

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**DIVISION 8.11 USES AND ~~REQUIRED~~ MINIMUM/~~MAXIMUM~~ PARKING ~~REQUIREMENTS~~****SECTION 8.11.1 APPLICABILITY**

- 8.11.1.1 This Division 8.10~~1~~ sets forth the land uses permitted, ~~and~~ the required zoning procedure, ~~and~~ ~~the minimum/maximum parking requirements~~ in all the Downtown Neighborhood Context zone districts ~~with the exception of the D-LD zone district (see Section 8.4.1.4). It also provides minimum off-street vehicle parking requirements for the D-GT and D-AS zone districts, as well as minimum bicycle parking requirements for the D-GT, D-AS, D-AS-12+ and D-AS-20+ zone districts (see Section 8.3.1.5 for more information on vehicle and bicycle parking in the D-C, D-TD and D-CV zone districts). Minimum off-street vehicle parking requirements and bicycle parking requirements for the D-LD zone district are provided in Section 8.4.1.4.~~
- 8.11.1.2 ~~See Section 8.3.1.5 for more information on vehicle and bicycle parking in the D-C, D-TD and D-CV zone districts.~~
- 8.11.1.3 ~~Maximum parking requirements apply only in the D-CPV-T, D-CPV-R and D-CPV-C zone districts as set forth in Section 8.11.5.~~
- 8.11.1.4 ~~Note that ~~the~~ D-C, D-TD, D-CV, D-AS-12+, and D-AS-20+, D-CPV-T, D-CPV-R and D-CPV-C zone districts have no minimum off-street vehicle parking requirement.~~
- 8.11.1.5 Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.
- 8.11.1.6 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Uses and Structures Allowed per Zone Lot.

**SECTION 8.11.2 ORGANIZATION ~~OF USE & MINIMUM PARKING TABLE~~****8.11.2.1 Organized by Primary, Accessory and Temporary Uses**

The Use and ~~Minimum~~ 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.

**8.11.2.2 Primary Use Classifications, Categories & Specific Use Types****A. Primary Use Classifications**

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

1. Residential Uses
2. Civic, Public & Institutional Uses
3. Commercial Sales, Service & Repair Uses
4. Industrial, Manufacturing & Wholesale Uses
5. Agriculture

**B. 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 Use and ~~Minimum~~ Parking Table is organized into the above five general land use classifications, use categories and specific use types.

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

The general land use classifications and use categories listed in the Use and Minimum 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.

**SECTION 8.11.3 EXPLANATION OF USE & MINIMUM PARKING TABLE ABBREVIATIONS**

**8.11.3.1 General Explanation of Table Cell Entries**

In each of the table cells, the entry will indicate first whether use limitations 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 limitations (the “L”), and, second, that the use is subject to zoning permit review with information notice (the “ZPIN”) prior to its establishment.

**8.11.3.2 Permitted, Limited, Not Permitted**

**A. 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.

**B. Permitted Use - Subject to Use Limitations (“L”)**

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

**C. Uses Not Permitted (“NP”)**

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

**8.11.3.3 Zoning Procedure**

**A. 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.

**B. 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.

**C. 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 zone district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zone 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.

**D. Uses Where More Than One Zoning Procedure Is Indicated**

Where a table cell shows more than one zoning procedure applies to a use, for example “L-ZP/ZPIN”, the referenced use limitation (last table column) will indicate which zoning procedure applies in a specific case. For example, a table cell may indicate “L-ZPIN/ZPSE” for a use. This means that the ZPIN zoning procedure will apply, unless the applicable use limitation specifies the ZPSE zoning procedure is triggered (e.g., by proximity to a Protected District).

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**8.11.3.4 Enclosure of Uses**

All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a completely enclosed structure by including an asterisk "\*" next to the specific use type. For example, the asterisk following the "Telecommunication Tower\*" use type in the tables indicates that a telecommunication tower land use need not be enclosed.

**SECTION 8.11.4 DISTRICT SPECIFIC STANDARDS (USE & MINIMUM PARKING TABLE)**

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, <u>D-CPV-T/R/C</u> Districts have no <u>minimum</u> vehicle parking requirement. <u>D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5.</u> D-C, T-TD, D-CV <u>bicycle parking requirements are provided in Section 8.3.1.5.</u> D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)									APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	<u>D-CV</u>	D-GT D-AS	D-AS-12+ D-AS-20+ <u>D-CPV-T</u> <u>D-CPV-R</u> <u>D-CPV-C</u>	<u>D-CV</u>		
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>										
Household Living	Dwelling, Single Unit • No Parking Requirements	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP		§11.2.6
	Dwelling, Two Unit • <del>D-AS</del> & D-GT & <del>D-AS</del> Districts - Vehicle: 0.75/unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP		§11.2.6
	Dwelling, Multi-Unit • <u>D-GT</u> & D-AS & <del>D-GT</del> Districts - Vehicle: 0.75/unit • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/2 units (80/20) • <u>D-CPV-T/R/C</u> Districts - Bicycle: <u>1.1/unit (80/20)</u>	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP		§11.2.6
	Dwelling, Live / Work • <u>D-GT</u> & D-AS & <del>D-GT</del> Districts - Vehicle: 0.75/unit • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/2 units (80/20) • <u>D-CPV-T/R/C</u> Districts - Bicycle: <u>1.1/unit (80/20)</u>	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP		§ 11.2.4; §11.2.6



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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, <del>D-CPV-T/R/C</del> Districts have no <u>minimum</u> vehicle parking requirement. <del>D-CPV-T/R/C</del> maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	D-AS-12+ D-AS-20+ <del>D-CPV-T</del> <del>D-CPV-R</del> <del>D-CPV-C</del>							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	<del>D-CV</del>	D-GT D-AS	<del>D-CV</del>	<del>D-CV</del>	
Group Living	Assisted Living Facility • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .75/unit • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Community Corrections Facility • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: No requirement • <del>D-AS</del> & <del>D-GT</del> , <del>D-AS-12+/20+</del> & <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	NP	NP	NP	NP	§ 11.2.10
	Nursing Home, Hospice • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .75/unit • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	NP	
	Residence for Older Adults • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: No requirement • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	NP	
	Residential Care Use, Small or Large • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: No requirement • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.9
	Rooming and Boarding House • No Parking Requirements	NP	NP	NP	NP	NP	P-ZP	NP	
	Shelter for the Homeless • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: No requirement • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.11
	Student Housing • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 0.75/unit • <del>D-GT</del> , D-AS, & <del>D-AS-12+/20+</del> & <del>D-GT</del> Districts - Bicycle: 1/2 units (80/20) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1.1/unit (80/20)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	NP	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>									
Basic Utilities	Utility, Major Impact* • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .5 / 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .5 / 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, <del>D-CPV-T/R/C</del> Districts have no <u>minimum</u> vehicle parking requirement. <del>D-CPV-T/R/C</del> maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS	
		D-C	D-TD	D-LD	<del>D-CV</del>	D-GT D-AS	D-AS-12+ D-AS-20+ <del>D-CPV-T</del> <del>D-CPV-R</del> <del>D-CPV-C</del>	<del>D-CV</del>		
Community/ Public Services	Community Center • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	NP	
	Public Safety Facility • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Hospital	P-ZP	P-ZP	NP	NP	NP	<del>D-AS-12+/20+ &amp; D-CPV-T/R: NP</del> <del>D-CPV-C: P-ZP</del>	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	NP	
	Library • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

**CENTRAL PLATTE VALLEY - AURARIA ZONING TEXT AMENDMENT #3**

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, <del>D-CPV-T/R/C</del> Districts have no <u>minimum</u> vehicle parking requirement. <del>D-CPV-T/R/C</del> maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS	
		D-C	D-TD	D-LD	<del>D-CV</del>	D-GT D-AS	D-AS-12+ D-AS-20+ <del>D-CPV-T</del> <del>D-CPV-R</del> <del>D-CPV-C</del>	<del>D-CV</del>		
Education	Elementary or Secondary School • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle- Elementary: 1/1,000 s.f. GFA • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle-Elementary: 1/10,000 s.f. GFA (0/100) • <u>D-CPV-T/R/C</u> Districts - Bicycle-Elementary: 1/5,000 s.f. GFA (0/100) • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle-Secondary: 1/1,000 s.f. GFA • <u>D-GT</u> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <u>D-CPV-T/R/C</u> Districts - Bicycle- <u>Secondary</u> : 1/ 5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle: 1/ 1,000 s.f. GFA • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • <u>D-CPV-T/R/C</u> Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8; § 11.3.8
	Vocational or Professional School • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle: 1/ 1,000 s.f. GFA • <del>D-AS-12+/20+</del> - Vehicle: <u>No Requirement</u> • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • <u>D-CPV-T/R/C</u> Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>										
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle - Artist Studio: 0.3/1000 sf GFA • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle - All Others: 1.25/ 1,000 s.f. GFA • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <u>D-CPV-T/R/C</u> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* • <del>D-AS</del> & <del>D-GT</del> & <u>D-AS</u> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <u>D-GT</u> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <u>D-CPV-T/R/C</u> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	D-AS-12+/20+ & <del>D-CPV-T/R</del> : NP <del>D-CPV-C</del> : P-ZP	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable								

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		D-C	D-TD	D-LD	<del>D-CV</del>	D-GT	D-AS	<del>D-CV</del>	
Parking of Vehicles	Parking, Garage • No Parking Requirements	L-ZP	L-ZP	NP	NP	L-ZP/ ZPIN	P-ZP	NP	§ 11.4.6
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	NP	NP	D-GT: L-ZPIN D-AS: P-ZPIN	NP	NP	§ 11.4.7
Eating & Drinking Establishments	All Types • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 2.5/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/1,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging • D-AS & D-GT Districts - Vehicle - MS only: 2/ 1,000 s.f. GFA • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 0.875/guest room or unit • <del>D-GT</del> , D-AS, D-AS-12+/20+, & <del>D-CPV-T/R/C</del> & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZPIN	P-ZP	NP	
	Lodging Accommodations, All Others • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 0.875/ guest room or unit • <del>D-GT</del> , D-AS, D-AS-12+/20+, & <del>D-CPV-T/R/C</del> & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZPIN	P-ZP	NP	
Office	Dental / Medical Office or Clinic • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.4.89
	Office, All Others • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.4.11
	Animal Sales and Services, All Others • No Parking Requirements	P-ZP	P-ZP	NP	NP	NP	NP	NP	
	Food Sales or Market • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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		D-C	D-TD	D-LD	<del>D-CV</del>	D-GT D-AS	D-AS-12+ D-AS-20+ <del>D-CPV-T</del> <del>D-CPV-R</del> <del>D-CPV-C</del>	<del>D-CV</del>	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Pawn Shop • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	NP	NP	L-ZPIN	L-ZPIN	NP	\$11.4.14
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair, All Others • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: 1.25/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, & D-AS-12+/20+ & <del>D-GT</del> Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • <del>D-CPV-T/R/C</del> Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	L-ZP	L-ZP	NP	NP	L-ZP	NP	NP	\$ 11.4.16
	Automobile Services, Light • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	NP	NP	NP	NP	L-ZPIN	L-ZP	NP	\$11.4.17; \$11.4.18
	Automobile Services, Heavy	NP	NP	NP	NP	NP	NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZPIN	L-ZP	NP	\$11.4.20
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	NP	NP	
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>									
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.2
	Communication Services • <del>D-AS</del> & <del>D-GT</del> & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • <del>D-GT</del> , D-AS, D-AS-12+/20+ & <del>D-GT</del> <del>D-CPV-T/R/C</del> Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	\$11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	\$11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.5.2

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		D-C	D-TD	D-LD	<del>D-CV</del>	D-GT D-AS	D-AS-12+ D-AS-20+ <del>D-CPV-T</del> <del>D-CPV-R</del> <del>D-CPV-C</del>	<del>D-CV</del>		
Industrial Services	Contractors, Special Trade - General • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	\$11.5.3	
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	NP		
	Food Preparation and Sales, Commercial • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	\$ 11.5.5	
Industrial Services	Laboratory, Research, Development and Technological Services • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	\$11.5.6	
	Service/Repair, Commercial • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	\$11.5.7	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	\$11.5.8	
	Manufacturing, Fabrication & Assembly -- General • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L- ZPIN/ ZPSE	NP	L- ZPIN/ ZPSE	L-ZP/ZPSE	NP	\$11.5.9	
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP		
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	NP		
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP		
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.13	
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP		
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP	L-ZP/ ZPSE	L-ZP	L-ZP	\$11.5.14	
	Railroad Facilities* • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	L-ZP	\$11.5.14.2	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Terminal, Station or Service Facility for Passenger Transit System • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Terminal, Freight, Air Courier Services • <del>D-AS</del> &D-GT & <del>D-AS</del> Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZPIN	NP	L-ZP	\$ 11.5.17	

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		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ <u>D-CPV-T</u> <u>D-CPV-R</u> <u>D-CPV-C</u>	<u>D-CV</u>	
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility • <u>D-AS</u> & <u>D-GT</u> & <u>D-AS</u> Districts - Vehicle: 0.1/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§ 11.5.23
	Vehicle Storage, Commercial* • <u>D-AS</u> & <u>D-GT</u> & <u>D-AS</u> Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ZPSE	L-ZP/ ZPSE	§ 11.5.24
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • <u>D-AS</u> & <u>D-GT</u> & <u>D-AS</u> Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	NP	P-ZP	L-ZP/ZPIN/ZPSE	NP	§ 11.5.26
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>									
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban* • <u>D-AS</u> & <u>D-GT</u> & <u>D-AS</u> Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery • <u>D-AS</u> & <u>D-GT</u> & <u>D-AS</u> Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.5

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USE CATEGORY	SPECIFIC USE TYPE								APPLICABLE USE LIMITATIONS
	D-C, D-TD, D-CV, D-AS-12+/20+, <u>D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</u> • 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)	D-C	D-TD	D-LD	D-CV	D-AS	D-GT	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	D-CV

**ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

Use Category	Specific Use Type	L - Applicable to all Zone Districts							Applicable Use Limitations
		L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.7; §11.8.2
	Domestic Employee	L	L	L	NP	L	L	NP	§11.7.1; §11.8.3
	Garden*	L	L	L	NP	L	L	NP	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	L/L-ZPIN	L/L-ZPIN	NP	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	NP	L	L	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	NP	L	L	NP	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses							§11.7; §11.8.7
	Outdoor Storage, Residential*	L	L	L	L	L	L	L	§11.7; §11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.7; §11.8.9
	Short-term Rental	L	L	L	NP	L	L	NP	§11.7; §11.8.10
	Vehicle Storage, Repair and Maintenance*	L	L	L	NP	L	L	NP	§11.7; §10.9
Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses								
Yard or Garage Sales*	L	L	L	NP	L	L	NP	§11.7; §11.8.11	

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

Use Category	Specific Use Type	L-ZPIN	L-ZPIN	L-ZPIN	NP	L-ZPIN	L-ZPIN	NP	Applicable Use Limitations
Home Occupations Accessory to a Primary Residential Use  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	NP	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	NP	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.5



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USE CATEGORY	SPECIFIC USE TYPE								APPLICABLE USE LIMITATIONS
	D-C, D-TD, D-CV, D-AS-12+/20+, <u>D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</u> • 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)	D-C	D-TD	D-LD	D-CV	D-AS	D-GT	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	D-CV

**ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts							APPLICABLE USE LIMITATIONS	
		L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		
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	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*	Not Applicable - See Permitted Primary Uses			NP	Not Applicable - See Permitted 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	L	L	\$11.7; \$11.10.4	
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP	NP		
	College accessory to a Place for Religious Assembly	L	L	L	L	L	L	L	\$11.7; \$11.10.6	
	Conference Facilities Accessory to Hotel Use	L	L	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	NP	L-ZP	NP	NP	\$11.7; \$11.10.8	
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP/L-ZPSE	NP	NP	\$11.7; \$11.10.9	
	Garden*	L	L	L	L	L	L	L	\$11.7; \$11.10.10	
	Keeping of Animals	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/L-ZP/L-ZPIN	L/ L-ZP/ L-ZPIN	\$11.7; \$11.10.11
	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	L	L	\$11.7; \$11.10.12	
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.13	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10.14
	Outdoor Retail Sale and Display*	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ZPSE	L-ZP/ ZPSE	\$11.7; \$11.10.15
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	NP	NP	
Outdoor Storage, Limited*	L	L	L	L	L	L	L	\$11.7; \$11.10.17		
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	L	\$11.7; \$11.10.18		

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, <u>D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</u> • 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-AS-12+ D-AS-20+ <u>D-CPV-T</u> <u>D-CPV-R</u> <u>D-CPV-C</u>  D-GT D-AS  D-C D-TD D-LD <u>D-CV</u> D-AS <u>D-CV</u>						
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**TEMPORARY USE CLASSIFICATION**

	TEMPORARY USE CLASSIFICATION	L - Applicable to all Zone Districts							
(Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Temporary Uses	Not Applicable - See Permitted Primary Uses							\$11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses							\$11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	NP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	L-ZP	P-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.15
Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.16	
Tent for Religious Services	NP	NP	NP	NP	NP	NP	NP		

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**SECTION 8.11.5 MAXIMUM VEHICLE PARKING REQUIREMENTS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER AND CENTER DISTRICTS**

**A. Intent**

1. To promote active, transit-supportive development that leverages the regional transit infrastructure investment in the Downtown Central Platte Valley - Auraria districts.
2. To reduce the number of vehicle trips within and around the Downtown Central Platte Valley - Auraria districts and encourage alternative travel modes such as walking, biking, and transit.
3. To promote the efficient development of land in the Downtown Central Platte Valley - Auraria districts by limiting the amount of land dedicated to vehicle parking.

**B. Applicability**

This Section 8.11.5 applies to all Structures in the D-CPV-T, D-CPV-R and D-CPV-C zone districts.

**C. Vehicle Parking Standards**

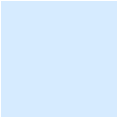
The following table establishes the maximum vehicle parking allowed in the D-CPV-T, D-CPV-R and D-CPV-C zone districts based on the allowed primary uses by zone district.

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USE CATEGORY	SPECIFIC USE TYPE	MAXIMUM VEHICLE PARKING: # SPACES PER UNIT OF MEASUREMENT
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>		
<u>Household Living</u>	<u>Dwelling, Single Unit</u>	<u>No Maximum</u>
	<u>Dwelling, Two Unit</u>	<u>No Maximum</u>
	<u>All other specific use types within the Household Living Use Category</u>	<u>0.7/Unit for each unit with 0-1 bedrooms</u> <u>1.0/Unit for each unit with 2 bedrooms</u> <u>1.3/Unit for each unit with 3+ bedrooms</u>
<u>Group Living</u>	<u>Residence for Older Adults</u>	<u>0.7/Unit for each unit with 0-1 bedrooms</u> <u>1.0/Unit for each unit with 2 bedrooms</u> <u>1.3/Unit for each unit with 3+ bedrooms</u>
	<u>Rooming and Boarding House</u>	<u>1.25/1,000 sf GFA</u>
	<u>Shelter for the Homeless</u>	<u>1.25/1,000 sf GFA</u>
	<u>All other specific use types within the Group Living Use Category</u>	<u>0.7/Unit</u>
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>		
	<u>All specific use types within the Civic, Public &amp; Institutional Primary Use Classification</u>	<u>1.25/1,000 sf GFA</u>
<b>COMMERCIAL SALES, SERVICE &amp; REPAIR PRIMARY USE CLASSIFICATION</b>		
<u>Arts, Recreation &amp; Entertainment</u>	<u>Arts, Recreation and Entertainment Services, Indoor</u>	<u>1.25/1,000 sf GFA</u>
	<u>Arts, Recreation and Entertainment Services, Outdoor</u>	<u>6.0/1,000 sf GFA</u>
	<u>Sports and/or Entertainment Arena or Stadium</u>	<u>6.0/1,000 sf GFA</u>
<u>Parking of Vehicles</u>	<u>Parking, Garage</u>	<u>No Maximum*</u>
<u>Eating &amp; Drinking Establishments</u>	<u>All Types</u>	<u>2.0/1,000 sf GFA</u>
<u>Lodging Accommodations</u>	<u>Bed and Breakfast Lodging</u>	<u>0.5/guest room or unit</u>
	<u>Lodging Accommodations, All Others</u>	<u>0.5/guest room or unit</u>
	<u>All other specific use types within the Commercial Sales, Service, &amp; Repair Primary Use Classification</u>	<u>1.25/1,000 sf GFA</u>
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>		
<u>Transportation Facilities</u>	<u>Terminal, Station or Service Facility for Passenger Transit System</u>	<u>No Maximum*</u>
	<u>All other specific use types within the Industrial, Manufacturing &amp; Wholesale Primary Use Classification</u>	<u>1.25/1,000 sf GFA</u>
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>		
	<u>All specific use types within the Agriculture Primary Use Classification</u>	<u>1.25/1,000 sf GFA</u>
<u>*See Section 10.4.5.4 for Shared Vehicle Parking Requirements</u>		

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

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**2. Incentive Height in Transition Areas**

To promote compatibility with lower-scale districts, neighborhoods or street frontages, a reduced maximum Incentive Height shall apply in transitional areas as set forth in Sections a and b below. Where the provisions of both Sections a and b apply, the maximum Incentive Height shall be the lower of the applicable maximum heights.

**a. Height Transition Adjacent to Specific Streets**

The maximum Incentive Height shall be as follows within the specified distance of a Primary or Side Street Zone Lot line fronting the following streets:

STREET	DISTANCE FROM ZONE LOT LINE	MAXIMUM INCENTIVE HEIGHT	
		STORIES	FEET
<b>39TH AVENUE</b>			
West of Williams Street*	85'	8	110'
<b>LAFAYETTE STREET</b>			
West of Franklin Street*	210'	8	110'
<b>MARION STREET</b>			
From 300' South of Walnut Street to 36th Avenue	35'	3	45'
<b>LARIMER STREET</b>			
Northeast of 35th Street	135'	12	150'
Southwest of 35th Street	135'	5	70'
<b>33RD STREET</b>			
Northwest of Walnut Street	175'	8	110'

\*A portion of this area may be subject to a reduced maximum Incentive Height adjacent to a Protected District. See Section 9.4.6.6.E.2.b.

**b. Height Transition Adjacent to a Protected District**

The maximum Incentive Height shall be 75 feet within 175 feet of a Protected District unless further limited by Section 9.4.6.6.E.2.a.

**F. Requirements for Structures Using Incentive Height**

1. No building permit for development of a Structure exceeding Base Height within this IO-1 district shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.
2. No building permit for development of a Structure exceeding Base Height within this IO-1 district shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of is greater than the total gross square footage of all uses ~~other than Parking Spaces or Parking Aisles~~ located above the maximum Base Height.

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# **ARTICLE 10. GENERAL DESIGN STANDARDS**



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## DIVISION 10.4 PARKING AND LOADING

### SECTION 10.4.1 INTENT

The intent of Parking Standards, in conjunction with the building form standards according to Articles 3 through 9, is to:

- 10.4.1.1 Balance the provision of adequate off-street parking to meet demand with city-wide objectives to encourage pedestrian-friendly environments and the use of multiple modes of transportation, including mass transit and bike parking requirements to reduce vehicle parking demand.
- 10.4.1.2 Provide a variety of mechanisms to meet parking needs while promoting development and reinvestment in existing buildings, including Historic Structures.
- 10.4.1.3 Recognize, through parking reductions, the parking efficiencies gained through mixed use development, mixed income development, development proximate to rail and bus transit, and their impact on parking demand.
- 10.4.1.4 Promote bicycle use by providing safe and convenient bike parking through minimum requirements for type of bike parking facility and amount of bicycle spaces.
- 10.4.1.5 Encourage comprehensive, efficient, multi-site parking strategies.
- 10.4.1.6 Minimize the visual impacts of Off-Street Parking Areas, structures and garages on streets, open spaces, and adjoining development.
- 10.4.1.7 Design surface parking and parking structures to be visually compatible with the surrounding development, convenient for users, and mitigate the negative impact of vehicle noise, headlights, lighting and mechanical systems.
- 10.4.1.8 Integrate the function and appearance of parking structures into building groups so as to minimize negative impacts on public space and the pedestrian environment.
- 10.4.1.9 Design parking structure facades to reflect the predominant fenestration patterns of area buildings and to the extent possible wrap street facing elevations with active uses, especially at the Street Level.

### SECTION 10.4.2 GENERAL APPLICABILITY

#### 10.4.2.1 Vehicle and Bicycle Parking Required

- A. The owner and operator of any land area, structure, or primary use that generates a vehicle and bicycle parking requirement under this Code shall have joint and several responsibility for providing all parking required by this Division 10.4 and maintaining that parking in accordance with the provisions of this Division.
- B. For land, structures, or primary uses, occupied or operated on June 25, 2010, the number of existing off-street parking spaces shall not be reduced below the lesser of the number of spaces required under this Division 10.4 or the number of spaces legally established, including taking into account any exceptions allowed.
- C. **Minimum/Maximum Amount Required**  
All primary uses shall provide ~~a the minimum~~ number of vehicle and bicycle parking spaces consistent with the context-specific ~~minimum or maximum~~ parking ratios according to Articles 3 through 9, unless otherwise exempt, ~~or~~ reduced, ~~or allowed~~ according to this Division 10.4.
  - 1. **Exception for Expansions**  
If land area, structures, or primary uses are enlarged or expanded, ~~minimum~~ parking (in addition to any existing spaces) shall be provided for the additional increment only.

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**2. Exception for Change of Use**

This Section 10.4.2.1.C.2 shall apply only to maximum and minimum required vehicle parking requirements as stated below.

**a. General Exception**

If land area, structures, or primary uses are changed from one primary use to any other primary use which requires more parking spaces than the previous primary use, the following shall apply:

- i. If the new use's minimum parking requirement exceeds the previous use's minimum parking requirement by 25 percent or less, no additional parking spaces shall be required; or
- ii. If the new use's minimum parking requirement exceeds the previous use's minimum parking requirement by more than 25 percent, additional off-street parking spaces shall be provided equal to the number that exceeds 125 percent of the previous use's minimum parking requirement.
  - a) For example: The new use has a parking requirement that results in 126 required parking spaces. The previous use had a parking requirement that resulted in 100 required parking spaces. The new use shall only have to provide 1 additional parking space.
- iii. If additional vehicle parking is required per this subsection, "Exception for Change of Use," a credit may be taken against the minimum number of vehicle parking spaces required by this subsection in the amount of 1 space for each 25 feet of abutting street frontage, up to a maximum credit of 4 vehicle parking spaces.

**b. Exemption for Change in Use in Existing Buildings Built Prior to 1967**

In all Mixed Use Commercial Zone Districts where minimum vehicle parking requirements apply, buildings shall be exempt from providing additional parking in the event of a change of use, provided all of the following are met:

- i. The building was built before 1967,
- ii. The building meets the required build-to requirements of the subject property's zone district, and
- iii. The building meets the minimum height requirement of the subject property's zone district.

**c. Exception for Change in Use Subject to Maximum Vehicle Parking Standards**

In areas subject to maximum vehicle parking standards, if land area, structures, or primary uses providing off-street parking are changed from one primary use to any other primary use that has a lower maximum number of parking spaces allowed than the previous primary use, the following shall apply:

- i. If the parking spaces from the previous primary use are equal to or less than 125 percent of the allowed parking maximum under the new primary use, then parking spaces may continue to be utilized by the uses located on that zone lot, and may be used jointly, or may be provided as shared vehicle parking according to Section 10.4.5.4, Shared Vehicle Parking; or
- ii. If the parking spaces from the previous primary use are greater than 125 percent of the allowed parking maximum under the new primary use, then parking spaces exceeding 125 percent of the maximum parking allowed under the new primary use shall be provided as shared vehicle parking according to Section 10.4.5.4, Shared Vehicle Parking.
  - a) Example: The maximum parking allowed under a new primary use equals 60 parking spaces. The existing parking spaces from a previous primary use equals 100 parking spaces. The new primary use shall be

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required to provide 25 spaces as shared vehicle parking (60 maximum allowed spaces multiplied by 125 percent = 75 allowed spaces. 100 existing spaces minus 75 allowed spaces = 25 spaces required to be provided as shared vehicle parking).

## **SECTION 10.4.3 BICYCLE PARKING**

### **10.4.3.1 Applicability**

Section 10.4.2, General Applicability, shall apply, with the following exceptions:

- A. This Section 10.4.3 Bicycle Parking shall not apply in the D-C, D-TD, or D-CV zone districts. See Section 8.3.1.5, Off-Street Parking Requirements, for applicable bicycle parking standards for these districts.

### **10.4.3.2 Calculation**

- A. When a primary use's required amount of bicycle parking is 2 spaces or less, the use shall provide a minimum of 2 bicycle parking spaces in a fixed rack bicycle parking facility.
- B. In determining the number of bicycle parking spaces required, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
- C. In determining the number of bicycle parking spaces that must be sited in an enclosed bicycle facility or a fixed rack bicycle facility, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
- D. All required spaces "per square feet" are measured as gross floor area, unless otherwise specified.
- E. For residential uses, the bicycle parking requirement shall be calculated separately for separate residential buildings.
- F. Where any building or zone lot contains two or more uses having different bicycle parking requirements, the bicycle parking requirements for each use shall apply proportionally to the extent of that use's gross floor area in the building or on the zone lot.

### **10.4.3.3 Bicycle Parking Exceptions**

#### **A. Reductions in Required Amount by Administrative Adjustment**

The Zoning Administrator may adjust the bicycle parking requirement in one of the following ways as described below according to Section 12.4.5, Administrative Adjustment.

- 1. A reduction in the overall number of bicycle parking spaces required for a primary use, up to a maximum 20% reduction. A reduction in the overall number of spaces does not change the proportional (%) distribution of the required spaces to an enclosed or fixed bicycle rack parking facility; or
- 2. An adjustment in the number of bicycle parking spaces that must be provided in either an enclosed or fixed bicycle rack parking facility, up to a maximum 20% adjustment, provided any reduction in the number of spaces provided in one type of parking facility shall be providing in the other type of parking facility.
  - a. For example: When a total of 20 bicycle parking spaces is required and 10 shall be provided in an enclosed storage facility and 10 shall be provided in a fixed bicycle rack parking facility, the Zoning Administrator may grant an adjustment to the amount that must be enclosed, resulting in a reduction from the original 10 enclosed spaces to 8 enclosed spaces. That would require a total of 12 spaces in a fixed bicycle rack parking facility.

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**B. Preservation of Existing Trees**

If, in order to comply with bicycle parking requirements, it would be necessary to remove mature, existing trees, the Zoning Administrator may allow reasonable reductions in the number of required bicycle parking spaces. Requests for this exception from the minimum bicycle parking requirements shall be reviewed according to Section 12.4.5, Administrative Adjustment.

**10.4.3.4 Required Types of Bicycle Parking Facilities**

In order to meet the minimum required bike parking spaces, there are two types of bicycle parking facilities that may be required. The description and minimum standards for each type of bicycle parking facility are as follows. Such facilities may be placed on private property or within the public right-of-way. Facilities in the public right-of-way require a permit by Public Works.

**A. Enclosed Bicycle Parking Facility**

An enclosed bicycle parking facility shall be provided through various methods provided it meet the following minimum standards:

1. Shall provide enclosed bicycle storage in lockers, a room within a building, or within a parking structure.
2. All types of enclosed bicycle storage shall be easily accessible to all building occupants and to public entrances and walkways, secure, well lighted and weather resistant.
3. Each storage space shall provide a minimum of 15 square feet in area. The Zoning Administrator may reduce the minimum area up to 6 square feet if a more efficient layout is provided.

**B. Fixed Bicycle Rack Parking Facility**

A fixed bicycle rack parking facility shall be provided through various methods provided it meet the following minimum design standards:

1. Fixed bicycle racks shall be securely anchored.
2. Fixed bicycle racks must be publicly accessible to building entrances and walkways.
3. Spacing of the racks shall provide clear and maneuverable access.
4. Where two bikes can be locked on both sides without conflict, each side can be counted as one required space.

**SECTION 10.4.4 MINIMUM AND MAXIMUM VEHICLE PARKING REQUIRED**

**10.4.4.1 Applicability**

Section 10.4.2, General Applicability, shall apply.

**10.4.4.2 Calculations**

**A. General Rule**

1. In determining the minimum number of vehicle parking spaces required or the maximum number of vehicle parking spaces allowed, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
2. Except when shared parking is allowed (see Section 10.4.5.4 Shared Vehicle Parking), when a zone lot is used for a combination of uses, the minimum vehicle parking requirement shall be the sum of the requirements for each use and may be used jointly. In areas where maximum vehicle parking standards apply, except when shared parking for off-site uses is being provided according to Section 10.4.5.4, Shared Vehicle Parking, where a zone lot contains multiple primary uses subject to maximum parking standards, the total amount of parking provided on the zone lot shall not exceed the aggregate maximum parking allowed for those uses, and may be used jointly.

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3. Vehicle queuing spaces serving permitted fuel pumps ~~that~~, where the spaces meet the dimensional standards for a 0° parking space as required in Section 10.4.6, may count toward the minimum required number of vehicle parking spaces.

**B. Gross Floor Area for Purposes of Calculating Parking Amounts**

For the purposes of complying with ~~this Division's minimum and maximum required~~ parking ~~requirements~~, gross floor area shall mean the sum of the gross horizontal areas of all of the floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured by the exterior faces of walls of each such floor. The floor area of a building shall include the floor area of accessory buildings on the same zone lot, measured the same way. In computing gross floor area, the following shall be excluded:

1. Any floor area devoted to mechanical equipment serving the building, provided that the floor area of such use occupies not less than 75 percent of the floor area of the story in which such mechanical equipment is located;
2. Any floor area used exclusively as parking space for vehicles or bicycles; and
3. Any floor area that serves as a pedestrian mall or public access way to shops and stores.

**C. "Unit" for Purposes of Calculating Parking Amounts**

For the purposes of complying with ~~this Division's minimum and maximum required~~ parking ~~requirements~~, the term "unit" shall mean, as applicable, either:

1. A dwelling unit in a household living use, as "dwelling unit" ~~is defined in Article 11, Use Limitations and Definitions~~ Article 13, Rules of Measurement & Definitions; or
2. A habitable room, which may or may not contain kitchen or bathing facilities, intended for occupancy by a resident in a group living use.

**D. Guest Parking in Districts with Maximum Vehicle Parking Standards**

1. **Intent**  
To allow flexibility for a limited amount of guest parking in zone districts with maximum vehicle parking standards.
2. **Applicability**  
This Section 10.4.4.2.D applies to all residential primary uses in zone districts where maximum vehicle parking standards apply.
3. **Standards**
  - a. On a zone lot containing at least 3 and no more than 19 dwelling units, one additional vehicle parking space may be provided for guest parking.
  - b. On a zone lot containing 20 or more dwelling units, one additional vehicle parking space may be provided for guest parking for every 20 dwelling units. For example, a 42-unit development may provide two additional parking spaces for guest parking.
  - c. Except when shared parking is being provided on a separate zone lot according to Section 10.4.5.4, Shared Vehicle Parking, all guest parking must be located on the same zone lot as the residential primary use for which it is being provided.

**10.4.4.3 Accessible Vehicle Parking**

All primary uses subject to this Division 10.4 shall provide accessible parking for disabled persons that complies with the Denver Building and Fire Code and with the Americans with Disabilities Act (ADA) standards, provided, however, that the amount of accessible parking provided for multi-unit dwelling uses shall be no less than one (1) space for each dwelling unit constructed for occupancy by a disabled person.

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**10.4.4.4 Maximum Vehicle Surface Parking for Transit Oriented Development**

**A. Intent**

To promote active, transit-supportive development and uses proximate to transit stations, thereby leveraging regional investment in transit infrastructure and promoting livability and sustainability in Denver's transit neighborhoods.

**B. Applicability**

1. This Section 10.4.4.4 shall apply to all uses located within 1/4 mile of the outer boundary of a Rail Transit Station Platform in all zone districts except the CMP and zone districts; and
2. This Section 10.4.4.4 shall apply only to limit the amount of Surface Parking.
3. If a structure or use is exempt ~~according to Section 10.4.5 Vehicle Parking Exceptions, or Section 9.4.5.11.H Vehicle Parking Exception for Transit Oriented Development in the DO-7 District,~~ from minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum amount otherwise required by the underlying zone district for such use or structure absent any exemption or reduction.
  - a. If the underlying zone district does not include minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum requirement otherwise required for the subject use or uses in the C-MX Zone Districts.
4. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11, Measurement of Separation or Distance.

**C. Maximum Vehicle Surface Parking Permitted**

For all applicable zone districts where minimum parking requirements apply, Surface Parking spaces shall not exceed 110 percent of the minimum parking spaces required by the subject property's zone district, except that up to 1 vehicle surface parking space per dwelling unit shall be allowed even if exceeding the 110 percent. For all applicable zone districts where maximum vehicle parking standards apply, the more restrictive standard shall determine the maximum vehicle Surface Parking allowed.

**10.4.4.5 Location of Required Vehicle Parking**

Required vehicle parking spaces shall be located on the same zone lot as the primary use for which provided, except as allowed below:

- A. As allowed in Section 10.4.5.4, Shared Vehicle Parking, or

**B. Off-Site Vehicle Parking**

A primary use's required vehicle parking may be located on a Zone Lot different from the Zone Lot containing the primary use ("off-site vehicle parking"), subject to compliance with the following standards:

1. The subject Primary Use may provide off-site vehicle parking provided that the parking spaces on the off-site Zone Lot are not required vehicle parking spaces for any other Primary Use(s) (See Section 10.4.5.4 Shared Vehicle Parking for that scenario).
2. Parking requirements may be met off the zone lot by ownership or a current lease of parking spaces on another zone lot and dedicated to the primary use being served. Divesting ownership or terminating lease of the required parking spaces shall result in termination of the zoning permit until the parking deficiency is remedied.
3. Off-site parking shall be located within a "walking distance" of 1,500 feet from the use served by the remote parking. "Walking distance" shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.



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**C. Vehicle Parking Reduction for Small Lots in the C-CCN Zone Districts**

1. In the C-CCN zone districts, zone lots which are equal to or smaller than 9,375 square feet in area on October 27, 2014, shall be granted a 67 percent reduction in the total number of required vehicle parking spaces.
2. This vehicle parking reduction shall not be allowed in combination with any vehicle parking reduction allowed under section 10.4.5.3.B.

**10.4.5.4 Shared Vehicle Parking**

**A. Applicability**

1. An applicant may request shared parking to meet the minimum/~~maximum~~ vehicle parking requirements for mixed use developments, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
2. Parking spaces that may be shared according to this subsection:
  - a. Shall be located on a zone lot (on-street parking spaces are not eligible), and
  - b. Shall be capable of being specifically allocated or reserved for the primary uses served (spaces in a surface lot or garage that are accessible by the general public are not eligible), ~~except that this provision shall not apply in areas where only maximum parking standards apply;~~
  - c. However, in the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the zone lot will count toward the vehicle parking requirement. Although allocated to a specified zone lot, said spaces need not be reserved for said specified zone lot.
  - d. ~~When located on a Zone Lot subject to a vehicle Surface Parking maximum, each shared vehicle Surface Parking space shall be counted only once in the calculation of vehicle Surface Parking spaces that contribute to the maximum.~~

**B. Shared Parking Where Maximum Parking Standards Apply**

1. When located on a Zone Lot subject only to a vehicle Surface Parking maximum according to section 10.4.4.4, each shared vehicle Surface Parking space shall be counted only once in the calculation of vehicle Surface Parking spaces that contribute to the maximum allowed.
2. When shared vehicle parking is required for a change of use according to Section 10.4.2.1.C.2.c, the number of shared spaces provided may exceed the number required to be shared according to that section. Shared spaces shall be counted only once in the calculation of the number of spaces that contribute to the maximum parking allowed for each Primary Use included in the parking analysis.
3. In all other areas subject to maximum vehicle parking standards the following shall apply:
  - a. Parking may be shared between Primary Uses located on separate Zone Lots according to this subsection.
  - b. Surface Parking and/or Garage Parking shall only be permitted as a Primary Use on a Zone Lot if the spaces are provided as shared vehicle parking according to this subsection.

**C. Shared Amount Allowed**

The Zoning Administrator shall determine the total amount of parking allowed to be shared based upon the shared parking analysis.

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**D. Process for Review and Approval**

Requests for shared parking shall be processed according to Section 12.4.3, Site Development Plan Review. In addition to the requirements for a Site ~~d~~Development ~~p~~Plan, requests for shared parking shall comply with this Section's standards and criteria.

**E. Shared Parking Analysis Required**

A parking analysis shall be submitted as part of the Site ~~d~~Development ~~p~~Plan application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a Qualified Professional. A shared parking study shall, at a minimum, address:

1. The intensity and type of activities and the composition of uses;
2. Hours of operation of the uses;
3. The rate of turnover for proposed shared spaces;
4. Distances of shared parking spaces from the uses they serve; and
5. The anticipated peak parking and traffic loads for the site.
6. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.
7. In areas subject to minimum parking requirements, if the shared parking spaces are located on a different zone lot than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 1,500 feet from the use served. This provision shall not apply in areas where only maximum parking standards apply.
  - a. "Walking distance" shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.
  - b. The Zoning Administrator may increase the allowed distance or waive the standard entirely when there is a shared parking entity and support in the shared parking analysis.
8. In areas subject to maximum parking requirements, when multiple off-site Primary Uses are included, the number of shared spaces shall be specified for each off-site Primary Use contributing to the maximum parking allowed.

**F. Withdrawal from Participation in Plans or Programs**

1. Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.4 may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.
2. The Zoning Administrator may allow withdrawal from a special parking arrangement authorized by this Section 10.4.5.4 to result in a permanent deficiency of the required amount of parking spaces that was otherwise allowed as part of the special parking arrangement if the owner(s) demonstrates that best efforts, as determined by the Zoning Administrator, were made to maintain and continue the authorized special parking arrangement.

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<b>DOWNTOWN NEIGHBORHOOD CONTEXT - D-CPV-T, D-CPV-R, D-CPV-C ZONE DISTRICTS ONLY</b>		
<b>Parking Category</b>	<b>Minimum Bicycle Parking Spaces Required</b>	<b>% Parking Spaces Provided in Enclosed Bicycle Parking Facility/Fixed Bicycle Rack Parking Facility</b>
<u>Multi-unit</u>	<u>1.1/unit</u>	<u>80%/20%</u>
<u>Residential Low</u>	<u>No Requirement</u>	<u>n/a</u>
<u>Residential Medium</u>	<u>No Requirement</u>	<u>n/a</u>
<u>Commercial High</u>	<u>1/1,000 sq. ft. GFA</u>	<u>0%/100%</u>
<u>Commercial Medium</u>	<u>1/4,000 sq. ft. GFA</u> <u>Lodging accommodations uses: 1/7,500 sq. ft. GFA</u>	<u>60%/40%</u> <u>Retail, sales, service and repair uses: 20%/80%</u>
<u>Commercial Low</u>	<u>No Requirement</u>	<u>n/a</u>
<u>Public Use High</u>	<u>1/5,000 sq. ft. GFA</u>	<u>0%/100%</u>
<u>Public Use Medium</u>	<u>1/5,000 sq. ft. GFA</u>	<u>0%/100%</u>
<u>Public Use Low</u>	<u>No Requirement</u>	<u>n/a</u>

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**SECTION 10.5.3 TREE PRESERVATION - RESIDENTIAL ZONE DISTRICTS**

**10.5.3.1 Applicability - Preservation of Established Trees in Residential Primary and Side Street Setbacks**

As a condition of any permit to demolish or construct any building containing a single unit dwelling, two-unit dwelling, or multi-unit dwelling in a Residential Zone District, the owner of the zone lot shall be required to preserve any established tree not otherwise diseased or decayed within the primary and side street setback areas of the zone lot.

**10.5.3.2 Preservation Measures Required**

In order to protect an established tree from damage or destruction and to enhance the tree's chance of survival after construction activities on the zone lot are completed, the owner shall take and maintain throughout the course of demolition or construction the following measures:

- A. Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;
- B. Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree's root zone; and
- C. Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree's roots.

**10.5.3.3 Permit for Tree Removal**

The owner may be relieved from the requirements of this Section only upon obtaining a permit for tree removal from the City Forester according to the provisions of Sections 57-20(b) and 57-25 of the D.R.M.C.

**10.5.3.4 Definition of "Established Tree"**

See Article 13, Rules of Measurement and Definitions, for the definition of "established tree."

**SECTION 10.5.4 LANDSCAPING STANDARDS**

**10.5.4.1 Applicability and Exceptions**

**A. Applicability**

1. This Section 10.5.4 shall apply to development in all zone districts, except residential development in all SU or TU zone districts.
2. Whenever the area of an existing surface parking lot is expanded or when a new area is constructed, the entire Off-Street Parking Area shall be landscaped according to this Section 10.5.4.
3. For Surface Parking as a Primary Use in the D-LD, D-CV, D-C, D-TD, D-GT and D-AS zone districts, Section 8.910.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.
4. The City of Denver Landscaping of Parking Areas Rules and Regulations shall not apply to properties zoned under the Denver Zoning Code.
5. See the City of Denver Streetscape Design Manual for additional provisions.

**B. Exceptions**

**1. Process for Exception Requests**

All requests for exceptions from the general site and surface parking landscaping requirements shall be reviewed according to Section 12.4.5, Administrative Adjustments.

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**10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards**

**A. Applicability**

Section 10.5.4.1, Applicability and Exceptions, shall apply.

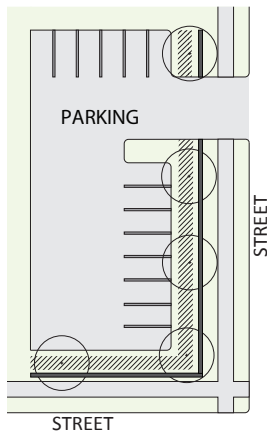
**B. Perimeter Surface Parking Lot Landscaping Standards Abutting Street Right-of-Way**

**1. Standards**

- a. To the maximum extent feasible, on-site drainage required for a zone lot shall be integrated into the perimeter planting strip.
- b. Alternatives to required landscape, fence and wall materials may be allowed to better match primary building materials used on the site according to Section 12.4.5, Administrative Adjustment.
- c. The following shall be provided within zone lot boundaries between the boundary of any surface parking lot and street rights-of-way (except as noted):

CONTEXT AND/OR DISTRICT	PERIMETER PLANTING STRIP REQUIRED	PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP	GARDEN WALL REQUIRED	GARDEN WALL HEIGHT	GARDEN WALL MATERIALS	PEDESTRIAN ACCESS REQUIRED
Suburban Neighborhood Context I-A and I-B Zone Districts I-MX Zone Districts with Industrial Building Form (See Figure 10.5-4)	Yes, minimum width of 10'	1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	No; however may reduce perimeter planting strip width to 5' if provide a garden wall	Min 30 inches; Max 42 inches	Masonry or Ornamental fence with masonry piers spaced not more than 25'	Yes
Urban Edge, Urban, General Urban Neighborhood Contexts Campus Master Planned Contexts I-MX Zone Districts with General Building Form (See Figure 10.5-5)	Yes, minimum width of 5'		Yes			
Urban Center Neighborhood Context (See Figure 10.5-6)	Not Required	NA	Yes			
Downtown Neighborhood Context D-AS-12+, and D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Districts only (See Figure 10.5-5)	Yes, minimum width of 8' (may be located in street right-of-way)	1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	Yes	Min 30 inches; Max 42 inches		Yes; Min. 3' wide access at max. of 80' intervals along all public street and alley frontages of the parking lot
Downtown Neighborhood Context D-C, D-TD, D-LD, D-CV, D-GT, D-AS Districts	See Section 8.910.3 in Article 8					

Figure 10.5-4



Perimeter Planting Strip  
 Canopy Tree  
 Garden Wall

Figure 10.5-5

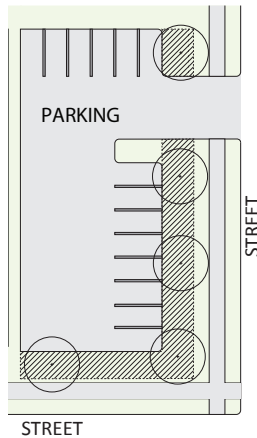
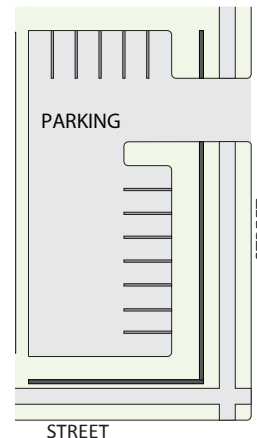


Figure 10.5-6



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ted by Section 10.10.3.2, signs subject to a permit, must be included in the comprehensive sign plan.

**G. Projecting Signs**

Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, ~~and D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C~~ zone districts. Except in districts for preservation or on structures for preservation, determination of compliance with 10.10.16 shall be made by the Zoning Administrator. In districts for preservation or on structures for preservation determination of compliance with 10.10.16 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.

**H. Animation**

Flashing signs and animated signs shall not be allowed except when the sign is a projecting sign which is readable from the 16th Street Mall, in which case the provisions of 10.10.16.4.C shall apply.

**I. Rules and Regulations**

The planning board has the authority to adopt rules and regulations concerning its review of comprehensive sign plans.

**J. Fee**

The applicant shall pay the fee for review of a comprehensive sign plan for large facilities at the same time the application is submitted.

**SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT**

**10.10.4.1 General**

The area of a sign shall be measured in conformance with the regulations according to this Section, provided that the structure or bracing of a sign shall be omitted from measurement, unless such structure or bracing is made part of the message or face of the sign. Where a sign has 2 or more display faces, the area of all faces shall be included in determining the area of the sign unless the display faces join back to back, are parallel to each other and not more than 48 inches apart, or form a V type angle of less than 90 degrees. See special rules for measuring the volume/area of projecting signs below.

**10.10.4.2 Sign With Backing**

The area of all signs with backing or a background material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

**10.10.4.3 Signs Without Backing**

The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

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**10.10.12.4 Joint Identification Signs**

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
  - 1. 100 square feet; or
  - 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

**SECTION 10.10.13 DOWNTOWN ZONE DISTRICTS SIGN STANDARDS**

**10.10.13.1 General**

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right
- B. Provided, however, that off-site advertising devices may be allowed in the D-TD district pursuant to a district sign plan according to Section 10.10.14.
- C. The sign standards contained within this Section apply to the following zone districts: D-LD; D-CV; D-GT; D-AS; D-AS-12+; D-AS-20+; D-CPV-T; D-CPV-R; D-CPV-C; D-C; and D-TD.

**10.10.13.2 Permanent Signs**

Permanent signs shall comply with the following standards:

	D-LD; D-CV; D-GT; D-AS, D-AS-12+, D-AS-20+, <u>D-CPV-T, D-CPV-R, D-CPV-C</u>	D-C; D-TD
<b>Contents</b>	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.	Identification by letter, numeral, symbol or design of the use by right by name and use, hours of operation, services and products offered, events and prices of products and services.
<b>Sign Types</b>	Wall, window, ground and arcade.	Wall, window, ground and arcade.
<b>Maximum Number</b>	Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.	Ground level uses by right with street frontage for each separate building: Each use by right may have 3 for each street front of the use by right plus 1 additional sign for each 100' of street frontage in excess of 200'.  All other uses by right combined for each separate building: 1 sign plus 1 sign for each front line of the zone lot on which the building is located.

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	D-LD; D-CV; D-GT; D-AS, D-AS-12+, D-AS-20+, <u>D-CPV-T,</u> <u>D-CPV-R, D-CPV-C</u>	D-C; D-TD
<b>Maximum Sign Area</b>	<p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100' of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100' of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</li> </ul>	<p>Ground level uses by right with street frontage: Sign area shall be based on 1 or the other of the following provisions provided, however, that the total sign area of any use by right shall not exceed 600 square feet and the sign area permitted by this Section shall not be combined with the sign area permitted by any other Section of this chapter:</p> <p>Zone lot with 1 use by right: 2 square feet of sign area for each linear foot of the front line of the zone lot. All measurements shall be applied to each street front separately.</p> <p>Zone lot with more than 1 use by right: 4 square feet of sign area for each linear foot of that portion of the building frontage occupied by a ground level use by right. The resulting sign area is to be applied only to that portion of the building occupied by the use by right and all measurements shall be applied to each street front separately.</p> <p>Uses by right other than ground level uses by right with street frontage: 1 square foot of sign area for each foot of the front line of the zone lot on which the building is located or 3 percent of the exterior wall surface of the building whichever is greater. All measurements shall be applied to each building front separately.</p>
<b>Maximum Height Above Grade</b>	<p>Wall and window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32'.</p>	<p>Wall or window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32'.</p>
<b>Location</b>	<p>Shall be set back at least 5' from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.</p>	<p>No setback is required from any boundary line of the zone lot. Wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.</p>
<b>Illumination</b>	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>
<b>Animation</b>	<p>Animated signs are prohibited.</p>	<p>Animated signs are prohibited.</p>



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**10.10.13.3 Temporary Signs**

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than twelve (12) calendar months and shall not be renewed for more than 1 successive period at the same location.

- A. Permitted sign types: Wall, window or ground.
- B. Permitted maximum number: 2 signs for each front line of the zone lot or designated land area on which the signs are located.
- C. Permitted sign area:
  - 1. D-C and D-TD: 64 square feet for each front line of the zone lot or designated land area on which the signs are located. Computations shall be made and sign area shall be applied to each front line separately.
  - 2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.
- D. Permitted maximum height above grade:
  - 1. D-C and D-TD: 20 feet.
  - 2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C: 25 feet.
- E. Permitted location: No limitation.
- F. Permitted illumination:
  - 1. D-C and D-TD: May be illuminated but only from a concealed light source.
  - 2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

**10.10.13.4 Joint Identification Signs for D-LD; D-CV; D-GT; D-AS; D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C**

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
  - 1. 100 square feet; or
  - 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.

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- F. Relationships to the building facade. Maximum projecting sign dimensions, volumes and locations may additionally be restricted by the dimensions of the building facade on which signage is to be located and the relationship to other tenant signage on the same facade:
1. Signs shall not exceed the height of the parapet of the building on which mounted.
  2. Signs shall not be placed less than 8 feet apart.

**10.10.15.6 Illumination**

Illumination of graphics as defined herein shall be permitted by direct, indirect, neon tube, light-emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. The following additional provisions also apply to the illumination of street graphics:

- A. Color of light. Graphics as defined herein may use a variety of illuminated colors.
- B. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.
- C. Flashing signs are prohibited.
- D. Animated signs are prohibited.

**SECTION 10.10.16 SPECIAL PROVISIONS FOR D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, ~~AND D-AS-20+~~, D-CPV-T, D-CPV-R, AND D-CPV-C**

**10.10.16.1 General**

The provisions of this Section 10.10.16 shall apply to the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C districts. The other provisions of this Division 10.10 (Signs) shall remain in full force and effect in the D-C, D-TD, D-LD, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C districts, and there is no requirement that proposed signs be submitted for approval pursuant to this Section. However, an application for a sign may be submitted pursuant to the provisions of this Section in which case this Section will be applicable with respect to the issuance of the sign permit.

**10.10.16.2 Purpose**

The purpose of this Section is to create the policy for a comprehensive and balanced system of signs and street graphics to facilitate the enhancement and improvement of the D-C, D-TD, D-LD, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C districts through the encouragement of urban, innovative signs and street graphics which will aid in the creation of a unique downtown shopping and commercial area, facilitate an easy and pleasant communication between people and their environment and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. To accomplish these purposes, it is the intent of this Section to encourage and to authorize the use of signs and street graphics which are:

- A. Compatible with and an enhancement of the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels, and adjoining uses.
- B. Compatible with and an enhancement of the architectural characteristics of the buildings on which they appear when considered in terms of scale, proportion, color, materials and lighting levels.
- C. Appropriate to and expressive of the business or activity for which they are displayed.
- D. Creative in the use of unique 2 and 3 dimensional form, profile, and iconographic representation; employ exceptional lighting design and represent exceptional graphic design, including

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the outstanding use of color, pattern, typography and materials. Signage which simply maximizes allowable volume in rectangular form is strongly discouraged.

- E. Of high quality, durable materials appropriate to an urban setting.

**10.10.16.3 Permitted Maximum Sign Area**

The other provisions of this Division 10.10 (Signs) pertaining to the D-C, D-TD, D-LD D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C districts are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. A cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

**10.10.16.4 Projecting Graphics Permitted**

A projecting graphic is a sign or street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.

- A. The following limitations apply to projecting graphics:
  - 1. Each use may display 1 projecting graphic adjacent to every street upon which the use has frontage, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
  - 2. Projecting graphics must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building.
  - 3. Projecting graphics shall be mounted no less than 6 inches and no more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) which are adjacent to it on the building facade.
  - 4. Allocation of allowable sign volume. For uses that are located at the Street Level and have entries with direct access to a public sidewalk, court or plaza the allowable projecting sign volume will be allocated on the following basis:
    - a. Uses that occupy up to 49 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume. However, to avoid crowding of signage types, uses that occupy less than 30 linear feet of exterior building frontage will be limited to utilizing either a projecting sign as allowed under these regulations, or any other non projecting sign types as currently allowed.
    - b. Uses that occupy between 50 and 74 linear feet of building frontage may have up to 64 cubic feet of projecting sign volume.
    - c. Uses that occupy 75 linear feet or more of building frontage may have up to 96 cubic feet of projecting sign volume.
    - d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the 1 actual building frontage on which it is placed.
  - 5. The calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form that could be constructed to enclose the primary form of the sign. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the review committee. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign. No dimension (height, width or depth) shall be considered to be less than 1 feet-0 inches for the purposes of calculating sign volume.
  - 6. Multiple projecting signs. The total sign volume allowed for a single use may be broken into multiple projecting signs, not to exceed 1 per 25 linear feet of the actual building frontage adjacent to a public walk, court or plaza only at the discretion of the review committee based on the following criteria:
    - a. Multiple signs significantly enhance the creative impact of the signage concept.

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- a. The appropriateness of flashing signs, where otherwise allowed, will be based on the character and uses of the face block, existing uses within the building and the surrounding vicinity, and the protection of public safety.
  - b. Use of flashing signs shall be limited to entertainment uses such as, by way of example and not by way of limitation, theaters, movie houses, restaurants, and cabarets, and is limited to the times the business is open.
3. Fully illuminated plastic sign boxes with internal light sources will not be allowed.

**10.10.16.5 Design Review Committee**

There is hereby created a separate Design Review Committee for each of the D-C, D-TD, D-LD, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C districts, which shall be composed and comprised as hereinafter set forth, and which shall have the powers and authorities described herein.

- A. Within the D-C, D-TD, D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, when signage is proposed on a zone lot with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the Design Review Committee.
- B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the Design Review Committee shall be comprised of 7 members as follows:
  1. 1 property owner, who owns property in the D-C or D-TD district;
  2. 2 business operators, who operate businesses in the D-C or D-TD district;
  3. 1 member of Downtown Denver, Inc., nominated by Downtown Denver, Inc.;
  4. 2 design professionals;
  5. 1 resident of Denver, with preference given to a resident of the D-C or D-TD district; and
  6. The Manager, or his designee, who shall serve as an ex officio member.

Members of the D-C and D-TD Design Review Committee shall be nominated by downtown businesses, residents and property owners in the D-C and D-TD districts and shall be appointed by the mayor. The term of membership on the Design Review Committee is 3 years with initial appointments being of 3 appointees for 1 year terms, 2 appointees for 2 year terms and 2 appointees for 3 year terms.

- C. Within the D-LD district, the Lower Downtown Design Review Board shall comprise the Design Review Committee.
- D. Within the D-AS, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the Design Review Committee.
- E. Each Design Review Committee shall meet monthly or within 14 calendar days of a special request.
- F. Authority is hereby expressly granted to the applicable Design Review Committee to review and recommend approval to the Zoning Administrator of applications for signs and street graphics in the applicable district pursuant to the provisions of this Section.

**10.10.16.6 Design Review**

Applications for sign permits submitted for approval pursuant to the provisions of this Section shall be forwarded to the applicable Design Review Committee by the department of zoning administration. The applicable Design Review Committee shall prepare a recommendation and submit it to the

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# **ARTICLE 11. USE LIMITATIONS AND DEFINITIONS**

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**CPV-C Zone Districts**

In all C-CCN, ~~and~~ D-AS-12+, ~~and~~ D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations, the following limitations shall apply and control in case of any conflict with the more general limitations in Section 11.4.1.9.4:

**A. Intent**

Improve the pedestrian experience in important mixed-use districts through Street Level active uses. While Automobile Services uses provide a desirable neighborhood service, such uses do not invite the high-intensity customer, visitor, and resident interactions throughout the day and night that substantially contribute to the activation, economic vitality, and safety of vibrant mixed-use neighborhoods. Street Level area set aside in buildings for non-Automobile Services uses according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for Street Level active uses

**B. Limitations**

1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.
2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

*See also* C-CCN zone district use limitations related to Street Level Household Living uses in Section 11.2.5, C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted Street Level active uses in structures or buildings containing parking spaces, ~~and~~ Street Level active use requirements for the D-AS-12+ and D-AS-20+ zone districts in Section 8.8.5.1, and Street Level active use and Street Level active non-residential use requirements for the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in Sections 8.9.5.1 and 8.9.5.2.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.
4. Accessory trailer rental is prohibited.
5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.
6. In the C-CCN zone districts, when located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
  - a. On any story above or below the Street Level, and/or
  - b. On the Street Level, but only if 100% of the building's street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

**11.4.17.4 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.

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**11.5.23.3 All I-A and I-B Zone Districts**

In all I-A and I-B zone districts, where the Zone Lot is located within 1/4 mile of a Rail Transit Station Platform, and where permitted with limitations, a Mini-Storage Facility use shall not have individual entrances to storage units from the exterior of the structure.

**SECTION 11.5.24 VEHICLE STORAGE, COMMERCIAL****11.5.24.1 All Downtown Neighborhood Context Districts**

In all Downtown Neighborhood Context zone districts, where permitted with limitations:

- A. Vehicle Storage is limited to enclosed garage storage for commercial and public utility vehicles only.
- B. Commercial storage of automobiles and light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half tons shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

**11.5.24.2 I-A, I-B Zone Districts**

In I-A, I-B zone districts, where permitted with limitations:

- A. The Vehicle Storage use shall be located at least 500 feet from a Residential Zone District.
- B. 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.

**11.5.24.3 All CC Zone Districts**

In all CC zone districts, where permitted with limitations, Vehicle Storage, Commercial shall be limited to the assembling or standing of operable vehicles having a capacity of not more than one and one-half tons.

**SECTION 11.5.25 WHOLESALE TRADE OR STORAGE, GENERAL****11.5.25.1 I-MX, I-A, I-B Zone Districts**

In the I-MX, I-A, I-B zone districts, where permitted with limitations, all Wholesale Trade or Storage, General uses shall be located a minimum of 500 feet from a Residential Zone District.

**SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT****11.5.26.1 All CC, MX, MS, CMP, ~~and D-AS-12+, and D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C~~ Zone Districts**

In all CC, MX, MS, CMP, ~~and D-AS-12+, and D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C~~ zone districts, where permitted with limitations:

- A. A Wholesale Trade or Storage, Light use proposed on a zone lot greater than 25,000 square feet or is proposed to operate between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- B. A Wholesale Trade or Storage, Light use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard, or within 300 feet of any boundary with any portion of Adams County other than the Rocky Mountain Arsenal, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, in order to permit review and comment by adjacent jurisdictions.

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# **ARTICLE 12. ZONING PROCEDURES & ENFORCEMENT**



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### 12.2.7.2 Review Authority

- A. Within the C-CCN zone districts, the Cherry Creek North Design Advisory Board shall review and make recommendations to the Development Review Committee or the Zoning Administrator as specified in adopted rules and regulations, as may be amended from time to time.

## SECTION 12.2.8 DOWNTOWN ~~ARAPAHOE SQUARE~~ DESIGN ADVISORY BOARD

### 12.2.8.1 Creation

- A. The Downtown ~~Arapahoe Square~~ Design Advisory Board shall consist of seven members appointed by the Mayor. The seven members shall include individuals from the following categories: four design professionals, including architects, landscape architects, and urban designers, at least one of whom shall be a landscape architect; one owner of property in the ~~Arapahoe Square-downtown~~ area; one resident or community representative of the downtown area ~~(including the Ballpark, Curtis Park and Enterprise Hill areas, as well as other nearby parts of the Five Points, Central Business District and Union Station statistical neighborhoods)~~; and one representative of the development/construction industry, including but not limited to engineers, contractors, and developers. All board members must be residents of Denver.
- B. The members of the board shall be appointed by the Mayor for terms of three years and shall serve at the pleasure of the Mayor. Terms of office shall be staggered by making the appointments so that approximately one-third of the members' terms expire each year. Vacancies shall be filled by the mayor within 30 days from the date on which the vacancy occurs.

### 12.2.8.2 Board Meetings

- A. All meetings of the Downtown ~~Arapahoe Square~~ Design Advisory Board shall be open to the public and allow opportunity for public comment.

### 12.2.8.3 Review Authority

- A. The Downtown ~~Arapahoe Square~~ Design Advisory Board shall review and make recommendations to the Development Review Committee or Zoning Administrator for all projects submitted for review Wwithin the Downtown Arapahoe Square 12+ (D-AS-12+), and Downtown Arapahoe Square 20+ (D-AS-20+), ~~Downtown Central Platte Valley – Auraria Transition (D-CPV-T), Downtown Central Platte Valley – Auraria River (D-CPV-R), and Downtown Central Platte Valley – Auraria Center (D-CPV-C)~~ zone districts, as specified in adopted rules and regulations, which may be amended from time to time. The Zoning Administrator shall conduct all review and approval of projects submitted before April 1, 2019.

#### Review Note:

The Arapahoe Square Design Advisory Board will be replaced (not simply renamed) by the new Downtown Design Advisory Board that will have review authority over D-CPV-T/R/C and D-AS-12+/20+ zone districts. Existing members of the Arapahoe Square Design Advisory Board will be eligible as candidates for the new Board.

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# **ARTICLE 13. RULES OF MEASUREMENT & DEFINITIONS**

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One-tenth of 1 foot = 0.10

For a 75-foot width threshold at issue, 25 feet goes into 75 feet 3 times  
(75 divided by 25 = 3)

$.10 * 3 = .30$

75 feet minus .30 feet = 74.7 feet, which is the minimum end-point of a  
survey measurement that will get applied as equivalent to 75 feet.

75 feet plus .30 feet = 75.3 feet, which is the maximum end-point of a  
survey measurement that will get applied as equivalent to 75 feet.

**13.1.5.2 Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, C-CCN, D-AS-12+, and D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A. General Provisions**

**1. Intent**

To provide a reference of measurement for standards related to form and building placement (e.g. Build-to, Setback).

**2. General Requirements**

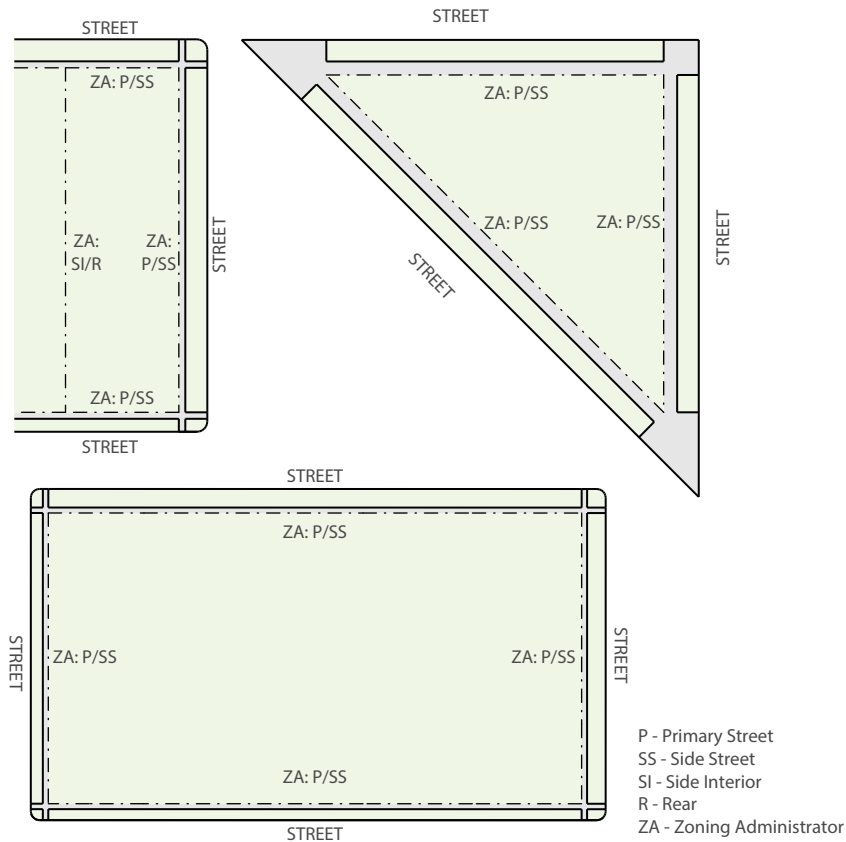
- a. A primary street zone lot line or a side street zone lot line may abut a zone lot line abutting a private street if approved by the Zoning Administrator.
- b. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the zone district can be met.

**3. Criteria for Zoning Administrator Determinations**

- a. Where identified in the following sections, the Zoning Administrator shall designate a zone lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, based on an analysis, at a minimum, of:
  - i. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
  - ii. Block and lot shape;
  - iii. The functional street classification of all abutting streets as adopted by the Public Works Department;
  - iv. The future street classification of all abutting streets as adopted in Blueprint Denver;
  - v. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
  - vi. In a Campus zone district, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.
- b. The Zoning Administrator shall have authority to designate a Zone Lot's Primary Street Zone Lot Line(s) contrary to the results in Section 13.1.5.2 when:
  - i. The Zone Lot contains a Historic Structure, and
  - ii. The Zone Lot is located within a Residential Zone District, and

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Figure 13.1-53



**13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+, and D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A. Intent**

To provide a reference of measurement for standards related to form, building placement, and design elements (e.g. Build-to, Setbacks, Transparency) in Cherry Creek North (C-CCN), Downtown Arapahoe Square 12+ (D-AS-12+), and Downtown Arapahoe Square 20+(D-AS-20+), Downtown Central Platte Valley - Auraria Transition (D-CPV-T), Downtown Central Platte Valley - Auraria River (D-CPV-R), and Downtown Central Platte Valley - Auraria Center (D-CPV-C) zone districts.

**B. General Requirements**

- Each Zone Lot Line shall have a designation of Primary Street, Side Interior or Rear.

**C. Criteria for Zoning Administrator Determinations**

The Zoning Administrator shall designate a zone lot's Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

- Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines.
- If criterion C.1 does not apply, then the following criteria shall be used:
  - The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot; and
  - Block and lot shape.

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**D. Determining Zone Lot Lines**

**1. All Zone Lots - Primary Street Zone Lot Lines**

- a. The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.
- b. In D-CPV-R zone districts only, any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River shall be designated as a Primary Street Zone Lot Line.
- c. In D-CPV-T, D-CPV-R, and D-CPV-C zone districts only, any Zone Lot Line that Abuts a Public Park shall be designated as a Primary Street Zone Lot Line.

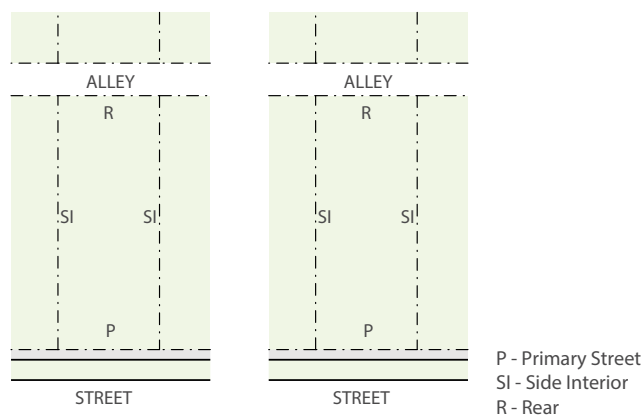
**2. Interior Zone Lots**

For interior zone lots in all C-CCN, D-AS-12+, ~~and~~ D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts:

- a. The Primary Street Zone Lot Line shall be the Zone Lot Line abutting the named or numbered street.
- b. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street.
- c. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

See Figure 13.1-54.

Figure 13.1-54



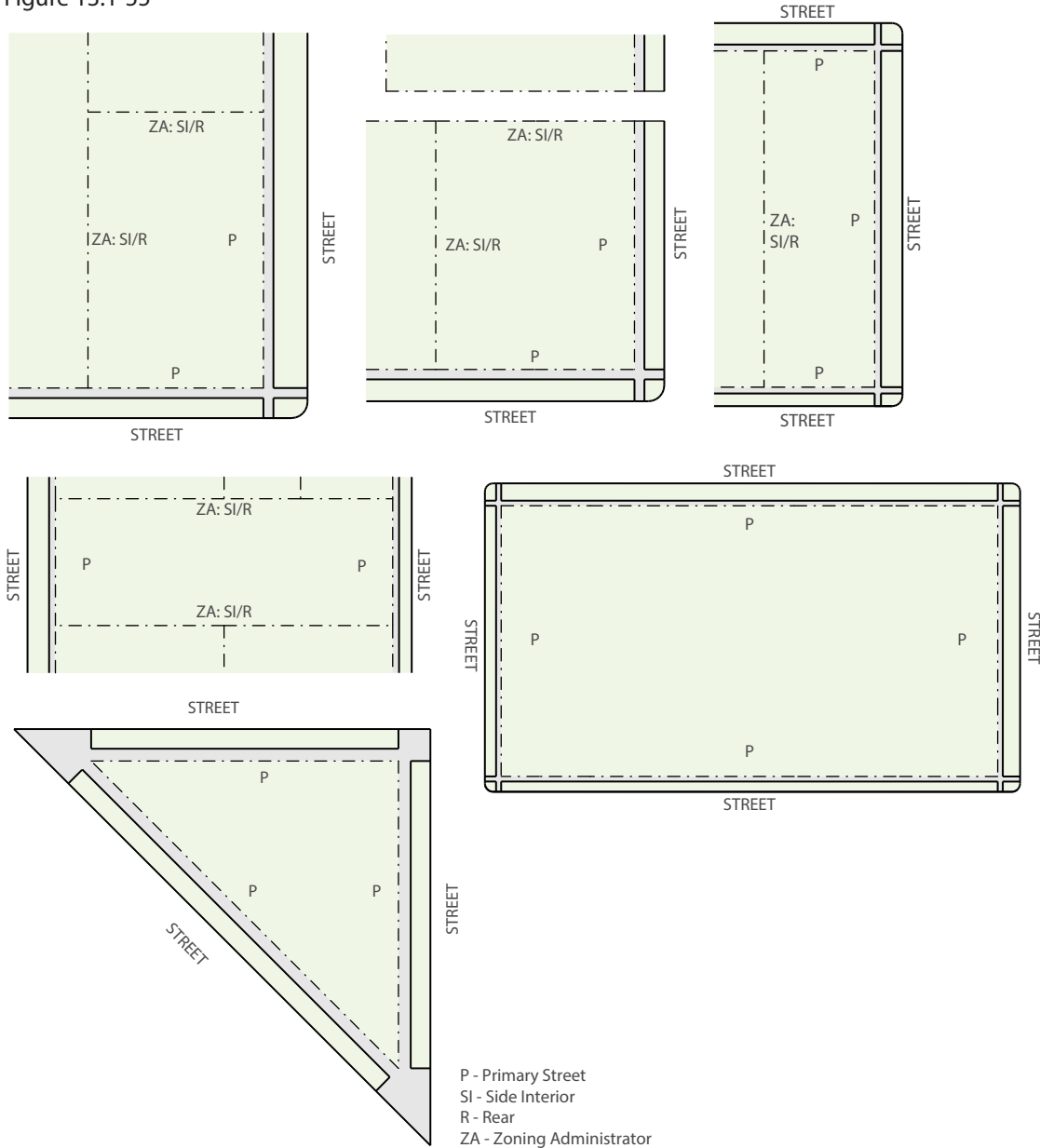
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**3. Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block**

For all corner zone lots, double frontage zone lots, and zone lots with frontage on 3 or more streets or a full block in all C-CCN, D-AS-12+, ~~and D-AS-20+~~, D-CPV-T, D-CPV-R, and D-CPV-C zone districts:

- a. All Zone Lot Lines abutting a named or numbered street shall be Primary Street Zone Lot Lines.
- b. The Zoning Administrator shall determine the Side Interior and Rear Zone Lot Lines, as applicable. See Figure 13.1-55

Figure 13.1-55



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**13.1.5.6 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines in the DO-7 Overlay District**

**A. Intent**

To provide a reference of measurement for standards related to form and building placement while promoting pedestrian-oriented frontages and an active riverfront experience with visual interest and variety in the DO-7 district.

**B. General Requirements**

The general requirements set forth for all CC, MX, and MS Zone Districts in Section 13.1.5.4.B General Requirements shall apply in addition to the requirements set forth in this Section 13.1.5.6.

**C. Criteria for Zoning Administrator Determinations**

For all Underlying Zone Districts, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.4.C Criteria for Zoning Administrator Determinations, except that:

1. In lieu of the provisions set forth in Section 13.1.5.4.C.2.a, the Zoning Administrator may designate more than one Primary Street Zone Lot Line in any Underlying Zone District where:
  - a. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan, indicates the need for designation of multiple Primary Streets.
  - b. The Blueprint Denver Street Classification of all Abutting streets, per the table in Section 13.1.5.4.C.2.b indicates Primary Street designation for more than one Abutting street.
2. The Zoning Administrator shall designate Zone Lot Lines that Abut named streets (such as Wynkoop and Larimer streets) as Primary Street Zone Lot Lines, except that:
  - a. Any Zone Lot Line that is Adjacent to 35th Street shall also be designated as a Primary Street Zone Lot Line in addition to the named street.
  - b. Where a corner Zone Lot Abuts more than one named street, the Zoning Administrator may elect to designate only one of the named streets as a Primary Street based on an analysis of the Blueprint Denver Street Classification of each named street.
3. Any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River, shall be designated as a Primary Street Zone Lot Line. See Figure 13.1-576.
4. Any Zone Lot Line that Abuts a Public Park shall be designated as a Side Street Zone Lot Line.

**D. Corner Zone Lot, Double Frontage Zone Lot, or Zone Lot with Frontage 3 or More Streets**

In lieu of the provisions set forth in Sections 13.1.5.4.E-G, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable according to the criteria set forth in Section 13.1.5.6.C. See Figure 13.1-56.



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**13.1.5.8 Setbacks**

**A. Intent**

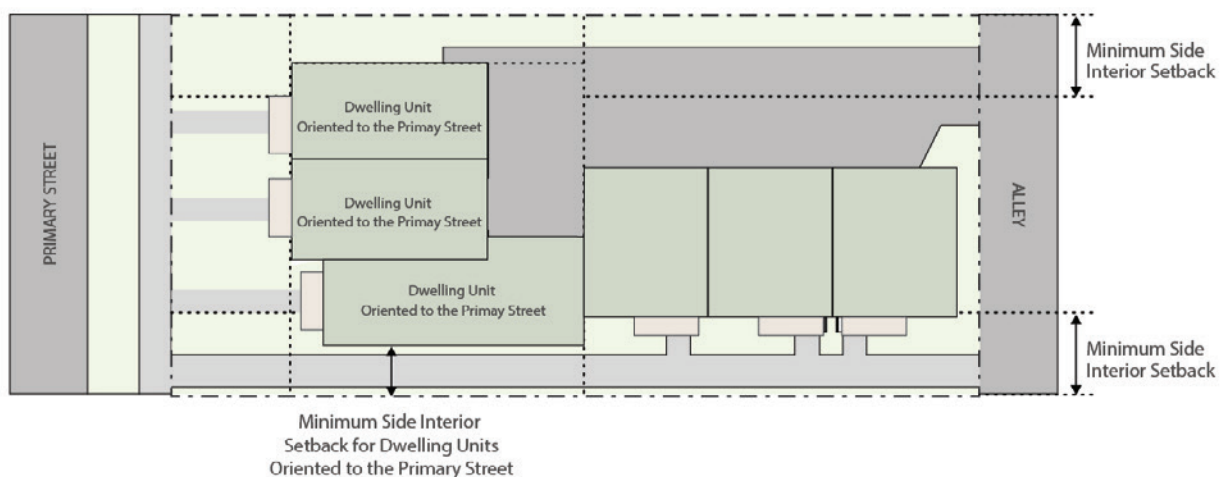
To provide adequate separation for privacy and access to sunlight.

**B. Rules of Measurement**

Setbacks provide a minimum horizontal distance between a zone lot line and the location of uses and structures on a zone lot, measured as follows: See Figure 13.1-67

1. Primary and Side Street setbacks are measured perpendicular to the zone lot line at the edge of the right-of-way abutting a name or numbered street or an easement for public access Abutting the right-of-way of a named or numbered street.
2. Side Interior and Rear setbacks are measured perpendicular to the side interior or rear zone lot line abutting another zone lot, a public alley, or an easement for public access Abutting an Alley.
3. Where a Side Interior setback standard is stated as “min one side/min combined:”
  - a. One side interior setback shall meet the standard meeting the “min one side” and the total of both side interior setbacks shall be equal to or greater than the standard of the “min combined.”
  - b. If zone lot has only one Side Interior Zone Lot Line, the “min one side” standard shall apply.
4. Primary street and rear setbacks extend across the full width of the zone lot, overlapping with the side interior and side street setbacks as applicable.
  - a. Where a minimum percentage of Zone Lot Width is specified for a Primary Street Setback, the minimum percentage of Zone Lot Width at the Primary Street Zone Lot Line specified in the building form table shall be required to meet the minimum Primary Street Setback.
5. Side interior and side street setbacks extend the full length of the side zone lot lines, overlapping with both the primary street and rear setbacks.
6. Side interior setbacks in the Town House building form for Dwelling Units Oriented to the Street shall apply only to the length of the side interior Zone Lot lines where a line extended perpendicular from the side interior Zone Lot line intersects any exterior building facade of a Side-by-Side Dwelling Unit Oriented to the Primary Street. See Figure 13.1-66

Figure 13.1-66



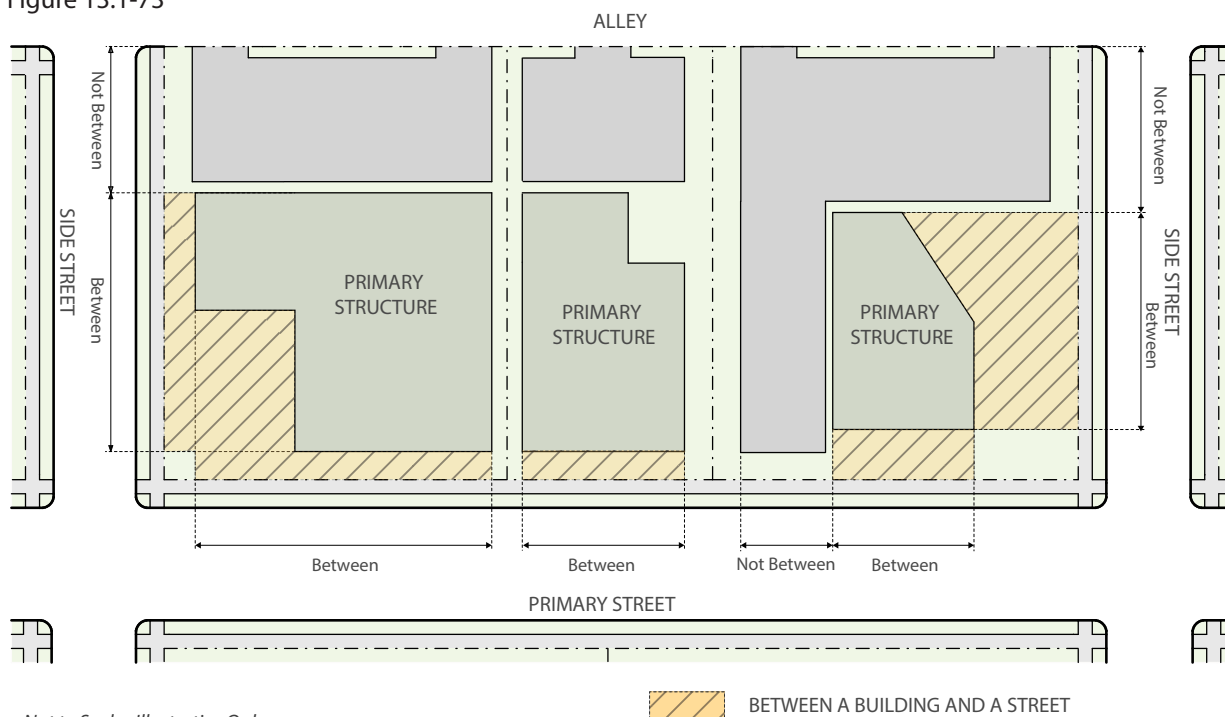
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**13.1.5.14 Surface Parking Between Building and Primary Street/Side Street**

**A. Rule of Measurement**

For the purposes of determining if an area is between a Building and a Primary Street/Side Street, extend a line perpendicular from the Primary or Side Street Zone Lot Line. If any portion of said line touches the Building Facade, then said line is between the Building and such Street. See Figure 13.1-73.

Figure 13.1-73



Not to Scale. Illustrative Only.

**13.1.5.15 Floor Area Ratio (FAR)**

**A. Rule of Measurement - FAR**

Floor area ratio (FAR) is the ratio of gross floor area of a building to the area of the zone lot on which the building is located. For example, 43,560 square feet of building on one acre of land (43,560 sq. ft.) would equal a 1:1 floor area ratio. See Figure 13.1-74

**B. Calculation of Gross Floor Area**

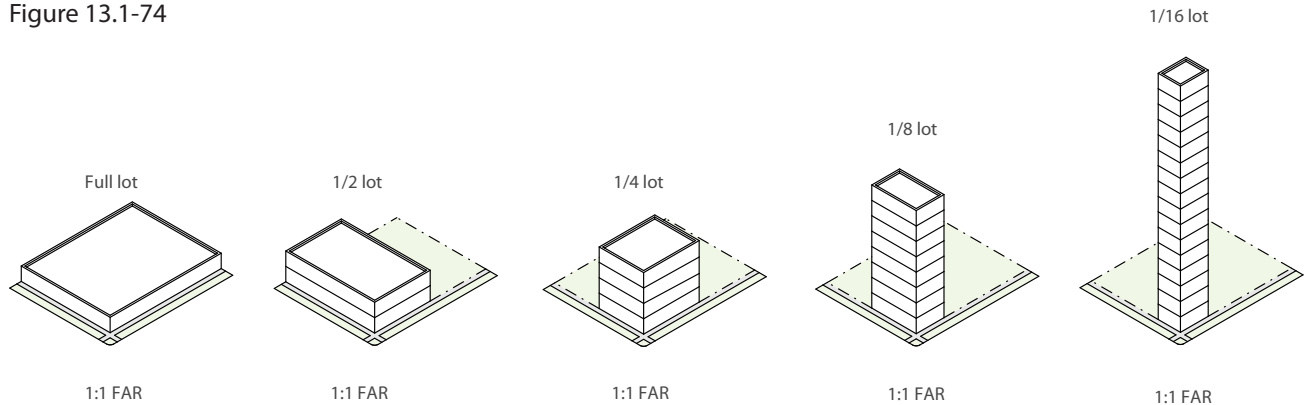
For purposes of calculating FAR, “gross floor area” means the sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured by the exterior faces of walls of each such floor. The floor area of a building shall include the floor area of accessory buildings on the same zone lot, measured the same way. In computing gross floor area ~~there shall be excluded~~ the following exclusions shall apply:

1. Any floor area devoted to mechanical equipment serving the building, provided that the floor area of such use occupies not less than 75 percent of the floor area of the story in which such mechanical equipment is located.;
2. Any floor area in a story in which the floor above is less than 6 feet above the finished grade for more than 50% of the total building perimeter.;

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3. Any floor area used exclusively as parking space for ~~motor~~ vehicles and/or bicycles. This exclusion shall not apply in the D-CPV-C zone district where any floor area used exclusively as parking space for vehicles and/or bicycles shall be included in the calculation of gross floor area. ~~and~~
4. Any floor area that serves as a pedestrian mall or public access way to shops and stores.
5. For purposes of calculating parking amounts, see rule provided in Article 10, Division 10.4 Parking and Loading.

Figure 13.1-74



## SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

The design element form standards of this Code are defined and measured as set forth below.

### 13.1.6.1 Building Configuration

#### A. Front or Side Wall Length / Overall Structure Length or Width

1. The length of the front or side wall of a structure, or the overall structure length, shall be measured parallel to the primary street, side street, or side interior zone lot line and includes the length of a Completely Enclosed structure plus the length of any portion of any attached Partially Enclosed structure(s), as shown in Figure 13.1-75 below.
2. The overall structure width includes the length of a Completely Enclosed structure plus the length of any portion of any attached Partially Enclosed structure(s) and shall be measured parallel to the primary street zone lot line or the side street/side interior zone lot line, whichever zone lot line is shorter.
3. The Zoning Administrator shall determine the zone lot line corresponding with the overall structure width in cases where the length of the primary street zone lot line and side street/side interior zone lot line are equal.

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**E. Point Tower Floor Plate**

**1. Intent**

To preserve sky exposure and encourage architectural variety by reducing the horizontal scale and ensuring appropriate spacing of the tower portion(s) of a Standard Tower and Point Tower building forms.

**2. Applicability**

Tower Floor Plate standards required by the building form table shall apply to all Structures built under the Standard Tower and Point Tower building forms.

**3. Rules of Measurement**

**a. Tower Floor Plate Area**

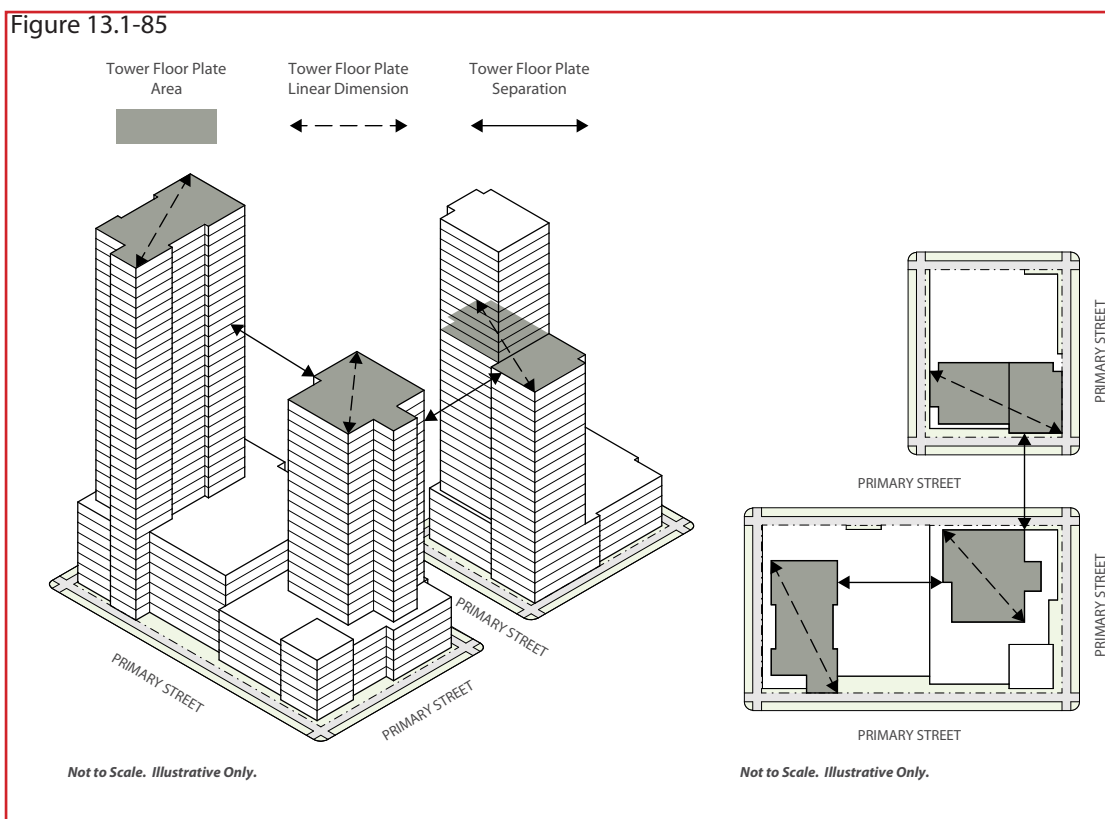
Point Tower Floor Plate Area shall be measured as the area of the Floor Plate of the largest Habitable Story located above the specified height in the building form table. See Figure 13.1-85

**b. Tower Floor Plate Linear Dimension**

Tower Floor Plate Linear Dimension shall be measured as the longest horizontal linear distance between two points on the exterior faces of exterior walls of any Story located above the specified height in the building form table. See Figure 13.1-85.

**c. Tower Floor Plate Separation**

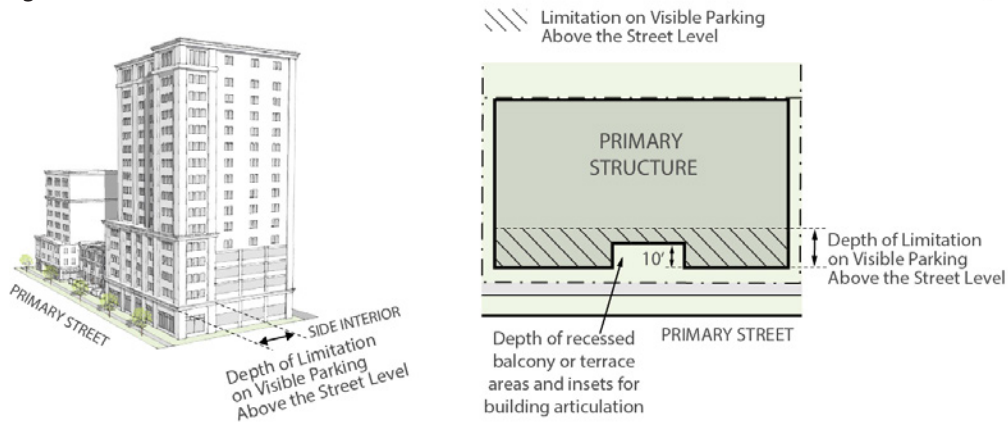
Tower Floor Plate Separation shall be measured as the shortest horizontal linear distance between two or more separate Structures, including Exterior Balconies, regardless of Zone Lot, located above the specified height in the building form table. See Figure 13.1-85.



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Figure 13.1-91

Not to Scale. Illustrative Only.

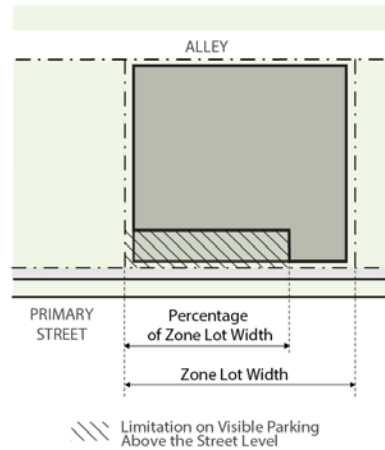


**Review Note:**

Revisions to rules of measurement for Limitation on Visible Parking Above Street Level clarify that every story must meet the limitation.

- b. **Percentage of Zone Lot Width for a Limitation on Visible Parking Above Street Level**  
 At every Story above the Street Level, exterior street-facing building walls within the minimum specified building form table percentage of Zone Lot Width specified in a building form table at the Primary Street Zone Lot Line shall be required to meet the Limitation on Visible Parking above Street Level. See Figure 13.1-92

Figure 13.1-92 Not to Scale. Illustrative Only.



**J. Street-facing Courtyard Width and Depth**

1. The street-facing courtyard width shall be measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard, shown as "A" in Figure 13.1-93.
2. The street-facing courtyard depth shall be measured as the horizontal distance between the primary street zone lot line and the closest facade of the exterior building wall facing the primary street, measured perpendicular to the zone lot line, shown as "B" in Figure 13.1-92.

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B

**Backhaul or Backhaul Network:** The lines that connect a provider's tower/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**Balcony, Exterior:** A projecting cantilevered platform on a building that is not supported on the ground by posts, columns, or similar supporting structural members. Generally, an exterior balcony is intended to be used for outdoor living, gardening, or other actively used outdoor space. An exterior balcony shall not include a landing abutting an entry to habitable space, provided such landing does not exceed the minimum required dimensions for a landing as defined in the Building Code.

**Base Height:** the maximum Building Height established in the Underlying Zone District, including any Building Height limits associated with proximity to a Protected District, to which Structures can be constructed without meeting the additional requirements set forth in [the Underlying Zone District or](#) an Incentive Overlay District.

**Berm:** A mound of earth, or the act of pushing earth into a mound, usually for the purpose of shielding or buffering uses, or to control the direction of water flow.

**Billboard:** See "Outdoor General Advertising Device".

**Block:** A tract of land bounded by platted streets, public parks, cemeteries, railroad rights-of-way, shore lines, or corporate boundaries of the city.

**Block, Square:** A block with contiguous sides, where the difference in length between the sides of the block is no greater than 50 feet.

**Block, Oblong:** A block with contiguous long and short sides, where the long side of the block is 50 feet or more greater in length than the short side of the block.

**Block Face:** See definition of "Face Block."

**Breezeway:** See definition of "Tunnel/Breezeway"

**Build-to:** An alignment at the primary street or side street setback line of a zone lot, or within a range of setback from the zone lot line abutting a street, along which a street-facing, primary building wall must be built.

**Building:** Any covered structure intended for the shelter, housing or enclosure of any person, animal or chattel.

**Building, Principal or Primary:** A building in which is conducted the principal or primary use of the zone lot on which it is situated.

**Building Form Standards:** Standards applicable to the development of buildings and structures in this Code which, taken together, regulate building height (Building Height Standards), building siting (Siting Standards), building design elements (Design Element Standards), and the permitted use of buildings (Use Building Form Standards).

**Building Front or Frontage:** That exterior wall of a building facing a front line of the zone lot.

**Building Height:** The height of a building, measured in accordance with the Rules of Measurement (see Division 13.1 of this Article.)

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**Floor Area, Habitable:** The aggregate of the horizontal area of all rooms used for habitation, such as living room, dining room, kitchen, and bedroom(s), but not including hallways, stairways, cellars, service rooms, utility rooms, bathrooms, closets, unheated areas such as enclosed porches.

**Floor Area Ratio (FAR):** See the Rule of Measurement within this Article 13.

**Floor Plate:** The sum of the gross horizontal area of a single floor of a building structure, including interior ~~and exterior~~ balconies, but excluding exterior balconies; all horizontal floor dimensions are measured from the exterior faces of the exterior walls.

**Flush-Mounted Solar Panels:** See “Solar Panels, Flush-Mounted.”

**Food:** Any raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption. For purposes of this Code, “Food” shall not include “Marijuana Concentrate” as defined in this Division 13.3.

**Footcandle (F.C.):** A unit of illuminance equivalent to one lumen per square foot.

**Former Chapter 59:** Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk at City Clerk Filing No. 10-512-A on May 20, 2010. Former Chapter 59 remains in full force and effect for any land not re-zoned to zone districts in the Denver Zoning Code.

**Freeways:** Those streets designed to carry large volumes of through traffic at high speeds by restriction of abutting private property from rights of direct access by vehicles and pedestrians.

**Front Porch:** See “Porch, Front”.

**Frontage:** All of the zone lot fronting on one side of an intersecting or intercepting street, or between a street and right-of-way, end of dead-end street, waterway, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

**Full Cutoff Lighting Fixture:** A light fixture that has a light distribution pattern that results in no light being permitted at or above a horizontal plane located at the bottom of the luminaire.

**Fully Shielded Lighting Fixture:** A light fixture that provides internal or external shields and louvers that prevents light emitted by the light fixture from causing glare or light trespass.

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**Impervious Material:** A surface that has been compacted or covered with a layer of materials that is highly resistant to infiltration by water. Impervious materials include, but are not limited to, surfaces such as compacted sand, lime rock, or clay; asphalt concrete, driveways, retaining walls, stairwells, stairways, walkways, decks and patios at grade level, and other similar structures.

**Incentive Height:** Additional Building Height permitted above the Base Height for development meeting the additional requirements set forth in [the Underlying Zone District](#) or an Incentive Overlay District.

**Industrial Zone District:** The Industrial A (“I-A”) and the Industrial B (“I-B”) Zone Districts, but not including the Industrial Mixed Use (“I-X” or “M-IMX”) Zone Districts established by this Code.

**Involuntary Demolition or Involuntarily Destruction:** The destruction or demolition of a structure caused by natural forces (e.g., accidental fire; flood; tornado) and not by man-made forces.



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P

**Parapet Wall:** That part of any wall that extends entirely above the surface of the adjacent roof.

**Parking, Accessory:** A specific type of accessory use, comprised of surface or garage (structured) parking located on the same zone lot as the primary use such parking is required or intended to serve.

**Parking Aisle:** Parking “Aisles” mean the part of the parking lot that directly abut parking stalls and are used for vehicular access to the parking stalls.

**Parking, Commercial:** An open, hard-surfaced area or structure, other than street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

**Parking, Shared or Shared Parking:** Joint or shared use of parking spaces available to multiple land uses with different parking demand patterns throughout the day. ~~General parking lots and/or on-street parking is another form of shared parking. Parking facilities can be shared in several ways:~~

- ~~1. Shared Rather Than Reserved Spaces. Motorists share parking spaces, rather than being assigned a reserved space.~~
- ~~2. Share Parking Among Uses. Parking can be shared among multiple land uses.~~
- ~~3. Public Parking Facilities. Public parking, including on-street, municipal off-street, and commercial (for profit) facilities generally serve multiple destinations. Converting from free, single-use to paid, public parking allows more efficient, shared use.~~
- ~~4. In-Lieu Fees. Developers help fund public parking facilities instead of providing private facilities serving a single destination. This tends to be more cost effective and efficient. It can be mandated or optional.~~
- ~~5. Special Parking Assessment. A special assessment or tax to fund parking facilities in an area as an alternative to each property supplying its own facilities. This is often implemented through an improvement district.~~

**Parking, Tandem:** The parking of 2 vehicles either end to end, vertically stacked, or front to back in a parking space, such that if both vehicles are parked, one vehicle must be moved in order for the other vehicle to exit the parking space.

**Parking Area, Off-Street:** See “Off-Street Parking Area”.

**Parking Ratio:** A ratio expressing the number of parking spaces per dwelling unit, or per certain amounts of square footage or commercial space, or per number of occupants or employees.

**Parking Space:** A storage area for a motor vehicle that is directly accessible to an access aisle, street, or alley, and which is not located on a public right-of-way unless specifically permitted by this Code.

**Parking, Surface:** A storage area for motor vehicles that is not within a completely enclosed structure, including surface parking lot, deck parking and tuck-under parking.

**Review Note:**

*This language conflicts with Shared Vehicle Parking standards in Sec 10.4.5.4 and is overly editorial. Various mechanisms and analyses to achieve Shared Parking are more appropriately detailed in Article 10.*

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GENERAL URBAN NEIGHBORHOOD CONTEXT		URBAN CENTER NEIGHBORHOOD CONTEXT		DOWNTOWN NEIGHBORHOOD CONTEXT	
G-RH-3	Row House 3	C-RX-5	Residential Mixed Use 5	D-C	Downtown Core District
G-MU-3	Multi Unit 3	C-RX-8	Residential Mixed Use 8	D-TD	Downtown Theater District
G-MU-5	Multi Unit 5	C-RX-12	Residential Mixed Use 12	D-LD	Lower Downtown District
G-MU-8	Multi Unit 8	C-MX-3	Mixed Use 3	D-CV	Downtown Civic District
G-MU-12	Multi Unit 12	C-MX-5	Mixed Use 5	D-GT	Downtown Golden Triangle
G-MU-20	Multi Unit 20	C-MX-8	Mixed Use 8	D-AS	Downtown Arapahoe Square
G-RO-3	Residential Office 3	C-MX-12	Mixed Use 12	D-AS-12+	Downtown Arapahoe Square 12+
G-RO-5	Residential Office 5	C-MX-16	Mixed Use 16	D-AS-20+	Downtown Arapahoe Square 20+
G-RX-3	Residential Mixed Use 3	C-MX-20	Mixed Use 20	D-CPV-T	Downtown Central Platte Valley - Auraria Transition
G-RX-5	Residential Mixed Use 5	C-MS-5	Main Street 5	D-CPV-R	Downtown Central Platte Valley - Auraria River
G-MX-3	Mixed Use 3	C-MS-8	Main Street 8	D-CPV-C	Downtown Central Platte Valley - Auraria Center
G-MS-3	Main Street 3	C-MS-12	Main Street 12		
G-MS-5	Main Street 5	C-CCN-3	Cherry Creek North 3		
		C-CCN-4	Cherry Creek North 4		
		C-CCN-5	Cherry Creek North 5		
		C-CCN-7	Cherry Creek North 7		
		C-CCN-8	Cherry Creek North 8		
		C-CCN-12	Cherry Creek North 12		

**2.5.1.3 Special Contexts and Zone Districts:**

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

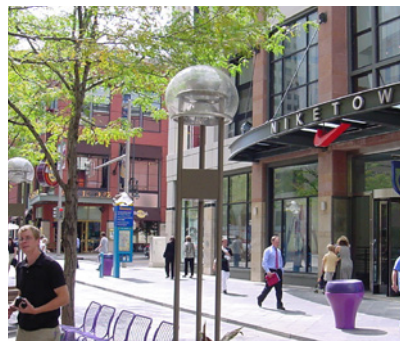
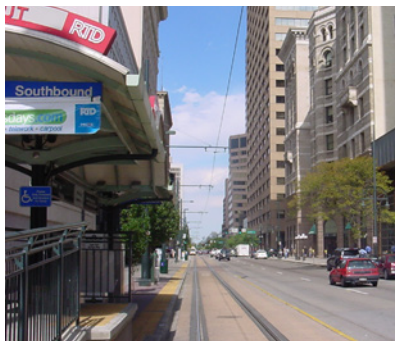
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## DIVISION 8.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 8.1.1 GENERAL CHARACTER

The Downtown context consists of a mix of multi-unit residential, commercial, office, civic, institutional, and entertainment uses in large buildings containing one or more uses. The Downtown Context is comprised of eleven distinct areas: Downtown Core District, Downtown Theater District, Lower Downtown District, Downtown Civic District, Downtown Golden Triangle, Downtown Arapahoe Square District, Downtown Arapahoe Square District 12+, Downtown Arapahoe Square District 20+, Downtown Central Platte Valley – Auraria Transition District, Downtown Central Platte Valley – Auraria River District, and Downtown Central Platte Valley – Auraria Center District. Throughout the context, residential and nonresidential buildings tend to have similar forms, most often that of the Apartment or General Commercial Building Forms. Historic Structures and landmark districts (Lower Downtown, Downtown, Larimer Square, Civic Center, and Speer Boulevard) are important character defining features of the Downtown Context.

### SECTION 8.1.2 STREET, BLOCK, AND ACCESS PATTERNS

The Downtown context consists of a regular pattern of block shapes. Orthogonal and diagonal streets provide connection through this context. Block sizes and shapes are consistent and include detached sidewalks, amenity zones or treelawns, and street, surface, and structured parking. Blocks where the two grids—downtown and directional—meet create a varied pattern of triangular lots. While historically most blocks contained alleys, some have been vacated to accommodate full-block developments.

### SECTION 8.1.3 BUILDING ENTRANCES

Entrances to office and residential buildings tend to be directly from the public sidewalk into a lobby. Retail stores and restaurants are typically accessed from the public sidewalk. Parking garage and lot access varies. Larger garages are typically accessed from the street, while smaller facilities may be accessed from the alley.

### SECTION 8.1.4 BUILDING PLACEMENT AND LOCATION:

Multi-unit buildings typically have consistent shallow front setbacks or build-to lines. Commercial buildings typically have build-to requirements forming a continuous building wall along the sidewalk.

### **SECTION 8.1.5 BUILDING HEIGHT**

The Downtown Context contains the tallest buildings in the City with maximum heights ranging from unlimited in the core of Downtown and portions of Central Platte Valley – Auraria to 55-85 feet in Lower Downtown and Larimer Square. Allowed heights transition from the core and Central Platte Valley – Auraria to lower intensity contexts.

### **SECTION 8.1.6 MOBILITY**

The highest priority is given to the pedestrian, transit, and alternative modes of transportation. The Downtown context is the center of the Denver region multi-modal transit transportation system. Key elements of this system are: Denver Union Station as the hub of the regional transit system; 16th Street Mall Shuttle, light rail on downtown streets; local, regional and express bus service; bike lanes and access to the Platte River and Cherry Creek Greenway trails; and detached sidewalks on every street.

## **DIVISION 8.2 DISTRICTS (D-C, D-TD, D-LD, D-CV, D-GT, D-AS-, D-CPV-)**

### **SECTION 8.2.1 DISTRICTS ESTABLISHED**

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

#### **Downtown Neighborhood Context**

D-C	Downtown Core District
D-TD	Downtown Theater District
D-LD	Lower Downtown (LoDo) District
D-CV	Downtown Civic District
D-GT	Downtown Golden Triangle District
D-AS	Downtown Arapahoe Square District
D-AS-12+	Downtown Arapahoe Square 12+ District
D-AS-20+	Downtown Arapahoe Square 20+ District
D-CPV-T	Downtown Central Platte Valley - Auraria Transition District
D-CPV-R	Downtown Central Platte Valley - Auraria River District
D-CPV-C	Downtown Central Platte Valley - Auraria Center District

### **SECTION 8.2.2 DOWNTOWN DISTRICTS**

#### **8.2.2.1 General Purpose**

The purpose of the Downtown Neighborhood Context Districts is to provide building use, building form, and design standards for this central Denver area. Each of the Downtown Districts is specific to and uniquely applies to a single area within the Downtown Context.

#### **8.2.2.2 Specific Intent**

##### **A. Downtown Core District (D-C)**

The Downtown Core District is and must remain Denver's most prominent public environment; an urban center that is at once comfortable, exciting, and without question the business, entertainment and urban lifestyle center of the region.

##### **B. Downtown Theater District (D-TD)**

The Downtown Theater District is specific to an area of the Central Business District associated with the Denver Performing Arts Center, and which specifically enables over-scale, lively, and dynamic billboards and signage to promote Denver's preeminent entertainment district.

##### **C. Lower Downtown (LoDo) District (D-LD)**

The Lower Downtown District is specific to the Lower Downtown Historic District.

##### **D. Downtown Civic District (D-CV)**

The Downtown Civic District includes primarily public buildings surrounding and in the vicinity of the Civic Center park, and is intended to promote and continue the signature civic architecture and urban design of buildings and public spaces within the district.

##### **E. Downtown Golden Triangle District (D-GT)**

The Golden Triangle (D-GT) is a neighborhood with a mixture of housing, office, commercial, and retail. It is a neighborhood of active pedestrian-oriented streets and mixed-use development. Historic buildings as well as contemporary structures designed with human scale and detail are a part of the district's unique character.



**F. Downtown Arapahoe Square District (D-AS)**

The D-AS zone district is specific to a small area of the Curtis Park neighborhood that is adjacent to the Arapahoe Square neighborhood and was previously zoned B-8-A under Former Chapter 59. D-AS is intended to support a mix of uses that provide a pedestrian friendly transition from the surrounding lower scale neighborhoods to the high-rise scale of downtown.

**G. Downtown Arapahoe Square 12+ District (D-AS-12+)**

D-AS-12+ applies to mixed-use areas within the Arapahoe Square neighborhood that provide a cohesive, connected and pedestrian-friendly transition between the Downtown Core, D-AS-20+ district and adjacent lower-scale neighborhoods. The district is intended to facilitate development of Arapahoe Square into a cutting edge, densely populated, area that provides a range of housing types and a center for innovative businesses. Typical building heights range from 8 to about 12 stories, with the Point Tower building form providing an opportunity for building heights of about 20 stories in a slender tower.

**H. Downtown Arapahoe Square 20+ District (D-AS-20+)**

D-AS-20+ applies to mixed-use areas within the Arapahoe Square neighborhood that are adjacent to the Downtown Core and provides a cohesive, connected and pedestrian friendly transition to the Downtown Core and D-AS-12+ district. The district is intended to facilitate the development of Arapahoe Square into a cutting edge, densely populated, area that provides a range of housing types and a center for innovative businesses. Typical building heights range from 12 to about 20 stories, with the Point Tower building form providing an opportunity for building heights of about 30 stories in a slender tower.

**I. Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)**

The Transition district is located within approximately 1 block of established neighborhoods and buildings adjacent to and within Central Platte Valley – Auraria and supports a wide range of downtown neighborhood uses. This district applies to areas near Water Street and Interstate 25; along Auraria Parkway between Speer Boulevard and approximately 9th Street; and along Speer Boulevard between Auraria Parkway and approximately Chopper Circle/Wewatta Street. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to surrounding neighborhoods, buildings, and campus environments.

A diversity of building scales and intensities will define the area with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form will provide flexibility for multiple building types and uses.

**J. Downtown Central Platte Valley – Auraria River District (D-CPV-R)**

The River district is located within approximately 1 to 1.5 blocks along both sides of the South Platte River. This district encourages a wide range of uses, particularly ground-floor active uses that engage the river edge, such as retail, eating and drinking establishments, and residential units. There is an emphasis on visual and physical permeability between taller, more slender buildings along the river. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to the South Platte River.

The Point Tower form is prioritized as the primary building form, with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form is limited in height and is intended to provide architectural variety and flexibility for smaller uses and constrained sites. The Point Tower building form provides an opportunity for buildings to be created without height restriction in a slender format.

**K. Downtown Central Platte Valley – Auraria Center District (D-CPV-C)**

The Center district is located within approximately 2 to 3 blocks of existing transit facilities, the Consolidated Main Line, and Pepsi Center, and at the intersection of Interstate 25 and Speer Boulevard. The Center district is generally central in its location within Central Platte Valley – Auraria and also represents the primary center of activity where employment, entertainment, and other higher intensity uses are located. This is the most intense D-CPV zone district and provides the greatest flexibility of building forms to accommodate the widest variety of commercial, entertainment, and residential uses.

A diversity of building scales and intensities will define the area, with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form will provide flexibility for multiple building types and uses. The Standard Tower building form will allow taller buildings with more flexible massing standards to encourage a wide variety of tenants and uses. The Point Tower building form provides an opportunity for buildings to be created without height restriction in a slender format.

## DIVISION 8.3 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS (D-C, D-TD)

### SECTION 8.3.1 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS

#### 8.3.1.1 Generally

The provisions of this Division apply to all lands, uses and structures in the Downtown Core and Downtown Theater districts.

#### 8.3.1.2 Uses Permitted

See Division 8.11 for uses permitted in the Downtown Core and Downtown Theater Districts.

#### 8.3.1.3 Required Downtown Ground Floor Active Uses

In portions of new buildings and outdoor areas along or within 30 feet of the 16th Street pedestrian and transit mall, and in portions of existing buildings and outdoor areas within 30 feet of the 16th Street pedestrian and transit mall that are renovated and where the renovation includes all or a part of the leasable ground floor areas of the building, at least 65 percent of the linear frontage of the property along the 16th Street pedestrian and transit mall shall be occupied by Downtown Ground Floor Active Uses.

#### 8.3.1.4 Permitted Structures

##### A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling, there shall be provided a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies, but shall not include space provided for off-street parking; provided however such requirement shall not apply to any structure converted from nonresidential to residential uses.

##### B. Minimum and Maximum Heights

1. **Minimum Heights:** The minimum height of structures shall be 2 stories or 30 feet.
2. **Maximum Heights:** The maximum heights of buildings are not limited except in the following height areas as shown on Exhibit 8.1:
  - a. Sunlight Preservation Area 1: See Subsection 8.3.1.4.C. below.
  - b. Height Area 1 : 200 feet
  - c. Height Area 2: 400 feet

**b. Floor area excluded from calculations.**

Gross floor area occupied by Downtown Ground Floor Active Uses (i) which would qualify for a floor area premium pursuant to Section 8.3.1.4.D.2.c, but (ii) for which a floor area premium is not granted because of the restrictions in Section 8.3.1.4.D.2 above limiting the total amount of floor area premiums that may be granted, shall be excluded from the calculation of the gross floor area of a structure or project. Any floor area so excluded from the calculation of gross floor area shall continue to be occupied by Downtown Ground Floor Active Uses.

**8.3.1.5 Off-Street Parking Requirements**

**A. Applicable Standards**

The general off-street parking standards in Division 10.4 of this Code shall apply in the D-C and D-TD and D-CV zone districts, except where the standards stated in this Section 8.3.1.5 conflict, in which case the standards in this Section 8.3.1.5 shall apply.

**B. Amount of Parking Spaces Required**

1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV zone districts.
2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV zone districts shall comply with the use limitations applicable to a “parking, garage” use stated in Section 11.4.6.1.

**C. Accessible Parking**

Whenever off-street parking spaces are provided, a minimum number of accessible parking spaces shall be provided according to the requirements of the Denver Building Code and the federal Americans with Disabilities Act.

**D. Bicycle Parking**

The following standard shall apply instead of the general bicycle parking standards in Article 10, Division 10.4, Parking and Loading.

1. All new parking structures shall contain at least 1 designated bicycle parking space for each 20 automobile parking spaces, provided, however, that in no event shall any new parking structure be required to contain more than 50 bicycle parking spaces.

**8.3.1.6 Design Requirements**

**A. Downtown Ground Floor Active Use Street Frontages**

1. New buildings or renovations of existing buildings in which the renovation includes all or part of the leasable ground floor areas of the building shall be designed and constructed to accommodate Downtown Ground Floor Active Uses for at least 65 percent of the linear frontage along the following streets: 16th Street pedestrian and transit mall, Larimer Street, Curtis Street, Tremont Place, Cleveland Place, and any light rail line operating in a street or fixed-guideway transit line operating in a street.
2. Street-facing ground floors of new buildings on named or numbered streets not included in the paragraph above shall provide 60 to 90 percent transparency as measured from floor to floor for at least 65 percent of the linear frontage of the building,
3. In all cases, transparent glass shall possess a minimum .65 light transmission factor.

**B. Minimum Build-to Requirements**

1. *Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley:* Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than 65% of each separately owned zone lot

## **DIVISION 8.4 LOWER DOWNTOWN DISTRICT (D-LD)**

### **SECTION 8.4.1 LOWER DOWNTOWN DISTRICT**

#### **8.4.1.1 General**

The provisions of this Division apply to all lands, uses and structures in the D-LD District.

#### **8.4.1.2 Description of District**

The district is intended to provide for and encourage the preservation and vitality of older areas that are significant because of their architectural, historical and economic value. A variety of land uses will be permitted in order to facilitate the reuse of existing structures without jeopardizing or reducing zoning standards promoting the public safety, convenience, health, general welfare and the preservation of the comprehensive plan. New residential development is encouraged. The design of new structures should recognize the style and character of adjoining building exteriors, i.e., cornice lines and building materials and colors should be similar wherever possible.

#### **8.4.1.3 Uses Permitted**

See Division 8.11 for uses permitted in the D-LD District.

#### **8.4.1.4 Off-Street Parking Requirements**

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

All development in the D-LD zone district shall comply with the off-street vehicle parking standards and the bicycle parking standards in Division 10.4, Parking and Loading, of this Code except where the standards stated in this Section 8.4.1.4 conflict, in which case the standards in this Section 8.4.1.4 shall apply in the D-LD zone district.

##### **B. Amount of Parking Spaces Required**

1. There shall be no minimum off-street parking requirement for contributing buildings or residential additions to contributing buildings, as such buildings are designated in D.R.M.C., Article III, (Lower Downtown Historic District), of Chapter 30, (Landmark Preservation);
2. One off-street parking space shall be provided for each residential unit of a new residential building or a residential addition to a noncontributing building; provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted;
3. One off-street parking space shall be provided for each 750 square feet of gross floor area for any nonresidential addition to a contributing or noncontributing building, or a new nonresidential building;
4. For zone lots with a mix of residential and any other primary use, off-street parking spaces shall be provided based on the requirements in Subsections B.1 through B.3 above in proportion to the uses in the building provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted if submitted for approval prior to January 1, 2017. This shall be calculated by first calculating the number of parking spaces otherwise required, multiplying that figure by eight tenths (.8) and rounding up to the nearest whole number;
5. "Additional parking" is parking above the required minimums as set forth in Sections 8.4.1.4.B.1 through 8.4.1.4.B.4 above. All structures may provide up to an additional one-half parking space per residential unit and one space per 1,500 square feet of gross floor area of nonresidential uses;

## DIVISION 8.6 DOWNTOWN GOLDEN TRIANGLE DISTRICT

### SECTION 8.6.1 GOLDEN TRIANGLE DISTRICT

#### 8.6.1.1 Generally

The provisions of this Division apply to all lands, uses and structures in the Golden Triangle district.

#### 8.6.1.2 Uses Permitted

See Division 8.11 for uses permitted in the Golden Triangle District.

#### 8.6.1.3 Permitted Structures.

##### A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-GT district a minimum of 25 square feet of unobstructed open space, for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

##### B. Setbacks from Abutting Street Frontages

###### 1. Maximum Setback

Buildings shall be built at or within 5 feet of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.6 or in Design Standards and Guidelines adopted for the Golden Triangle neighborhood.

###### 2. Setbacks from Speer Boulevard

All structures on zone lots abutting Speer Boulevard shall be set back from Speer Boulevard a distance of at least 10 feet. In addition, any structure over 100 feet tall that is located on a zone lot containing at least 15,000 square feet of area shall have that portion of the structure that is more than 100 feet above ground level set back at least 20 feet from the right-of-way of Speer Boulevard; provided, however, that in lieu of such additional setback, the owner of such property may choose to have the design of such structure reviewed and approved by Community Planning and Development to avoid overshadowing of the Speer Boulevard right-of-way. Such design review shall be conducted pursuant to Section 8.6.1.4, Design Review, below.

##### C. Maximum Height

The maximum height of structures shall not exceed 175 feet above the elevation of Broadway Street as measured at the highest point on Broadway directly east or west of the subject property, as the case may be, as determined by the City Engineer. Upon request by the applicant, the Zoning Administrator, after consulting with the Manager and the chairperson of the Planning Board or their designated representatives, may increase the maximum heights by up to 25 feet according to the Administrative Adjustment procedures in Section 12.4.5, in order to compensate for design constraints imposed by unusually high water tables, irregularly shaped Zone Lots not caused by the property owner, and other unusual site conditions not caused by the property owner.

##### D. Maximum Gross Floor Area in Structures

###### 1. Basic Maximum Gross Floor Area

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

## DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE (D-AS) DISTRICT

### SECTION 8.7.1 ARAPAHOE SQUARE DISTRICT (D-AS)

#### 8.7.1.1 Generally

The provisions of this Division 8.7 apply to all lands, uses and structures in the Downtown Arapahoe Square (D-AS) zone district.

#### 8.7.1.2 Uses Permitted

See Division 8.11 for uses permitted in the D-AS District.

#### 8.7.1.3 Permitted Structures

##### A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-AS district a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

##### B. Setbacks from Abutting Street Frontages

Buildings shall be built at or within 10 feet of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.7 or in Design Standards and Guidelines adopted for the D-AS District.

##### C. Maximum Height

In the D-AS district, the maximum height of structures shall not exceed 80 feet.

##### D. Floor Area in Structures

###### 1. Basic Maximum Gross Floor Area

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

###### 2. Floor Area Premiums

In addition to the basic maximum gross floor area permitted under Section 8.7.1.3.D.1. above, a premium of additional floor area may be constructed according to the following formulas:

###### a. Premium for Housing

One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses:

###### b. Premium for Residential Support Uses

One (1) square foot of floor area premium shall be awarded for each square foot of "Residential support uses", defined to be limited to a retail food sales use, or elementary or secondary school meeting all requirements of the compulsory education laws of the state, or day care center constructed to at least the minimum licensing standards of the Colorado Department of Environmental Health.

###### c. Premium for Arts, Entertainment, or Cultural Facility

One (1) square foot of floor area premium shall be awarded for each square foot of "arts, entertainment, or cultural facility", defined to be limited to the provision of amusement or entertainment services upon payment of a fee, art gallery, museum, theater, or other similar uses as determined by the Zoning Administrator.

## SECTION 8.8.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

### 8.8.3.1 Applicability

All development, except detached accessory structures, in the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) zone districts.

### 8.8.3.2 General Standards

- A. Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.
- B. At an applicant's request, a primary structure with an existing assigned building form may be assigned a different permitted building form if:
  - 1. The structure fully conforms with all applicable standards of the new building form; or,
  - 2. The existing assigned building form is no longer a permitted form in the applicable zone district.

### 8.8.3.3 District Specific Standards Summary

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

Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts	Building Forms			
	General	General with Height Incentive	Standard Tower	Point Tower
<b>Max Number of Primary Structures Per Zone Lot</b>	No Maximum			
Downtown Arapahoe Square 12+ District (D-AS-12+)	■	■	□	■
Downtown Arapahoe Square 20+ District (D-AS-20+)	■	■	□	■

■ = Allowed   □ = Allowed subject to geographic limitations



## GENERAL

<b>HEIGHT</b>		D-AS-12+	D-AS-20+
A	Stories (max)	8	12
A	Feet (max)	110'	150'
	Height Exceptions	See Section 8.10.1.1	
<b>SITING</b>		D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED BUILD-TO BY STREET</b>			
B	All Primary Streets (min build-to %)	70%	
	21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
	Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
	All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
	Build-to Exceptions and Alternatives	See Sections 8.8.6.1 and 8.8.7.1	
<b>SETBACKS</b>			
	Primary Street (min)	0'	
	Side Interior (min)	0'	
	Rear, alley and no alley (min)	0'	
<b>PARKING</b>			
	Surface Parking between building and Primary Street	Not Allowed	
	Surface Parking Screening Required	See Section 10.5.4.4	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>			
C	20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
D	21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10'*	
E	All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
	20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
F	All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
	21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
<b>STREET LEVEL ACTIVATION</b>			
G	Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)	60%/ 40%	
	Street Level Transparency Alternatives	See Section 8.8.6.3	
H	Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>			
I	Limitation on Visible Parking above Street Level	No Limitation on Visible Parking Above Street Level	
<b>USES</b>		D-AS-12+ and D-AS-20+ Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.11 Uses and Minimum/Maximum Parking Requirements; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

\*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

## GENERAL WITH HEIGHT INCENTIVE

<b>HEIGHT</b>		D-AS-12+	D-AS-20+
	Stories (max)	na	na
<b>A</b>	Feet (max)	150'	250'
	Height Exceptions	See Section 8.10.1.1	
<b>SITING</b>		D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED BUILD-TO BY STREET</b>			
<b>B</b>	All Primary Streets (min build-to %)	70%	
	21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
	Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
	All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
	Build-to Exceptions and Alternatives	See Sections 8.8.6.1 and 8.8.7.1	
<b>SETBACKS</b>			
	Primary Street (min)	0'	
	Side Interior (min)	0'	
	Rear, alley and no alley (min)	0'	
<b>PARKING</b>			
	Surface Parking between building and Primary Street	Not Allowed	
	Surface parking screening required	See Section 10.5.4.4	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>			
<b>C</b>	20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
<b>D</b>	21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10**	
<b>E</b>	All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
	20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
<b>F</b>	All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
	21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
<b>STREET LEVEL ACTIVATION</b>			
<b>G</b>	Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)	60%/ 40%	
	Street Level Transparency Alternatives	See Section 8.8.6.3	
<b>H</b>	Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>			
<b>I</b>	Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing <del>z</del> Zone <del>l</del> Lot <del>w</del> Width)	70% See Section 8.8.5.2	
<b>USES</b>		All D-AS Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.11 Uses and Minimum/Maximum Parking Requirements; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

\*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

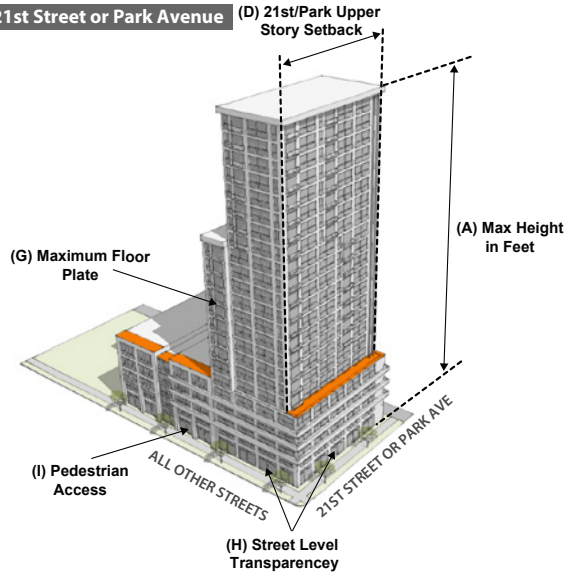
**C. Point Tower**

*Not to Scale. Illustrative Only.*

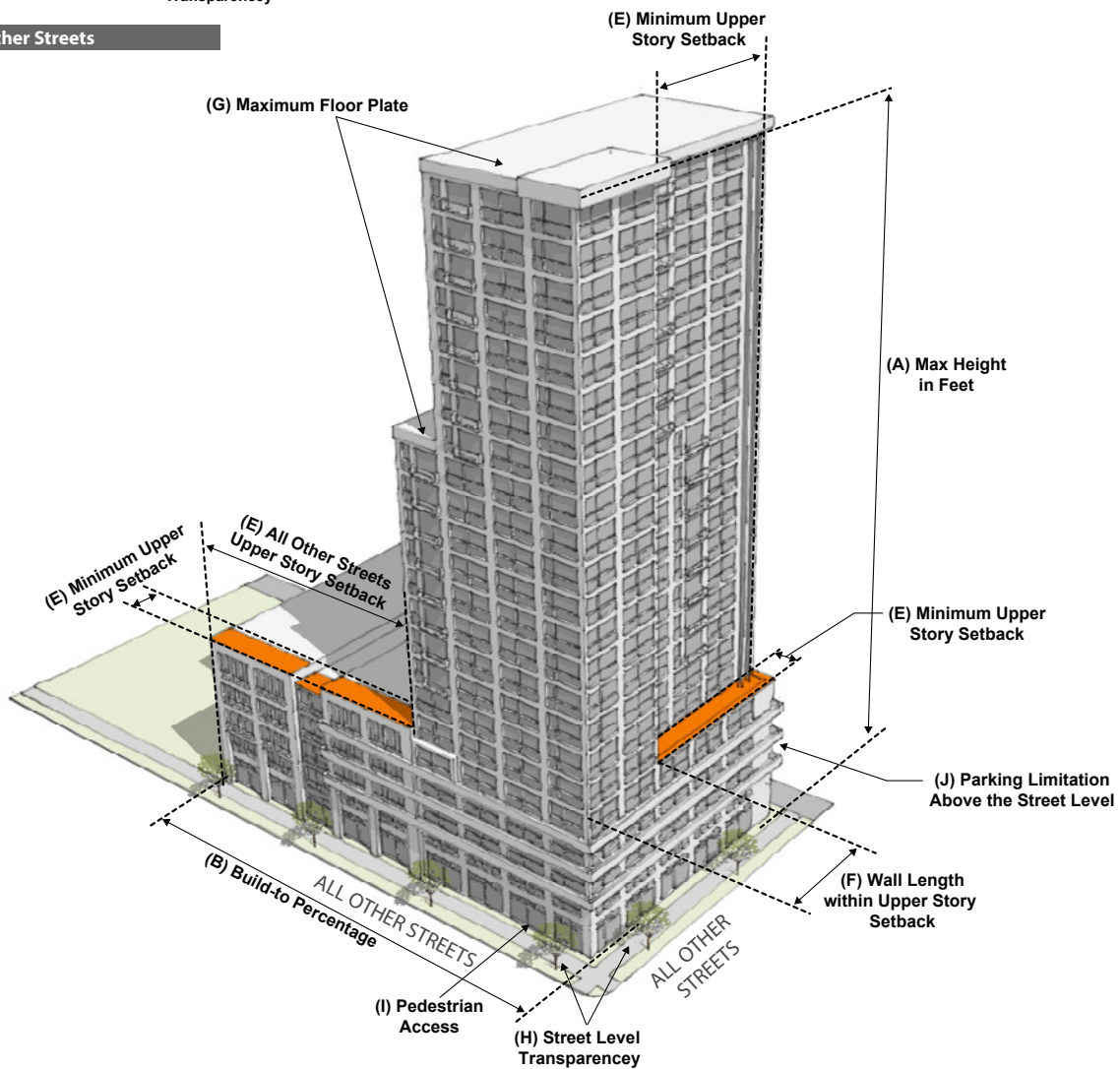
**20th Street or Broadway**



**21st Street or Park Avenue**



**All Other Streets**



## POINT TOWER

<b>HEIGHT</b>		D-AS-12+	D-AS-20+
	Stories (max)	na	na
<b>A</b>	Feet (max)	250'	375'
	Height Exceptions	See Section 8.10.1.1	
<b>SITING</b>		D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED BUILD-TO BY STREET</b>			
<b>B</b>	All Primary Streets (min build-to%)	70%	
	21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
	Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
	All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
	Build-to Exceptions and Alternatives	See Sections 8.8.6.1 and 8.8.7.1	
<b>SETBACKS</b>			
	Primary Street (min)	0'	
	Side Interior (min)	0'	
	Rear, alley and no alley (min)	0'	
<b>PARKING</b>			
	Surface Parking between building and Primary Street	Not Allowed	
	Surface Parking Screening Required	See Section 10.5.4.4	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		D-AS-12+ and D-AS-20+ Districts	
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>			
<b>C</b>	20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
<b>D</b>	21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10'*	
<b>E</b>	All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
	20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
<b>F</b>	All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
	21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
<b>BUILDING CONFIGURATION</b>			
<b>G</b>	Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)	11,000 square feet / 165'	
	Tower Floor Plate Linear Dimension Alternative (max)	180' - See Section 8.8.6.4	
<b>STREET LEVEL ACTIVATION</b>			
<b>H</b>	Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)	60%/ 40%	
	Street Level Transparency Alternatives	See Section 8.8.6.3	
<b>I</b>	Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>			
<b>J</b>	Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing Zone Lot Width)	70% See Section 8.8.5.2	
<b>USES</b>		All D-AS Districts	

(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.11 Uses and Minimum/Maximum Parking Requirements; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.

\*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

## DETACHED ACCESSORY STRUCTURES

<b>HEIGHT</b>		D-AS-12+ and D-AS-20+ Districts
A	Stories (max)	1
A	Feet (max)	17'

<b>SITING</b>		D-AS-12+ and D-AS-20+ Districts
	Additional Standards	See Section 8.8.4.3

<b>SETBACKS</b>		
B	Primary Street	5'
C	Side Interior (min)	0'
D	Rear (min)	0'

<b>DESIGN ELEMENTS</b>		D-AS-12+ and D-AS-20+ Districts
	Gross Floor Area (max)	10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.8.4.3

<b>USES</b>		D-AS-12+ and D-AS-20+ Districts
		Accessory Uses Only

See Section 8.10.1 for Design Standard Exceptions

### 8.8.6.3 Street Level Transparency Alternatives in D-AS-12+ and D-AS-20+ Districts

**A. Intent**

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

**B. Allowance**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, if all alternatives meet the requirements stated in Section 13.1.6.3.A.5:

TRANSPARENCY ALTERNATIVES				
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
D-AS-12+ D-AS-20+	Primary Street	20%	20%	40%

### 8.8.6.4 Tower Floor Plate Linear Dimension Alternative in D-AS-12+ and D-AS-20+ Zone Districts

**A. Intent**

To allow a flexible alternative in special circumstances for creative designs that do not meet the specific Tower Floor Plate Linear Dimension requirements set forth in the building form tables.

**B. Applicability**

This Section 8.8.6.4 applies to the Tower Floor Plate Linear Dimension maximum above 5 stories/70 feet in the Point Tower building form in the D-AS-12+ and D-AS-20+ zone districts.

**C. Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Linear Dimension that does not meet the specific requirements set forth in the building form table, up to the maximum dimension listed in the Tower Floor Plate Linear Dimension Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Linear Dimension in the Design Standards and Guidelines for Arapahoe Square.

## SECTION 8.8.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

### 8.8.7.1 Required Build-To Exceptions in D-AS-12+ and D-AS-20+ Districts

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

**1. Intent**

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

**2. Standard**

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

## **DIVISION 8.9 DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS (D-CPV-T, D-CPV-R, D-CPV-C)**

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

### **SECTION 8.9.1 GENERAL INTENT**

The Intent of this Division 8.9 Design Standards for Downtown Central Platte Valley – Auraria Transition, River, and Center zone districts is to:

- 8.9.1.1 Implement the recommendations of applicable adopted plans such as the Denver Comprehensive Plan, Blueprint Denver, and Denver Downtown Area Plan Amendment.
- 8.9.1.2 Implement the General Purpose and Specific Intent for the Downtown Central Platte Valley – Auraria Transition, River, and Center zone districts provided in Section 8.2.2.2.
- 8.9.1.3 Enhance and promote Denver’s physical character, including access to parks and open space, tree lined streets, generous sidewalks and public space, interconnected street networks, and convenient access to transit and alternative modes of transportation.
- 8.9.1.4 Prioritize the pedestrian realm as a defining element of neighborhood character.
- 8.9.1.5 Promote walking, biking, transit, and alternative modes of transportation that decrease reliance on vehicle access and parking.
- 8.9.1.6 Promote development of a vibrant sense of place in Downtown Central Platte Valley – Auraria.
- 8.9.1.7 Further establish a sense of human scale design in Downtown Central Platte Valley – Auraria.
- 8.9.1.8 Encourage innovative and unique design solutions that help define a special character for Downtown Central Platte Valley – Auraria.
- 8.9.1.9 Support context-sensitive relationships within Downtown Central Platte Valley – Auraria and to adjacent buildings and neighborhoods through appropriately scaled building design.
- 8.9.1.10 Promote long-term environmental, social, and economic responsibility.
- 8.9.1.11 Support an integrated arrangement of residential, employment, retail, service, and open space uses that are conveniently located to and compatible with each other.
- 8.9.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.
- 8.9.1.13 Engage the South Platte River as a natural, recreational, and active use amenity that contributes to the character, environmental quality, mobility connections, and vibrancy of the neighborhood.

### **SECTION 8.9.2 BUILDING FORM INTENT FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

#### **8.9.2.1 Height**

- A. Encourage building forms that fully realize the urban character and intensity envisioned for the Downtown context.
- B. Allow a variety of building heights appropriate for a downtown urban location.
- C. Establish a minimum height that is appropriate for a downtown urban location.

- D. Ensure building heights and scaling elements provide appropriate transitions to surrounding areas.
- E. Allow additional development intensity in exchange for equivalent community benefits.

### **8.9.2.2 Floor Area Ratio**

- A. Encourage design creativity and a variety of building configurations.
- B. Include all contributors to building massing, including parking, in the determination of overall building intensity and scale.

### **8.9.2.3 Siting**

- A. Required Build-To
  - 1. Provide a consistent street edge to enhance the character of the neighborhood and promote pedestrian activity.
  - 2. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
- B. Setbacks
  - 1. Site buildings to be consistent with the intended character and functional requirements of the Downtown context.
  - 2. Site buildings to define the street edge/public realm consistent with the context.
  - 3. Create appropriate transitions between the public realm and adjacent exterior amenities and building elements.
  - 4. Create appropriate transitions between the public realm and adjacent residential uses.
  - 5. Establish additional visual and physical space adjacent to the South Platte River.
- C. Parking and Service Access Locations
  - 1. Minimize the visual impacts of parking structures on streets and surrounding properties.
  - 2. Minimize conflicts between pedestrians and vehicles.
  - 3. Ensure parking and service access is located appropriately to minimize impacts on the surrounding urban environment.

### **8.9.2.4 Design Elements**

- A. Building Configuration
  - 1. Define appropriate sizes and separation distances on upper stories of buildings to support access to sun, sky, and views.
  - 2. Limit excessively long and monotonous building facades.
  - 3. Encourage variation in building form, especially in the design of larger buildings.
- B. Incremental Mass Reduction
  - 1. Provide appropriate pedestrian scale, height, variety, and massing along the street.
  - 2. Maintain the general appearance of a predominantly 2- to 8-story height near the public sidewalk edge.



3. Proportionally shape and taper building massing as height increases.
  4. Support access to sun, sky, and views.
- C. Transparency
1. Maximize transparency at the Street Level to activate the street.
  2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect uses within the building.
  3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties and promote engagement between building activities and the sidewalk.
- D. Entrances
1. Prioritize the pedestrian realm as a defining element of neighborhood character.
  2. Provide convenient access to buildings and active uses from the street.
  3. Establish a direct relationship to the street through access, orientation and placement consistent with the context.
  4. Create visually interesting and human-scaled facades.
- E. Limitation on Visible Parking Above the Street Level
1. Promote structured parking designs that are compatible in character and quality with adjoining buildings, open spaces and streetscapes.
  2. Create visual interest and activity on building facades above the street level.
- F. Street Level Active Uses
1. Reinforce the character and quality of a vibrant public realm with active uses that support pedestrian activity and sense of place.
  2. Discourage residential uses at street level along key street corridors intended to have the highest concentration of retail commercial activity.

### 8.9.2.5 Specific Building Form Intent

#### A. General

To provide a base set of design standards for the zone districts including enhanced requirements for design elements such as Transparency, Active Use, and Build-To. The building form allows for a variety of site configurations and all uses are allowed.

##### 1. D-CPV-T

To create a transition from higher intensity districts to surrounding established lower-scale neighborhoods, buildings, and campus environments while allowing a variety of building types and uses.

##### 2. D-CPV-R

To allow increased flexibility for the development of smaller buildings, constrained lots, and community-serving uses.

##### 3. D-CPV-C

To allow increased flexibility for the greatest variety of building types and uses in exchange for a relatively low level of intensity.

#### B. Standard Tower

To allow tall buildings that accommodate a variety of building uses by meeting flexible upper story size limitations, applying enhanced design quality standards, and establishing a human

scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed. Residential uses shall not make up a majority of the gross floor area located within the upper stories.

**C. Point Tower**

To promote tall, slender buildings that preserve access to sun, sky, and views by meeting rigorous upper story size limitations, applying enhanced design quality standards, and establishing a human scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed.

## **SECTION 8.9.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

### **8.9.3.1 Applicability**

All development, except detached accessory structures, in the Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) zone districts shall comply with this Section's primary building form standards.

### **8.9.3.2 General Standards**

- A. Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.
- B. At an applicant's request, a primary structure with an existing assigned building form may be assigned a different permitted building form if:
  - 1. The structure fully conforms with all applicable standards of the new building form; or,
  - 2. The existing assigned building form is no longer a permitted form in the applicable zone district.

### 8.9.3.3 District Specific Standards Summary

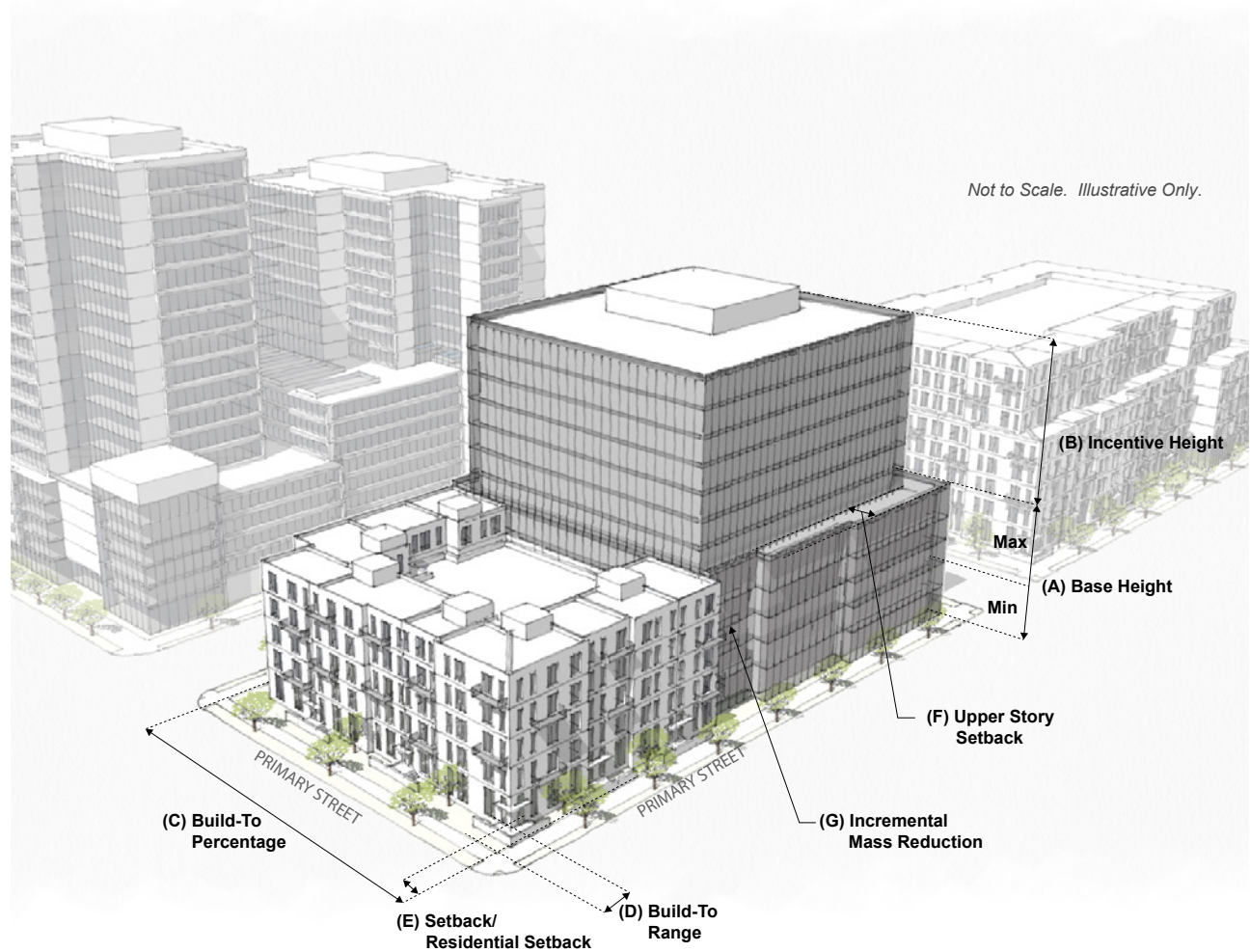
The maximum number of structures per zone lot and building forms allowed by zone district are summarized below:

Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts	Building Forms			
	General	General with Height Incentive	Standard Tower	Point Tower
<b>Max Number of Primary Structures Per Zone Lot</b>	<b>No Maximum</b>			
Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)	■			
Downtown Central Platte Valley – Auraria River District (D-CPV-R)	■			■
Downtown Central Platte Valley – Auraria Center District (D-CPV-C)	■		■	■

■ = Allowed   □ = Allowed subject to geographic limitations

### 8.9.3.4 District Specific Standards

#### A. General

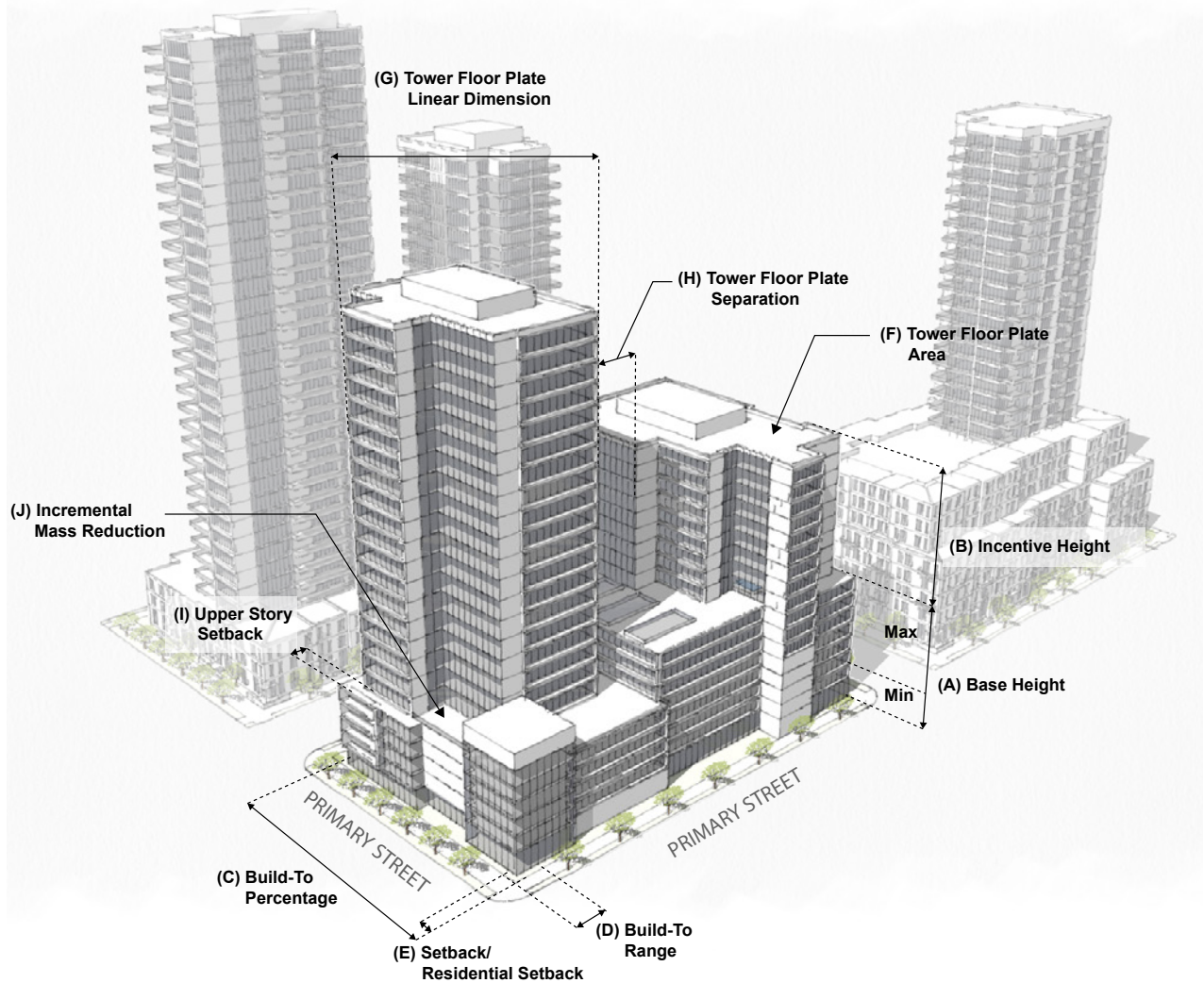


## GENERAL

<b>HEIGHT</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>BASE HEIGHT</b>				
A	Base Stories (max)	5	5	5
A	Base Feet (min/max)	25' / 70'	25' / 70'	25' / 70'
<b>INCENTIVE HEIGHT</b>				
B	Incentive Stories / Feet (max)	na	12 / 150' - See Section 8.9.5.5	
<b>SITING</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>REQUIRED BUILD-TO BY STREET</b>				
C	Primary Street (min build-to %)		70%	
	South Platte River Primary Street (min/max build-to range)		2' / 25' Frontage Subject to a Residential Setback: 15' / 25'	
D	All Other Primary Streets (min/max build-to range)		2' / 15' Frontage Subject to a Residential Setback: 7' / 20'	
<b>SETBACKS</b>				
E	All Primary Streets (min % of Zone Lot width/min Setback)		100%/2' and 50%/5'	
	Side Interior and Rear (min)		0'	
<b>RESIDENTIAL SETBACKS BY STREET</b>				
	South Platte River Primary Street (min)	15'	na	na
E	All Other Primary Streets (min)	7'	7'	7'
<b>OPEN SPACE BY ZONE LOT SIZE OR WIDTH</b>				
	Private Open Space on Lots >50,000 sf or >250' Wide (min)	5%	5%	5%
<b>PARKING</b>				
	Surface Parking between Building and Primary Street/South Platte River Frontage		Not Allowed	
	Surface Parking Screening Required		See Section 10.5.4.4	
	Vehicle Access		Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>BUILDING CONFIGURATION</b>				
F	Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	na	65% / 15'	65% / 15'
	Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)		70% - See Section 8.9.5.4	
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>				
G	Incremental Mass Reduction for Stories 1-5	na	15%	15%
G	Incremental Mass Reduction for Stories 6-8	na	25%	25%
G	Incremental Mass Reduction for Stories 9-12	na	35%	35%
<b>STREET LEVEL ACTIVATION</b>				
	Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)		60% / 40%	
	Pedestrian Access, Primary Street		Entrance	
	Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)		Dwelling Unit Entrance with Entry Feature	
<b>USES</b>		D-CPV-R	D-CPV-T	D-CPV-C
	Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form		
	Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)		100% - See Section 8.9.5.1	
	Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)		70% - See Section 8.9.5.2	
See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions				

## B. Standard Tower

*Not to Scale. Illustrative Only.*



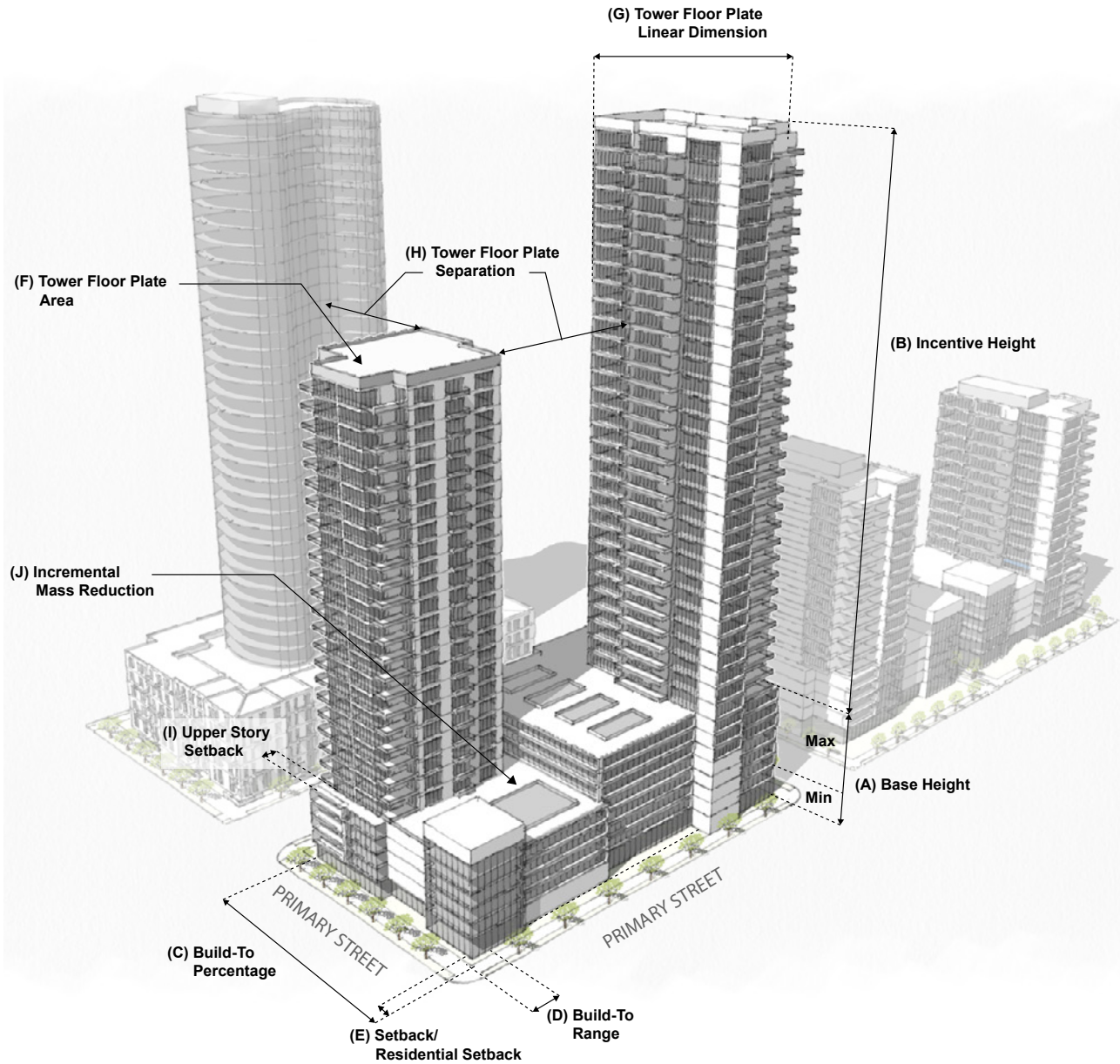
**STANDARD TOWER**

<b>HEIGHT &amp; FLOOR AREA RATIO</b>		D-CPV-C
<b>BASE HEIGHT</b>		
A	Base Stories (max)	5
A	Base Feet (min/max)	25' / 70'
<b>INCENTIVE HEIGHT</b>		
B	Incentive Stories / Feet (max)	No Maximum - See Section 8.9.5.5
<b>FLOOR AREA RATIO</b>		
	Floor Area Ratio (max)	20.0
<b>SITING</b>		D-CPV-C
<b>REQUIRED BUILD-TO</b>		
C	Primary Street (min build-to %)	70%
D	Primary Street (min/max build-to range)	2' / 15' Frontage Subject to a Residential Setback: 7' / 20'
<b>SETBACKS</b>		
E	Primary Street (min % of Zone Lot width/min Setback)	100%/2' and 50%/5'
	Side Interior and Rear (min)	0'
<b>RESIDENTIAL SETBACKS</b>		
E	Primary Street (min)	7'
<b>OPEN SPACE BY ZONE LOT SIZE OR WIDTH</b>		
	Private Open Space on Lots >50,000 sf or >250' Wide (min)	5%
<b>PARKING</b>		
	Surface Parking between Building and Primary Street/South Platte River Frontage	Not Allowed
	Surface Parking Screening Required	See Section 10.5.4.4
	Vehicle Access	Shall be determined as part of Site Development Plan Review
<b>DESIGN ELEMENTS</b>		D-CPV-C
<b>BUILDING CONFIGURATION</b>		
F/G	Tower Floor Plate above 8 stories and 110' (max area / max linear dimension)	25,000 square feet / 250'
	Tower Floor Plate Linear Dimension Alternative (max)	265' - See Section 8.9.6.3
H	Tower Floor Plate Separation (min)	80' (Floor Plate Area ≤ 22,000 square feet) 100' (Floor Plate Area > 22,000 square feet)
	Tower Floor Plate Separation Alternative (min)	80' - See Section 8.9.6.4
I	Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback)	65% / 15'
	Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)	70% - See Section 8.9.5.4
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>		
J	Incremental Mass Reduction for Stories 1-5	15%
J	Incremental Mass Reduction for Stories 6-8	25%
<b>STREET LEVEL ACTIVATION</b>		
	Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)	60% / 40%
	Pedestrian Access, Primary Street	Entrance
	Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)	Dwelling Unit Entrance with Entry Feature
<b>USES</b>		D-CPV-C
	Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form;
	Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	100% - See Section 8.9.5.1
	Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)	70% - See Section 8.9.5.2
	Limitation on Primary Residential Uses (max % of Gross Floor Area above 8 stories and 110')	50% - See Section 8.9.5.3

See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions

### C. Point Tower

*Not to Scale. Illustrative Only.*





## POINT TOWER

<b>HEIGHT</b>		<b>D-CPV-R</b>	<b>D-CPV-C</b>
<b>BASE HEIGHT</b>			
A	Base Stories (max)		5
A	Base Feet (min/max)		25' / 70'
<b>INCENTIVE HEIGHT</b>			
B	Incentive Stories / Feet (max)	No Maximum - See Section 8.9.5.5	
<b>SITING</b>		<b>D-CPV-R</b>	<b>D-CPV-C</b>
<b>REQUIRED BUILD-TO BY STREET</b>			
C	Primary Street (min build-to %)		70%
	South Platte River Primary Street (min/max build-to range)		2' / 25' Frontage Subject to a Residential Setback: 15' / 25'
D	All Other Primary Streets (min/max build-to range)		2' / 15' Frontage Subject to a Residential Setback: 7' / 20'
<b>SETBACKS</b>			
E	Primary Street (min % of Zone Lot width/min Setback)		100%/2' and 50%/5'
	Side Interior and Rear (min)		0'
<b>RESIDENTIAL SETBACKS BY STREET</b>			
	South Platte River Primary Street (min)	15'	na
E	All Other Primary Streets (min)	7'	7'
<b>OPEN SPACE BY ZONE LOT SIZE OR WIDTH</b>			
	Private Open Space on Lots >50,000 sf or >250' Wide (min)		5%
<b>PARKING</b>			
	Surface Parking between Building and Primary Street/South Platte River Frontage		Not Allowed
	Surface Parking Screening Required		See Section 10.5.4.4
	Vehicle Access		Shall be determined as part of Site Development Plan Review
<b>DESIGN ELEMENTS</b>		<b>D-CPV-R</b>	<b>D-CPV-C</b>
<b>BUILDING CONFIGURATION</b>			
F/G	Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)	11,000 square feet / 165'	na
F/G	Tower Floor Plate above 8 stories and 110' (max area / max linear dimension)	na	11,000 square feet / 165'
	Tower Floor Plate Linear Dimension Alternative (max)		180' - See Section 8.9.6.3
H	Tower Floor Plate Separation (min)	120'	80'
	Tower Floor Plate Separation Alternative (min)	80' - See Section 8.9.6.4	na
I	Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65% / 15'	na
I	Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback)	na	65% / 15'
	Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)		70% - See Section 8.9.5.4
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>			
J	Incremental Mass Reduction for Stories 1-5	15%	15%
J	Incremental Mass Reduction for Stories 6-8	na	25%
<b>STREET LEVEL ACTIVATION</b>			
	Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)		60% / 40%
	Pedestrian Access, Primary Street		Entrance
	Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)		Dwelling Unit Entrance with Entry Feature
<b>USES</b>		<b>D-CPV-R</b>	<b>D-CPV-C</b>
	Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form	
	Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)		100% - See Section 8.9.5.1
	Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)		70% - See Section 8.9.5.2

See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions

## **SECTION 8.9.4 DETACHED ACCESSORY BUILDING FORM STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

### **8.9.4.1 Applicability**

All detached accessory structures in the Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) zone districts.

### **8.9.4.2 General Standards**

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

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

Allowed detached accessory structures include, but are not limited to the following:

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

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

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

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

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

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

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

Examples include, but are not limited to the following:

###### **a. 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.

###### **b. Solar thermal and photo-voltaic energy systems**

###### **c. Air conditioning units**

###### **d. Pool pumps, heating and water filtration systems**

###### **e. Mailboxes including individual mailbox structures and cluster box units (CBUs)**

###### **f. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**

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

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 8.9.4, Detached Accessory Building Form Standards.

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

a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.9.4.

b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted

Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
  - d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.9.4.
- C. At an applicant's request, a detached accessory structure with an existing assigned building form may be assigned a different permitted detached accessory building form if:
1. The structure fully conforms with all applicable standards of the new detached accessory building form; or,
  2. The existing assigned detached accessory building form is no longer a permitted building form in the applicable zone district.

### **8.9.4.3 Supplemental Standards**

#### **A. Additional Standards for Detached Accessory Structures in Downtown Central Platte Valley – Auraria Transition, River, and Center Zone Districts**

##### **1. Public Art**

A detached accessory structure may be allowed to exceed any Detached Accessory Building Form standard if it is a "work of public art" as defined by Section 20-86 of the Denver Revised Municipal Code, as determined by the Zoning Administrator with input from Denver Arts and Venues, and if the Zoning Administrator determines that such exception (1) will have no adverse impacts on abutting property, and (2) shall not substantially harm the public health, safety, and general welfare.

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

##### **1. Required Building Materials**

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

#### **C. Additional Standards for Detached Accessory Structure Building Forms**

##### **1. Applicability**

This section applies to the Detached Accessory Structure accessory building forms only.

##### **2. Limit on 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 that this limitation shall not apply to detached accessory structures with vehicle access doors.

### 8.9.4.4 District Specific Standards Summary

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

Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts	Building Forms			
	Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	Detached Accessory Structures
<b>Max Number of Detached Accessory Structures Per Zone Lot</b>	<b>No Maximum</b>			
Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)				■
Downtown Central Platte Valley – Auraria River District (D-CPV-R)				■
Downtown Central Platte Valley – Auraria Center District (D-CPV-C)				■

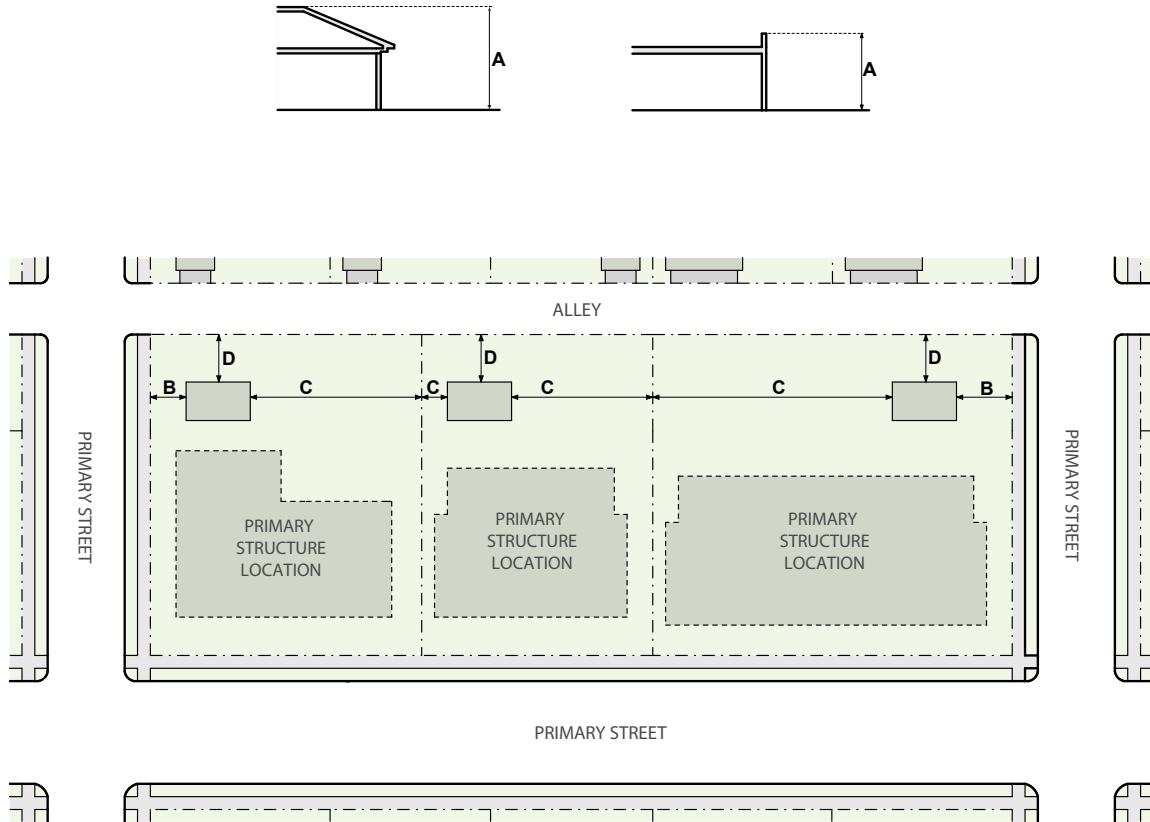
■ = Allowed   □ = Allowed subject to limitations

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### 8.9.4.5 District Specific Standards

#### A. Detached Accessory Structures

*Not to Scale. Illustrative Only.*



## DETACHED ACCESSORY STRUCTURES

<b>HEIGHT</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
A	Stories (max)	1
A	Feet (max)	17'
<b>SITING</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
	Additional Standards	See Section 8.9.4.3
<b>SETBACKS</b>		
B	Primary Street	5'
C	Side Interior (min)	0'
D	Rear (min)	0'
<b>DESIGN ELEMENTS</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
	Gross Floor Area (max)	10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.9.4.3
<b>USES</b>		D-CPV-T, D-CPV-R, and D-CPV-C Districts
		Accessory Uses Only

See Section 8.10.1 for Design Standard Exceptions

## **SECTION 8.9.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

### **8.9.5.1 Street Level Active Uses in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

#### **A. Intent**

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

#### **B. Applicability**

This Section 8.9.5.1 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

#### **C. Street Level Active Uses**

1. Street Level active uses include all permitted primary uses except the following:
  - a. Automobile Services, Light;
  - b. Mini-storage Facility; or
  - c. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
  - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards and insets for building articulation up to 10 feet in depth).
5. The portion of the building facade that meets the Street Level active use requirement shall contain at least one window or door that meets the transparency requirement standards in Section 13.1.6.3.A.4.

### **8.9.5.2 Street Level Active Non-Residential Uses in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

#### **A. Intent**

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment with uses accessible to the general public.

#### **B. Applicability**

This Section 8.9.5.2 applies to all Primary Street frontages facing Water Street, 7th Street, 9th Street, Elitch Circle, or Chopper Circle, or renamed extensions thereof if applicable, of all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

#### **C. Allowance**

1. Street Level active non-residential uses include all permitted primary uses except the following:
  - a. Dwelling, Single Unit;
  - b. Dwelling, Two Unit
  - c. Dwelling, Multi-Unit;
  - d. Dwelling, Live / Work;



- e. Automobile Services, Light;
  - f. Mini-storage Facility; or
  - g. Wholesale Trade or Storage, Light.
2. Street Level active non-residential uses include all permitted accessory uses except the following:
    - a. Accessory uses associated with primary uses prohibited by Section 8.9.5.2.C.1;
    - b. Outdoor Storage, General;
    - c. Outdoor Storage, Limited;
    - d. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
    - e. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
  3. Street Level active non-residential uses shall not include Parking Spaces or Parking Aisles.
  4. Street Level active non-residential uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
  5. The length of any build-to alternatives permitted by Section 8.9.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by Street Level active non-residential uses.

### **8.9.5.3 Limitation on Primary Residential Uses Above 8 Stories in the Standard Tower Building Form in the D-CPV-C Zone District**

#### **A. Intent**

To promote slender buildings and preserve access to sun, sky, and views by limiting use of the Standard Tower building form to primarily non-residential uses that require greater flexibility in Tower Floor Plate design standards than is allowed in the Point Tower building form.

#### **B. Applicability**

This Section 8.9.5.3 applies to the Standard Tower building form in the D-CPV-C zone districts.

#### **C. Limitation on Primary Residential Uses**

1. For purposes of this standard, Primary Residential Uses include all permitted uses listed under the Residential Primary Use Classification in Section 8.11.4, including but not limited to:
  - a. Dwelling, Multi-Unit;
  - b. Dwelling, Live / Work; or
  - c. Student Housing.
2. The total Gross Floor Area of all Primary Residential Uses located above 8 Stories and 110' shall not exceed the maximum percentage, specified in the building form table, of the total Gross Floor Area of the Structure located above 8 Stories and 110'. Note that the percentage of Gross Floor Area of Primary Residential Uses on any individual Story above 8 Stories and 110' may exceed the percentage specified in the building form table.

### **8.9.5.4 Limitation on Visible Parking Above Street Level in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

#### **A. Intent**

To minimize the visibility, and impacts of structured parking and promote visual interest on upper story building facades.

**B. Applicability**

This Section 8.9.5.4 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.

**C. Allowance**

1. Uses that meet the Limitation on Visible Parking above Street Level shall include all primary uses, but shall not include Parking Spaces or Parking Aisles for the minimum percentage of the Primary Street-facing Zone Lot Width specified in the building form table.
2. Uses that meet the Limitation on Visible Parking above Street Level shall occupy floor area above Street Level for a minimum depth of 15 feet from the Primary Street frontage (may include the depth of recessed balcony or terrace areas and insets for building articulation up to 10 feet in depth).

**8.9.5.5 Incentive Height in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

**A. Intent**

Implement specific adopted plan policies for the Central Platte Valley - Auraria area to provide affordable housing and other community benefits in excess of standard requirements.

**B. Applicability**

This Section 8.9.5.5 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in conjunction with applicable requirements in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.

**C. Maximum Base Height**

1. Maximum Base Height shall be the maximum height in stories and feet set forth in the building form tables.
2. Structures that do not exceed the maximum Base Height shall not be subject to the requirements set forth in Section 8.9.5.5.E Requirements for Structures Using Incentive Height.

**D. Maximum Incentive Height**

1. Structures that meet the requirements set forth in Section 8.9.5.5.E Requirements for Structures Using Incentive Height may exceed the maximum Base Height and instead develop to the maximum Incentive Height set forth in the building form tables.

**E. Requirements for Structures Using Incentive Height**

1. No building permit for development of a Structure exceeding Base Height within the D-CPV-T, D-CPV-R, or D-CPV-C districts shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.
2. No building permit for development of a Structure exceeding Base Height within the D-CPV-T, D-CPV-R, or D-CPV-C districts shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of the total gross square footage of all uses located above the maximum Base Height, with the exception of a Structure exceeding Base Height that is on a zone lot covered by an affordable housing plan as described in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.

## SECTION 8.9.6 DESIGN STANDARD ALTERNATIVES FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS

### 8.9.6.1 Required Build-To Alternatives in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

**A. Intent**

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

**B. Allowance**

The following alternative may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided it meets the requirements stated in Section 13.1.5.7.E)

REQUIRED BUILD-TO ALTERNATIVE	
ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)
D-CPV-T D-CPV-R D-CPV-C	25%

### 8.9.6.2 Street Level Transparency Alternatives in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

**A. Intent**

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

**B. Allowance**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, if all alternatives meet the requirements stated in Section 13.1.6.3.A.5:

TRANSPARENCY ALTERNATIVES				
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
D-CPV-T D-CPV-R D-CPV-C	Primary Street	20%	30%	30%

### 8.9.6.3 Tower Floor Plate Linear Dimension Alternative in D-CPV-R and D-CPV-C Zone Districts

**A. Intent**

To allow a flexible alternative in special circumstances for creative designs that do not meet the specific Tower Floor Plate Linear Dimension requirements set forth in the building form tables.

**B. Applicability**

This Section 8.9.6.3 applies to the Tower Floor Plate Linear Dimension maximum above 5 stories/70 feet in the Point Tower building form in the D-CPV-R zone district and Tower Floor Plate Linear Dimension maximum above 8 stories/110 feet in the Standard Tower and Point Tower building forms in the D-CPV-C zone district.

**C. Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Linear Dimension that does not meet the specific requirements set forth in the building form tables, up to the maximum dimension listed in the Tower Floor Plate Linear Dimension Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Linear Dimension in the Design Standards and Guidelines for Downtown Central Platte Valley – Auraria.

**8.9.6.4 Tower Floor Plate Separation Alternative in D-CPV-R and D-CPV-C Zone Districts**

**A. Intent**

To allow a flexible alternative in special circumstances for creative designs that do not meet the specific Tower Floor Plate Separation requirements set forth in the building form tables.

**B. Applicability**

This Section 8.9.6.4 applies to the Tower Floor Plate Separation minimum above 5 stories/70 feet in the Point Tower building form in the D-CPV-R zone district and Tower Floor Plate Separation minimum above 8 stories/110 feet in the Standard Tower building forms in the D-CPV-C zone district.

**C. Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Separation that does not meet the specific spacing requirements set forth in the building form tables, up to the minimum separation listed in the Tower Floor Plate Separation Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Separation in the Design Standards and Guidelines for Downtown Central Platte Valley – Auraria.

**SECTION 8.9.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

**8.9.7.1 Required Build-To Exceptions in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

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

**1. Intent**

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

**2. Standard**

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

**8.9.7.2 Setback Encroachments**

**A. Intent**


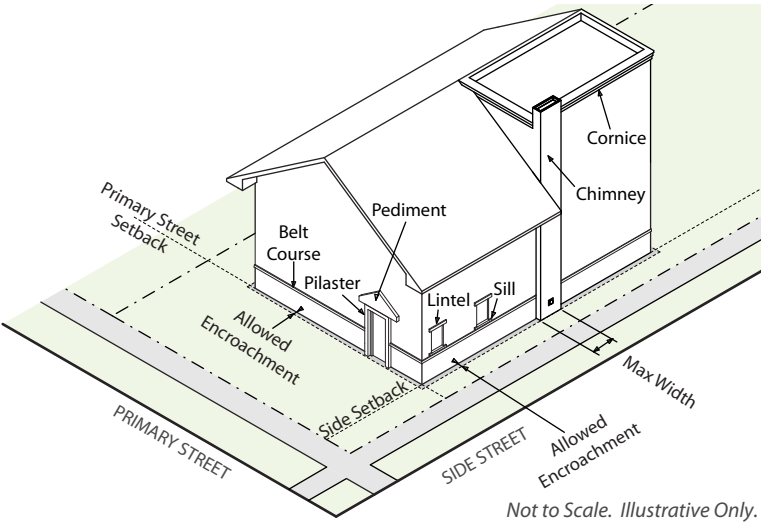

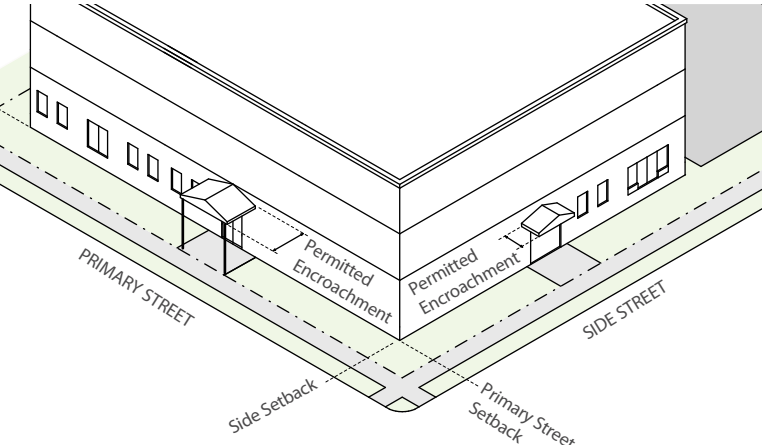
To allow minor elements to encroach into a setback while maintaining an open and unobstructed minimum setback space.


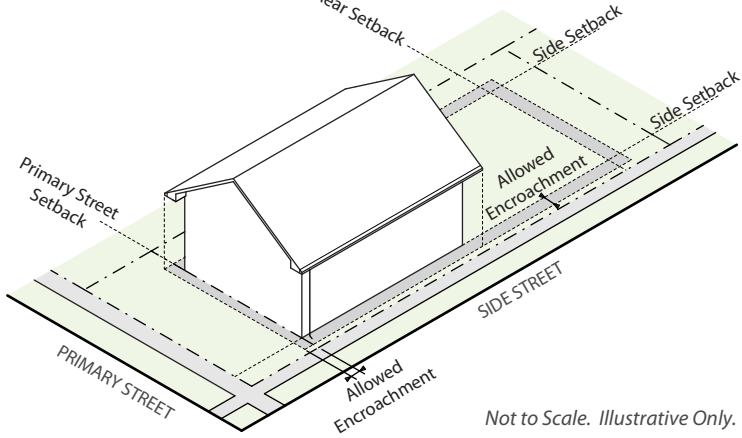

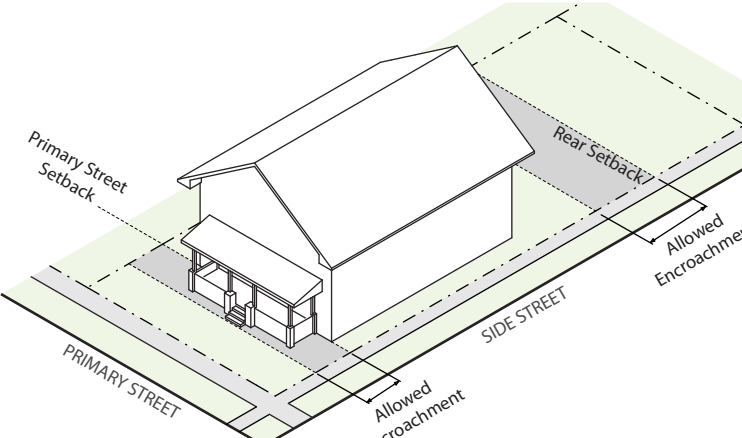
**B. Standard**


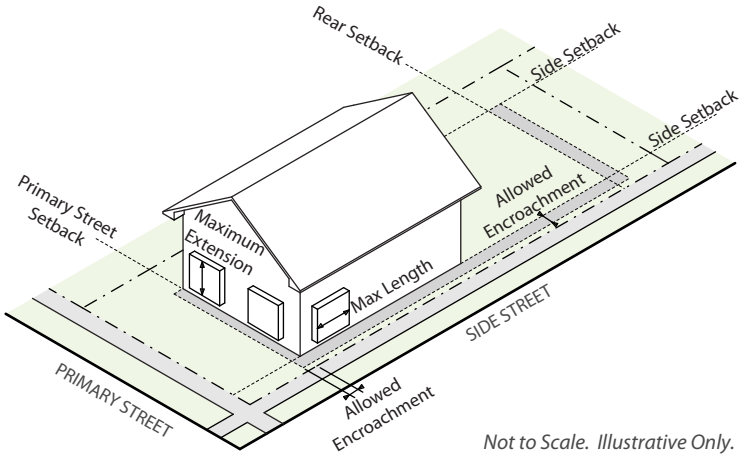

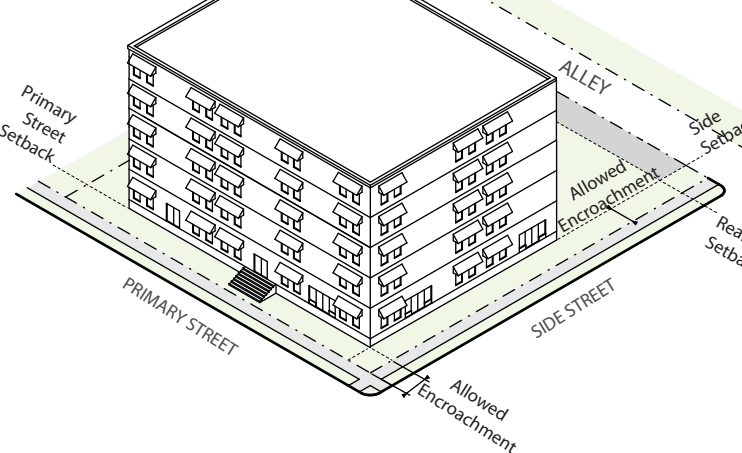
Required minimum setbacks shall be open and unobstructed. The following setback encroachments, including residential setbacks but excluding required upper story setbacks, are allowed:

**1. Architectural Elements**

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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p>Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6' in width</p> <p>Intent: To allow common, minor decorative elements which are integral to a building.</p>  <p><i>Illustrative only</i></p>	All D-CPV-T/R/C Zone Districts	All building forms	<p>1.5' Cornices only: 3'</p>  <p><i>Not to Scale. Illustrative Only.</i></p>
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>•The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>•Shall be open on three sides.</li> </ul> <p>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>  <p><i>Illustrative only</i></p>	All D-CPV-T/R/C Zone Districts	All building forms	<p>Any distance</p>  <p><i>Not to Scale. Illustrative Only.</i></p>

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Gutters and Roof Overhang	All D-CPV-T/R/C Zone Districts	All building forms	3'
Intent: To allow features of structures intended to repel weather  <p style="text-align: center;"><i>Illustrative only</i></p>			 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch: <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</li> </ul>	All D-CPV-T/R/C Zone Districts	All building forms	6' and minimum of 1' between right-of-way and first riser of above- grade stairway
Intent: To promote elements which provide for street activation and human scale.  <p style="text-align: center;"><i>Illustrative only</i></p>			 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>

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

**2. Site Elements**


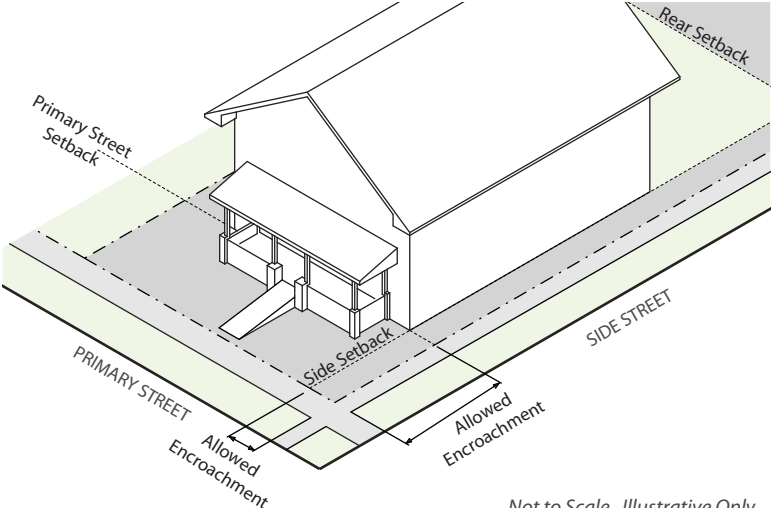
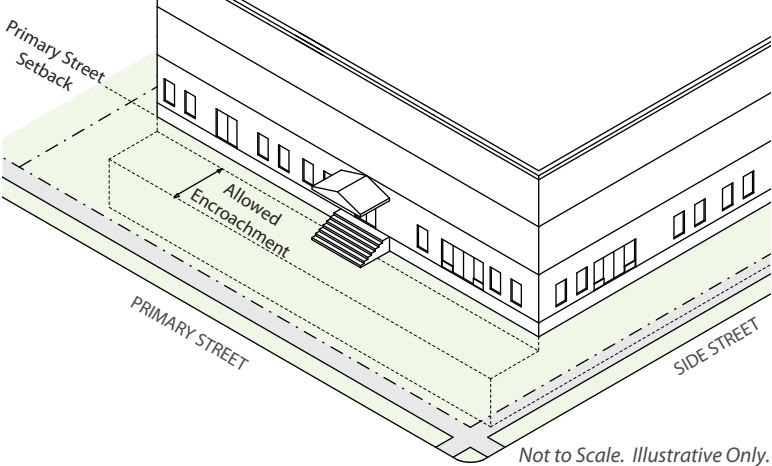
To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.

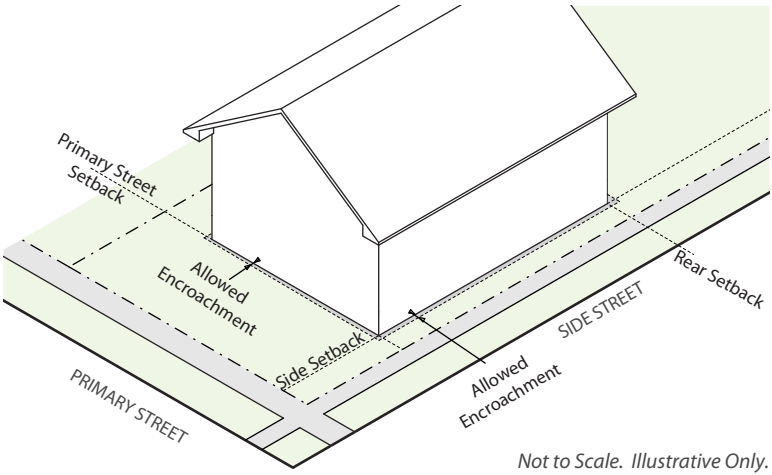
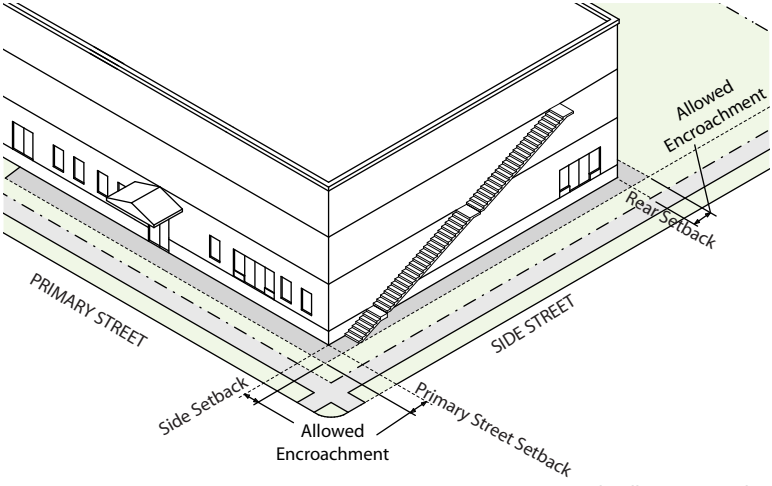

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening		
Surface Parking	Not Allowed		
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Drive or Driveway	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.	<p>See Exception PRIMARY STREET Not to Scale. Illustrative Only.</p>		
<p><i>Illustrative only</i></p>			
<p>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</p> <ul style="list-style-type: none"> <li>• The Side Interior setback Abuts a public Alley;</li> <li>• Other public right-of-way, or an easement for public access Abutting a public Alley; or</li> <li>• Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</li> </ul>			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Flatwork providing pedestrian access to entrances and buildings:	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness	<p>PRIMARY STREET Not to Scale. Illustrative Only.</p>		
<p><i>Illustrative only</i></p>			

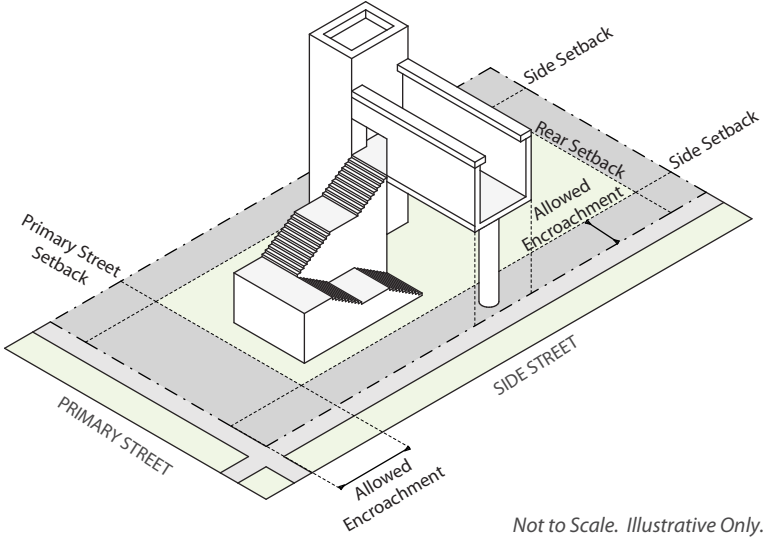

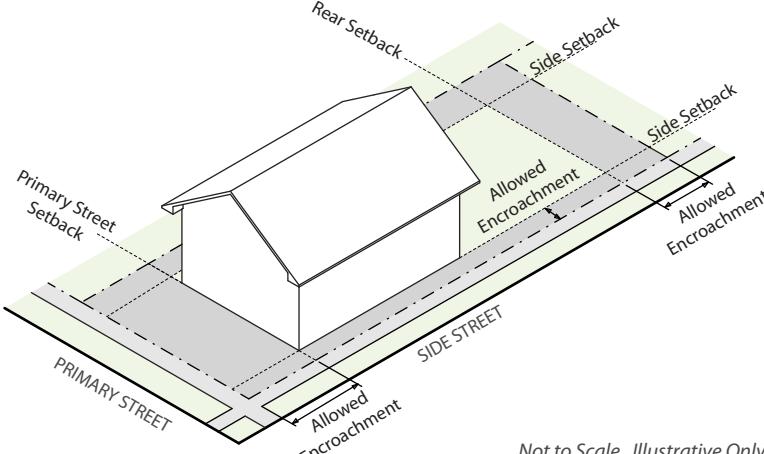


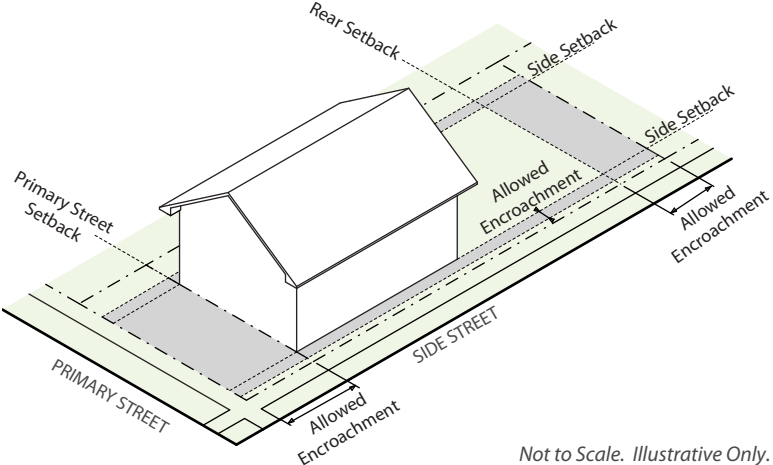

### 3. Service & Utility Elements

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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p>Barrier-free access structures providing access to existing buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.</p> <ul style="list-style-type: none"> <li>• Setback encroachments for required barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.</li> <li>• Such barrier-free access structures shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.</li> </ul>	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
<p>Intent: To provide flexibility in the location of required barrier-free access to existing buildings.</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>		
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p>Enclosed structure that is below the original grade and completely underground, of any setback space, except as otherwise restricted by this Code</p>	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
<p>Intent: To allow below grade structures that do not disrupt the streetscape.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>		

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Gas and electric meters	All D-CPV-T/R/C Zone Districts	All building forms	1.5'
Intent: To allow for functional siting.			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways	All D-CPV-T/R/C Zone Districts	All building forms	5'
Intent: To provide for egress from a building only for emergency purposes			
 <p><i>Illustrative only</i></p>			

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for a continuous, publicly accessible pedestrian/bicycle route provided Public Works has approved a right-of-way encumbrance.</p>	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
<p>Intent: To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>		
 <p style="text-align: center;"><i>Illustrative only</i></p>			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p>Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 3' in height.</p>	All D-CPV-T/R/C Zone Districts	All building forms	Any distance
<p>Intent: To allow for functional siting.</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>		

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Window well and/or emergency basement egress areas: • Shall be below grade.	All D-CPV-T/R/C Zone Districts	All building forms	Any distance for any width
Intent: To allow for emergency egress	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>		
 <p style="text-align: center;"><i>Illustrative only</i></p>			

## DIVISION 8.10 DESIGN STANDARDS

### SECTION 8.10.1 DESIGN STANDARD EXCEPTIONS

#### 8.10.1.1 Height Exceptions

**A. Intent**

To allow building features to exceed maximum height for utility purposes and/or limited recreation or building amenities in the higher intensity zone districts/larger forms.

**B. Applicability and Standards:**

1. The following building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 8.10.1.1.B.
2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.
3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.
5. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All D- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All D- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All D- Zone Districts	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All D- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All D- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All D- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All D- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Not Allowed
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	Not Allowed
Pedestrian bridge	All D- Zone Districts	Not applicable	Not applicable	28'	Any number	Any distance	Any distance

### 8.10.1.2 Setback Exceptions

#### A. Intent

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

#### B. Standard

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

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

## SECTION 8.10.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

See Article 10, General Design Standards.

## SECTION 8.10.3 SURFACE PARKING LOT LANDSCAPING

#### A. Applicability

1. Surface Parking as a primary use in the D-C, D-TD, D-LD, D-GT, D-AS and D-CV zones shall be landscaped according to this Section 8.10.3.

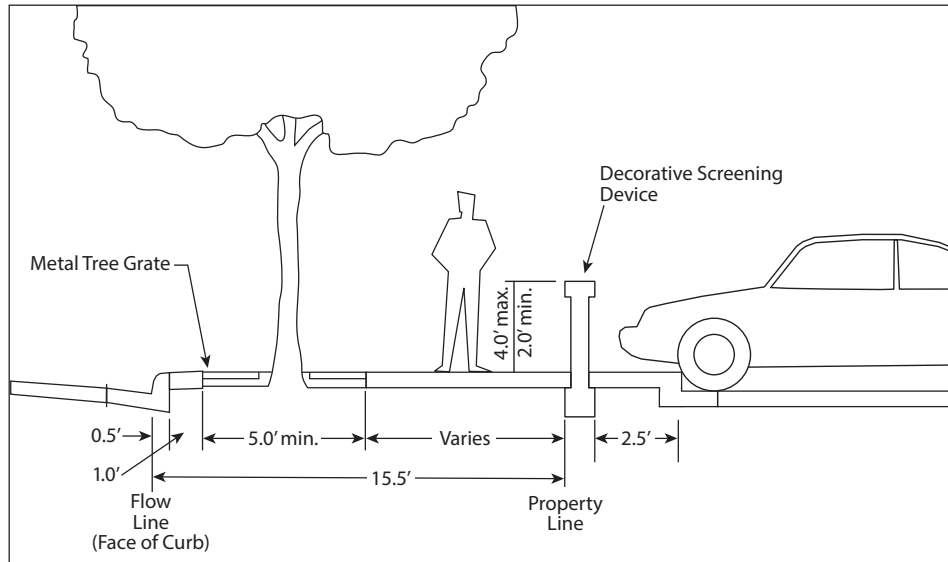
## B. Street Tree Planting Required

1. Street trees shall be required on all street frontages for all proposed new parking areas.
2. Such trees shall be located on the public right-of-way where the available space between the flow line (face of curb) and the right-of-way/private property line is at least 10 feet wide and where no unusual problem or physical constraint exists. If such problem or constraint does occur in this situation, then the trees shall be located on private property.

## C. Screening Device Required

1. In addition to required street tree planting, a decorative screening device is required that conforms to city design concepts or a similar screening device as may be acceptable to the Zoning Administrator. The height of such device may vary between 2 feet and 4 feet. Such screening device shall be located on private property.
2. Except for required street tree planting and additional standards in Section 8.10.3.D, no tree lawn, landscaping or interior landscaping is required; however, owners may submit for Zoning Administrator review proposals for alternative designs that incorporate landscaping (sod and/or shrubs) with the screening device.

Illustration 1: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts



## D. Additional D-GT and D-AS Zone District Parking Lot Landscaping Requirements

### 1. Tree Lawn Required

- a. In addition to required street tree planting, a street front tree-lawn at least 8 feet wide shall be required between the flow line and the parking lot. If the space between the flow line and the property line is inadequate to install an 8-foot wide tree lawn, the width of such tree lawn may be reduced; however, in no case shall it be reduced to less than 5 feet in width. Further, if such 5-foot wide tree lawn is located partially on private property, that portion on private property shall be counted toward the satisfaction of the 5% area requirement of Section D.2 below.
- b. "Tree lawn" for the purposes of this provision is defined as a linear strip of ground which contains trees as required by Section 8.10.3.B above.
- c. A tree lawn is generally located on the public right-of-way, but may in some cases be partially located on private property.

### 2. Additional Parking Lot Landscaping Requirement

An area of landscaping equal to 5% of the parking area shall be provided in addition to street tree and tree lawn landscaping areas. This additional landscaped area may be located:

- a. In the interior of the parking area according to the standards in Section 10.5.4.5, Interior Surface Parking Lot Landscaping Standards; or
- b. Along the street front as an addition to the tree lawn in the case of attached sidewalks; or
- c. With detached sidewalks, this area may be in the form of a landscaped planting strip with a minimum width of 5 feet located between the sidewalk and the parking area.

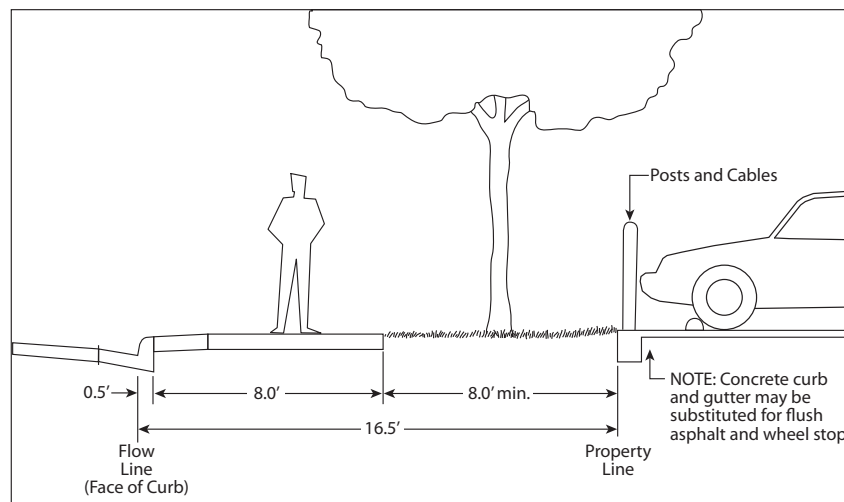
### 3. Pedestrian Access

A 3-foot-wide opening for pedestrians shall be located a maximum of 80 feet apart along all public street and alley frontages of the parking lot.

### 4. Variations Allowed

Variations in the arrangement or location of the tree lawn may be allowed depending on the location of existing sidewalks or on the quality of design proposals made by the developer according to the minimum widths set forth in Section 8.10.3.D.1 above.

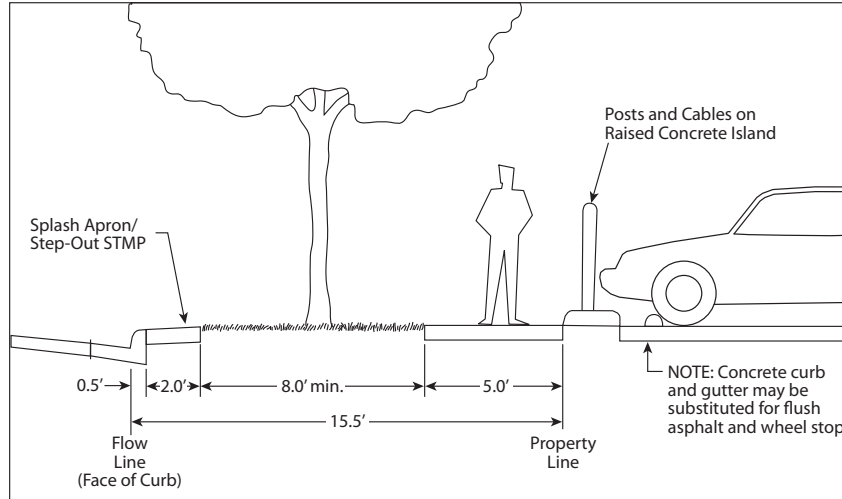
Illustration 2: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts



Applicable where right-of-way (flow line to property line) is at least 16.5' or more and sidewalk is attached.

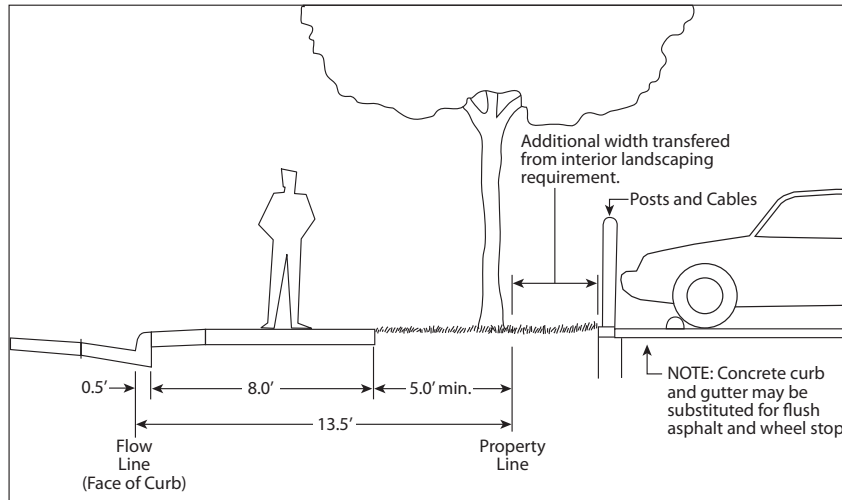


**Illustration 3: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts**



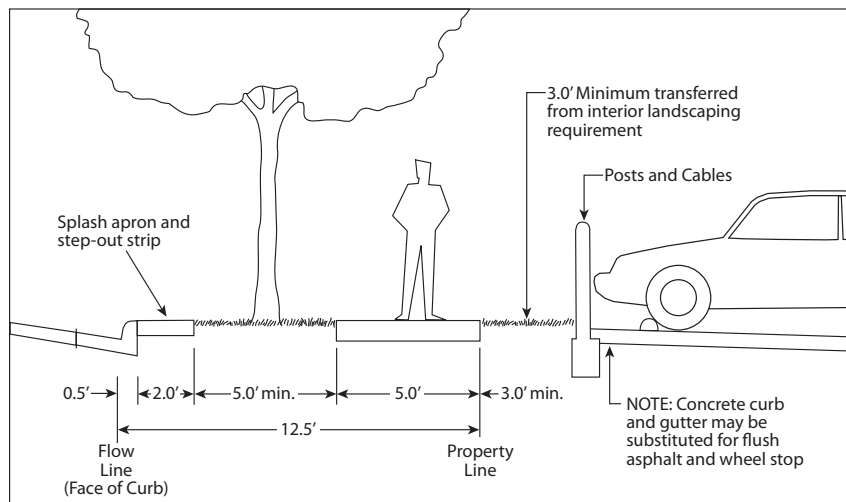
Applicable where right-of-way (flow line to property line) is 15.5' or more and sidewalk is detached.

**Illustration 4: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts**



Applicable where right-of-way (flow line to property line) is at least 13.5' and sidewalk is attached.

**Illustration 5: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts**



Applicable where right-of-way (flow line to property line) is at least 12.5' or more and sidewalk is attached.

## DIVISION 8.11 USES AND MINIMUM/MAXIMUM PARKING REQUIREMENTS

### SECTION 8.11.1 APPLICABILITY

- 8.11.1.1 This Division 8.11 sets forth the land uses permitted, the required zoning procedure, and the minimum/maximum parking requirements in all the Downtown Neighborhood Context zone districts with the exception of the D-LD zone district (see Section 8.4.1.4).
- 8.11.1.2 See Section 8.3.1.5 for more information on vehicle and bicycle parking in the D-C, D-TD and D-CV zone districts.
- 8.11.1.3 Maximum parking requirements apply only in the D-CPV-T, D-CPV-R and D-CPV-C zone districts as set forth in Section 8.11.5.
- 8.11.1.4 Note that the D-C, D-TD, D-CV, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R and D-CPV-C zone districts have no minimum off-street vehicle parking requirement.
- 8.11.1.5 Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.
- 8.11.1.6 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Uses and Structures Allowed per Zone Lot.

### SECTION 8.11.2 ORGANIZATION OF USE & MINIMUM PARKING TABLE

#### 8.11.2.1 Organized by Primary, Accessory and Temporary Uses

The Use and Minimum 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.

#### 8.11.2.2 Primary Use Classifications, Categories & Specific Use Types

##### A. Primary Use Classifications

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

1. Residential Uses
2. Civic, Public & Institutional Uses
3. Commercial Sales, Service & Repair Uses
4. Industrial, Manufacturing & Wholesale Uses
5. Agriculture

##### B. 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 Use and Minimum Parking Table is organized into the above five general land use classifications, use categories and specific use types.

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

The general land use classifications and use categories listed in the Use and Minimum 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.

## SECTION 8.11.3 EXPLANATION OF USE & MINIMUM PARKING TABLE ABBREVIATIONS

### 8.11.3.1 General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations 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 limitations (the “L”), and, second, that the use is subject to zoning permit review with information notice (the “ZPIN”) prior to its establishment.

### 8.11.3.2 Permitted, Limited, Not Permitted

#### A. 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.

#### B. Permitted Use - Subject to Use Limitations (“L”)

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

#### C. Uses Not Permitted (“NP”)

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

### 8.11.3.3 Zoning Procedure

#### A. 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.

#### B. 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.

#### C. 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 zone district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zone 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.

#### D. Uses Where More Than One Zoning Procedure Is Indicated

Where a table cell shows more than one zoning procedure applies to a use, for example “L-ZP/ZPIN”, the referenced use limitation (last table column) will indicate which zoning procedure applies in a specific case. For example, a table cell may indicate “L-ZPIN/ZPSE” for a use. This means that the ZPIN zoning procedure will apply, unless the applicable use limitation specifies the ZPSE zoning procedure is triggered (e.g., by proximity to a Protected District).

### 8.11.3.4 Enclosure of Uses

All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a completely enclosed structure by including an asterisk “\*” next to the specific use type. For example, the asterisk following the “Telecommunication Tower\*” use type in the tables indicates that a telecommunication tower land use need not be enclosed.

## SECTION 8.11.4 DISTRICT SPECIFIC STANDARDS (USE & MINIMUM PARKING TABLE)

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>								
Household Living	Dwelling, Single Unit • No Parking Requirements	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.2.6
	Dwelling, Two Unit • D-GT & D-AS Districts - Vehicle: 0.75/unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.2.6
	Dwelling, Multi-Unit • D-GT & D-AS Districts - Vehicle: 0.75/unit • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20) • D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.2.6
	Dwelling, Live / Work • D-GT & D-AS Districts - Vehicle: 0.75/unit • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20) • D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§ 11.2.4; §11.2.6
Group Living	Assisted Living Facility • D-GT & D-AS Districts - Vehicle: .75/unit • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Community Corrections Facility • D-GT & D-AS Districts - Vehicle: No requirement • D-GT, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	NP	NP	NP	§ 11.2.10
	Nursing Home, Hospice • D-GT & D-AS Districts - Vehicle: .75/unit • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	
	Residence for Older Adults • D-GT & D-AS Districts - Vehicle: No requirement • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	
	Residential Care Use, Small or Large • D-GT & D-AS Districts - Vehicle: No requirement • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.9
	Rooming and Boarding House • No Parking Requirements	NP	NP	NP	NP	NP	P-ZP	
	Shelter for the Homeless • D-GT & D-AS Districts - Vehicle: No requirement • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.11
	Student Housing • D-GT & D-AS Districts - Vehicle: 0.75/unit • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20) • D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>								
Basic Utilities	Utility, Major Impact* •D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA •D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA •D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center •D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA •D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) •D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood •D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA •D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) •D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA •D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) •D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	
	Public Safety Facility •D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA •D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) •D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Hospital	P-ZP	P-ZP	NP	NP	NP	D-AS-12+/20+ & D-CPV-T/R: NP D-CPV-C: P-ZP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	
	Library • D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • D-GT & D-AS Districts - Vehicle- Elementary: 1/1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle-Elementary: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle-Elementary: 1/5,000 s.f. GFA (0/100) • D-GT & D-AS Districts - Vehicle-Secondary: 1/1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle-Secondary: 1/ 5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College • D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8; § 11.3.8
	Vocational or Professional School • D-GT & D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>								
Adult Business	All Types	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.

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		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • D-GT & D-AS Districts - Vehicle - Artist Studio: 0.3/1000 sf GFA • D-GT & D-AS Districts - Vehicle - All Others: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	D-AS-12+/20+ & D-CPV-T/R: NP D-CPV-C: P-ZP	
Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable						
Parking of Vehicles	Parking, Garage • No Parking Requirements	L-ZP	L-ZP	NP	NP	L-ZP/ ZPIN	P-ZP	§ 11.4.6
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	NP	NP	D-GT: L-ZPIN D-AS: P-ZPIN	NP	§ 11.4.7
Eating & Drinking Establishments	All Types • D-GT & D-AS Districts - Vehicle: 2.5/ 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/1,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging • D-AS & D-GT Districts - Vehicle - MS only: 2/ 1,000 s.f. GFA • D-GT & D-AS Districts - Vehicle: 0.875/guest room or unit • D-GT, D-AS, D-AS-12+/20+, & D-CPV-T/R/C Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZPIN	P-ZP	
	Lodging Accommodations, All Others • D-GT & D-AS Districts - Vehicle: 0.875/ guest room or unit • D-GT, D-AS, D-AS-12+/20+, & D-CPV-T/R/C Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZPIN	P-ZP	
Office	Dental / Medical Office or Clinic • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.4.9
	Office, All Others • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.4.11
	Animal Sales and Services, All Others • No Parking Requirements	P-ZP	P-ZP	NP	NP	NP	NP	
	Food Sales or Market • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Pawn Shop • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	NP	NP	L-ZPIN	L-ZPIN	§11.4.14
	Retail Sales, Service & Repair – Outdoor*	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair, All Others • D-GT & D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • D-GT & D-AS Districts - Vehicle: .5/ 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZP	L-ZP	NP	NP	L-ZP	NP	§ 11.4.16
	Automobile Services, Light • D-GT & D-AS Districts - Vehicle: .5/ 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	NP	NP	NP	NP	L-ZPIN	L-ZP	§11.4.17; §11.4.18
	Automobile Services, Heavy	NP	NP	NP	NP	NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • D-GT & D-AS Districts - Vehicle: .5/ 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZPIN	L-ZP	§11.4.20
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	NP	



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		D-C	D-TD	D-LD	D-CV	D-GT D-AS		
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>								
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.2
	Communication Services • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	§11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L- ZPIN	L-ZPIN	L- ZPIN	L- ZPIN	L-ZPIN	L-ZPIN	§11.5.2
Industrial Services	Contractors, Special Trade - General • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§ 11.5.5
Industrial Services	Laboratory, Research, Development and Technological Services • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.6
	Service/Repair, Commercial • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.8
	Manufacturing, Fabrication & Assembly -- General • D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L- ZPIN/ ZPSE	NP	L- ZPIN/ ZPSE	L-ZP/ZPSE	§11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.13

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		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP	L-ZP/ ZPSE	L-ZP	§11.5.14
	Railroad Facilities* • D-GT & D-AS Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.5.14.2
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Freight, Air Courier Services • D-GT & D-AS Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZPIN	NP	§ 11.5.17
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility • D-GT & D-AS Districts - Vehicle: 0.1/1,000 s.f. GFA • Bicycle: No requirement	L -ZP	L -ZP	L -ZP	NP	L -ZP	L-ZP	§11.5.23
	Vehicle Storage, Commercial* • D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ZPSE	§ 11.5.24
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • D-GT & D-AS Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	P -ZP	P -ZP	P -ZP	NP	P -ZP	L-ZP/ZPIN/ZPSE	§ 11.5.26
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>								
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	
	Garden, Urban* • D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	
	Plant Nursery • D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.5

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		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>								
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts						§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	NP	L	L	§11.7.1; §11.8.3
	Garden*	L	L	L	NP	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	L/L-ZPIN	L/L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	NP	L	L	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	NP	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses						§11.7; §11.8.7
	Outdoor Storage, Residential*	L	L	L	L	L	L	§11.7; §11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.7; §11.8.9
	Short-term Rental	L	L	L	NP	L	L	§11.7; §11.8.10
	Vehicle Storage, Repair and Maintenance*	L	L	L	NP	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses						
Yard or Garage Sales*	L	L	L	NP	L	L	§11.7; §11.8.11	
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>								
Home Occupations Accessory to a Primary Residential Use  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	NP	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	NP	L-ZPIN	L-ZPIN	§11.9; §11.9.5

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		D-C	D-TD	D-LD	D-CV	D-AS	D-GT	

D-AS-12+  
D-AS-20+  
D-CPV-T  
D-CPV-R  
D-CPV-C

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

	Unlisted Accessory Uses	L - Applicable to all Zone Districts						\$11.7; \$11.10.1	
		L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		
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	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2	
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses			NP	Not Applicable - See Permitted Primary Uses			
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	\$11.7; \$11.10.4	
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP		
	College accessory to a Place for Religious Assembly	L	L	L	L	L	L	\$11.7; \$11.10.6	
	Conference Facilities Accessory to Hotel Use	L	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	NP	L-ZP	NP	\$11.7; \$11.10.8	
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP/L-ZPSE	NP	\$11.7; \$11.10.9	
	Garden*	L	L	L	L	L	L	\$11.7; \$11.10.10	
	Keeping of Animals	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/L-ZP/L-ZPIN	\$11.7; \$11.10.11
	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	L	\$11.7; \$11.10.12	
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.13	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10.14	
	Outdoor Retail Sale and Display*	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	\$11.7; \$11.10.15	
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP		
	Outdoor Storage, Limited*	L	L	L	L	L	L	\$11.7; \$11.10.17	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	\$11.7; \$11.10.18	

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-CV	D-GT D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	
<b>TEMPORARY USE CLASSIFICATION</b>								
Temporary Uses  (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Temporary Uses	L - Applicable to all Zone Districts						§11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses						§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	L-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	§11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	NP	NP	
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.16
Tent for Religious Services	NP	NP	NP	NP	NP	NP		

## **SECTION 8.11.5 MAXIMUM VEHICLE PARKING REQUIREMENTS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER AND CENTER DISTRICTS**

### **A. Intent**

1. To promote active, transit-supportive development that leverages the regional transit infrastructure investment in the Downtown Central Platte Valley - Auraria districts.
2. To reduce the number of vehicle trips within and around the Downtown Central Platte Valley - Auraria districts and encourage alternative travel modes such as walking, biking, and transit.
3. To promote the efficient development of land in the Downtown Central Platte Valley - Auraria districts by limiting the amount of land dedicated to vehicle parking.

### **B. Applicability**

This Section 8.11.5 applies to all Structures in the D-CPV-T, D-CPV-R and D-CPV-C zone districts.

### **C. Vehicle Parking Standards**

The following table establishes the maximum vehicle parking allowed in the D-CPV-T, D-CPV-R and D-CPV-C zone districts based on the allowed primary uses by zone district.

USE CATEGORY	SPECIFIC USE TYPE	MAXIMUM VEHICLE PARKING: # SPACES PER UNIT OF MEASUREMENT
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>		
Household Living	Dwelling, Single Unit	No Maximum
	Dwelling, Two Unit	No Maximum
	All other specific use types within the Household Living Use Category	0.7/Unit for each unit with 0-1 bedrooms 1.0/Unit for each unit with 2 bedrooms 1.3/Unit for each unit with 3+ bedrooms
Group Living	Residence for Older Adults	0.7/Unit for each unit with 0-1 bedrooms 1.0/Unit for each unit with 2 bedrooms 1.3/Unit for each unit with 3+ bedrooms
	Rooming and Boarding House	1.25/1,000 sf GFA
	Shelter for the Homeless	1.25/1,000 sf GFA
	All other specific use types within the Group Living Use Category	0.7/Unit
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>		
	All specific use types within the Civic, Public & Institutional Primary Use Classification	1.25/1,000 sf GFA
<b>COMMERCIAL SALES, SERVICE &amp; REPAIR PRIMARY USE CLASSIFICATION</b>		
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor	1.25/1,000 sf GFA
	Arts, Recreation and Entertainment Services, Outdoor	6.0/1,000 sf GFA
	Sports and/or Entertainment Arena or Stadium	6.0/1,000 sf GFA
Parking of Vehicles	Parking, Garage	No Maximum*
Eating & Drinking Establishments	All Types	2.0/1,000 sf GFA
Lodging Accommodations	Bed and Breakfast Lodging	0.5/guest room or unit
	Lodging Accommodations, All Others	0.5/guest room or unit
	All other specific use types within the Commercial Sales, Service, & Repair Primary Use Classification	1.25/1,000 sf GFA
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>		
Transportation Facilities	Terminal, Station or Service Facility for Passenger Transit System	No Maximum*
	All other specific use types within the Industrial, Manufacturing & Wholesale Primary Use Classification	1.25/1,000 sf GFA
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>		
	All specific use types within the Agriculture Primary Use Classification	1.25/1,000 sf GFA
*See Section 10.4.5.4 for Shared Vehicle Parking Requirements		

**2. Incentive Height in Transition Areas**

To promote compatibility with lower-scale districts, neighborhoods or street frontages, a reduced maximum Incentive Height shall apply in transitional areas as set forth in Sections a and b below. Where the provisions of both Sections a and b apply, the maximum Incentive Height shall be the lower of the applicable maximum heights.

**a. Height Transition Adjacent to Specific Streets**

The maximum Incentive Height shall be as follows within the specified distance of a Primary or Side Street Zone Lot line fronting the following streets:

STREET	DISTANCE FROM ZONE LOT LINE	MAXIMUM INCENTIVE HEIGHT	
		STORIES	FEET
<b>39TH AVENUE</b>			
West of Williams Street*	85'	8	110'
<b>LAFAYETTE STREET</b>			
West of Franklin Street*	210'	8	110'
<b>MARION STREET</b>			
From 300' South of Walnut Street to 36th Avenue	35'	3	45'
<b>LARIMER STREET</b>			
Northeast of 35th Street	135'	12	150'
Southwest of 35th Street	135'	5	70'
<b>33RD STREET</b>			
Northwest of Walnut Street	175'	8	110'

\*A portion of this area may be subject to a reduced maximum Incentive Height adjacent to a Protected District. See Section 9.4.6.6.E.2.b.

**b. Height Transition Adjacent to a Protected District**

The maximum Incentive Height shall be 75 feet within 175 feet of a Protected District unless further limited by Section 9.4.6.6.E.2.a.

**F. Requirements for Structures Using Incentive Height**

1. No building permit for development of a Structure exceeding Base Height within this IO-1 district shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.
2. No building permit for development of a Structure exceeding Base Height within this IO-1 district shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of the total gross square footage of all uses located above the maximum Base Height.



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## DIVISION 10.4 PARKING AND LOADING

### SECTION 10.4.1 INTENT

The intent of Parking Standards, in conjunction with the building form standards according to Articles 3 through 9, is to:

- 10.4.1.1 Balance the provision of adequate off-street parking to meet demand with city-wide objectives to encourage pedestrian-friendly environments and the use of multiple modes of transportation, including mass transit and bike parking requirements to reduce vehicle parking demand.
- 10.4.1.2 Provide a variety of mechanisms to meet parking needs while promoting development and reinvestment in existing buildings, including Historic Structures.
- 10.4.1.3 Recognize, through parking reductions, the parking efficiencies gained through mixed use development, mixed income development, development proximate to rail and bus transit, and their impact on parking demand.
- 10.4.1.4 Promote bicycle use by providing safe and convenient bike parking through minimum requirements for type of bike parking facility and amount of bicycle spaces.
- 10.4.1.5 Encourage comprehensive, efficient, multi-site parking strategies.
- 10.4.1.6 Minimize the visual impacts of Off-Street Parking Areas, structures and garages on streets, open spaces, and adjoining development.
- 10.4.1.7 Design surface parking and parking structures to be visually compatible with the surrounding development, convenient for users, and mitigate the negative impact of vehicle noise, headlights, lighting and mechanical systems.
- 10.4.1.8 Integrate the function and appearance of parking structures into building groups so as to minimize negative impacts on public space and the pedestrian environment.
- 10.4.1.9 Design parking structure facades to reflect the predominant fenestration patterns of area buildings and to the extent possible wrap street facing elevations with active uses, especially at the Street Level.

### SECTION 10.4.2 GENERAL APPLICABILITY

#### 10.4.2.1 Vehicle and Bicycle Parking Required

- A. The owner and operator of any land area, structure, or primary use that generates a vehicle and bicycle parking requirement under this Code shall have joint and several responsibility for providing all parking required by this Division 10.4 and maintaining that parking in accordance with the provisions of this Division.
- B. For land, structures, or primary uses, occupied or operated on June 25, 2010, the number of existing off-street parking spaces shall not be reduced below the lesser of the number of spaces required under this Division 10.4 or the number of spaces legally established, including taking into account any exceptions allowed.
- C. **Minimum/Maximum Amount Required**

All primary uses shall provide a number of vehicle and bicycle parking spaces consistent with the context-specific minimum or maximum parking ratios according to Articles 3 through 9, unless otherwise exempt, reduced, or allowed according to this Division 10.4.

  - 1. **Exception for Expansions**

If land area, structures, or primary uses are enlarged or expanded, minimum parking (in addition to any existing spaces) shall be provided for the additional increment only.

## 2. Exception for Change of Use

This Section 10.4.2.1.C.2 shall apply to maximum and minimum vehicle parking requirements as stated below.

### a. General Exception

If land area, structures, or primary uses are changed from one primary use to any other primary use which requires more parking spaces than the previous primary use, the following shall apply:

- i. If the new use's minimum parking requirement exceeds the previous use's minimum parking requirement by 25 percent or less, no additional parking spaces shall be required; or
- ii. If the new use's minimum parking requirement exceeds the previous use's minimum parking requirement by more than 25 percent, additional off-street parking spaces shall be provided equal to the number that exceeds 125 percent of the previous use's minimum parking requirement.
  - a) For example: The new use has a parking requirement that results in 126 required parking spaces. The previous use had a parking requirement that resulted in 100 required parking spaces. The new use shall only have to provide 1 additional parking space.
- iii. If additional vehicle parking is required per this subsection, "Exception for Change of Use," a credit may be taken against the minimum number of vehicle parking spaces required by this subsection in the amount of 1 space for each 25 feet of abutting street frontage, up to a maximum credit of 4 vehicle parking spaces.

### b. Exemption for Change in Use in Existing Buildings Built Prior to 1967

In all Mixed Use Commercial Zone Districts where minimum vehicle parking requirements apply, buildings shall be exempt from providing additional parking in the event of a change of use, provided all of the following are met:

- i. The building was built before 1967,
- ii. The building meets the required build-to requirements of the subject property's zone district, and
- iii. The building meets the minimum height requirement of the subject property's zone district.

### c. Exception for Change in Use Subject to Maximum Vehicle Parking Standards

In areas subject to maximum vehicle parking standards, if land area, structures, or primary uses providing off-street parking are changed from one primary use to any other primary use that has a lower maximum number of parking spaces allowed than the previous primary use, the following shall apply:

- i. If the parking spaces from the previous primary use are equal to or less than 125 percent of the allowed parking maximum under the new primary use, then parking spaces may continue to be utilized by the uses located on that zone lot, and may be used jointly, or may be provided as shared vehicle parking according to Section 10.4.5.4, Shared Vehicle Parking; or
- ii. If the parking spaces from the previous primary use are greater than 125 percent of the allowed parking maximum under the new primary use, then parking spaces exceeding 125 percent of the maximum parking allowed under the new primary use shall be provided as shared vehicle parking according to Section 10.4.5.4, Shared Vehicle Parking.
  - a) Example: The maximum parking allowed under a new primary use equals 60 parking spaces. The existing parking spaces from a previous primary use equals 100 parking spaces. The new primary use shall be

required to provide 25 spaces as shared vehicle parking (60 maximum allowed spaces multiplied by 125 percent = 75 allowed spaces. 100 existing spaces minus 75 allowed spaces = 25 spaces required to be provided as shared vehicle parking).

## **SECTION 10.4.3 BICYCLE PARKING**

### **10.4.3.1 Applicability**

Section 10.4.2, General Applicability, shall apply, with the following exceptions:

- A. This Section 10.4.3 Bicycle Parking shall not apply in the D-C, D-TD, or D-CV zone districts. See Section 8.3.1.5, Off-Street Parking Requirements, for applicable bicycle parking standards for these districts.

### **10.4.3.2 Calculation**

- A. When a primary use's required amount of bicycle parking is 2 spaces or less, the use shall provide a minimum of 2 bicycle parking spaces in a fixed rack bicycle parking facility.
- B. In determining the number of bicycle parking spaces required, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
- C. In determining the number of bicycle parking spaces that must be sited in an enclosed bicycle facility or a fixed rack bicycle facility, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
- D. All required spaces "per square feet" are measured as gross floor area, unless otherwise specified.
- E. For residential uses, the bicycle parking requirement shall be calculated separately for separate residential buildings.
- F. Where any building or zone lot contains two or more uses having different bicycle parking requirements, the bicycle parking requirements for each use shall apply proportionally to the extent of that use's gross floor area in the building or on the zone lot.

### **10.4.3.3 Bicycle Parking Exceptions**

#### **A. Reductions in Required Amount by Administrative Adjustment**

The Zoning Administrator may adjust the bicycle parking requirement in one of the following ways as described below according to Section 12.4.5, Administrative Adjustment.

- 1. A reduction in the overall number of bicycle parking spaces required for a primary use, up to a maximum 20% reduction. A reduction in the overall number of spaces does not change the proportional (%) distribution of the required spaces to an enclosed or fixed bicycle rack parking facility; or
- 2. An adjustment in the number of bicycle parking spaces that must be provided in either an enclosed or fixed bicycle rack parking facility, up to a maximum 20% adjustment, provided any reduction in the number of spaces provided in one type of parking facility shall be providing in the other type of parking facility.
  - a. For example: When a total of 20 bicycle parking spaces is required and 10 shall be provided in an enclosed storage facility and 10 shall be provided in a fixed bicycle rack parking facility, the Zoning Administrator may grant an adjustment to the amount that must be enclosed, resulting in a reduction from the original 10 enclosed spaces to 8 enclosed spaces. That would require a total of 12 spaces in a fixed bicycle rack parking facility.

**B. Preservation of Existing Trees**

If, in order to comply with bicycle parking requirements, it would be necessary to remove mature, existing trees, the Zoning Administrator may allow reasonable reductions in the number of required bicycle parking spaces. Requests for this exception from the minimum bicycle parking requirements shall be reviewed according to Section 12.4.5, Administrative Adjustment.

**10.4.3.4 Required Types of Bicycle Parking Facilities**

In order to meet the minimum required bike parking spaces, there are two types of bicycle parking facilities that may be required. The description and minimum standards for each type of bicycle parking facility are as follows. Such facilities may be placed on private property or within the public right-of-way. Facilities in the public right-of-way require a permit by Public Works.

**A. Enclosed Bicycle Parking Facility**

An enclosed bicycle parking facility shall be provided through various methods provided it meet the following minimum standards:

1. Shall provide enclosed bicycle storage in lockers, a room within a building, or within a parking structure.
2. All types of enclosed bicycle storage shall be easily accessible to all building occupants and to public entrances and walkways, secure, well lighted and weather resistant.
3. Each storage space shall provide a minimum of 15 square feet in area. The Zoning Administrator may reduce the minimum area up to 6 square feet if a more efficient layout is provided.

**B. Fixed Bicycle Rack Parking Facility**

A fixed bicycle rack parking facility shall be provided through various methods provided it meet the following minimum design standards:

1. Fixed bicycle racks shall be securely anchored.
2. Fixed bicycle racks must be publicly accessible to building entrances and walkways.
3. Spacing of the racks shall provide clear and maneuverable access.
4. Where two bikes can be locked on both sides without conflict, each side can be counted as one required space.

**SECTION 10.4.4 MINIMUM AND MAXIMUM VEHICLE PARKING**

**10.4.4.1 Applicability**

Section 10.4.2, General Applicability, shall apply.

**10.4.4.2 Calculations**

**A. General Rule**

1. In determining the minimum number of vehicle parking spaces required or the maximum number of vehicle parking spaces allowed, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
2. Except when shared parking is allowed (see Section 10.4.5.4 Shared Vehicle Parking), when a zone lot is used for a combination of uses, the minimum vehicle parking requirement shall be the sum of the requirements for each use and may be used jointly. In areas where maximum vehicle parking standards apply, except when shared parking for off-site uses is being provided according to Section 10.4.5.4, Shared Vehicle Parking, where a zone lot contains multiple primary uses subject to maximum parking standards, the total amount of parking provided on the zone lot shall not exceed the aggregate maximum parking allowed for those uses, and may be used jointly.

3. Vehicle queuing spaces serving permitted fuel pumps where the spaces meet the dimensional standards for a 0° parking space as required in Section 10.4.6, may count toward the minimum required number of vehicle parking spaces.

**B. Gross Floor Area for Purposes of Calculating Parking Amounts**

For the purposes of complying with minimum and maximum parking requirements, gross floor area shall mean the sum of the gross horizontal areas of all of the floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured by the exterior faces of walls of each such floor. The floor area of a building shall include the floor area of accessory buildings on the same zone lot, measured the same way. In computing gross floor area, the following shall be excluded:

1. Any floor area devoted to mechanical equipment serving the building, provided that the floor area of such use occupies not less than 75 percent of the floor area of the story in which such mechanical equipment is located;
2. Any floor area used exclusively as parking space for vehicles or bicycles; and
3. Any floor area that serves as a pedestrian mall or public access way to shops and stores.

**C. "Unit" for Purposes of Calculating Parking Amounts**

For the purposes of complying with minimum and maximum parking requirements, the term "unit" shall mean, as applicable, either:

1. A dwelling unit in a household living use, as "dwelling unit" is defined in Article 11, Use Limitations and Definitions; or
2. A habitable room, which may or may not contain kitchen or bathing facilities, intended for occupancy by a resident in a group living use.

**D. Guest Parking in Districts with Maximum Vehicle Parking Standards**

**1. Intent**

To allow flexibility for a limited amount of guest parking in zone districts with maximum vehicle parking standards.

**2. Applicability**

This Section 10.4.4.2.D applies to all residential primary uses in zone districts where maximum vehicle parking standards apply.

**3. Standards**

- a. On a zone lot containing at least 3 and no more than 19 dwelling units, one additional vehicle parking space may be provided for guest parking.
- b. On a zone lot containing 20 or more dwelling units, one additional vehicle parking space may be provided for guest parking for every 20 dwelling units. For example, a 42-unit development may provide two additional parking spaces for guest parking.
- c. Except when shared parking is being provided on a separate zone lot according to Section 10.4.5.4, Shared Vehicle Parking, all guest parking must be located on the same zone lot as the residential primary use for which it is being provided.

**10.4.4.3 Accessible Vehicle Parking**

All primary uses subject to this Division 10.4 shall provide accessible parking for disabled persons that complies with the Denver Building and Fire Code and with the Americans with Disabilities Act (ADA) standards, provided, however, that the amount of accessible parking provided for multi-unit dwelling uses shall be no less than one (1) space for each dwelling unit constructed for occupancy by a disabled person.

#### 10.4.4.4 Maximum Vehicle Surface Parking for Transit Oriented Development

##### A. Intent

To promote active, transit-supportive development and uses proximate to transit stations, thereby leveraging regional investment in transit infrastructure and promoting livability and sustainability in Denver's transit neighborhoods.

##### B. Applicability

1. This Section 10.4.4.4 shall apply to all uses located within 1/4 mile of the outer boundary of a Rail Transit Station Platform in all zone districts except the CMP and zone districts; and
2. This Section 10.4.4.4 shall apply only to limit the amount of Surface Parking.
3. If a structure or use is exempt from minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum amount otherwise required by the underlying zone district for such use or structure absent any exemption or reduction.
  - a. If the underlying zone district does not include minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum requirement otherwise required for the subject use or uses in the C-MX Zone Districts.
4. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11, Measurement of Separation or Distance.

##### C. Maximum Vehicle Surface Parking Permitted

For all applicable zone districts where minimum parking requirements apply, Surface Parking spaces shall not exceed 110 percent of the minimum parking spaces required by the subject property's zone district, except that up to 1 vehicle surface parking space per dwelling unit shall be allowed even if exceeding the 110 percent. For all applicable zone districts where maximum vehicle parking standards apply, the more restrictive standard shall determine the maximum vehicle Surface Parking allowed.

#### 10.4.4.5 Location of Required Vehicle Parking

Required vehicle parking spaces shall be located on the same zone lot as the primary use for which provided, except as allowed below:

- A. As allowed in Section 10.4.5.4, Shared Vehicle Parking, or

##### B. Off-Site Vehicle Parking

A primary use's required vehicle parking may be located on a Zone Lot different from the Zone Lot containing the primary use ("off-site vehicle parking"), subject to compliance with the following standards:

1. The subject Primary Use may provide off-site vehicle parking provided that the parking spaces on the off-site Zone Lot are not required vehicle parking spaces for any other Primary Use(s) (See Section 10.4.5.4 Shared Vehicle Parking for that scenario).
2. Parking requirements may be met off the zone lot by ownership or a current lease of parking spaces on another zone lot and dedicated to the primary use being served. Divesting ownership or terminating lease of the required parking spaces shall result in termination of the zoning permit until the parking deficiency is remedied.
3. Off-site parking shall be located within a "walking distance" of 1,500 feet from the use served by the remote parking. "Walking distance" shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.



### **C. Vehicle Parking Reduction for Small Lots in the C-CCN Zone Districts**

1. In the C-CCN zone districts, zone lots which are equal to or smaller than 9,375 square feet in area on October 27, 2014, shall be granted a 67 percent reduction in the total number of required vehicle parking spaces.
2. This vehicle parking reduction shall not be allowed in combination with any vehicle parking reduction allowed under section 10.4.5.3.B.

### **10.4.5.4 Shared Vehicle Parking**

#### **A. Applicability**

1. An applicant may request shared parking to meet the minimum/maximum vehicle parking requirements for mixed use developments, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
2. Parking spaces that may be shared according to this subsection:
  - a. Shall be located on a zone lot (on-street parking spaces are not eligible), and
  - b. Shall be capable of being specifically allocated or reserved for the primary uses served (spaces in a surface lot or garage that are accessible by the general public are not eligible), except that this provision shall not apply in areas where only maximum parking standards apply;
  - c. However, in the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the zone lot will count toward the vehicle parking requirement. Although allocated to a specified zone lot, said spaces need not be reserved for said specified zone lot.

#### **B. Shared Parking Where Maximum Parking Standards Apply**

1. When located on a Zone Lot subject only to a vehicle Surface Parking maximum according to section 10.4.4.4, each shared vehicle Surface Parking space shall be counted only once in the calculation of vehicle Surface Parking spaces that contribute to the maximum allowed.
2. When shared vehicle parking is required for a change of use according to Section 10.4.2.1.C.2.c, the number of shared spaces provided may exceed the number required to be shared according to that section. Shared spaces shall be counted only once in the calculation of the number of spaces that contribute to the maximum parking allowed for each Primary Use included in the parking analysis.
3. In all other areas subject to maximum vehicle parking standards the following shall apply:
  - a. Parking may be shared between Primary Uses located on separate Zone Lots according to this subsection.
  - b. Surface Parking and/or Garage Parking shall only be permitted as a Primary Use on a Zone Lot if the spaces are provided as shared vehicle parking according to this subsection.

#### **C. Shared Amount Allowed**

The Zoning Administrator shall determine the total amount of parking allowed to be shared based upon the shared parking analysis.

#### **D. Process for Review and Approval**

Requests for shared parking shall be processed according to Section 12.4.3, Site Development Plan Review. In addition to the requirements for a Site Development Plan, requests for shared parking shall comply with this Section's standards and criteria.

#### **E. Shared Parking Analysis Required**

A parking analysis shall be submitted as part of the Site Development Plan application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a Qualified Professional. A shared parking study shall, at a minimum, address:

1. The intensity and type of activities and the composition of uses;
2. Hours of operation of the uses;
3. The rate of turnover for proposed shared spaces;
4. Distances of shared parking spaces from the uses they serve; and
5. The anticipated peak parking and traffic loads for the site.
6. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.
7. In areas subject to minimum parking requirements, if the shared parking spaces are located on a different zone lot than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 1,500 feet from the use served. This provision shall not apply in areas where only maximum parking standards apply.
  - a. "Walking distance" shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.
  - b. The Zoning Administrator may increase the allowed distance or waive the standard entirely when there is a shared parking entity and support in the shared parking analysis.
8. In areas subject to maximum parking requirements, when multiple off-site Primary Uses are included, the number of shared spaces shall be specified for each off-site Primary Use contributing to the maximum parking allowed.

#### **F. Withdrawal from Participation in Plans or Programs**

1. Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.4 may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.
2. The Zoning Administrator may allow withdrawal from a special parking arrangement authorized by this Section 10.4.5.4 to result in a permanent deficiency of the required amount of parking spaces that was otherwise allowed as part of the special parking arrangement if the owner(s) demonstrates that best efforts, as determined by the Zoning Administrator, were made to maintain and continue the authorized special parking arrangement.

<b>DOWNTOWN NEIGHBORHOOD CONTEXT - D-CPV-T, D-CPV-R, D-CPV-C ZONE DISTRICTS ONLY</b>		
<b>Parking Category</b>	<b>Minimum Bicycle Parking Spaces Required</b>	<b>% Parking Spaces Provided in Enclosed Bicycle Parking Facility/Fixed Bicycle Rack Parking Facility</b>
Multi-unit	1.1/unit	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/1,000 sq. ft. GFA	0%/100%
Commercial Medium	1/4,000 sq. ft. GFA Lodging accommodations uses: 1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/5,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

## **SECTION 10.5.3 TREE PRESERVATION - RESIDENTIAL ZONE DISTRICTS**

### **10.5.3.1 Applicability - Preservation of Established Trees in Residential Primary and Side Street Setbacks**

As a condition of any permit to demolish or construct any building containing a single unit dwelling, two-unit dwelling, or multi-unit dwelling in a Residential Zone District, the owner of the zone lot shall be required to preserve any established tree not otherwise diseased or decayed within the primary and side street setback areas of the zone lot.

### **10.5.3.2 Preservation Measures Required**

In order to protect an established tree from damage or destruction and to enhance the tree's chance of survival after construction activities on the zone lot are completed, the owner shall take and maintain throughout the course of demolition or construction the following measures:

- A. Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;
- B. Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree's root zone; and
- C. Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree's roots.

### **10.5.3.3 Permit for Tree Removal**

The owner may be relieved from the requirements of this Section only upon obtaining a permit for tree removal from the City Forester according to the provisions of Sections 57-20(b) and 57-25 of the D.R.M.C.

### **10.5.3.4 Definition of "Established Tree"**

See Article 13, Rules of Measurement and Definitions, for the definition of "established tree."

## **SECTION 10.5.4 LANDSCAPING STANDARDS**

### **10.5.4.1 Applicability and Exceptions**

#### **A. Applicability**

1. This Section 10.5.4 shall apply to development in all zone districts, except residential development in all SU or TU zone districts.
2. Whenever the area of an existing surface parking lot is expanded or when a new area is constructed, the entire Off-Street Parking Area shall be landscaped according to this Section 10.5.4.
3. For Surface Parking as a Primary Use in the D-LD, D-CV, D-C, D-TD, D-GT and D-AS zone districts, Section 8.10.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.
4. The City of Denver Landscaping of Parking Areas Rules and Regulations shall not apply to properties zoned under the Denver Zoning Code.
5. See the City of Denver Streetscape Design Manual for additional provisions.

#### **B. Exceptions**

##### **1. Process for Exception Requests**

All requests for exceptions from the general site and surface parking landscaping requirements shall be reviewed according to Section 12.4.5, Administrative Adjustments.

### 10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards

#### A. Applicability

Section 10.5.4.1, Applicability and Exceptions, shall apply.

#### B. Perimeter Surface Parking Lot Landscaping Standards Abutting Street Right-of-Way

##### 1. Standards

- a. To the maximum extent feasible, on-site drainage required for a zone lot shall be integrated into the perimeter planting strip.
- b. Alternatives to required landscape, fence and wall materials may be allowed to better match primary building materials used on the site according to Section 12.4.5, Administrative Adjustment.
- c. The following shall be provided within zone lot boundaries between the boundary of any surface parking lot and street rights-of-way (except as noted):

CONTEXT AND/OR DISTRICT	PERIMETER PLANTING STRIP REQUIRED	PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP	GARDEN WALL REQUIRED	GARDEN WALL HEIGHT	GARDEN WALL MATERIALS	PEDESTRIAN ACCESS REQUIRED
Suburban Neighborhood Context I-A and I-B Zone Districts I-MX Zone Districts with Industrial Building Form (See Figure 10.5-4)	Yes, minimum width of 10'	1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	No; however may reduce perimeter planting strip width to 5' if provide a garden wall	Min 30 inches; Max 42 inches	Masonry or Ornamental fence with masonry piers spaced not more than 25'	Yes
Urban Edge, Urban, General Urban Neighborhood Contexts Campus Master Planned Contexts I-MX Zone Districts with General Building Form (See Figure 10.5-5)	Yes, minimum width of 5'		Yes			
Urban Center Neighborhood Context (See Figure 10.5-6)	Not Required	NA	Yes			
Downtown Neighborhood Context D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Districts only (See Figure 10.5-5)	Yes, minimum width of 8' (may be located in street right-of-way)	1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	Yes	Min 30 inches; Max 42 inches		Yes; Min. 3' wide access at max. of 80' intervals along all public street and alley frontages of the parking lot
Downtown Neighborhood Context D-C, D-TD, D-LD, D-CV, D-GT, D-AS Districts	See Section 8.10.3 in Article 8					

Figure 10.5-4

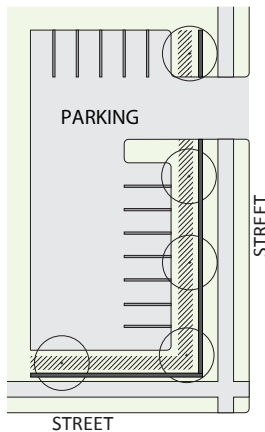


Figure 10.5-5

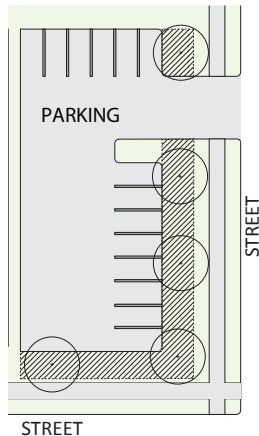
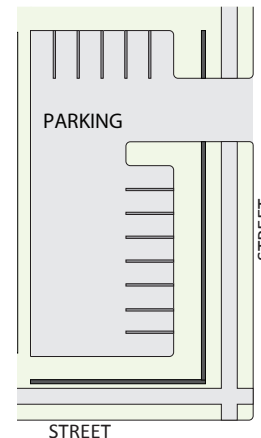





Figure 10.5-6



 Perimeter Planting Strip  
 Canopy Tree  
 Garden Wall

ted by Section 10.10.3.2, signs subject to a permit, must be included in the comprehensive sign plan.

**G. Projecting Signs**

Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts. Except in districts for preservation or on structures for preservation, determination of compliance with 10.10.16 shall be made by the Zoning Administrator. In districts for preservation or on structures for preservation determination of compliance with 10.10.16 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.

**H. Animation**

Flashing signs and animated signs shall not be allowed except when the sign is a projecting sign which is readable from the 16th Street Mall, in which case the provisions of 10.10.16.4.C shall apply.

**I. Rules and Regulations**

The planning board has the authority to adopt rules and regulations concerning its review of comprehensive sign plans.

**J. Fee**

The applicant shall pay the fee for review of a comprehensive sign plan for large facilities at the same time the application is submitted.

**SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT**

**10.10.4.1 General**

The area of a sign shall be measured in conformance with the regulations according to this Section, provided that the structure or bracing of a sign shall be omitted from measurement, unless such structure or bracing is made part of the message or face of the sign. Where a sign has 2 or more display faces, the area of all faces shall be included in determining the area of the sign unless the display faces join back to back, are parallel to each other and not more than 48 inches apart, or form a V type angle of less than 90 degrees. See special rules for measuring the volume/area of projecting signs below.

**10.10.4.2 Sign With Backing**

The area of all signs with backing or a background material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

**10.10.4.3 Signs Without Backing**

The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

**10.10.12.4 Joint Identification Signs**

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
  - 1. 100 square feet; or
  - 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

**SECTION 10.10.13 DOWNTOWN ZONE DISTRICTS SIGN STANDARDS**

**10.10.13.1 General**

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right
- B. Provided, however, that off-site advertising devices may be allowed in the D-TD district pursuant to a district sign plan according to Section 10.10.14.
- C. The sign standards contained within this Section apply to the following zone districts: D-LD; D-CV; D-GT; D-AS; D-AS-12+; D-AS-20+; D-CPV-T; D-CPV-R; D-CPV-C; D-C; and D-TD.

**10.10.13.2 Permanent Signs**

Permanent signs shall comply with the following standards:

	D-LD; D-CV; D-GT; D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, D-CPV-C	D-C; D-TD
<b>Contents</b>	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.	Identification by letter, numeral, symbol or design of the use by right by name and use, hours of operation, services and products offered, events and prices of products and services.
<b>Sign Types</b>	Wall, window, ground and arcade.	Wall, window, ground and arcade.
<b>Maximum Number</b>	Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.	Ground level uses by right with street frontage for each separate building: Each use by right may have 3 for each street front of the use by right plus 1 additional sign for each 100' of street frontage in excess of 200'.  All other uses by right combined for each separate building: 1 sign plus 1 sign for each front line of the zone lot on which the building is located.

	D-LD; D-CV; D-GT; D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, D-CPV-C	D-C; D-TD
<b>Maximum Sign Area</b>	<p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100' of the zone lot line or campus boundary.</p> <p>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100' of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100' of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</li> </ul>	<p>Ground level uses by right with street frontage: Sign area shall be based on 1 or the other of the following provisions provided, however, that the total sign area of any use by right shall not exceed 600 square feet and the sign area permitted by this Section shall not be combined with the sign area permitted by any other Section of this chapter:</p> <p>Zone lot with 1 use by right: 2 square feet of sign area for each linear foot of the front line of the zone lot. All measurements shall be applied to each street front separately.</p> <p>Zone lot with more than 1 use by right: 4 square feet of sign area for each linear foot of that portion of the building frontage occupied by a ground level use by right. The resulting sign area is to be applied only to that portion of the building occupied by the use by right and all measurements shall be applied to each street front separately.</p> <p>Uses by right other than ground level uses by right with street frontage: 1 square foot of sign area for each foot of the front line of the zone lot on which the building is located or 3 percent of the exterior wall surface of the building whichever is greater. All measurements shall be applied to each building front separately.</p>
<b>Maximum Height Above Grade</b>	<p>Wall and window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32'.</p>	<p>Wall or window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32'.</p>
<b>Location</b>	<p>Shall be set back at least 5' from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.</p>	<p>No setback is required from any boundary line of the zone lot. Wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.</p>
<b>Illumination</b>	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>
<b>Animation</b>	<p>Animated signs are prohibited.</p>	<p>Animated signs are prohibited.</p>



### 10.10.13.3 Temporary Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than twelve (12) calendar months and shall not be renewed for more than 1 successive period at the same location.

- A. Permitted sign types: Wall, window or ground.
- B. Permitted maximum number: 2 signs for each front line of the zone lot or designated land area on which the signs are located.
- C. Permitted sign area:
  - 1. D-C and D-TD: 64 square feet for each front line of the zone lot or designated land area on which the signs are located. Computations shall be made and sign area shall be applied to each front line separately.
  - 2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.
- D. Permitted maximum height above grade:
  - 1. D-C and D-TD: 20 feet.
  - 2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C: 25 feet.
- E. Permitted location: No limitation.
- F. Permitted illumination:
  - 1. D-C and D-TD: May be illuminated but only from a concealed light source.
  - 2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

### 10.10.13.4 Joint Identification Signs for D-LD; D-CV; D-GT; D-AS; D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
  - 1. 100 square feet; or
  - 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.

- F. Relationships to the building facade. Maximum projecting sign dimensions, volumes and locations may additionally be restricted by the dimensions of the building facade on which signage is to be located and the relationship to other tenant signage on the same facade:
1. Signs shall not exceed the height of the parapet of the building on which mounted.
  2. Signs shall not be placed less than 8 feet apart.

#### **10.10.15.6 Illumination**

Illumination of graphics as defined herein shall be permitted by direct, indirect, neon tube, light-emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. The following additional provisions also apply to the illumination of street graphics:

- A. Color of light. Graphics as defined herein may use a variety of illuminated colors.
- B. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.
- C. Flashing signs are prohibited.
- D. Animated signs are prohibited.

### **SECTION 10.10.16 SPECIAL PROVISIONS FOR D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, AND D-CPV-C**

#### **10.10.16.1 General**

The provisions of this Section 10.10.16 shall apply to the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts. The other provisions of this Division 10.10 (Signs) shall remain in full force and effect in the D-C, D-TD, D-LD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts, and there is no requirement that proposed signs be submitted for approval pursuant to this Section. However, an application for a sign may be submitted pursuant to the provisions of this Section in which case this Section will be applicable with respect to the issuance of the sign permit.

#### **10.10.16.2 Purpose**

The purpose of this Section is to create the policy for a comprehensive and balanced system of signs and street graphics to facilitate the enhancement and improvement of the D-C, D-TD, D-LD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts through the encouragement of urban, innovative signs and street graphics which will aid in the creation of a unique downtown shopping and commercial area, facilitate an easy and pleasant communication between people and their environment and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. To accomplish these purposes, it is the intent of this Section to encourage and to authorize the use of signs and street graphics which are:

- A. Compatible with and an enhancement of the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels, and adjoining uses.
- B. Compatible with and an enhancement of the architectural characteristics of the buildings on which they appear when considered in terms of scale, proportion, color, materials and lighting levels.
- C. Appropriate to and expressive of the business or activity for which they are displayed.
- D. Creative in the use of unique 2 and 3 dimensional form, profile, and iconographic representation; employ exceptional lighting design and represent exceptional graphic design, including

the outstanding use of color, pattern, typography and materials. Signage which simply maximizes allowable volume in rectangular form is strongly discouraged.

- E. Of high quality, durable materials appropriate to an urban setting.

#### **10.10.16.3 Permitted Maximum Sign Area**

The other provisions of this Division 10.10 (Signs) pertaining to the D-C, D-TD, D-LD D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. A cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

#### **10.10.16.4 Projecting Graphics Permitted**

A projecting graphic is a sign or street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.

- A. The following limitations apply to projecting graphics:
  - 1. Each use may display 1 projecting graphic adjacent to every street upon which the use has frontage, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
  - 2. Projecting graphics must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building.
  - 3. Projecting graphics shall be mounted no less than 6 inches and no more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) which are adjacent to it on the building facade.
  - 4. Allocation of allowable sign volume. For uses that are located at the Street Level and have entries with direct access to a public sidewalk, court or plaza the allowable projecting sign volume will be allocated on the following basis:
    - a. Uses that occupy up to 49 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume. However, to avoid crowding of signage types, uses that occupy less than 30 linear feet of exterior building frontage will be limited to utilizing either a projecting sign as allowed under these regulations, or any other non projecting sign types as currently allowed.
    - b. Uses that occupy between 50 and 74 linear feet of building frontage may have up to 64 cubic feet of projecting sign volume.
    - c. Uses that occupy 75 linear feet or more of building frontage may have up to 96 cubic feet of projecting sign volume.
    - d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the 1 actual building frontage on which it is placed.
  - 5. The calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form that could be constructed to enclose the primary form of the sign. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the review committee. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign. No dimension (height, width or depth) shall be considered to be less than 1 feet-0 inches for the purposes of calculating sign volume.
  - 6. Multiple projecting signs. The total sign volume allowed for a single use may be broken into multiple projecting signs, not to exceed 1 per 25 linear feet of the actual building frontage adjacent to a public walk, court or plaza only at the discretion of the review committee based on the following criteria:
    - a. Multiple signs significantly enhance the creative impact of the signage concept.

- a. The appropriateness of flashing signs, where otherwise allowed, will be based on the character and uses of the face block, existing uses within the building and the surrounding vicinity, and the protection of public safety.
  - b. Use of flashing signs shall be limited to entertainment uses such as, by way of example and not by way of limitation, theaters, movie houses, restaurants, and cabarets, and is limited to the times the business is open.
3. Fully illuminated plastic sign boxes with internal light sources will not be allowed.

#### **10.10.16.5 Design Review Committee**

There is hereby created a separate Design Review Committee for each of the D-C, D-TD, D-LD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts, which shall be composed and comprised as hereinafter set forth, and which shall have the powers and authorities described herein.

- A. Within the D-C, D-TD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, when signage is proposed on a zone lot with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the Design Review Committee.
- B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the Design Review Committee shall be comprised of 7 members as follows:
  1. 1 property owner, who owns property in the D-C or D-TD district;
  2. 2 business operators, who operate businesses in the D-C or D-TD district;
  3. 1 member of Downtown Denver, Inc., nominated by Downtown Denver, Inc.;
  4. 2 design professionals;
  5. 1 resident of Denver, with preference given to a resident of the D-C or D-TD district; and
  6. The Manager, or his designee, who shall serve as an ex officio member.

Members of the D-C and D-TD Design Review Committee shall be nominated by downtown businesses, residents and property owners in the D-C and D-TD districts and shall be appointed by the mayor. The term of membership on the Design Review Committee is 3 years with initial appointments being of 3 appointees for 1 year terms, 2 appointees for 2 year terms and 2 appointees for 3 year terms.

- C. Within the D-LD district, the Lower Downtown Design Review Board shall comprise the Design Review Committee.
- D. Within the D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the Design Review Committee.
- E. Each Design Review Committee shall meet monthly or within 14 calendar days of a special request.
- F. Authority is hereby expressly granted to the applicable Design Review Committee to review and recommend approval to the Zoning Administrator of applications for signs and street graphics in the applicable district pursuant to the provisions of this Section.

#### **10.10.16.6 Design Review**

Applications for sign permits submitted for approval pursuant to the provisions of this Section shall be forwarded to the applicable Design Review Committee by the department of zoning administration. The applicable Design Review Committee shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable Design Review Committee, the Zoning Administrator shall approve or deny the permit, except that the

### **11.4.17.3 All C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

In all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations, the following limitations shall apply and control in case of any conflict with the more general limitations in Section 11.4.1.9.4:

#### **A. Intent**

Improve the pedestrian experience in important mixed-use districts through Street Level active uses. While Automobile Services uses provide a desirable neighborhood service, such uses do not invite the high-intensity customer, visitor, and resident interactions throughout the day and night that substantially contribute to the activation, economic vitality, and safety of vibrant mixed-use neighborhoods. Street Level area set aside in buildings for non-Automobile Services uses according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for Street Level active uses

#### **B. Limitations**

1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.
2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

*See also* C-CCN zone district use limitations related to Street Level Household Living uses in Section 11.2.5, C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted Street Level active uses in structures or buildings containing parking spaces, Street Level active use requirements for the D-AS-12+ and D-AS-20+ zone districts in Section 8.8.5.1, and Street Level active use and Street Level active non-residential use requirements for the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in Sections 8.9.5.1 and 8.9.5.2.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.
4. Accessory trailer rental is prohibited.
5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.
6. In the C-CCN zone districts, when located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
  - a. On any story above or below the Street Level, and/or
  - b. On the Street Level, but only if 100% of the building's street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

### **11.4.17.4 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.

**11.5.23.3 All I-A and I-B Zone Districts**

In all I-A and I-B zone districts, where the Zone Lot is located within 1/4 mile of a Rail Transit Station Platform, and where permitted with limitations, a Mini-Storage Facility use shall not have individual entrances to storage units from the exterior of the structure.

**SECTION 11.5.24 VEHICLE STORAGE, COMMERCIAL****11.5.24.1 All Downtown Neighborhood Context Districts**

In all Downtown Neighborhood Context zone districts, where permitted with limitations:

- A. Vehicle Storage is limited to enclosed garage storage for commercial and public utility vehicles only.
- B. Commercial storage of automobiles and light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half tons shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

**11.5.24.2 I-A, I-B Zone Districts**

In I-A, I-B zone districts, where permitted with limitations:

- A. The Vehicle Storage use shall be located at least 500 feet from a Residential Zone District.
- B. 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.

**11.5.24.3 All CC Zone Districts**

In all CC zone districts, where permitted with limitations, Vehicle Storage, Commercial shall be limited to the assembling or standing of operable vehicles having a capacity of not more than one and one-half tons.

**SECTION 11.5.25 WHOLESALE TRADE OR STORAGE, GENERAL****11.5.25.1 I-MX, I-A, I-B Zone Districts**

In the I-MX, I-A, I-B zone districts, where permitted with limitations, all Wholesale Trade or Storage, General uses shall be located a minimum of 500 feet from a Residential Zone District.

**SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT****11.5.26.1 All CC, MX, MS, CMP, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

In all CC, MX, MS, CMP, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations:

- A. A Wholesale Trade or Storage, Light use proposed on a zone lot greater than 25,000 square feet or is proposed to operate between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- B. A Wholesale Trade or Storage, Light use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard, or within 300 feet of any boundary with any portion of Adams County other than the Rocky Mountain Arsenal, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, in order to permit review and comment by adjacent jurisdictions.

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### **12.2.7.2 Review Authority**

- A. Within the C-CCN zone districts, the Cherry Creek North Design Advisory Board shall review and make recommendations to the Development Review Committee or the Zoning Administrator as specified in adopted rules and regulations, as may be amended from time to time.

## **SECTION 12.2.8 DOWNTOWN DESIGN ADVISORY BOARD**

### **12.2.8.1 Creation**

- A. The Downtown Design Advisory Board shall consist of seven members appointed by the Mayor. The seven members shall include individuals from the following categories: four design professionals, including architects, landscape architects, and urban designers, at least one of whom shall be a landscape architect; one owner of property in the downtown area; one resident or community representative of the downtown area; and one representative of the development/construction industry, including but not limited to engineers, contractors, and developers. All board members must be residents of Denver.
- B. The members of the board shall be appointed by the Mayor for terms of three years and shall serve at the pleasure of the Mayor. Terms of office shall be staggered by making the appointments so that approximately one-third of the members' terms expire each year. Vacancies shall be filled by the mayor within 30 days from the date on which the vacancy occurs.

### **12.2.8.2 Board Meetings**

- A. All meetings of the Downtown Design Advisory Board shall be open to the public and allow opportunity for public comment.

### **12.2.8.3 Review Authority**

- A. The Downtown Design Advisory Board shall review and make recommendations to the Development Review Committee or Zoning Administrator for all projects submitted for review within the Downtown Arapahoe Square 12+ (D-AS-12+), Downtown Arapahoe Square 20+ (D-AS-20+), Downtown Central Platte Valley – Auraria Transition (D-CPV-T), Downtown Central Platte Valley – Auraria River (D-CPV-R), and Downtown Central Platte Valley – Auraria Center (D-CPV-C) zone districts, as specified in adopted rules and regulations, which may be amended from time to time. The Zoning Administrator shall conduct all review and approval of projects submitted before April 1, 2019.



One-tenth of 1 foot = 0.10

For a 75-foot width threshold at issue, 25 feet goes into 75 feet 3 times  
(75 divided by 25 = 3)

$.10 * 3 = .30$

75 feet minus .30 feet = 74.7 feet, which is the minimum end-point of a survey measurement that will get applied as equivalent to 75 feet.

75 feet plus .30 feet = 75.3 feet, , which is the maximum end-point of a survey measurement that will get applied as equivalent to 75 feet.

### **13.1.5.2 Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

#### **A. General Provisions**

##### **1. Intent**

To provide a reference of measurement for standards related to form and building placement (e.g. Build-to, Setback).

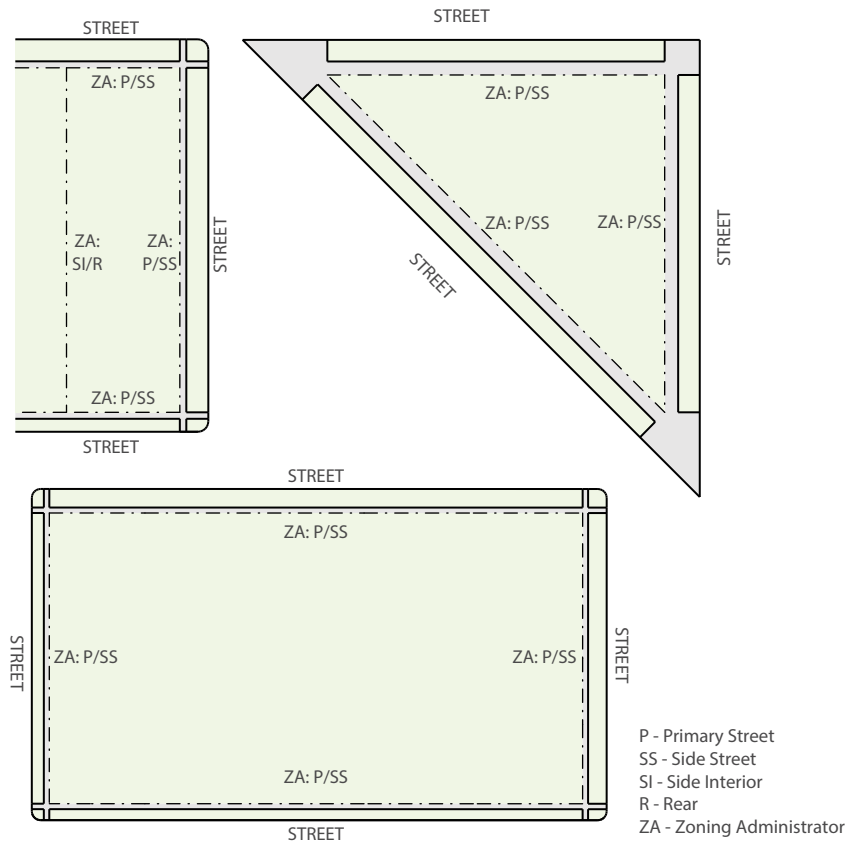
##### **2. General Requirements**

- a. A primary street zone lot line or a side street zone lot line may abut a zone lot line abutting a private street if approved by the Zoning Administrator.
- b. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the zone district can be met.

##### **3. Criteria for Zoning Administrator Determinations**

- a. Where identified in the following sections, the Zoning Administrator shall designate a zone lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, based on an analysis, at a minimum, of:
  - i. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
  - ii. Block and lot shape;
  - iii. The functional street classification of all abutting streets as adopted by the Public Works Department;
  - iv. The future street classification of all abutting streets as adopted in Blueprint Denver;
  - v. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
  - vi. In a Campus zone district, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.
- b. The Zoning Administrator shall have authority to designate a Zone Lot's Primary Street Zone Lot Line(s) contrary to the results in Section 13.1.5.2 when:
  - i. The Zone Lot contains a Historic Structure, and
  - ii. The Zone Lot is located within a Residential Zone District, and

Figure 13.1-53



### 13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

#### A. Intent

To provide a reference of measurement for standards related to form, building placement, and design elements (e.g. Build-to, Setbacks, Transparency) in Cherry Creek North (C-CCN), Downtown Arapahoe Square 12+ (D-AS-12+), Downtown Arapahoe Square 20+(D-AS-20+), Downtown Central Platte Valley - Auraria Transition (D-CPV-T), Downtown Central Platte Valley - Auraria River (D-CPV-R), and Downtown Central Platte Valley - Auraria Center (D-CPV-C) zone districts.

#### B. General Requirements

1. Each Zone Lot Line shall have a designation of Primary Street, Side Interior or Rear.

#### C. Criteria for Zoning Administrator Determinations

The Zoning Administrator shall designate a zone lot's Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines.
2. If criterion C.1 does not apply, then the following criteria shall be used:
  - a. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot; and
  - b. Block and lot shape.

**D. Determining Zone Lot Lines**

**1. All Zone Lots - Primary Street Zone Lot Lines**

- a. The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.
- b. In D-CPV-R zone districts only, any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River shall be designated as a Primary Street Zone Lot Line.
- c. In D-CPV-T, D-CPV-R, and D-CPV-C zone districts only, any Zone Lot Line that Abuts a Public Park shall be designated as a Primary Street Zone Lot Line.

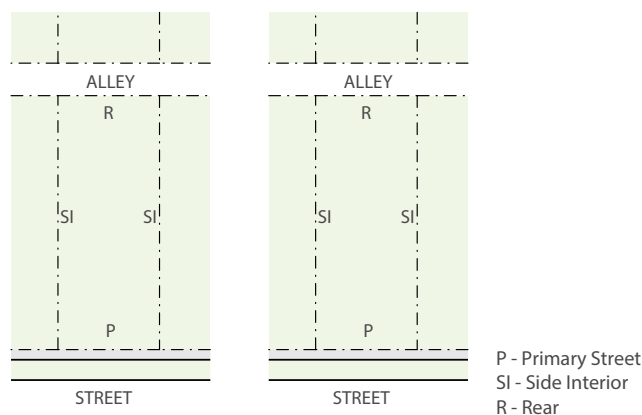
**2. Interior Zone Lots**

For interior zone lots in all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts:

- a. The Primary Street Zone Lot Line shall be the Zone Lot Line abutting the named or numbered street.
- b. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street.
- c. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

See Figure 13.1-54.

Figure 13.1-54

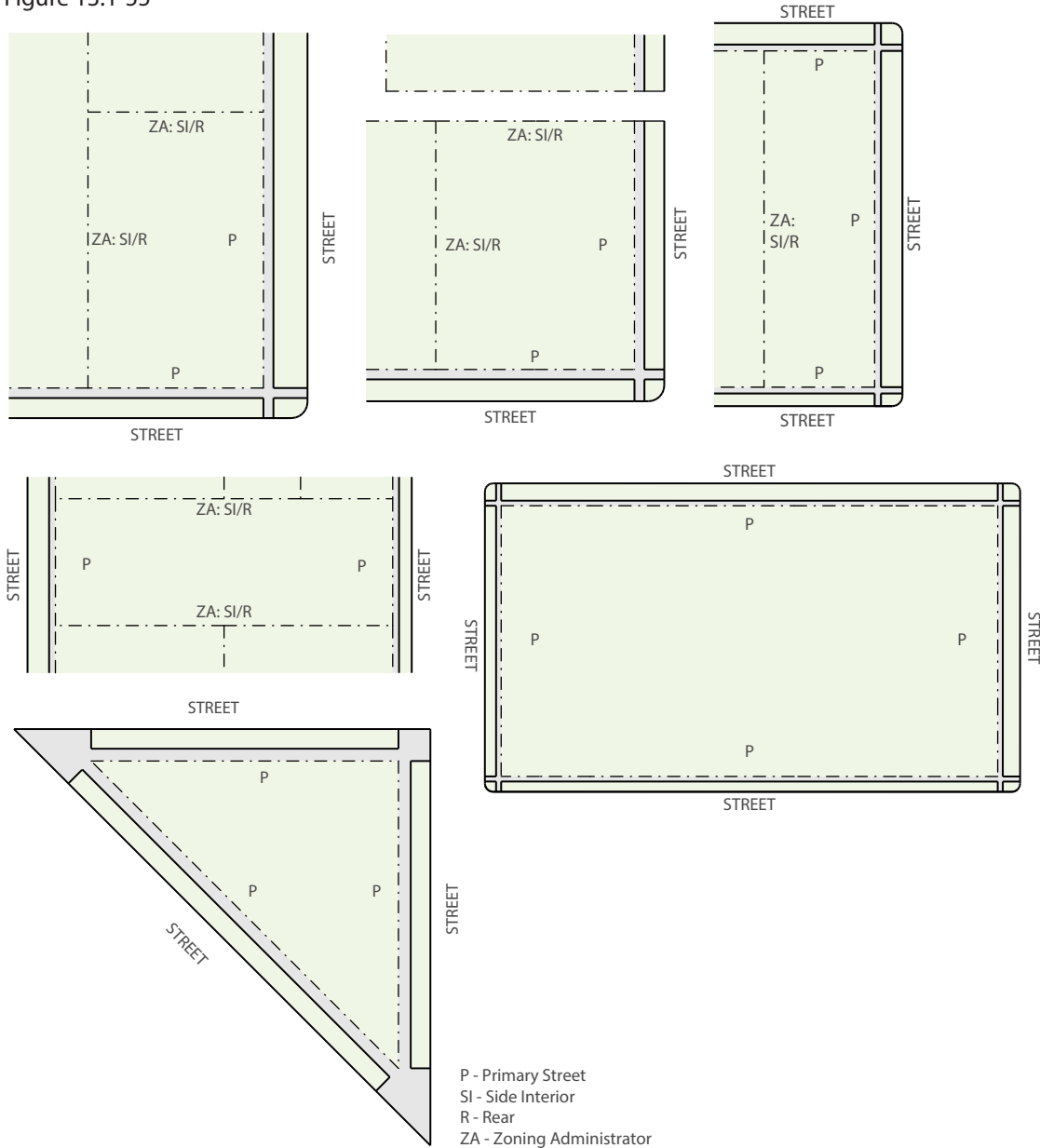


**3. Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block**

For all corner zone lots, double frontage zone lots, and zone lots with frontage on 3 or more streets or a full block in all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts:

- a. All Zone Lot Lines abutting a named or numbered street shall be Primary Street Zone Lot Lines.
- b. The Zoning Administrator shall determine the Side Interior and Rear Zone Lot Lines, as applicable. See Figure 13.1-55

Figure 13.1-55



### **13.1.5.6 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines in the DO-7 Overlay District**

#### **A. Intent**

To provide a reference of measurement for standards related to form and building placement while promoting pedestrian-oriented frontages and an active riverfront experience with visual interest and variety in the DO-7 district.

#### **B. General Requirements**

The general requirements set forth for all CC, MX, and MS Zone Districts in Section 13.1.5.4.B General Requirements shall apply in addition to the requirements set forth in this Section 13.1.5.6.

#### **C. Criteria for Zoning Administrator Determinations**

For all Underlying Zone Districts, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.4.C Criteria for Zoning Administrator Determinations, except that:

1. In lieu of the provisions set forth in Section 13.1.5.4.C.2.a, the Zoning Administrator may designate more than one Primary Street Zone Lot Line in any Underlying Zone District where:
  - a. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan, indicates the need for designation of multiple Primary Streets.
  - b. The Blueprint Denver Street Classification of all Abutting streets, per the table in Section 13.1.5.4.C.2.b indicates Primary Street designation for more than one Abutting street.
2. The Zoning Administrator shall designate Zone Lot Lines that Abut named streets (such as Wynkoop and Larimer streets) as Primary Street Zone Lot Lines, except that:
  - a. Any Zone Lot Line that is Adjacent to 35th Street shall also be designated as a Primary Street Zone Lot Line in addition to the named street.
  - b. Where a corner Zone Lot Abuts more than one named street, the Zoning Administrator may elect to designate only one of the named streets as a Primary Street based on an analysis of the Blueprint Denver Street Classification of each named street.
3. Any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River, shall be designated as a Primary Street Zone Lot Line. See Figure 13.1-56.
4. Any Zone Lot Line that Abuts a Public Park shall be designated as a Side Street Zone Lot Line.

#### **D. Corner Zone Lot, Double Frontage Zone Lot, or Zone Lot with Frontage 3 or More Streets**

In lieu of the provisions set forth in Sections 13.1.5.4.E-G, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable according to the criteria set forth in Section 13.1.5.6.C. See Figure 13.1-56.

### 13.1.5.8 Setbacks

#### A. Intent

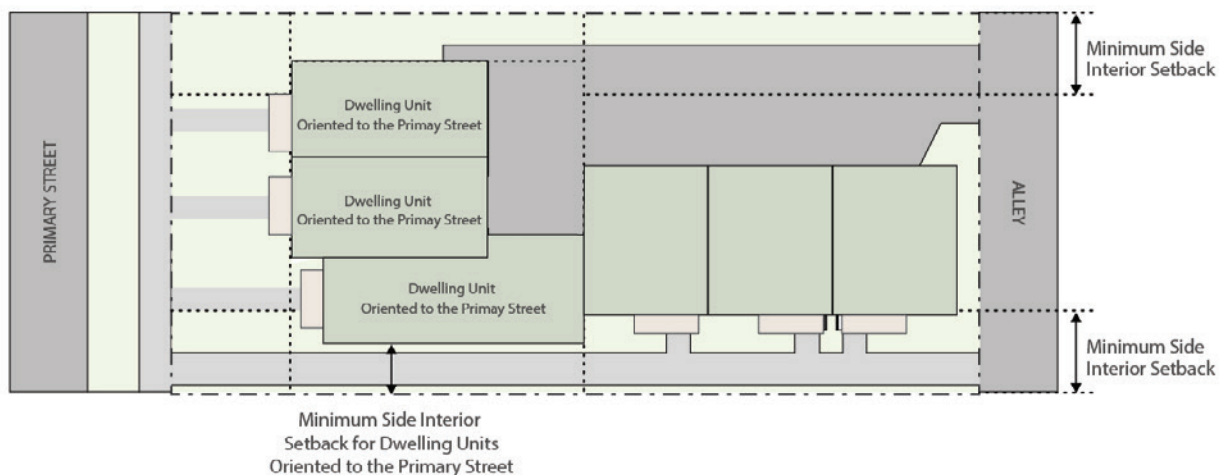
To provide adequate separation for privacy and access to sunlight.

#### B. Rules of Measurement

Setbacks provide a minimum horizontal distance between a zone lot line and the location of uses and structures on a zone lot, measured as follows: See Figure 13.1-67

1. Primary and Side Street setbacks are measured perpendicular to the zone lot line at the edge of the right-of-way abutting a name or numbered street or an easement for public access Abutting the right-of-way of a named or numbered street.
2. Side Interior and Rear setbacks are measured perpendicular to the side interior or rear zone lot line abutting another zone lot, a public alley, or an easement for public access Abutting an Alley.
3. Where a Side Interior setback standard is stated as “min one side/min combined:”
  - a. One side interior setback shall meet the standard meeting the “min one side” and the total of both side interior setbacks shall be equal to or greater than the standard of the “min combined.”
  - b. If zone lot has only one Side Interior Zone Lot Line, the “min one side” standard shall apply.
4. Primary street and rear setbacks extend across the full width of the zone lot, overlapping with the side interior and side street setbacks as applicable.
  - a. Where a minimum percentage of Zone Lot Width is specified for a Primary Street Setback, the minimum percentage of Zone Lot Width at the Primary Street Zone Lot Line specified in the building form table shall be required to meet the minimum Primary Street Setback.
5. Side interior and side street setbacks extend the full length of the side zone lot lines, overlapping with both the primary street and rear setbacks.
6. Side interior setbacks in the Town House building form for Dwelling Units Oriented to the Street shall apply only to the length of the side interior Zone Lot lines where a line extended perpendicular from the side interior Zone Lot line intersects any exterior building facade of a Side-by-Side Dwelling Unit Oriented to the Primary Street. See Figure 13.1-66

Figure 13.1-66

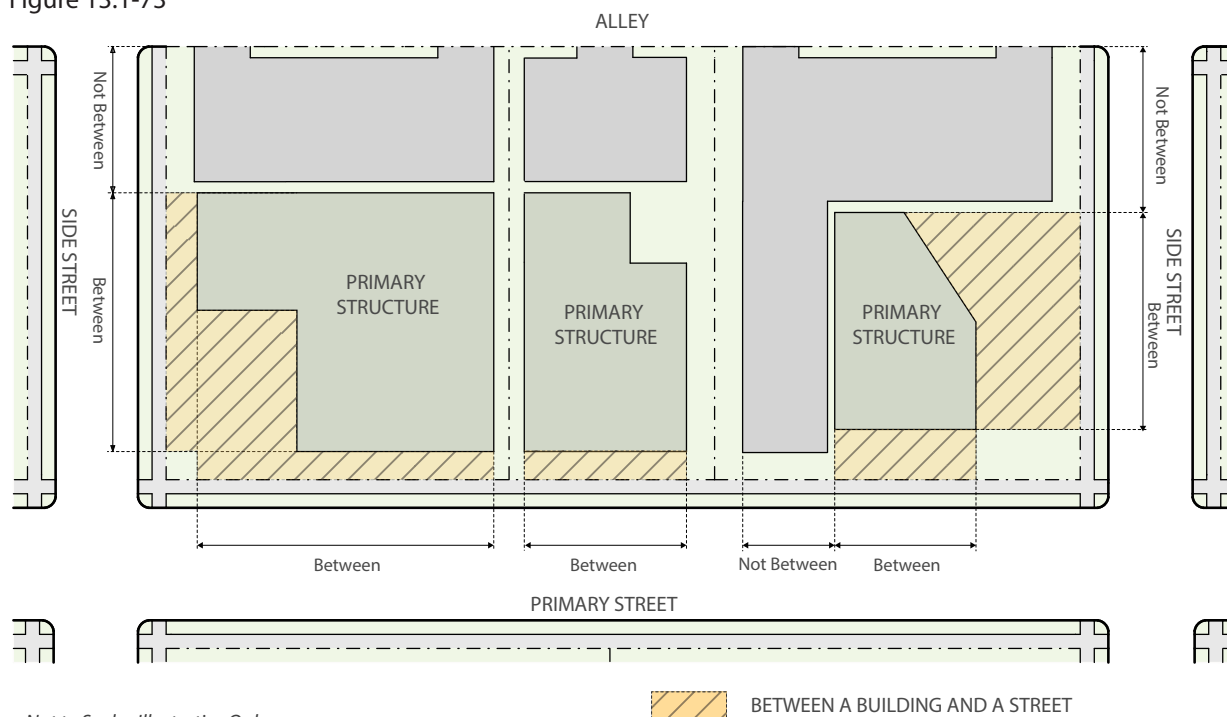


### 13.1.5.14 Surface Parking Between Building and Primary Street/Side Street

#### A. Rule of Measurement

For the purposes of determining if an area is between a Building and a Primary Street/Side Street, extend a line perpendicular from the Primary or Side Street Zone Lot Line. If any portion of said line touches the Building Facade, then said line is between the Building and such Street. See Figure 13.1-73.

Figure 13.1-73



Not to Scale. Illustrative Only.

### 13.1.5.15 Floor Area Ratio (FAR)

#### A. Rule of Measurement - FAR

Floor area ratio (FAR) is the ratio of gross floor area of a building to the area of the zone lot on which the building is located. For example, 43,560 square feet of building on one acre of land (43,560 sq. ft.) would equal a 1:1 floor area ratio. See Figure 13.1-74

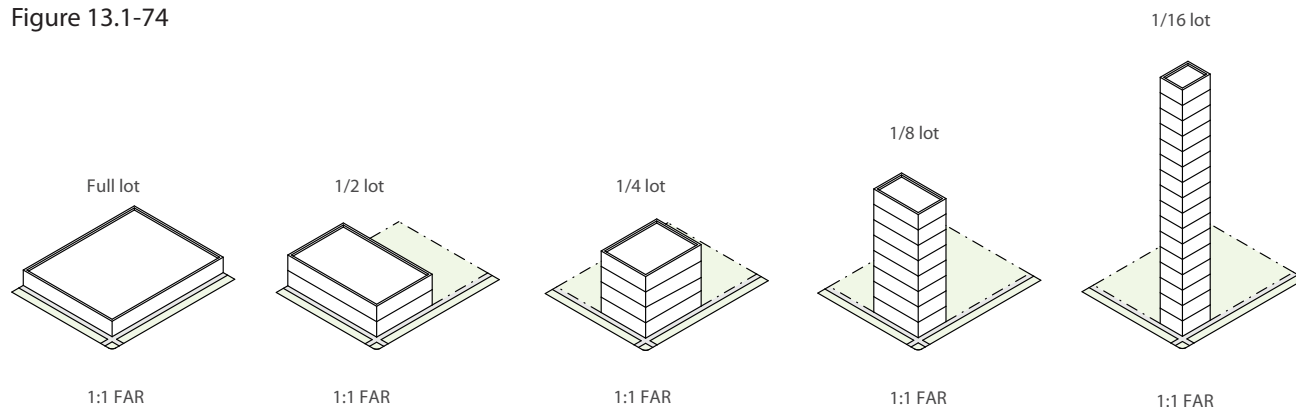
#### B. Calculation of Gross Floor Area

For purposes of calculating FAR, “gross floor area” means the sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured by the exterior faces of walls of each such floor. The floor area of a building shall include the floor area of accessory buildings on the same zone lot, measured the same way. In computing gross floor area the following exclusions shall apply:

1. Any floor area devoted to mechanical equipment serving the building, provided that the floor area of such use occupies not less than 75 percent of the floor area of the story in which such mechanical equipment is located.
2. Any floor area in a story in which the floor above is less than 6 feet above the finished grade for more than 50% of the total building perimeter.

3. Any floor area used exclusively as parking space for vehicles and/or bicycles. This exclusion shall not apply in the D-CPV-C zone district where any floor area used exclusively as parking space for vehicles and/or bicycles shall be included in the calculation of gross floor area.
4. Any floor area that serves as a pedestrian mall or public access way to shops and stores.
5. For purposes of calculating parking amounts, see rule provided in Article 10, Division 10.4 Parking and Loading.

Figure 13.1-74



## SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

The design element form standards of this Code are defined and measured as set forth below.

### 13.1.6.1 Building Configuration

#### A. Front or Side Wall Length / Overall Structure Length or Width

1. The length of the front or side wall of a structure, or the overall structure length, shall be measured parallel to the primary street, side street, or side interior zone lot line and includes the length of a Completely Enclosed structure plus the length of any portion of any attached Partially Enclosed structure(s), as shown in Figure 13.1-75 below.
2. The overall structure width includes the length of a Completely Enclosed structure plus the length of any portion of any attached Partially Enclosed structure(s) and shall be measured parallel to the primary street zone lot line or the side street/side interior zone lot line, whichever zone lot line is shorter.
3. The Zoning Administrator shall determine the zone lot line corresponding with the overall structure width in cases where the length of the primary street zone lot line and side street/side interior zone lot line are equal.



**E. Tower Floor Plate**

**1. Intent**

To preserve sky exposure and encourage architectural variety by reducing the horizontal scale and ensuring appropriate spacing of the tower portion(s) of Standard Tower and Point Tower building forms.

**2. Applicability**

Tower Floor Plate standards required by the building form table shall apply to all Structures built under the Standard Tower and Point Tower building forms.

**3. Rules of Measurement**

**a. Tower Floor Plate Area**

Tower Floor Plate Area shall be measured as the area of the Floor Plate of the largest Story located above the specified height in the building form table. See Figure 13.1-85

**b. Tower Floor Plate Linear Dimension**

Tower Floor Plate Linear Dimension shall be measured as the longest horizontal linear distance between two points on the exterior faces of exterior walls of any Story located above the specified height in the building form table. See Figure 13.1-85.

**c. Tower Floor Plate Separation**

Tower Floor Plate Separation shall be measured as the shortest horizontal linear distance between two or more separate Structures, including Exterior Balconies, regardless of Zone Lot, located above the specified height in the building form table. See Figure 13.1-85.

Figure 13.1-85

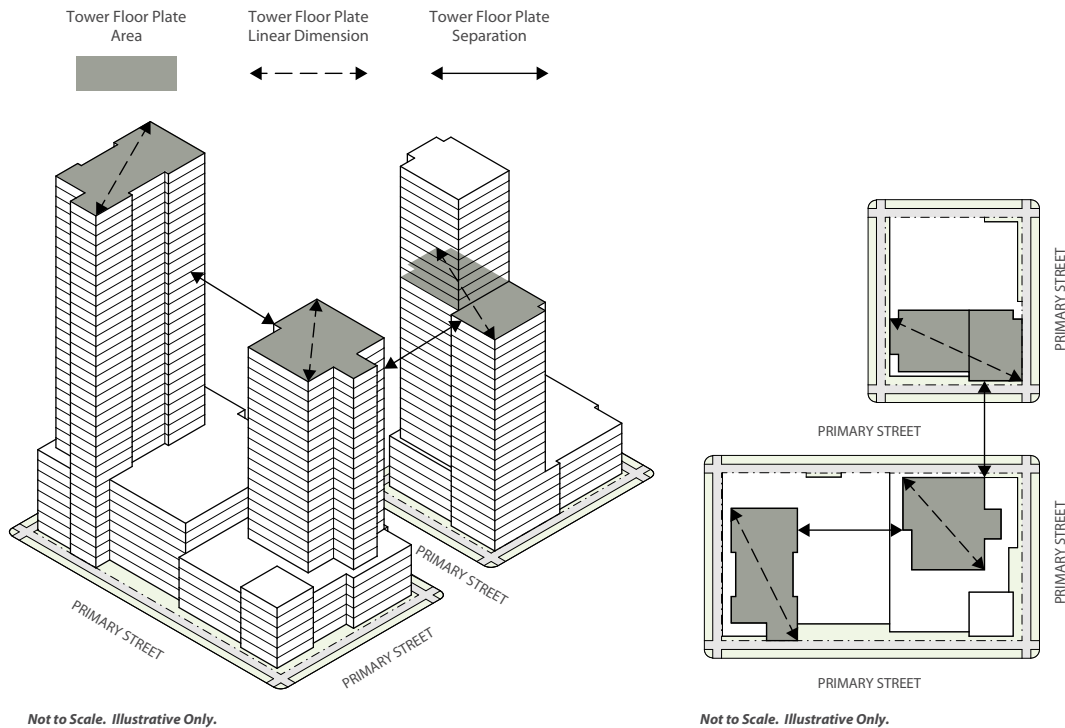
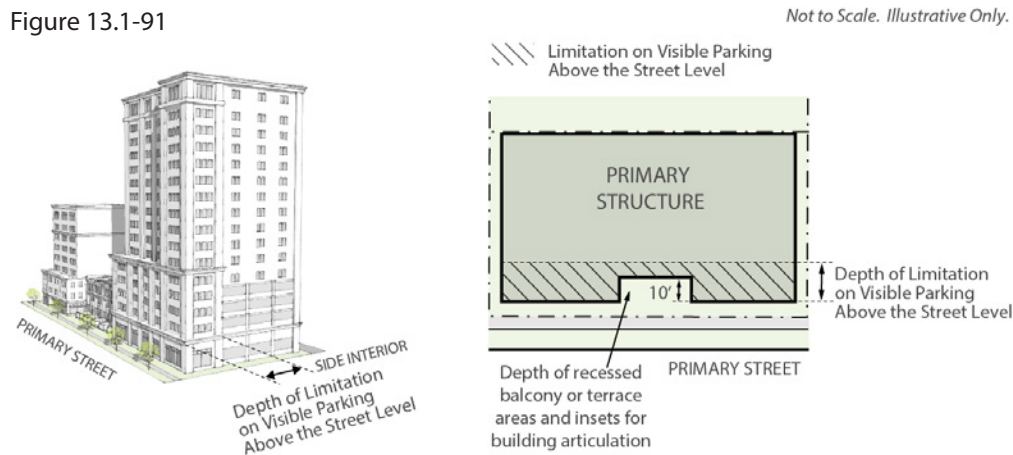
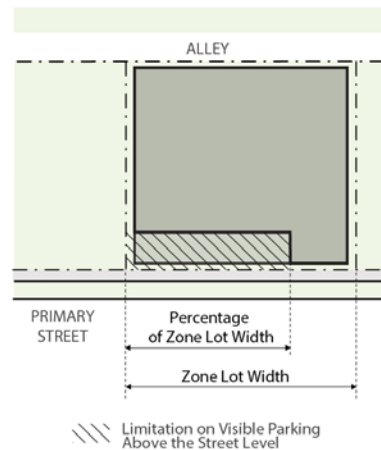


Figure 13.1-91



- b. Percentage of Zone Lot Width for a Limitation on Visible Parking Above Street Level**  
 At every Story above the Street Level, exterior street-facing building walls within the minimum percentage of Zone Lot Width specified in a building form table shall be required to meet the Limitation on Visible Parking above Street Level. See Figure 13.1-92

Figure 13.1-92 *Not to Scale. Illustrative Only.*



**J. Street-facing Courtyard Width and Depth**

1. The street-facing courtyard width shall be measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard, shown as “A” in Figure 13.1-93.
2. The street-facing courtyard depth shall be measured as the horizontal distance between the primary street zone lot line and the closest facade of the exterior building wall facing the primary street, measured perpendicular to the zone lot line, shown as “B” in Figure 13.1-92.

**B**

**Backhaul or Backhaul Network:** The lines that connect a provider's tower/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**Balcony, Exterior:** A projecting cantilevered platform on a building that is not supported on the ground by posts, columns, or similar supporting structural members. Generally, an exterior balcony is intended to be used for outdoor living, gardening, or other actively used outdoor space. An exterior balcony shall not include a landing abutting an entry to habitable space, provided such landing does not exceed the minimum required dimensions for a landing as defined in the Building Code.

**Base Height:** the maximum Building Height established in the Underlying Zone District, including any Building Height limits associated with proximity to a Protected District, to which Structures can be constructed without meeting the additional requirements set forth in the Underlying Zone District or an Incentive Overlay District.

**Berm:** A mound of earth, or the act of pushing earth into a mound, usually for the purpose of shielding or buffering uses, or to control the direction of water flow.

**Billboard:** See "Outdoor General Advertising Device".

**Block:** A tract of land bounded by platted streets, public parks, cemeteries, railroad rights-of-way, shore lines, or corporate boundaries of the city.

**Block, Square:** A block with contiguous sides, where the difference in length between the sides of the block is no greater than 50 feet.

**Block, Oblong:** A block with contiguous long and short sides, where the long side of the block is 50 feet or more greater in length than the short side of the block.

**Block Face:** See definition of "Face Block."

**Breezeway:** See definition of "Tunnel/Breezeway"

**Build-to:** An alignment at the primary street or side street setback line of a zone lot, or within a range of setback from the zone lot line abutting a street, along which a street-facing, primary building wall must be built.

**Building:** Any covered structure intended for the shelter, housing or enclosure of any person, animal or chattel.

**Building, Principal or Primary:** A building in which is conducted the principal or primary use of the zone lot on which it is situated.

**Building Form Standards:** Standards applicable to the development of buildings and structures in this Code which, taken together, regulate building height (Building Height Standards), building siting (Siting Standards), building design elements (Design Element Standards), and the permitted use of buildings (Use Building Form Standards).

**Building Front or Frontage:** That exterior wall of a building facing a front line of the zone lot.

**Building Height:** The height of a building, measured in accordance with the Rules of Measurement (see Division 13.1 of this Article.)

**Floor Area, Habitable:** The aggregate of the horizontal area of all rooms used for habitation, such as living room, dining room, kitchen, and bedroom(s), but not including hallways, stairways, cellars, service rooms, utility rooms, bathrooms, closets, unheated areas such as enclosed porches.

**Floor Area Ratio (FAR):** See the Rule of Measurement within this Article 13.

**Floor Plate:** The sum of the gross horizontal area of a single floor of a building structure, including interior balconies, but excluding exterior balconies; all horizontal floor dimensions are measured from the exterior faces of the exterior walls.

**Flush-Mounted Solar Panels:** See “Solar Panels, Flush-Mounted.”

**Food:** Any raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption. For purposes of this Code, “Food” shall not include “Marijuana Concentrate” as defined in this Division 13.3.

**Footcandle (F.C.):** A unit of illuminance equivalent to one lumen per square foot.

**Former Chapter 59:** Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk at City Clerk Filing No. 10-512-A on May 20, 2010. Former Chapter 59 remains in full force and effect for any land not re-zoned to zone districts in the Denver Zoning Code.

**Freeways:** Those streets designed to carry large volumes of through traffic at high speeds by restriction of abutting private property from rights of direct access by vehicles and pedestrians.

**Front Porch:** See “Porch, Front”.

**Frontage:** All of the zone lot fronting on one side of an intersecting or intercepting street, or between a street and right-of-way, end of dead-end street, waterway, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

**Full Cutoff Lighting Fixture:** A light fixture that has a light distribution pattern that results in no light being permitted at or above a horizontal plane located at the bottom of the luminaire.

**Fully Shielded Lighting Fixture:** A light fixture that provides internal or external shields and louvers that prevents light emitted by the light fixture from causing glare or light trespass.



**Impervious Material:** A surface that has been compacted or covered with a layer of materials that is highly resistant to infiltration by water. Impervious materials include, but are not limited to, surfaces such as compacted sand, lime rock, or clay; asphalt concrete, driveways, retaining walls, stairwells, stairways, walkways, decks and patios at grade level, and other similar structures.

**Incentive Height:** Additional Building Height permitted above the Base Height for development meeting the additional requirements set forth in the Underlying Zone District or an Incentive Overlay District.

**Industrial Zone District:** The Industrial A (“I-A”) and the Industrial B (“I-B”) Zone Districts, but not including the Industrial Mixed Use (“I-X” or “M-IMX”) Zone Districts established by this Code.

**Involuntary Demolition or Involuntarily Destruction:** The destruction or demolition of a structure caused by natural forces (e.g., accidental fire; flood; tornado) and not by man-made forces.

P

**Parapet Wall:** That part of any wall that extends entirely above the surface of the adjacent roof.

**Parking, Accessory:** A specific type of accessory use, comprised of surface or garage (structured) parking located on the same zone lot as the primary use such parking is required or intended to serve.

**Parking Aisle:** Parking “Aisles” mean the part of the parking lot that directly abut parking stalls and are used for vehicular access to the parking stalls.

**Parking, Commercial:** An open, hard-surfaced area or structure, other than street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

**Parking, Shared or Shared Parking:** Joint or shared use of parking spaces available to multiple land uses with different parking demand patterns throughout the day.

**Parking, Tandem:** The parking of 2 vehicles either end to end, vertically stacked, or front to back in a parking space, such that if both vehicles are parked, one vehicle must be moved in order for the other vehicle to exit the parking space.

**Parking Area, Off-Street:** See “Off-Street Parking Area”.

**Parking Ratio:** A ratio expressing the number of parking spaces per dwelling unit, or per certain amounts of square footage or commercial space, or per number of occupants or employees.

**Parking Space:** A storage area for a motor vehicle that is directly accessible to an access aisle, street, or alley, and which is not located on a public right-of-way unless specifically permitted by this Code.

**Parking, Surface:** A storage area for motor vehicles that is not within a completely enclosed structure, including surface parking lot, deck parking and tuck-under parking.

**Parkway:** A type of boulevard that the city has designated as a “Parkway” according to Chapter 49 of the D.R.M.C.

**Patio:** A level hard surfaced area at finished grade. (For an above-grade patio, see Deck)

**Pedestrian and/or Transit Mall:** A public right-of-way and/or public rights-of-way from which general vehicular traffic shall be excluded except that public transportation vehicles, emergency vehicles and other vehicles by special permit may be permitted, and which shall have been specially constructed with amenities to enhance a primarily pedestrian environment.

**Pedestrian Connection:** A a clear, obvious, and publicly accessible route and connection between the Primary Street and the primary uses within the building.

**Permanent Occupancy:** The use of housing accommodations or rooms on a month-to-month or year-to-year basis with a fixed rent for each period of occupancy.

**Pergola:** See Rule of Measurement, Division 13.1.

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2018

COUNCIL BILL NO. CB18-xxxx  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance amending Article VI, Chapter 27, of the Denver Revised Municipal Code, concerning incentives for the increased levels of affordable housing or the payment of increased fees in the Central Platte Valley, and a corresponding amendment to Article V, Chapter 27.**

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

**Section 1.** That section 27-183, D.R.M.C., shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

**“Sec. 27-183. Intent.**

(a) The Denver Zoning Code has established certain underlying zone districts and incentive overlay districts to allow a structure to exceed its base height in exchange for payment of incentive height fees, construction of additional affordable units, or provision of other benefits to the city, in excess of standard requirements, in compliance with the affordable housing requirements set forth below.

(b) Structures ~~within incentive overlay districts~~ that do not take advantage of applicable incentives shall not be subject to the additional requirements of this division 2.”

**Section 2.** That section 27-184, D.R.M.C., shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

**“Sec. 27-184. Additional Definitions.**

The following additional definitions shall apply to this division 2:

(a) *Base height* shall have the same meaning as the term is defined in Article 13 of the Denver Zoning Code.

(b) *Community ~~benefits~~ servicing use agreement* means an agreement entered into between an applicant and the city, and administered by the office of economic development, that allows an applicant to provide community serving uses for a portion of a proposed structure in place of payment of any applicable incentive height fees. A community ~~benefits~~

1 servicing use agreement shall not substitute for payment of the total structure linkage fee.  
2 The office of economic development, in consultation with community planning and  
3 development and considering demonstrated community needs and priorities in the  
4 surrounding neighborhood(s), and the value of commensurate incentive height fee savings  
5 and benefits, shall determine applicable community servicing uses for each community  
6 ~~benefits~~ servicing use agreement. The community ~~benefits~~ servicing use agreement shall be  
7 executed by the city and the applicant using the city's standard contract process, and prior  
8 to approval of a site development plan or issuance of building permits. The community  
9 ~~benefits~~ servicing use agreement shall include, but is not limited to the following: benefitting  
10 tenant use; rent-reduction rate; time period; collateral; and default remedies such as re-  
11 leasing or recapture of any obtained incentive height fee savings.

12 (c) *Incentive height* shall have the same meaning as the term is defined in Article  
13 13 of the Denver Zoning Code.

14 (d) *Incentive height build alternative unit(s)* means the number of build alternative  
15 units required for the portion of a structure above the base height, which shall equal the  
16 product of the amount of applicable build alternative units using the formulas in Sec. 27-155,  
17 D.R.M.C. for the incentive height area only, and the specific incentive overlay multiplier in  
18 the table below. For example, if the formula in 27-155, D.R.M.C. requires two (2) build  
19 alternative unit based on the gross floor area located above the base height, and the  
20 multiplier is ten (10), then the incentive height build alternative units would equal twenty (20)  
21 units. Unless and until any rules and regulations have been adopted specific to this article  
22 VI, incentive height build alternative units shall be approved in accordance with the office of  
23 economic development's affordable housing permanent funds ordinance administrative  
24 rules and regulations; however, in no event will the approved number of incentive height  
25 build alternative units result in zero (0) units. Incentive height build alternative units are  
26 provided in addition to total structure build alternative units.

27 (e) *Incentive height fee* means the amount of incentive fee required for the portion  
28 of a structure above the base height, which shall equal the product of the amount of  
29 applicable linkage fee using the formulas in Sec. 27-153, D.R.M.C. for the incentive height  
30 area only, and the specific incentive ~~overlay~~ height multiplier in the table below. For  
31 example, if the formula in 27-153, D.R.M.C. requires \$10,000 based on the gross floor area



1 of the incentive height, and the multiplier for that specific incentive overlay district is ten,  
2 then the Incentive Height Fee for that structure in that specific incentive overlay district  
3 would equal \$100,000. Incentive height fees are provided in addition to the total structure  
4 linkage fee.

5 (f) Large/phased project means any combination of residential, mixed-use  
6 residential, non-residential, and mixed-use non-residential structures that are built as part of  
7 a development with one or more of the following features:

8 (1) The development will be built on five or more acres;

9 (2) The development will include 500 or more residential units;

10 (3) The development will occur in more than one phase; or

11 (4) The development will use one or more City-approved financing tools,  
12 such as tax increment financing or a metropolitan district.

13 (g) Underlying zone district shall have the same meaning as the term is defined in  
14 Article 13 of the Denver Zoning Code.”

15 **Section 3.** That section 27-185, D.R.M.C., shall be amended by adding the language underlined,  
16 to read as follows:

17 **“Sec. 27-185. Specific Incentive Height Fee and Incentive Height Build Alternative**  
18 **Unit Requirements**

19 In order to take advantage of incentive heights, projects shall provide the incentive height  
20 fee or incentive height build alternative unit amounts, as applicable, based on the table below:

<u>Underlying Zone District or</u> Incentive Overlay District	Incentive Height Fee Multiplier	Incentive Height Build Alternative Unit Multiplier
IO-1	4	4
<u>D-CPV-T, D-CPV-R, D-</u> <u>CPV-C</u>	<u>6</u>	<u>6</u>

21  
22 **Section 4.** That a Division 2, Article VI, Chapter 27, D.R.M.C. shall be amended by adding a  
23 new section 27-186.5, to read as follows:

1           **“Sec. 27-186.5. Effect of increase in build alternative and linkage fee provisions**  
2 **requirements of article V, chapter 27, D.R.M.C.**

3           If of the city commissions any study pursuant to section 27-153(d)(3) to evaluate a proposed  
4 linkage fee increase, such study shall also include an evaluation of, or a separate evaluation shall  
5 be completed, to determine whether the effect of the fee increase in combination with the multipliers  
6 applicable to zone districts in this division will affect the economic feasibility of any type of  
7 development seeking to use this division’s height incentives.”

8 **Section 5.** That section 27-187, D.R.M.C., shall be amended by deleting the language stricken and  
9 adding the language underlined, to read as follows:

10           **“Sec. 27-187. Incentive height requirements for the 38<sup>th</sup> & Blake Station Area Incentive**  
11 **Overlay District (IO-1).**

12           (a) Residential and mixed-use residential structures that exceed the base height  
13 shall comply with the following requirements in order to build within the allowed incentive  
14 height as determined by the Denver Zoning Code:

15                   (1) The project must provide the required quantity of total structure build  
16 alternative units and incentive height build alternative units. In calculating the  
17 total number of build alternative units to be created, the fractional amounts of  
18 total structure build alternative units and incentive height build alternative units  
19 shall be added together, and then rounded so that five-tenths (.5) or greater  
20 shall result in requiring that a whole unit shall be produced.

21                   (2) Build alternative units may be located on the subject property, or at an  
22 off-site location anywhere with a zone district designation of IO-1, regardless of  
23 whether that location is within a quarter-mile of the subject ~~structure~~ property.

24                   (3) Residential and mixed-use residential structures that exceed the base  
25 height must provide build alternative units; payment of total structure linkage fee  
26 and incentive height fee is not allowed.

27           (b) Non-residential and mixed-use non-residential structures that exceed the base  
28 height shall comply with one of the following requirements in order to build within the allowed  
29 incentive height as determined by the Denver Zoning Code:

30                   (1) Payment of both the required total structure linkage fee and incentive height fee;

1 (2) Providing the required quantity of total structure build alternative units and  
2 incentive height build alternative units, either at an off-site location with a zone district  
3 designation of IO-1 (regardless of whether that location is within a quarter-mile of the  
4 subject structure property), or, if the structure is a mixed-use non-residential structure,  
5 on the subject property; in calculating the total number of build alternative units to be  
6 created, the fractional amounts of total structure build alternative units and incentive  
7 height build alternative units shall be added together, and then rounded so that five-  
8 tenths (.5) or greater shall result in requiring that a whole unit shall be produced; or

9 (3) Payment of the total structure linkage fee and execution of a community benefits  
10 servicing use agreement.”

11 **Section 6.** That Division 2, Article VI Chapter 27, shall be amended by adding a new section 27-188,  
12 to read as follows:

13 **Section 27-188. Incentive height requirements for the Downtown Central Platte Valley-**  
14 **Auraria Transition (D-CPV-T), River (D-CPV-R), and Center (D-CPV-C) Districts.**

15 (a) Residential and mixed-use residential structures that exceed the base height  
16 shall comply with the following requirements in order to build within the allowed incentive  
17 height as determined by the Denver Zoning Code:

18 (1) The project must provide the required quantity of total structure build  
19 alternative units and incentive height build alternative units. In calculating the  
20 total number of build alternative units to be created, the fractional amounts of  
21 total structure build alternative units and incentive height build alternative units  
22 shall be added together, and then rounded so that five-tenths (.5) or greater  
23 shall result in requiring that a whole unit shall be produced.

24 (2) Build alternative units may be located on the subject property, or at an  
25 off-site location anywhere with a zone district designation of D-CPV-T, D-CPV-  
26 R or D-CPV-C, regardless of whether that location is within a quarter-mile of the  
27 subject property.

28 (3) Residential and mixed-use residential structures that exceed the base  
29 height must provide build alternative units; payment of total structure linkage fee  
30 and incentive height fee is not allowed.

1 (b) Non-residential and mixed-use non-residential structures that exceed the base  
2 height shall comply with one of the following requirements in order to build within the allowed  
3 incentive height as determined by the Denver Zoning Code:

4 (1) Payment of both the required total structure linkage fee and incentive  
5 height fee;

6 (2) Providing the required quantity of total structure build alternative units  
7 and incentive height build alternative units, either at an off-site location with a  
8 zone district designation of D-CPV-T, D-CPV-R or D-CPV-C (regardless of  
9 whether that location is within a quarter-mile of the subject property), or, if the  
10 structure is a mixed-use non-residential structure, on the subject property; in  
11 calculating the total number of build alternative units to be created, the fractional  
12 amounts of total structure build alternative units and incentive height build  
13 alternative units shall be added together, and then rounded so that five-tenths  
14 (.5) or greater shall result in requiring that a whole unit shall be produced; or

15 (3) Payment of the total structure linkage fee and execution of a community  
16 serving use agreement.

17 (c) A large/phased project may prepare an affordable housing plan instead of  
18 complying with Section 27-188(a) or (b) when the project contains any structure that exceeds  
19 the base height. The executive director of the office of economic development, or the  
20 executive director's designee ("Director"), shall review the plan and approve, approve with  
21 conditions, or reject the affordable housing plan. For any large/phased project that chooses  
22 to prepare an affordable housing plan under this subsection (c), no building permits shall be  
23 approved or issued for any structure within such large/phased project's area until approval of  
24 the affordable housing plan is obtained. Each plan shall contain information as set forth below  
25 and any rules and regulations adopted by the Director, a statement that the terms of the plan  
26 will bind the applicant and will run with the land upon approval of the Director and recording  
27 with the clerk and recorder of the City and County of Denver. The affordable housing plan  
28 shall be included as part of any development agreement for the large/phased project. The  
29 approved affordable housing plan shall be signed by the applicant and shall be recorded with  
30 the clerk and recorder of the City and County of Denver.

31 (1) With regard to any affordable housing units provided in a large/phased

1 development that are provided under an affordable housing plan, the following  
2 requirements shall apply:

3 a. All affordable housing units must be located within the area  
4 covered by the plan.

5 b. A method of calculating required affordable housing units must be  
6 provided that is reasonably expected to result in a quantity of affordable  
7 housing units comparable to or exceeding the quantity of affordable  
8 housing units that would have resulted from a similar development  
9 applying the requirements of section 27-188(a) or 27-188(b). In no case  
10 shall a calculation method be used that is likely to result in fewer  
11 affordable housing units than would have resulted from application of the  
12 build alternative formulas provided in Section 27-155. The calculation  
13 method may include an option for payment of fees or execution of a  
14 community serving use agreement for non-residential structures, rather  
15 than construction of affordable housing units. The calculation method is  
16 not required to differentiate between base height and incentive height.

17 c. The affordable housing plan shall ensure that the size of  
18 affordable housing units is roughly proportional to market rate units, and  
19 shall, at a minimum, specify the proportion of affordable housing units  
20 that contain more than two bedrooms.

21 d. The affordable housing plan shall list the percentage of affordable  
22 housing units to be affordable to households earning 30% or less, 60%  
23 or less, and 80% or less of area median incomes, in numbers or  
24 proportions that are consistent with the five-year housing plan as it exists  
25 at the time of execution of the affordable housing plan. Affordable  
26 housing units to be affordable to households earning over 80% of area  
27 median income may be allowed to count toward required affordable  
28 housing units when such units are provided as for-sale units.

29 e. When a large/phased project will include for-sale housing units,  
30 for-sale affordable housing units shall be provided.

1 f. A variety of affordable housing unit sizes, including units with two  
2 or more bedrooms must be provided.

3 g. The duration of affordability for affordable housing units shall not  
4 be less than the City policy concerning the duration of affordable housing  
5 that exists at the time of execution of the plan.

6 (2) The owner(s) of the entire subject property, or the owner(s) authorized  
7 agent(s) shall initiate an affordable housing plan.

8 **Section 7.** That Section 27-154, D.R.M.C. concerning exceptions to the linkage fee shall be  
9 amended by deleting the language stricken and adding the language underlined to read as follows:

10 **“Sec. 27-154. Exceptions.**

11 The payment of linkage fees as set forth in section 27-53 shall not be required for the issuance of a  
12 building permit under any of the following circumstances:

13 (a) Construction upon any property which is, alone or in combination with other  
14 properties, the subject of a ~~preexisting~~ contractual commitment or covenant that is dated and  
15 properly recorded prior to the imposition of a linkage fee on the first structure on the property  
16 and is enforceable by the city to construct affordable housing, including by way of example  
17 any development or subdivision agreement which includes an affordable housing covenant  
18 and to which the city is a party, or any city-approved plan to build moderately priced  
19 development units (MPDUs) under article IV of this chapter 27, or an affordable housing plan  
20 executed to meet incentive requirements under article VI of this Chapter 27. The exception  
21 provided by this subsection (a) shall apply only for so long ~~the preexisting~~ such contractual  
22 commitment or covenant to construct affordable housing remains in ~~existence~~ effect.  
23 Construction upon property that, alone or in combination with other properties, was originally  
24 developed under such a contractual commitment or covenant and is substantially proposed  
25 for redevelopment shall be subject to payment of linkage fees hereunder unless the  
26 redevelopment is governed by a new contractual commitment or covenant to construct  
27 affordable housing, or otherwise qualifies for an exception under any other provision of this  
28 section.

29 (b) Construction upon any property subject to a ~~preexisting~~ an obligation as a condition  
30 of zoning to provide affordable housing on the property.

31 (c) Affordable housing projects that are constructed with the support of any

1 combination of federal, state or local financial resources, including private activity bonds, tax  
2 credits, grants, loans, or other subsidies to incentivize the development of affordable housing,  
3 including support from the affordable housing permanent funds created in section 27-150,  
4 and that are restricted by law, contract, deed, covenant, or any other legally enforceable  
5 instrument to provide housing units only to income-qualified households. This exception shall  
6 apply to any housing project financed or constructed by or on behalf of the Denver Housing  
7 Authority.

8 (d) Residential dwelling units that are built by any charitable, religious, or other  
9 nonprofit entity and deed-restricted to ensure the affordability of the dwelling unit to low and  
10 moderate income households.

11 (e) Nonresidential projects that are built by any charitable, religious or other nonprofit  
12 entity and that are primarily used to provide, shelter, housing, housing assistance, or related  
13 services to low income households or persons experiencing homelessness.

14 (f) Construction by or on behalf of the federal, state or local governments or any  
15 department or agency thereof, to the extent any or all of the gross floor area in the structure  
16 will be used solely for a governmental or educational purpose.

17 (g) Any structure that is being reconstructed due to involuntary demolition or  
18 involuntary destruction as defined in article XIII of the Denver Zoning Code, but which also  
19 includes involuntary manmade forces.

20 (h) An addition of four hundred (400) gross square feet or less to an existing structure  
21 containing a single-unit dwelling or a two-unit dwelling.

22 (i) Accessory dwelling units as defined in article XI of the Denver Zoning Code.”

23 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: \_\_\_\_\_, 2018  
2 MAYOR-COUNCIL DATE: \_\_\_\_\_, 2018  
3 PASSED BY THE COUNCIL \_\_\_\_\_

4 \_\_\_\_\_ - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

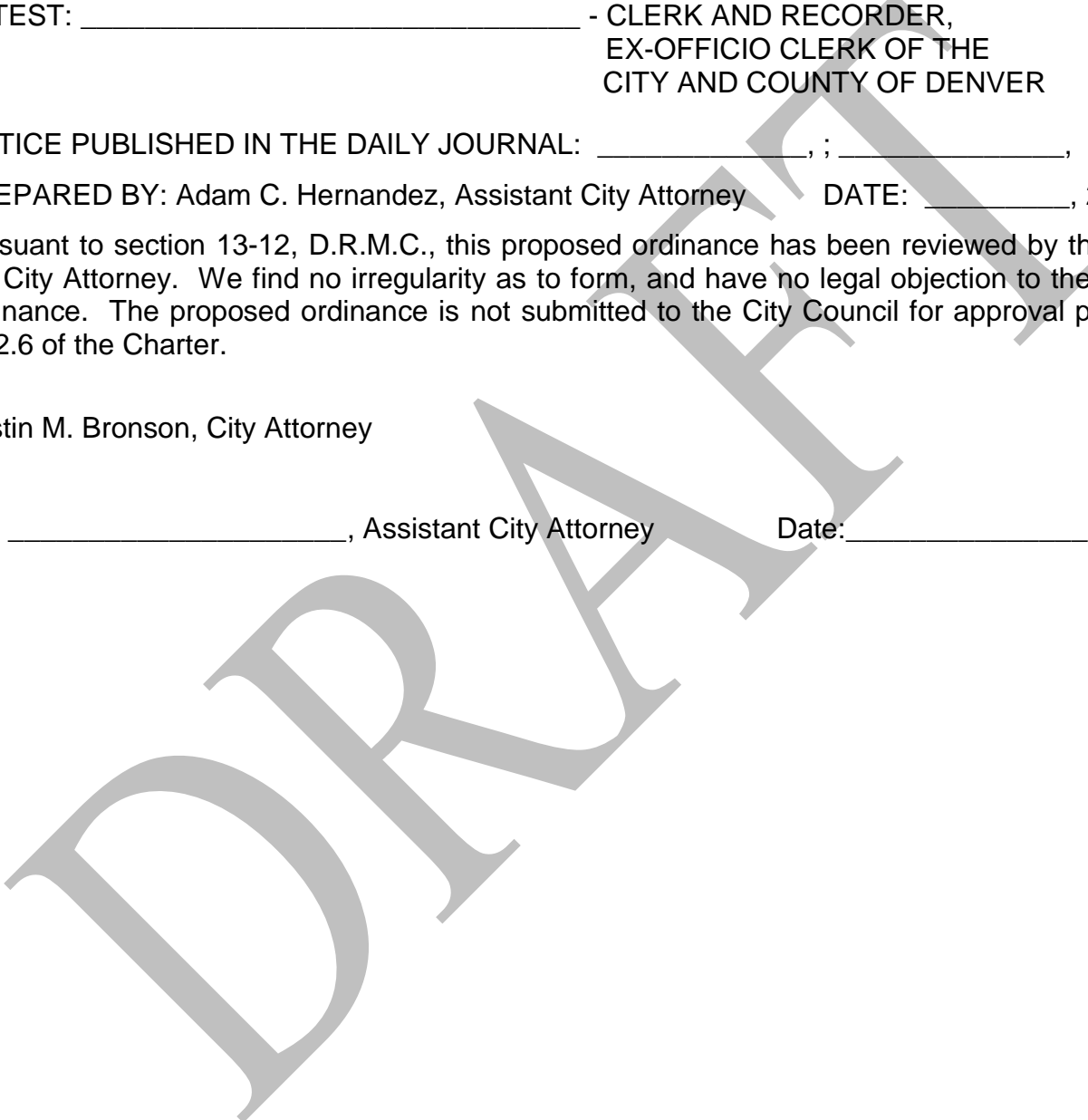
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, ; \_\_\_\_\_,

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: \_\_\_\_\_, 2018

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
14 §3.2.6 of the Charter.  
15

16 Kristin M. Bronson, City Attorney

17  
18 BY: \_\_\_\_\_, Assistant City Attorney Date: \_\_\_\_\_





# Central Platte Valley-Auraria

## Proposed Height Incentive System

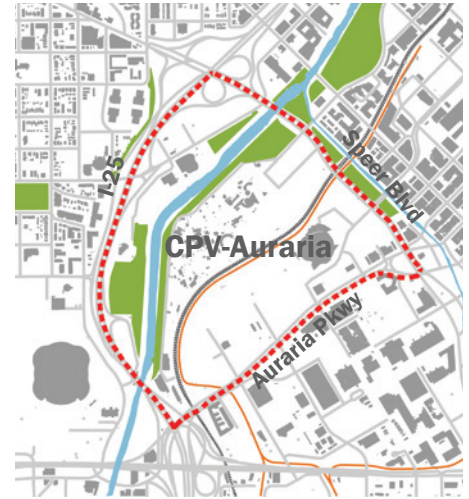
October 28, 2018

The Downtown Area Plan Amendment for Central Platte Valley-Auraria, adopted by the Denver City Council in June 2018, recommends creation of new zone districts to promote development that is transit-oriented and provides benefits to the community, such as integrated affordable housing and space for community-serving uses. The Plan Amendment calls for the Central Platte Valley-Auraria district to “develop into a place that welcomes and attracts people of all ages, races, religions, or incomes who want to live, work or play downtown.” To promote this objective, the plan specifically calls for:

- “A variety of market-rate and affordable housing to accommodate diverse households and incomes in the plan area” (plan page 60)
- “Requirements to ensure that affordable and workforce housing is provided in the plan area” – including requirements beyond those included in the citywide linkage fee (plan page 60)
- “Housing that is appropriately located throughout the plan area” (plan page 61)
- “Leveraging increases in allowed building intensity to promote community benefits” – including zoning incentives or negotiated development agreements to provide community benefits such as affordable housing (plan page 86)

City Council members Albus Brooks and Rafael Espinoza have proposed to implement the plan vision through a Denver Zoning Code (DZC) text amendment to establish three new zone districts (the D-CPV zone districts), along with companion legislation to establish related affordable housing requirements in Chapter 27 of the Denver Revised Municipal Code (DRMC).

This document provides a summary of a proposed incentive system that would allow taller building heights in the D-CPV zone districts for development that provides increased affordable housing and other specific community benefits. To obtain the right to build to incentive heights, developers would have to meet certain requirements for affordable units, fees or community-serving space. The requirements are calculated using the square footage of various uses in a project.



### Implementation

*The affordable housing incentive system described in this document is proposed for implementation through a Denver Zoning Code text amendment, as well as a related amendment to the Denver Revised Municipal Code (DRMC) to establish affordable housing requirements. Property owners will submit official zoning map amendment applications to rezone individual properties for use of the incentive system.*

*The Denver City Council must adopt all zoning code and DRMC amendments in public hearings. See Next Steps on page 8 for more information.*


## Background: Development with Affordable Housing Fee or Build Alternative

The Denver City Council adopted the Affordable Housing Fee in 2016 with the goal of building a multi-million dollar fund for affordable housing. All new development projects citywide must either pay this fee or result in the construction of a certain number of affordable units. Required fees and/or units are based on the gross square footage (GSF) of a development and requirements vary depending on the type of development (e.g. commercial, residential, industrial, etc.). They are calculated as follows, according to formulas established in the ordinance:

**Fee:** *Development type-specific fee x GSF = \$ Fee project must pay*

**Units:** *Development use-specific "Build Alternative" coefficient x GSF/1,000 = X units (note: unit fractions above 0.5 are rounded to the next whole unit)*

As described in the following pages, the proposed incentive height system for the D-CPV zone districts is based on multiples of the formulas above. The example scenarios below show how the citywide fee works for a typical development anywhere in the city. This same system would apply to any development in the D-CPV zone districts that does not propose to use incentive height.




### Example Residential Development That Does Not Use Incentive Heights

5 Stories  
Residential  
Total Floor Area:  
75,000 GSF  
Approx. 75 total  
units in structure

→ **Fee:**  $\$1.55^1 \times 75,000 \text{ square feet} = \mathbf{\$116,250}$

→ **Units:**  $0.0168^2 \times (75,000/1,000) = \mathbf{1 \text{ affordable unit}}$



### Example Commercial Development That Does Not Use Incentive Heights

5 Stories  
Commercial  
Total Floor Area:  
75,000 GSF

→ **Fee:**  $\$1.76^3 \times 75,000 \text{ square feet} = \mathbf{\$132,000}$

→ **Units:**  $0.0228^4 \times (75,000/1,000) = \mathbf{1 \text{ affordable unit}}$

Images: Kane Realty Corp. (top), Minneapolis Star-Tribune (bottom)

1. \$1.55 is the fee per square foot required of residential development per the Affordable Housing Fee Ordinance, adjusted for inflation as of July 1, 2018
2. 0.0168 is the coefficient used to calculate Build Alternative unit requirements for residential development per the Affordable Housing Fee Ordinance
3. \$1.76 is the fee per square foot required of commercial development per the Affordable Housing Fee Ordinance, adjusted for inflation as of July 1, 2018
4. 0.0228 is the coefficient used to calculate Build Alternative unit requirements for commercial development per the Affordable Housing Fee Ordinance

## Development Using Proposed Incentive Height

To implement plan amendment objectives, the proposed new D-CPV districts set a 5-story ('base height') threshold for application of special affordable housing requirements beyond those required by the citywide linkage fee system.

Development to base heights would be assessed according to the citywide system described in the preceding page. Above the base height, citywide requirements would apply, plus additional fees or units calculated at six times the citywide requirement. This means that development above the base height would generate a requirement for seven times the total fee or build alternative units that would be required for development that does not exceed the base height. The special requirements would apply up to the maximum overall height ('incentive height'), which is proposed to vary from 12 stories, to unlimited height, depending on the zone district.

Additional details related to incentive height application to residential and non-residential projects, as well as an option to prepare an affordable housing plan for a larger project, are summarized on the following pages.



### Affordable Unit Requirements

*Residential units provided to meet incentive height requirements must be:*

- *Affordable to households earning below 80% Area Median Income (matches citywide requirements)*
- *Similar in size and configuration to the market rate units that generated the requirement.*
- *Located within the development, or in the D-CPV Zone Districts (may partner with other developers to provide units)*

### Affordable Housing Plan Option for Large/Phased Projects

*The proposed system includes an option for 'large/phased projects', including projects with multiple buildings/phases, or projects that use special infrastructure financing mechanisms, to obtain incentive height through preparation of a customized affordable housing plan.*

*See page 8 for more information on the affordable housing plan option for large/phased projects.*



## Residential Structures Using Incentive Height

When a residential structure seeks to make use of incentive height, the project would be required to integrate affordable residential units on the subject property or within the surrounding D-CPV zone districts. Structures with more than 50% of their floor area devoted to residential uses would not be allowed to pay fees in lieu of producing affordable units. The number of units required for a structure to obtain incentive height is proposed to be six times what would be required by the “Build Alternative” section of the Affordable Housing Fee ordinance for square footage above the base height, plus the units that would be required based on the square footage of the entire structure.

### EXAMPLE SCENARIO: RESIDENTIAL STRUCTURE USING INCENTIVE HEIGHT

This example scenario considers a 12-story residential structure with a total square footage (GSF) of 180,000 square feet. In this scenario, the first 5 stories (base height) comprise 75,000 square feet, while the 7 stories above (incentive height) produce an additional 105,000 square feet of residential units.

Using the proposed incentive system, the affordable unit requirement would be calculated in two steps using coefficients derived from the citywide Affordable Housing Fee Build Alternative. First, calculate the number of Build Alternative units required based on the total square footage of the structure. Next, calculate the additional number of units required above the base height, using the square footage above the 5th story and the standard Build Alternative coefficient (0.0168 for residential development) multiplied by six:

**Unit Requirement above Base:**  $GSF/1000 \times (\text{Citywide Affordable Housing "Build Alternative" coefficient} \times 6) = X \text{ units above Base}$  (note: unit fractions above 0.5 are rounded to the next whole unit)

The unit requirement calculation for this example scenario is illustrated below.

<p><b>Incentive Height</b> 7 Additional Stories 105,000 GSF</p>		<p><b>Example Residential Structure</b></p> <p><b>Incentive Required Units:</b> <math>(105,000/1000) \times (0.0168 \times 6)</math> <b>= 11 affordable units</b></p> <p><b>+</b></p>
<p><b>Base Height</b> 5 Stories 75,000 GSF Approx. 180 total units in structure</p>		<p><b>Citywide Required Units</b> <b>(For Total Project GSF):</b> <math>(180,000/1000) \times 0.0168</math> <b>= 3 affordable units</b></p> <p><b>Total Affordable Units: 14</b></p>

Example Residential Structure Using Incentive Height

Image: Kutnicki Bernstein Architects

## Commercial/Mixed-Use Commercial Structures Using Incentive Height

Commercial or mixed-use structures with less than 50% of their floor area devoted to residential uses would have three options for obtaining incentive height:

1. Payment of the citywide Affordable Housing Fee plus fees for development above the base height;
2. Construction of affordable residential units (on- or off-site, but within a surrounding D-CPV zone district);
3. Payment of the citywide Affordable Housing Fee and provision of subsidized space for community-serving or nonprofit uses.

Examples of community-serving uses that could be considered for option 3 include arts-related activities like maker spaces and studios; retail of goods needed in the community (e.g. pharmacies, grocery stores); needed services, such as child care and medical clinics; and nonprofit organizations. Applicants would be required to enter into an agreement with the Denver Office of Economic Development, which would consider the proposed use in light of area needs. The value of the space provided must be equal to the waived incentive fees.

### EXAMPLE SCENARIO: COMMERCIAL STRUCTURE USING INCENTIVE HEIGHT

This example scenario considers a 12-story commercial office building with a total square footage (GSF) of 180,000 square feet. As with the residential development scenario, in this example the first 5 stories (base height) comprise 75,000 square feet, while the 7 stories above (incentive height) includes an additional 105,000 square feet of commercial space.

Example calculations for the fee, unit and community-serving use options available to this example commercial structure are provided on the following page.



Image Source: denver-cityscape.com

#### Definitions Used in this Document

**Affordable Housing Fee:** A fee on commercial and residential development in the City and County of Denver assessed to help fund the creation and/or preservation of affordable housing. (Chapter 27, Article 5 of the Denver Revised Municipal Code)

**Build Alternative:** A number of affordable residential units that may be provided in lieu of paying the Affordable Housing Fee, as specified by Chapter 27, Article 5, Division 2, Sec. 27-155 of the Denver Revised Municipal Code.


**Base Height:** The maximum number of stories that can be constructed without providing extra affordable units or paying additional fees beyond the standard Affordable Housing Fee.

**Incentive Height:** Additional stories permitted beyond the base height in return for additional fees, a specified number of affordable units, or other community benefits.

**Gross Square Footage (GSF):** the sum of floor area in a building.

**Incentive Height**  
7 Additional Stories  
105,000 GSF

**Base Height**  
5 Stories  
75,000 GSF



**Example Commercial Structure  
Fee Option**

**Incentive Fee:**  $(\$1.76 \times 6) \times 105,000 \text{ square feet} =$   
**\$1,108,800**


+

**Citywide Fee:**  $\$1.76 \times 180,000 \text{ square feet} =$   
**\$316,800**

**Total Fee: \$1,425,600**

**Incentive Height**  
7 Additional Stories  
105,000 GSF

**Base Height**  
5 Stories  
75,000 GSF



**Example Commercial Structure  
Unit Option**

**Incentive Units:**  
 $(105,000/1000) \times (0.0228 \times 6) =$   
**14 affordable units**

+

**Citywide Units:**  
 $(180,000/1000) \times 0.0228 =$   
**4 affordable units**

**Total Affordable Units: 18**

**Incentive Height**  
7 Additional Stories  
105,000 GSF

**Base Height**  
5 Stories  
75,000 GSF



**Example Commercial Structure  
Community-Serving Use Option**

**Community Serving Use:** Negotiated Community-Serving Use Agreement with Office of Economic Development to provide community-serving uses in lieu of incentive fee. Agreement should provide value equal to waived incentive Fee.

**Citywide Fee:**  $\$1.76 \times 180,000 \text{ square feet} =$   
**\$316,800**

**Total Requirement for Incentive Height: \$316,800 +  
Community-Serving Uses**

Example Office Structure Using Incentive Height

Image: SIBSCO

**EXAMPLE SCENARIO: MIXED-USE COMMERCIAL STRUCTURE USING INCENTIVE HEIGHT**

This example scenario considers a structure with a 5-8 story podium supporting a 38 story hotel tower and a 28 story residential tower. The total square footage (GSF) is 900,000 square feet with 500,000 square feet of hotel and 400,000 square feet of residential (about 400 total residential units). 416,666 square feet of hotel and 333,333 square feet of residential is located above the base height. Because the structure contains more than 50% non-residential square footage (the hotel) it would have the option to build units, pay an increased affordable housing fee or pay an affordable housing fee and execute a community-serving use agreement.

Example calculations for the unit and fee options are provided below.

**Incentive Height**

33 Additional Stories of Hotel  
23 Additional Stories of Residential  
416,666 GSF Hotel  
333,333 GSF Res

**Base Height**

5 Stories  
83,333 GSF Hotel  
66,667 GSF Res

**Example Mixed- Use Commercial Structure Fee Option**

**Incentive Fee:**  $(\$1.76 \times 6) \times 416,667 \text{ GSF (Hotel)} + (\$1.55 \times 6) \times 333,333 \text{ GSF (Residential)} = \mathbf{\$7,449,997}$

+

**Citywide Fee:**  $\$1.76 \times 500,000 \text{ GSF (Hotel)} + \$1.55 \times 400,000 \text{ GSF (Residential)} = \mathbf{\$1,500,000}$

**Total Fee: \$8,949,996**

**Incentive Height**

33 Additional Stories of Hotel  
23 Additional Stories of Residential  
416,666 GSF Hotel  
333,333 GSF Res

**Base Height**

5 Stories  
83,333 GSF Hotel  
66,667 GSF Res

**Example Mixed- Use Commercial Structure Unit Option**

**Incentive Units:**  $(.0228 \times 6) \times (416,667 \text{ GSF}/1,000) \text{ (Hotel)} + (.0168 \times 6) \times (333,333 \text{ GSF}/1,000) \text{ (Residential)} = \mathbf{91 \text{ units}}$

+

**Citywide Required Units:**  $.0228 \times (500,000 \text{ GSF}/1,000) \text{ (Hotel)} + .0168 \times (400,000 \text{ GSF}/1,000) \text{ (Residential)} = \mathbf{18 \text{ units}}$

**Total Affordable Units: 109**

## Affordable Housing Plan Option for Large/Phased Projects

The proposed system also includes an option for 'large/phased projects' to obtain incentive height through preparation of a customized affordable housing plan. Such a plan would provide flexibility for large projects to meet affordable housing objectives, including units affordable at a variety of income levels, for-sale/for-rent units and units with two or more bedrooms to better accommodate families.

Large/phased projects eligible for an option to prepare an affordable housing plan to obtain incentive height would include developments that:

- Include 500 or more residential units;
- Will be built on 5 or more acres;
- Will be built in more than one phase;
- Will use one or more City-approved financing tools, such as tax increment financing (TIF) or a metro district

An affordable housing plan for a large/phased project would be required to address:

- Provision of affordable housing units within the area of the plan (generally integrated into buildings with market rate housing, although some housing may be provided in stand-alone tax credit buildings).
- A required quantity of affordable housing units that is comparable to, or greater than, the quantity of affordable housing units that would have resulted from application of the incentive height formulas applicable to in a D-CPV zone district that are not subject to an affordable housing plan (note that the plan may provide additional credit for units with two+ bedrooms or units affordable to households earning 60% or less of Area Median income).
- Provision of units affordable to households at a variety of income levels, consistent with the City Council-adopted five-year housing plan, including units affordable below 30%, 60% and 80% of Area Median Income .
- Unit tenure (for-sale/for-rent) of required affordable housing units (if a development includes market rate for-sale housing, it should also include affordable for-sale units).
- Size and type of required affordable housing units (shall be roughly proportional to the size/type of market rate units) - note that the calculation method for required affordable housing may provide greater 'unit equivalency' credit for larger units.
- Length of time that units will be designated as affordable (the dedication period shall be no shorter in duration than citywide standards for build alternative units in effect when the plan is executed).
- A method for non-residential development to support the production of affordable housing and/or community-serving uses.
- Specific targets or milestones for provision of required affordable housing unit to ensure that affordable housing units are provided throughout the various phases of a large project.

An affordable housing plan would be executed as a legal development agreement that runs with the land rather than being attached to a specific property owner.

### Next Steps

*The proposed Denver Zoning Code and Denver Revised Municipal Code text amendments that would establish the height incentive system described in this document must be adopted by the Denver City Council. Tentative adoption schedule:*

- November 6, 2018: City Council Land Use & Transportation Committee
- December 17, 2018: City Council public adoption hearing

*Members of the public are invited to speak at the public adoption hearing. Comments received prior to meetings and hearings will be conveyed to City Council.*

### Comments and Project Updates

*Please email questions and comments to Principal City Planner Abe Barge at [abe.barge@denvergov.org](mailto:abe.barge@denvergov.org)*

*For more information and project updates, please visit the project web site, accessible from the Denver Zoning Code Text Amendments page at [www.denvergov.org/textamendments](http://www.denvergov.org/textamendments)*



# Central Platte Valley-Auraria

## Height Incentive Feasibility Evaluation Study

### What is this study?

The Downtown Area Plan Amendment for Central Platte Valley-Auraria, adopted by the Denver City Council in June 2018, recommends creation of new zone districts (the D-CPV districts) to promote development that is transit-oriented and provides benefits to the community, such as integrated affordable housing and space for community-serving uses. To implement these objectives an incentive system that would allow taller building heights in the D-CPV zone districts for development that provides increased affordable housing and other specific community benefits is proposed. To obtain the right to build to incentive heights, developers would have to meet certain requirements for affordable units, fees or community-serving space. The requirements are calculated using the square footage of various uses in a project.

In order to test the feasibility of this proposed system, the City contracted with California development advisory firm David Paul Rosen and Associates, which has previously analyzed other City initiatives, such as the Affordable Housing Linkage Fee and the 38th and Blake Station Area Incentive Overlay. The study is a model analysis based on localized assumptions for land value, construction costs, expected income and other factors for a variety of residential and non-residential prototypes. These assumptions originated from third-party sources based on local trends, which were then discussed with developers with experience building in Downtown Denver.

Outcomes, as indicated by Residual Land Value and Return on Equity, are compared for residential and commercial projects built at the proposed 5-story base height (subject to citywide affordable housing requirements) or potential 12, 20, 35 or 50-story incentive heights at three different multiples of citywide affordable housing requirements (note that the proposed D-CPV-T zone district would have a 12 story height limit while the proposed D-CPV-R and D-CPV-C districts would also allow for the tested 20, 35 and 50 story prototypes).

### What did the study find?

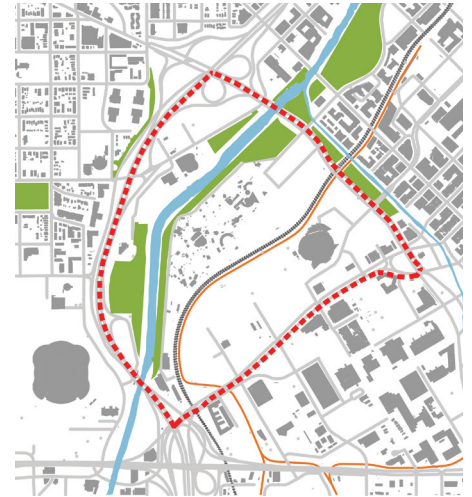
In all of the tested residential scenarios, use of incentive height resulted in higher financial returns (as measured by changes in Residual Land Value) than development to the base height without incentives, despite costs associated with provision of additional affordable housing. For the tested commercial scenarios, only the 50 story prototype resulted in higher financial returns than development at the 5-story base height. However, based on the assumptions used in this analysis, 12-, 20- and 35-story office prototypes would generate lower returns than the 5-story office prototype even if incentive requirements were not applied to the taller prototypes, indicating that the incentive requirements do not specifically result in the infeasibility of developing commercial buildings at 12, 20 or 35 stories. Detailed results are provided in the attached memo.

### What happens next?

The Denver City Council is tentatively expected to consider adoption of Denver Zoning Code and Denver Revised Municipal Code amendments to enable the height incentive system for the proposed D-CPV zone districts on December 17, 2018.

### Where can I learn more and provide comments?

[www.denvergov.org/textamendments](http://www.denvergov.org/textamendments) (navigate to Central Platte Valley-Auraria Plan Implementation)



### Implementation

*The affordable housing incentive system described in this document is proposed for implementation through a Denver Zoning Code text amendment, as well as a related amendment to the Denver Revised Municipal Code (DRMC) to establish affordable housing requirements. Property owners will submit official zoning map amendment applications to rezone individual properties for use of the incentive system.*

*The Denver City Council must adopt all zoning code and DRMC amendments in public hearings.*



DAVID PAUL ROSEN & ASSOCIATES  
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October 31, 2018

To: Abe Barge  
Laura Brudzynski  
Melissa Thate

From: Nora Lake-Brown

Subject: Financial Analysis of Downtown Central Platte Valley Auraria Zone  
District Incentive Requirements

---

This memorandum presents a financial analysis of the proposed Downtown Central Platte Valley Auraria Zone District Incentive Requirements "Incentive". DRA analyzed the estimated financial feasibility of prototypical residential and office projects with and without utilization of the Incentive provisions. The study found that all of the residential development scenarios analyzed would generate higher returns by building to incentive heights while providing on-site affordable housing, rather than building to the base heights. The 5-story to 50-story office scenario also generates higher returns with the incentive, while the other office scenarios do not. However, based on the assumptions used in this analysis, 12-, 20- and 35-story office prototypes would generate lower returns than the 5-story office prototype even if incentive requirements were not applied to the taller prototypes, indicating that the incentive requirements do not specifically result in lower returns for a development moving from 5 stories to 12, 20 or 35 stories.

In this memo, we summarize the approach and findings of the analysis, followed by a description of the development prototypes and financial return measures used. The attached appendix contains detailed tables with all of the financial analysis assumptions and calculations.

### **Background and Approach**

DRA estimated the value of the height incentive for the proposed Downtown Central Platte Valley Auraria Zone District under the following alternatives:

- a. 5-story to 12-story (rental residential and office)
- b. 5-story to 20-story (rental residential and office)



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- c. 5-story to 35-story (rental and for-sale residential and office)
- d. 5-story to 50-story (rental and for-sale residential and office)

DRA used a series of five apartment, three condominium and five office prototypes to estimate the economic effect of using the Incentive provisions. In particular, we compared the financial performance of the base-height prototype with that of the incentive height prototype, after accounting for the Incentive requirements.

The base height prototypes assume payment of the citywide nexus fee (\$1.76 per GSF for commercial and \$1.55 per GSF for residential), while the incentive height prototypes are analyzed under the three options listed below:

<b>Assumed Requirements Downtown Central Platte Valley Auraria Zone District Prototypes with Incentives</b>		
<b>Requirement</b>	<b>Commercial</b>	<b>Residential</b>
Citywide Requirement (on Total Floor Area)	\$1.76/GSF	.0168 Units/1000 GSF
Incentive Requirement (on Incentive Floor Area)		
Option 1 <sup>1</sup>	\$7.04/GSF	0.0672 Units/1000 GSF
Option 2 <sup>2</sup>	\$8.80/GSF	0.0840 Units/1000 GSF
Option 3 <sup>3</sup>	\$10.56/GSF	0.1008 Units/1000 GSF

<sup>1</sup>Equals four times citywide requirement.

<sup>2</sup>Equals five times citywide requirement.

<sup>3</sup>Equals six times citywide

We used a site size of 1-acre for each of the residential prototypes, so that we could use the higher-density prototypes to model the incentive versions of the lower-density base height prototypes. For the office prototypes, we assumed a site size of 0.75 acres. We first analyzed the financial feasibility of the base-height prototypes (5-story) assuming payment of the Citywide nexus fee. We then compared the feasibility of the incentive prototypes for these sites (12-story, 20-story, 35-story, 50-story) after accounting for the loss in net operating income in the



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residential prototypes (resulting from lower affordable rents on some units) and additional nexus fees on the office prototypes costs required to comply with the Incentive requirements.

The financial effect on prototypical residential and office developments of utilizing the Incentive provisions were analyzed using two financial measures:

1. Residual land value (RLV): The value to the land generated by income-producing uses on site, after accounting for development costs, including developer overhead and profit.
2. Annual return on equity (ROE): Estimated net annual cash flow after debt service as a percentage of the total equity investment.

### **Summary of Findings**

**Tables 1, 2 and 3** summarizes key findings of the financial analysis assuming the Incentive Requirement is four time, five times or six times the citywide requirement, respectively.

The residual land value (RLV) and return on equity (ROE) are shown for each of the incentive options. The options are distinguished by the base and incentive building heights listed in each column at the top of the table. Residual land value (RLV) per square foot of site area is shown for the base height and the incentive height prototypes, along with the percentage increase (or decrease) in residual land value resulting from going from the base height to the incentive height under each option.

Residual land values can be compared with estimated market land costs of \$120 (low scenario) to \$250 (high scenario) shown in the assumption section of the table as an indication of feasibility. If RLVs are nearly equal to or above estimated market land values the prototype is considered feasible. If the RLV increases from the base height to the incentive height then the incentive is having a positive net financial impact on the project.



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For the office prototypes with the incentive that do not perform as well as the 5-story prototype, Table 1 also shows the financial returns with only the City requirement, demonstrating that the Incentive requirements are not the cause of the low financial returns of these office prototypes.

ROEs can be compared to an estimated threshold return of 8%.

### **Development Prototypes**

DRA used five multifamily residential, three residential condominium and five office prototypes ranging from 5 stories to 50 stories to analyze the impact of Incentive requirements on project financial performance. DRA built upon residential and office development prototypes used in its 2016 nexus fee feasibility analysis to produce the prototypes listed above, with input from City staff and review of actual project plans to refine unit size, density, parking, residential unit mix, and other development characteristics. Ground floor retail is included in the 12-story to 50-story prototypes.

### **Measures of Financial Return**

DRA evaluated the economic feasibility of the prototype developments using Residual Land Value (RLV) and Return on Equity (ROE) approaches. Residual Land Value analysis methodology calculates the value of a development based on its income potential and subtracts the costs of development (excluding land but including an assumed return on the land and improvement costs), to yield the underlying value of the land. An alternative that generates a value to the land that is negative, or well below market land sales prices, is not financially feasible.

The ROE approach calculates the annual net cash flow from development based on its stabilized net operating income potential and subtracts the annual debt service for the portion of total development costs (including land) that is financed with debt. The annual net cash flow after debt represents the available return on equity. Annual net cash flow is then divided by the total amount of equity investment in the project to determine the ROE.



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Both approaches calculate the value of rental prototypes (residential and non-residential) at a point in time based on the estimated stabilized net operating income of the prototype.

The RLV and ROE measures are calculated for each prototype assuming development at the base height, and then compared to the RLV and the ROE of the development at the incentive height. Development costs for the base height prototypes include the citywide nexus fees for residential and office uses. Development of the residential prototypes at the incentive height assumes the inclusion of the required affordable units, and the rental income at affordable rents for these units. Development costs for the office prototypes at the incentive height include the base citywide fee plus the additional incentive fee.

DRA compares the RLV and ROE of the base height and incentive height prototypes to evaluate the effect of the Incentive provisions on the financial feasibility of, and financial returns from, the developments.

### **Cost and Revenue Assumptions**

The cost and revenue assumptions used in the analysis are detailed in the attached tables. DRA updated rents, operating costs and development costs to 2018 estimates based on review of published data and interviews with selected developers. Since projects coming on line at today's rents started construction several years ago, DRA reduced the building and parking hard cost assumptions back to the estimated start of construction using the estimated development time period for each prototype. This adjustment was based on the Mortenson Construction Cost Index for Denver, which indicates that construction costs increased approximately 10% from 2017 to 2018.



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# City of Denver

## Downtown Central Platte Valley Auraria Zone District

### Incentive Analysis Results

#### 31-Oct-18

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**Table 1**  
**Summary of Economic Feasibility Analysis Results**  
CPV Zone District Analysis

**Incentive Fee Multiplier: 4**

	Rental Residential				Owner Residential		Office			
	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story
Base Height	12-Story	20-Story	35-Story	50-Story	35-Story	50-Story	12-Story	20-Story	35-Story	50-Story
Incentive Height	12-Story	20-Story	35-Story	50-Story	35-Story	50-Story	12-Story	20-Story	35-Story	50-Story
<b>Site Area (SF)</b>	43,560	32,670	32,670	32,670	32,670	32,670	32,670	32,670	32,670	32,670
<b>Base Height Project Characteristics</b>										
Residential Units	60	60	60	60	50	50	-	-	-	-
Residential Net SF	42,450	42,450	42,450	42,450	36,200	36,200	-	-	-	-
Office Net SF	43,560	43,560	43,560	43,560	43,560	43,560	56,000	92,000	92,000	92,000
Retail Net SF	-	-	-	-	-	-	-	5,000	5,000	5,000
Total Net SF	42,450	42,450	42,450	42,450	36,200	36,200	56,000	56,000	197,000	197,000
<b>Total Gross SF (Excluding Parking)</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>70,000</b>	<b>121,250</b>	<b>121,250</b>	<b>121,250</b>
Parking Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	50 Spaces	230 Spaces	230 Spaces	230 Spaces
Approximate Building Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories
<b>Incentive Height Project Characteristics</b>										
Residential Units	144	240	420	600	420	600	-	-	-	-
Residential Net SF	101,700	169,800	297,200	424,500	297,200	424,500	-	-	-	-
Office Net SF	-	-	-	-	-	-	116,000	192,000	336,000	480,000
Retail Net SF	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Total Net SF	106,700	174,800	302,200	429,500	302,200	429,500	121,000	197,000	341,000	485,000
<b>Total Gross SF (Excluding Parking)</b>	<b>142,267</b>	<b>572,667</b>	<b>402,933</b>	<b>572,667</b>	<b>402,933</b>	<b>572,667</b>	<b>151,250</b>	<b>246,250</b>	<b>426,250</b>	<b>606,250</b>
Parking Spaces	108 Spaces	450 Spaces	315 Spaces	450 Spaces	315 Spaces	450 Spaces	104 Spaces	171 Spaces	300 Spaces	429 Spaces
Approximate Building Stories	12 Stories	50 Stories	35 Stories	50 Stories	35 Stories	50 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>ASSUMPTIONS</b>										
<b>Assumed Land Price</b>										
<b>Low Scenario</b>										
Land Price /SF Site Area	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120
<b>High Scenario</b>										
Land Price /SF Site Area	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250
Assumed Cap Rate (1)	4.60%	4.60%	4.60%	4.60%	4.60%	4.60%	5.00%	5.00%	5.00%	5.00%
Estimated Minimum Threshold ROE	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%
Minimum Developer Profit for RLV	15%	15%	15%	15%	15%	15%	15%	15%	15%	15%
Assumed Investment Period (Months)	36 Months	36 Months	48 Months	36 Months	48 Months	36 Months	36 Months	36 Months	21 Months	36 Months
<b>RESIDUAL LAND VALUE Per Site SF</b>										
Prototypes at Base Height	\$150	\$150	\$150	\$150	\$137	\$137	\$232	\$232	\$232	\$232
Prototypes at Increased Height w/o Incentives (for comparison)							\$108	\$126	\$214	\$620
Prototypes using Incentive Height	\$346	\$473	\$538	\$607	\$587	\$975	\$91	\$88	\$175	\$542
Prototypes using Incentive Height										
Percent Increase (Decrease) in RLV Per SF	130%	215%	258%	304%	328%	611%	-61%	-62%	-25%	133%
<b>RETURN ON EQUITY</b>										
Prototypes at Base Height	4.06%	4.06%	4.06%	4.06%			7.16%	7.16%	7.16%	7.16%
Prototypes at Increased Height w/o Incentives (for comparison)							4.03%	4.22%	4.51%	5.47%
Prototypes using Incentive Height	7.27%	6.78%	7.18%	6.47%			3.91%	4.05%	4.30%	5.23%
Increase (Decrease) in ROE	3.21%	2.73%	3.13%	2.41%			-3.25%	-3.12%	-2.86%	-1.94%

(1) Based on CBRE 1st Half 2018 Cap Rate Survey data for the City of Denver. Represents the mid point of the estimated current cap rate range for urban residential and office projects.

Source: DRA.



**Table 2**  
**Summary of Economic Feasibility Analysis Results**  
CPV Zone District Analysis

**Incentive Fee Multiplier: 5**

	Rental Residential				Owner Residential		Office			
	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story
Incentive Height	12-Story	20-Story	35-Story	50-Story	35-Story	50-Story	12-Story	20-Story	35-Story	50-Story
<b>Site Area (SF)</b>	43,560	32,670	32,670	32,670	32,670	32,670	32,670	32,670	32,670	32,670
<b>Base Height Project Characteristics</b>										
Residential Units	60	60	60	60	50	50	-	-	-	-
Residential Net SF	42,450	42,450	42,450	42,450	36,200	36,200	-	-	-	-
Office Net SF	43,560	43,560	43,560	43,560	43,560	43,560	56,000	92,000	92,000	92,000
Retail Net SF	-	-	-	-	-	-	-	5,000	5,000	5,000
Total Net SF	42,450	42,450	42,450	42,450	36,200	36,200	56,000	56,000	197,000	197,000
<b>Total Gross SF (Excluding Parking)</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>70,000</b>	<b>121,250</b>	<b>121,250</b>	<b>121,250</b>
Parking Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	50 Spaces	230 Spaces	230 Spaces	230 Spaces
Approximate Building Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories
<b>Incentive Height Project Characteristics</b>										
Residential Units	144	240	420	600	420	600	-	-	-	-
Residential Net SF	101,700	169,800	297,200	424,500	297,200	424,500	-	-	-	-
Office Net SF	-	-	-	-	-	-	116,000	192,000	336,000	480,000
Retail Net SF	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Total Net SF	106,700	174,800	302,200	429,500	302,200	429,500	121,000	197,000	341,000	485,000
<b>Total Gross SF (Excluding Parking)</b>	<b>142,267</b>	<b>572,667</b>	<b>402,933</b>	<b>572,667</b>	<b>402,933</b>	<b>572,667</b>	<b>151,250</b>	<b>246,250</b>	<b>426,250</b>	<b>606,250</b>
Parking Spaces	108 Spaces	450 Spaces	315 Spaces	450 Spaces	315 Spaces	450 Spaces	104 Spaces	171 Spaces	300 Spaces	429 Spaces
Approximate Building Stories	12 Stories	50 Stories	35 Stories	50 Stories	35 Stories	50 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>ASSUMPTIONS</b>										
<b>Assumed Land Price</b>										
<b>Low Scenario</b>										
Land Price /SF Site Area	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120
<b>High Scenario</b>										
Land Price /SF Site Area	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250
Assumed Cap Rate (1)	4.60%	4.60%	4.60%	4.60%	4.60%	4.60%	5.00%	5.00%	5.00%	5.00%
Estimated Minimum Threshold ROE	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%
Minimum Developer Profit for RLV	15%	15%	15%	15%	15%	15%	15%	15%	15%	15%
Assumed Investment Period (Months)	36 Months	36 Months	48 Months	36 Months	48 Months	36 Months	36 Months	36 Months	21 Months	36 Months
<b>RESIDUAL LAND VALUE Per Site SF</b>										
Prototypes at Base Height	\$150	\$150	\$150	\$150	\$137	\$137	\$232	\$232	\$232	\$232
Prototypes with Incentives	\$341	\$454	\$514	\$562	\$560	\$930	\$86	\$79	\$165	\$523
Percent Increase (Decrease) in RLV Per SF	127%	203%	242%	275%	309%	578%	-63%	-66%	-29%	125%
<b>RETURN ON EQUITY</b>										
Prototypes at Base Height	4.06%	4.06%	4.06%	4.06%			7.16%	7.16%	7.16%	7.16%
Prototypes with Incentives	7.18%	6.56%	7.01%	6.26%			3.88%	4.00%	4.25%	5.17%
Increase (Decrease) in ROE	3.12%	2.51%	2.95%	2.20%			-3.28%	-3.16%	-2.91%	-1.99%

(1) Based on CBRE 1st Half 2018 Cap Rate Survey data for the City of Denver. Represents the mid point of the estimated current cap rate range for urban residential and office projects.

Source: DRA.

**Table 3**  
**Summary of Economic Feasibility Analysis Results**  
CPV Zone District Analysis

**Incentive Fee Multiplier: 6**

	Rental Residential				Owner Residential		Office			
	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story	5-Story
Incentive Height	12-Story	20-Story	35-Story	50-Story	35-Story	50-Story	12-Story	20-Story	35-Story	50-Story
<b>Site Area (SF)</b>	43,560	32,670	32,670	32,670	32,670	32,670	32,670	32,670	32,670	32,670
<b>Base Height Project Characteristics</b>										
Residential Units	60	60	60	60	50	50	-	-	-	-
Residential Net SF	42,450	42,450	42,450	42,450	36,200	36,200	-	-	-	-
Office Net SF	43,560	43,560	43,560	43,560	43,560	43,560	56,000	92,000	92,000	92,000
Retail Net SF	-	-	-	-	-	-	-	5,000	5,000	5,000
Total Net SF	42,450	42,450	42,450	42,450	36,200	36,200	56,000	56,000	197,000	197,000
<b>Total Gross SF (Excluding Parking)</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>53,063</b>	<b>70,000</b>	<b>121,250</b>	<b>121,250</b>	<b>121,250</b>
Parking Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	45 Spaces	50 Spaces	230 Spaces	230 Spaces	230 Spaces
Approximate Building Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories	5 Stories
<b>Incentive Height Project Characteristics</b>										
Residential Units	144	240	420	600	420	600	-	-	-	-
Residential Net SF	101,700	169,800	297,200	424,500	297,200	424,500	-	-	-	-
Office Net SF	-	-	-	-	-	-	116,000	192,000	336,000	480,000
Retail Net SF	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Total Net SF	106,700	174,800	302,200	429,500	302,200	429,500	121,000	197,000	341,000	485,000
<b>Total Gross SF (Excluding Parking)</b>	<b>142,267</b>	<b>572,667</b>	<b>402,933</b>	<b>572,667</b>	<b>402,933</b>	<b>572,667</b>	<b>151,250</b>	<b>246,250</b>	<b>426,250</b>	<b>606,250</b>
Parking Spaces	108 Spaces	450 Spaces	315 Spaces	450 Spaces	315 Spaces	450 Spaces	104 Spaces	171 Spaces	300 Spaces	429 Spaces
Approximate Building Stories	12 Stories	50 Stories	35 Stories	50 Stories	35 Stories	50 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>ASSUMPTIONS</b>										
<b>Assumed Land Price</b>										
<b>Low Scenario</b>										
Land Price /SF Site Area	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120
<b>High Scenario</b>										
Land Price /SF Site Area	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250
Assumed Cap Rate (1)	4.60%	4.60%	4.60%	4.60%	4.60%	4.60%	5.00%	5.00%	5.00%	5.00%
Estimated Minimum Threshold ROE	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%
Minimum Developer Profit for RLV	15%	15%	15%	15%	15%	15%	15%	15%	15%	15%
Assumed Investment Period (Months)	36 Months	36 Months	48 Months	36 Months	48 Months	36 Months	36 Months	36 Months	21 Months	36 Months
<b>RESIDUAL LAND VALUE Per Site SF</b>										
Prototypes at Base Height	\$150	\$150	\$150	\$150	\$137	\$137	\$232	\$232	\$232	\$232
Prototypes with Incentives	\$338	\$445	\$486	\$523	\$532	\$886	\$82	\$69	\$155	\$504
Percent Increase (Decrease) in RLV Per SF	125%	196%	224%	248%	288%	546%	-65%	-70%	-33%	117%
<b>RETURN ON EQUITY</b>										
Prototypes at Base Height	4.06%	4.06%	4.06%	4.06%			7.16%	7.16%	7.16%	7.16%
Prototypes with Incentives	7.11%	6.45%	6.81%	6.07%			3.86%	3.96%	4.20%	5.11%
Increase (Decrease) in ROE	3.05%	2.40%	2.75%	2.01%			-3.30%	-3.20%	-2.96%	-2.05%

(1) Based on CBRE 1st Half 2018 Cap Rate Survey data for the City of Denver. Represents the mid point of the estimated current cap rate range for urban residential and office projects.

Source: DRA.

Text Amd #3 & DRMC Amd Staff Report  
Attachment 5

**Table 4**  
**Development Prototypes**  
**CPV Zone District Analysis**

	Residential Apartment					Residential Condo		
	5-Story	12-Story	20-Story	35-Story	50-Story	5-Story	35-Story	50-Story
Primary Land Use	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Residential
Other Land Use		1st Floor Retail	1st Floor Retail	1st Floor Retail	1st Floor Retail		1st Floor Retail	1st Floor Retail
Total Residential Units	60	144	240	420	600	50	350	500
Total DU's/Acre	60	144	240	420	600	50	350	500
Total Site Area (Acre)	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres
Total Site Area (SF)	43,560	43,560	43,560	43,560	43,560	43,560	43,560	43,560
Construction Type	Type V over Type I	Type 1	Type 1	Type 1	Type 1	Type V over Type I	Type 1	Type 1
Parking Type	Structured	Subterranean/Structured	Subterranean/Structured	Subterranean/Structured	Subterranean/Structured	Structured	Subterranean/Structured	Subterranean/Structured
Approximate Building Stories	5 Stories	12 Stories	20 Stories	35 Stories	50 Stories	5 Stories	35 Stories	50 Stories
<b>Total Gross Building SF (Excluding Parking)</b>	<b>53,063</b>	<b>142,267</b>	<b>233,067 SF</b>	<b>402,933 SF</b>	<b>572,667 SF</b>	<b>45,250 SF</b>	<b>336,667 SF</b>	<b>478,400 SF</b>
<b>FAR</b>	<b>1.2</b>	<b>3.3</b>	<b>5.4</b>	<b>9.3</b>	<b>13.1</b>	<b>1.0</b>	<b>7.7</b>	<b>11.0</b>
Total Gross Bldg. SF, Incl. Struct./Underg. Pkg (1)	68,813	180,067	296,217	513,333	730,317	63,100	459,317	653,550
FAR Including Parking	1.6	4	7	12	17	1	11	15
Building Efficiency Ratio (%)	80%	75%	75%	75%	75%	80%	75%	75%
Site Coverage (Bldg. Footprint) (%)	70%	85%	85%	85%	85%	70%	85%	85%
Average Floor Plate (GSF)	30,500	37,000	37,000	37,000	37,000	30,500	37,000	37,000
Bldg. Footprint Plus Surface Parking (GSF)	30,500	37,000	37,000	37,000	37,000	30,500	37,000	37,000
Bldg. Footprint Plus Surface Parking (% of Site)								
Levels of Underground Parking	0.0	1.0	2.0	2.0	2.0	0.0	2.0	2.0
Levels of Structured Parking Above Grade	0.5	0.0	-0.3	1.0	2.3	0.6	1.3	2.7
Stories of Office (& Retail) Space	0.0	0.2	0.2	0.2	0.2	0.0	0.2	0.2
Stories of Residential Space	1.7	3.7	5.0	9.0	12.0	1.5	7.0	10.0
Total Stories Above Ground	2.3	4.9	6.9	12.2	16.4	2.1	10.5	14.9
Net Rentable SF Office	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Hotel	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Retail	0 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	0 SF	5,000 SF	5,000 SF
Net Rentable SF Warehouse	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Manufacturing	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Residential	42,450 SF	101,700 SF	169,800 SF	297,200 SF	424,500 SF	36,200 SF	247,500 SF	353,800 SF
Net Rentable SF Total	42,450 SF	106,700 SF	174,800 SF	302,200 SF	429,500 SF	36,200 SF	252,500 SF	358,800 SF
Total Net Bldg. SF	42,450 SF	106,700 SF	174,800 SF	302,200 SF	429,500 SF	36,200 SF	252,500 SF	358,800 SF
<b>Gross SF Office</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>
Gross SF Retail	0 SF	6,667 SF	6,667 SF	6,667 SF	6,667 SF	0 SF	6,667 SF	6,667 SF
<b>Gross SF Residential</b>	<b>53,063 SF</b>	<b>135,600 SF</b>	<b>226,400 SF</b>	<b>396,267 SF</b>	<b>566,000 SF</b>	<b>45,250 SF</b>	<b>330,000 SF</b>	<b>471,733 SF</b>
Total Gross Bldg. SF Excluding Parking	53,063 SF	142,267 SF	233,067 SF	402,933 SF	572,667 SF	45,250 SF	336,667 SF	478,400 SF
Total Gross Bldg. SF Including Parking	68,813 SF	180,067 SF	296,217 SF	513,333 SF	730,317 SF	63,100 SF	459,317 SF	653,550 SF
Unit Bedroom Count Distribution								
Studio/Loft/Shotgun 1 BR	20%	20%	20%	20%	20%	20%	20%	20%
One Bedroom	65%	65%	65%	65%	65%	65%	65%	65%
Two Bedroom	15%	15%	15%	15%	15%	15%	15%	15%
Three Bedroom	0%	0%	0%	0%	0%	0%	0%	0%
Total	100%	100%	100%	100%	100%	100%	100%	100%
<b>Units by BR Count</b>								
Studio/Loft/Shotgun 1 BR	12	29	48	84	120	10	70	100
One Bedroom	39	94	156	273	390	33	228	325
Two Bedroom	9	21	36	63	90	8	52	75
Three Bedroom	0	0	0	0	0	0	0	0
<b>Total Residential Units</b>	<b>60</b>	<b>144</b>	<b>240</b>	<b>420</b>	<b>600</b>	<b>51</b>	<b>350</b>	<b>500</b>
<b>Residential Density (units per acre)</b>	<b>60 du/a</b>	<b>144 du/a</b>	<b>240 du/a</b>	<b>420 du/a</b>	<b>600 du/a</b>	<b>51 du/a</b>	<b>350 du/a</b>	<b>500 du/a</b>
Unit Size (Net SF)								
Studio/Loft/Shotgun 1 BR	550 SF	550 SF	550 SF	550 SF	550 SF	550 SF	550 SF	550 SF
One Bedroom	700 SF	700 SF	700 SF	700 SF	700 SF	700 SF	700 SF	700 SF
Two Bedroom	950 SF	950 SF	950 SF	950 SF	950 SF	950 SF	950 SF	950 SF
Three Bedroom	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF
<i>Average Unit Size</i>	<i>708 SF</i>	<i>706 SF</i>	<i>708 SF</i>	<i>708 SF</i>	<i>708 SF</i>	<i>710 SF</i>	<i>707 SF</i>	<i>708 SF</i>
<b>Parking Ratio - Residential (Spaces/Unit)</b>								
Studio/Loft/Shotgun 1 BR	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00
One Bedroom	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00
Two Bedrooms	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00
Three Bedrooms	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00
<b>Parking Spaces Based on Ratio--Residential</b>	<b>45</b>	<b>108</b>	<b>180</b>	<b>315</b>	<b>450</b>	<b>51</b>	<b>350</b>	<b>500</b>
<b>Parking Ratio - Office (GSF/Space)</b>								
<b>Parking Spaces Based on Ratio--Office</b>								
<b>Parking Ratio - Retail (GSF/Space)</b>								
<b>Parking Spaces Based on Ratio--Retail</b>								
<b>Parking Spaces - Total Based on Ratio</b>								
Parking Spaces Per Floor	87	106	106	106	106	87	106	106
No. of Underground Parking Spaces	0 Spaces	108 Spaces	211 Spaces	211 Spaces	211 Spaces	0 Spaces	211 Spaces	211 Spaces
No. of Structured Parking Spaces	45 Spaces	0 Spaces	-31 Spaces	104 Spaces	239 Spaces	51 Spaces	139 Spaces	289 Spaces
No. of Surface/Garage Parking Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces
<b>Total Parking Spaces Provided</b>	<b>45 Spaces</b>	<b>108 Spaces</b>	<b>180 Spaces</b>	<b>315 Spaces</b>	<b>450 Spaces</b>	<b>51 Spaces</b>	<b>350 Spaces</b>	<b>500 Spaces</b>
Parking Spaces Provided /Unit or /1000 SF	0.75 Spaces/Unit	0.75 Spaces/Unit	0.75 Spaces/Unit	0.75 Spaces/Unit	0.75 Spaces/Unit	1.02 Spaces/Unit	1.00 Spaces/Unit	1.00 Spaces/Unit
Gross SF/Parking Space (Incl. Circulation)	350 SF	350 SF	350 SF	350 SF	350 SF	350 SF	350 SF	350 SF
Total Parking SF	15,750 SF	37,800 SF	63,000 SF	110,250 SF	157,500 SF	17,850 SF	122,500 SF	175,000 SF
Parking SF Underground	0 SF	37,800 SF	74,000 SF	74,000 SF	74,000 SF	0 SF	74,000 SF	74,000 SF
Parking SF Structured	15,750 SF	0 SF	-10,850 SF	36,400 SF	83,650 SF	17,850 SF	48,650 SF	101,150 SF
Parking SF Surface	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF
Total Parking GSF	15,750 SF	37,800 SF	63,150 SF	110,400 SF	157,650 SF	17,850 SF	122,650 SF	175,150 SF

Source: Interviews with Denver area developers; City of Denver; DRA  
CPV Zone District Incentive Analysis

**Table 4**  
**Development Prototypes**  
**CPV Zone District Analysis**

	Office				
	5-Story	12-Story	20-Story	35-Story	50-Story
Primary Land Use	Residential	Office	Office	Office	Office
Other Land Use	1st Floor Retail	1st Floor Retail	1st Floor Retail	1st Floor Retail	1st Floor Retail
Total Residential Units					
Total DU's/Acre					
Total Site Area (Acre)	0.75 Acres	0.75 Acres	0.75 Acres	0.75 Acres	0.75 Acres
Total Site Area (SF)	32,670	32,670	32,670	32,670	32,670
Construction Type	Type II	Type I	Type I	Type I	Type I
Parking Type	Structured	Subterranean/ Structured	Subterranean/ Structured	Subterranean/ Structured	Subterranean/ Structured
Approximate Building Stories	5 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>Total Gross Building SF (Excluding Parking)</b>	<b>70,000 SF</b>	<b>151,250 SF</b>	<b>246,250 SF</b>	<b>426,250 SF</b>	<b>606,250 SF</b>
<b>FAR</b>	<b>2.1</b>	<b>4.6</b>	<b>7.5</b>	<b>13.0</b>	<b>18.6</b>
Total Gross Bldg. SF, Incl. Struct./Underg. Pkg (1)	87,500	187,650	306,100	531,250	756,400
FAR Including Parking	3	6	9	16	23
Building Efficiency Ratio (%)	80%	80%	80%	80%	80%
Site Coverage (Bldg. Footprint) (%)	80%	80%	80%	80%	80%
Average Floor Plate (GSF)	26,100	26,100	26,100	26,100	26,100
Bldg. Footprint Plus Surface Parking (GSF)	26,100	26,100	26,100	26,100	26,100
Bldg. Footprint Plus Surface Parking (% of Site)					
Levels of Underground Parking	0.0	2.0	2.0	2.0	2.0
Levels of Structured Parking Above Grade	0.7	1.4	2.3	4.0	5.8
Stories of Office (& Retail) Space	2.7	5.8	9.4	16.3	23.2
Stories of Residential Space	0.0	0.0	0.0	0.0	0.0
Total Stories Above Ground	3.4	9.2	13.7	22.4	31.0
Net Rentable SF Office	56,000 SF	116,000 SF	192,000 SF	336,000 SF	480,000 SF
Net Rentable SF Hotel	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Retail	0 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF
Net Rentable SF Warehouse	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Manufacturing	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Residential	0 SF	0 SF	0 SF	0 SF	0 SF
Net Rentable SF Total	56,000 SF	121,000 SF	197,000 SF	341,000 SF	485,000 SF
Total Net Bldg. SF	56,000 SF	121,000 SF	197,000 SF	341,000 SF	485,000 SF
<b>Gross SF Office</b>	<b>70,000 SF</b>	<b>145,000 SF</b>	<b>240,000 SF</b>	<b>420,000 SF</b>	<b>600,000 SF</b>
Gross SF Retail	0 SF	6,250 SF	6,250 SF	6,250 SF	6,250 SF
<b>Gross SF Residential</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>	<b>0 SF</b>
Total Gross Bldg. SF Excluding Parking	70,000 SF	151,250 SF	246,250 SF	426,250 SF	606,250 SF
Total Gross Bldg. SF Including Parking	87,500 SF	187,650 SF	306,100 SF	531,250 SF	756,400 SF
Unit Bedroom Count Distribution					
Studio/Loft/Shotgun 1 BR					
One Bedroom					
Two Bedroom					
Three Bedroom					
Total					
<b>Units by BR Count</b>					
Studio/Loft/Shotgun 1 BR					
One Bedroom					
Two Bedroom					
Three Bedroom					
<b>Total Residential Units</b>					
<b>Residential Density (units per acre)</b>					
Unit Size (Net SF)					
Studio/Loft/Shotgun 1 BR					
One Bedroom					
Two Bedroom					
Three Bedroom					
Average Unit Size					
<b>Parking Ratio - Residential (Spaces/Unit)</b>					
Studio/Loft/Shotgun 1 BR					
One Bedroom					
Two Bedrooms					
Three Bedrooms					
<b>Parking Spaces Based on Ratio--Residential</b>					
<b>Parking Ratio - Office (GSF/Space)</b>	1,400	1,400	1,400	1,400	1,400
<b>Parking Spaces Based on Ratio--Office</b>	50	104	171	300	429
<b>Parking Ratio - Retail (GSF/Space)</b>	0	0	0	0	0
<b>Parking Spaces Based on Ratio--Retail</b>	0	0	0	0	0
<b>Parking Spaces - Total Based on Ratio</b>	50	104	171	300	429
Parking Spaces Per Floor	75	75	75	75	75
No. of Underground Parking Spaces	0 Spaces	150 Spaces	150 Spaces	150 Spaces	150 Spaces
No. of Structured Parking Spaces	50 Spaces	-46 Spaces	21 Spaces	150 Spaces	279 Spaces
No. of Surface/Garage Parking Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces	0 Spaces
<b>Total Parking Spaces Provided</b>	<b>50 Spaces</b>	<b>104 Spaces</b>	<b>171 Spaces</b>	<b>300 Spaces</b>	<b>429 Spaces</b>
Parking Spaces Provided /Unit or /1000 SF	1400 GSF/Space	1454 GSF/Space	1440 GSF/Space	1421 GSF/Space	1413 GSF/Space
Gross SF/Parking Space (Incl. Circulation)	350 SF	350 SF	350 SF	350 SF	350 SF
Total Parking SF	17,500 SF	36,400 SF	59,850 SF	105,000 SF	150,150 SF
Parking SF Underground	0 SF	52,500 SF	52,500 SF	52,500 SF	52,500 SF
Parking SF Structured	17,500 SF	-16,100 SF	7,350 SF	52,500 SF	97,650 SF
Parking SF Surface	0 SF	0 SF	0 SF	0 SF	0 SF
Total Parking GSF	17,500 SF	36,400 SF	59,850 SF	105,000 SF	150,150 SF

Source: Interviews with Denver area developers; City

Text Amd #3 & DRMC Amd Staff Report  
Attachment 5

**Table 5**  
**Development Cost Assumptions and Budgets**  
**Development Prototypes**  
**CPV Zone District Analysis**

	Residential					Residential Condo			Office				
	5-Story	12-Story	20-Story	35-Story	50-Story	5-Story	35-Story	50-Story	5-Story	12-Story	20-Story	35-Story	50-Story
<b>PROTOTYPE ASSUMPTIONS</b>													
Total Residential Units	60	144	240	420	600	50	350	500					
Average Unit Size (Net SF)	708	706	708	708	708	710	707	708					
Residential Net SF	42,450	101,700	169,800	297,200	424,500	36,200	247,500	353,800	0	0	0	0	0
Hotel Rooms	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Hotel Room Size (Net SF)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Net SF (Rentable/Saleable SF)	42,450	106,700	174,800	302,200	429,500	36,200	252,500	358,800	56,000	121,000	197,000	341,000	485,000
Total Gross SF Building Area (Excluding Parking)	53,063	142,267	233,067	402,933	572,667	45,250	336,667	478,400	70,000	151,250	246,250	426,250	606,250
Total Gross SF Building Area (Including Str/Und Parking)	68,813	180,067	296,217	513,333	730,317	63,100	459,317	653,550	87,500	187,650	306,100	531,250	756,400
Underground Parking GSF, First Level	0	37,000	37,000	37,000	37,000	0	37,000	37,000	0	26,100	26,100	26,100	26,100
Underground Parking GSF, Second Level	0	800	37,000	37,000	37,000	0	37,000	37,000	0	26,400	26,400	26,400	26,400
Structured Parking GSF	15,750	0	-10,850	36,400	83,650	17,850	48,650	101,150	17,500	-16,100	7,350	52,500	97,650
Surface/Carage Parking GSF	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Parking Spaces	45	108	180	315	450	51	350	500	50	104	171	300	429
Total Parking GSF	15,750	37,800	63,000	110,250	157,500	17,850	122,500	175,000	17,500	36,400	59,850	105,000	150,150
Site Area (SF)	43,560	43,560	43,560	43,560	43,560	43,560	43,560	43,560	32,670	32,670	32,670	32,670	32,670
Approximate Building Stories	5 Stories	12 Stories	20 Stories	35 Stories	50 Stories	5 Stories	35 Stories	50 Stories	5 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>DEVELOPMENT COST ASSUMPTIONS</b>													
Annual % Reduction in Hard Costs to Start of Constr. (1)	10.7%	17.5%	17.5%	21.8%	21.8%	14.1%	21.8%	21.8%	10.7%	17.5%	17.5%	21.8%	21.8%
Construction and Sales/Stabilization Period (Months)	24 Months	36 Months	36 Months	48 Months	48 Months	30 Months	48 Months	48 Months	24 Months	36 Months	36 Months	48 Months	48 Months
<b>Land Price</b>													
Low Scenario Per Hsg. Unit	\$87,120	\$36,300	\$21,780	\$12,446	\$8,712	\$104,544	\$14,935	\$10,454					
Low Scenario Per Site SF	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120
High Scenario Per Hsg. Unit	\$181,500	\$75,625	\$45,375	\$25,929	\$18,150	\$217,800	\$31,114	\$21,780					
High Scenario Per Site SF	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250
<b>Current Bldg. Hard Cost/GSF (Including Parking) (2)</b>													
Low Scenario	\$185	\$220	\$250	\$275	\$300	\$300	\$325	\$350	\$200	\$300	\$325	\$350	\$350
High Scenario	\$185	\$220	\$250	\$275	\$300	\$300	\$325	\$350	\$200	\$300	\$325	\$350	\$350
<b>Est. Bldg. Hard Cost/GSF aT Construction Close</b>													
Low Scenario (Used in Pro Forma)	\$167	\$187	\$213	\$226	\$246	\$263	\$267	\$287	\$181	\$255	\$276	\$287	\$287
High Scenario (Used in Pro Forma)	\$167	\$187	\$213	\$226	\$246	\$263	\$267	\$287	\$181	\$255	\$276	\$287	\$287
<b>Tenant Improvements (Per Net SF)</b>													
Low Scenario									\$60	\$60	\$60	\$60	\$60
High Scenario									\$60	\$60	\$60	\$60	\$60
Soft Costs (2) % of Hard Costs	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
<b>Minimum Return Assumptions</b>													
Cap Rate	4.60%	4.60%	4.60%	4.60%	4.60%	4.60%	4.60%	4.60%	5.00%	5.00%	5.00%	5.00%	5.00%
Minimum Developer Profit on Land + Improvements (3)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Equity as a % of TDC	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

Text Amd #3 & DRMC Amd Staff Report  
Attachment 5

**Table 5**  
**Development Cost Assumptions and Budgets**  
**Development Prototypes**  
**CPV Zone District Analysis**

	Residential					Residential Condo			Office				
	5-Story	12-Story	20-Story	35-Story	50-Story	5-Story	35-Story	50-Story	5-Story	12-Story	20-Story	35-Story	50-Story
<b>DEVELOPMENT BUDGET</b>													
Land Acquisition (Low Scenario)	\$5,227,000	\$5,227,000	\$5,227,000	\$5,227,000	\$5,227,000	\$5,227,000	\$5,227,000	\$5,227,000	\$3,920,000	\$3,920,000	\$3,920,000	\$3,920,000	\$3,920,000
Hard Construction Costs	\$8,861,000	\$26,604,000	\$49,643,000	\$91,063,000	\$140,876,000	\$11,901,000	\$89,890,000	\$137,301,000	\$12,670,000	\$38,569,000	\$67,965,000	\$122,334,000	\$173,994,000
Tenant Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,360,000	\$7,260,000	\$11,820,000	\$20,460,000	\$29,100,000
Underground Parking	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Above Grade Structured Parking	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-Grade Surface Parking	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Soft Costs (2)	\$1,772,200	\$5,320,800	\$9,928,600	\$18,212,600	\$28,175,200	\$2,380,200	\$17,978,000	\$27,460,200	\$3,206,000	\$9,165,800	\$15,957,000	\$28,558,800	\$40,618,800
<b>Total Development Costs, Including Land</b>	<b>\$15,860,200</b>	<b>\$37,151,800</b>	<b>\$64,798,600</b>	<b>\$114,502,600</b>	<b>\$174,278,200</b>	<b>\$19,508,200</b>	<b>\$113,095,000</b>	<b>\$169,988,200</b>	<b>\$23,156,000</b>	<b>\$58,914,800</b>	<b>\$99,662,000</b>	<b>\$175,272,800</b>	<b>\$247,632,800</b>
TDC Per Housing Unit	\$264,337	\$257,999	\$269,994	\$272,625	\$290,464	\$390,164	\$323,129	\$339,976	N/A	N/A	N/A	N/A	N/A
TDC per NSF Rentable/Saleable Area	\$374	\$348	\$371	\$379	\$406	\$539	\$448	\$474	\$414	\$487	\$506	\$514	\$511
TDC per Gross SF, Excluding Parking	\$299	\$261	\$278	\$284	\$304	\$431	\$336	\$355	\$331	\$390	\$405	\$411	\$408
TDC per Gross SF, Including Parking	\$230	\$206	\$219	\$223	\$239	\$309	\$246	\$260	\$265	\$314	\$326	\$330	\$327
<b>Total Development Costs, Excluding Land</b>	<b>\$10,633,200</b>	<b>\$31,924,800</b>	<b>\$59,571,600</b>	<b>\$109,275,600</b>	<b>\$169,051,200</b>	<b>\$14,281,200</b>	<b>\$107,868,000</b>	<b>\$164,761,200</b>	<b>\$19,236,000</b>	<b>\$54,994,800</b>	<b>\$95,742,000</b>	<b>\$171,352,800</b>	<b>\$243,712,800</b>

(1) Estimated based on increases in the Mortenson Construction Cost Index for Denver as summarized below and the estimated number of months of construction. Applied to building and parking hard costs.

Quarter/Year	Constr. Cost Index	Months	% Increase
Q2 2018	134		
Q4 2017	126	12	6.3%
Q4 2016	121	24	10.7%
Q4 2015	114	36	17.5%
Q4 2014	110	48	21.8%
Q4 2013	107	60	25.2%

(2) Soft costs include A&E, consultants, construction financing costs, permits and fees, legal, accounting, insurance and developer overhead.

(3) Used in Land Residual Analysis.

Source: DRA.

**Table 6**  
**Net Operating Income from Market-Rate Apartments**  
**Residential Prototypes**  
**CPV Zone District Analysis**

	5-Story	12-Story	20-Story	35-Story	50-Story
<b>Net Rentable SF of Apartment Space</b>	42,450	101,700	169,800	297,200	424,500
<b>Parking Spaces</b>	45	108	180	315	450
<b>Net Rentable SF of Retail Space</b>	0	5,000	5,000	5,000	5,000
<b>Approximate Building Stories</b>	5 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>Number of Apartment Units</b>					
Studio/Loft/Shotgun 1 BR	12	29	48	84	120
One Bedroom	39	94	156	273	390
Two Bedroom	9	21	36	63	90
Three Bedroom	0	0	0	0	0
<b>Total</b>	<b>60</b>	<b>144</b>	<b>240</b>	<b>420</b>	<b>600</b>
<b>Unit Size (Square Feet)</b>					
Studio/Loft/Shotgun 1 BR	550	550	550	550	550
One Bedroom	700	700	700	700	700
Two Bedroom	950	950	950	950	950
Three Bedroom	-	-	-	-	-
Average	708	706	708	708	708
<b>Ave. Mo. Rent Per Sq. Ft.</b>					
Incr. from 2017 (1)	3.80%				
	\$2.60	\$3.11	\$3.21	\$3.30	\$3.39
<b>Miscellaneous Income (\$/Unit/Year)</b>	\$120	\$120	\$120	\$120	\$120
<b>Rental Vacancy Rate</b>	6.0%	6.0%	6.0%	6.0%	6.0%
<b>Rental Operating Cost/Unit</b>					
Incr. from 2017 (2)	2.10%				
	\$5,616	\$7,658	\$7,658	\$7,658	\$7,658
<b>Retail Income (\$/NSF/Year)</b>					
	\$32.00	\$32.00	\$32.00	\$32.00	\$32.00
<b>Retail Vacancy Rate (% Gross Retail Income)</b>	10%	10%	10%	10%	10%
<b>Retail Operating Cost (% of Gross Retail Income)</b>	40%	40%	40%	40%	40%
<b>Total Monthly Gross Rental Income</b>	<b>\$110,158</b>	<b>\$316,694</b>	<b>\$544,620</b>	<b>\$981,010</b>	<b>\$1,440,863</b>
<b>Annual Gross Income</b>	<b>\$1,321,893</b>	<b>\$3,800,326</b>	<b>\$6,535,439</b>	<b>\$11,772,116</b>	<b>\$17,290,360</b>
Less: Residential Vacancy	(\$79,314)	(\$228,020)	(\$392,126)	(\$706,327)	(\$1,037,422)
Plus: Misc. Income	\$7,200	\$17,280	\$28,800	\$50,400	\$72,000
Plus: Retail Income	\$0	\$160,000	\$160,000	\$160,000	\$160,000
Less: Retail Vacancy	\$0	(\$16,000)	(\$16,000)	(\$16,000)	(\$16,000)
<b>Adjusted Annual Gross Income</b>	<b>\$1,249,779</b>	<b>\$3,733,586</b>	<b>\$6,316,113</b>	<b>\$11,260,189</b>	<b>\$16,468,939</b>
<b>Operating Costs</b>					
Apartment Operating Costs	(\$336,930)	(\$1,102,680)	(\$1,837,800)	(\$3,216,150)	(\$4,594,500)
Retail Operating Costs	\$0	(\$16,000)	(\$16,000)	(\$16,000)	(\$16,000)
<b>Net Operating Income</b>	<b>\$912,849</b>	<b>\$2,614,906</b>	<b>\$4,462,313</b>	<b>\$8,028,039</b>	<b>\$11,858,439</b>
<b>NOI Per Net SF</b>	<b>\$21.50</b>	<b>\$25.71</b>	<b>\$26.28</b>	<b>\$27.01</b>	<b>\$27.94</b>

(1) Increase in apartment rents from Q1 2017 to Q1 2018 from Colliers International Metro Denver Multifamily Report, Q1 2018.

(2) Increase in operating costs from 2017 to 2018 from National Apartment Association 2018 Survey of Operating Income & Expenses in Rental Apartment Communities.

Source: DRA

**Table 7**  
**Net Sales Proceeds from Market-Rate Condominiums**  
**Residential Prototypes**  
**CPV Zone District Analysis**

	5-Story	35-Story	50-Story
<b>Net Saleable SF of Residential Space</b>	36,200	247,500	353,800
<b>Parking Spaces</b>	51	350	500
<b>Net Rentable SF of Retail Space</b>	0	5,000	5,000
<b>Approximate Building Stories</b>	5 Stories	35 Stories	50 Stories
<b>Number of Condominium Units</b>			
Studio/Loft/Shotgun 1 BR	10	70	100
One Bedroom	33	228	325
Two Bedroom	8	52	75
Three Bedroom	0	0	0
<b>Total</b>	<b>51</b>	<b>350</b>	<b>500</b>
<b>Unit Size (Square Feet)</b>			
Studio/Loft/Shotgun 1 BR	550	550	550
One Bedroom	700	700	700
Two Bedroom	950	950	950
Three Bedroom	-	-	-
Average	710	707	708
<b>Ave. Sales Price/Net Sq. Ft. (1)</b>	\$558.00	\$682.00	\$744.00
<b>Sales Costs (% of Sales Prices)</b>	5%	5%	5%
<b>Total Gross Sales Proceeds</b>	<b>\$20,199,600</b>	<b>\$168,795,000</b>	<b>\$263,227,200</b>
Less: Sales Costs	(\$1,009,980)	(\$8,439,750)	(\$13,161,360)
<b>Net Sales Proceeds</b>	<b>\$19,189,620</b>	<b>\$160,355,250</b>	<b>\$250,065,840</b>

(1) Based on sales prices at new condo developments downtown, including the Coloradan and Lakehouse 17.  
Source: DRA



**Table 8**  
**Net Operating Income from Office Uses**  
**Non-Residential Prototypes**  
**CPV Zone District Analysis**

	5-Story	12-Story	20-Story	35-Story	50-Story
<i>Net SF Office</i>	56,000	116,000	192,000	336,000	480,000
<i>Net SF Retail</i>	0	5,000	5,000	5,000	5,000
<i>Total Net SF Non-Residential</i>	56,000	121,000	197,000	341,000	485,000
<i>Parking Spaces</i>	50	104	171	300	429
<i>Approximate Building Stories</i>	5 Stories	12 Stories	20 Stories	35 Stories	50 Stories
<b>OPERATING ASSUMPTIONS</b>					
<b>Office Operating Assumptions</b>					
Annual Rent Per NSF (NNN) (1)	\$43.41	\$44.28	\$45.58	\$46.45	\$47.75
Vacancy Rate	10.0%	10.0%	10.0%	10.0%	10.0%
Operating Expenses (Annual Cost/NSF) (Excluding BID/Met. District costs)	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
<b>Retail Operating Assumptions</b>					
Annual Rent Per NSF (NNN)	\$32.00	\$32.00	\$32.00	\$32.00	\$32.00
Vacancy Rate	10.0%	10.0%	10.0%	10.0%	10.0%
Operating Expenses (Annual Cost/NSF)	\$13	\$13	\$13	\$13	\$13
<b>Parking Income/Operating Assumptions</b>					
Parking Income (\$/Space/Month)	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Parking Vacancy Rate	0.0%	0.0%	0.0%	0.0%	0.0%
<b>STABILIZED NET OPERATING INCOME</b>					
Annual Gross Office Rental Income	\$2,430,960	\$5,136,271	\$8,751,456	\$15,606,763	\$22,920,480
Annual Gross Retail Rental Income	\$0	\$160,000	\$160,000	\$160,000	\$160,000
Annual Gross Parking Income	\$90,000	\$187,200	\$307,800	\$540,000	\$772,200
<b>Annual Gross Non-Residential Rental Income</b>	<b>\$2,520,960</b>	<b>\$5,483,471</b>	<b>\$9,219,256</b>	<b>\$16,306,763</b>	<b>\$23,852,680</b>
Less: Office Vacancy	(\$243,096)	(\$513,627)	(\$875,146)	(\$1,560,676)	(\$2,292,048)
Less: Retail Vacancy	\$0	(\$16,000)	(\$16,000)	(\$16,000)	(\$16,000)
Less: Parking Vacancy	\$0	\$0	\$0	\$0	\$0
<b>Adjusted Annual Gross Income</b>	<b>\$2,277,864</b>	<b>\$4,953,844</b>	<b>\$8,328,110</b>	<b>\$14,730,087</b>	<b>\$21,544,632</b>
Less: Office Operating Expenses	(\$728,000)	(\$1,508,000)	(\$2,496,000)	(\$4,368,000)	(\$6,240,000)
Less: Retail Operating Expenses	\$0	(\$65,000)	(\$65,000)	(\$65,000)	(\$65,000)
Less: Parking Operating Expenses	\$0	\$0	\$0	\$0	\$0
<b>Annual Total Net Operating Income</b>	<b>\$1,549,864</b>	<b>\$3,380,844</b>	<b>\$5,767,110</b>	<b>\$10,297,087</b>	<b>\$15,239,632</b>
Net Operating Income Per NSF	\$27.68	\$27.94	\$29.27	\$30.20	\$31.42

(1) Based on data from Cushman & Wakefield Marketbeat Denver CBD Office Q3 2018.  
Source: DRA.

**Table 9**  
**Affordable and Market Rate Units: Rental Housing Prototypes with Height Incentives**  
CPV Zone District Analysis

**Incentive Floor Area Multiplier: 6**

Base Height Incentive Height	Residential Apartment				
	5-Story	5-Story	5-Story	5-Story	5-Story
	12-Story	16-Story	20-Story	35-Story	50-Story
Total Site Area (Acre)	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres	1.00 Acres
Total Site Area (SF)	43,560	43,560	43,560	43,560	43,560
<b>Base Height Project Characteristics</b>					
Total Residential Units	60	60	60	60	60
Gross SF Residential	53,063 SF	53,063 SF	53,063 SF	53,063 SF	53,063 SF
<b>Incentive Height Project Characteristics</b>					
Total Residential Units	144	360	240	420	600
Gross SF Residential	135,600 SF	339,600 SF	226,400 SF	396,267 SF	566,000 SF
<b>Total Units by Bedroom Count Distribution</b>					
Studio/Loft/Shotgun 1 BR	29	72	48	84	120
One Bedroom	94	234	156	273	390
Two Bedroom	21	54	36	63	90
Three Bedroom	0	0	0	0	0
<b>Affordable Units Required      Units/1000 GSF</b>					
Total Floor Area	2	6	4	7	10
Incentive Floor Area	8	29	17	35	52
Total Affordable Units	10	35	21	42	62
<b>Unit Bedroom Count Distribution</b>					
Studio/Loft	20%	20%	20%	20%	20%
One Bedroom	65%	65%	65%	65%	65%
Two Bedroom	15%	15%	15%	15%	15%
Three Bedroom	0%	0%	0%	0%	0%
<b>Affordable Units by Bedroom Count</b>					
Studio/Loft	2	7	4	8	12
One Bedroom	6	23	14	27	40
Two Bedroom	2	5	3	6	9
Three Bedroom	0	0	0	0	0
<b>Total Affordable Units</b>	<b>10</b>	<b>35</b>	<b>21</b>	<b>41</b>	<b>61</b>
<b>Market Units</b>					
Studio/Loft	27	65	44	76	108
One Bedroom	88	211	142	246	350
Two Bedroom	19	49	33	57	81
Three Bedroom	0	0	0	0	0
<b>Total Market Units</b>	<b>134</b>	<b>325</b>	<b>219</b>	<b>379</b>	<b>539</b>

Source: City of Denver; DRA

**Table 10**  
**Affordable Rents: Mid- and High-Rise Rental Housing Prototypes with Incentive**  
**CPV Zone District Analysis**

**Assumptions**

HUD Median Household Income, Denver, 2018	\$89,900
Affordable Housing Expense As a % of Income	30%

No. of Bedrooms	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Household Size	1.0 Persons	1.5 Persons	3.0 Persons	4.5 Persons	6.0 Persons
Household Size Income Adjust. Factor	70%	75%	90%	104%	116%
Renter Utility Allowance, City of Denver (2)					
Mid-Rise/High-Rise (5+ Stories)	\$53	\$66	\$80	\$93	\$106

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
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**Affordability Gap Calculations**

30% of Median

Annual Income Limit	\$18,879	\$20,228	\$24,273	\$28,049	\$31,285
Affordable Monthly Housing Expense	\$472	\$506	\$607	\$701	\$782
Less: Monthly Utility Allowance	(\$53)	(\$66)	(\$80)	(\$93)	(\$106)
Affordable Monthly Rent	\$419	\$440	\$527	\$608	\$676

60% of Median

Annual Income Limit	\$37,758	\$40,455	\$48,546	\$56,098	\$62,570
Affordable Monthly Housing Expense	\$944	\$1,011	\$1,214	\$1,402	\$1,564
Less: Monthly Utility Allowance	(\$53)	(\$66)	(\$80)	(\$93)	(\$106)
Affordable Monthly Rent	\$891	\$945	\$1,134	\$1,309	\$1,458

80% of Median

Annual Income Limit	\$50,344	\$53,940	\$64,728	\$74,797	\$83,427
Affordable Monthly Housing Expense	\$1,259	\$1,349	\$1,618	\$1,870	\$2,086
Less: Monthly Utility Allowance	(\$53)	(\$66)	(\$80)	(\$93)	(\$106)
Affordable Monthly Rent	\$1,206	\$1,283	\$1,538	\$1,777	\$1,980

120% of AMI

Annual Income Limit	\$75,516	\$80,910	\$97,092	\$112,195	\$125,141
Affordable Monthly Housing Expense	\$1,888	\$2,023	\$2,427	\$2,805	\$3,129
Less: Monthly Utility Allowance	(\$53)	(\$66)	(\$80)	(\$93)	(\$106)
Affordable Monthly Rent	\$1,835	\$1,957	\$2,347	\$2,712	\$3,023

**Summary of Affordable Rents**

	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
30% of Median	\$419	\$440	\$527	\$608
60% of Median	≥ Monthly Rent	\$891	\$945	\$1,134
80% of Median	≥ Monthly Rent	\$1,206	\$1,283	\$1,538
120% of Median	≥ Monthly Rent	\$1,835	\$1,957	\$2,347

(1) Source: Denver Housing Authority, effective January 1, 2018.

Assumes tenant pays gas heating, water heating, and cooking and other electric.

Source: DRA

**Table 11**  
**Affordable Rental Income: Rental Housing Prototypes with Incentive**  
CPV Zone District Analysis

<b>Base Height Incentive Height</b>	<b>5-Story 12-Story</b>	<b>5-Story 20-Story</b>	<b>5-Story 35-Story</b>	<b>5-Story 50-Story</b>
<b>Mo. Per Unit Affordable Rents by Income Level</b> 80% of AMI	High Rise	High Rise	High Rise	High Rise
Studio/Loft	\$1,206	\$1,206	\$1,206	\$1,206
One Bedroom	\$1,283	\$1,283	\$1,283	\$1,283
Two Bedroom	\$1,538	\$1,538	\$1,538	\$1,538
Three Bedroom	\$1,777	\$1,777	\$1,777	\$1,777
<b>Number of Affordable Units</b>				
Studio/Loft	2	4	8	12
One Bedroom	6	14	27	40
Two Bedroom	2	3	6	9
Three Bedroom	-	-	-	-
<b>Total Affordable Units</b>	<b>10</b>	<b>21</b>	<b>41</b>	<b>61</b>
<b>Monthly Gross Income</b>				
Studio/Loft	\$2,412	\$4,824	\$9,648	\$14,472
One Bedroom	\$7,698	\$17,962	\$34,641	\$51,320
Two Bedroom	\$3,076	\$4,614	\$9,228	\$13,842
Three Bedroom	\$0	\$0	\$0	\$0
<b>Total Gross Income from Affordable Units</b>	<b>\$13,186</b>	<b>\$27,400</b>	<b>\$53,517</b>	<b>\$79,634</b>

Source: DRA

**Table 12**  
**Net Operating Income: Prototypes with Height Incentives**  
**Prototypes with Height Incentives**  
**CPV Zone District Analysis**

<b>Base Height Incentive Height</b>	<b>5-Story 12-Story</b>	<b>5-Story 20-Story</b>	<b>5-Story 35-Story</b>	<b>5-Story 50-Story</b>
<b>Net Rentable SF of Apartment Space</b>	101,700	169,800	297,200	424,500
<b>Net Rentable SF of Retail Space</b>	5,000	5,000	5,000	5,000
<b>Total Housing Units with Incentive</b>				
Studio/Loft	29	48	84	120
One Bedroom	94	156	273	390
Two Bedroom	21	36	63	90
Three Bedroom	0	0	0	0
<b>Total Housing Units</b>	<b>144</b>	<b>240</b>	<b>420</b>	<b>600</b>
<b>Average Unit Size (SF)</b>				
Studio/Loft	550	550	550	550
One Bedroom	700	700	700	700
Two Bedroom	950	950	950	950
Three Bedroom	-	-	-	-
Average	706	706	708	706
<b>Net Rentable SF of Retail Space</b>	5,000	5,000	5,000	5,000
<b>Ave. Monthly Market Rent Per SF</b>	\$3.11	\$3.21	\$3.30	\$3.39
<b>Ave. Monthly Market Rent Per Unit</b>	\$2,199	\$2,265	\$2,335	\$2,397
<b>Affordable and Market Units</b>				
Total Market Units	134	219	379	539
Total Affordable Units	10	21	41	61
<b>Miscellaneous Income (\$/Unit/Year)</b>	\$120	\$120	\$120	\$120
<b>Rental Vacancy Rate</b>	6.0%	6.0%	6.0%	6.0%
<b>Rental Operating Cost/Unit (2)</b>				
Low Scenario	\$7,658	\$7,658	\$7,658	\$7,658
High Scenario	\$7,658	\$7,658	\$7,658	\$7,658
<b>Retail Income (\$/NSF/Year)</b>				
Low Scenario	\$32.00	\$32.00	\$32.00	\$32.00
High Scenario	\$32.00	\$32.00	\$32.00	\$32.00
<b>Retail Vacancy Rate (% Gross Retail Income)</b>	10%	10%	10%	10%
<b>Retail Operating Cost (% of Gross Retail Income)</b>	40%	40%	40%	40%
Monthly Gross Rental Income, Market Rate Units	\$294,701	\$496,088	\$885,095	\$1,292,089
Monthly Gross Rental Income, Affordable Units	\$13,186	\$27,400	\$53,517	\$79,634
<b>Total Monthly Gross Rental Income</b>	<b>\$307,887</b>	<b>\$523,488</b>	<b>\$938,612</b>	<b>\$1,371,723</b>
<b>Annual Gross Income</b>	<b>\$3,694,646</b>	<b>\$6,281,852</b>	<b>\$11,263,350</b>	<b>\$16,460,673</b>
Less: Residential Vacancy	(\$221,679)	(\$376,911)	(\$675,801)	(\$987,640)
Plus: Misc. Income	\$17,280	\$28,800	\$50,400	\$72,000
Plus: Retail Income	\$160,000	\$160,000	\$160,000	\$160,000
Less: Retail Vacancy	(\$16,000)	(\$16,000)	(\$16,000)	(\$16,000)
<b>Adjusted Annual Gross Income</b>	<b>\$3,634,247</b>	<b>\$6,077,741</b>	<b>\$10,781,949</b>	<b>\$15,689,032</b>
<b>Operating Costs</b>				
Apartment Operating Costs	(\$1,102,680)	(\$1,837,800)	(\$3,216,150)	(\$4,594,500)
Retail Operating Costs	(\$64,000)	(\$64,000)	(\$64,000)	(\$64,000)
<b>Net Operating Income</b>	<b>\$2,467,567</b>	<b>\$4,175,941</b>	<b>\$7,501,799</b>	<b>\$11,030,532</b>
<b>NOI Per Net SF</b>	<b>\$24.26</b>	<b>\$24.59</b>	<b>\$25.24</b>	<b>\$25.98</b>

Source: DRA

# **DRAFT SUMMARY OF DESIGN STANDARDS AND GUIDELINES / DESIGN REVIEW REQUIREMENTS IN D-CPV ZONE DISTRICTS**

**DOWNTOWN AREA PLAN AMENDMENT – CPV AURARIA: DESIGN QUALITY IMPLEMENTATION**

**October 31, 2018**

The adopted 2018 Downtown Area Plan Amendment for the Central Platte Valley-Auraria area recommends creation of new zone districts to help implement the vision for a new downtown neighborhood. City Council members Albus Brooks and Rafael Espinoza have proposed to implement the plan vision through a Denver Zoning Code (DZC) text amendment to establish three new zone districts (the D-CPV districts) within Article 8 (Downtown Neighborhood Context) of the DZC.

The proposed DZC amendment includes references to neighborhood design quality and the establishment of Design Standards and Guidelines (DSG) to apply in coordination with new zoning standards. This document provides a brief summary of the proposed DSG and Design Review requirements currently under development. It is intended to support discussion/comments on DZC text amendment LUTI draft dated 10/31/18.

## **General Overview of Proposed DSG and Design Review Applicable in D-CPV Zone Districts**

The adopted [Downtown Area Plan Amendment](#) calls for the Central Platte Valley-Auraria district to become a vibrant mixed-use urban neighborhood with a variety in building types, high quality materials, and an elevated design character throughout.

To implement Plan Amendment objectives, new DSG are being developed to provide additional direction on more qualitative design aspects that cannot be fully addressed through zoning alone. The [Arapahoe Square Design Standards and Guidelines \(2016\)](#) serves as a basis for the new DSG, with revised and/or added standards and guidelines as applicable. Subjects will include, but not be limited to:

- Site Design
- Building Scale and Massing
- Architecture and Details
- Streetscape Guidelines
- Sign Design

The DSG and Design Review process would be administered by Community Planning and Development staff and a new Downtown Design Advisory Board. The Downtown Design Advisory Board would be comprised of seven members representing the downtown area and have oversight over CPV-Auraria and Arapahoe Square (as detailed in the proposed draft text amendment). The goal is to eventually also include Golden Triangle and potentially the Downtown Core under the review of the

Downtown Design Advisory Board to provide a more consistent and comprehensive approach to design review in downtown.

### **Next Steps**

Because the DSG are created as Rules and Regulations, they will not follow the specific public adoption process required for DZC text amendments. A Planning Board public hearing will be scheduled prior to the adoption of the text amendment as the DSG are intended to become effective in coordination with the zoning. Tentative dates associated with review and potential adoption of the DZC text amendment and associated DSG and Design Review requirements are provided below (all dates subject to change):

- **November 6:** LUTI committee meeting for DZC text amendment
- **November 12:** Draft of DSG posted for public review
- **December 17:** City Council public hearing for DZC text amendment
- **December 19:** Planning Board public hearing for DSG and Design Review

For more information, including a current draft of the DZC text amendment establishing the D-CPV-T, D-CPV-R and D-CPV-C zone districts, visit:

[www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/text-amendments/Central\\_Platte\\_Valley-Auraria\\_Plan\\_Implementation.html](http://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/text-amendments/Central_Platte_Valley-Auraria_Plan_Implementation.html)

## Johnson, Kristofer - CPD CE0429 Senior City Planner

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**From:** Roberta Sarabin <rsarabin@gmail.com>  
**Sent:** Monday, September 10, 2018 1:06 PM  
**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Subject:** Re: Central Platte Valley-Auraria District  
**Attachments:** image001.png

Hi Kristofer,  
Yes, I am talking about that area. I am mostly concerned with the corner of Speer/Auraria and all of Auraria Parkway.

Thank you!

Roberta

On Mon, Sep 10, 2018 at 10:16 AM Johnson, Kristofer - CPD CE0429 Senior City Planner  
<[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)> wrote:

Hi Roberta – thank you for the comment. Just to confirm, are you referring to the entire Central Platte Valley – Auraria plan area bounded by Speer Boulevard, Auraria Parkway, and I-25, or is there a subset of that area that you feel should be limited to 16 stories?

FYI, the current proposed zoning includes a district appropriate for areas near the corner of Speer/Auraria and along Water Street that is limited to 12 stories to more appropriately address the transition to existing buildings and neighborhoods. However, there are other districts for the interior of the plan area that are proposed to exceed 16 stories.

Thanks,

kj

**Kristofer Johnson, AICP, PLA** | Senior City Planner – Urban Design



Community Planning and Development | City and County of Denver

p: 720.865.3091 | [kristofer.johnson@denvergov.org](mailto:kristofer.johnson@denvergov.org)

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**From:** Roberta Sarabin <[rsarabin@gmail.com](mailto:rsarabin@gmail.com)>  
**Sent:** Monday, September 10, 2018 10:11 AM  
**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner <[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)>  
**Subject:** Re: Central Platte Valley-Auraria District

Thank you for replying quickly!

I'd like to express that building height for this area should be limited to 16 stories or less.

Best Regards,

Roberta Sarabin

On Mon, Sep 10, 2018 at 10:04 AM Johnson, Kristofer - CPD CE0429 Senior City Planner <[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)> wrote:

Good morning Roberta,

Thanks for reaching out. There will not be a public "vote" per se, but you are encouraged to provide your comments to the draft Text Amendment (see link below). All written public comments will be included in our staff report to the Planning Board as part of the public hearing, scheduled for October 17. You can email any feedback directly to me. Feel free to reach out with any further questions. Thanks!

[http://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/text-amendments/Central\\_Platte\\_Valley-Auraria\\_Plan\\_Implementation.html](http://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/text-amendments/Central_Platte_Valley-Auraria_Plan_Implementation.html)

kj

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**From:** Roberta Sarabin <[rsarabin@gmail.com](mailto:rsarabin@gmail.com)>

**Sent:** Sunday, September 09, 2018 7:21 PM

**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner <[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)>

**Subject:** Central Platte Valley-Auraria District

Hi Kristofer,

I will not be able to attend the Open House on October 4th to hear updates of the future of this area in Denver. However, I'd like to know if the public can vote on what the building height of this area will be.

Please advise.

Thank you,

Roberta Sarabin

## Johnson, Kristofer - CPD CE0429 Senior City Planner

---

**From:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Sent:** Thursday, September 20, 2018 12:04 PM  
**To:** 'Daniel Amrine'  
**Cc:** Djaniants, Lilly M. - CPD CE0429 Senior City Planner  
**Subject:** RE: Comments about Denver and the Downtown Area Plan Amendment Central Platte Valley - Auraria District

Good morning Dan,

Thanks for your comments regarding housing affordability in downtown and Denver in general. I share your pain as a downtown worker and resident of the suburbs!

The plan for the Central Platte Valley – Auraria district includes important policy guidance that directs future development of this area as a mixed-use urban neighborhood with a range of housing types/sizes that supports the ability for more families to live downtown. Unfortunately, it is likely there will not be any single family homes in this area because they are not the most efficient use of downtown real estate. However, the plan guidance and subsequent zoning implementation, allow for residential units that range from townhomes to lower scale apartment buildings to tall condo/apartment towers (and at a range of bedroom sizes). While we can't dictate exactly what unit types, sizes, prices, etc. will ultimately be developed, there will be a significant affordable housing requirement that will add units at lower prices for people at a range of income levels and hopefully result in the vibrant mixed-use, mixed-income neighborhood envisioned by the plan.

If you would like to learn more about the plan and implementation for Central Platte Valley – Auraria, the project website is located at the link below. FYI, we will be hosting a Community Open House on October 4 to review the proposed zoning updates if you are interested in attending (more info on the website).

[http://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/text-amendments/Central\\_Platte\\_Valley-Auraria\\_Plan\\_Implementation.html](http://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/text-amendments/Central_Platte_Valley-Auraria_Plan_Implementation.html)

I would also encourage you to review and comment on the draft update of Blueprint Denver, which addresses land use and transportation goals (including housing affordability) across the entire city:

<http://www.denvergov.org/content/denvergov/en/denveright/land-use-transportation.html>

Best regards,

kj



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---

**From:** Planningboard - CPD

**Sent:** Thursday, September 20, 2018 11:04 AM

**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner <[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)>; Djaniants, Lilly M. - CPD

CE0429 Senior City Planner <Lilly.Djanians@denvergov.org>

**Subject:** FW: Comments about Denver and the Downtown Area Plan Amendment Central Platte Valley - Auraria District

**From:** Daniel Amrine <[dca8002@gmail.com](mailto:dca8002@gmail.com)>

**Sent:** Wednesday, September 19, 2018 3:43 PM

**To:** Planningboard - CPD <[planningboard2@denvergov.org](mailto:planningboard2@denvergov.org)>

**Subject:** Comments about Denver and the Downtown Area Plan Amendment Central Platte Valley - Auraria District

I am excited for this development... I've lived here for a year now and I work in the financial district. (Sherman St.)

One thing I've noticed is a lack of residential in the downtown area, specifically single family homes and space for a family of six...like mine. (4 children).

What are you guys going to do about the prices? How can you plan for families when the prices of a small house with 2 bedrooms is over \$695,000!

I wish I could live closer but to find a place downtown, that matches my 3 bedroom 1896 sqft home outside of Brighton, CO (\$309,000), I would have to cram us all into a single bedroom condo.

I just really feel like the only families that can live anywhere close to downtown (own a home) are families that make at least \$350,000/year which is 3 times what I make!

Is there anything available at all? Am I wrong?

Thank you,  
Dan Amrine (Wishes he could live closer to work).

--

Daniel C Amrine  
571 Reserve Ave  
Lochbuie CO 80603  
[dca8002@gmail.com](mailto:dca8002@gmail.com)

## Johnson, Kristofer - CPD CE0429 Senior City Planner

---

**From:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Sent:** Friday, September 21, 2018 4:39 PM  
**To:** 'Alice Gilbertson'  
**Subject:** RE: Central Platte Valley-Auraria District

Hi Alice,

Thanks for reaching out with your question and hopefully this explanation will help.

For a general diagram of where the various districts may apply, you can refer to slide 23 of our August 15 informational presentation to Planning Board:

[https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text\\_amendments/CPV-Auraria\\_Plan\\_Implementation/CPV\\_Auraria\\_Zoning\\_Standards\\_Planning\\_Board\\_info\\_item2.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text_amendments/CPV-Auraria_Plan_Implementation/CPV_Auraria_Zoning_Standards_Planning_Board_info_item2.pdf)

I also want to clarify how the new zone districts will actually be applied in the future. If adopted by City Council, the proposed Text Amendment will establish the new D-CPV zone districts in the Denver Zoning Code. However, this will not actually "map" the new districts to any specific properties (existing zoning will still apply). The new districts will be available for property owners to request a rezoning (referred to as a Map Amendment). In consultation with the Council sponsors of the Text Amendment (CM Brooks and CM Espinoza), it was decided that it was more appropriate to let property owners rezone to the new districts over time as market and economic conditions allow, rather than applying the new districts all at once. It also leaves open the door for future refinements and adjustments as things evolve in the area.

As you may be aware, the River Mile neighborhood has been proposed in the area of Elitch Gardens. That property owner has already come forward with a request to rezone to the D-CPV-R and D-CPV-C districts. All proposed rezonings are located at the following website:

<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/proposed-rezonings.html>

Once you are there, you can zoom into the map and also scroll down to "1901 7th St: 2018I-00131" to find the application which includes a map of their rezoning request.

FYI, we will be hosting a second Community Open House on October 4 at the Commons on Champa from 5:30-7:30 pm. Hope you can attend and please let me know if you have any further questions, thanks!

kj

Kristofer Johnson, AICP, PLA | Senior City Planner – Urban Design Community Planning and Development | City and County of Denver

p: 720.865.3091 | [kristofer.johnson@denvergov.org](mailto:kristofer.johnson@denvergov.org) [DenverGov.org/CPD](http://DenverGov.org/CPD) | [Twitter](#) | [Instagram](#) | [Take our Survey](#)  
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-----Original Message-----

From: Alice Gilbertson <[ajogilbert@aol.com](mailto:ajogilbert@aol.com)>

Sent: Friday, September 21, 2018 3:35 PM

To: Johnson, Kristofer - CPD CE0429 Senior City Planner <[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)>

Subject: Central Platte Valley-Auraria District

Hi,

Can you please provide me with a link so that I can see a map reflecting the three proposed rezonings? The language in the draft plan is not specific enough to adequately identify the proposed footprints of the areas.

Thank you,

Alice Gilbertson

Sent from my iPad

## Johnson, Kristofer - CPD CE0429 Senior City Planner

---

**From:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Sent:** Tuesday, October 02, 2018 11:18 AM  
**To:** 'Amit Agarwala'  
**Subject:** RE: Auraria project

Good morning Jessica,

Thank you for providing your comments and feedback. They will be included in our staff report to the Planning Board. The proposed Text Amendment to the Denver Zoning Code is one step in implementing the policy recommendations from the Downtown Area Plan Amendment that was adopted by City Council in June 2018 (see link below). The new zone districts will establish an overall development framework for the privately owned land area as this neighborhood evolves over the next 20-30 years.

While the proposed new zoning would allow some areas to include tall towers, they do not mandate tall buildings, and future development will be shaped by a number of factors including market/economic conditions, road and traffic capacity, provision of usable open space, etc. Four-story buildings are certainly possible within the new zoning parameters, but they would not be the limit per the guidance in the Downtown Area Plan Amendment. We have been careful to include design standards that help shape buildings as they get taller to preserve access to sun/sky and create a comfortable human-scale experience at the street level. Our colleagues in the Public Works and Parks and Recreation departments are involved in the review of proposed projects and help ensure items like traffic and parks are specifically addressed. As noted, the zoning is just one piece of the larger puzzle of how the area will continue to change over the next few decades.

As a reminder, a Public Hearing is scheduled for October 17 at the Denver Planning Board meeting (3:00 pm) where you can offer additional comments. If you are unable to attend and would like to provide any further feedback, I encourage you to submit your comments prior to 5:00 pm on Monday, October 8, to ensure it is included in our staff report.

Downtown Area Plan Amendment

[https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/planning/Plans/Downtown\\_Area\\_Plan\\_Amendment.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/planning/Plans/Downtown_Area_Plan_Amendment.pdf)

Denver Zoning Code Text Amendment Public Review Draft

[https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text\\_amendments/CPV-Auraria\\_Plan\\_Implementation/Central\\_Platte\\_Valley\\_Auraria\\_Zoning\\_Text\\_Amendment\\_Public\\_Review\\_Draft.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/text_amendments/CPV-Auraria_Plan_Implementation/Central_Platte_Valley_Auraria_Zoning_Text_Amendment_Public_Review_Draft.pdf)

Best regards,

kj

Kristofer Johnson, AICP, PLA | Senior City Planner – Urban Design Community Planning and Development | City and County of Denver

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-----Original Message-----

From: Amit Agarwala <[aoagarwala@icloud.com](mailto:aoagarwala@icloud.com)>

Sent: Monday, October 01, 2018 8:21 PM

To: Johnson, Kristofer - CPD CE0429 Senior City Planner <Kristofer.Johnson@denvergov.org>

Subject: [EXTERNAL] Auraria project

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Hi Kristofer,

I am unable to attend yet another planning meeting due to work schedules.

I would like to know how you are planning to address the additional cars and traffic that will come from adding several thousand residential units to this area. The people living here are not going to only work downtown and use public transportation. A lot of them will commute to work outside of downtown. Probably more than you want or will admit to.

This Auraria area is located in the most congested part of Denver traffic- including I-25 from 6th Ave to Park Ave, and Speer Blvd. Creating a dense new redevelopment in this area will only add to the existing traffic problems. I don't see any plans to make improvements to I-25 in the discussions.

I would also like to see more limits on the heights of the buildings permitted and increased green spaces. This should be an low height area - 4 stories tall. No dense narrow towers. And what you show in the plans, for saying you want to promote green-space, the parks are VERY SMALL.

Thank you,

Jessica Barber Agarwala

Sent from my iPhone



## Johnson, Kristofer - CPD CE0429 Senior City Planner

---

**From:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Sent:** Thursday, October 04, 2018 4:01 PM  
**To:** 'sferris@realestategarage.net'  
**Cc:** william@brinkerhoff.com; Barge, Abe M. - CPD CE2159 Principal City Planner  
**Subject:** RE: Downtown zoning amendments, redline Public Review Draft of 9/5/18

Hi Steve – thanks for your comments and I’ll keep an eye out for you this evening. We should talk further about 1 and 2, but wanted to address your other comments quickly.

3 – the required limitation on visible parking is listed in each of the building form tables. About half way down there is a row titled Limitation on Visible Parking Above Street Level that identifies a minimum of 70% of the Primary Street-facing zone lot width. What this means is that a minimum 70% of the zone lot width must NOT have visible parking and must be wrapped by an Active Use. The remaining 30% may be visible, but will need to be integrated visually into the architecture. Most recent projects have gone ahead and wrapped 100% of the façade because it was difficult/expensive to expose the other portion.

4 – based on some internal comments we have revised 8.9.5.3.B to be more clear that the requirement applies to all building forms in the T/R/C districts on 7<sup>th</sup>, 9<sup>th</sup>, Elitch Cir, Chopper Cir, and Water Street. The standard only applies to the Primary Street frontage that actually faces those streets.

5 – the “TBD” maximums have been updated since the release of the public review draft. Garage Parking as a Primary Use now has a label of “No Maximum”. However, the parking must be provided under a shared parking agreement. Essentially, we are avoiding standalone parking structures that do not serve a specific use and can be built to “No Maximum”, thus providing unlimited parking and nullifying the purpose of the Parking Maximums.

6 – great catch! We originally had proposed FAR limitations in those districts as well, but have changed our approach so we can likely eliminate those references. I should note that this is an awkward section in the code, but the proposed revision to 13.1.5.15.B.3 is an exclusion of an exclusion. Typically, parking area IS NOT included in FAR calculations (in the Downtown Core for example) through the exclusion allowed in the original zoning text. However, in D-CPV parking area IS going to be included in FAR calculations. We will take another look at the language to see if there is a way to write this more clearly.

Thanks and I look forward to your final comments on October 8.

Best,

kj



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**From:** sferris@realestategarage.net <sferris@realestategarage.net>  
**Sent:** Thursday, October 04, 2018 9:46 AM

**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner <Kristofer.Johnson@denvergov.org>

**Cc:** william@brinkerhoff.com

**Subject:** [EXTERNAL] Downtown zoning amendments, redline Public Review Draft of 9/5/18

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Kristofer,

I represent the owners of Water St. Holdings, LLC, and 7<sup>th</sup> St. Holdings, LLC, which owns most of the land surrounding the dead-end portion of the 2300 Block of North 7<sup>th</sup>, all to the north of Water Street, north and northwest of the Aquarium. The owner's name is William Brinkerhoff. I am planning on attending the "Open House" on the proposed draft language this evening, but wanted to get you some comments in advance. Depending on any feedback I can get tonight or via an email response, I intend to finalize a form of these comments for the Planning Board review by the deadline of October 8<sup>th</sup>. The first 2 comments below are conceptual in nature, while the latter are editorial in orientation.

1. We have a specific request to increase the base height, which we feel does not reflect or honor current allowable height on a portion of our property. In addition, we would like to ask you to consider an increased base height for cross-laminated timber (CLT) type construction. We believe this would incentivize use of this more sustainable building material, and align with the City's sustainability goals.
2. We appreciate the intent of establishing parking maximums for land in close proximity to downtown, but are concerned that land north of Water Street will likely be strongly oriented to abutting interstate highway connections, and is thus worthy of higher parking maximums, perhaps 1.5 to 1,000 GSF. This could also be addressed with greater allowances for guest parking.
3. Section 8.9.5.2 propose a limitation on visibility of parking and an allowance. However, it is not clear what the actual limitation is. Is there an intended cross-reference?
4. Section 8.9.5.3.'s title conflicts with the 8.9.5.3.B's applicability section. In addition, can this applicability section make clear what it means to be "on" a street? Does it mean to face a primary street?
5. Related to the comment #2, 8.11.5's parking vehicle maximum language appears redundant, except for its reference to limiting parking for parking garages. This standard is labeled "TBD". We are unclear how this type of limitation is needed or warranted, but would want to scrutinize any final language.
6. In 13.1.5.15.B.3., why is there an exclusion for parking area applicable to FAR for the D-CPV-T and D-CPV-R districts, when FAR is not a dimensional limitation in these districts?

Thank you for your consideration,  
Steve

Steve Ferris

The Real Estate Garage

ph: 303-435-5393

<http://realestategarage.net/>

email: [steve@realestategarage.net](mailto:steve@realestategarage.net)



**THE REAL ESTATE GARAGE**

## Johnson, Kristofer - CPD CE0429 Senior City Planner

---

**From:** sferris@realestategarage.net  
**Sent:** Monday, October 08, 2018 4:38 PM  
**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Cc:** william brinkerhoff  
**Subject:** review comments, downtown area DZC text amendments  
**Attachments:** 181008.D-CPV zoning review comments for PB.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Kristofer,  
Please see our comments attached. Thank you for your consideration.  
Steve

Steve Ferris  
The Real Estate Garage  
ph: 303-435-5393  
<http://realestategarage.net/>  
email: [steve@realestategarage.net](mailto:steve@realestategarage.net)



**THE REAL ESTATE GARAGE**

Steve Ferris, c/o Real Estate Garage  
1522 Blake St., Suite #350  
Denver, CO 80202  
October 8, 2018  
[sferris@realestategarage.net](mailto:sferris@realestategarage.net)

Sent via email to mail to Kristofer Johnson, Senior City Planner at [Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)

**RE: Denver Zoning Code Text Amendment #3 Redline Public Review Draft of 9/5/18**

Dear Kristofer, Denver Planning Board, and Other Interested Parties:

I represent the owners of Water St. Holdings, LLC, and 7<sup>th</sup> St. Holdings, LLC, which owns most of the land surrounding the dead-end portion of the 2300 Block of North 7<sup>th</sup> Street, extending just north of Water Street. We are considering filing an application to rezone 2 parcels in this area to the D-CPV-T zoning category. These parcels are currently zoned C-MU-10 with waivers (old zoning) and C-MX-5.

We appreciate your clarifications of our minor comments on the proposed wording, and the hard work you have put in developing this unique code language. We also wanted to pass on the following comments to the Planning Board, consisting of two proposed amendments to zoning text amendment.

- 1. There is an outstanding opportunity to honor Topic E of the Downtown Area Plan and Plan Amendment, which encompasses “A Green City” and encourages the sustainable use of resources.**

This can be accomplished by carving out an exception to the base height of 5 stories to encourage green building. Allowing for an increase in base height for cross-laminated timber (CLT) buildings would be an example of this. This building types maximizes its value at 7 to 8 stories, so a simple increase of the base height by 2 or 3 stories, limited to this building type, would implement numerous green building objectives. A quick google search clearly establishes that this building material is more sustainable than steel or concrete, is growing in popularity, and offers expansive, high-quality green building opportunities. Incentivizing more sustainable building materials use within the zoning would implement the 2007 Downtown Area Plan Topic E, “A Green City”. Note that E.3.’s goal states:

***Incorporate sustainability as a core value for downtown and integrate its concepts into all future projects, programs and policies.***

The 2018 Downtown Plan Amendment clearly calls for the “Sustainable Use of Resources”. Moreover, E.6.b. & c. of the Plan Amendment state:

***b. Build development with an enduring life-cycle.***

***c. Encourage green and sustainable communities.***



**2. Parking maximums are laudable, but more flexible or generous maximums are appropriate for land abutting and directly linked to I-25.**

Parking maximums are a thoughtful approach for sites displaying close proximity to downtown and its transit connections. But, for simple geographic reasons, land north of Water Street and the aquarium will face market demand due to its strong highway connections. In other words, its highway accessibility will force a reliance on and preference for personal vehicle use.

Also worth noting is that the plan indicates only one north-south Platte River bridge connection from Water Street to the remainder of the plan area, with the bridge likely limited to pedestrians and bicycles. This suggests limited negative vehicle impacts from this portion of the plan area, and that any greater prevalence of auto use will largely be directed to the adjacent interstate highway. In addition to simple geography, it is worth considering the following general information on parking demand for office uses: <https://www.connect.media/office-parking-is-not-a-thing-of-the-past/>

Given this information, we would ask that this portion of the D-CPV transition area allow for slightly higher parking ratio maximums, perhaps 1.5 spaces/1,000 GSF, rather than the current 1.25 spaces/1,000 GSF, or grant greater allowances for guest parking.

Thank you for your consideration.



Steve Ferris  
Principal, The Real Estate Garage

Cc: William Brinkerhoff

## Johnson, Kristofer - CPD CE0429 Senior City Planner

---

**From:** Johnson, Kristofer - CPD CE0429 Senior City Planner  
**Sent:** Tuesday, October 09, 2018 10:10 AM  
**To:** 'Landon Scott'  
**Cc:** Dad; Nevitt, Christopher E. - CPD Office of the Manager; Barge, Abe M. - CPD CE2159 Principal City Planner; Brasel, Jeff S. - CPD Sr City Planner  
**Subject:** RE: [EXTERNAL] CPV-Auraria Zoning Text Amendment Update - Comments

Good morning Landon,

Thank you for your comments. We were also contacted recently by Glen Sibley regarding possible future development in this area. FYI, we are currently scheduling a meeting with Glen to coordinate further and you are welcome to join if interested.

To clarify, the current proposed Text Amendment to establish new zone districts for CPV-Auraria (and the proposed rezoning at Elitch's) would not affect 6<sup>th</sup> Street. However, there is guidance in the Downtown Area Plan Amendment to create a walkable and connected grid of streets throughout the neighborhood. Any reinstatement of 6<sup>th</sup> Street as a public right-of-way would involve much more detailed conversation with our Public Works department and likely be contingent on a number of other infrastructure and traffic-related factors.

Let me know if you would like to be included in the meeting with Glen Sibley. We are tentatively looking at next week or the following week for an open time.

Best,

kj



**Kristofer Johnson, AICP, PLA** | Senior City Planner – Urban Design  
Community Planning and Development | City and County of Denver  
p: 720.865.3091 | [kristofer.johnson@denvergov.org](mailto:kristofer.johnson@denvergov.org)  
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**From:** Landon Scott <[lscott@centricelevator.com](mailto:lscott@centricelevator.com)>  
**Sent:** Monday, October 08, 2018 3:42 PM  
**To:** Johnson, Kristofer - CPD CE0429 Senior City Planner <[Kristofer.Johnson@denvergov.org](mailto:Kristofer.Johnson@denvergov.org)>  
**Cc:** Dad <[Brucesscott47@hotmail.com](mailto:Brucesscott47@hotmail.com)>  
**Subject:** [EXTERNAL] CPV-Auraria Zoning Text Amendment Update - Comments

**Use caution with attachments or links.**

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Good afternoon Kristopher – My name is Landon Scott and my family owns several parcels of property in the CPV-Auraria District including 500 Wazee, 501 Wazee, 1450 5<sup>th</sup> St, among others. I have been following the process and appreciate the work done to date by you and your staff. We have reviewed 10/4/18 Auraria Neighborhood Plan Presentation and we would like to express our concern about the potential reinstatement of the currently vacated 6<sup>th</sup> street. We appreciate the need for improved connectivity throughout the district but don't agree with reinstating 6<sup>th</sup> street, we presume it would dead end into the Auraria Parkway Viaduct. If possible, we would like to meet with you

and better understand the plan for the new street grid expectations. We are in the early stages of some possible development on our land and we believe this grid could have a significant adverse impact on our future development.

Thanks

**Landon Scott**

PRESIDENT

**centric**

1455 S. Lipan Street, Denver, CO 80223

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October 17, 2018

Denver Planning Board  
Planning Services  
Community Planning and Development  
201 W. Colfax Avenue, Dept 205  
Denver, CO 80202

RE: Downtown Area Plan Official Text Amendment for Central Platte Valley-Auraria District and Map Amendment Application #2018I-00131 rezoning 1901 7th Street from CMP-ENT to D-CPV-R, D-CPV-C.

Dear Chairman and Board Members:

I chair the Highland United Neighbors, Inc., Planning and Community Development Committee and I represented the Highland Neighborhood on the Downtown Area Plan Amendment for the Central Platte Valley-Auraria District. I want to express my personal support for the Central Platte Valley Auraria District Text Amendment and Map Amendment Application #2018I-00131 for 1901 7th Street.

Rhys Duggan, the representative of 1901 7th Street property, has addressed the HUNI Planning and Community Development Committee twice on the proposed map amendment and the committee members were supportive of seeing development on this site move forward.

I support the text and map amendments because:

- It puts density where density makes sense – on under-utilized parking lots – and will lessen the pressure for established neighborhoods like Highland to accommodate our City's growing population.
- It corresponds to the Central-Platte Valley-Auraria Amendment to the Downtown Area Plan, which was developed through an intensive, year-long community engagement process.
- It enables development of housing and jobs adjacent to two light rail stations, leveraging Denver's investment in transit.

I thank you for your consideration and encourage you to recommend the Text and Map Amendments for approval by the Denver City Council.

Sincerely,



Timothy C. Boers, AIA  
Highland Resident